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**J O U R N A L S**

**OF THE**

**LEGISLATIVE COUNCIL**

**OF**

**NEWFOUNDLAND.**

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# JOURNALS

OF THE

LEGISLATIVE COUNCIL

OF THE

ISLAND OF NEWFOUNDLAND.



HIS EXCELLENCY

CHARLES HENRY DARLING, ESQ.,

GOVERNOR AND COMMANDER-IN-CHIEF IN AND OVER  
THE ISLAND OF NEWFOUNDLAND AND ITS  
DEPENDENCIES, &c., &c.

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*BEING THE SECOND SESSION*

OF THE

SIXTH GENERAL ASSEMBLY.

1856.



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JOSEPH WOODS, PRINTER, ST. JOHN'S, NEWFOUNDLAND.

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# PROCLAMATION.

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**C. H. DARLING.**  
[L. S.]

*By His Excellency* **CHARLES HENRY DARLING,**  
*Esquire, Governor and Commander-in-  
Chief in and over the Island of Newfound-  
land and its Dependencies, &c., &c., &c.*

**WHEREAS** the General Assembly of this Island stands Prorogued until Wednesday the Tenth day of October instant: And Whereas I think fit to Prorogue the said General Assembly until Friday the Thirtieth day of November next ensuing. I do therefore, by this my Proclamation, further Prorogue the said General Assembly until Friday the Thirtieth day of November next; of which all Persons concerned are required and commanded to take due notice and govern themselves accordingly.

Given under my Hand and Seal at the Government House,  
in the aforesaid Island, the Fifth day of October, in  
the Year of Our Lord One Thousand Eight  
Hundred and Fifty Five, and in the Nineteenth  
Year of Her Majesty's Reign.

*By His Excellency's Command,*

**JOHN KENT,**  
*Acting Colonial Secretary.*



# PROCLAMATION.

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C. H. DARLING.  
[L. S.]

*By His Excellency* CHARLES HENRY DARLING,  
*Esquire, Governor and Commander-in-Chief*  
*in and over the Island of Newfoundland*  
*and its Dependencies, &c., &c., &c.*

**W**HEREAS the General Assembly of this Island stands Prorogued until Friday the Thirtieth day of November instant: And Whereas I think fit to Prorogue the said General Assembly until Tuesday the Fifteenth day of January next ensuing. I do therefore, by this my Proclamation, further Prorogue the said General Assembly until Tuesday the Fifteenth day of January next, *then to meet for the despatch of business*: of which all Persons concerned are required and commanded to take due notice and govern themselves accordingly.

Given under my Hand and Seal at the Government House,  
in the aforesaid Island, the Twenty-seventh day of  
November, in the Year of Our Lord One Thousand  
Eight Hundred and Fifty-five, and in the Nine-  
teenth Year of Her Majesty's Reign.

By His Excellency's Command,

**JOHN KENT,**

*Colonial Secretary.*

# LEGISLATIVE COUNCIL, NEWFOUNDLAND.

Second Session Sixth General Assembly,  
19th Victoria.

TUESDAY, 15th JANUARY, 1856.

This being the day appointed for the meeting of the Colonial  
Legislature,

At half-past One of the Clock, P. M., the House met.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JOHN ROCHFORT  
“ JAMES TOBIN  
“ GEORGE H. EMERSON  
“ JOHN MUNN  
“ JAMES FURLONG  
“ SAMUEL CARSON  
“ THOMAS ROW  
“ JAMES J. ROGERSON  
“ PHILIP DUGGAN  
“ JAMES CORMACK

Members present.

At Two of the Clock, P. M., His Excellency the Governor having arrived at the Council Chamber, and being seated on the Throne, the Honorable the President of the Council commanded the Sergeant-at-Arms attendant on the Council, to go to the Commons House of Assembly, and inform the Members that it is His Excellency's pleasure that they do forthwith attend at the Bar of this House ; and they being come thereto, His Excellency was pleased to open the present Session by a gracious Speech to both Houses.

Governor arrives at  
the Council Chamber.

The Assembly summoned to attend him.

The House of Assembly having withdrawn, His Excellency was pleased to retire.

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A copy of His Excellency's Speech having been left with the House, it was read by the Clerk, and is as follows:—

*Mr. President, and Honorable Gentlemen of the Legislative Council:*

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

I have summoned you to meet for the Despatch of Business, after a recess of unusually short duration; not so much in consequence of any pressing necessity for resorting to your assistance and advice at this particular moment, as for the purpose of restoring the ordinary Sessions of the Legislature to their accustomed course, and thus enabling you to devote your attention to the public interests at that season of the year, which is understood to be most convenient with reference to your personal occupations and pursuits.

Since we were last assembled, the progress of the War, in which the resources of the United Kingdom and the spirit of its people are alike engaged, has been marked by glorious and triumphant events. It has been my gratifying duty to transmit to the foot of the Throne, the loyal congratulations of Her Majesty's faithful Subjects in this ancient possession of Her Crown, upon the great achievement of the campaign; and I have not failed to convey to Her Majesty's Government my testimony to the heartiness and enthusiasm with which those sentiments were offered for Her Majesty's acceptance.

I have been honored with the Queen's commands to make known the gratification with which She has received these proofs of the interest which is felt by the Inhabitants of the Colony, in the success of Her Majesty's Arms and those of Her Allies.

The inevitable effect of continued hostilities upon so vast a scale, in the enhanced cost of articles of subsistence, has been peculiarly experienced in a Colony whose Inhabitants depend so extensively for their supplies, upon the imported produce of other countries.

Although the advantages which were reasonably to be anticipated from the Reciprocity Treaty with the United States, and its subsidiary enactments have, in this respect, been materially neutralized at the outset of the system it established, yet ample proof has been afforded of the benefit which the measure is calculated to confer

*15th January, 1856.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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upon the Export Trade of the Colony by the comparative increase in the quantity of our Staple Produce which has latterly found a market in the ports of the Union.

When the unfavorable circumstances to which I have adverted shall have ceased to operate, we may confidently hope that these advantages will become permanent and more generally diffused ; not only promoting the interests of Commerce and Capital, but substantially ameliorating the condition of our Fishermen and other industrial classes of the Population.

Immediately upon the receipt of Her Majesty's approval of the Treaty Act, which was transmitted to the Local Government, with no longer delay than unavoidably resulted from the connection of the measure with the Foreign Relations of the Mother Country, the necessary steps were taken for giving practical effect to its provisions ; and I shall cause to be laid before you a communication which I have received from Her Majesty's Minister at Washington, placing me in possession of the Act of the President of the United States by which those provisions are declared to be in force in that Country.

The efforts of the Government have been directed to a reduction of the heavy burthen which, for many years past, has been entailed upon the Public Funds under the designation of "Relief of the Poor."

But notwithstanding the favorable results of the Shore Fishery, and a decided improvement in the Potato Crop throughout the Colony, the rise in the cost of other Food has presented a serious obstacle to that immediate and effectual reform of the system, which might otherwise have been accomplished. Care has, however, been taken, in the allotment of pecuniary assistance, to promote the two-fold object of rendering the Expenditure as reproductive as circumstances would allow ; and of averting the debasing influences of a purely gratuitous relief, by affording timely employment in public work to those whose destitute condition, if not thus assisted, there was good reason to anticipate.

By a Despatch from the Secretary of State, which will be laid before you, you will learn that Her Majesty's Government are anxious to establish a system by which the cost of erecting and main-

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SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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taining Light Houses, situated in the great tracks of Commerce, may be more equally imposed upon the Shipping deriving benefit therefrom.

It is the intention of the Imperial Government that the Light House about to be erected upon Cape Race, should be maintained under this plan ; and the ready adoption of the system, the advantages of which, to this Colony, can scarcely, I think, be doubted, may not improbably lead to its extension to the Light already established upon Cape Pine.

Personal communication between the Government and the chief promoters of the important project, which has received the sanction and encouragement of the Legislature for connecting Europe and America by Electric Telegraph through the city of St. John's, justifies the expectation that notwithstanding a recent disaster which has retarded the operations of the Company, the year upon which we have just entered will witness, not only the establishment of the contemplated communication between this Colony and the American Continent, but also the initiation of direct intercourse by Steam with the United Kingdom, without which, indeed, the great object of securing the rapid and regular transmission of intelligence across the Atlantic Ocean could not for some time to come be accomplished.

There are not wanting practical and experienced observers who believe that the obstacles to such a project, which are attributed to the peculiarities of our situation and climate, are even less formidable than those encountered in a similar service upon the shores of the neighbouring continent.

Should this opinion prove well founded, this Colony will at length receive the due advantage of its unrivalled geographical and commercial position ; some conception of which may be derived from the simple fact, that its annual Exports—the produce of the sea alone, and probably undervalued at a million and a quarter—are the results of the hardihood and skill of no more than some 40,000 of its inhabitants, and even those employed during only a portion of the year.

The belief that valuable Minerals exist in favorable situations in more than one quarter of the Island, has recently acquired

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**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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strength ; and the permission of the Government to search for, and work, such deposits, has been eagerly applied for in several instances.

While fully sensible of the importance of developing such promising sources of public and private wealth, it has appeared to my Government desirable to avail itself of your advice as to the course which it may be expedient to adopt for this purpose, and for the preliminary object of endeavouring to ascertain—approximately at least—the extent and value of our resources of this nature.

Information which has been obtained from various quarters, with a view to the encouragement of the Export Trade in Herrings, and an improvement in the method of cure, will be communicated to you. From the correspondence on the subject you will learn that your desire to foster this important branch of the Fisheries, as indicated by a money vote in your last Session, has received due attention from the Government.

*Mr. Speaker, and Gentlemen of the House of Assembly:—*

The Estimates of the Revenue and Expenditure for the present year, will be laid before you.

I rely upon your usual liberality to make adequate provision for the public service.

The facility with which the additional Loan sanctioned by the Act of last Session has been obtained, affords satisfactory proof of the estimation in which the credit of the Colony continues to be held.

It is believed that advantage and convenience in the conduct of future financial operations would result from the Consolidation of a portion of the Public Debt now secured under several separate enactments ; and I have to invite your concurrence in a measure for this purpose, which will be submitted to you on behalf of the Government.

The true interests of a Colony, many of whose resources are comparatively undeveloped, but which is undoubtedly attracting the attention of Capitalists, will not admit of a total neglect of measures of internal and local improvement. Not only main lines of intercourse ; but those roads by which transit and communication be-



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tween the Settlements upon the Coast and the country adjacent to them may be facilitated, are especially objects which, in the peculiar circumstances of our working population, loudly call for sufficient and systematic appropriations.

Whatever the amount of expenditure for this and other purposes, which you may see fit to sanction, I venture strongly to urge upon you the adoption of the sound principle of at once equalizing your annual income with that expenditure.

I commend the question of Public Education to your continued support; and I trust that you may find it compatible with other claims upon the Public Funds to extend an increased measure of encouragement to improvements in Agriculture, and the introduction of superior breeds of Stock.

*Mr. President, and Honorable Gentlemen of the Legislative Council:*

*Mr. Speaker, and Gentlemen of the House of Assembly:—*

In reviewing the state of the Colonial Law, certain alterations intended to adapt it more perfectly to the requirements of the various classes of society, appear desirable.

The measures which will be submitted to you for this purpose relate to the administration of Justice, to the amendment of the Law of Evidence, and to the legalization of the principle of Limited Liability in Co-partnerships, whether for special objects or ordinary purposes of Trade: Their importance to the community affords ample assurance that they will receive patient and attentive consideration at your hands.

The want of some effective local organization for the better management and improvement of Towns and Communities, and the establishment of such sanatory and other regulations as usually exist in wealthy and populous Cities, is very generally acknowledged; and as it seems but just to the inhabitants of the Colony at large, that these and similar objects of a purely local character should be provided for from local resources, I trust that your present Session will not terminate without the completion of a measure by which these principles may be carried into operation.

**15th and 17th January, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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The Constitution of the Government now happily admits of the freest interchange of opinion between the Crown and the other Branches of the Legislature ; and I earnestly hope that in the exercise of this advantage, our united efforts may, with the blessing of Providence, result in the increased prosperity of all classes of the People.

Ordered—That a Select Committee be appointed to draft an Address to His Excellency the Governor in answer thereto—and

Select committee to draft Address to the Governor in reply to his Speech.

Ordered—That the Honorable Messrs. Tobin, Rogerson, and Emerson be a Committee for that purpose.

Ordered—That the Speech be printed.

On motion made and seconded, the House adjourned until Thursday next, at 3 o'clock, P. M.

House adjourns.

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**THURSDAY, 17th JANUARY, 1856.**

The House met pursuant to adjournment.

House meets.

**PRESENT :**

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN  
 “ JOHN ROCHFORT  
 “ JOHN MUNN  
 “ GEORGE H. EMERSON  
 “ SAMUEL CARSON  
 “ JAMES FURLONG  
 “ THOMAS ROW  
 “ PHILIP DUGGAN  
 “ JAMES J. ROGERSON  
 “ JAMES CORMACK

Members present.

The Minutes of Tuesday last were read.

The Honorable Mr. TOBIN, from the Select Committee appointed to prepare an Address to His Excellency the Governor in answer to his Speech at the opening of the Session, presented a draft thereof.

Select committee report draft of Address to the Governor in reply to his Speech.

Ordered—That the same be received.

The Address was then read a first time—and

Address read 1st time.

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Ordered—That it be read a second time to-morrow.

Notice of motion to suspend 35th Rule of the House.

The Honorable Mr. TOBIN gives notice, that he will to-morrow move the suspension of the 35th Rule of the House with reference to the said Address.

Ordered—That the said Address be printed.

House in Committee on privilege.

On motion of the Honorable Mr. Row, the House went into Committee on privilege—

The Honorable Mr. ROCHFORD in the Chair.

After some time the House resumed.

The Chairman reported the following Resolution :—

*Resolved*,—That the Usher of the Black Rod be directed to apply to the Chairman of the Board of Works for the Keys of the Chambers of Her Majesty's Legislative Council in the Colonial Building.

Ordered—That the report be received and adopted.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow at 3 o'clock, P. M.

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FRIDAY, 18th JANUARY, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President*.  
 “ JOHN ROCHFORD  
 “ JAMES TOBIN  
 “ SAMUEL CARSON  
 “ GEORGE H. EMERSON  
 “ JAMES FURLONG  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON  
 “ PHILIP DUGGAN  
 “ JAMES CORMACK  
 “ JOHN MUNN.

18th January, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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The Minutes of yesterday were read.

The Usher of the Black Rod, on being called on by the President of the Council, reported—That in compliance with the direction he received yesterday, he had waited on the Chairman of the Board of Works, and that that gentleman informed him that he would to-morrow consult the Board on the subject of the application made to him, and would communicate the result as soon as possible.

Report of Usher of the Black Rod respecting Keys of Council Chamber.

Pursuant to the order of the day, the Address to the Governor in reply to His Excellency's Speech on opening of the Session, was read a second time.

Address to the Governor read 2d time.

Pursuant to notice, and on motion of the Honorable Mr. TOBIN, it was

Ordered—That the 35th Rule of the House be suspended with reference to the said Address.

35th Rule of the House suspended.

Whereupon the House went into Committee thereon—

The Honorable Mr. MUNN in the Chair.

After some time the House resumed.

The Chairman reported the Address without amendment.

Address reported—

Ordered—That the report be received.

The Address was then read a third time and passed.

—read 3d time and passed.

Ordered—That the same be engrossed.

The Address is as follows :

*To His Excellency CHARLES HENRY DARLING,  
Esquire, Governor and Commander-in-Chief  
in and over the Island of Newfoundland  
and its Dependencies.*

We, Her Majesty's dutiful and loyal Subjects, the Legislative Council of Newfoundland, in General Assembly convened, respectfully thank Your Excellency for the most gracious Speech with which you have been pleased to open the present Session of the Legislature.

**18th January, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

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1.—We acknowledge with gratitude the kind consideration for our personal convenience which has influenced Your Excellency in summoning the Legislature to meet on the present occasion, and at this season.

2.—We have hailed with deep gratification and thankfulness to that Power by whom Kings reign, the successes which have attended the arms of our Gracious Queen and those of Her brave Allies, in the war in which our country is engaged; and although the inhabitants of this Colony feel sensibly the present enhanced cost of the articles of subsistence consequent upon the magnitude of such war, and regret the necessity which occasions it, they do not murmur at the pressure which falls upon them as component parts of an Empire engaged in a just and defensive struggle.

3.—We feel confident that when the Reciprocity Treaty with the United States; and the enactments subsidiary thereto, shall have been sufficiently long in operation to permit them to exercise their legitimate effects upon commerce, they will result in permanent advantages to the Colony. We thank Your Excellency for the promise to lay before us a communication upon the subject, from Her Majesty's Minister at Washington.

4.—We rejoice to find that the efforts of the Government have been directed to a reduction of the heavy burthen which has been entailed upon the Public Funds, under the designation of "Relief of the Poor."

Whilst we are strongly impressed with the necessity of reducing such expenditure, and are sensible of the difficulties which surround the subject, we are assured that the proper principle upon which Government aid should be applied, whether viewed in a fiscal, social or moral light, is to require from the recipient, whenever practicable, a return in labor for the relief extended.

5.—To the Despatch of the Secretary of State on the important matters connected with the maintenance of Light Houses upon our Coast, we shall devote our best attention.

6.—We participate with Your Excellency in the sanguine expectation that vast benefits will result to this Colony from the com-

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**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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pletion of the line of Electric Telegraph between St. John's and the American Continent, and the establishment of direct intercourse by Steam with the United Kingdom; and we ardently hope that the realization of those expectations is not far distant.

7.—Our best endeavours shall be used to encourage, by prudent and liberal legislation, the development of the Mineral and other resources of the Colony, in the belief that by the establishment of every new branch of industry, a fresh field for the employment of our population, and for the increase of the wealth of the Colony, will be opened.

8.—We are glad to find that the Legislation of last Session with reference to the Herring Fishery, has received due attention from the Government :

We entertain a conviction that that Branch of our Fisheries only requires care and good management to become a profitable item in the general trade of the Colony.

9.—The several important matters connected with our Financial condition, and referred to by Your Excellency, shall receive our earnest attention with a desire so to legislate upon them, that—whilst taxation shall fall as lightly as possible upon its Inhabitants, and the public credit be maintained—the internal improvements of the Colony shall not be neglected.

We fully recognize the necessity for providing for Public Education, and for encouraging Agricultural pursuits; and we shall cheerfully concur in such appropriations for these objects as the Revenue will afford, as well as for providing for the systematic and efficient construction and reparation of main and other Roads; for we are of opinion that good thoroughfares are indispensable for the cultivation of the soil and the comfort and enjoyment of the Inhabitants of the Country.

10.—We shall be prepared to apply our best consideration to the state of our Colonial Laws, and the Administration of Justice, as well as to the most efficient and economical method of providing for the Government and Sanatory improvement of our principal Towns, with the view of enacting such laws as we shall consider

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best calculated to promote the security, health and happiness of the Inhabitants of this ancient Colony.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at 3 o'clock, P. M.

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*MONDAY, 21st JANUARY, 1856.*

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ JAMES TOBIN  
 “ JOHN ROCHFORT  
 “ GEORGE H. EMERSON  
 “ JOHN MUNN  
 “ SAMUEL CARSON  
 “ THOMAS ROW  
 “ JAMES CORMACK  
 “ PHILIP DUGGAN  
 “ JAMES FURLONG  
 “ JAMES J. ROGERSON

The Minutes of Friday last were read.

The Honorable the PRESIDENT of the Council laid before the House the following communication, which he had received from the Chairman of the Board of Works.

Office of Board of Works, }  
 January 21, 1856. }

SIR,—

Letter from the Chairman of the Board of Works, on the subject of the charge of the keys of the Council Chambers.

I have the honor to inform you in reply to your request, that the Keys of that portion of the Colonial Building occupied by the Honorable the Legislative Council, should be taken from the Keeper of the Building and delivered to some person under the immediate control of the Council; that under the Act of the last Session of the Legislature for the constitution of the Board of Works, all the Public Buildings of the Colony are placed under the management of the Board, and, as Chairman, under my immediate care.

**21st January, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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The Board having power to appoint Keepers to the Buildings, have appointed Mrs. Delaney the Keeper of the Colonial Building, and I respectfully submit, under the circumstances, that I am not by Law authorised to deprive the Keeper of the charge of the Keys without some ground of complaint being first established against her.

At the same time Mrs. Delaney has been instructed to afford any necessary access to the Council Apartments, to their Officers, and to place the Keys in your hands when required, subject to the considerations mentioned, while you are aware that the safety of the Building requires that they should be kept in the Building.

I have, &c.,

(Signed) **EDMUND HANRAHAN,**  
*Chairman.*

After some discussion on the subject of the foregoing Letter, the Master in Chancery attendant on the Council, was called upon by the President, for his opinion on the matter referred to therein.

Whereupon the Master in Chancery delivered the following opinion:—

I am of opinion that, by the 18th and 19th Victoria, Cap. 7, constituting a Board of Works, the said Board are invested only with the superintendence, management and supervision of (amongst other public property) the Colonial Building.

*Opinion of the Master in Chancery respecting letter from Chairman of Board of Works*

Under such authority I apprehend the Legislature intended only to provide for the general safe keeping of the Building, its external repairs, and general maintenance: And as this Building has been constructed for the express use of the several Branches of the Legislature and Departments of the Government, it seems plain that those Branches of the Legislature and those Departments of the Government are entitled to exercise full and exclusive control over the apartments appropriated to their respective use, subject merely to such Bye-laws, Rules and Regulations for the general safe keeping of the Building as the the Board may legally make, pursuant to the 7th Section of the Act.



21st January, 1856.

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I think, however, that under the Act the Keeper of this Building should be allowed and have access to all the Apartments at proper hours, to be enabled to see to its general security.

(Signed) BRYAN ROBINSON,

*Master-in-Chancery attendant  
on the Legislative Council.*

House in Committee  
on privilege.

On motion of the Honorable Mr. Row, the House went into Committee on privilege—

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

Chairman reports re-  
solutions—

The Chairman reported the following resolutions:—

Respecting charge of  
Council Chambers

*Resolved*,—That the Keeper of this Building be, and she is hereby required by this House, to deliver to the order of the Honorable the President of this House, the Keys of the Legislative Council Chamber and of the adjoining apartments appropriated to the use of this Branch of the Legislature.

and

*Resolved*,—That the Usher of the Black Rod be instructed to cause the Keys of the Legislative Council and of the apartments hitherto appropriated to its use, to be delivered, after the business of this House shall each day be closed, to the Keeper of the Colonial Building, in order that during the night the said Keeper may be enabled to attend to the safety of the whole Building.

Publishing reports of  
the House

*Resolved*,—That the Reports of this House be published, as last Session, namely:—the *Newfoundlander* and *Courier* Newspapers, publishing from manuscript Reports; and the *Express* and *Ledger*, copying the same.

Ordered—That the said Report be received and adopted.

The Honorable the SOLICITOR GENERAL acquainted the House, that the Governor would take an early opportunity of informing the House at what time His Excellency would receive its Address in reply to His Speech at the opening of the Session.

*23rd and 25th January, 1856.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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The Honorable the SOLICITOR GENERAL gives notice, that he will to-morrow, bring in a Bill to amend the Law of Evidence.

Notice of a Bill on the Law of Evidence

On motion made and seconded, the House adjourned until Wednesday next, at 3 o'clock, P. M.

House adjourns.

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*WEDNESDAY, 23rd JANUARY, 1856.*

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN  
 “ JOHN ROCHFORT  
 “ SAMUEL CARSON.  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON  
 “ GEORGE H. EMERSON.  
 “ JAMES FURLONG  
 “ PHILIP DUGGAN.

Members present.

The Minutes of Monday last were read.

Pursuant to notice, the Honorable Mr. EMERSON brought in a Bill to amend the Law of Evidence, which was read a first time—and

Bill to amend the Law of Evidence—  
 Read 1st time.

Ordered—To be read a second time on Monday next, and to be printed.

On motion made and seconded, the House adjourned until Friday next, at 3 o'clock, P. M.

House adjourns.

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*FRIDAY, 25th JANUARY, 1856.*

The House met pursuant to adjournment.

House meets.

25th January, 1856.

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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PRESENT :—

Members present.

The *Honorable* LAURENCE O'BRIEN, *President*.  
 “ JAMES TOBIN  
 “ JOHN ROCHFORT  
 “ SAMUEL CARSON  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON  
 “ GEORGE H. EMERSON  
 “ JAMES FURLONG  
 “ PHILIP DUGGAN

The Minutes of Wednesday last were read.

The Governor will receive the House with its Address to-day.

The *Honorable* Mr. EMERSON informed the House, that His Excellency the Governor would receive the Address of this House in reply to His Excellency's Speech on the opening of the Session, at a quarter past three o'clock to-day.

At ten minutes past three o'clock, the House proceeded to the Government House with its Address.

At half-past three o'clock the House having returned, the *Honorable* the *President* reported, that His Excellency had been pleased to receive the said Address, and to return an answer thereto in the following words:—

*Mr. President, and Honorable Gentlemen of the Legislative Council :*

Governor's reply.

I thank you for this Address. It is gratifying to me to find, that the several subjects which I have brought under your notice are regarded by you as deserving of your best attention ; and I especially recognise the justice of the principles by which you desire to govern your legislation in questions connected with the social and economical condition of the Colony.

Government House, 25th January, 1856.

Letter from the Reporter of the Council—  
Read.

A letter from Mr. Talbot, the Reporter of the Council, on the subject of publishing the Debates and Proceedings of this House, was read by the Clerk by direction of the *President*.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at 3 o'clock, P. M.

**28th January, and 1st February, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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**MONDAY, 28th JANUARY, 1856.**

The House met pursuant to adjournment.

House meets.

**PRESENT :**

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " SAMUEL CARSON  
 " THOMAS ROW  
 " JAMES TOBIN  
 " GEORGE H. EMERSON  
 " PHILIP DUGGAN  
 " JAMES FURLONG  
 " JAMES J. ROGERSON

Members present.

The Minutes of Friday last were read.

A letter from Mr. Seaton, on the subject of Publishing the Debates of the House in the *Express* newspaper, was read by the Clerk, by direction of the President.

Letter from Mr. Seaton—  
Read.

On motion made and seconded, the House adjourned until Friday next, at 3 o'clock, P. M.

House adjourns.

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**FRIDAY, 1st FEBRUARY, 1856.**

The House met pursuant to adjournment.

House meets.

**PRESENT :**

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " JAMES TOBIN  
 " JAMES FURLONG  
 " PHILIP DUGGAN  
 " JAMES J. ROGERSON  
 " THOMAS ROW  
 " SAMUEL CARSON  
 " GEORGE H. EMERSON

Members present.

The Minutes of Monday last were read.

The Honorable the SOLICITOR GENERAL laid before the House, by command of the Governor, the following documents :—

**1st and 6th February, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

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Documents laid before  
the House by command  
of the Governor.

An Estimate of Annual Votes for defraying part of the Expenses of the Civil Government for the year 1856.

The Financial Statement of the affairs of the Colony for the year 1856.

The Assets and Liabilities of the Colony on the 31st December 1855.

Bill to amend the Law  
of Evidence—  
Read 2d time.

Pursuant to the order of the day, the Bill to Amend the Law of Evidence was read a second time—and

Ordered—To be committed on Wednesday next.

House adjourns.

On motion made and seconded, the House adjourned until Wednesday next, at 3 o'clock, P. M.

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**WEDNESDAY, 6th FEBRUARY, 1856.**

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ JAMES TOBIN  
 “ GEORGE H. EMERSON  
 “ PHILIP DUGGAN  
 “ JAMES J. ROGERSON  
 “ THOMAS ROW  
 “ JAMES FURLONG  
 “ SAMUEL CARSON

The Minutes of Friday last were read.

Letter from the Reporter  
of the Council—  
Read.

A second letter from Mr. Talbot, the Reporter of the Debates of this House, on the subject of the publishing of the Debates, was read to the House by direction of the President.

Bill to Amend the Law  
of Evidence—  
Committed.

Pursuant to the order of the day, the House went into Committee on the Bill to amend the Law of Evidence—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

**7th February, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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The Chairman reported progress and asked leave to sit again to-morrow.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M. House adjourns.

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**THURSDAY, 7th FEBRUARY, 1856.**

The House met pursuant to adjournment.

**House meets.**

**PRESENT :**

*The Honorable* LAURENCE O'BRIEN, *President.*

**Members present.**

“ JAMES TOBIN  
 “ JOHN ROCHFORT  
 “ GEORGE H. EMERSON.  
 “ PHILIP DUGGAN  
 “ JAMES FURLONG  
 “ JAMES J. ROGERSON

The Minutes of yesterday were read.

Pursuant to the order of the day, the House went into Committee on the Bill to amend the Law of Evidence—

**Bill to Amend the Law of Evidence—  
 Committed.**

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again.

On motion of the Honorable Mr. TOBIN, the House went into Committee on Privilege—

**House in Committee on Privilege—**

The Honorable Mr. ROCHFORT in the Chair.

After some time the House resumed.

The Chairman reported that the Committee had agreed to the following Resolution, and recommended that a copy thereof be transmitted, by the Clerk, to the Reporter of the Debates of this House.

**—Resolution reported—**

## 7th and 12th February, 1856.

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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That the Reporter of the Debates of the House be no longer employed in that capacity.

*Resolved.*—That in consequence of the Reporter of this House having failed to comply with the unanimous Resolution of the Council, passed on the 21st January, (this Session) he be no longer employed in the capacity of Reporter to Her Majesty's Legislative Council.

Ordered—That the said report be received and adopted.

Notice of Bill to provide for the payment of Executors, &c.

The Honorable SOLICITOR GENERAL gives notice, that on Tuesday next he will bring in a Bill to provide for the payment of Executors and Administrators, and to amend and facilitate the practice on the Probate side of the Supreme Court.

House adjourns.

On motion made and seconded, the House adjourned until Tuesday next, at 3 o'clock, P. M.

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### TUESDAY, 12th FEBRUARY, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :—

Members present.

The Honorable LAURENCE O'BRIEN, *President.*  
 “ JAMES J. ROGERSON  
 “ THOMAS ROW  
 “ PHILIP DUGGAN  
 “ JAMES FURLONG  
 “ GEORGE H. EMERSON  
 “ JAMES TOBIN

The Minutes of Thursday last were read.

Notice of motion to appoint a Reporter.

The Honorable Mr. TOBIN gives notice, that to-morrow he will move that a Reporter of the Debates and Proceedings of this House be appointed.

Bill to amend the Law of Evidence—  
 Committed—

Pursuant to the order of the day, the House went into Committee on the Bill to Amend the Law of Evidence—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

**12th and 18th February, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

The Chairman reported the Bill with some amendments.

—Reported.

Ordered—That the said Report be received.

Ordered—That the Bill, as amended, be engrossed and read a third time to-morrow.

On motion made and seconded, the House adjourned until Monday next, at 3 o'clock, P. M.

House adjourns.

**MONDAY, 18th FEBRUARY, 1856.**

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN  
 “ JOHN ROCHFORD  
 “ THOMAS ROW  
 “ GEORGE H. EMERSON  
 “ JAMES J. ROGERSON  
 “ SAMUEL CARSON  
 “ PHILIP DUGGAN  
 “ JAMES FURLONG

Members present.

The Minutes of Tuesday last were read.

Pursuant to the order of the day, the Bill to amend the Law of Evidence was read a third time and passed.

Bill to amend the Law of Evidence—  
 Read 3rd time and passed.

Ordered—That the title thereof be “An Act to amend the Law of Evidence.”

Whereupon the President signed the same, and the said Act was taken by the Master-in-Chancery to the House of Assembly for their concurrence.

Pursuant to notice, the Honorable the SOLICITOR GENERAL brought in a Bill to provide for the payment of Executors and Ad-

Bill to provide for the payment of Executors, Read 1st time,



**18th and 20th February, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

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ministrators, and for regulating the practice of the Probate side of the Supreme Court, which was read a first time—and

Ordered—To be read a second time to-morrow, and to be printed.

Consolidated Account  
Current of Receipts  
and Payments laid be-  
fore the House.

The Honorable the SOLICITOR GENERAL laid before the House, by command of the Governor, a Consolidated Account Current of Receipts and Payments for the year ended 31st December, 1855.

Notice of Bill for trans-  
ferring Property vest-  
ed in the Ordnance to  
the Secretary of State.

The Honorable Mr. TOBIN gives notice that he will, to-morrow, bring in a Bill for transferring to one of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance.

House adjourns.

On motion made and seconded, the House adjourned until Wednesday next, at 3 o'clock, P. M.

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**WEDNESDAY, 20th FEBRUARY, 1856.**

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

Members present.

“ JAMES TOBIN  
“ PHILIP DUGGAN  
“ THOMAS ROW  
“ SAMUEL CARSON  
“ JAMES J. ROGERSON  
“ JAMES FURLONG

The Minutes of Monday last were read.

Bill to transfer Ord-  
nance Property to the  
Secretary of State  
brought in and—  
Read 1st time.

Pursuant to notice, the Honorable Mr. TOBIN brought in a Bill for transferring to one of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the principal Officers of the Ordnance, which was read a first time—and

Ordered—To be read a second time on Friday next, and to be printed.

House adjourns.

On motion made and seconded, the House adjourned until Friday next, at 3 o'clock, P. M.

22nd February, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

FRIDAY, 22d FEBRUARY, 1856.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

Members present.

“ JAMES TOBIN  
 “ JOHN ROCHFORT  
 “ JAMES FURLONG.  
 “ PHILIP DUGGAN  
 “ JAMES J. ROGERSON.  
 “ THOMAS ROW  
 “ GEORGE H. EMERSON.

The Minutes of Wednesday last were read.

A letter from Mr. Talbot, the late Reporter of the Debates of this House in explanation of his former letters, having been submitted by the President, and read by the Clerk, it was—

Letter from Mr Talbot  
 the late Reporter—  
 Read.

*Resolved,*—That the late Reporter having by letter of the 20th inst. submitted to the Resolution of the 21st January last, and having undertaken to conform to the desire of the Council in regard to the publication of the Debates, Mr. Thomas Talbot be re-appointed to the office of Reporter, subject to the directions as to publication, contained in the said Resolution of the 21st January last.

Resolution—  
 That the Reporter be  
 re-appointed.

Pursuant to the order of the day, the Bill to provide for the payment of Executors and Administrators, and for regulating the practice on the Probate side of the Supreme Court, was read a second time—and

Bill to provide for the  
 payment of Executors,  
 —Read 2d time.

Ordered—To be committed on Tuesday next.

Pursuant to the order of the day, the Bill for transferring to one of Her Majesty's Principal Secretaries of State, the Powers and Estates vested in the Principal Officers of the Ordnance, was read a second time—and

Bill to transfer Ord-  
 nance Property to the  
 Secretary of State—  
 Read 2d time.

Ordered—To be committed on Tuesday next.

The Honorable the SOLICITOR GENERAL laid before the Council, by command of the Governor, the following messages :—

*22nd February, 1856.*

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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**C. H. DARLING.**

Message from the Governor with despatch from Secretary of State No. 12, of 21st Dec., 1855.

The Governor transmits, for the information of the Legislative Council, the copy of a Circular Despatch from Her Majesty's Secretary of State, inviting the co-operation of the Legislature of Newfoundland, in certain arrangements contemplated by Her Majesty's Government, for providing the necessary funds for sending home to the Colonies to which they belong, Seamen arriving in Great Britain from the North American Provinces in a destitute condition.

Government House, 20th February, 1856.

**C. H. DARLING.**

Message from the Governor transmitting copy of Act of the President of the U. S. on the subject of Free Trade with Newfoundland.

The Governor transmits to the Legislative Council, the copy of a Letter addressed to him by Her Majesty's Minister at Washington, enclosing a copy of the Act of the President of the United States, declaring the provisions of the Treaty between the United States and Great Britain, of the 5th June, 1854, to be in force as respects the Colony of Newfoundland, from the 12th of December last.

Government House, 20th February, 1856.

**C. H. DARLING.**

Message from the Governor transmitting correspondence relating to the Export Trade in Herrings, &c.

The Governor transmits, for the information of the Legislative Council, a copy of a Correspondence with Her Majesty's Government, with Her Majesty's Minister at Washington, and Her Majesty's Consuls and Vice-Consuls at several Ports in the United States, containing much interesting information relating to the Export Trade in Herrings, and the best mode of preparing that article for the various markets to which it is consigned.

Government House, 20th February, 1856.

The Honorable the SOLICITOR GENERAL also lays before the House, by command of the Governor, the following Documents:—

Documents laid before the House by command of the Governor.

A Despatch from the Secretary of State for the Colonies, dated 9th January, 1856, transmitting an Order in Council prohibiting the exportation of Salt Petre and other Chemical Salts, from England to the North American and West India Colonies.

**22nd and 26th February, 1856.**

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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A Despatch from the President Administering the Government of Montserrat, dated 16th July, 1855, on the subject of Free Trade between that Island and the British North American Provinces.

The Post-Master-General's Special Report, dated 26th July, 1855, on the Local Postal arrangements of the Colony.

Statement of the affairs of the St. John's Marine Insurance Company for the year ending 15th January, 1856.

Proceedings of Mr. Henry Knight, while employed at Cape John (between 9th July and 13th August, 1855) in the protection of the Fisheries.

On motion made and seconded, the House adjourned until Tuesday next, at 3 o'clock, P. M. House adjourns.

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**TUESDAY, 26th FEBRUARY, 1856.**

The House met pursuant to adjournment. House meets.

PRESENT :—

The *Honorable* LAURENCE O'BRIEN, *President.*

“ GEORGE H. EMERSON  
 “ JAMES FURLONG  
 “ PHILIP DUGGAN  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON  
 “ JAMES TOBIN  
 “ SAMUEL CARSON

Members present.

The Minutes of Friday last were read.

The *Honorable* the SOLICITOR GENERAL laid before the House, by command of the Governor, the following Message from His Excellency :—

C. H. DARLING.

The Governor transmits to the Legislative Council, the copy of a Circular Despatch from Her Majesty's Secretary of State, containing the views of Her Majesty's Government with reference

Message from the Governor transmitting despatch respecting erection of Light House, &c.

**26th February, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

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to the establishment of a system by which Light Houses and Light Vessels in the Colonies may be erected and maintained by means of Tolls levied on the Vessels which derive benefit from the Lights; whether those vessels go to Ports in the Colony in which the Light is situate, or not, and inviting the co-operation and assistance of the Local Authorities in carrying that system into effect.

Government House, 26th February, 1856.

The Honorable the SOLICITOR GENERAL also laid before the House, by command of the Governor,—

Two Despatches from the Secretary of State, with enclosures, on the subject of the Light House proposed to be erected on Cape Race, dated 6th October and 2nd November, 1855.

Two despatches laid on the table on the proposed erection of a Light House on Cape Race.

A deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act to provide for limited Partnerships,” which was read a first time—and

Limited Partnership's Bill brought up and Read 1st time.

Ordered—To be read a second time to-morrow, and to be printed.

Pursuant to the order of the day, the House went into Committee on the Bill for transferring to one of Her Majesty's Secretaries of State, the Powers and Estates vested in the Principal Officers of the Ordnance—

Transfer of Ordnance Property Bill—  
—Committed—

The Honorable Mr. ROGERSON in the Chair.

After some time the House resumed.

—Reported.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

Ordered—That the said Bill be engrossed, and read a third time on Friday next.

Notice of motion.

The Honorable Mr. TOBIN gives notice, that on Friday next he will move that the Organ of the Executive Government in this House be requested to obtain and lay before the Council the following information, viz. :—

The names of all Grand Jurors for the Central District on the

*29th February, 1856.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

1st November, 1852; also—the names of all Magistrates who received Commissions of the Peace during Mr. Hamilton's Government—the reasons for their appointment, and by whom recommended.

On motion made and seconded, the House adjourned until Friday next, at 3 o'clock, P. M. House adjourns.

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*FRIDAY, 29th FEBRUARY, 1856.*

The House met pursuant to adjournment.

*House meets.*

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ GEORGE H. EMERSON  
 “ JAMES FURLONG  
 “ PHILIP DUGGAN  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON

*Members present.*

The Minutes of Tuesday last were read.

The President of the Council announced to the House, the decease of the Venerable Archdeacon Bridge, this morning, and suggested, as a mark of respect and of the estimation in which he was held by all classes of the community, that the House should adjourn until after his interment—

Whereupon it was moved by the Honorable Mr. Emerson, seconded by the Honorable Mr. Rogerson, and carried accordingly—

That this House adjourn until Tuesday next, at 3 o'clock, P. M. House adjourns.

*4th and 5th March, 1856.*

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

TUESDAY, 4th MARCH, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " GEORGE H. EMERSON  
 " JAMES FURLONG  
 " PHILIP DUGGAN  
 " SAMUEL CARSON

The Minutes of Friday last were read.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

WEDNESDAY, 5th MARCH, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " JAMES TOBIN  
 " GEORGE H. EMERSON  
 " SAMUEL CARSON  
 " PHILIP DUGGAN  
 " THOMAS ROW

The Minutes of yesterday were read.

Transfer of Ordnance  
 Property Bill—  
 Read 3rd time and  
 passed.

Pursuant to the order of the day, the Bill for transferring to one of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance, was read a third time and passed—

Ordered—That the title of the said Bill, be "An Act for transferring to one of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance."

## *5th and 6th March, 1856.*

His EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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Whereupon the Bill was signed by the President, and it was taken to the House of Assembly, for concurrence, by the Master-in-Chancery.

A deputation from the House of Assembly brought up a Message, in the following words :

Mr. President—

The House of Assembly have passed the accompanying Address to Her Majesty the Queen, upon the subject of our Fishery privileges in this Island and Dependencies, to which they respectfully request the concurrence of the Legislative Council.

*Message from the House of Assembly with Address to the Queen respecting the Fisheries.*

(Signed)            A. SHEA,

House of Assembly, }  
28th February, 1856. }

*Speaker.*

The said Address was read a first time—and

*Address read 1st time.*

Ordered—To be read a second time on Monday next, and to be printed.

Pursuant to the order of the day, the House went into Committee on the Bill to provide for the payment of Executors and Administrators, and to amend and facilitate the practice on the Probate side of the Supreme Court—

*Payment of Executors Bill—Committed—*

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

*House adjourns.*

*THURSDAY, 6th MARCH, 1856.*

The House met pursuant to adjournment.

*House meets.*



6th March, 1856.

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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PRESENT :—

Members present.

The *Honorable* LAURENCE O'BRIEN, *President*.

“ JAMES TOBIN  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON  
 “ GEORGE H. EMERSON  
 “ JAMES FURLONG  
 “ PHILIP DUGGAN  
 “ JOHN ROCHFORT  
 “ SAMUEL CARSON

The Minutes of yesterday were read.

Payment of Executors  
 Bill—  
 Committed—

Pursuant to the order of the day, the House went into Committee on the Bill to provide for the payment of Executors and Administrators, and for regulating the practice on the Probate side of the Supreme Court—

The *Honorable* Mr. ROGERSON in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

Formation of Corporations  
 Bill—  
 Brought up and—  
 Read 1st time.

A deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act to authorize the formation of Corporations for Manufacturing, Mining, Mercantile, Mechanical or Chemical purposes,” which was read a first time—and

Ordered—To be read a second time to-morrow.

The following Letter from the Lord Bishop of Newfoundland, was read to the House by direction of the President :—

St. John's, 5th March, 1856.

SIR,—

Letter from the Lord  
 Bishop of Newfound-  
 land, on the subject of  
 the Interment of the  
 late Archdeacon Bridge

Having been informed that your House, with other *Honorable* Members of the Council, did attend the remains of my dear friend, Archdeacon BRIDGE, to the grave, with express purpose of shewing the respect you entertained for his memory, I hope I may

## 6th and 7th March, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

be permitted, without unduly intruding myself upon your notice, to express to yourself, Sir, and the other members of the Council, how highly and gratefully this mark of your consideration was appreciated by the sorrowing members of the late Archdeacon's family as well as by myself, who

Have the honor to be, with much respect,

Sir,

Your most obedient Servant,

(Signed) EDWARD NEWFOUNDLAND.

To the Honorable the President }  
of Her Majesty's Council. }

On motion made and seconded, the House adjourned until *House adjourns.*  
to-morrow, at 3 o'clock, P. M.

---

FRIDAY, 7th MARCH 1856.

The House met pursuant to adjournment.

*House meets.*

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*  
" GEORGE H. EMERSON  
" JAMES FURLONG  
" PHILIP DUGGAN  
" JAMES J. ROGERSON  
" JAMES TOBIN  
" THOMAS ROW

*Members present.*

The Minutes of yesterday were read.

Pursuant to the order of the day, the House went into Committee on the Bill to provide for the payment of Executors and Administrators, and for regulating the practice on the Probate side of the Supreme Court—

*Payment of Executors  
Bill—  
Committed—*

The Honorable Mr. ROGERSON in the Chair.

After some time the House resumed.

## 7th and 10th March, 1856.

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

---

The Chairman reported progress, and asked leave to sit again.

Ordered—That the Report be received.

Petition of Superintendent of Colonial Church and School Society—  
—Read.

On motion of the Honorable the SOLICITOR GENERAL, a Petition from the Rev. Johnstone Vicars, Superintendent of the Colonial Church and School Society, was read—and

Ordered—To lie on the table.

House in Committee on Privilege.

On motion of the Honorable JAMES TOBIN, the House resolved itself into a Committee on Privilege—

The Honorable Mr. FURLONG in the Chair.

After some time the House resumed.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at 3 o'clock, P. M.

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### MONDAY, 10th MARCH, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ JAMES TOBIN  
 “ GEORGE H. EMERSON  
 “ JOHN ROCHFORD  
 “ JAMES J. ROGERSON  
 “ PHILIP DUGGAN  
 “ THOMAS ROW  
 “ JAMES FURLONG

The Minutes of Friday last were read.

Limited Partnerships Bill—  
Read 2d time.

Pursuant to the order of the day, the Bill entitled “An Act to provide for limited Partnerships,” was read a second time—and

Ordered—To be committed on Friday next.

## 10th and 12th March, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

Pursuant to the order of the day, the Bill entitled "An Act to authorize the formation of Corporations for Manufacturing, Mining, Mercantile, Mechanical or Chemical purposes," was read a second time—and

Formation of Corporations Bill—  
Read 2d time.

Ordered—To be committed on Friday next.

Pursuant to the order of the day, the Address to Her Majesty the Queen, upon the subject of our Fisheries, was read a second time—and

Address to the Queen on the subject of the Fisheries—  
Read 2d time.

Ordered—To be committed to-morrow.

On motion made and seconded, the House adjourned until Wednesday next, at 3 o'clock, P. M.

House adjourns.

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### WEDNESDAY, 12th MARCH, 1856.

The House met pursuant to adjournment.

House meets.

#### PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JOHN ROCHFORT  
 “ JOHN MUNN  
 “ THOMAS ROW  
 “ JAMES TOBIN  
 “ GEORGE H. EMERSON  
 “ JAMES FURLONG  
 “ PHILIP DUGGAN  
 “ JAMES CORMACK  
 “ JAMES J. ROGERSON  
 “ SAMUEL CARSON

Members present.

The Minutes of Monday last were read.

Pursuant to the order of the day, the House went into Committee on the Bill to provide for the payment of Executors and Administrators, and for regulating the practice on the Probate side of the Supreme Court—

Payment of Executors Bill—  
Committed—

**12th March, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

---

The Honorable Mr. **ROGERSON** in the Chair.

After some time the House resumed.

The Chairman reported the Bill with some amendments.

Ordered—That the report be received.

Ordered—That the Bill, as amended, be engrossed and read a third time to-morrow.

Jurors qualification  
Bill—  
Brought up and—  
—Read 1st time.

A deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act to determine the qualification of Jurors to serve in the several Courts of this Island, and to regulate the empannelling of Jurors therein,” which was read a first time—and

Ordered—To be read a second time to-morrow, and to be printed.

Address to the Queen  
on the Fisheries—  
Committed—

Pursuant to the order of the day, the House went into Committee on the Address to Her Majesty on the subject of the protection of the Fisheries—

The Honorable Mr. **FURLONG** in the Chair.

After some time the House resumed.

Reported with amend-  
ment—

The Chairman reported the Address with an amendment.

Ordered—That the report be received.

The amendment.

The amendment is as follows:—In the 1st line between the words “the” and “House” insert—“Legislative Council and”

Ordered—That the amendment be engrossed, and the Address as amended, read a third time to-morrow.

House adjourns.

On motion made and seconded, the House adjourned until Friday next, at 3 o'clock, P. M.

14th March, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

FRIDAY, 14th MARCH 1856.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ PHILIP DUGGAN  
 “ JAMES CORMACK  
 “ GEORGE H. EMERSON  
 “ JAMES TOBIN  
 “ JAMES J. ROGERSON  
 “ JOHN MUNN  
 “ THOMAS ROW

Members

The Minutes of Wednesday last were read.

A deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act for the Naturalization of Aliens,” which was read a first time—and

Aliens Naturalization  
 Bill—  
 Brought up and—  
 —Read 1st time.

Ordered—To be read a second time to-morrow, and to be printed.

A deputation from the House of Assembly also brought up a Bill for the concurrence of this House, entitled “An Act to regulate the granting of Licenses for the wholesale of Wines and Spirituous Liquors,” which was read a first time—and

Wholesale License  
 Bill—  
 Brought up and—  
 Read 1st time.

Ordered—To be read a second time to-morrow, and to be printed.

On motion, it was ordered, that the Formation of Corporations Bill be printed.

Pursuant to the order of the day, the Bill to provide for the payment of Executors and Administrators, and for regulating the practice on the Probate side of the Supreme Court, was read a third time and passed—and it was:

Payment of Executors.  
 Bill—  
 Read 3rd time and  
 passed.

Ordered—That the title of the Bill be “An Act to provide for the payment of Executors and Administrators, and for regulating the practice of the Probate side of the Supreme Court.”

Title.

## 14th and 18th March, 1856.

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Whereupon the Bill was signed by the President, and sent to the House of Assembly, for concurrence.

Address to her Majesty  
on the subject of the  
Fisheries—  
Read 3d time and  
passed.

Pursuant to the order of the day, the Address to Her Majesty the Queen, as amended by the Council, upon the subject of the Fisheries, was read a third time and passed—and

The Honorable the President signed the same—

Whereupon the said Address was taken to the House of Assembly by the Master-in-Chancery.

Limited Partnerships  
Bill—  
Committed—

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to provide for limited Partnerships,”—

The Honorable Mr. TOBIN in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

Ordered—That the Report be received.

House adjourns.

On motion made and seconded, the House adjourned until Tuesday next, at 3 o'clock, P. M.

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TUESDAY, 18th MARCH, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ JAMES CORMACK  
 “ PHILIP DUGGAN  
 “ GEORGE H. EMERSON  
 “ JAMES TOBIN  
 “ JAMES J. ROGERSON  
 “ THOMAS ROW  
 “ JOHN MUNN  
 “ SAMUEL CARSON

18th March, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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The Minutes of Friday last were read.

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to authorize the formation of Corporations for Manufacturing, Mining, Mercantile, Mechanical or Chemical purposes"—

Formation of Corporations Bill—  
Committed.

The Honorable Mr. Row in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

Ordered—That the report be received.

Pursuant to the order of the day, the Bill entitled "An Act to determine the qualification of Jurors to serve in the several Courts of this Island, and to regulate the empannelling of Jurors therein," was read a second time—and

Qualification of Jurors Bill—  
Read 2d time.

Ordered—To be committed to-morrow.

Pursuant to the order of the day, the Bills entitled "An Act for the Naturalization of Aliens,"—and

Naturalization of Aliens Bill—  
and

"An Act to regulate the granting of Licenses for the wholesale of Wines and Spirituous Liquors,"—

Spirituous Liquors wholesale license Bill—

Were severally read a second time—and

Read 2d time.

Ordered—To be committed to-morrow.

A deputation from the House of Assembly brought up two Bills for the concurrence of this House, entitled—

"An Act to amend the Law of Insolvency,"—and

Law of Insolvency amendment Bill—  
and

"An Act to provide for the Compromises or Compositions of Partners and Joint Debtors," which were severally read a first time—and

Compromises of Partners and Joint Debtors Bill—  
Brought up and—  
Read 1st time.

Ordered—To be read a second time to-morrow, and to be printed.



18th and 20th March, 1856.

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

---

Message from Assembly concurring in amendment made upon the Address to Her Majesty.

A deputation from the House of Assembly brought up a Message, concurring in the amendment made by the Council upon the Address of the two Branches of the Legislature to Her Majesty the Queen, on the subject of the Fisheries.

House adjourns.

On motion made and seconded, the House adjourned until Thursday next, at 3 o'clock, P. M.

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THURSDAY, 20th MARCH, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :—

Members present.

The *Honorable* LAURENCE O'BRIEN, *President*.  
 “ JOHN MUNN  
 “ SAMUEL CARSON  
 “ JAMES J. ROGERSON  
 “ GEORGE H. EMERSON  
 “ PHILIP DUGGAN  
 “ JAMES CORMACK  
 “ THOMAS ROW

The Minutes of Tuesday last were read.

Petition of A. Milroy, Manager of the Bank of British North America—  
 — Read.

On motion of the *Honorable* Mr. MUNN, the Petition of Andrew Milroy, Manager of the Bank of British North America, soliciting attention to the 20th and 21st Sections of a Bill now before the House, “to provide for Limited Partnerships,” which might, in his judgment, “occasion much difficulty to Banking Institutions and to Commerce at large,” was received—and

Ordered—To lie on the table.

Notice of a Bill for the Incorporation of the Benevolent Irish Society.

The *Honorable* Mr. TOBIN gives notice, that on Wednesday next he will bring in a Bill for the Incorporation of the Benevolent Irish Society of St. John's.

House adjourns.

On motion made and seconded, the House adjourned until Wednesday next, at 3 o'clock, P. M.

*26th and 27th March, 1856.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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*WEDNESDAY, 26th MARCH, 1856.*

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " JAMES TOBIN  
 " GEORGE H. EMERSON  
 " PHILIP DUGGAN  
 " JAMES CORMACK  
 " JOHN MUNN  
 " THOMAS ROW  
 " SAMUEL CARSON

Members present.

The Minutes of Thursday last were read.

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to provide for limited Partnerships"—

Limited Partnership  
 Bill—  
 Committed.

The Honorable Mr. TOBIN in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

Ordered—That the report be received.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

House adjourns.

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*THURSDAY, 27th MARCH, 1856.*

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " GEORGE H. EMERSON  
 " JAMES CORMACK  
 " JAMES J. ROGERSON  
 " JOHN MUNN  
 " JOHN ROCHFORT  
 " PHILIP DUGGAN  
 " JAMES TOBIN  
 " THOMAS ROW

Members present.

27th March, 1856.

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

---

The Minutes of yesterday were read.

Notice of Bill to amend  
the Patent Acts.

The Honorable Mr. EMERSON gives notice, that to-morrow he will bring in a Bill to amend the Patent Acts of this Colony, and to make other provisions in lieu thereof.

Limited Partnerships  
Bill—  
Committed—

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to provide for limited Partnerships,”—

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

Reported with amend-  
ments—

The Chairman reported the Bill with some amendments.

Ordered—That the Report be received.

Ordered—That the amendments be engrossed, and the Bill as amended, read a third time to-morrow.

The said amendments are as follow:—

The amendments

In the 2nd Section of the Bill, 5th line, after the word “payments” insert “or in property at its actual cash value.”

In the 9th Section, 3rd line, expunge the word “two” and insert in its stead “the *Royal Gazette*, and in one or two other.”

In the 17th Section, 3rd line, expunge all the words of this Section after the word “management” and insert in their stead “and any remuneration of Special Partners, or any other persons acting as Servants or Agents for any such partnership by a share of the profits or otherwise, shall not render them liable as General Partners.”

In the 20th Section, 2nd line, expunge the words “when Insolvent or.”

In the 21st Section, 3rd line,           Ditto           Ditto.

In the 24th Section, 6th line, expunge all the words of this Section after the word “weeks” in this line, and insert in their stead

**27th and 28th March, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

“in the *Royal Gazette* and any other local Newspaper or Newspapers published in this Island.”

In the Schedule, No. 3, 5th line, expunge the word “sums” and insert “amount” in its stead, and at the end of this Schedule insert “or in property at its actual cash value specifying the general description of the property as the case may be.”

The Honorable Mr. ROGERSON gives notice, that he will to-morrow bring in a Bill to amend the Act to regulate the standard of Weights and Measures in this Colony.

Notice of Bill to amend the Weights and Measures Act.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

House adjourns.

**FRIDAY, 28th MARCH, 1856.**

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN  
 “ GEORGE H. EMERSON  
 “ JOHN MUNN  
 “ JAMES J. ROGERSON  
 “ PHILIP DUGGAN  
 “ THOMAS ROW  
 “ JOHN ROCHFORT  
 “ SAMUEL CARSON  
 “ JAMES CORMACK

Members present.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill as amended entitled “An Act to provide for limited Partnerships” was read a third time and passed—and

Limited Partnerships Bill—  
 Read 3d time and passed.

The Honorable the President signed the same—

Whereupon the said Bill was taken to the House of Assembly by the Master-in-Chancery.

**28th March, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

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Formation of Corpora-  
tions Bill—  
Committed—

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to authorize the formation of Corporations for Manufacturing, Mining, Mercantile, Mechanical or Chemical purposes”—

The Honorable Mr. Row in the Chair.

After some time the House resumed.

Reported with amend-  
ments.

The Chairman reported the Bill with some amendments.

Ordered—That the report be received.

Ordered—That the amendments be engrossed, and the Bill as amended, read a third time to-morrow.

The amendments are as follow :—

In the 3rd Section of the Bill, 9th line, expunge the word “ten” and insert “Twenty” in its stead.

In the 20th Section, in the 6th and 8th lines, expunge the word “three” and insert “six” in place thereof.

In the 21st Section, 18th line, insert after the word “filed” “and advertised.”

In the 24th and 25th Sections, 3rd lines, expunge the words “insolvent or.”

Insert as the 28th Section as follows :—

“That at any time hereafter, any Society or Association formed for religious, charitable, educational, or other lawful purposes, being desirous to promote the objects for which it is, or may be established, may through its Office Bearers, Trustees or Members, make, sign, and acknowledge, before a Notary Public, and file in the office of the Colonial Secretary of this Colony, a Certificate in writing, in which shall be stated the proposed corporate name of the said Society or Association, and the objects for which the same is or shall be formed, the names of its Office-bearers, Trustees, or Members, and the Rules, Regulations, Orders and Bye-Laws thereof.”

**28th March, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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Insert as the 29th Section :—

“ When such Certificate shall have been filed as aforesaid, the persons who shall have signed and acknowledged the same, and all other members of such Society or Association and their successors, shall be a Body Politic and Corporate in fact and in name, by the name stated in such Certificate, and by that name have succession and shall be capable of suing and being sued ; and they and their successors may have a common Seal, and may make and alter the same at pleasure ; and they shall have power to elect Officers, and make, confirm, alter, amend, or repeal all Bye-laws, Rules and Regulations for the management of the affairs of such Society or Association, provided the same shall not be repugnant to the Laws of this Colony. And they shall, by their corporate name, be capable in Law of purchasing, holding and conveying any landed or personal Estate whatever, and of transacting all business appertaining to such Society or Association, according to such Bye-Laws, Rules, and Regulations as aforesaid.”

Insert as 30th Section, as follows :—

“ Immediately upon filing the said Certificate, in manner aforesaid, all the Lands, Tenements, Funds, Monies, Securities and other property belonging to such Society or Association shall, by virtue of this Act, and without further or other conveyance, be transferred and vested in such Corporated Society or Association for the uses thereof.”

The 28th Section of the Bill to become the 31st Section.

Pursuant to notice, the Honorable the SOLICITOR GENERAL brought in a Bill to repeal the Patent Acts of this Colony, and to make provisions in lieu thereof, which was read a first time—and

Bill to repeal the Patent Acts of the Colony—  
Brought in and—  
Read 1st time.

Ordered—To be read a second time to-morrow, and to be printed.

On motion made and seconded, the House adjourned until Monday next, at 3 o'clock, P. M.

House adjourns.

## 31st March, 1856.

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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MONDAY, 31st MARCH, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ GEORGE H. EMERSON

“ JOHN MUNN

“ PHILIP DUGGAN

“ JAMES CORMACK

“ JOHN ROCHFORT

“ THOMAS ROW

“ JAMES J. ROGERSON

“ JAMES TOBIN

“ SAMUEL CARSON

Members present.

The Minutes of Friday last were read.

Formation of Corporations Bill—  
Read 3d time and passed.

Pursuant to the order of the day, the Bill, as amended, entitled “An Act to authorize the formation of Corporations for Manufacturing, Mining, Mercantile, Mechanical or Chemical purposes,” was read a third time and passed—and

The Honorable the President signed the same.

Whereupon the said Bill was taken to the House of Assembly by the Master-in-Chancery, for concurrence in the amendments.

Message from the House of Assembly concurring in the Bill transferring Ordnance property, &c., to Secretary of State.

A deputation from the House of Assembly brought up a message concurring in the Bill sent down from this House entitled “An Act for transferring to one of Her Majesty’s Principal Secretaries of State, the Powers and Estates vested in the Principal Officers of the Ordnance” without amendment.

Qualification of Jurors Bill—  
Committed.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to determine the qualification of Jurors to serve in the several Courts of this Island, and to regulate the empannelling of Jurors therein,”—

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

**1st April, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

---

Ordered—That the report be received.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M. House adjourns.

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**TUESDAY, 1st APRIL, 1856.**

The House met pursuant to adjournment. House meets.

**PRESENT:**

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JOHN MUNN  
 “ SAMUEL CARSON  
 “ JAMES CORMACK  
 “ PHILIP DUGGAN  
 “ GEORGE H. EMERSON  
 “ JAMES TOBIN

**Members present.**

The Minutes of yesterday were read.

The Honorable the SOLICITOR GENERAL laid before the House, by command of the Governor, the following Message from His Excellency:—

**C. H. DARLING.**

The Governor begs to inform the Council, that the Address to Her Majesty the Queen passed by the Council and Assembly, praying that no further privileges in respect to the Fisheries may be granted to the subjects of the Emperor of the French will, in compliance with the joint Address of both Houses, be transmitted to the Secretary of State by the Mail Packet now under despatch.

Message from the Governor, that he will transmit to the Queen the joint Address of the two Houses on the subject of the Fisheries.

**C. H. D.**

Government House, 1st April, 1856.

On motion of the Honorable Mr. CORMACK, the Petition of the Inhabitants of Port-de-Grave for aid towards the establishment of a Commercial School in that town, was read—and

Petition of the inhabitants of Port-de-Grave for Commercial School—Read.



**3rd April, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

---

Ordered—To lie on the table.

House adjourns.

On motion made and seconded, the House adjourned until Thursday next, at 3 o'clock, P. M.

---

**THURSDAY, 3d APRIL, 1856.**

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ JAMES TOBIN  
 “ THOMAS ROW  
 “ JAMES CORMACK  
 “ PHILIP DUGGAN  
 “ JOHN MUNN  
 “ JAMES J. ROGERSON  
 “ SAMUEL CARSON  
 “ JOHN ROCHFORT

The Minutes of Tuesday last were read.

Naturalization of  
 Aliens Bill—  
 Committed—

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act for the Naturalization of Aliens”—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

—Reported.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

Ordered—That the said Bill be read a third time to-morrow.

Law of Insolvency  
 amendment Bill—  
 Read 2d time.

Pursuant to the order of the day, the Bill entitled “An Act to amend the Law of Insolvency” was read a second time—and

Ordered—To be committed on Tuesday next.

Compromises of Part-  
 ners and Joint Debtors  
 Bill—  
 Read 2d time.

Pursuant to the order of the day, the Bill entitled “An Act to provide for the Compromises of Partners and Joint Debtors,” was read a second time—and

## 3rd and 4th April, 1856.

His EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

Ordered—To be committed on Monday next.

The Honorable Mr. TOBIN gives notice, that to-morrow he will ask the organ of the Government in this House whether, in the renewal of the present Postal Act, or in any new Act which may be brought in, more expedition will be secured to the public in the delivery of the Mails—and if it be the intention of the Government to make the Office of Post-Master-General subject to political tenure.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M. House adjourns.

---

FRIDAY, 4th APRIL, 1856.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

Members present.

“ JOHN MUNN  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON  
 “ JAMES TOBIN  
 “ GEORGE H. EMERSON  
 “ PHILIP DUGGAN  
 “ JAMES CORMACK

The Minutes of yesterday were read.

The Honorable the PRESIDENT announces to the House, the decease this morning, of a member of the Council, the late Honorable James Furlong, and suggests the propriety of the adjournment of the House until after his interment, as a mark of respect to his memory.

The President announces the death of the Honorable James Furlong, a member of the Council—

Whereupon, on motion of the Honorable Mr. EMERSON, it was—

*Resolved*—That this House desire to record their deep regret at the death of their late lamented brother member, the Honorable

Resolutions respecting

*4th and 8th April, 1856.*

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

James Furlong, and to convey to his widow and family the assurance of the sincere condolence of the Council with them upon their heavy bereavement.

*Resolved*—That in testimony of their respect for the memory of their departed member, this House do now adjourn until after his funeral, and until Tuesday next at 3 o'clock P. M., and they respectfully request of his family, that six members of this House be permitted to accompany his mortal remains to the grave, in the capacity of Pall Bearers.

And the House adjourned accordingly, until Tuesday next, at 3 o'clock.

House adjourns.

*TUESDAY, 8th APRIL, 1856.*

House meets.

The House met pursuant to adjournment.

PRESENT :—

Members present.

The *Honorable* LAURENCE O'BRIEN, *President*.  
 “ GEORGE H. EMERSON  
 “ PHILIP DUGGAN  
 “ JAMES CORMACK  
 “ SAMUEL CARSON  
 “ JAMES J. ROGERSON  
 “ THOMAS ROW  
 “ JOHN MUNN  
 “ JAMES TOBIN

The Minutes of yesterday were read.

Naturalization of  
 Aliens Bill—  
 Read 3rd time and  
 passed.

Pursuant to the order of the day, the Bill entitled “An Act for the Naturalization of Aliens,” was read a third time and passed—and

The *Honorable* the President signed the same.

Whereupon the said Bill was sent by Message to the House of Assembly, acquainting them that this House had passed the bill without amendment.

*8th and 9th April, 1856.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

Pursuant to the order of the day, the House went into Committee on the bill entitled "An Act to regulate the granting of Licenses for the wholesale of Wines and Spiritous Liquors,"—

Wholesale Wines and  
Spiritous Liquors  
Bill—  
Committed—

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

Ordered—That the report be received.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

House adjourns.

---

WEDNESDAY, 9th APRIL, 1856.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* LAURENCE O'BRIEN, *President.*

“ THOMAS ROW  
“ JAMES J. ROGERSON  
“ GEORGE H. EMERSON  
“ PHILIP DUGGAN  
“ SAMUEL CARSON  
“ JOHN ROCHFORT

Members present.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House went into Committee on the bill entitled "An Act to regulate the granting of Licenses for the wholesale of Wines and Spiritous Liquors,"—

Wholesale Wines and  
Spiritous Liquors  
Bill—  
Committed—

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

The Chairman reported the Bill with some amendments.

Ordered—That the report be received.

**9th April, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

---

Reported with amendments—

Ordered—That the amendments be engrossed, and the Bill, as amended, read a third time to-morrow.

Bill to amend the Standard of Weights and Measures Act—  
Brought in and—  
Read 1st time.

Pursuant to notice, the Honorable Mr. ROGERSON brought in a bill to amend the Act to regulate the Standard of Weights and Measures, which was read a first time—and

Ordered—To be read a second time to-morrow, and to be printed.

Compromises of Partners and Joint Debtors Bill—  
Committed—

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to provide for the Compromises or Compositions of Partners and Joint Debtors”—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

—Reported.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

Ordered—That the said Bill be read a third time to-morrow.

Patent Acts repeal Bill—  
Read 2d time.

Pursuant to the order of the day, the Bill to repeal the Patent Acts of this Colony, and to make other provisions in lieu thereof, was read a second time—and

Ordered—To be committed on Friday next.

House adjourns.

On motion made and seconded, the House adjourned until Friday next, at 3 o'clock, P. M.

11th April, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

FRIDAY, 11th APRIL, 1856.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN  
 “ GEORGE H. EMERSON  
 “ PHILIP DUGGAN  
 “ JOHN ROCHFORT  
 “ SAMUEL CARSON  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON

Members present.

The Minutes of Wednesday last were read.

Pursuant to the order of the day, the Bill entitled “An Act to provide for the Compromises or Compositions of Partners and Joint Debtors,” was read a third and passed—and

Compromises of Partners and Joint Debtors Bill—  
 Read 3d time and passed.

The Honorable the President signed the same.

Whereupon the said Bill was sent by Message to the House of Assembly, acquainting them that this House had passed the same without amendment.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the empannelling of Jurors therein”—

Qualification of Jurors Bill—  
 Committed—

The Honorable Mr. ROCHFORT in the Chair.

After some time the House resumed.

The Chairman reported the Bill with some amendments.

Reported with amendments.

Ordered—That the report be received.

Ordered—That the amendments be engrossed, and the Bill as amended, read a third time on Monday next.

Pursuant to the order of the day, the Bill to amend the Act to regulate the Standard of Weights and Measures, was read a second time—and

Weights and Measures amendment Bill—  
 Read 2d time.

**14th April, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

Ordered—To be committed on Wednesday next.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at 3 o'clock, P. M.

**MONDAY, 14th APRIL, 1856.**

House meets.

The House met pursuant to adjournment.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

Members present.

“ JAMES TOBIN  
 “ JAMES J. ROGERSON  
 “ THOMAS ROW  
 “ SAMUEL CARSON  
 “ JOHN ROCHFORT  
 “ PHILIP DUGGAN  
 “ GEORGE H. EMERSON

The Minutes of Friday last were read.

Pursuant to the order of the day the Bills, as amended, entitled

Wholesale Wines and  
 Spirituous Liquors  
 Bill—

“ An Act to regulate the granting of Licenses for the wholesale of Wines and Spirituous Liquors,”—and

and

Qualification of Jurors  
 Bill—

“ An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the empannelling of Jurors therein”—

Read 3rd time and  
 passed.

Were severally read a third time and passed—and

The Honorable the President signed the same.

Whereupon the said Bills were sent by Message to the House of Assembly, acquainting them that this House had passed the same with some amendments, to which their concurrence was requested.

Patent Acts Bill—  
 Committed.

Pursuant to the order of the day, the House went into Committee on the Bill to repeal the Patent Acts of this Colony, and to make other provisions in lieu thereof—

The Honorable Mr. TOBIN in the Chair.

14th April, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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After some time the House resumed.

The Chairman reported the Bill with an amendment.

—Reported.

Ordered—That the Report be received.

Ordered—That the said Bill be engrossed, and read a third time on Wednesday next.

The Honorable Mr. ROGERSON gives notice, that he will, tomorrow, ask the Honorable Solicitor General what measures have been adopted by the Government in respect to the vote of £500, passed during the last session of the Legislature, for the importation of Herring Curers and the improvement of the Herring Fishery of this Island, and what measures are intended to be adopted respecting the same.

Notice respecting vote of £500 for importation of Herring curers.

The Honorable SOLICITOR GENERAL gives notice, that on Friday next he will introduce a Bill “to provide for and regulate the Hiring of Servants employed in the Fisheries of this Island, and for other purposes.”

Notice of Bill to regulate the hiring of servants for the fisheries.

The Honorable Mr. TOBIN gives notice, that on Wednesday next, he will ask the Honorable Solicitor General if the Government are likely, in accordance with the views contained in the Governor’s Speech, to bring in a Bill for Sanatory arrangements, and the organization of a proper Municipal system for the town of St. John’s.

Notice respecting sanatory arrangements, & municipal system for the town of St. John’s.

The Honorable SOLICITOR GENERAL laid before the House, by command of the Governor, the following Message from His Excellency :—

Message of the Governor, with despatch from Secretary of State enclosing report of Capt Purvis on the fisheries.

C. H. DARLING.

The Governor transmits to the Legislative Council, the copy of a Despatch from Her Majesty’s Principal Secretary of State, enclosing a Report upon the Fisheries on the South-West Coast of Newfoundland, furnished by Captain Purvis, Commanding Her Majesty’s Steam Sloop “Argus.”

23rd Nov., 1855.

C. H. D.

Government House.

On motion made and seconded, the House adjourned until Wednesday next, at 3 o’clock, P. M.

House adjourns.



16th April, 1856.

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

WEDNESDAY, 16th APRIL, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

The Honorable LAURENCE O'BRIEN, *President*.

“ JAMES TOBIN  
 “ GEORGE H. EMERSON  
 “ PHILIP DUGGAN  
 “ JOHN ROCHFORT  
 “ SAMUEL CARSON  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON

The Minutes of Monday last were read.

Patent Acts Bill—  
 Read 3rd time and  
 passed.

Pursuant to the order of the day, the Bill to repeal the Patent Acts of this Colony, and to make other provisions in lieu thereof, was read a third time and passed.

Whereupon it was ordered, that the said Bill be entitled “An Act to repeal the Patent Acts of this Colony, and to make other provisions in lieu thereof.”

The said Bill was then signed by the President, and sent to the House of Assembly, for their concurrence.

Bills brought up, viz:—

Deputations from the House of Assembly brought up, for the concurrence of this House, the Bills entitled—

Provident Society  
 Incorporation amend-  
 ment Bill—

“An Act to amend an Act to Incorporate sundry persons by the name of the Newfoundland Provident Society”

British and other  
 Coins Legal Value  
 Bill—

“An Act for establishing the Legal Value of certain British and other Coins, in this Colony”

British Gold and Silver  
 Legal Tender in Cur-  
 rency Bill—

“An Act to continue an Act passed in the 17th year of the Reign of Her Majesty, entitled ‘An Act to declare the Rates in Currency at which British Gold and Silver Coins shall be a legal tender,’ ”—and

and  
 New York, Newfound-  
 land, and London Tel-  
 egraph Company in-  
 corporation amend-  
 ment Bill—

“An Act to amend the Act for the Incorporation of the New York, Newfoundland, and London Telegraph Company” —

*16th and 17th April, 1856.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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Which Bills were severally read a first time—and

Severally read a 1st time.

Ordered—To be read a second time to-morrow, and to be printed.

Pursuant to the order of the day, the House went into Committee on the Bill to amend the Act to regulate the Standard of Weights and Measures—

Weights and Measures amendment Bill—Committed—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

Ordered—That the report be received.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

House adjourns.

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*THURSDAY, 17th APRIL, 1856.*

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ SAMUEL CARSON  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON:  
 “ PHILIP DUGGAN  
 “ GEORGE H. EMERSON:  
 “ JAMES TOBIN.

Members present.

The Minutes of yesterday were read.

On motion of the Honorable Mr. Row, it was—

Ordered—That the Report of Mr. Michael Carroll, on the subject of the Herring Fishery, be printed.

**17th April, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

**Weights and Measures  
amendment Bill—  
Committed—**

Pursuant to the order of the day, the House went into Committee on the Bill to amend the Act to regulate the Standard of Weights and Measures—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

The Chairman reported the Bill with some amendments.

**—Reported.**

Ordered—That the report be received.

Ordered—That the said Bill, as amended, be engrossed and read a third time to-morrow.

Pursuant to the order of the day, the Bills entitled—

**Provident Society  
incorporation amend-  
ment Bill—**

“An Act to amend an Act to Incorporate sundry persons by the name of the Newfoundland Provident Society”

**British and other  
Coins Legal Value  
Bill—**

“An Act for establishing the Legal Value of certain British and other Coins, in this Colony”

**British Gold and Silver  
Legal Tender in Cur-  
rency Bill—**

“An Act to continue an Act passed in the 17th year of the Reign of Her Majesty, entitled ‘An Act to declare the Rates in Currency at which British Gold and Silver Coins shall be a legal tender,’ ”—and

and

**New York, Newfound-  
land, and London Tel-  
egraph Company in-  
corporation amend-  
ment Bill—  
Severally  
Read 2d time.**

“An Act to amend the Act for the Incorporation of the New York, Newfoundland, and London Telegraph Company”—

Were severally read a second time—and

Ordered—To be committed to-morrow.

**House adjourns.**

On motion made and seconded, the House adjourned until Monday next, at 3 o'clock, P. M.

**21st April, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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**MONDAY, 21st APRIL, 1856.**

The House met pursuant to adjournment.

House meets.

PRESENT :—

The *Honorable* LAURENCE O'BRIEN, *President.*

“ PHILIP DUGGAN  
 “ JOHN ROCHFORT  
 “ JAMES J. ROGERSON  
 “ THOMAS ROW  
 “ JAMES TOBIN

Members present.

The Minutes of Thursday last were read.

Pursuant to the order of the day, the Bill to amend the Act to regulate the Standard of Weights and Measures in this Colony, was read a third time and passed.

Weights and Measures amendment Bill—  
 Read 3rd time and passed.

Ordered—That the title of the said Bill be “ An Act to amend the Act 4, Wm. 4th, entitled ‘ An Act to regulate the Standard of Weights and Measures in this Colony, and to provide for the Surveying of Lumber.’ ”

Title.

Whereupon it was signed by the President, and sent by Message to the House of Assembly for their concurrence.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “ An Act to amend an Act to Incorporate sundry persons by the name of the Newfoundland Provident Society ”—

Provident Society incorporation amendment Bill—  
 Committed.

The Honorable Mr. ROCHFORT in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Reported.

Ordered—That the Report be received.

Ordered—That the said Bill be read a third time to-morrow.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “ An Act for establishing the legal value of certain British and other Coins in this Colony ”—

British and other coins Legal Value Bill—  
 Committed—

The Honorable Mr. ROGERSON in the Chair.

**21st April, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

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After some time the House resumed.

**Reported.**

The Chairman reported the Bill without amendment.

Ordered—That the report be received.

Ordered—That the said Bill be read a third time to-morrow.

**British Gold and Silver  
Legal Tender in Cur-  
rency Bill—  
Committed—**

Pursuant to the order of the day, the House went into Committee on the Bill entitled “ An Act to continue an Act passed in the 17th Year of the Reign of Her Majesty, entitled ‘ An Act to declare the Rates in Currency at which British Gold and Silver Coins shall be a legal tender ’ ”—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

**Reported.**

The Chairman reported the Bill without amendment.

Ordered—That the report be received.

Ordered—That the said Bill be read a third time to-morrow.

**Pilots Regulation  
amendment Bill—  
Brought up and—  
Read 1st time.**

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “ An Act to amend an Act entitled ‘ An Act to amend the Laws for the regulation of Pilots and the Pilotage of Vessels at the port of St. John’s, ’ ” which was read a first time—and

Ordered—To be read a second time to-morrow.

The Honorable Mr. ROGERSON gives notice, that he will, to-morrow, move for the Correspondence that has recently taken place between the Members and Chairman of the Protestant Board of Education at Burin.

On motion made and seconded, the House adjourned until to-morrow, at 3 o’clock, P. M.

**22nd April, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

**TUESDAY, 22nd APRIL, 1856.**

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN  
 “ GEORGE H. EMERSON  
 “ PHILIP DUGGAN  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON.  
 “ SAMUEL CARSON  
 “ JOHN ROCHFORT

Members present.

The Minutes of yesterday were read.

On motion of the Honorable Mr. Row, the Petition of Darius B. Holbrook, on the subject of the Electric Telegraph Bill, praying that his interests in the premises may be protected, and that the said Bill may not pass until the requirements of the Standing Rules of this House in regard thereto shall be complied with, was read—and

Petition of D. B. Holbrook respecting the Electric Telegraph amendment Bill—  
 Read.

Ordered—To lie on the table.

On the order of the day being read for the third reading of the Bill entitled “An Act for establishing the Legal Value of certain British and other Coins, in this Colony,”—

The Honorable Mr. Row moved, that the following Message in reference thereto, be sent to the House of Assembly—and

Ordered accordingly.

MR. SPEAKER—

The Legislative Council are of opinion, that the Bill sent up to them from the House of Assembly, and now before this House, entitled, “An Act for establishing the legal value of certain British and other Coins in this Colony,” would be more complete if a provision to render the counterfeiting of the Foreign Coins mentioned in the said Bill, and the uttering of such counterfeited Foreign Coins, as penal as the counterfeiting of the Queen's Coins and the uttering of the same—the Legislative Council, therefore, suggest

Message to the House of Assembly on the subject of the Legal Value of British and other Coins amendment Bill.

**22nd April, 1856.**

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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that the necessary provisions for such purposes should be added to the Bill.

Legislative Council Chamber, }  
22nd April, 1856. }

Whereupon the said Message was taken to the House of Assembly by the Master-in-Chancery.

Provident Society  
incorporation amend-  
ment Bill—  
Read 3d time and  
passed.

Pursuant to the order of the day, the Bill entitled “An Act to amend an Act to Incorporate sundry persons by the name of the Newfoundland Provident Society,” was read a third time and passed—and

The Honorable the President signed the same.

British Gold and other  
Coins Legal Tender  
Bill—  
Read 3rd time and  
passed.

Pursuant to the order of the day, the Bill entitled “An Act to continue an Act passed in the 17th Year of the Reign of Her Majesty, entitled ‘An Act to declare the Rates in Currency at which British Gold and Silver Coins shall be a legal tender’”—was read a third time and passed—and

The Honorable the President signed the same.

Law of Insolvency  
amendment Bill—  
Committed.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to amend the Law of Insolvency”—

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

Ordered—That the report be received.

HOUSE adjourns.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

**23rd and 24th April, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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**WEDNESDAY, 23rd APRIL, 1856.**

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

Members present.

“ JAMES TOBIN

“ GEORGE H. EMERSON

“ PHILIP DUGGAN

The Honorable the President declared the House adjourned until to-morrow, at 3 o'clock, P. M., for want of a quorum.

House adjourned for want of a quorum.

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**THURSDAY, 24th APRIL, 1856.**

The House met.

House meets.

PRESENT :—

*The Honorable* LAURENCE O'BRIEN, *President.*

“ GEORGE H. EMERSON

“ PHILIP DUGGAN

“ THOMAS ROW

“ JAMES J. ROGERSON

“ SAMUEL CARSON

“ JOHN ROCHFORT

“ JAMES TOBIN

“ JAMES CORMACK

Members present.

The Minutes of Tuesday and Wednesday last were read.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to amend the Law of Insolvency”—

Law of Insolvency amendment Bill—Committed.

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the report be received.

Ordered—That the said Bill be read a third time to-morrow.



**24th and 25th April, 1856.****SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

Seal and other Fisheries Bill—  
Brought in and—  
Read 1st time.

Pursuant to notice, the Honorable the SOLICITOR GENERAL brought in a Bill to regulate the Seal and other Fisheries of this Island, which was read a first time—and

Ordered—To be read a second time to-morrow, and to be printed.

On motion of the Honorable Mr. TOBIN, it was ordered that the Pilotage Regulation Amendment Bill be printed.

Notice of an Address to the Secretary of State for Military and Naval protection.

The Honorable Mr. TOBIN gives notice, that he will to-morrow bring in an Address to the Secretary of State for the Colonies, praying that a Naval and increased Military Force may be sent to this Island.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

**FRIDAY, 25th APRIL, 1856.**

House meets.

The House met pursuant to adjournment.

**PRESENT:**

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ THOMAS ROW  
 “ JAMES CORMACK  
 “ PHILIP DUGGAN  
 “ GEORGE H. EMERSON  
 “ JAMES TOBIN  
 “ JOHN ROCHFORT  
 “ JAMES J. ROGERSON

The Minutes of yesterday were read.

Law of Insolvency amendment Bill—  
Read 3rd time and passed.

Pursuant to the order of the day, the Bill entitled “An Act to amend the Law of Insolvency,” was read a third time and passed—and

The Honorable the President signed the same.

Whereupon the said Bill was taken to the House of Assembly by the Master-in-Chancery, with a Message acquainting them that this House had passed the same without amendment.

**25th April, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to amend the Act for the Incorporation of the New York, Newfoundland, and London Telegraph Company"—

New York, Newfoundland, and London Telegraph Company Bill—Committed—

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Reported.

Ordered—That the report be received.

Ordered—That the said Bill be read a third time to-morrow.

Pursuant to the order of the day, the Bill entitled "An Act to amend the Laws for the Regulation of Pilots and the Pilotage of Vessels at the Port of St. John's," was read a second time—and

Pilot Regulation Bill—Read 2d time.

Ordered—To be committed to-morrow.

Pursuant to notice, the Honorable Mr. TOBIN brought in an Address to Her Majesty's Principal Secretary of State for the Colonies, praying that a Naval and Military Force may be sent to this Colony, which was read a first time—and

Address to the Secretary of State for Naval and Military force—Brought in and—Read 1st time.

Ordered—To be read a second time to-morrow.

Pursuant to the order of the day, the Bill to regulate the Seal and other Fisheries of this Island, was read a second time—and

Seal and other Fisheries Regulation Bill—Read 2d time.

Ordered—To be committed to-morrow.

The Honorable Mr. ROW gives notice, that he will to-morrow bring in a Bill to amend the Act of the 1st Victoria, entitled "An Act for regulating the Service of Merchant Seamen engaged in the Vessels of this Colony."

Notice of Bill to amend Merchant Seamen's Act.

The Honorable Mr. TOBIN gives notice, that he will to-morrow move that the 35th Rule of the House be suspended with reference to the passing of the Address to the Secretary of State praying for a Naval and Military Force.

Notice to suspend 35th Rule of the House.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

House adjourns.

26th April, 1856.

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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SATURDAY, 26th APRIL, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN  
 “ JAMES J. ROGERSON  
 “ JAMES CORMACK  
 “ PHILIP DUGGAN  
 “ SAMUEL CARSON  
 “ THOMAS ROW

The Minutes of yesterday were read.

On the order of the day being read for the third reading of the Electric Telegraph Amendment Bill, the Honorable Mr. Row moved that the said Bill be re-committed, and that the following Message be sent to the House of Assembly :—

Mr. SPEAKER,—

Proposed Message to the House of Assembly on the subject of the Electric Telegraph amendment Bill—

The Legislative Council, in pursuance of one of its standing Rules and in reference to the private Bill passed by and sent up to them from the House of Assembly, entitled “ An Act to amend the Act for the Incorporation of the New York, Newfoundland, and London Telegraph Company,” request that the Evidence received by the House of Assembly in proof of the allegations or matters whereon the Bill is founded, be communicated to the Legislative Council.

House divides thereon.

Whereupon the House divided, when there appeared—

CONTENT—1.      NON-CONTENT—7.

So the question passed in the negative.

New York, Newfoundland and London Telegraph Company Bill—  
 Read 3rd time and passed.

Pursuant to the order of the day, the Bill entitled “ An Act to amend an Act for the Incorporation of the New York, Newfoundland and London Telegraph Company,” was then read a third time and passed—and

The Honorable the President signed the same.

**26th April, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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Whereupon, a Message was sent to the House of Assembly, acquainting them that this House had passed the said Bill without amendment.

Pursuant to the order of the day, the Address to the Secretary of State for the Colonies, on the subject of a Military and Naval Force for this Island, was read a second time.

Address to Secretary  
of State for Naval and  
Military force—  
Read 2d time—

Whereupon, in pursuance of notice, it was moved by the Honorable Mr. Tobin—and Ordered accordingly, that the 35th Rule of the House be suspended with reference to the said Address.

(35th Rule of the  
House suspended.)

The House then went into Committee on the Address.

Address committed—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

The Chairman reported the Address.

Reported—

Ordered—That the Report be received.

Ordered—That the Address be printed.

The said Address was then read a third time and passed, and is as follows :—

Read 3rd time and  
passed—

*To the Right Honorable Her Majesty's Principal  
Secretary of State for the Colonies, &c., &c.*

The Memorial of the Legislative Council of Newfoundland, in General Assembly convened—

Respectfully sheweth—

The Address.

That the establishment of Peace will soon happily occasion a necessity for the distribution of those Troops and Ships which are now concentrated on the theatre of war ; and we humbly pray, that a portion of that Military and Naval Force which, by the cessation of hostilities shall be relieved from more active service, may be stationed in Newfoundland.

Your Memorialists submit, that there is no Colony belonging to Great Britain, which offers greater advantages than this, as quarters for Her Majesty's Troops and as a Station for Her Ships of War, because—

*26th April, 1856.*

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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First—The salubrity of its climate is unsurpassed by that of any country in the world, and we appeal to the official returns made to the Horse Guards, of the mortality of British Troops in various quarters of the globe, to confirm this assertion. In fact, many of those diseases which decimate our soldiers and sailors in other countries are not known here.

Secondly—The Island of Newfoundland constituting, in a military point of view, the Key of the St. Lawrence, must ever make it important to England, and the geographical position of St. John's offers singular advantages for the concentration therein of a Military Force, inasmuch as it is a safe and commodious harbor, not beset by any hidden dangers nor subject to tides which can interfere with ingress or egress at all hours—its depth of water is sufficient for the accommodation of ships of the largest draft—it lies on the sea board and directly in the route between Great Britain and America—it is the nearest Port on this side of the Atlantic to Europe, is situated midway between the old and the new worlds, and from it, in case of necessity, Troops could be moved East or West with equal facility.

Thirdly—The Eastern Coast of Newfoundland is less subject to fog than that of the neighbouring Continent, or of England, and if at any time St. John's should be, as it sometimes is in Spring, temporarily obstructed by ice—an inconvenience which applies with still greater force to the Continental Ports of British America—ready access is obtainable by means of the harbor of Trepassy or the Ports of Placentia Bay, distant only sixty miles, and which are kept free of ice by the same wind which occasions the obstruction to St. John's.

Fourthly—The establishment, within a few months, of Electric Telegraph Communication between St. John's and America, (of which fact there seems to be no reasonable doubt,) and probably at no distant period, of similar communication between Great Britain and Newfoundland; supply additional inducements to the Government of England to make this city a large Depot for her Troops.

The protection of our Fisheries, and their encouragement as a nursery for British seamen, are matters of national importance; they

26th April, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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can be best secured by the presence and aid of Ships of War, and we trust that with reference to those objects, the necessity of stationing several Men of War in Newfoundland, will not be disregarded.

During the last French and American Wars this Port was made an Admiral's station; its central position and safe anchorage obviously suggested such a course. We have never learned that the Service was prejudiced thereby, but the reverse, and we earnestly trust that ere long it will again be restored to that position.

The foregoing facts are most respectfully submitted to Her Majesty's Government, because we are aware that Imperial considerations will principally influence them in the disposition of the National Forces.

At the same time we humbly hope, that the Colonial advantages, and individual benefits of Her Majesty's Subjects in this, the most ancient Dependency of the Crown of England, which has heretofore largely contributed its Revenues to the Imperial Government of Great Britain as well as furnished numbers of its hardy and experienced Sons for the service of our National Navy, will not be deemed unworthy of some attention at the hands of the Parent State.

We request that you will be pleased to lay this our Memorial before the proper Department of Her Majesty's Government, supporting it by your influence, and as in duty bound we shall ever pray.

(Signed) LAURENCE O'BRIEN,

Legislative Council Chamber, }  
26th April, 1856.

*President.*

The Honorable Mr. TOBIN gives notice, that he will to-morrow move for an Address to the Secretary of State for the Colonies, on the subject of Direct Mail Communication by Steam from England to this Port.

Notice of motion for an address to the Secretary of State for direct Mail communication by Steam.

On motion made and seconded, the House adjourned until Monday next, at 3 o'clock, P. M.

House adjourns.

**28th April, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

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**MONDAY, 28th APRIL, 1856.**

**House meets.**

**The House met pursuant to adjournment.**

**PRESENT :**

**Members present.**

*The Honorable* **LAURENCE O'BRIEN, President.**  
 “ **JAMES TOBIN**  
 “ **PHILIP DUGGAN**  
 “ **JAMES CORMACK**  
 “ **THOMAS ROW**  
 “ **JAMES J. ROGERSON**  
 “ **SAMUEL CARSON**  
 “ **JOHN ROCHFORT**

**The Minutes of Saturday last were read.**

**On motion of the Honorable Mr. Row, it was—**

**Select Committees appointed on the Pilotage regulation amendment Bill—**

**Ordered—That a Select Committee be appointed to take evidence on the subject of the Pilotage Regulation Amendment Bill.**

**Ordered—That the Honorable Messrs. Row, Rogerson and Tobin, be a Committee for that purpose.**

**and**

**On motion of the Honorable Mr. Rogerson, it was—**

**On the Seal and other fisheries regulation Bill.**

**Ordered—That a Select Committee be appointed to take evidence on the subject of the Seal and other Fisheries Regulation Bill.**

**Ordered—That the Honorable Messrs. Rogerson, Emerson, Row and Cormack, be a Committee for that purpose.**

**Merchant Seamen's Act amendment Bill— Brought in and— Read 1st time.**

**Pursuant to notice, the Honorable Mr. Row brought in a Bill to amend the Merchant Seamen's Act, which was read a first time, and—**

**Ordered—To be read a second time to-morrow, and to be printed.**

**House adjourns.**

**On motion made and seconded, the House adjourned until Thursday next, at 3 o'clock, P. M.**

**1st and 2nd May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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**THURSDAY, 1st MAY, 1856.**

At half-past three of the Clock, P. M., there were present

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " JAMES CORMACK  
 " THOMAS ROW  
 " JAMES J. ROGERSON

The Honorable the President declared the House adjourned until to-morrow, at 3 o'clock, P. M., for want of a quorum.

House adjourns for want of a quorum.

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**FRIDAY, 2nd MAY, 1856.**

The House met.

House meets.

**PRESENT :**

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " SAMUEL CARSON  
 " THOMAS ROW  
 " PHILIP DUGGAN  
 " JAMES CORMACK  
 " JOHN ROCHFORD  
 " JAMES TOBIN

Members present.

The Minutes of Monday and Thursday last were read.

Pursuant to the order of the day, the Bill to amend the Merchant Seamen's Act, was read a second time—and

Merchant Seamen's Act amendment Bill—Read 2d time.

Ordered—To be committed to-morrow.

The Honorable Mr. Row, from the Select Committee appointed to take evidence on the Pilots' Act Amendment Bill, reported that they had taken evidence on the matter referred to them, and which he laid before the House—

Report of Select Committee appointed to take evidence on Pilots Act amendment Bill.

Ordered—That the report be received.

Ordered—That the said Evidence be printed.



*2nd May, 1856.*

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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Pilots Act Amendment  
Bill—  
Committed—

Pursuant to the order of the day, the House went into Committee on the Pilots' Act Amendment Bill—

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

Reported with amend-  
ments.

The Chairman reported the Bill with some amendments.

Ordered—That the report be received.

Ordered—That the amendments be engrossed, and the Bill as amended, read a third time to-morrow.

Education Bill—  
Brought up and—  
Read 1st time.

A deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled "An Act for the encouragement of Education," which was read a first time—and

Ordered—To be committed to-morrow.

The same deputation also brought up a Message, in the following words:—

Mr. PRESIDENT,—

Message from the  
House of Assembly  
concurring in the sug-  
gestion that a new  
clause be introduced in  
the British Coins legal  
value Bill.

The House of Assembly acquaint the Legislative Council, that they concur in the suggestion contained in the Message from the Council, of 22nd April last, viz,—That the Bill sent up to them from the Assembly, entitled "An Act for establishing the legal value of certain British and other Coins in this Colony," would be more complete if a provision to render the counterfeiting of the Foreign Coins mentioned in the said Bill and the uttering of such counterfeited Foreign Coins, as penal as the counterfeiting of the Queen's Coins and the uttering of the same—

The Assembly are therefore of opinion, that a section embodying such a provision should be added to the Bill now before the Council.

(Signed)

A. SHEA,

*Speaker.*

House of Assembly, }  
1st May, 1856. }

2nd May, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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A deputation from the House of Assembly brought up a Message in the following words :—

Mr. PRESIDENT,—

The House of Assembly acquaint the Legislative Council, that they concur in the amendments made by the Council in and upon the Bill sent up from the Assembly, entitled, “ Act to regulate the granting of Licenses for the wholesale of Wines and Spirituous Liquors,” with the exception of the amendment expunging the provisos at the end of the 4th Section, which they are of opinion should stand part of the Bill, for the following reasons :

Message from Assembly concurring in certain amendments on the Wholesale Spirituous Liquor Bill, and rejecting others.

1st—That the Bill sent up to the Council was intended as a remedial measure, to protect the Licensed Dealer in Spirituous Liquors from the unfair and injurious competition of parties selling by retail the same article without License.

2nd—That the amendment of the Council does not carry out this idea, but on the contrary would, in its operation, press with greater hardship on the Licensed Retailer, as, in addition to the License they would be compelled to pay the charge imposed upon the Importer, whose interest, it is manifest, would be to increase the price of the article to the Retail Dealer for the purpose of reimbursing himself on the amount paid as a License Fee.

The Assembly adopt this course to avoid the delay consequent upon asking a conference with the Council, but at the same time have no desire that this departure from the usual forms on their part, nor their assenting to the amendment of the Council in the 3rd Section of the Bill in altering the amount of the License Fee, should be construed into a precedent.

The Assembly therefore request the concurrence of the Council in the amendments made by them.

(Signed)

A. SHEA,

*Speaker.*

House of Assembly, }  
29th April, 1856. }

*2nd May, 1856.*

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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Message from Assembly concurring in the Jurors Qualification Bill.

The same Deputation also brought up a Message acquainting this House, that they had passed the amendments made by the Council, on the Bill entitled "An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the empannelling of Jurors therein," without amendment.

The said deputation also brought up a Bill for the concurrence of this House, entitled "An Act to authorize the Governor in Council to erect Light Houses on the Coast of this Colony, and for other purposes," which was read a first time—and

Ordered—To be read a second time to-morrow, and to be printed.

A deputation from the House of Assembly brought up a Message, in the following words:—

MR. PRESIDENT,—

Message from Assembly concurring in the amendments of the Council on the Limited Partnerships Bill—

The House of Assembly concur in the amendments of the Legislative Council in and upon the Bill sent up from the Assembly, entitled "An Act to provide for Limited Partnerships," with the exception of the amendments on the 20th Section, 3rd line, to which they have made an amendment, and request the concurrence of the Council thereon.

and

Formation of Corporations Bill—

With amendments.

The Assembly also concur in the amendments of the Council in and upon the Bill sent up from the Assembly, entitled "An Act to authorize the formation of Corporations for Manufacturing, Mercantile, Mining, Mechanical or Chemical purposes," with the exception of the amendments on the 3rd line of the 26th and 29th Sections, upon which they have made an amendment, and request the concurrence of the Council therein.

(Signed)

A. SHEA,

*Speaker.*

House of Assembly, }  
23th April, 1856. }

## 2nd and 3rd May, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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The Honorable Mr. ROGERSON, from the Select Committee appointed to take Evidence on the subject of the Seal and other Fisheries Bill, reported that they had taken Evidence on the matter referred to them, and which he laid before the House.

Report of Select Committee appointed to take evidence on the Seal and other Fisheries Bill—

Ordered—That the report be received.

Ordered—That the Evidence be printed.

The Honorable Mr. TOBIN gives notice, that he will to-morrow move for a Return of the number of Vessels that entered and cleared at the Port of St. John's during each month of the last ten years.

Notice for a return of Vessels entered at the Port of St. John's for ten years.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

House adjourns.

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### SATURDAY, 3rd MAY, 1856.

The House met pursuant to adjournment.

House meets.

#### PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN

“ PHILIP DUGGAN

“ THOMAS ROW

“ JAMES CORMACK

“ JAMES J. ROGERSON

Members present.

The Minutes of yesterday were read.

A Deputation from the House of Assembly brought up a Message in the following words :—

Mr. PRESIDENT,—

The House of Assembly have passed the Bill sent down from the Council, entitled “ An Act to repeal the Patent Acts of this Colony, and to make other provisions in lieu thereof,” with some amendments, to which they request the concurrence of the Council.

Message from Assembly concurring in the Patent Acts repeal Bill—with some amendments.

(Signed)

A. SHEA,

*Speaker.*

House of Assembly, }  
2nd May, 1856. }

**3rd May, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA,**

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Amendments read 1st time.

The said amendments were then read a first time—and  
Ordered—To be read a second time to-morrow.

Public Debt Consolidation Bill—  
Brought up and—  
Read 1st time.

The same deputation also brought up a Bill for the concurrence of this House, entitled “An Act to authorize the Consolidation of Sixty Eight Thousand Six Hundred and Seven Pounds Five Shillings and Four Pence, out of the Public Debt of the Colony,” which was read a first time—and

Ordered—To be read a second time to-morrow, and to be printed.

Pilots Act Amendment Bill—  
Read 3rd time and passed—

Pursuant to the order of the day, the Bill as amended, entitled “An Act to amend an Act entitled ‘An Act to amend the Laws for the regulation of Pilots and the Pilotage of Vessels at the Port of St. John’s,’ ” was read a third time and passed—and

The Honorable the President signed the same.

The said Bill was then taken to the House of Assembly for their concurrence in the amendments.

British Coins Legal Value Bill—  
re-committed—

On motion of the Honorable Mr. Row, the Bill entitled “An Act for Establishing the Legal Value of certain British and other Coins in this Colony,” was re-committed—

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

Reported with an amendment—

The Chairman reported the Bill with an amendment.

Ordered—That the report be received.

Ordered—That the amendment be engrossed, and the Bill as amended, read a third time to-morrow.

The Amendment is as follows :—

Insert before the 11th clause of the Bill—

The amendment.

“That any person who shall knowingly and unlawfully counterfeit any of the Foreign Coins hereinbefore mentioned, or who shall knowingly and unlawfully utter such Counterfeited Foreign Coins, shall be guilty of the like offence respectively as knowingly and unlawfully counterfeiting any of the Queen’s Coins, or knowingly and

**3rd May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

unlawfully uttering such Counterfeited Queen's Coins, and shall be subject to the like procedure and penalties as persons charged with and convicted of counterfeiting any of the Queen's Coins, or of knowingly and unlawfully uttering the same."

Pursuant to the order of the day, the House went into Committee on the Bill, entitled "An Act to amend an Act entitled 'An Act for regulating the Service of Merchant Seamen, engaged in the Vessels of this Colony'"—

Merchant Seamen's  
Act amendment Bill—  
Committed—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Reported.

Ordered—That the report be received.

Ordered—That the said Bill be engrossed, and read a third time to-morrow.

On motion of the Honorable Mr. ROGERSON, it was—

Ordered—That the Correspondence between the Chairman and Members of the Protestant Board of Education at Burin, do lie on the table.

Correspondence of  
Protestant Board of  
Education—  
To lie on the Table.

On motion of the Honorable Mr. TOBIN, it was—

Ordered—That the Customs' Department be called on to furnish a Return of Vessels that have entered the port of St. John's for the last ten years.

On motion—  
Return of Vessels to  
be furnished by the  
Customs' Department.

On motion, the amendments of the Assembly on the Council's amendments on the Bill entitled "An Act to provide for Limited Partnerships," were read a second time—and

Assembly's amend-  
ments on Council's  
amendments on Limited  
Partnerships Bill—  
Read 2d time—

Ordered—To be committed to-morrow.

and

On motion, the amendment of the House of Assembly on the Council's amendments on the Bill to authorize the formation of Corporations, was read a second time—and

On formation of Cor-  
porations Bill—  
Read 2nd time.

Ordered—To be committed to-morrow.

*3rd and 5th May, 1856.*

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Notice for conference  
on Formation of Cor-  
porations Bill.

The Honorable Mr. Row gives notice, that to-morrow he will move that a Conference be sought with the House of Assembly on the subject of their Amendments on the said Bill.

Assembly's amend-  
ments on Council's  
amendments on Whole-  
sale Spirituous License  
Bill—  
Read 2nd time.

On motion, the amendments of the House of Assembly on the Council's Amendments on the Wholesale Spirituous Liquor License Bill, were read a second time—and

Ordered—To be committed to-morrow.

Notice to suspend 35th  
rule of the House.

The Honorable Mr. TOBIN gives notice, that on Monday next he will move that the 35th Rule of the House be suspended as respects all Bills that are now, or may come, before the Council.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at 3 o'clock, P. M.

*MONDAY, 5th MAY, 1856.*

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ JAMES TOBIN  
 “ THOMAS ROW  
 “ JAMES J. ROGERSON  
 “ SAMUEL CARSON  
 “ PHILIP DUGGAN  
 “ JAMES CORMACK

The Minutes of Saturday last were read.

British Coins Legal  
Value Bill—  
Read 3d time and  
passed.

Pursuant to the order of the day, the Bill, as amended, entitled “An Act for establishing the Legal Value of certain British and other Coins in this Colony,” was read a third time and passed—and

The Honorable the President signed the same.

Merchant Seamen's  
Act amendment Bill—

Pursuant to the order of the day, the Bill to amend an Act, entitled “An Act for regulating the Service of Merchant Seamen

**5th May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

---

engaged in the Vessels of this Colony," was read a third time and passed—and

Read 3rd time and passed.

Ordered—That the title be "An Act to amend an Act entitled 'An Act for regulating the Service of Merchant Seamen engaged in the Vessels of this Colony,'"—

Title.

Whereupon the Honorable the President signed the said Bill.

Ordered—That the same be sent to the House of Assembly for concurrence.

A deputation from the House of Assembly brought up a Message, concurring in the amendment made by the Council in and upon the Bill to establish the Legal Value of certain British and other Coins in this Colony.

Message from Assembly concurring in amendment on the British Coins Legal Value Bill.

Pursuant to the order of the day, the House went into Committee on the Bill to regulate the Seal and other Fisheries of this Island—

Seal and other Fisheries Bill—  
Committed—

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again to-morrow.

Ordered—That the report be received.

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act for the Encouragement of Education"—

Education Bill—  
Committed—

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Reported.

Ordered—That the report be received.

Ordered—That the said Bill be read a third time to-morrow.

Pursuant to the order of the day, the House went into Committee on the Bill entitled, "An Act to authorize the Governor in

Erection of Light Houses Bill—  
Committed—



*5th May, 1856.*

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Council to erect Light Houses on the coast of this Colony, and for other purposes"—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the report be received.

Ordered—That the said Bill be read a third time to-morrow.

Pursuant to notice, and on motion of the Honorable Mr. Row —it was

Ordered—That a Conference be had with the House of Assembly on the subject of the amendment made by the Assembly on the Council's amendments on the Bill entitled "An Act to authorize the formation of Corporations for Manufacturing, Mining, Mercantile, Mechanical, Chemical, or other purposes."

Ordered—That the Honorable Messrs. Row and Tobin be the Conferees on the part of this House, and that they be a Committee to draft Instructions to the Conferees.

Pursuant to the order of the day, the House went into Committee on the amendments of the House of Assembly on the amendments of the Council on the Bill, entitled "An Act to regulate the granting of Licenses for the Wholesale of Wines, Spirituous and Malt Liquors"—

The Honorable Mr. Row in the Chair.

After some time the House resumed.

The Chairman reported the amendments without amendment.

Ordered—That the report be received.

Ordered—That the said amendments be read a third time to-morrow.

Pursuant to the order of the day, the Bill entitled "An Act to authorize the Consolidation of Sixty-eight Thousand Six Hundred and Seven Pounds Five Shillings and Four Pence of the Public Debt of the Colony," was read a second time—and

Reported.

Conference ordered on amendment of Assembly on formation of Corporations Bill—

Conferees appointed.

Amendments of Assembly on Council's amendments on the Wholesale Spirituous Liquor Bill—  
Committed—

Reported.

Consolidation of Public Debt Bill—  
Read 2nd time.

5th May, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

Ordered—To be committed to-morrow.

Pursuant to the order of the day, the amendments of the House of Assembly on the Council's amendments on the Bill to repeal the Patent Acts of this Colony, and to make other provisions in lieu thereof, were read a second time—and

Assembly's amendments on Council's amendments on Patent Acts repeal Bill—  
Read 2nd time.

Ordered—To be committed to-morrow.

The Honorable Mr. Row, from the Select Committee appointed to draft Instructions to the Conferees on the subject of the formation of Corporations Bill, presented a draft thereof, which was read and adopted, and is as follows :

Instructions to Conferees on amendment of Assembly on formation of Corporations Bill—  
Read and adopted—

The Legislative Council have asked this Conference with the House of Assembly upon the amendment made by the House of Assembly upon the amendments made by the Council upon the Bill sent up to them entitled “ An Act to authorize the formation of Corporations for Manufacturing, Mercantile, Mechanical or Chemical purposes,” for the purpose of bringing under the consideration of the House of Assembly the principle upon which the Council expunged the words in the 26th and 27th Sections, “ Insolvent or”.

The instructions.

A person may be insolvent—that is, unable to pay twenty shillings in the pound to all his creditors—for years before he be *declared* such by a Court of competent jurisdiction, or by a composition with creditors, or by any other public declaration.

There is an obvious difference between insolvency and a declaration of that insolvency, and whilst the Council are fully of opinion that sales, assignments, or transfers made after a “ declaration of insolvency,” or in contemplation of insolvency, should be void as against Creditors ; and also are of opinion that the Company should not make any assignment of their property when they are insolvent, they nevertheless think that an innocent and *bona fide* Assignee of property should not be deprived of his security and prejudiced by the fact of the circumstances of the Debtor at the time of making such transfer being insolvent when such Assignee did not know, and had no means of knowing the fact.

The Council think that the words “ actually insolvent” do not alter the legal position, and they suggest that instead of those words,

## 5th and 6th May, 1856.

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the words "declared insolvent" should be inserted, which they believe would meet the fair requirements of the case.

(Signed) . LAURENCE O'BRIEN,

Legislative Council Chamber, }  
5th May, 1856. }

*President.*

Pursuant to notice, and on motion of the Honorable Mr. TOBIN, it was—

35th Rule of the House  
suspended.

Ordered—That the 35th Rule of the House be suspended with reference to all Bills that are now, or may come, before the House during the present session.

The Honorable Mr. TOBIN gives notice, that he will to-morrow move that a Select Committee be appointed on Contingencies.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

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TUESDAY, 6th MAY, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN  
“ JOHN ROCHFORT  
“ PHILIP DUGGAN  
“ SAMUEL CARSON  
“ JAMES CORMACK  
“ THOMAS ROW  
“ JAMES J. ROGERSON

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bills entitled—

Education Bill—

“ An Act for the Encouragement of Education”—and

and

Erection of Light  
Houses Bill—

“ An Act to authorize the Governor in Council to erect Light Houses on the Coast of this Colony, and for other purposes,”

Read 3rd time and  
passed.

Were read a third time and passed.

**6th May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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Whereupon the Honorable the President signed the same, and a Message was sent to the House of Assembly acquainting them therewith.

Pursuant to the order of the day, the amendments of the House of Assembly on the Council's amendments on the Bill, entitled "An Act to regulate the granting of Licenses for the Wholesale of Wines, Spirituous and Malt Liquors," was read a third time and passed—and

Amendments of Assembly on Council's amendments on the Wholesale Spirituous Liquor Bill—  
Read 3d time and passed.

The Honorable the President signed the same.

Whereupon a Message was sent to the House of Assembly, acquainting them therewith.

Pursuant to the order of the day, the House went into Committee on the Bill to regulate the Seal and other Fisheries of this Island—

Seal and other Fisheries Bill—  
Committed—

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Reported.

Ordered—That the report be received.

Ordered—That the said Bill be engrossed, and read a third time to-morrow.

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to authorize the Consolidation of Sixty-eight Thousand Six Hundred and Seven Pounds Five Shillings and Four Pence of the Public Debt of this Colony,"—

Consolidation of Public Debt Bill—  
Committed—

The Honorable Mr. ROW in the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered—That the Bill be read a third time presently.

Whereupon the said Bill was read a third time and passed—  
and

Read 3rd time and passed.

The Honorable the President signed the same.

*6th May, 1856.*

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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Supply Bill—  
Brought up and—  
Read 1st and 2d time.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act for Granting to Her Majesty a Sum of Money for Defraying the Expenses of the Civil Government of this Colony, for the year ending on the thirty-first day of December, One Thousand Eight Hundred and Fifty Six, and for other purposes,” which was read a first and second time—and

Ordered—To be committed to-morrow.

Amendments of Assembly on Council's amendments on the Patent Act amendment Bill—  
Committed—

Pursuant to the order of the day, the House went into Committee on the amendments of the House of Assembly on the Council's amendments on the Bill entitled, “An Act to repeal the Patent Acts of this Colony, and to make other provisions in lieu thereof”—

The Honorable Mr. TOBIN, in the Chair.

After some time the House resumed.

Reported—

The Chairman reported the amendments.

Ordered—That the report be received.

Read 3rd time and passed,

The said amendments were then read a third time and passed—and

The Honorable the President signed the same.

Pursuant to notice, and on motion of the Honorable Mr. TOBIN—it was

Ordered—That the Honorable Messrs. Tobin, Row and Rogerson, be a Select Committee on the Contingencies of this House for the present Session.

Notice respecting the appointment of a Magistrate or Revenue Officer for St. Mary's.

The Honorable Mr. DUGGAN gives notice, that he will, to-morrow, ask the Government if it is the intention of the Executive to send a Magistrate or Revenue Officer to St. Mary's.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

**7th May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

**WEDNESDAY, 7th MAY, 1856.**

The House met pursuant to adjournment.

House meets.

**PRESENT :**

*The Honorable* **LAURENCE O'BRIEN, President.**

Members present.

“ **JAMES TOBIN**  
 “ **SAMUEL CARSON**  
 “ **PHILIP DUGGAN**  
 “ **THOMAS ROW**  
 “ **JAMES CORMACK**  
 “ **JAMES J. ROGERSON**

The Minutes of Saturday last were read.

Pursuant to the order of the day, the Bill to regulate the Seal and other Fisheries of this Island, was read a third time and passed—and

Seal and other Fisheries Bill—  
 Read 3rd time and passed.

The Honorable the President signed the same.

Pursuant to the order of the day, the Bill entitled “ An Act for Granting to Her Majesty a Sum of Money for defraying the Expenses of the Civil Government of this Colony, for the year ending on the thirty-first day of December, One Thousand Eight Hundred and Fifty Six, and for other purposes,” was read a third time and passed—and

Supply Bill—  
 Read 3rd time and passed.

The Honorable the President signed the same.

On motion of the Honorable Mr. TOBIN, the Petitions of Mr. Robert Rodger, for further consideration of his claim as Reporter of the Council at the commencement of the last Session—of Mr. Thomas Talbot, the Reporter, to be relieved from certain liabilities incurred by him—and, of John Higgins, for remuneration for services on attending the Hot-air Stove, were read, and referred to the Select Committee on Contingencies.

Petitions of R. Rodger, T. Talbot, and John Higgins—  
 Referred to the Select Committee on Contingencies—

also,

On motion of the Honorable Mr. ROGERSON, the Petition of Mr. James Seaton, for an addition to the grant of last Session for his services as Reporter to the Council, was read—and

The petition of James Seaton.

Ordered—To be referred to the Select Committee on Contingencies.

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House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

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THURSDAY, 8th MAY, 1856.

House meets.

The House met pursuant to adjournment.

PRESENT :—

Members present.

The *Honorable* LAURENCE O'BRIEN, *President.*  
 “ JAMES TOBIN  
 “ JAMES J. ROGERSON  
 “ THOMAS ROW  
 “ SAMUEL CARSON  
 “ JOHN ROCHFORT  
 “ PHILIP DUGGAN  
 “ JAMES CORMACK

The Minutes of yesterday were read.

Road Bill—  
 Brought up and—  
 Read 1st and 2d time.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, called “An Act for granting to Her Majesty a Sum of Money for Constructing and Repairing Roads, Streets and Bridges within the Colony,” which was read a first and second time—and

Ordered—To be committed to-morrow.

The same Deputation also brought up a Message, in the following words :—

Mr. PRESIDENT,—

Message from Assembly of having passed the Law of Evidence Bill with some amendments.

The House of Assembly have passed the Bill sent down to them from the Legislative Council, entitled “An Act to amend the Law of Evidence,” with some amendments, to which they request the concurrence of the Council.

(Signed)

A. SHEA,

*Speaker.*

House of Assembly, }  
 8th May, 1856. }

**8th May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

The said amendments were then read a first and second time —and Read 1st and 2d time—

The House went into Committee thereon— Committed—

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

The Chairman reported the amendments. Reported—

Ordered—That the report be received.

The amendments are as follow :—

In the 1st Section of the Bill, 3rd line, expunge the word “ administration” and insert the word “ advancement” in lieu thereof. Amendments of Assembly on Law of Evidence Bill.

In the 2nd Section, 2nd line, expunge the words “ at Law or in Equity”.

Expunge the 4th Section of the Bill.

The 5th Section to stand as the 4th Section.

The 6th Section to stand as the 5th Section.

Expunge the 7th Section.

The 8th Section to stand as the 6th Section.

Expunge the 9th Section.

The 10th Section to stand as the 7th Section.

The 11th Section to stand as the 8th Section.

The 12th Section to stand as the 9th Section.

The 13th Section to stand as the 10th Section.

The 14th Section to stand as the 11th Section.

In the 15th Section, 3rd line, expunge the word “ any” and insert “ a” in lieu thereof.

The 15th Section as amended to stand as the 12th Section.

In the 16th Section, 1st line, after the word “ officer” insert the words “ or other person.”

The 16th Section as amended to stand as the 13th Section.

The 17th Section to stand as the 14th Section.

In the 18th Section, 2nd last line, expunge the word “ county.”



*8th May, 1856.*

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The 18th Section as amended to stand as the 15th Section.

The 19th Section to stand as the 16th Section.

Insert as the 17th Section, "It shall be competent for a superior Court, or any Judge thereof, to order the examination *De bene Esse*, at any time after the commencement of any action or other Civil proceeding of any Witness who might be so examined after issue joined, and a Witness shall for such purpose be deemed to be proceeding beyond the Jurisdiction of such Court, when he shall be about to proceed out of the District in which such Court shall be holden."

The 20th section to stand as the 18th, with the following amendments :

In the first line, after the word "deposition", expunge the word "of", and after the word "examination" insert, "or evidence."

In the last line, after the word "action", expunge the remainder of the section, and insert, "subject to all just exceptions, provided, the Witness giving the evidence be dead, insane, beyond the Jurisdiction of the Court, or be kept away by contrivance."

Expunge the 21st section, and insert the following as the 19th section :

For the purpose of perpetuating the testimony of Witnesses the applicant must produce, to one of the Superior Courts of this Island or a Judge thereof, an affidavit stating such facts and circumstances as are usual and necessary, to support a Bill, for perpetuating testimony whereupon the Court or Judge shall grant a Rule or Order *Nisi* for the examination of the Witness or Witnesses, and upon the appearance of the adverse party, and no sufficient cause shown or upon proof of the service of the Rule or Order on such party, his Agent or Attorney, the Court or Judge shall make such Rule or Order absolute for such examination, subject to such terms or conditions as to Costs or otherwise, as he or they may deem expedient to prescribe.

In the 22nd section, 2nd line, after the word "insanity", expunge the words, "or absence from the District or Country."

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In the 22nd section, 3rd line, after the word "witness", expunge the remainder of the line.

In the 22nd section, 4th line, after the word "party", expunge the remainder of the section, excepting the words in the last line "on the trial," and insert at the end thereof the words, "subject to all just exceptions."

The 22nd section of the Bill, as amended, to stand as the 20th section.

The 23rd section to stand as the 21st section.

In the 24th section, 1st line, between the words "equity" and "evidence", insert the words, "and Ecclesiastical Courts".

In the same section, 2nd line, between the words "*viva voce*" and "before", insert, "in open Court, or an".

In the same section, 2nd line, before the word "Examiner", expunge the word "the".

In the same section, 2nd line, after the word "Examiner," insert the words "according to the order of the Court, or a Judge thereof".

The 24th section, as amended, to stand as the 22nd section.

Expunge the 25th section.

Insert as the 23rd section :—

"A party producing a Witness shall not be allowed to impeach his credit by general evidence of bad character ; but he may, in case the witness shall in the opinion of the Judge prove adverse, contradict him by other Evidence, or by leave of the Judge prove that he has made at other times a statement inconsistent with his present testimony, but before such last mentioned proof can be given the circumstances of the supposed statement sufficient to designate the particular occasion must be mentioned to the Witness, and he must be asked whether or not he has made such a statement. If a Witness, upon cross-examination as to a former statement made by him relative to the subject matter of the Cause and inconsistent with his present testimony, does not distinctly admit that he has made such statement, proof may be given that he did in fact make it, but

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before such proof can be given the circumstances of the supposed statement sufficient to designate the particular occasion must be mentioned to the Witness, and he must be asked whether or not he has made such a statement.”

Insert as the 24th section:—

“ A Witness may be cross-examined as to the previous statement made by him in writing relative to the subject matter of the Cause, without such writing being shown to him ; but if it is intended to contradict such Witness by the writing, his attention must, before such contradictory proof can be given, be called to those parts of the writing which are used for the purpose of so contradicting him ; Provided always, that it shall be competent for the Judge at any time during the trial to require the production of the writing for his inspection, and he may thereupon make such use of it for the purposes of the trial as he shall think fit.”

Insert as the 25th section:—

“ A witness in any cause may be questioned as to whether he has been convicted of any Felony or Misdemeanor ; and upon being so questioned, if he either denies the fact or refuses to answer, it shall be lawful for the opposite party to prove such conviction, and a certificate containing the substance and effect only, (omitting the formal part of the indictment) and conviction for such offence purporting to be signed by the Clerk of the Court, or other officer having the custody of the records of the Court where the offender was convicted, or by the Deputy of such Clerk or officer, (for which a fee of 5s. and no more shall be demanded or taken) shall, upon proof of the identity of the person, be sufficient evidence of the said conviction without proof of the signature or official character of the person appearing to have signed the same.”

Insert as the 26th section:—

“It shall not be necessary to prove by the attesting Witness any instrument, to the validity of which attestation is not requisite, and such instrument may be proved by admission, or otherwise, as if there had been no attesting Witness thereto.”

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Insert as the 27th section :—

“ Comparison of a disputed writing with any other writing proved to the satisfaction of the Judge to be genuine, shall be permitted to be made by the witnesses; and such writing, and the evidence of witnesses respecting the same, may be submitted to the Court and Jury as evidence of the genuineness or otherwise of the writing in dispute.”

Insert as the 28th section :—

“ Upon the hearing of any motion, or summons, it shall be lawful for the Court or Judge, at their or his discretion, and upon such terms as they or he shall think reasonable, from time to time to order such documents as they or he may think fit to be produced, and such witnesses as they or he may think necessary to appear to be examined *viva voce* either before such Court or Judge, or before the Master, and upon hearing such evidence, or reading the report of such Master, to make such Rule or Order as may be just.”

Insert as the 29th section :—

“ The Court or Judge may, by such Rule or Order, or any subsequent Rule or Order, command the attendance of the witnesses named therein for the purpose of being examined, or the production of any writings or other documents to be mentioned in such Rule or Order; and such Rule or Order shall be proceeded upon in the same manner, and shall have the same force and effect, as a Rule of the Court under an Act of the Imperial Parliament passed in the first year of his late Majesty King William the Fourth, entitled ‘ An Act to enable Courts of Law to order the examination of witnesses upon interrogatories or otherwise;’ and it shall be lawful for the Court, or Judge, or Master, to adjourn the examination from time to time as occasion may require, and the proceedings upon such examination shall be conducted and the depositions taken down as nearly as may be in the mode now in use with respect to *viva voce* examination of witnesses under the last mentioned Act.”

Insert as the 30th section :—

“ Any party to any Civil Action or other Civil proceeding in any of the Superior Courts requiring the affidavit of a person refusing to

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make an affidavit, may apply by Summons for an order to such person to appear and be examined upon oath before a Judge or Master to whom it may be most convenient to refer such examination, as to the matters concerning which he has refused to make an affidavit, and a Judge may, if he think fit, make such order for the attendance of such person before the person therein appointed to take such examination, for the purpose of being examined as aforesaid, and for the production of any witness or documents to be mentioned in such order, and may therein impose such terms as to such examination and the costs of the application and proceedings thereon as he shall think just."

Insert as the 31st section:—

"Such order shall be proceeded upon in like manner as an order made under the hereinbefore mentioned Act passed in the first year of His late Majesty King William 4th, and the Examination thereon shall be conducted and the depositions taken down and returned, as nearly as may be, in the mode now used in *viva voce* Evidence in all Causes in any of the Superior Courts."

Insert as the 32nd section:—

"By order of the Court, or Judge, the Plaintiff may, with the declaration, and the Defendant may, with the plea, or either of them by leave of the Court or Judge, deliver to the opposite party or his Attorney (provided such party, if not a Body Corporate, would be liable to be called and examined as a Witness upon such matter) Interrogatories in writing upon any matter as to which discovery may be sought, and require such party, or in the case of a Body Corporate, any of the Officers of such Body Corporate, within Ten days to answer the questions in writing by affidavit to be sworn and filed in the ordinary way, and any party or officer omitting, without just cause, sufficiently to answer all questions to which a discovery may be sought within the above time or such extended time as the Court or Judge shall allow, shall be deemed to have committed a contempt of the Court, and shall be liable to be proceeded against accordingly."

Insert as the 33rd section:—

"The application for such Order shall be made upon an affidavit

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of the party proposing to interrogate and his Attorney or Agent, or in the case of a Body Corporate or their Agent, stating that the deponent or deponents believe or believes that the party proposing to interrogate, whether Plaintiff or Defendant, will derive material benefit in the Cause from the discovery which he seeks, and that there is a good cause of action or defence upon the merits; and if the application be made on the part of the Defendant that the discovery is not sought for the purpose of delay; provided, when it shall happen, from unavoidable circumstances, that the Plaintiff or Defendant cannot join in such affidavit, the Court or Judge may, if they or he think fit, upon affidavit of such circumstances by which the party is prevented from so joining therein, allow and order that the interrogatories may be delivered without such affidavit."

Insert as the 34th section :—

"In the case of omission, without just cause, to answer sufficiently such written interrogatories, it shall be lawful for the Court or a Judge, at their or his discretion, to direct an oral examination of the interrogated party, as to such points as they or he may direct, before a Judge or Master, and the Court or Judge may, by such Rule or Order, or any subsequent Rule or Order, command the attendance of any such party or parties before the person appointed to take such examination, for the purpose of being orally examined as aforesaid, or the production of any writings or documents to be mentioned in such Rule or Order, and may impose thereon such terms as to such examination, and the costs of the application and of the proceedings thereon, and otherwise, as to such Court or Judge shall seem just."

Insert as the 35th section :—

"Such Rule or Order shall have the same force and effect, and may be proceeded upon in like manner as an Order made under the said hereinbefore mentioned Act passed in the first year of the Reign of His late Majesty King William the 4th."

Insert as the 36th section :—

"Whenever, by virtue of this Act, an examination of any Witness or Witnesses has been taken before a Judge of one of the said Courts, or before a Master, the depositions taken down by such Ex-

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aminer, shall be returned to and kept in the Master's office of the Court in which the proceedings are pending; and office copies of such depositions may be given out, and the depositions may be otherwise used in the same manner as in the case of depositions taken under the hereinbefore mentioned Act passed in the first year of His late Majesty King William the 4th."

Insert as the 37th section :—

" It shall be lawful for every Judge or Master named in any such Rule or Order as aforesaid for taking Examinations under this Act, and he is hereby required to make, if need be, a special Report to the Court in which such proceedings are pending touching such Examination and the conduct or absence of any Witness or person thereon or relating thereto; and the Court is hereby authorised to institute such proceedings and make such Order and Orders upon such Report as justice may require, and as may be instituted and made in any case of contempt of the Court."

Insert as the 38th section :—

" The Costs of any application for any Rule or Order to be made for the Examination of Witnesses by virtue of this Act, and of the Rule or Order and proceedings thereon, shall be in the discretion of the Court or Judge by whom such Rule or order is made."

Insert as the 39th section :—

" Any person who shall, upon Examination upon oath or affirmation, or in any affidavit in proceedings under this Act, wilfully and corruptly give false evidence, or wilfully and corruptly swear or affirm anything which shall be false, being convicted thereof, shall be liable to the penalties of wilful and corrupt Perjury."

Insert as the 40th section :—

" It shall be lawful for all and every person authorized to take the Examination of Witnesses by any Rule, Order, Writ, or Commission, made or issued in pursuance to this Act, and he and they are hereby authorized and required to take all such Examinations upon the oath of the Witness, or affirmation in cases where affirma-

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tion is allowed by law instead of oath, to be administered by the person so authorized, or by any Judge of the Court wherein the action shall be depending; and if, upon such oath or affirmation, any person making the same shall wilfully and corruptly give any false evidence, any person so offending shall be deemed and taken to be guilty of Perjury, and shall and may be indicted and prosecuted for such offence in the District wherein such Evidence shall be given."

Insert as the 41st section:—

"It shall and may be lawful for the Master, Examiner, Commissioner, or any other person to be named in any such Rule, or Order, as aforesaid for taking any Examination in pursuance thereof, and he and they are hereby required to make, if needed, a special Report to the Court touching such examination, and the conduct or absence of any Witness or other person thereon or relating thereto, and the Court is hereby authorized to institute such proceedings and make such Order and Orders upon such Report, as justice may require, and as may be instituted and made in any case of contempt of the Court."

The amendments were then read a third time and passed—and

Read 3rd time and passed.

The Honorable the President signed the same.

Pursuant to the order of the day, the House went into Committee on the Assembly's amendments on the Council's amendments on the Bill, entitled "An Act for the Formation of Corporations for Manufacturing, Mining, Mercantile, Mechanical or Chemical purposes"—

Assembly's amendments on Council's amendments on formation of Corporations Bill—  
Committed—

The Honorable Mr. ROCHFORD in the Chair.

After some time the House resumed.

The Chairman reported the amendments, with some amendments.

Reported with amendments—

Ordered—That the report be received.

Ordered—That the amendments be engrossed presently.

The amendments having been engrossed, were then read a third time and passed—and

Read 3d time and passed.



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The Honorable the President signed the same.

Assembly's amend-  
ments on Council's  
amendments on Limit-  
ed Partnerships Bill—  
Committed—

Pursuant to the order of the day, the House went into Committee on the amendments of the House of Assembly on the Council's amendments on the Bill, entitled "An Act to provide for Limited Partnerships"—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

Reported with amend-  
ments—

The Chairman reported the amendments with some amend-ments.

Ordered—That the report be received.

Read 3rd time and  
passed.

The said amendments as amended, were then read a third time and passed—and

The Honorable the President signed the same.

Address to the Secre-  
tary of State for direct  
Steam Communication  
with England—  
Brought in and—  
Read 1st and 2d time—

Pursuant to notice, the Honorable Mr. TOBIN brought in an Address to the Secretary of State for the Colonies, praying for Direct Mail Communication, by Steam, with England, which was read a first and second time—and

Committed—

The House went into Committee thereon—

The Honorable Mr. ROGERSON in the Chair.

After some time the House resumed.

Reported.

The Chairman reported the Address.

Ordered—That the report be received.

Ordered—That the Address be engrossed and read a third time to-morrow.

A Deputation from the House of Assembly brought up a Mes-  
sage, in the following words:—

Mr. PRESIDENT,—

Message from Assem-  
bly concurring in  
amendments on for-  
mation of Corporations  
Bill—

The House of Assembly concur in the amendments made by the Council upon the amendments of the Assembly on the amend-ments of the Council upon the Bills sent up from the Assembly, sev-

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erally entitled "An Act for the Formation of Corporations for Manufacturing, Mining, Mercantile, Mechanical, or Chemical purposes"—and "An Act to provide for Limited Partnerships."

and  
Limited Partnerships  
Bill.

(Signed) A. SHEA,

*Speaker.*

House of Assembly, }  
8th May, 1856. }

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M. House adjourns.

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*FRIDAY, 9th MAY, 1856.*

The House met pursuant to adjournment.

House meets.

PRESENT :—

The *Honorable* LAURENCE O'BRIEN, *President.*

Members present.

" JAMES TOBIN  
" JAMES J. ROGERSON  
" THOMAS ROW  
" PHILIP DUGGAN  
" SAMUEL CARSON  
" JOHN ROCHFORT

The Minutes of yesterday were read.

The *Honorable* the President of the Council announced to the House, that he had received a Communication from the Colonial Secretary, stating that His Excellency the Governor would prorogue the Legislature on Monday next, at 3 o'clock, P. M.

The President announces that His Excellency the Governor will prorogue the Legislature on Monday next.

On motion of the *Honorable* Mr. TOBIN, the Address to the Secretary of State for the Colonies, praying for Direct Steam Communication with England, was re-committed—

Address to the Secretary of State for direct Steam Communication with England—re-committed—

The *Honorable* Mr. ROGERSON in the Chair.

After some time the House resumed.

The Chairman reported the Address.

Reported—

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Ordered—That the report be received.

Read 3rd time and  
passed—

The said Address was then read a third time and passed—and

The Honorable the President signed the same.

The Address is as follows :—

*To the Right Honorable Her Majesty's Principal  
Secretary of State for the Colonies.*

The Address.

The Memorial of the Legislative Council of Newfoundland—  
Humbly Sheweth—

That your Memorialists are deeply sensible of the disadvantages and inconveniences under which the Inhabitants and Trade of this Colony labor, by being denied direct Steam Communication between St. John's and Great Britain ; and they feel this privation the more keenly because they are persuaded it arises from a misapprehension of the local circumstances of this Port, which we have little doubt has been fostered by interested misrepresentations.

The usual objections urged by those who desire to direct the course of Steam Ships to Halifax and to the St. Lawrence, are—

1st—That the Eastern Coast of Newfoundland is peculiarly subject to dangers, fogs and ice, which obstruct navigation ; and

2nd—That calling at St. John's would prolong the voyage from England to America, and occasion delay and pecuniary loss.

First—With regard to the first we beg respectfully to state, as an undeniable fact, that less fog prevails over Newfoundland than over England, and much less than over Nova Scotia or the Gulf of St. Lawrence ; during the months of May and June fogs are often found on the Banks of Newfoundland, but it is hardly necessary to observe that such Banks are distant in some parts 300 miles from our shores, and it is precisely over those portions of the Banks which lie in the direct route to Halifax and the St. Lawrence that the densest fogs most frequently prevail.

The ocean in the latitude of St. John's, and to the North of it, is more free from fog than to the South of it ; a ship standing in from

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sea in this latitude, will not, in nine cases out of ten, meet fog, when it is dense and prolonged in the latitude of Cape Race; and it is well ascertained that however thick the atmosphere may be at sea, there is generally between the fog and the Eastern shore of Newfoundland a clear vista varying from half a mile to one and a half miles, occasioned by the wind usually casting off the land.

We beg respectfully to repeat, that the misapprehension upon this subject has arisen from confounding the *Banks* with the *Shores* of Newfoundland, and that pains have been taken by interested parties to confirm rather than remove such error.

As regards the ice which is said to obstruct our coast, we beg to state that a large majority of the losses which annually occur at sea from collision with ice, happen to vessels bound to the St. Lawrence, and to Ports south of that Gulf; it is a rare occurrence in our Trade to lose a ship bound to St. John's from such a cause, and the reason is that when the northern ice is passing along the Eastern Coast of Newfoundland, it is in large masses and usually travelling through a clear atmosphere; when it reaches to and south of the latitude of Cape Race it is checked off and broken up by the Gulf Stream into detached pieces; these are carried over those parts of the ocean which, as we before mentioned, lie in the direct route to the Continent, and are the most subject to fogs.

We beg to append an official return of the entries and clearances at the port of St. John's during each month of the year for six years, which will afford convincing testimony to the openness of our navigation, and the general accessibility of our port at every season of the year.

Secondly—With regard to the alleged delay and loss which calling at St. John's would occasion to transatlantic steamers, we are well assured that the reverse would be the result; because independently of the comparative exemption from fog and ice on the direct route to this port, which we have already demonstrated, and the shortness of Northern degrees, a reference to a chart or globe will shew that St. John's is in the very track between England and British America. From Cape St. Francis to Cape Race not ~~one~~ sunken rock or shoal exists to endanger navigation; the shore is

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high and the water is deep, and steamers could stand on with more confidence to make a straight and bold shore, than to strike a low and dangerous point like Cape Race, as they must do when bound direct to Halifax or the St. Lawrence.

There is a fine Light-house at Cape Bonavista, another at Cape Spear, capable of being seen 30 miles, and another at the entrance of this harbor.

The Port of St. John's lies directly on the seaboard ; it is not impeded by tides which could affect the ingress and egress of the largest vessels at any hour ; its draft of water is sufficient for line-of-battle ships, and for shelter and safety it is not surpassed by any harbor in the world.

Coal, to any extent, could be always ready and shipped with facility, so that vessels bound to St. John's, could leave England lighter from not being obliged to carry so much coal ; and thus being in better trim, would make more speed, save wear and tear and avoid danger ; the extra freight which the ship could carry when relieved of some hundreds of tons of coal, would clear a handsome profit to her owners on each voyage.

Both branches of the Legislature have, during the present Session, in their desire to encourage the advent of steam-ships, exempted them from all port charges on entering and leaving St. John's except Pilotage, which in no case can exceed £10 stg.; and under all these circumstances, it can hardly be a matter of surprise that the people of this Colony complain that their European correspondence should be carried 570 miles past this port, sometimes in sight of the houses thereof, to be returned a like distance with a delay of about ten days.

The establishment of Electric Telegraph communication between St. John's and America, which we have good reason to believe will be completed during the present season, will afford additional and obvious advantages to vessels calling here.

We are persuaded that if the facts above stated shall be impartially examined, it will be found that safety, speed and profit will result to the owners of steamships bound across the Atlantic, making

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St. John's a Port of Call, and great advantages publicly and socially to the inhabitants of this Colony.

We therefore humbly pray that Her Majesty's Government will adopt such measures as may be necessary to cause their Atlantic Mail Steamers to call regularly at this port on their voyages to and from England; and as in duty bound We shall ever pray.

A RETURN,

*Shewing the Number of Registered Vessels that Entered and Cleared at this Port, distinguishing the Countries from or for which they entered or Cleared, in each Month during the Six Years ended the Fifth January, 1845.*

MONTHS.	YEARS.					
	1839.	1840.	1841.	1842.	1843.	1844.
January . . . .	77	78	73	86	94	99
February . . . .	13	13	19	33	27	35
March . . . .	137	161	147	157	150	166
April . . . .	178	192	160	184	169	160
May . . . .	425	487	485	478	521	510
June . . . .	363	424	426	436	446	441
July . . . .	190	179	235	233	248	229
August . . . .	305	280	296	312	319	345
September . . . .	333	357	333	372	375	383
October . . . .	304	347	333	330	340	395
November . . . .	230	215	255	221	251	257
December . . . .	102	144	124	140	130	127
Totals . . . .	2663	2877	2886	2982	3070	3147

COUNTRIES.	1839.	1840.	1841.	1842.	1843.	1844.
United Kingdom . .	186	238	225	209	230	203
British Colonies . .	630	665	649	790	795	873
Foreign Europe . .	252	263	268	282	294	301
Foreign West Indies	75	56	71	61	70	62
United States . .	65	140	102	119	135	125
Coast-ways . .	1482	1515	1571	1521	1544	1583
Totals . . . .	2663	2877	2887	2982	3070	3147

J. M. SPEARMAN,

Custom House, St. John's, Nfld., }  
18th February, 1845. }

*Collector.*

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On motion of the Honorable Mr. TOBIN, it was—

The President requested to forward the Address to the Secretary of State.

Ordered—That the President be requested to present the Address to the Governor, and pray His Excellency to transmit the same to the Secretary of State by the next mail.

Road Bill—  
Committed—

Pursuant to the order of the day, the House went into Committee on the Bill, entitled “An Act for granting to Her Majesty a Sum of Money for Constructing and Repairing Roads, Streets and Bridges within the Colony”—

The Honorable Mr. CARSON in the Chair.

After some time the House resumed.

Reported—

The Chairman reported the Bill without amendment.

Ordered—That the report be received.

Read 3rd time and passed.

Whereupon the said Bill was read a third time and passed—and

The Honorable the President signed the same.

Notice of an Address relating to late Imperial Customs' Officers.

The Honorable Mr. TOBIN gives notice, that he will, to-morrow, move an Address to the Governor on the subject of a Treasury Minute, by which Officers of the late Imperial Customs are precluded the enjoyment of the like emoluments and advantages of all other Colonial Officers.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at 3 o'clock, P. M.

**10th May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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**SATURDAY, 10th MAY, 1856.**

**The House met pursuant to adjournment.**

House meets.

**PRESENT :—**

**The Honorable LAURENCE O'BRIEN, President.**

Members present.

“ **JAMES TOBIN**  
 “ **THOMAS ROW**  
 “ **GEORGE H. EMERSON**  
 “ **PHILIP DUGGAN**  
 “ **JAMES CORMACK**  
 “ **JAMES J. ROGERSON**

**The Minutes of yesterday were read.**

**Deputations from the House of Assembly brought up, for the concurrence of this House, the Bills entitled—**

**“An Act to provide for the Retirement of the present Sheriff of the Central District of Newfoundland”—**

Sheriff's Retirement Bill—

**“An Act to amend an Act passed in the 19th Year of the Reign of Her Majesty, entitled ‘An Act for the establishment of a Board of Revenue, and for the Regulation, Management, and Collection of all Duties granted to Her Majesty, Her Heirs and Successors, on Goods, Wares and Merchandize imported into this Island and its Dependencies, and to repeal certain Acts relating thereto’— and**

Board of Revenue Bill—

and

**“An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony, and its Dependencies”—**

Revenue Bill—  
Brought up and—

**Which Bills were severally read a first and second time—and**

Read 1st and 2d time ✓

**Ordered—That the said Bills be committed presently.**

**A Deputation from the House of Assembly brought up a Message in the following words :—**



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Message from Assembly for Council's Contingencies.

Mr. PRESIDENT,—

The House of Assembly request that the Legislative Council will be pleased to furnish this House with the amount of their Contingencies for the present Session.

(Signed)

A. SHEA,

*Speaker.*

House of Assembly, }  
9th May, 1856. }

Message from Assembly concurring in Council's amendments on Pilots' regulation Bill.

A Deputation from the House of Assembly brought up a Message, concurring in the amendments made by the Council upon the Bill entitled "An Act to amend the Laws for the Regulation of Pilots, and the Pilotage of Vessels at the Port of St. John's."

Inland Posts Bill—  
Brought up—  
Read 1st and 2d time—

A Deputation from the House of Assembly brought up a Bill, for the concurrence of this House, entitled "An Act to regulate the Inland Posts of this colony," which was read a first and second time, and the House went into Committee thereon.

The Honorable Mr. Row in the Chair.

After some time the House resumed.

The Chairman reported the Bill with an amendment.

Reported with an amendment—

Ordered—That the report be received.

Ordered—That the amendment be engrossed, and the Bill, as amended, read a third time presently.

The said Bill was then read a third time and passed—and

The Honorable the President signed the same.

Address to the Governor relative to retired Officers of the late Imperial Customs—  
Brought in—  
Read 1st and 2d time and committed—

Pursuant to notice, the Honorable Mr. TOBIN brought in an Address to the Governor, on the subject of the retired Officers of the late Imperial Customs Department, which was read a first and second time, and the House went into Committee thereon—

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

The Chairman reported the Address.

Reported—

Ordered—That the report be received.

**10th May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

---

The Address is as follows :—

*To His Excellency CHARLES HENRY DARLING,  
Esquire, Governor and Commander-in-Chief in  
and over the Island of Newfoundland and its  
Dependencies.*

May it please Your Excellency,—

The Legislative Council request permission to bring under Your Excellency's consideration, the position in which certain gentlemen who lately belonged to the Imperial Department of the Customs in this Colony, are now placed in consequence of the Rule prescribed by the Lords Commissioners of Her Majesty's Treasury in their communication to Herman Merivale, Esq., under date 16th August, 1855.

This Rule provides, that the amount of compensation allowed to those Officers, by the Imperial Government, shall not be supplemented by any Colonial Salary to an extent which will make both together greater than their former incomes under the Customs' Department.

The gentlemen in this Island who were thus placed on a retired allowance maintained, during a lengthened service in Newfoundland, unblemished reputations, and had acquired such official aptitude, that their employment under the Local Government might be considered a probable event; and we think that in justice, no less to long tried and deserving Public Officers, than to the Colonial Government, the services of those gentlemen might be made available to Newfoundland, without any reference to, or reduction of their Imperial compensations in consequence of Salaries they might receive from Local Funds.

And the extension to them of such an advantage is the more reasonable, in as much as they entered the Customs Department in the expectation of permanent employment, some of them devoted thereto the best years of their lives, and their removal therefrom was not occasioned by their default or at their desire.

We trust Your Excellency will see no objection to bring their

**10th May, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

---

case under the favorable consideration of Her Majesty's Principal Secretary of State for the Colonies.

**LAURENCE O'BRIEN,**  
*President.*

**Council Chamber, }  
10th May, 1856. }**

Read 3rd time and  
passed.

The said Address was then read a third time and passed.

Revenue Bill—  
Committed—

On motion, the House went into Committee on the Revenue Bill—

The Honorable Mr. ROGERSON in the Chair.

After some time the House resumed.

Reported—

The Chairman reported the Bill without amendment.

Ordered—That the report be received.

Read 3rd time and  
passed.

The said Bill was then read a third time and passed—and

The Honorable the President signed the same.

Board of Revenue  
Bill—  
Committed—

On motion, the House went into Committee on the Bill to amend the Act for the establishment of a Board of Revenue—

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

Reported—

The Chairman reported the Bill without amendment.

Ordered—That the report be received.

Read 3rd time and  
passed.

The said Bill was then read a third time and passed—and

The Honorable the President signed the same.

Sheriff's Retirement  
Bill—  
Committed—

On motion, the Bill to provide for the retirement of the present Sheriff of the Central District of Newfoundland, was committed—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

Reported—

The Chairman reported the Bill without amendment.

10th May, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

Ordered—That the report be received.

The said Bill was then read a third time and passed—and

Read 3d time and passed.

The Honorable the President signed the same.

The Honorable Mr. TOBIN, from the Select Committee on the Contingencies of the Council for the present Session, made the following report :—

Report of Select Committee on Contingencies.

The Select Committee appointed to take into consideration the Contingencies of this House for the present Session beg leave to report, that they have examined the accounts of the Clerk and Usher of the Black Rod, the former amounting to One Hundred and Eighty-seven Pounds Four Shillings and One Penny, and the latter to Seven Pounds Seventeen Shillings and Seven Pence, which they recommend to be paid.

And the Committee recommend that the Officers of this House be paid for their services during the present Session as follows :—

The Clerk,	....	....	....	£165
The Master in Chancery,	....	....	....	120
The Reporter,	....	....	....	125
The Usher of the Black Rod,	....	....	....	100
The Door-keeper,	....	....	....	50
The Assistant Door-keeper,	....	....	....	25
The Messenger,	....	....	....	20
The Proprietor of the <i>Newfoundlander</i> , for publishing Debates	....	....	....	45
Ditto	<i>Courier</i>	Ditto		45
Ditto	<i>Express</i> , for copying Debates			30
Ditto	<i>Public Ledger</i>	Ditto		30
Robert Rodger, late Reporter, in full	....	....	....	10
James Seaton, Ditto and Publisher, in full	....	....	....	20
John Higgins, attending Hot-air Stove	....	....	....	10
John Delaney, Junr., for Chart	....	....	....	6 6
Joseph Woods, balance of account for Printing and Binding Journals of late Session	....	....	....	53 17 6
Probable cost of Printing and Binding Journals of present Session	....	....	....	160
Required for Books for the Legislative Library	....	....	....	50
James J. Graham	....	....	....	2 19 7

**10th May, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

Your Committee would observe, that the former Council placed upon record their opinion, that its Members were entitled to receive compensation for their Legislative services.

In the justice of that opinion this Committee coincide, and they feel that their right to such remuneration from the Public Purse is indisputably stronger in consequence of the greater responsibility of their position under Parliamentary Government, and the very large increase in the amount of their labours, and in the frequency of their attendances. Nevertheless they forego, for the present, in consideration of the existing pressure upon the Finances of the Colony, recommending the claim of this Branch of the Legislature for Sessional Pay, to the adoption of the House.

(Signed) **JAMES TOBIN,**  
*Chairman.*

Committee Room, }  
10th May, 1856. }

Ordered—That the said report be received.

Ordered—That the House go into Committee thereon presently.

Whereupon the House went into Committee accordingly—

The Honorable Mr. ROCHFORD in the Chair.

After some time the House resumed.

The Chairman reported the report without amendment.

Ordered—That the said report be received and adopted.

Ordered—That a Message be transmitted to the House of Assembly in accordance therewith.

Whereupon a Message embodying the report the Select Committee was sent to the Assembly.

A Deputation from the House of Assembly brought up a Bill, for the concurrence of this House, entitled “An Act to regulate the Inland Posts of this colony,” which was read a first and second time—and

The House went into Committee thereon—

Report of Select Committee on Contingencies—  
Committed—

Reported.

Inland Posts Bill—  
Brought up—  
Read 1st and 2d time—

Committed—

*10th and 12th May, 1856.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

The Honorable Mr. TOBIN in the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Reported—

Ordered—That the report be received.

The said Bill was then read a third time and passed—and

Read 3rd time and passed.

The Honorable the President signed the same.

Whereupon a Message was sent to the House of Assembly acquainting them that this House had passed the said Bill without amendment.

On motion made and seconded, the House adjourned until Monday next, at One o'clock, P. M.

House adjourns.

*MONDAY, 12th MAY, 1856.*

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN

Members present.

“ JOHN ROCHFORT

“ THOMAS ROW

“ JAMES J. ROGERSON

“ PHILIP DUGGAN

“ SAMUEL CARSON

“ JAMES CORMACK

“ GEORGE H. EMERSON

The Minutes of yesterday were read.

On motion of the Honorable Mr. TOBIN, it was—

*Resolved*,—That the Offices of Reporter and all Publishers of Debates, cease with each Session.

Offices of Reporter and Publishers of Debates to cease at the close of each Session.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “ An Act to provide for the Contingent Expenses of the Legislature,” which was read a first and second time—and the House went into Committee thereon—

Contingency Bill—  
Brought up—  
Read 1st and 2d time—

and Committed—

**12th May, 1856.**

**SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.**

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**The Honorable Mr. TOBIN in the Chair.**

After some time the House resumed.

Reported—

**The Chairman reported the Bill without amendment.**

**Ordered—That the report be received.**

Read 3d time and passed.

**The said Bill was then read a third time and passed—and**

**The Honorable the President signed the same.**

His Excellency the Governor arrives at the Council Chamber and assents to sundry Bills.

At three o'clock, P. M., His Excellency the Governor having arrived at the Council Chamber and being seated on the Throne, the Gentleman Usher of the Black Rod was ordered to direct the immediate attendance of the House of Assembly at the Bar of this House, and they being come thereto, His Excellency was pleased to give his assent to the following Bills, viz :—

**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 constructing and repairing Roads, Streets, and Bridges in this Colony.**

**An Act to regulate the Inland Posts of this Colony.**

**An Act for the Encouragement of Education.**

**An Act to authorize the Governor in Council to erect Light-Houses on the Coast of this Colony, and for other purposes.**

**An Act to authorize the Consolidation of £68,607 5s. 4d. of the Public Debt of this Colony.**

**An Act for granting to Her Majesty a sum of money for defraying the Expenses of the Civil Government of this Colony for the year ending on the 31st day of December, 1856, and for other purposes.**

**An Act to provide for the Contingent Expenses of the Legislature.**

**An Act to continue an Act passed in the Seventeenth Year of the Reign of Her Majesty, entitled “An Act to declare the rates**

**12th May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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in Currency at which British Gold and Silver Coins shall be a Legal Tender.

An Act for establishing the legal value of certain British and other Coins in this Colony.

An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the Empannelling of Jurors therein.

An Act to amend the Law of Insolvency.

An Act to amend the Law of Evidence.

An Act to provide for Limited Partnerships.

An Act to provide for the Compromises or Compositions of Partners and Joint Debtors.

An Act to amend the "Act for the Incorporation of the New York, Newfoundland and London Telegraph Company."

An Act to authorize the formation of Corporations for Manufacturing, Mining, Mercantile, Mechanical, Chemical, or other purposes.

An Act to regulate the granting of Licenses for the wholesale of Wines, Spirituous, and Malt Liquors.

An Act to repeal the Patent Acts of this Colony, and to make other provisions in lieu thereof.

An Act for the Naturalization of Aliens.

An Act to amend an Act passed in the 19th Year of the Reign of Her Majesty, entitled "An Act for the establishment of a Board of Revenue, and for the Regulation, Management, and Collection of all Duties granted to Her Majesty, Her Heirs and Successors, on Goods, Wares and Merchandise, imported into this Island and its Dependencies, and to repeal certain Acts relating thereto."

An Act to amend an Act entitled "An Act to amend the Laws for the regulation of Pilots and the Pilotage of Vessels at the Port of St. John's."



**12th May, 1856.**

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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An Act for transferring to one of Her Majesty's Principal Secretaries of State, the power and estates vested in the Principal Officers of the Ordnance.

An Act to amend an Act to Incorporate sundry persons by the name of the Newfoundland Provident Society.

An Act to provide for the Retirement of the present Sheriff of the Central District of Newfoundland.

After which His Excellency was pleased to deliver the following

**SPEECH :—**

*Mr. President, and Honorable Gentlemen of the Legislative Council :*

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

The completion of the various important enactments which have just received the assent of the Crown, enables me to bring to a close the labours of a Session, which has extended over a period of more than usual length.

The full and careful deliberation which you have bestowed upon the several measures proposed to you on behalf of the Government, justify the expectation that those measures, while according in general principles with the spirit of the times, will prove well adapted in their details, to the peculiar requirements of our social economy.

You will, I am confident, unite with me in rejoicing, that the causes to which I adverted at the commencement of the Session, as militating against the full and fair operation of the Reciprocity Treaty with the United States, have ceased to exist ; and that from the restoration of Peace, we may look for effects upon our trade and commerce, which, while conducing to the improved condition and the comfort of the People, will tend not only to the augmentation of the Public Revenue, but also to its partial relief from those burdens to which it has been, of late, unavoidably subject.

I shall not fail, at the earliest possible moment, to place Her Majesty's Government in possession of your representations of the advantages which the Colony offers, as a point of call for Transatlantic Steamers.

His Excellency's  
Speech on proroguing  
the General Assembly.

12th May, 1856.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

The energy with which the proceedings of the New York, Newfoundland and London Telegraph Company have been resumed with the opening of the present season, had indeed already made it my duty again to bring under the notice of the Secretary of State, the facts and circumstances connected with our Geographical position, which acquire increased importance in view of the approaching Telegraphic connection of the Colony with the American Continent.

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

In thanking you for the Supplies which you have voted for the maintenance of the Public service, I recognise the soundness of the Policy which has induced you to renew the appropriations for the construction and improvement of Roads ; and to continue a provision for the support of Education and the encouragement of Agriculture.

I trust it may, ere long, be found practicable to effect such modifications in the application of the Funds by which Public Schools are assisted and maintained, as may impart to the Education generally of our Colonial youth, a degree of efficiency and practical benefit more commensurate with your liberal provision for this important object, than can, I fear, at present be justly ascribed to it.

The increase of your usual vote to the Agricultural Society, may doubtless be regarded as a due acknowledgment of the importance which is now attached to the cultivation of the soil, and the rearing of useful stock.

In all our more important settlements, there are many amongst the inhabitants—especially those advanced in years—who habitually reside upon and attend to the cultivation of their Farms, at those periods when necessity formerly induced them to resort to the Fisheries.

Although some descriptions of our produce are not yielded with the same abundance and facility as in the neighbouring Colonies, yet, with respect to other kinds, the increase is amply remunerative, and the quality unsurpassed ; while unquestionably there is no pursuit, which, whether in respect to the habits it engenders, or the results that it produces, more surely contributes, than does the pursuit of Agriculture, to the comfort and happiness of a people.

**12th May, 1856.**

SECOND SESSION, SIXTH GENERAL ASSEMBLY, 19th VICTORIA.

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*Mr. President, and Honorable Gentlemen of the Legislative Council :*

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

It is not without reluctance that the intention of submitting to you a measure for the Local Management of the City of St. John's and other Towns, has been abandoned for the present ; but a careful and anxious consideration of the actual condition of those classes of the Inhabitants, upon whom a system of direct Taxation, however moderate, would, under existing circumstances, bear with an unaccustomed pressure, have appeared to render it expedient to defer the initiation of such a measure, to a more favourable moment.

That the interests of the industrial classes have not failed to engage your attention and secure your sympathy, is amply attested by the passage of those Laws, which, while duly regarding the rights of the employer and the Capitalist, extend special protection to the Seamen, Fishermen, and others engaged in seafaring pursuits.

I believe that upon the clearest principles of equity, the fruits of honest labor are everywhere entitled to protection of this nature—but towards none does it seem more incontestably just, than to those hardy Fishermen, upon the precarious earnings of whose adventurous calling the aged, the feeble, and the sick are so mainly dependent for support ; whose ranks include the very flower of our population ; and whose courageous and enduring spirit is in truth the main spring, not less of the private wealth of the community than of the Financial Resources of the Government.

As more or less affecting the prosperity of all classes, I regret to have occasion to record, that for the second year in succession, the returns of the Sealing Voyage have fallen below what has been hitherto regarded as an average.

I sincerely wish that on your retirement, for a time, from the discharge of your Legislative duties, it were in my power to congratulate you upon any substantial improvement in the aspect of that Pauperism to which I have felt it my painful duty to advert, upon every occasion on which I have had the satisfaction of meeting you collectively, since my assumption of the Government.

**12th May, 1856.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

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I lament, however, to believe, that the evil, although not actually upon the increase, is yet but little subdued.

Its extinction is an object which claims the co-operation of all to whom the welfare of the community is dear.

I venture therefore to indulge a hope, that through the application of private capital to the fuller development of our varied resources, employment may be found for the more destitute of our Laboring Population at seasons when the Fisheries cease to yield them the current means of support; and that the influence which may be possessed by you, Gentlemen, and by others who command the attention of the people, and to whose counsel they may be disposed to listen, will be effectually exerted in persuading them to the exercise of a higher degree of forethought and self-reliance.

The Honorable the President then said—It is His Excellency the Governor's will and pleasure, that this General Assembly be prorogued to Friday the 10th day of October next, to be then and here holden, and this General Assembly stands prorogued accordingly.

The General Assembly prorogued.



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**A P P E N D I X**

**TO THE**

**JOURNALS**

**OF THE**

**LEGISLATIVE COUNCIL.**

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# APPENDIX.

APPENDIX, No. 1.

## ESTIMATE

*Of Annual Votes for defraying part of the Expenses of the Civil Government of Newfoundland for the Year 1856.*

### ANNUAL VOTES.

Private Secretary to the Governor	....	£200	0	0	
Two Clerks in Colonial Secretary's Office	..	400	0	0	
Clerk in Receiver General's Office	....	150	0	0	
Surveyor, Board of Works	....	160	0	0	
Keeper Colonial Building	....	60	0	0	
First Messenger, Colonial Secretary's Office		60	0	0	
Second Messenger, ditto	....	60	0	0	
Gate Keeper Government Lodge and preserver of Grounds	....	60	0	0	
Keeper, Half House, Salmonier	....	35	0	0	1185 0 0

### THE JUDICIAL DEPARTMENT.

#### SALARIES.

Clerk, Supreme Court, including Clerk and Stationery	420	0	0	
Clerk, Northern Circuit Court	....	200	0	0
Clerk, Southern ditto	....	200	0	0
Crier and Tipstaff, St. John's	....	60	0	0
Crier and Tipstaff, Harbor Grace	....	20	0	0

#### MISCELLANEOUS.

Crown Prosecutions	....	300	0	0	
Coroners	....	200	0	0	
Circuit of Judges	....	400	0	0	1800 0 0
Carried forward	....				£2985 0 0



## APPENDIX, No. 1.

Brought forward	....		2985	0	0
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**THE POLICE DEPARTMENT.****SALARIES.**

* Three Magistrates, St. John's	....	900	0	0
Clerk of the Peace, ditto	....	300	0	0
Inspector, ditto	....	80	0	0
Constables, ditto	....	530	0	0
Gaoler, ditto	....	150	0	0

**OUTPORTS.**

* Stipendiary Magistrates, Clerks of the Peace, Gaolers, Constables, as per detailed statement	....	3531	0	0
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**MISCELLANEOUS.**

Ordinary repairs of Court House and Gaols..		200	0	0
Gaol Expenses	....	600	0	0
			6291	0
			0	0

**RELIEF OF THE POOR.****SALARIES.**

District Surgeon, St. John's	....	200	0	0
District Surgeon. Harbor Grace	....	100	0	0
Physician, Lunatic Asylum	....	200	0	0
Medical Attendance, St. John's Hospital	....	250	0	0

**MISCELLANEOUS.**

Permanent and Casual Poor in St. John's and Outports	....	5000	0	0
Paupers in Lunatic Asylum	....	1700	0	0
Paupers in St. John's Hospital	....	1200	0	0
			8650	0
			0	0

**\* FERRYMEN.****SALARIES.**

Ferry at Manuels	....	10	0	0
Ditto Great Placentia	....	25	0	0
Ditto Salmonier	....	25	0	0
Ditto Portugal Cove	....	25	0	0

Carried forward	....	£85	0	0	17926	0	0
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## APPENDIX, No. I.

Brought forward	....	£85 0 0	17926 0 0
Ferry at Trinity	....	25 0 0	
Ditto Harbor Grace and South Side	....	25 0 0	
Ditto Little St. Lawrence	....	10 0 0	
Ditto Burin and Spoon Cove	....	20 0 0	
Ditto Biscay Bay	....	15 0 0	
Ditto Holyrood (two ferries)	....	30 0 0	
Ditto Aquaforte	....	15 0 0	
Ditto Malbay	....	12 0 0	
Ditto St. John's Pond, Salmonier, and North Harbor	....	40 0 0	
Ditto Belle Isle and Topsail	....	20 0 0	
Ditto Mortier	....	15 0 0	312 0 0

## MISCELLANEOUS.

## IN AID OF PUBLIC OFFICES.

Repairs of Public Buildings	....	700 0 0	
Printing and Stationary	....	500 0 0	
Fuel and Light	....	750 0 0	
Postages and Incidentals	....	100 0 0	
Insurance on Public Buildings	....	200 0 0	
Carrying out Crown Lands Act	....	300 0 0	
Unforeseen Contingencies	....	500 0 0	

## GENERAL.

Men stationed at Fort Amherst	....	36 10 0	
Duties on Wine, Military Mess	....	50 0 0	
Gas Company St. John's, Lighting Streets	....	140 0 0	
Gas Company Harbour Grace, ditto	....	50 0 0	
Dorcas Society, St. John's	....	50 0 0	
Dorcas Society, Harbor Grace	....	25 0 0	
Dorcas Society, Carbonear	....	25 0 0	
Mechanics' Institute	....	50 0 0	
Factory	....	100 0 0	
Orphan Asylum, Industrial Department	....	50 0 0	
Reading Room, St. John's	....	25 0 0	
Agricultural Society	....	250 0 0	
Night Watch	....	100 0 0	

Carried forward	....	£4313 10 0	18238 0 0
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## APPENDIX, No. 1.

Brought forward	....	4313	10	0	18238	0	0
Fire Companies	....	100	0	0			
Conception Bay Steam Packet Company	....	300	0	0			
To defray liabilities incurred on account of Break-							
water at Toads Cove	....	150	0	0			
Allowance to Robert Smith	....	10	0	0			
Shipwrecked Sealing Crews	....	100	0	0			
General Inspection of Schools	....	200	0	0			
Repairs of School Houses to be equally divided		200	0	0			
Protection and Encouragement of Fisheries..		500	0	0			
Seed Potatoes for the Poor	....	700	0	0	6261	10	0

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£24,499 10 0

**THOMAS GLEN,**

*Receiver General.*

Items marked \* to be revised.

## APPENDIX, No. 1.

## DETAIL

*Of Salaries and Allowances to Stipendiary Magistrates and Constables, Clerks of the Peace and Gaolers, in the undermentioned Outports, for the Year 1856.*

Outports.	Magis- trates.	Clerks of the Peace.	Constables.		Gaolers	Total.
			No.	Salary.		
Petty Harbor			1	20		20
Torbay			1	20		20
Portugal Cove			1	20		20
South Shore			1	12		12
Harbor Main			1	12		12
Cats Cove			1	12		12
Brigus and Port-de-grave	150	60	2	50		260
Bay Roberts			1	12		12
Harbor Grace	200	150	1 2	50 50	90	540
Carbonear	150	60	3	75		
Bay-de-Verds			1	12		12
Western Bay			1	12		12
Hants Harbor			1	12		12
Perlican	130		1	12		142
Hearts Content			1	12		12
New Harbor			1	12		12
Trinity	150	60	2	37	25	272
Catalina			1	25		25
Bonavista	150	45	1	25	10	230
Tickle Cove			1	12		12
King's Cove			1	12		12
Salvage			1	12		12
Greenspond			1	12		12
Twillingate and Fogo	130	45	3	49	10	234
Exploits Bay			1	12		12
Bay Bulls	100		1	25		125
Witless Bay			1	12		12
Toads Cove			1	12		12
Brigus, South			1	12		12
Cape Broyle			1	12		12
Caplin Bay			1	12		12
Ferryland	100	60	1	25	25	210
Aquaforte			1	12		12
Fermews			1	12		12
Renews			1	12		12
Trepassy			1	12		12
Carried forward	£1260	£480	44	£759	£160	£2659

## APPENDIX, No. 1.

## DETAIL

*Of Salaries and Allowances to Stipendiary Magistrates and Constables, Clerks of the Peace and Gaolers, in the undermentioned Outports, for the Year 1856.*

(Continued.)

Outports.	Magis- trates.	Clerks of the Peace.	Constables.		Gaolers	Total.
			No.	Salary		
Brought forward . . . .	£1260	£480	44	£759	£160	£2659
St. Mary's . . . .			1	25		25
Placentia . . . .	130		1	25	25	215
Little Placentia . . . .		35	1	12		12
Oderin . . . .			1	12		12
Merasheen . . . .			1	12		12
Burin . . . .	150	35	1	25	25	235
St. Lawrence . . . .			1	12		12
Lamaline . . . .			1	12		12
Grand Bank . . . .	130		1	12		142
Jersey Harbor . . . .			1	12		12
Harbor Briton . . . .	100	35	1	12		147
Burgeo Islands . . . .			1	12		12
Hermitage Bay . . . .			1	12		12
Spaniards Bay . . . .			1	12		12
Total . . . .	£1770	£585	58	£966	£210	£3531

## RECAPITULATION.

13 Magistrates . . . .	1770
10 Clerks of the Peace . . . .	585
7 Gaolers . . . .	210
58 Constables . . . .	966
	<u>£3531</u>

## APPENDIX, No. 2.

## APPENDIX, No. 2.

## FINANCIAL STATEMENT

*Of the Affairs of the Colony of Newfoundland, for the year 1856.*

## EXPENDITURE.

## GOVERNMENT DEPARTMENTS.

The Governor, £3,000, payable in dollars at 4s.2d.	£3120	0	0	
Private Secretary	200	0	0	
Gate Keeper Government Lodge and Preserver of Grounds	60	0	0	
Fuel and Light	200	0	0	3580 0 0

## COLONIAL SECRETARY'S.

Colonial Secretary	500	0	0	
Two Clerks	400	0	0	
1st Messenger	60	0	0	
2nd Messenger	60	0	0	1020 0 0

## RECEIVER-GENERAL'S—TREASURY.

Receiver-General	500	0	0	
Clerk	150	0	0	

## CUSTOMS' DEPARTMENT.

Assistant Collector	300	0	0	
Landing and Tide Surveyor	250	0	0	
Two Landing Waiters	400	0	0	
1st Clerk and Warehouse Keeper	200	0	0	
2nd Clerk	150	0	0	
3rd Clerk	120	0	0	
Two Lockers	115	0	0	
Tide Waiters and Boat Men	1170	0	0	

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Carried forward	£3355	0	0	4600 0 0
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*APPENDIX, No. 2.*

Brought forward	....	3355	0	0	4600	0	0
Allowance to Unofficial Members Board of Revenue		50	0	0			
Housekeeper	....	40	0	0			

**OUTPORTS.**

Sub-Collector, Lamaline	....	100	0	0			
“ LaPoile	....	100	0	0			
“ Greenspond	....	125	0	0			
“ Gaulties	....	100	0	0			
“ Twillingate	....	100	0	0			
“ Trinity	....	150	0	0			
“ Harbour Grace	....	160	0	0			
“ Brigus	....	100	0	0			
“ Placentia	....	100	0	0			
“ Burin	....	100	0	0			
“ Harbour Briton	....	100	0	0			
“ Fogo	....	125	0	0			
“ Carbonear	....	125	0	0			
Preventive Officer, Bay Bulls	....	50	0	0			
“ Ferryland	....	50	0	0			
Per Centage on Duties to Sub-Collectors, Outports		300	0	0			
Incidental expenses of the Establishment	....	120	0	0	5450	0	0
The Financial Secretary	....				300	0	0

**BOARD OF WORKS.**

Surveyor General	....	400	0	0			
Secretary to the Board	....	200	0	0			
Surveyor of Roads	....	160	0	0			
Keeper of Colonial Building	....	60	0	0			

**MISCELLANEOUS IN AID OF ESTABLISHMENTS.**

Expenditure under St. John's Street Act	....	1000	0	0			
Repairs of Public Buildings	....	700	0	0			
Fuel and Light	....	550	0	0			
Printing and Stationary	....	500	0	0			
Postages and Incidentals	....	100	0	0			
Insurance on Public Buildings	....	200	0	0			
Unforseen Contingencies	....	500	0	0			

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Carried forward	....	£4370	0	0	10350	0	0
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## APPENDIX, No. 2.

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Brought forward . . . . £4370 0 0 10350 0 0

## CROWN LANDS' ACT.

Superintendent Public Buildings	£50				
Chairman, Surveyor General	40				
Deputy Surveyors and incidentals	300				
Mrs. Westcott's Pension	30	420	0 0	4790	0 0

## JUDICIAL DEPARTMENT.

Chief Justice £1200, payable in dollars at 4s. 2d.	1248	0 0	
Two Puisne Judges, £1400 " "	1456	0 0	
Attorney General . . . .	500	0 0	
Solicitor General . . . .	200	0 0	
Sheriff Central District . . . .	500	0 0	
Sheriff Northern ditto . . . .	300	0 0	
Sheriff Southern ditto . . . .	200	0 0	
Clerk Supreme Court, including Clerk and Incidentals . . . .	420	0 0	
Clerk Northern Circuit Court . . . .	200	0 0	
Clerk Southern Ditto . . . .	200	0 0	
Crier and Tipstaff, St. John's . . . .	60	0 0	
Crier and Tipstaff, Harbour Grace . . . .	20	0 0	

## MISCELLANEOUS.

Crown Prosecutions . . . .	300	0 0	
Coroners . . . .	200	0 0	
Circuit of Judges . . . .	400	0 0	6204 0 0

## POLICE DEPARTMENT.

Three Magistrates . . . .	900	0 0	
Clerk of the Peace . . . .	300	0 0	
Inspector . . . .	80	0 0	
Constables . . . .	530	0 0	
Gaoler . . . .	150	0 0	
Stipendiary Magistrates, Constables, Gaolers, Clerks of the Peace, in the Outports, as per detailed statement . . . .	3531	0 0	

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Carried forward . . . . £5491 0 0 21344 0 0



## APPENDIX, No. 2.

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Brought forward . . . . £5491 0 0 21344 0 0

## MISCELLANEOUS.

Ordinary Repairs of Court House and Gaols	200	0	0	
Gaol Expenses . . . .	600	0	0	6291 0 0

## RELIEF OF THE POOR.

Commissioner of the Poor . . . .	250	0	0	
District Surgeon, St. John's . . . .	200	0	0	
District Surgeon, Conception Bay . . . .	100	0	0	
Physician, Lunatic Asylum . . . .	200	0	0	
Medical Attendance, St. John's Hospital . . . .	250	0	0	

## MISCELLANEOUS.

Permanent and Casual Poor in St. John's and Outports . . . .	4750	0	0	
Paupers in Lunatic Asylum . . . .	1700	0	0	
Paupers in St. John's Hospital . . . .	1200	0	0	8650 0 0

## FERRYMEN.

Estimated amount for the support of Ferries throughout the Island . . . .				312 0 0
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## EDUCATION.

Amount to be distributed under the Act . . . .	7880	0	0	
For general inspection . . . .	200	0	0	
For Repairs of School Houses to be equally divided . . . .	200	0	0	

## ACADEMY ACT.

Master Roman Catholic Academy	250			
Ditto Episcopalian Academy	200			
Ditto General Protestant Academy	150			
Ditto Harbour Grace Academy	150			
Ditto Carbonear Academy	150	900	0 0	9180 0 0

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Carried forward . . . . £9180 0 0 45777 0 0

## APPENDIX, No. 2.

Brought forward	....			45777	0	0
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## LIGHT HOUSES.

Inspector	....	100	0	0
Keeper, Cape Spear	....	95	0	0
Keeper, Cape Pine	....	95	0	0
Assistant ditto	....	69	6	8
Keeper, Harbor Grace Island	....	105	0	0
Keeper, ditto Beacon	....	30	6	8
Keeper, Cape Bonavista	....	95	0	0
Keeper, Fort Amherst	....	70	0	0

## MISCELLANEOUS.

Oil Supplies, &c., &c.	....	1340	6	8	2000	0	0
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## POST OFFICE.

Post Master General	....	275	0	0			
Chief Clerk	....	100	0	0			
Assistant Clerk	....	50	0	0			
Messenger and Assorter	....	35	0	0			
Post Masters in Outports (15)	....	290	0	0			
Way Masters (7)	....	28	0	0			
Conveyance of Mails to Outports	....	1022	0	0			
Incidental expenses of the Establishment	....	100	0	0	1900	0	0

## MISCELLANEOUS GENERAL.

Men stationed at Fort Amherst	....	36	10	0
Duties on Wine, Military Mess	....	50	0	0
Gas Company St. John's, Lighting Streets	..	140	0	0
Gas Company Harbour Grace, ditto	....	50	0	0
Shipwrecked Sealing Crews	....	100	0	0
Dorcas Society, St. John's	....	50	0	0
Dorcas Society, Harbour Grace	....	25	0	0
Dorcas Society, Carbonear	....	25	0	0
Mechanics' Institute	....	50	0	0
Factory, St. John's	....	100	0	0
Orphan Asylum, Industrial Department	....	50	0	0
Reading Room, St. John's	....	25	0	0

Carried forward	....	£701	10	0	49677	0	0
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## APPENDIX, No. 2.

Brought forward	....	£701 10 0	49677 0 0
Agricultural Society, St. John's and Outports		250 0 0	
Night Watch, St. John's	....	100 0 0	
Allowance to Robert Smith	....	10 0 0	
Keeper Half-way House, Salmonier	....	35 0 0	
Conception Bay Steam Packet Company	....	300 0 0	
Fire Companies, St. John's	....	100 0 0	
To defray liabilities incurred on account of Break-			
water at Toads Cove	....	150 0 0	
Protection and Encouragement of Fisheries..		500 0 0	
Seed Potatoes for the Poor	....	700 0 0	2846 10 0

## RETIRED ALLOWANCE ACT.

## PENSIONS.

James Crowdy, late Colonial Secretary	....	400 0 0	
Edward M. Archibald, late Attorney General		350 0 0	
Joseph Noad, late Surveyor General	....	285 0 0	
Hugh A. Emerson, late Solicitor General....		90 0 0	1125 0 0

## INTEREST ON PUBLIC DEBT.

Amount of Debt £151,804 14 8, estimate of interest		8000 0 0
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## DEBT REPAYABLE.

Amount Proposed to be Consolidated	....	9791 12 0
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## LEGISLATIVE CONTINGENCIES.

Estimated amount of Expenditure	....	5000 0 0
		£76,440 2 0

## ASSETS.

Balance from 1855	....	£2114 4 4
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## REVENUES.

Estimated Account amount from Custom Duties	67000 0 0	
Ditto ditto Light Dues	....	4000 0 0
Carried forward	....	71000 0 0
		2114 4 4

## APPENDIX, No. 2.

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	Brought forward	....	£71000	0	0	2114	4	4
Estimated Account	amount from Crown Lands		750	0	0			
Ditto	ditto License Fund Fees, &c.		1500	0	0			
Ditto	ditto Post Office	....	400	0	0			
Ditto	ditto late Treasurer, P. Morris's							
	Estate	....	250	0	0	73900	0	0
Balance against the Colony		....				425	17	8
						<hr/>		
						£76,440	2	0
						<hr/>		

THOMAS GLEN,

*Receiver General.*

## APPENDIX, No. 3.

## APPENDIX, No. 3.

## ASSETS AND LIABILITIES

*Of the Colony of Newfoundland, on the 31st December, 1855.*

## LIABILITIES.

The Electric Telegraph Company	....	£3500	0	0
Outstanding Warrants	....	6668	12	11
Unpaid Debentures	....	1668	14	8
Treasury Notes in Circulation	....	260	0	0
Unexpended Grants	....	7514	7	4
Unpaid Interest	....	3591	7	8
			£23,203	2 7
Balance in favour of the Colony	....		2,114	4 4
			£25,317	6 11

## ASSETS.

Cash on hand	....	£11,849	15	4
Customs Bonds Outstanding	....	13,467	11	7
			£25,317	6 11

THOMAS GLEN,

*Receiver General.*

## APPENDIX, No. 4.

## APPENDIX, No. 4.

## Port of St. John's.

*A CONSOLIDATED ACCOUNT of the Goods imported in the Year ended 31st December, 1855, shewing the aggregate Qualities and Value of the various Articles, and Amount of Duty collected thereon.*

Articles Imported.	Quantity.	Value.	Duty.
Ale, Porter, Cider, Perry, viz., in Bottles . . . .	1042 doz.	364 8 4	44 1 11
in Casks . . . .	24,757 gals.	2359 16 2	272 3 6
Animals, viz.—			
Horses . . . .	19	316 0 0	9 10 0
Oxen and Cows . . . .	2,563	15280 9 11	683 4 5
Sheep, Swine and Calves	2761	2696 1 0	138 1 0
Apples . . . .	2371 brls.	1271 1 6	177 16 6
Bacon, Hams, Tongues, Smoked Beef and Sausages	687 1 27 cwt.	2444 17 10	232 4 6
Beef, (salted and cured)	1920 1-2 brls.	4941 18 8	192 1 0
Biscuit . . . .	123319 2 14 cwt	143814 7 10	1541 10 4
Butter . . . .	13812 3 17 "	49594 14 4	1721 7 6
Cheese . . . .	442 3 27 "	1394 2 5	110 14 10
Chocolate and Cocoa . .	10865 lbs.	223 19 9	31 0 6
Cigars . . . .	358750	1330 3 0	143 12 0
Coals . . . .	19695 3-4 tons.	19654 14 3	984 15 9
Coffee . . . .	165010 lbs.	3858 3 6	397 9 5
Feathers . . . .	11915 "	219 12 1	49 12 11
Fish (dried) . . . .	26 cwt.	38 15 0	6 10 0
Flour . . . .	105629 brls.	229110 6 7	7922 3 6
Fruit (dried) . . . .	50020 lbs.	1231 16 6	208 7 8
Ditto (other descriptions)		204 6 11	20 8 8
Lumber . . . .	1769424 feet	4417 7 3	221 3 9
Leather (manufactures of)		17317 9 6	1731 14 10
Molasses . . . .	742759 gals.	40637 10 10	5394 12 4
Oatmeal and Indian Meal	21294 1-2 brls.	28529 3 2	532 7 3
Pork . . . .	19410 "	55152 12 7	2911 10 0
Ready-made Clothing . .		19705 17 1	1970 11 7
Salt . . . .	40167 7 tons.	36305 17 9	1004 3 7
Shingles . . . .	2466500	1933 6 10	123 6 6
Spirits, viz.—			
Brandy, Gin and Cordials	21392 1-2 gals.	9982 4 3	3688 4 6
Rum . . . .	104953 1-4 "	11416 1 0	5364 11 3
Carried forward		705746 15 10	37829 1 6

## APPENDIX, No. 4.

*A CONSOLIDATED ACCOUNT of the Goods Imported in the Year ended 31st December, 1855, shewing the aggregate Qualities and Value of the various Articles, and amount of Duty collected thereon—Continued.*

Articles Imported.	Quantity.	Value.	Duty.
Brought forward		705746 15 10	37829 1 6
Sugar, viz.—			
Refined . . . .	1229 2 1 cwt.	2782 10 2	545 9 2
Unrefined . . . .	18128 2 26 “	19303 19 11	5304 6 1
Bastard . . . .	62 2 2 “	125 10 6	22 0 5
Tea . . . .	287984 lbs.	14173 18 5	3992 11 7
Timber . . . .	1596 1-4 tons	2178 1 10	101 18 2
Tobacco (manufactured)	264844 lbs.	9118 5 9	2506 6 2
Ditto Stems . . . .	66 0 8 cwt.	56 2 6	6 12 2
Vinegar . . . .	1173 gals.	70 12 6	14 13 3
Wines, viz.—			
in Bottles . . . .	419 1-3 “	338 10 0	84 6 8
not in Bottles, viz.—			
Port, Madeira, Hock, Burgundy, Claret and Dry Lisbon . . . .	22040 1-2 “	9289 5 0	2324 11 0
Sherry . . . .	332 “	97 10 0	43 18 9
Other Wines . . . .	360 “	144 0 0	36 0 0
Goods, Wares and Merchandize, enumerated, to pay duty at the rate of 5 per cent. . . .		256649 3 2	12832 7 4
Ditto ditto 7½ per cent.		49130 4 3	3684 16 8
Silk (manufactures of) Not otherwise enumerated or described . . . .		2934 4 3	293 8 5
		34702 4 5	3470 4 6
Totals . . . .	.....	£110684 18 6	£73092 11 10

THOMAS GLEN,

*Receiver General.*

CUSTOM-HOUSE,  
The 24th day of January, 1856. }





## APPENDIX, No. 5.

## DESPATCH

*From the Secretary of State for the Colonies, transmitting an Order in Council prohibiting the Exportation of Saltpetre, and other Chemical Salts, from England to the North American and West India Colonies.*

[CIRCULAR].

Downing Street,  
9th January, 1856.

SIR,—

I transmit to you enclosed, an Order of the Lords of the Council dated the 27th ultimo, which you will perceive prohibits absolutely the exportation of Saltpetre, and other Chemical Salts from this Country to the North American and West Indian Colonies.

The effect of this Order is to extend the provisions of that of the 1st November, transmitted in my Circular Despatch of the 24th November last, to the North American and West Indian Colonies, placing them in this respect on the same footing as Foreign Countries. I need not say that Her Majesty's Government are placed under the necessity of taking this course by the exigencies of the War, as it is of the first importance to prevent illicit traffic with the enemy in this Article; and as the efforts of the Local Governments, with all the good-will which they would no doubt exhibit, could not avail to prevent their re-exportation for such illicit use, if importation into the Colonies was absolutely free.

Attempts however might still, it is true, be made to evade this last peremptory prohibition by conveying the prohibited Articles to the West Indian and North American Colonies, either from Foreign Countries or from other Countries, with a view to the transmission of the articles in question by various channels to the enemy.

How far the laws of \_\_\_\_\_ will enable you to prohibit the importation or exportation of Saltpetre and other Chemical Salts in the manner indicated, I am not at present aware; but I cannot doubt that the Legislature of \_\_\_\_\_ will readily arm you with sufficient powers for effectually checking any improper trade in those Salts.

The subject is of considerable importance, and I have to request that you will acknowledge the receipt of this instruction, and favor me with any informa-

**APPENDIX, No. 5.**

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tion or practical suggestions which you may consider calculated to facilitate the attainment of the object which Her Majesty's Government have in view.

I have the honour to be,

Sir,

Your obedient,

Humble Servant,

**H. LABOUCHERE.**

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**AT THE COUNCIL CHAMBER, WHITEHALL,**

*The 27th day of December, 1855.*

**BY THE LORDS OF HER MAJESTY'S MOST HONORABLE PRIVY COUNCIL.**

The Lords of the Council having taken into consideration the Expediency of extending the Prohibition to export from the United Kingdom certain articles used in the Manufacture of Military and Naval Stores, in pursuance of Her Majesty's Proclamation of the 18th February, 1854, are pleased to order, and it is hereby ordered, that the Officers of Her Majesty's Customs do prevent the exportation of Saltpetre, Nitrate of Soda, Sulphate of Potash, and Muriate of Potash (Chloride of Potassium), to Her Majesty's Colonies and Plantations in North America, including the West Indian Islands, as well as to all Foreign Countries; and that the Officers of Her Majesty's Customs do permit the Articles herein mentioned to be carried Coastwise to any Port in the United Kingdom, or to be exported to any other of Her Majesty's Colonies, Plantations, or Possessions abroad, or to the Territories of the East India Company, upon taking from the Persons exporting the same a Bond that the said Articles shall be landed and entered for Use and Consumption within such of Her Majesty's Dominions or within the Territories of the East India Company.

Whereof the Lords Commissioners of Her Majesty's Treasury, and Officers of Her Majesty's Customs, and all other Persons whom it may concern, are to take notice, and govern themselves accordingly.

**W. L. BATHURST.**

## APPENDIX, No. 6.

## DESPATCH

*From the Secretary of State, on the subject of Sending Home to the Colonies to which they belong, Seamen arriving in Great Britain from the North American Colonies.*

[CIRCULAR].

Downing Street,  
21st December, 1855.

SIR,—

My attention has recently been called to the frequent cases which occur, of Seamen arriving in this Country from the North American Provinces in a destitute condition, and in many instances unable to work, for whose relief no funds are provided either by the Imperial or by the Local Governments.

You are probably aware, that by the Merchant Shipping Act of last Session, power is conferred on the Lords of the Committee of Privy Council for Trade, to cause distressed Seamen found in Foreign parts, being subjects of Her Majesty, to be sent home either to this Country or to the Colony to which they belong. For this purpose an annual vote is taken, but the Act in question does not confer the power to send home to the Colonies to which they may belong Colonial Seamen found distressed in this Country.

The duty which the Act in question devolves on the Imperial Government is founded on the principle that each Government is bound to provide for its own Seamen, and I cannot doubt that the Legislature of Newfoundland would readily admit the justice of this principle, and that it applies with equal force to the case of Seamen belonging to Colonial Ports.

I have therefore to request that you will bring the subject under the consideration of your Council, and it will afford me much gratification to learn that the Legislature is prepared to undertake the necessary expense, and to co-operate with Her Majesty's Government in making any arrangements which may be necessary for effecting the object they have in view.

I have, &c.,

(Signed)

H. LABOUGHERE.

Governor Darling, &c., &c., &c.  
Newfoundland.

## APPENDIX, No. 7.

## DESPATCH

*From the Secretary of State for the Colonies, on the subject of the system by which Light Houses and Light Vessels may be erected and maintained in the Colonies by means of Tolls levied on Vessels which derive benefit from the Lights.*

[CIRCULAR].

Downing Street,  
6th September, 1855.

SIR,—

I have to communicate to you, for your information as to the views of Her Majesty's Government, and in order that you may bring them, whenever occasion shall require, under the consideration of your Executive Council, the following observations and proposal on the subject of Colonial Lights.

2. The great importance of a well-ordered system of Colonial Lights to the Trade and Shipping of the British Empire has suggested to Her Majesty's Government the propriety of inviting the co-operation and assistance of the Local Authorities in the Colonies, in order to bring about a more efficient and more economical system of management in the erection and maintenance of Colonial Lights than that which at present exists.

3. Since the passing of the "Shipping Law Amendment Act" in 1853, the control of the Lights of the United Kingdom has been vested in the Lords of the Committee of Privy Council for Trade.

4. It is proposed to apply the information and experience which the Board of Trade has acquired under that arrangement in assisting the Colonial Governments to effect such improvements in the management of their Lights as may be found desirable.

5. The accompanying Printed Memorandum, which has been prepared by the Board of Trade with the assistance of the Elder Brethren of the Trinity House, fully explains the nature and extent of the assistance and information which that Department is prepared to afford to the Colonial Authorities, as well as the steps to be taken by those Authorities for obtaining such assistance and information.

6. In addition to the assistance which the Board of Trade are prepared to give as above mentioned, the "Merchant Shipping Act Amendment Act"

recently passed, a Copy of which I enclose, 18 and 19 Vic. cap. 91, contains a provision for enabling Her Majesty, by Order in Council, to fix Dues to be paid for Colonial Lights. The nature and objects of this provision you will find fully explained in a Letter from the Board of Trade to this Department, dated 15th August, of which a Copy is also herewith enclosed.

I have the honour to be,

Sir,

Your most obedient

Humble Servant,

(Signed)

WM. MOLESWORTH.

Office of Committee of Privy Council for Trade,  
Whitehall, 15th August, 1855.

SIR,—

With reference to your letter of the 6th instant, I am directed by the Lords of the Committee of Privy Council for Trade, to transmit to you for distribution to the various Colonies, the accompanying copies of the printed Memorandum relating to Light Houses and Light Vessels in the Colonies.

My Lords have not before replied to the above mentioned letter, as it appeared to them that it would be desirable, in transmitting the Memorandum in question to the Colonial Authorities, to call the attention of the Governors and other Officers to those provisions of "The Merchant Shipping Act Amendment Act, 1855," which relate to the collection of dues for the maintenance and erection of Colonial Lights. If Secretary Sir William Molesworth should think such a course expedient, the following are points which will, in my Lords' opinion, require special attention.

1. That the object contemplated by the Imperial Legislature is to assist the Colonies in erecting and maintaining Light Houses, by providing Funds for the purpose by means of Tolls levied on the ships which derive benefit from the Lights, whether those ships go to Ports in the Colony in which the Light is situate or not.

2. That the principle upon which the Tolls are to be fixed and collected is the same as that adopted in this Country.

3. That provision is made for procuring advances for building, as well as an annual income for maintaining Lights.

*APPENDIX, No. 7.*

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4. That whilst no Colony can be required to levy a Tax against its will, the money when paid must, of necessity (being levied in different Colonies, as well as in the United Kingdom) be under the control of the Imperial Government.

5. That it is not the wish or the intention of the Board of Trade, in administering any funds so levied, to interfere with the Local Authorities, who will still have the management of the Lights, except so far as may be necessary to issue proper accounts, and a proper expenditure of the public money.

6. That whenever any application is made for assistance towards erecting or maintaining a Light, the Governor of the Colony or Possession should send all the information in his power, as to the number and tonnage of Vessels, passing or deriving benefit from the Light, and the ports and places to or from which they trade. In giving this information, attention should be paid to the particular circumstances of the case, so that the Imperial Government may be enabled, in fixing the Toll, to determine what the amount should be, and at what ports it will be desirable to collect it. As a general rule, it will probably be found most convenient to collect the dues at the Port of Departure of the ship, rather than at the Port of Arrival, where both ports are British Ports, but the application of this rule must depend upon the circumstances of each case.

7. Where a Light is to be erected or maintained in one Colony, and Tolls will have to be taken in other Colonies, the communications from the first Colony should be so made as to enable Her Majesty's Government to communicate as early and as effectively as possible with the latter Colonies.

I have, &c.,

(Signed)

T. H. FARRER.

H. Merivale, Esq., &c., &c., &c.  
Colonial Office.

## APPENDIX, No. 8.

## DESPATCHES

*From the Secretary of State for the Colonies, with Enclosures, on the subject of the Light House proposed to be erected on Cape Race.*

[COPY.]

Downing Street,  
6th October, 1855.

SIR,—

I have the honour to acknowledge the receipt of your Despatch, No. 32, of 21st of July, on the subject of the Light House proposed to be erected on Cape Race, and with reference to my Despatches marked Circular, of the 1st September, and No. 8, of the 3rd of August last, I transmit for your information the Copy of a letter addressed to this Department by desire of the Lords of the Committee of Privy Council for Trade, from which you will learn that their Lordships concur with the Light House Commissioners of Newfoundland, both as to the material of which the Building should be constructed, and as to the character of the proposed Light.

I further send you a Copy of another letter, received this day, from the Board of Trade, on the subject of this Light House, and have to desire that you will take such steps as may be proper for giving effect to the suggestions of that Department.

I have, &amp;c.,

(Signed)

W. MOLESWORTH.

Governor Darling, &amp;c., &amp;c., &amp;c.

[COPY.]

Office of Committee of Privy Council for Trade,  
Whitehall, 26th September, 1855.

SIR,—

I am directed by the Lords of the Committee of Privy Council for Trade, to acknowledge the receipt of your letter of the 30th ultimo, with its enclosures, on the subject of the Light House about to be erected on Cape Race. With regard to that part of the Report which relates to the manner in which funds are to be procured, it is unnecessary to do more than to refer to my letter of the 15th August where the subject has been fully treated.

With regard to the observations on the construction of the Light House, I am to acquaint you for the information of Secretary Sir William Molesworth, that after a full and careful consideration of the Correspondence and various Reports respecting the materials of which this Light House should be constructed, my Lords were strongly impressed with the opinion that an Iron Tower as a mere support for the Light might be used with advantage, and that the dwellings of the Light Keepers, if constructed of Stone or Brick, about the base of the Tower, would be perfectly unobjectionable. For several reasons this plan of operations was considered, and an Iron Tower for the Light with Stone Buildings about its base for the dwellings of the Light Keepers, has accordingly been contracted for. My Lords are gratified to find that this opinion is supported by the Officer of Engineers in Newfoundland, who states in his Report that "Iron appears to be the most durable, suitable, and the most economical for Buildings of this nature."

My Lords trust it will be found, that whilst economy and expedition have been studied in the exhibition of the Light, the health and comfort of the Light Keepers have been equally cared for, and that the expense will be kept within reasonable limits.

The Tower is now nearly ready for embarkation, and it is expected that the whole apparatus may arrive in Newfoundland in time to commence the building before the frost sets in.

My Lords entirely concur with the Light House Commissioners of Newfoundland as to the character of the proposed Light for Cape Race, and have directed a bright fixed Light to be contracted for. With regard to the Light being Colored in order that it may be distinguished from those on either side of it, my Lords are of opinion that the distinction between Fixed and Revolving Lights will be in itself sufficient, especially as a Colored Light is objectionable, particularly in a foggy climate, on account of the short distance at which it can be discerned as compared with a Bright Light.

I have, &c.,

(Signed)

JAMES BOOTH.

F. F. Elliott, Esq.; &c., &c., &c.  
Colonial Office.



[copy].

Office of Committee of Privy Council for Trade,  
Whitehall, 3rd October, 1855.

SIR,—

I am directed by the Lords of the Committee of Privy Council for Trade to acquaint you, for the information of Secretary Sir William Molesworth, that part of the materials for the Light House on Cape Race, Newfoundland, have been shipped on board a Vessel bound for Trepassey, and have been consigned to the Governor of that Colony ; and it is expected that in a fortnight the remaining portions will be ready for shipment, when they will be forwarded in like manner to Trepassey, as the nearest Port to the site of the Light House.

It will not be possible to have the Light House completed before the winter, but it is expected that the work will proceed with all possible despatch. In the mean time it is desirable that the Authorities in Newfoundland to whom the Light House, when finished, will be delivered over, should take the necessary steps for securing the services of duly qualified persons to act as Light Keepers, and they should also be prepared with a supply of Oil and Wicks, and other necessary stores and materials, so that no time may be lost and no inconvenience be occasioned when the building is completed and ready for lighting.

The Engineer will be instructed to communicate to the Commissioners the progress of the building, in order that they may be enabled to make the necessary arrangements, though possibly they may not be required before the ensuing year.

I have, &amp;c.,

(Signed)

JAMES BOOTH.

H. Merivale, Esq., &c., &c., &c.  
Colonial Office.

[copy].

Downing Street,  
2nd November, 1855.

SIR,—

With reference to your Despatch, No. 32, of the 21st July, I transmit herewith for your information the copy of a letter from the Secretary to the Lords of the Committee of Privy Council for Trade, respecting the Light House on Cape Race, and I have to inform you that as the maintenance of the

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Light will be provided for from other sources, it will be unnecessary to press for any contribution on the part of Newfoundland.

I have, &c.,

(Signed)            G. GREY.

Governor Darling, &c., &c., &c.

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Office of Committee of Privy Council for Trade,  
Whitehall, 2nd October, 1855.

SIR,—

I am directed by the Lords of the Committee of Privy Council for Trade, to acknowledge the receipt of your letter of the 22nd ult., requesting that the Lords Commissioners of Her Majesty's Treasury may be furnished with any observations my Lords may have to make in reference to the proposed Light on Cape Race, and I am desired by their Lordships to make the following remarks.

By the Act 18 and 19 Vic., cap. 91, Her Majesty is empowered by Order in Council, to fix the dues to be paid by Vessels deriving benefit from Colonial Lights, and those it is expected will be sufficiently large not only to defray the expenses connected with the erection, but also of the maintenance of such Lights.

The Colony of Newfoundland will therefore not be called upon to contribute to the proposed Light upon Cape Race, beyond what may be paid by its Vessels which receive benefit from the Light; and I am to observe, that the execution of the work will not be impeded in consequence of the refusal of the Colony of Newfoundland to contribute towards its maintenance.

With reference to that part of your letter which requested that the Lords Commissioners might be made acquainted with the present stage of the Works of the Light House, I am to observe, that the Work has been contracted for and is now in a state of great forwardness, part thereof having already been shipped and the remainder being nearly ready for shipment.

I am to add, that the probable annual cost of the maintenance of this Light will be about four hundred and fifty pounds.

(£450.)

I have, &c.,

(Signed)            JAMES BOOTH.

The Secretary, &c., &c., &c.

Treasury.

## APPENDIX, No. 9.

## DESPATCH

*From the Secretary of State for the Colonies, enclosing a Report upon the Fisheries on the South West Coast of Newfoundland, by Captain Purvis, of H. M. S. "Argus."*

Downing Street,  
23rd November, 1855.

SIR,—

I transmit, for your information, the copy of a Report by Commander Purvis, of Her Majesty's Steam-sloop "Argus," on the Fisheries on the South West Coast of Newfoundland.

I shall be glad to receive from you any observations which you may have to offer with respect to the alleged evasion of the law by the illicit traffic in Bait, by means of which the fishermen are enabled to obtain at St. Pierre provisions and clothing at a cheaper rate than that at which English Traders are willing to supply them.

I have, &c.,

(Signed)

H. LABOUCHERE.

[COPY].

Her Majesty's Steam-sloop "Argus."  
Halifax, 18th July, 1855.

SIR,—

I beg to submit the following Report on the Fisheries on the South West Coast of Newfoundland, for your information.

On the 17th May last, I left St. John's, Newfoundland, in Her Majesty's Steam-sloop under my command; arriving at Trepassey on the 18th, from thence visited St. Mary's, Placentia, Burin, Great Lawn, Lamaline, Grand Bank, Fortune Bay, the Burgeo Islands, and St. George's Bay, returning to Lamaline on the 19th ultimo; it was my intention to have been at the latter place on the 15th, in order to check as much as possible the fishermen from taking to St. Pierre the Caplin which struck in about that time, but owing to an accident to the machinery, I did not arrive before the 19th, the fishermen taking advantage of my absence during these few days, carried to St. Pierre an enor-

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mous quantity of Bait, and I am inclined to think that large quantities were also taken from Fortune and Grand Bank.

This evasion of the law is to be regretted, inasmuch as many of the Fishermen are driven to such illicit means of traffic, to enable them to obtain a livelihood. Provisions and clothing at St. Pierre being from 60 to 70 per cent. cheaper than English Traders are willing to supply them.

The practice of supplying the French with Fish has now become so common that the French Merchants give provisions, &c., in advance for bait and codfish, the latter is collected at the end of the season, and sent either to Halifax, or St. John's, Newfoundland and thence to Europe, the French not being allowed to land dried Fish procured from English Fishermen at St. Pierre.

To effectually put a stop to this system of smuggling, at least two or three fast-sailing boats capable of mounting a 6 or 9 pounder gun each would be required, which should be manned from the ship sent for the protection of the Fisheries, as the boats of a Ship-of-War are almost useless for this purpose.

The Herring generally strike in early in April, and the Codfishery commences about the beginning of May.

This season will be much better than the last, as many as 900 quintals of fish (equal to 300 dried) having been caught in a seine at Lamaline in one day, average taken from the hook and line is about 6 quintals (equal to 2 dried) per man daily. The Fishermen at the other settlements (Placentia excepted) have been equally successful. At the Burgeo Islands the fishery is carried on in winter and summer; this is the only part of the South West Coast where the Cod are caught throughout the year.

The Caplin leave the coast generally about the end of June, when the Squid strikes in, and remain a few days, when the Herring again make their appearance and remain until the latter end of August, when the fishery is considered over.

At St. George's Bay I was informed that an enormous quantity of Herring had been caught, and that a good understanding existed between the English and French fishermen.

*APPENDIX, No. 10.*


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I have every reason to believe that no encroachments have been made by the French on the South West Coast this season.

The French Bankers have been very unsuccessful, many of the fishing vessels have returned to St. Pierre without fish.

I have, &c.,

(Signed)

R. PURVIS,

*Commander.*

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*APPENDIX, No. 10.*

ADDRESS

*To the Queen on the subject of the Fisheries.*

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TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY :

We, Your Majesty's loyal subjects the Legislative Council and House of Assembly of Newfoundland, in Legislative Session convened, beg most humbly to approach Your Majesty with feelings of the most profound respect for Your Majesty's Royal Person and Government.

The Legislature of this Colony have frequently brought under Your Majesty's notice the important subject of our Fisheries, and the desire manifested by the French to monopolize various parts of our Northern and Southern Coasts, and to obtain a right of Fishery at Belle Isle; and have repeatedly represented the serious evils to which our people were and still are exposed by the operation of the Treaties which give to France the right of fishing on our Coasts; by the manner in which, notwithstanding the efforts of the Imperial and Local Governments, those Treaties have been infringed upon; and by the forcible expulsion, by the French Authorities, of British Fishermen from those parts of the Western Coast, where the latter ventured to exercise their undoubted right of concurrent fishery. The consciousness of present injury, the fear of future loss, and the conviction of our inability, unless our rights by Treaty should be strictly maintained, to compete in Foreign markets with rivals

APPENDIX, Nos. 10 and 11.

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so much more highly favored by Governmental aid than we have ever been, were the motives which heretofore led us thus to address Your Majesty; and feelings similar in character, though stronger in degree, influence us on the present occasion.

We have noticed in the public papers that the subject of our Fisheries is engaging the attention of Your Majesty's Government, and we learn from private sources that the French Minister is urgently pressing a claim for an extension of their rights of Fishery on the Coasts of this Island, and we are well aware of the force which such a claim must derive from the relations which at present happily subsist between France and England.

MAY IT PLEASE YOUR MAJESTY :

While the people of this Colony, in common with the rest of Your Majesty's subjects, desire that these amicable relations may be long continued, they feel very sensibly that this object would be unfairly secured by concessions which, although of little importance to the people of England, would, as we have before so repeatedly shewn, be so ruinous to us; and we therefore humbly but earnestly pray, that taking into Your Majesty's gracious consideration the rights and interests of the inhabitants of this Colony, You will grant no further privileges in this respect to the Subjects of His Imperial Majesty.

A. SHEA,

*Speaker.*

House of Assembly, }  
28th February, 1856. }

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APPENDIX, No. 11.

[COPY.]

JOURNAL

*Of Proceedings of Mr. Henry Knight, while employed at Cape John in the Protection of the Fisheries, between 9th July, and 13th of August, 1855.*

July 9th.—Arrived at Cape John, put up my Camp at Mad Rock Cove—found the French very busily engaged with the fish—spoke several boats, told them my business, and the extent of my authority. Remained at the limit all night—fish plenty.

*APPENDIX, No. 11.*

**Tuesday, 10th.**—Frenchmen began work at sunrise; hauled about 20,000 fish for 300 men, asked them what fish they had on shore, told me rather more than last summer for the time; at 9 p.m. Frenchmen stowed away. Remained on the ground all night.

**Wednesday, 11th.**—French commenced to haul at 6 a.m.; hauled this day 6000 fish for 33 men at the limit, 3 seines, and 9 Batteaux: stowed away for the night. Remained at the limit all night.

**Thursday, 12th.**—Commenced work at 4 a.m. Frenchmen hauled 9000 fish for 4 seines and 68 men—weather very fine—Frenchmen all anxious to hear from Sebastopol. Remained at the limit for the night.

**Friday, 13th.**—Frenchmen began work at sun-rise, fish rather scarce; hauled this day at the Cape 10,000 fish for 7 seines—asked one Seine-master how much he hauled up to this time—told me 130,000 fish. Stopped at the boundary all night.

**Saturday, 14th.**—Frenchmen commenced to haul at 4 a.m.; hauled this day at the limit 25,000 fish for 4 seines and 68 men—at dark stowed away for the night.

**Sunday, 15th.**—At 3 a.m. Frenchmen began work; hauled this morning 3,000 fish for 4 seines—at 7 a.m. boats all left the limit and went North of the Cape; at 8 a.m. went to my Camp to boil kettle for breakfast, returned to the boundary at 11 a.m.; found one boat encroaching on the limit—had in his seine 3,000 fish, took it from him with one Batteaux—turned the Master out of her, and sent her to Mad Rock Cove, distance 2 miles—complained very much—said Frenchman and Englishman at Sebastopol was all alike; told him killing fish and killing men were different. At noon several boats came to the limit; hauled this day at the Cape about 12,000 fish for 9 seines—at sun-down stowed away for the night; weather fine.

**Monday, 16th.**—Frenchmen commenced at sun-rise to haul—at 6 a.m. my men distributed the fish in the French Batteaux to the Shoe Cove fishermen, (about 30 quintals); sent the men with boat about their business. This day about 14,000 fish taken at the limit—at 10 p.m. Frenchmen covered for the night—stopped in Cape Cove until morning.

**Tuesday, 17th.**—At 4 a.m. Frenchmen began work—fish scarce on the French side of the Cape—appear very anxious to pass the limit; took to-day according to French account, 6,000 fish for 9 seines and 27 Batteaux; blowing hard with wind S.W. with rain. Remained at the Cape all night.

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Wednesday, 18th.—At 4 a.m., strong breeze, wind North. Frenchmen forced to come on the South-side of the Cape for shelter; at noon spoke Seine-master from Packet Harbor, told me the Caplin was gone at Packet—was but 10 days on the shore—had but 40,000 fish for their ship with 70 men; thank me to shew him the English bounds—at sun-down wind moderate. Remained at the limit with Frenchmen all night.

Thursday, 19th.—At sun-rise Frenchmen commenced work—hauled no fish at the limit this morning—very anxious to pass the boundary—forced to threaten them at noon; one boat hauled at the point of the Cape 4,000 fish—heavy rain with fog; at 7 p. m. wind North, blowing a gale, forced to run for Shoe Cove in company with 37 French boats. Remained all night.

Friday, 20th.—At 6 a.m., left Shoe Cove in company with the French boats, got as far as Mansfield Bite, forced to remain at anchor all day, too much sea for hauling; at sun-down wind more moderate—remained with the French in Mansfield Bite all night.

Saturday, 21st.—At day-light Frenchmen left Mansfield Cove for the Cape, sea not so high—at 7 a.m., began to haul, took this day from the Cape 18,000 fish for 9 seines and 27 Batteaux—caplin getting scarce; at 9 p.m., fishermen lay down for the night. Made my boat fast to stern of French seine boat for the night.

Sunday, 22nd.—At 4 a.m., French began work; strong wind from the West—hauled this day at the Cape 22,000 fish—at noon one Seine-master belonging to Packet Harbor came and asked me if I could help him to some provisions, as they were short and could not get home, distance 22 miles; gave him some bread, and molasses, pork, and rum. Asked him what fish they had, told me 100,000 fish for two vessels and 85 men; said they were but fifteen days in the country, found great difficulty in leaving France for want of men—said the voyage at Fleur de Louis was bad also. Remained at the limit all night.

Monday, 23rd.—At sun-rise commenced work, 32 Batteaux at the limit this morning—hauled through the day at the Cape and limit 30,000 fish for 9 seines and 168 men. Weather very fine—at dark covered for the night—made fast to French boat until the morning.

Tuesday, 24th.—At day-light Frenchmen uncovered and began work, one boat belonging to Packet hauled 3,000 fish—at 8 a.m. spoke French brig crossing the Cape bound to the Banks from Lascie—asked him what fish he



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landed, told me 40,000. At 1 p.m. 7 seine boats and 9 Batteaux anchored at the Cape Point; no fish, caplin scarce. At 6 p.m. left the Cape for Middle Bill Cove—at 7 p.m. strong breeze N.E.; left the limit for my Camp. About 7,000 fish taken at the Cape to-day.

Wednesday, 25th.—At day-light, rowed to the Cape, found the French asleep; at 4 a.m. commenced to haul, one boat took 2,000 fish, at the limit, about 4,000 taken this day for 9 seines—at 6 p.m. gale of wind rose from North with heavy rain, 40 boats came in Mansfield Cove for shelter—sea high—no caplin at the Cape. Remained in Mansfield Bite for the night.

Thursday, 26th.—At 3 a.m., left Mansfield Cove for the Cape, in company with French boats; 3 boats belonging to Packet asked liberty to remain to split their fish, told them they could do so provided they went close in shore.—At 5 a.m., three-mast Steamer past the Cape—could not distinguish her flag, distance about four miles, took her to be the “Cameleon” of St. Pierre; about 2,000 fish taken from the Cape this day for 10 seines—no caplin, wind N.E.; at dark went to Mad Rock Cove.

Friday, 27th.—At 3 a.m., left Mad Rock Cove and rowed in Mansfield Bite—found 28 French Boats at anchor—came there through the night for shelter, wind North. At sun-rise left for their own ground—at 6 a.m., left the Cape and tacked further North—at 9 a.m., 26 boats returned to Mansfield Cove, wind North, blowing hard, with heavy sea; remained all day—no caplin but plenty of herrings. Stopped with the French all night.

Saturday, 28th.—At sun-rise left Mansfield Cove for the limit; at 8 a.m., all the French boats came back, sea too high for hauling—at noon forced to run for Shoe Cove Bite, distance 5 miles, in company with 40 French boats. Remained at Shoe Cove all night.

Sunday, 29th.—At 6 a.m., left the Cove in company with the French boats—at 8 a.m., got to Mansfield Cove—sea high; Frenchmen asked permission to jig fish on the English ground—told them they may jig sufficient to eat, thanked me; at 4 a.m., 18 boats left for Lascie, the rest remained at anchor; at sun-set put their camps up for the night. I went to Mad Rock Cove—herrings very plenty—caplin none.

Monday, 30th.—At day-light rowed in Mansfield Bite; Frenchmen at anchor—at 6 a.m., left for the Cape; one boat hauled 400 fish—at South Bill spoke Seine-Master, told me their several catches for Lascie:—ships Angelique,

3,000 quintals ; Triton, 2,600 qtls. ; Francois, 2,300 qtls. ; St. Louis, 2,800 qtls. ; Jennelies Banks, 400 qtls. Asked him what wages each man in his boat had for the Summer, said 200f., but himself had 400f., and so much a M. ; told me there were men on their room had but 100f. for the Summer, and had 3 and 4 Pickarring. At 4 p m, left for Lascie to land their seines ; returned to Mad Rock Cove for the night.

Tuesday, 31st.—At 4 a m, rowed to the Cape, found but 6 boats at the South Bill ; at 5 a m, hauled but took no fish—at 8 o'clock caplin Seine-master came and asked me to allow him to look in Mansfield Bite for caplin, told him he may do so but take no caplin ; said he only wanted to ascertain if the bait was all gone before he left for home. At 10 a m, returned, told me there was none to be seen, left for Lascie—no fish taken for the day.

August, 1st.—At 4 a m, rowed to the limit, found but 2 seines at the Cape and 6 Batteaux ; hauled no fish for the day—at 4 p m, Frenchmen all left the Cape for Lascie. At dark returned to my Camp in Mad Rock Cove.

Thursday, 2nd.—Rowed to the Cape at 6 a m—saw no French boats, until 7 a m, 9 Batteaux came to Middle Bill Point and set Bultoos ; remained at the Cape jigging until 4 p m—hauled their Bultoos and returned to Lascie at dark ; went to my quarters for the night.

Friday, 3rd.—At sun-rise rowed to the limit—saw no Frenchmen until 7 a m, 3 seines and 9 Batteaux came to the North Point of the Cape and hauled their Bultoos—spoke Seine-Master, told me all the fish was gone with the caplin ; took no fish for the day. At dark went to my camp—herring plenty.

Saturday, 4th.—At sun-rise rowed to the limit—saw no boats until 9 a m, 8 Batteaux came to the Cape and took from 1,500 fathoms of Bultoos about 6 quintals of fish ; asked one man where all their boats were, told me most of the hook and line men were sent to Ming's Bay after room timber—told me all the seines were landed—At dark rowed to my camp.

Sunday, 5th.—At 6 a m, rowed to the Cape—no boats came until 8 a m, —11 Batteaux came and fished at the Cape at noon, hauled their Bultoos and took 1,300 fish—at 5 p m, left for Lascie. Went to Ragged Rock Cove for the night.

Monday, 6th.—At 4 a m, rowed to the Cape—no boats came until 7 a m, —7 Batteaux came and took up the Bultoos with 400 fish—at noon left the

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South Point and went north of the Cape. At 2 p m, rowed to Mad Rock Cove and took down my camp and proceeded to Shoe Cove, the distance from my camp to the limit is 2 miles, from the limit to Shoe Cove is 5 miles.

Tuesday, 7th.—At day-light despatched the boat and 4 men to the Cape—learned from the fishermen of Shoe Cove they were fishing with herrings the last week—fish was scarce, but plenty herrings and good sign of mackerel—told me their average was about 40 qtls. per man; at dark boat returned. Saw but two boats at the Cape for the day.

Wednesday, 8th.—At daylight despatched the boat and crew to Cape, fearing the Frenchmen may put their Bultoes on our side of the limit—at dark the boat returned—reported but 4 Batteaux at the limit for the day; took from 1,000 fathoms of line 600 fish.

Thursday, 9th.—At 4 a m, started the boat for the Cape—at 8 a m, 5 boats came to the limit and hauled Bultoes, took 300 fish—at dark the boat returned to Shoe Cove.

Friday, 10th.—At 4 a m, boat went to the Cape—saw but 5 boats for the day—fish very scarce.

Saturday, 11th.—At day-light boat left Shoe Cove for the limit, but 4 Batteaux at the Cape; at 8 a m, blowing strong breeze from the N.E.—boat and 4 French boats took shelter in Mansfield Bite for the day—at dark returned to Shoe Cove.

Sunday, 12th.—Boat remained at Shoe Cove all day.

Monday, 13th.—Sent the boat and crew to the Cape; at 6 p m, returned—saw no boat for the day. Sea very high.

Perhaps it is worthy of remark, that previous to Protection on the French Shore there were but 3 or 4 Bankers from all the harbours between Carpoone and Cape St. John; this Summer there are 11 vessels which choose the Banks in preference to the Shore Fishery, in consequence of the Protection at Cape John, and I might also add, Belle Isle, for there has been no fish caught there this Summer by the French. There are 2 vessels less at Lascie this season, and those 2 are on the Banks.

(Signed)

HENRY KNIGHT.

## APPENDIX, No. 12.

## DESPATCHES

*And other Documents relative to the better Curing and Packing of Herring for Exportation from this Island to Foreign Markets.*

[COPY.]

Government House,  
St. John's, 31st August, 1855.

SIR,—

In the recent Session of the Legislature a sum of £500 was placed at the disposal of the Local Government, for the purpose of taking measures for encouraging improvement in the mode of curing and packing Herring, which as at present practised in Newfoundland is so inferior to that in use by other Herring exporting Countries as to place our produce of this description at a great disadvantage in the principal markets to which it is consigned.

2.—It is considered that the most effectual step for meeting the views of the Legislature in this respect, would probably be to obtain from Scotland or Holland the services of a few persons well skilled in the preparation of Herring. It is proposed that their passage to this country should be provided for in the first instance at the public expense. The arrangement for their subsequent employment in the Colony in the manner most conducive to the object in view, would necessarily depend upon the readiness or otherwise with which individuals engaged in the Herring Fishery might be found disposed to enter into arrangement with them, as well as upon the terms for which they themselves might be inclined to stipulate.

3.—Before taking any positive steps for this purpose, my Government is desirous of obtaining information and advice from quarters where practical experience and acquaintance with the question exist, and as it is understood that measures of a very similar nature for improving the cure of Scotch Herrings by the introduction of Herring Curers from Holland were at one time taken by the Commissioners of British Fisheries, I have to request, should you see no objection to such a course, that the Commissioners may be asked to favor this Government with any advice upon the subject, that their experience may enable them to offer, as well as with any information which they may either possess, or may have it in their power readily to procure, as to the terms upon which persons adapted to the purposes I have explained, would be induced to remove from Scotland and Holland to this Colony.

4.—If a permanent settlement in the Colony should enter into the views of such persons, small grants of Land in situations eligible for Agricultural purposes, or for the pursuit of their occupation as Curers of fish, might be super-added to other advantages. I have however reason to believe, that there would be no difficulty in obtaining profitable engagements for them immediately upon their landing, and at any rate the Government would be prepared upon ascertaining what their views and expectations may be, to guarantee them against all loss or injury, as the result of their emigration from their native country, until they should, either as their own free act, or as the result of some specified condition of their engagement, have established themselves independently on their own account.

I have, &c.,

(Signed)

C. H. DARLING.

The Right Honorable Sir William Molesworth, Bart., M.P.,

&c.,

&c.,

&c.

[COPY.]

Downing Street,  
22nd November, 1855.

SIR,—

I have to acknowledge your Despatch No. 47 of the 31st of August, respecting the grant of five hundred pounds made by the Legislature of Newfoundland for encouraging improvement in the mode of curing and packing Herrings.

I transmit herewith for your information the copy of a letter from the Board of Fisheries, Edinburgh, conveying such suggestions as the limited information at the command of the Commissioners, respecting the Newfoundland Herring Fishery, have enabled them to offer on the subject.

I have, &c.,

(Signed)

H. LABOUCHERE.

Governor Darling, &c., &c., &c.

[COPY].

Board of Fisheries,  
Edinburgh, 12th November, 1855.

SIR,—

Having laid before the Board of Fisheries your letter of the 6th ult., together with its enclosure, copy of a Despatch from the Governor of New-

foundland, requesting the advice and assistance of the Board as to the measures to be taken for improving the present mode of curing and packing Herring in that Colony.

I am directed to state that the Board of Fisheries being unacquainted with the manner in which the Newfoundland Herring Fishery is carried on, whether by decked vessels in the open sea, or by open boats from the shore, or partly by both, what kind of nets are in use, the general accommodation for curing, the facility for obtaining barrels and salt, the nature of the coast, the time of appearance of the Herrings and character of the Fish, and the command of labour to man the boats and carry on the curing operations feel great difficulty in suggesting any measures for the improvement of the Fishery.

In the meantime they enclose six copies of a Treatise, containing "directions for taking and curing Herrings" by Sir Thomas Dick Lander, Bart., the late Secretary of the Board, the circulation of which has been found extremely useful in Scotland, and which may also be of service in Newfoundland.

The Scotch Herring Trade is at present so very flourishing, and persons find such ready employment in it at good wages, that the moment is unfavourable to expect them to emigrate for the purpose of embarking in the doubtful adventure of the Newfoundland Fishery, which indeed may be so different from what they have been so used to, and require a system of cure so little like what they have been accustomed to perform, that the Board are disposed rather to recommend the Colonial Legislature, as a first step, to send some superior person, thoroughly conversant with the practical details, arrangements, and resources of the Newfoundland Fishery and the coasts where it is carried on, to visit and inspect the Dutch, Scotch, and English Herring Fisheries, that he might see them all in operation, when he would be able to judge what parts of their respective systems would be applicable to that of Newfoundland, and could be introduced with advantage there, while as an emissary from the Local Government, he could represent and explain its offers to any parties he might think fit to be removed to Newfoundland, and make the necessary engagements with them.

In this view such a person should reach England by the month of April, he would then during May see the early Yarmouth Herring Fishery in England, and the early Stornoway Herring Fishery in Scotland, and in the succeeding months the great Herring Fishery, when he would fall in with the Dutch Busses

fishing off the coast of Scotland, and the fleet of French Herring Vessels fishing there, he would then close with the Yarmouth Herring Fishery again in September.

I am to state that should this suggestion meet the approval of the Local Government, the Board of Fisheries would be happy to render the person so appointed all the aid on his mission in their power.

I have, &c.,

(Signed) F. B. PRIMROSE,

John Hall, Esq., &c., &c.

Secretary.

London, 2nd October, 1855.

Messrs. Laurence O'Brien & Co.,  
St. John's, Newfoundland.

DEAR SIRS,—

We had the pleasure by the Mail on the 28th ultimo, and we avail of this opportunity in the hope of our letter reaching earlier than by the next Steamer, to transmit extracts of two letters from our Correspondents at Yarmouth and Rotterdam, in reply to our enquiry on your behalf for men conversant with the Herring Fishery.

You will perceive nothing can be done in Holland, but at Yarmouth we are likely to succeed if the remuneration you are disposed to give be sufficiently tempting to induce the men to leave their employment at home.

We shall be glad of your reply giving us every particular, as it is evident the class of men requisite for your object, will not listen to any promises about liberal pay, but require something definite to be stated before entering upon an agreement.

Believe us to be, dear Sirs,

Your most obedient Servants,

MALHUISH, SONS & Co.

[copy].

Great Yarmouth, 20th September, 1855.

Messrs. Malhuish, Sons & Co., London.

I beg to acknowledge the receipt of your favor of the 27th, and should be most happy to facilitate your views. As regards obtaining men conversant with

## APPENDIX, No. 12.

curing Herrings to go out to Newfoundland, there will be no difficulty in doing so, if you will only give me the particulars as to their wages, passage-money, &c. I presume you would require men of general knowledge of the Fishery. You are aware Herrings are salted on board the boats, which in some degree is a part of the curing—after being landed they pass into the hands of another class of men, who have to manage them on the floor for further salting, as may be required for different Markets, and then hang them for smoking and drying accordingly. Most of the men are now employed, the fishery being at its height, but at the close of the voyage, such men might be easily obtained. If you write me further on the subject, I will do my best in carrying out your instructions.

(Signed) MATTHEW BUTCHER.

*Extract of a letter from Messrs. Mees & Moens.*

Rotterdam, 29th September, 1855.

We are in receipt of your esteemed favor of 25th inst., and in reply we beg to say that we fear it will be difficult to find eight or ten men, who understood the art of curing Herrings disposed to go to Newfoundland and settle there. Most of our Fishermen are married, and having never been out of the North Sea, do not feel inclined to try their fortune far from home. Besides this the laws of this country on the Fishers, forbid them on a heavy penalty to engage in Foreign fisheries, and the same law imposes a penalty of about £200 with a year's imprisonment, on every one who directly or indirectly endeavours to persuade any natives of this country to engage in Foreign Herring Fishery.

[COPY.]

Government House,  
St. John's, Newfoundland, September 12th, 1855.

SIR,—

The Secretary of State for the Colonies has recently put me in possession of a communication from Mr. G. P. R. James, Her Majesty's Consul at Norfolk, in Virginia, in which that gentleman has called attention to the disadvantages to which cured Herrings imported from Nova Scotia are subject in certain markets of the Southern States, from an imperfection in the mode of curing and packing, which appears to be such as completely to counterbalance the admitted superiority both as to the size and quality of the fish itself over the fish of the United States catch with which it is brought into competition in the markets referred to:



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The subject is one of much interest to the inhabitants of Newfoundland, as a large proportion of the Herrings which find their way into the Southern markets in the character of Nova Scotia produce, being in fact caught upon the coasts of this Island and exported in the first instance to Nova Scotia.

The inferiority of our cure is a fact which had latterly become sufficiently manifest in the ordinary course of commercial transactions, and the attention of the Local Government is now earnestly given to the attempt to stimulate and encourage improvement in this branch of our exports, which was formerly of great value and which there seems no good reason to doubt, may by due attention and care, be restored to its original importance.

With this view, a sum of money was voted during the recent Session of the Legislature for the purpose of obtaining from Scotland and Holland the services of a few persons practically skilled in the best modes of curing and preparing the Herring for Foreign markets ; and as the first step towards the accomplishment of that object, I have requested the good offices of the Secretary of State in obtaining from the Commissioners of British Fisheries such assistance in this particular, and information on the subject generally, as it may be in their power to afford.

It appears, however, that there is some diversity in the mode of preparation and packing which is best calculated to secure favor, even in the various markets of the United States ; that in some places, for example, the Herring is preferred without either heads or tails, while in others the opposite system of preparation is essential to secure its acceptance.

We consider that it would be of great importance to this branch of our trade under the prospects of a freer commercial intercourse with the United States, which are now opening, to have accurate information on this subject, and I trust that your Excellency will not consider that I am imposing undue trouble upon you personally, or asking that which is incompatible with the character of your high office, if I request the exercise of your influence with Her Majesty's Consuls and Vice-Consuls at the Ports of the United States, to induce their communication of such details, in respect to the peculiar requirements of the several markets with which they are acquainted, as may enable our curers and exporters of Herring to prepare and put up the article accordingly.

As the mode which will entail the least trouble upon yourself, I suggest

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that any communication these gentlemen may be pleased to make upon the subject should be addressed directly to this Government.

I have, &c.,

(Signed) C. H. DARLING,  
Governor.

His Excellency J. F. Crampton, Esq.,  
Her Britannic Majesty's Minister, Washington.

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H. B. M's Consulate, Philadelphia, U. S. ;  
October 26th, 1855.

SIR,—

In pursuance of instructions, addressed to me by yesterday's Mail, from H. M's Minister at Washington, I beg to enclose a letter from a very respectable Merchant in this city, on the best mode of curing and packing Herrings for the Philadelphia market.

I have, &c.,

(Signed) GEO. B. MATTHEWS.

His Excellency the Governor and Commander-in-Chief,  
&c., &c., Newfoundland.

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Philadelphia,  
October 25th, 1855.

G. B. Matthews, Esq., British Consul,

DEAR SIR,—

I have your note of yesterday enquiring about Herrings, how they should be packed for this market, &c.

The heads and tails should not be taken off, but they should be gibbed, that is, the throat should be cut, and the entrails drawn out leaving the roe in.—They should be well struck with salt, while they are fresh from the water, before they become stale. They should be packed by hand, edgewise, close, in barrels with coarse salt, and the barrel then be filled with pickle, made from sea-water. Two hundred pounds should be put in each barrel.

The quantity of Mackarel caught this season will be unusually small, and

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Herrings will be in demand at good prices. If your correspondent at Newfoundland is disposed to ship to this market, I shall be glad to receive consignments.

I am, respectfully yours,

(Signed) HENRY WINSOR.

[COPY].

Her Britannic Majesty's Consulate, New York,  
November 1st, 1855.

SIR,—

I have the honor to enclose herewith a copy of a letter, dated the 13th ultimo, addressed to me by Mr. Crampton, Her Majesty's Minister at Washington, desiring me to transmit direct to you any information I might be able to procure respecting the particular requirements of the markets within my jurisdiction, in regard to the preparation and packing of Herrings in order to render them acceptable.

I have received minute answers from two of the most prominent fish-dealing firms in New York, Messrs. A. Woodruff & Robinson, and Messrs. Lewis & Brown, in reply to enquiries which I addressed to them on the subject, copies of which answers I herewith transmit to you, hoping they will prove acceptable.

I am, &c.,

(Signed) ANTHONY BARCLAY.

His Excellency the Governor of Newfoundland,  
St. John's, Newfoundland.

[COPY].

Washington, October 13th, 1855.

SIR,—

The attention of the Government of Newfoundland has been called by the Secretary of State for the Colonies, to the disadvantage to which Herrings cured in that Island, and imported from Nova Scotia, are subject in certain markets of the United States, from an imperfection in the mode of curing and packing, which appears to be such as to counterbalance in a great degree the admitted superiority both as to size and quality of the fish itself over the fish of the United States catch, with which it is brought into competition in the markets referred to.

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It would seem that there is some diversity in the mode of preparation and packing which is best calculated to secure favor in the various markets of the United States; in some places for instance the Herring is preferred without either heads or tails; while in others the opposite system of preparation is essential to secure its acceptance.

I am further informed by the Governor of Newfoundland, that it would be of considerable advantage to the curers and exporters of Herring in that Island to learn the particular requirements of the markets within your jurisdiction with which you are acquainted, in order that they may in future be enabled to prepare and put up Herrings in such manner as may render them acceptable there; and I would therefore request you to transmit direct to the Governor of Newfoundland any information of the nature above referred to which you may be able to procure.

I have, &c.,

(Signed)

JOHN F. CRAMPTON.

Anthony Barclay, Esq., &c., &c., &c.

New York.

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New York, October 24th, 1855.

SIR,—

In reply to your note requesting information, in relation to Salt Herring, and other kinds of fish, we would say—

Herring are most saleable in this market, when put up with heads and tails on, the roe left in, and the Herring gipped, that is, the entrails, and gills drawn, without splitting, or cutting down the belly. At certain seasons of the year when there are no roe in the Herring, put them up gipped, in the same manner as described above.

All other kinds of fish, split on the back except Alewives, which require to be packed whole, just as they are caught.

In the winter season, there are a good many Herring packed whole, without gipping, or drawing the entrails. The consequence is that as soon as the weather gets a little warm, they are apt to become tender on the bellies, and this spoils the sale. Herring put up with heads and tails off, or trimmed, are in reality worth more when packed this way, but they are not so saleable, and it is not advisable to put them up in this manner. There is only a certain kind of trade to take them, which is very small, and not to be depended upon. In

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all Herring put up for the market, particular attention should be paid to quality : an inferior article is very unsaleable here, while a prime article will always sell.

Good Herring are now worth 4 dols. per barrel.

Very respectfully, &c.

(Signed)      A. WOODRUFF & ROBINSON.

Anthony Barclay, Esq., &c., &c., &c.,  
New York.

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[COPY.]

New York, October 24th, 1855.

SIR,—

Herring ought to be packed in barrels of 200lbs., good cooperage, heads and tails on and roes in—are worth 4dols. per barrel ; Mackarel, heads off and in barrels of 200lbs. and half-barrels of 100lbs. in good demand at 20 dols. No. 1., 8½ dols. No. 2., 5 dols. for No. 3., always saleable.

Your's respectfully,

(Signed)      A. A. LEWIS,

Of the Firm of Lewis & Brown.

Anthony Barclay, Esq., &c., &c., &c.  
New York.

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[COPY.]

British Consulate, New Orleans,  
November 15th, 1855.

SIR,—

I have received a Despatch from Mr. Crampton, making an enquiry suggested by your Excellency, regarding New Orleans as a market for Newfoundland Herrings.

The consumption of Herrings in New Orleans, has always been very limited, owing in a great degree to the Planters thinking that their use amongst Negroes predisposes them to Cholera, a disease unusually fatal with that race.

The kind of fish in general use in this part of the United States, are Mackarel and dried Cod ; both descriptions are brought almost entirely from Boston. Herring are chiefly brought from the Chesapeake Bay, and are considered more delicate than those of Nova Scotia and Newfoundland. From

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careful enquiry I should estimate that the importation has never exceeded 800 barrels per annum, and dealers in fish assure me that last year, the number of barrels imported amounted to but 500 barrels.

The price obtained is usually about  $4\frac{1}{2}$  dols. per barrel, and with regard to the system of preparation the entire fish, viz. with heads and tails, are most saleable.

I have, &c.,

(Signed)

JOHN MURE,

H. B. M. Acting Consul.

His Excellency Charles H. Darling,  
&c., &c., &c.

[COPY.]

British Consulate, Baltimore,  
26th November, 1855.

SIR,—

Her Majesty's Minister at Washington having informed me that in some of the markets of the United States complaints were prevalent respecting the imperfect mode of curing and packing Herrings in the Island of Newfoundland, which, in fact, appeared to be such as to counterbalance in a great degree the admitted superiority both as to size and quality of the fish itself over the fish of the United States catch with which it is brought into competition in the markets referred to; I have made enquiry amongst the principal importers of cured fish at this port, and now, by Mr. Crampton's desire, I beg leave to submit to your Excellency the following points shewing the result of that enquiry.

1. All the parties questioned by me agreed in affirming that most of the Herrings received here from the British Provinces are at all times more or less spoiled, or in a poor condition on arrival, the majority being of opinion that this unsatisfactory condition of the fish is mainly attributable to the injudicious mode of curing them adopted, as they have been informed, in Newfoundland.—Several of these merchants, however, went further, declaring that they considered the Herrings themselves caught in the waters of British North America to be inferior in size and quality to those taken in the rivers Patapses and Chesapeake.

2. With reference to the injudicious process of curing complained of, those parties inform me that in the British Provinces the Herrings are salted in bulk within the holds of the vessels, and that it is impossible, under such circum-

stances, to turn them daily, and as very frequently those vessels are detained by adverse winds or tempestuous weather, the fish, on arrival, are in most instances found to be in a very poor condition. According to their statement, their system of curing the Herrings taken in their own rivers consists in the fish being thrown into moderately sized vats immediately on their capture, whereupon salt is sprinkled upon them, and they are then frequently turned during three days, salt being again applied to them on every such occasion, and at the expiration of those three days they are at once packed in barrels.

3. As regards the particular treatment of the cured Herrings in such manner as to insure their acceptance at the different ports of the United States, Messrs. Schurtz and Post, the Inspectors of Fish in this city, inform me that it may be assumed with tolerable certainty, that at all the ports south of Baltimore, the docked Herring, *i. e.*, without head and tail, is preferred, whilst in Northern markets, the Herrings are generally preferred entire. At Baltimore, they say, many people prefer the Herrings split and cleansed, and a general notion seems to prevail here that the roe of the Newfoundland Herring is unserviceable, whilst that of their own is of the finest quality.

I fear that the information I have the honour to submit to your Excellency under the foregoing three points may prove but insufficient; but it is all that I have been enabled to collect. Should your Excellency, however, desire to be furnished with further details respecting one or more of the points adverted to above, I shall use my best endeavours to obtain such additional information for immediate transmission to Newfoundland.

I have, &c.,

(Signed) HENRY GEORGE KEEPER,

H. M. Consul.

His Excellency the Governor of Newfoundland,

&c., &c., &c.

[COPY].

British Consulate, State of Virginia, U. S., Norfolk,  
December 17th, 1855.

SIR,—

Mr. Anthony Barclay, British Consul for the State of New York, having brought to my notice some correspondence which he has had with you upon the subject of the trimming and cure of Herring for the markets of the United States, and having been the first myself, I believe, to point out to the

Home Government how great a trade might be established between our Northern Colonies and the Southern States of the Union in fish, were our Colonial fish cured in such a way as to suit the Southern markets, I take the liberty of addressing you on the subject. I do so more particularly as the directions for curing, received by Mr. Barclay from the New York dealers and suited to that market, would render the fish unsaleable in the South. Since my return to Virginia, in order to be sure that the mode communicated by me to many masters of vessels from the North was in all respects suited to promote the object in view, I have made enquiries of the principal merchants here, in Richmond, and in Petersburg, and I subjoin the result.

A great proportion of the food of the Negroes on plantations consists of fish; but the planters require them to be cured in such a manner as to give the greatest portion of nutritive matter in the least bulk. The North Carolina mode, which with one sweep of the knife cuts off the head and takes away the entrails of the fish, is therefore that which alone suits the Southern Market.— But it is also required that the fish should be so cured that, being perfectly fresh when salted, no deterioration should take place, (or as little as possible) on their passage or after their arrival, in a Southern climate. Unfortunately our curers have not as yet taken due precautions in this respect; and I know of several instances in which whole cargoes have either been altogether spoiled, or placed at a very low grade by the Inspectors of the ports.

I have the honor to enclose an extract from a letter of one of the greatest merchants in Richmond, upon the necessity of promptly and thoroughly curing the fish; and I may remark, that on the complaint of the master of a Nova Scotia vessel to the effect that the Inspector of Richmond favoured his countrymen of North Carolina by giving a higher brand to their Herring, I went up to Richmond and compared the fish, when I found that I could pass my fingers through the Colonial fish, while the North Carolina fish were perfectly firm — This proceeding solely from the curing; the Colonial fish being of an infinitely finer quality previous to salting.

I beg to add to the extract from Messrs. Webb's letter in regard to the salting of the fish the concluding part of the same letter, which gives some account of the amount required in Richmond, and also makes an observation in regard to Mackarel, which may deserve the attention of the Colonists under your Government.

I may add that I shall not be in Virginia more than four or five months longer; but any thing I can do during that time to promote the commercial in-



terests of the British Colonies in their trade with those Southern States, shall never be neglected by

Sir,

Your most obedient, &c., &c.

(Signed) G. P. R. JAMES,

Consul.

To His Excellency C. H. Darling, Esq.,  
&c., &c., &c., St. John's.

*Extract from the Letter of Messrs. Webb & Son, dated Richmond, Va.,  
December 13th, 1855.*

These Herrings, *i. e.*, North Carolina herring, are cut or trimmed on the beach as soon as taken out of the water, while yet alive, and immediately put in large hogsheads of Pickle ready to receive them, where they remain ten or twelve days, and are then packed in barrels in dry salt—therefore it is all important that the fishermen in the British Provinces should cure and pack theirs in the same way, as, if put in vessels and carried to distant places to be packed, they are usually damaged before being put in barrel and soon spoil in warm climates. Our market requires annually about 20,000 barrels cut Herrings; and, as only about 5000 barrels are received from North Carolina we want some 15,000 barrels from the Provinces. If they are put up properly, cut herrings bring 1 dol. to 1½ dols. per barrel more than the gross or whole herrings.

This market requires considerable quantities of Nova Scotia, No. 3 Mackarel, the only kind saleable here—they should be put up in Pickle in the manner required for the Boston and New York markets, No. 1 cut herrings are now worth 5½ dols. No. 3 Mackarel (large medium size) 5½ dols.

[COPY].

Her Majesty's Consulate, Galveston,

November 20th, 1855.

SIR,—

With reference to a Despatch I have had the honor to receive from Her Majesty's Minister at Washington, instructing me to transmit to your Excellency such information as I could acquire relative to the modes of curing Herring and the requirements of this market necessary to secure its acceptance. I have to state, that at the ports within my Consular jurisdiction there is but a

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limited demand for this fish, and that such as are imported have been cured and packed at Lubec or Mount Desert, Maine. To make a comparison, therefore, between the Herrings cured in Newfoundland, of which I have no sample, and those cured in the United States, is not in my power. A knowledge of the method adopted by the curers in Newfoundland would be necessary for me to point out any peculiarity, should such exist, which might be considered an imperfection.

The Herring to which I have alluded as imported from Maine, are in size and flavor equal to those on the coast of Great Britain, and appear to have been cured in a similar manner. They are packed in small boxes and the head and tail of the fish are retained.

With the regret that the markets in this state do not permit me to transmit more particular information on this subject,

I have, &c.,

(Signed) ARTHUR T. LYNN,

H. B. M. Consul.

His Excellency the Governor of Newfoundland,  
&c., &c., &c.

[COPY.]

Downing Street,  
13th December, 1855.

SIR,—

With reference to my Despatch No. 3, of the 22nd November, I transmit to you the copy of a letter, with its enclosures, from the Foreign Office containing information relative to the most approved method of curing fish, which in consequence of your application to the British Minister at Washington, has been obtained from Her Majesty's Minister at the Hague. The suggestion of Her Majesty's Consul at Amsterdam with respect to engaging the services of some Dutch fishermen for the purpose of introducing their art of curing herrings into the British Possessions deserves your consideration.

I have, &c.,

(Signed) H. LABOUCHERE.

Governor Darling, &c., &c., &c.

[COPY].

Foreign Office,  
December 5th, 1855.

SIR,—

I am directed by the Earl of Clarendon to acquaint you, that in consequence of an application having been made to Her Majesty's Minister at Washington by the Governor of Newfoundland, for information respecting the method of curing herrings in the United States, Lord Clarendon instructed Her Majesty's Minister at the Hague to forward to this office such information as he could obtain upon this subject in Holland.

I am now to transmit to you for the information of Secretary Sir George Grey, copies of two Despatches which have been received from Sir R. Abercromby, in reply, and I am to request that you will state to Sir George Grey that, in accordance with the suggestion made by Her Majesty's Consul at Amsterdam, Lord Clarendon would recommend an endeavour being made to engage some Dutch fishermen for the purpose of introducing their art of curing Herrings into the British fisheries.

I am, &amp;c.,

(Signed) WOODHOUSE.

Herman Merivale, Esq., &amp;c., &amp;c.

[COPY].

The Hague, 23rd November, 1855.

MY LORD,—

I have the honor to acknowledge the receipt of your Lordship's Despatch, enclosing a copy of a letter from the Colonial Government of Newfoundland to Her Majesty's Minister in the United States of America, on the subject of the best mode of curing Herrings as employed in this country.

I have in consequence addressed instructions upon this question to Her Majesty's Consuls at Amsterdam and Rotterdam, copies of which I herewith enclose, together with the replies which I have received from those gentlemen.

I have, &amp;c.,

(Signed) R. ABERCROMBY.

The Earl of Clarendon, &amp;c., &amp;c., &amp;c.

[COPY.]

The Hague, November 19th and 20th, 1855.

SIR,—

I herewith transmit to you the copy of a Despatch addressed by the Colonial Government of Newfoundland to Her Majesty's Minister at Washington on the subject of the best mode of curing fish, particularly that employed for that branch of industry in this country.

Her Majesty's Government are desirous of obtaining upon this subject the most detailed and correct information that can be procured, and I have in consequence to direct your careful attention to the subject which the Colonial Government of Newfoundland have in view, as explained in the accompanying Despatch, and to request that you will with as little delay as is compatible with the full collection of the information required, report to me for the information of Her Majesty's Government the details respecting the most approved system of curing fish pursued at Rotterdam, Amsterdam, and at such other places as exist for that purpose within the jurisdiction of H. B. M. Consulate at that port.

I have, &amp;c.,

(Signed)

R. ABERCROMBY.

R. F. Turing, Esq.,

H. M. Vice-Consul, Rotterdam.

James Annerlay, Esq.,

H. M. Consul, Amsterdam.

[COPY.]

Rotterdam, November 19th, 1855.

SIR,—

I have the honor to acknowledge the receipt of your Excellency's Despatch of the 17th inst., transmitting copy of a Despatch addressed by the Colonial Government of Newfoundland to Her Majesty's Minister at Washington, on the subject of the best mode of curing Herrings, and desiring me to direct my attention to the object which the Colonial Government of Newfoundland have in view, and to report to your Excellency full information respecting the system of curing Herrings adopted in this country.

I have taken the necessary steps to obtain, if possible, the required infor-

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mation, but I may be permitted to state that the most jealous secrecy is observed in this country on the subject of the system of curing, &c.

I beg to return the copy of the Despatch above named, and have, &c.,

(Signed) R. F TURING.

Sir R. Abercromby, &c., &c.

(COPY)

Amsterdam, November 27th, 1855.

SIR,—

I have the honor to acknowledge the receipt of your Excellency's Despatch of yesterday's date, enclosing copy of a Despatch from the Governor of Newfoundland to Her Majesty's Minister in the United States, upon the subject of the Fisheries.

In compliance with your directions, I shall endeavour to obtain all the information I can upon the mode of curing and preparing the Herring of this country, and forthwith report it to your Excellency, I take it for granted that the fish alluded to by you must be cured Herrings, and not the smoked or salted fish, of which considerable quantities are exported to Foreign Countries.

If I am not mistaken there exists a strict secret as to the manner in which these Herrings are cured, and the operation taking place at sea, I have heard that the fishermen employed in the necessary preparations are solemnly sworn not to divulge the secret, I shall make however minute enquiry into these circumstances, and hope in a few days to lay the result before your Excellency.

I have the honor to return the copy of the Governor's letter to Mr. Crampton, having taken a copy of it, which, with your permission, I will place among my archives.

I have, &c.

(Signed) JAMES ANNERLAY.

(COPY)

The Hague, November 29th, 1855.

MY LORD,—

I have the honor to transmit herewith, for your Lordship's information, copy of a despatch which I have received from Her Majesty's Consul at Amsterdam with reference to the mode employed in this country of curing Herrings.

I am as yet without any positive information on this subject from Her Ma-

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jesty's Consul at Rotterdam, but as soon as I receive his report, I will immediately forward it to your Lordship.

I have, &c.,

(Signed)

R. ABERCROMBY.

The Earl of Clarendon, &c., &c., &c.

Amsterdam, November 24th, 1855.

SIR,—

With reference to your Excellency's Despatch of the 20th inst., in which you are pleased to direct me to forward to you for the information of Her Majesty's Government, a report upon the most approved method of curing fish at Amsterdam and other places within its jurisdiction, I have the honor to state that I have endeavoured to collect all the information I could upon this subject, and have consulted several persons whose position enables them to form a correct judgment, and I now venture to lay before you the result of my enquiries.

I find that in the month of May, 1854, a committee appointed by the Dutch Government had several meetings for the purpose of enquiring into and ameliorating the declining state of the Dutch Fisheries, and a report was drawn up by them, but as neither your Excellency's Despatch nor that of the Governor of Newfoundland refers to a statistical report of the fisheries here, I shall confine my observations to the mode adopted in the curing of fish in this country, the main object apparently in view.

In the first instance I beg to state that the proportion borne by North Holland in carrying on the trade in Herrings is very small in comparison with that of South Holland, the markets for the most part including Amsterdam being supplied by the Port of Vloardingén, to which the great majority of the boats belong. In a former communication to your Excellency, I stated that it was the general impression that the mode of preparing Herrings for the Dutch market was a secret. I now find that I have fallen into the common error, and there is neither mystery nor secrecy in the matter. The principal art seems to be in the fact that each fish is killed and not left to die from exhaustion, and immediately prepared, only a small quantity being taken at a time, preference is given to fish caught in deep waters over those taken near the shore. The exact proportion of salt made use of is difficult to ascertain, and upon this perhaps much may depend, but one fact is worthy of notice, that the best kind, indeed the only kind of salt made use of by the fishermen and curers, is the St. Ubes' Salt.

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The process takes place at sea when the Herrings are cured whole; and then packed in a peculiar way, subsequently delivered to the Venders just as they left the boat.

I have endeavoured to ascertain more ample details on this subject, but rests convinced that little is to be added to the simple facts I have had the honor to state.

The decided superiority of the Dutch cured Herrings over the British or Scotch, must arise from the peculiar knack of the Dutch fishermen, whose art may be but imperfectly known elsewhere, and I trust I may be pardoned in venturing to suggest that if a few of those curers could be induced to serve in the British Possessions, and their mode of curing adopted, the disparity in the quality of the prepared fish might soon cease to exist.

I have, &c.,

(Signed) JAMES ANNERLAY.

His Excellency Sir R. Abercromby, &c., &c.

[COPY.]

Downing Street,  
14th January, 1856.

SIR,—

With reference to my Despatch, No. 11, of the 13th ultimo, I transmit to you the copy of a further letter from the Foreign Office, enclosing a Report from Her Majesty's Vice-Consul at Rotterdam, detailing the mode of curing and packing Herrings in Holland.

I have, &c.,

(Signed) H. LABOUCHERE.

Governor Darling, &c., &c., &c.  
Newfoundland.

Foreign Office,  
January 10th, 1856.

SIR,—

With reference to my letter of the 5th ultimo, I am directed by the Earl of Clarendon to transmit to you to be laid before Mr. Secretary Labouchere, a copy of a further Despatch from H. M. Minister at the Hague, enclosing copies of a letter and report from H. M. Vice-Consul at Rotterdam, relative to the process by which Herrings are cured in Holland.

I am, &c.,

(Signed) WOODHOUSE.

Herman Merivale, Esq., &c., &c.

(COPY)

The Hague, 28th December, 1855.

MY LORD,—

With reference to your Lordship's Despatch, No. 51, of the 13th November, I have the honor to transmit copy of a letter from H. M. Vice-Consul at Rotterdam, together with a very detailed and clear report which he has drawn up relative to the manner of curing Herrings practised in this country.

I have, &amp;c.,

(Signed)

R. ABERCROMBY.

The Earl of Clarendon, K.G., &amp;c., &amp;c.

British Consulate, Rotterdam,

24th December, 1855.

In compliance with the instructions contained in your Excellency's Despatch of the 17th ultimo, I have the honor by the present to transmit for the information of the Colonial Government of Newfoundland, a report on the Herring Fisheries of Holland, detailing the mode of curing and packing the fish, and the existing regulations respecting the survey of the same, on its arrival in this country.

I beg leave to observe, that I have procured the information contained in the enclosed report from official publications, works, and private sources, on which I can place perfect reliance, and I trust therefore, that I have fulfilled your Excellency's wishes in this matter.

I have, &amp;c.

(Signed)

R. F. TURING.

His Excellency Sir R. Abercromby, K.C.B.

## REPORT ON THE HERRING FISHERIES OF HOLLAND.

The enquiry proceeding from the Colonial Government of Newfoundland with respect to curing fish, seems to be in an especial degree referable to Herrings, on which account I have endeavoured to procure the most correct information on that particular topic from sources on which I can place the most reliance.



Having, in common with the prevailing opinion, entertained the belief that the Dutch mode of curing Herrings was more or less a mystery known only to a few, and maintained with the most scrupulous jealousy, as well by the Netherland Government as by those immediately engaged in the National Fisheries,—I have acquired the conviction that such is far from being the case and that the Dutch mode of curing Herrings is now as well understood by the Scotch Herring Curers as by the Dutch themselves.

That for a length of time, the Dutch did maintain and lead the world to suppose that the curing was only known to themselves, is unquestionably true, but the delusion has been gradually dispelled, nor can any one be more anxious than the Dutch Government of the present day is, to aid in removing from the mind of the Nation, all obsolete and erroneous traditions regarding the fisheries. So much in earnest is the Netherland Government on this point, that a project has been submitted and is now under deliberation, before the Legislative Chambers, to revise the existing fishery Laws with a view to assimilate them to the principle of unrestricted Commerce, as well by the abolition of old enactments tending to maintain a baneful monopoly at home, as by the free admission of Foreign fish into the Dutch markets at a moderate duty, and a new law will ere long be adopted based on the avowed principle of free and unrestricted commerce.

Although the pamphlet above alluded to, would appear to embrace full information on every point connected with the Dutch process, I nevertheless consider it incumbent on me to furnish the information I have had it in my power to collect on the same topic, and other matters connected with the Herring Fishery, from practical sources, and beg to transmit the following statements, shewing “*The mode of Curing,*” “*The mode of Packing,*” and “*The Regulations for the survey of Cured Herrings.*”

### 1.—*Mode of Curing Herrings.*

The Herring, after having been caught off the coast of Scotland, or the Shetland Isles, is gutted and cured on board of the fishing vessels, and the whole catch must have been cleaned and salted within 24 hours after the nets have been hauled in.

The gutting is accomplished by holding the fish in the left hand, with the belly uppermost, and by introducing a knife under the cheek by means of which a slight incision is made, through which the gills and part of the guts are extracted, leaving the head, the fins and the tail untouched. In this state the fish is laid into salt, at the rate of one-fourth of salt to three-fourths of the

*APPENDIX, No. 12.*

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weight of Herrings, and the law provides that four tons of salt shall be used to every Last of fish. The fish so cured is divided into three assortments, known in the trade, as 1st, full Herrings, being fish full of roe, which keeps well, and is the most suitable for export; when near the time of spawning this kind, salted either with refined or with raw salt is divided into two kinds, known as raw salt or as small salt Herring, the latter of which kind is most palatable to the taste.

2d, Measure Herring, being without roe or milt, but very fat, and though tasty does not keep, and 3rd, Yr. or light Herring, being without either roe, milt or fat, but which, nevertheless, keeps well.

The salt used is St. Ubes or Lisbon salt, other descriptions having been found unsuitable or less appropriate.

*2.—Of the Packing of Herrings.*

The largest casks used for packing the fish while on board of the vessels, must hold 160 Netherland pounds, or about 353 pounds English, and the smaller sized respectively 80lbs., 40lbs., 20lbs., Netherland, or 176, 88, 44, English pounds. The size of the Herring varies so much that a cask holding 160lbs. Netherland, may contain 500 up to 1000 Herrings.

Two or three days after the first filling on board, the casks are again opened, and filled up to the brim and so brought to market.

Each of the three chief kinds of cured Herrings mentioned above, as well as the Roe sick, must be carefully separated and assorted, and laid into the casks, namely, Full Herring with Full, Measure Herring with Measure Herring, Yr. or Light with Light, and Roe sick with Roe sick; but each sort must be laid into the casks without delay, and without using flour or any other ingredient. The fish which may have fallen out of the nets, or have remained over a night, may not be cured, but must be thrown into the sea.

The Chief Officer is bound to take especial care that the cured fish be laid down in equal rows of four together in length, crossways, and with the back downwards; the fish may not be thrown in carelessly, but only in accordance with the above rules, which the Chief Officer must attend to, under a penalty in case of neglect, besides compensation to the owners of the Ship or the Buyers of the Herring, having nevertheless recourse against the Packer, provided he shall betimes have duly remonstrated against his mode of packing.

Before the 21st July no kind of Herring may be salted, excepting with raw

or unrefined salt, but of the Herring caught after the 21st July the full kind alone may, if preferred, be salted with fine or refined salt. The casks must be duly marked with distinguishing marks; those containing fish caught from 21st to 25th July up to 24th August with J, and those with fish caught from 25th August to 14th September, with B, and after that period with X.

The cases before landing must be marked outside with the number of the ship, in the middle, between the centre hoops.

The Chief Officer is bound on the arrival of the ship at the port of discharge, to declare on oath, the quantity of each sort of Herring separately, of which declaration he is furnished with a certificate to be exhibited to the Collector of Customs, for the payment of duty, and to the Surveying Officer for the subsequent survey.

### 3.—Of the Survey.

The salted Herrings must immediately after arrival at the port of discharge, be surveyed by the officer appointed for that purpose, on production of the certificate alluded to above, and the survey must be made before the Herring can be brought or housed or removed from one place to another.

Four casks taken at random by the packer must first be surveyed, in order to prove that the fish has been properly assorted and packed; if one or more of such casks be found to be insufficiently packed, more casks, of the same mark must be inspected, of which notice has to be given to the Water Bailiff, and to the Book-keeper of the ship, for the purpose of regulating the fine.

Whenever the Herring is found to have been not properly assorted or packed, or salted, and for those reasons rejected, the loss must be recovered from the packers in diminution of wages.

Immediately after the survey, the Surveying Officer must have the casks separately laid away, each containing Herrings of one and the same kind. Before the surveyed Herrings be sold, or removed from the port of arrival, the officers must brand on the body of the casks, the name of the place and year, and if the surveyed Herring be re-packed either at that place or elsewhere, the name of the province and the year of arrival must be branded in addition to the first year.

The first survey will remain of value between seller and buyer fourteen days, after which it will have to be renewed at the option of the buyer, and no Herring may be sold excepting upon said survey.

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The re-packing can only be done in public, by persons specially appointed for that work.

All Herring intended for export, must be surveyed for the second time, and the large casks be coopered with at least 16 ordinary hoops.

Re-packed Herring may not be mixed, but must be all of the same kind.— After re-packing each cask intended for export must be branded, to show the kind of Herring, with special marks designated by law, and may then be removed without being subjected to other brands or survey.

As soon as new Herring arrives, every cask containing Herring of a former year, must be branded with the words "Old Herring," and any one selling old Herring for new will be punishable according to law. The mark of every Dealer must be scraped or branded on the casks intended for export, which mark must be made known to the Local Magistrates at the Dealer's place of residence.

Every Dealer in Herring must have in his service a sworn layer, in no degree related to him, and no one except qualified packers or layers are allowed to pack or lay Herring for export, whether for our own account or for that of others.

A simple mode to acquire practical knowledge of the process of curing Herrings, would be to take Dutch Fishermen into service, but according to the existing laws, Fishermen being natives of this country are prohibited from taking service abroad under a penalty, if they should be apprehended, of six months imprisonment. It is not impossible however, that under the prevailing inclination to emancipate the fisheries from trammels, the Dutch Government might be prevailed upon to rescind the old law, which dates from the 12th March 1818, and having never been repealed remains still in force.

In conclusion, I think it right to observe, that the superior quality of the Dutch Herring is considered to be attributable, in an essential degree, to the system of survey detailed above, and that under that impression, it is the intention of the Government to adhere to the same system in the new law about to be adopted, although in other respects not strictly compatible with the perfect freedom which that law advocates; the survey is, however, not as hitherto, to be compulsory, but optional.

(Signed)

**R. F. TURING.**

**H. B. M. Vice-Consul.**

British Consulate, Rotterdam,  
24th December, 1855.

## APPENDIX, No. 13.

*Remarks on the Herring Fishery by Mr. Michael Carroll.*

Up to the present date many and various were the opinions given, both written and verbal, as to the best possible mode of preserving the Spring, Summer and Fall Herring that resort to this Island.

Having been a resident of the North part of this Island for a number of years, having visited the Labrador, and spent the last two Summers on the Westward Coast, in the several places which I visited I always endeavoured to make myself thoroughly acquainted with the best and surest way of saving Herrings, so as to make them a good and profitable article of Trade.

As soon as the Ice moves off the shore in the different Northern Bays, in Spring, the Herring are sure to strike in to spawn, and however strange it may appear, it is not the less true they will always visit the same harbor, cove or creek, each season to spawn, and very nearly on the same day. If not prevented by Ice when spawning time arrives, the Herring will swarm to the beach, always selecting a sandy one for such purpose, where they can be taken in seines, herring nets, cast or dip nets, in large quantities, so numerous are they in spawning time.

Herring taken in the spring, all round the Island, are very poor but generally of the same size. Herring taken in seines are deprived of the silvery scales that make them look so beautifully bright, which is caused by the quantity enclosed in the seines pressing and rubbing one against another, and thereby beating off the scales, and giving the fish a dark blue appearance; and upon examination it will be found that the back bone of all Herring taken in seines are broken in several parts, in consequence of which the inside of the Herring is of a dark bloody character, which of course is caused by the Herring endeavouring to extricate itself, consequently before being removed from the seine they are in an injured state.

Herring taken in nets are far superior, as they are not deprived of their silvery coat, and by no means injured inside; and not only that, but Herring taken in nets will stand good longer without salt than those taken in seines, for this reason; Herring taken in seines being deprived of their scales, the wind and sun will act on them and make them putrid much quicker than those taken out of nets, as the scales being so closely connected all over the fish they act as a cloak so that the weather cannot so soon injure the fish. The difference is,

that those taken out of a seine, if not under salt, in four hours will be of little value, when those taken out of nets at the same time will not be injured in eight hours. From observation I believe there is no fish that visit this country so liable to be injured by being exposed to the atmosphere, as Herring and Lance. There is no wind that will injure fish of any kind more than South West ; indeed fish will injure more with a South West wind, and no sun, than with a North West wind and sun. The weather has great effect on fish, and particularly on Herring ; and persons engaged in the Herring fishery ought to pay particular attention to it.

I was often astonished to see the careless manner in which Herring are handled, firstly by the catcher, and secondly by the purchaser. A quantity are taken in seines, out of which they are removed and put in boats, and brought alongside of the vessel and there placed on the deck ; a quantity of salt is shovelled over them, after which they are shovelled down into the hold of the craft until the catcher obtains the quantity required. If it is a winter fishery, very little salt is used ; if a spring fishery, it requires more. All the Herring catchers care about is that the fish receive enough of salt, so that they will stand good until arrival at St. John's.

The purchasers examine the Herring, which appear sweet and in good order after which a landing takes place [state of the weather not taken into account.] Some catchers remove the gills, &c. before salting, and some do not. Those taken in the spring and summer are generally gibbed before salting ; those taken in the winter are not very often gibbed. If the gills, &c., are not removed, men and boys are employed for such purpose. They are placed in different lots, a barrel in each lot, on the wharf, and a quantity of water thrown on them to make them look clean ; after which packing commences. From the time Herring are first landed from on board the vessel, until they are barrelled, they are often left exposed to a burning sun, the effect of which is that they are actually putrid before they are under pickle, and to add to its injury, the barrels are left on the wharves exposed to the sun until the pickle becomes luke-warm ; after a continuous filling up and making good the leakage of the casks, they are shipped, and when they arrive at the port shipped for, such Herring are declared of no value, and in many instances not allowed to be landed, but thrown overboard or sent back, as the case may be, which of course annoys the shipper, knowing that he himself examined the fish in the first place and also had them carefully examined, inspected and branded, and all done under the Inspector's eye, and after all turns out of no value, notwithstanding the heavy expense incurred by the shipment.

The cause of the loss complained of is easily accounted for, viz :—Herring as well as all other fish that are intended to be preserved by salting, should be so treated as to receive a full due of salt at once, so that the fish should be full struck. If fish be half salted at one time, and left in that state for four days, such fish cannot be preserved for any length of time ; no matter what quantity of salt may be used about them afterwards, the fish will receive no benefit from a second salting, the preserving by salt must be accomplished by the first salting.

Herring half salted or corned, as it is termed, and then put in the hold of the vessel, and not exposed to the force and effect of the weather, will look good and sweat, and if used at once will answer very well ; but such Herring left exposed to the sun and wind for a few hours will be rendered worthless, no matter what care and attention may be given to them afterwards.

Persons intending to prosecute the Spring, Summer or Winter Herring Fishery, in vessels, ought, in the first place to provide themselves with Vats, the boards used for building the same to be of sufficient thickness to caulk, and so made that such Vats should be in compartments, so as to contain from five to twenty barrels each. The object is, that one day's catch would not be mixed with another. For some days five barrels may be taken, and some days one hundred ; and such Vats to be placed in the hold of the vessel until her arrival at the Herring station, and there united together and properly arranged along the deck, and to be furnished with tight covers. As soon as the Vats are erected, caulked and covered, let them be filled with strong pickle, so that when the Herring is brought alongside, in place of putting them on deck, exposed to the weather, let them be deposited at once in the Pickle, and there left until properly struck, which can be easily ascertained by the stiffness of the Herring. The best and surest way to test the Pickle is to fill a small woollen bag with large salt, and deposit it in the Pickle for fifteen minutes, and if the Pickle is sufficiently strong to put the Herring in, the salt in the bag will not dissolve ; the floating of a Herring or potatoe in Pickle is not a good proof, as its value as a test depends on the specific gravity of either, which greatly varies. The time allowed for Herring to remain in pickle must be regulated by the state of the weather ; if the weather is warm, three days will be quite sufficient ; and if circumstances prevent the packing the Herring out of the Vats into the barrels, after the term of three days, to prevent them from mouldering, owing to the warm state of the pickle, one-third of it should be drawn off and fresh pickle added. By drawing off one-third of the pickle, as stated, you can with perfect safety allow the Herring to remain in the Vats.

until you can attend to the barreling of them. Above all, Herring catchers ought to take the herring barrels with them, so that the Herring would be secured after being removed from the Vats. If desirable that they should be gibbed, &c., before barreling, it can be performed, and the Herring will receive no injury, as such work can be performed in a short time, and all can be accomplished at a period when no other work can be attended to. Some are of opinion that large salt is best for re-packing or packing, as the case may be. From experience, I hold with fine salt, as it will dissolve much quicker than large; and it cannot be denied the sooner the Herring are under salt or pickle, the better. By depositing them at once into Pickle, such scales as adhere to the fish cannot easily be removed: which will make them look bright and good, but from fish placed on the deck of a vessel and shovelled about, the scales are entirely removed, which makes them appear dark and bad.

It ought to be the consideration of all persons embarked in the fishery to see that the herring barrels are of a strong description. I have always considered that much of the loss sustained by shipments of Herring arose from the inferiority of the herring barrels; to wit, staves and heading slight and full of knot holes, hoops not strong enough for water buckets. Where such barrels are shipped in any quantity, they are not sufficiently strong to bear up the weight of each other; and no matter how tight they appear to be when shipped, should the ship they are put on board of encounter heavy weather, little or no pickle will be left in the barrel. The question is often asked, how is it that Labrador Herring are generally good? for this reason—Labrador Herring are packed in strong pork barrels or puncheons that will hold the pickle; no matter what pressure they undergo or what weather they encounter, the cask will not leak. The good or bad quality of Herring depends much on the strength of the barrel they are packed in, as well as the care taken of them after being barrelled. The usual way is to have the cask bored in the bilge for pickling. It would be much better to have the hole for pickling in the head of each cask, for this reason—if the hole is in the bilge, you cannot see if the cask leaks without taking out the bung; and if the Herring oil, or grease, rise from the fish, it remains in the cask to the great injury of the Herring, for it will be sure to turn them rusty, and of course injure them. If the hole be made in the head of the cask, and as the cask is always filled to the rim with pickle, therefore, should the cask leak, and as the barrels are always arranged head up, such casks as leak are easily detected; and such oil or grease as may rise from the Herring is sure to be on the top of the barrel, which of course will be removed. Again: no purchaser or dealer in Herring ought to allow them to remain exposed to the weather; all should be carefully stored when



branded, and so arranged that if kept in store over fourteen days, the pickle should be drawn off each barrel down to the first quarter hoop, and fresh pickle added to replace what was drawn off, and by no means to allow the casks to remain in one position. The position of each cask should be altered when re-pickled, every fourteenth day at least. The benefit that the Herring thus receive is obvious, since much of the strength of the pickle settles down on the bottom of the cask. As a case in point, let a puncheon be filled with fresh split cod-fish, which puncheon will contain about three and a half quintals of fish, when made and in order for shipping. Persons who pickle cod-fish in puncheons, never put salt on the three first lines placed in the bottom of the puncheon, and very little on the fourth line; as they fill up the cask, they increase the quantity on each line of the fish, and on the top fish, better than one half of an inch is put on it. Notwithstanding which, the top fish are often light salted, and the bottom fish in the puncheon, are salt-burned, and often must be watered before being exposed to the sun for making.

Before entering into a Herring voyage, the catcher ought to understand what quantity is required, and how to have them cured, to answer the market such Herring are intended for, and if possible, a price entered into between the supplier and the supplied. If Herring are required to be gibbed, &c., of course the price will be greater than if not so required; and as it appears that some considerable quantity are now shipped that are not gibbed, and answer very well, I feel convinced that Herring placed in pickle at once will never injure by leaving them as taken out of the water: on the contrary, such Herring will look plump and good; for if the pickle be sufficiently strong to save the fishy part of the Herring, it will also be sufficiently strong to save the entrails, &c.

Herring required for warm climates should be dry salted, and persons instructed to procure such Herring, would not err by curing them in the following manner. After the Herring is properly struck in the vats, such Herring to be taken out of the vats on a cool drying day and left on the deck of the craft, so that the pickle should drain off. A pound should be made in the hold of the vessel, that would contain the quantity required, and the Herring carefully placed in bulk, back up, as much depends upon the time it will take before delivery from the vessel; and if salt be required to be strewed over them, fearing they might injure, such salt should be of the largest description and perfectly dry, as the main object is, to have them in the first place well saved; and secondly, all moisture dried up before placed in barrels, as dry-salted Herring. All should be removed as quickly as possible from the vessel, and if they ap-

## APPENDIX, No. 13.

pear in a dry state, let them be barrell'd at once, and if found in a wet state they should be carefully packed in bulk in the store, back up, until perfectly dry and fit for barrelling; and care should be taken that the salt required for such Herring should be well dried and of the largest kind, and the cask should be made perfectly air tight. Herring so made up may be considered well cured, dry salted Herring. And such fish will stand any climate for a reasonable period.

Many opinions are given as regards the Inspection of Herring; I believe it is pretty well understood that the present mode of Inspecting Herring is a bad one. Some seem to say that the introduction of a Colonial Act authorizing the Collector of Her Majesty's Customs to appoint Inspectors to be made independent of the exporters; such Inspectors to be paid out of the Revenue of the Colony, and that the exporters should pay to said Collector so much per barrel for each barrel inspected and branded. Such an Act if put into operation would not remedy the evil complained of. My opinion is that no Colonial Act that could be introduced would answer as well as to leave the management of them to those whose interest it is to have them properly made up. Why have Inspectors for Salmon and Herring and Cod-fish, and no Inspectors for Oil and Skins, and no Inspectors for fish shipped to Brazils and West Indies in casks? See what care and attention is bestowed on these packages and how particular the shipper is to have his own name branded on each package. If Herring and Salmon were left to the shipper's own arrangement, I feel perfectly convinced very little would be heard about Herring of an inferior quality being shipped out of the country. Indeed the only way a Colonial Act would be beneficial is that all Herring shipped out of the Island, and not branded with the owner's name, should be liable to a fine, and that no Herring or Salmon should be cleared out of the Custom House that had not in full the name of the owner branded on it. When in Burgeo and LaPoile, I observed that all packages bore the name of the shippers, and of course due care and attention were taken that no article of fish was made up that would not add to the character of the establishment from which such articles were shipped. At present the merchant blames the Inspectors and the Inspectors blame the merchant, so between them both the Herring of the Country has got a bad name; Herring, that if properly handled, are not inferior as to richness of flavour, &c. to those imported as a sample, but indeed far superior.

It is a well known fact that if the Herring fishery of this country was carried on with due care and attention, it would be the means of giving lucrative employment to thousands of the people, and be the means of enabling them to pro-

cure the common necessities of life, which I regret to say many a worthy family are this day destitute of.

The great and wise policy of the people of Newfoundland ought to be to unite hand in hand and prove with reckoning effect what can be done to improve the condition of the people, who are one and all anxious and willing to step forward to improve their respective conditions in life.

My sole end and aim in writing this article, is to endeavour, in an humble way, to throw out such suggestions as appear to me, if acted upon, would make the Herring fishery of this country a valuable consideration to those who should embark their capital in the prosecution of it, and be the means of giving employment to thousands of men, women and children all over the Island.

MICHAEL CARROLL.

St. John's, April, 1856.

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APPENDIX, No. 14.

ACT

*Of the President of the United States, declaring the provisions of the Treaty between Great Britain and the United States, to be in force as respects Newfoundland.*

Washington, December 18, 1855.

SIR,—

I have the honor to transmit to you the copy of a Note which I have received from the Secretary of State of the United States, together with a copy of the Act of the President therein enclosed, by which the Articles enumerated in the Reciprocity Treaty of the 5th June, 1854, are admitted to entry in the United States from Newfoundland, free of duty.

I have the honor to be, Sir,

Your Excellency's most obedient,

Humble Servant,

JOHN F. CRAMPTON.

His Excellency C. H. Darling, Esq.,  
&c., &c., &c.

[COPY].

Department of State,  
Washington, December 17, 1855.

SIR,—

Referring to your Note of the 8th Instant, enclosing the Copy of a Proclamation issued by His Excellency the Governor of Newfoundland, on the 14th ultimo, declaring that the provisions and stipulations of the Treaty between the United States and Great Britain, of the 5th of June, 1854, extend to that Colony, I now have the honor to transmit to you a copy of the Act of the President, by which the Articles enumerated in the Treaty referred to are admitted to entry in this Country free of duty.

I avail myself, &amp;c.,

(Signed)

W. L. MARCY.

J. F. Crampton, Esq., &amp;c., &amp;c., &amp;c.

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*By the President of the United States of America.*

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## A PROCLAMATION.

Whereas, by the second section of an Act of the Congress of the United States, approved the Fifth day of August, One Thousand Eight Hundred and Fifty Four, entitled "An Act to carry into effect a Treaty between the United States and Great Britain, signed on the Fifth day of June, Eighteen Hundred and Fifty Four," it is provided that whenever the Island of Newfoundland shall give its consent to the application of the stipulations and provisions of the said Treaty to that Province, and the Legislature thereof and the Imperial Parliament shall pass the necessary laws for that purpose, grain, flour, and breadstuffs of all kinds; animals of all kinds; fresh, smoked, and salted meats; cotton wool, seeds and vegetables; undried fruits; dried fruits; fish of all kinds; products of fish and all other creatures living in the water; poultry; eggs; hides; furs, skins, or tails undressed; stone or marble in its crude or unwrought state; slate; butter, cheese, tallow; lard; horns; manures; ores of metals of all kinds; coal; pitch, tar, turpentine; ashes; timber and lumber of all kinds, round, hewed, and sawed, unmanufactured in whole or in part; fire wood, plants, shrubs, and trees; pelts; wool; fish oil; rice; broom corn and bark; gypsum, ground or unground; hewn or wrought or unwrought burr or grindstones; dye-stuffs; flax, hemp, and tow, unmanufactured; unmanufactured

*APPENDIX, No. 14.*

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tobacco; and rags, shall be admitted free of duty from that Province into the United States from and after the date of a Proclamation by the President of the United States declaring that he has satisfactory evidence that the said Province has consented, in a due and proper manner, to have the provisions of the Treaty extended to it, and to allow the United States the full benefits of all the stipulations therein contained :

And whereas I have satisfactory evidence that the Province of Newfoundland has consented, in a due and proper manner, to have the provisions of the aforesaid Treaty extended to it, and to allow the United States the full benefits of all the stipulations therein contained, so far as they are applicable to that Province :

Now, therefore, I, Franklin Pierce, President of the United States of America, do hereby declare and proclaim that, from this date, the Articles enumerated in the preamble of this Proclamation, being the growth and produce of the British North American Colonies, shall be admitted from the aforesaid Province of Newfoundland into the United States free of duty, so long as the aforesaid Treaty shall remain in force.

In testimony whereof, I have hereunto set my hand and caused the Seal of the United States to be affixed to these presents.

Done at the city of Washington, the Twelfth day of December, in the  
[L. S.] Year of Our Lord One Thousand Eight Hundred and Fifty-five,  
and of the Independence of the United States the Eightieth.

**FRANKLIN PIERCE.**

By the President :

**W. L. Marcy, Secretary of State.**

## APPENDIX, No. 15.

## DESPATCH

*From the President Administering the Government of Montserrat, dated 16th July, 1855, to His Excellency the Governor, on the subject of Free Trade between that Island and the British North American Provinces.*

Government House,  
Montserrat, 16th July, 1855.

SIR,—

Having, in the early part of this year, on my assumption of the Office of President Administering this Government, found a communication addressed in November last to the Colonial Secretary of the Island, from a Committee appointed by the Legislature of Canada, having for its object the establishment of reciprocity of Trade between that Province and the several West India Islands, and being fully convinced that the true interests of Montserrat were alone to be looked for in the direction of the most unrestricted freedom of exchange with the more wealthy and more populous Dependencies of the Crown, I lost no time in bringing the subject under the consideration of the Legislature of the Island.

In my Message recommending a measure framed on those principles, I urged on them the policy of at once taking the initiative as far as Free Trade is concerned, not only with Canada, but with the other British North American Possessions, and passing a Bill for removing not only all duties on vessels that may arrive here for the purposes of Trade from those Provinces, but also all duties on the produce of those Countries imported in such vessels.

These recommendations, I am happy to acquaint Your Excellency, received the unanimous concurrence of both Branches of the Legislature, and Bills have been passed, and with the sanction of the Governor in Chief assented to by me, for giving effect to the establishment of unrestricted Trade between this Island and the whole of the British Possessions in North America.

The Act relieving all Vessels arriving at this port from the payment of Tonnage dues, is now in operation; and the other Act, abolishing all duties on articles of the growth, produce, or manufacture of the British North American Possessions, has been forwarded to the Governor in Chief, for the purpose of being transmitted to the Imperial Government, there to await the assent of Her Majesty before it can come into operation, as owing to a Loan from the Imperial Treasury being charged on the Revenues of the Island, it was necessary to insert a suspending clause in the enactment.

*APPENDIX, No. 15.*

As soon, however, as the assent of Her Majesty has been notified to the Executive here, I will do myself the honor of transmitting a copy of the Act to Your Excellency, with a request that the same may be communicated to that portion of the mereantile community in Newfoundland who are engaged in the West India Trade.

I have, &c.,

(Signed) EDWARD E. RUSHWORTH.

His Excellency Charles H. Darling, Esq.

&c., &c., &c.

*APPENDIX, No. 16.***POST MASTER GENERAL'S**

*Special Report on the Local Postal Arrangements of this Colony.*

Post Office Department,

St. John's, 26th July, 1855.

SIR,—

In compliance with the request contained in your letter of the 9th inst., I have now the honor of placing before you for His Excellency the Governor's information, a special Report upon the Local Postal arrangements of this Colony, with a detailed statement of the various Routes, Couriers, Post Offices, and Way Offices, with the amount of salaries and expenses of transit, &c.

These statements I regret do not shew the evidence of a satisfactory progress in our Postal system, and which may be attributed to the isolated position of the population of this Island, and the absence of Roads or other means whereby communication may be facilitated. Were this not the case, I would strongly recommend the abolishing of such Offices as do not yield at least one-third of the expense necessary for their support; but under the peculiar circumstances to which I have referred, I am of opinion that very grave considerations should induce the withdrawal from any Town or District, of the benefits that flow from Postal communications, where Posts have already been established, because the Revenue derivable from a particular locality may be unremunerative.

The result of a well defined Postal system must operate beneficially to this community, but particularly so to those resident in the extern, where intelli-

gence can only be looked for through Postal channels. Thus the establishment assumes in this country one of the highest importance, as regards the dissemination of knowledge amongst all classes.

“There is, perhaps, no Department of Government the business of which, if duly recorded, will furnish more striking evidence of the prosperity and progress of the country than the Post office; whether as regards the increase of the general wealth, the improved education and intelligence of the people, or the striving industry and energy” by which they may be actuated.

Much has been said upon the imperfection of the present Postal system; but if it be remembered that as late as 1852, the first establishment of Local Posts was formed, at which period there were created simultaneously, fifteen Post-offices, seven Way-offices, in addition to the formation of eighteen Post routes, and the appointment of fifteen Post Masters, and seven Way Officers, eighteen Contractors, and eighteen Couriers, the whole of whom were as matter of course quite ignorant of the duties devolving upon them, that the question arises how such an extended system could so far be perfected, that the present arrangements should call for so little revision as is now contemplated.

The alterations hereinafter suggested for His Excellency’s consideration, I am of opinion are all that are at present necessary to be made.

I may remark that a portion of the Members of the House of Assembly have made the subject of Postal reform a very prominent feature in their late addresses to their several constituents, and from whom I may expect to receive some useful information when a cessation from their public duties will permit.

Few causes of complaint upon the irregularity of the transmission of correspondence through any of the Offices have been brought under my observation, and those have related, mostly, to Newspapers.

A Carbonear correspondent complained in the *Express* Newspaper, of the irregularity of the Post in the transmission of that paper. The Editor some time afterwards stated that the fault did not originate in the Post-office.

Several Placentia correspondents also, similarly complained in the *Newfoundlander* Newspaper. In those instances also, the Offices through which the papers passed, were relieved from false imputation.

Missing or late correspondence, arising from whatever cause, is generally attributed to the Post-office. To illustrate this point more fully, I subjoin the following extract from a very elaborate Report of the Imperial Post Master



General (Viscount Canning) 10r 1855, addressed to the Right Hon. the Lords of Her Majesty's Treasury, on the Post-office.

“ I must add, too, that whilst it cannot be denied that trouble and loss are too often inflicted upon individuals through the carelessness or dishonesty of some of the twenty-one thousand servants of the Post-office, yet the instances are not few in which it has been shown to the satisfaction of the complainants that the fault attributable at first sight, and perhaps naturally, to the Post-office rested really in other quarters.

“ The Publisher of one of the London papers complained of the repeated loss in the Post-office of copies of his Journal addressed to persons abroad.— An investigation showed that the abstraction was made by the Publisher's Clerks,” &c. “ In another case a general complaint having arisen as to the number of Newspapers sent to the Chief Office in St. Martin's, LeGrand, the investigation led to the discovery of a regular mart held near the office, and supplied with Newspapers by the private messengers employed to carry them to the Post.”

Some further examples were given proving the unjustifiableness of the charges made against the London Office.

Complaints of various kinds must naturally be looked for in a department that comes into such daily contact with the public, and as the correctness of its details materially affect the well-being of society, the public naturally look with watchful eye upon all its arrangements.

For a series of years the public have complained, and very justly, of the faulty arrangements and want of accommodation of the Post-office in this town. In my Reports of preceding years, I therein pointed out the great difficulty of conducting the business in so contracted a space, and the inconvenience suffered by the Officers of the Department from this cause ; but nothing, I regret to say, has yet been effected, in affording these increased facilities which the public have a right to expect.

The services of the Post-office being one that requires efficient means for a well-conducted and well-regulated Postal system, I rest under the hope that the department will be speedily relieved from the difficulties under which it labours in this particular.

Alterations or changes in the Post-office department are of so intricate and important a character, and where there are so many conflicting opinions and in-

terests involved, that I feel great delicacy in offering an opinion on the matter ; I would, therefore, take the liberty of respectfully suggesting that a permanent Postal Committee be appointed by His Excellency to report upon the general Postal arrangements of the Colony, and of their recommending from time to time, such measures as they may deem beneficial. I would further beg to suggest that the Committee be composed of three persons in conjunction with myself, and invested with authority to correct all minor details connected with the establishment, when it may be found expedient so to do.

In the meantime I have the honor to submit for His Excellency's consideration, the subjoined Tabular Reports. Number one shewing the Revenue derived from those Offices at present established, the amount of correspondence passing through them, with the stipend allowed to each officer who is placed over their control, and from which statement a correct opinion may be formed of such Offices as may be dispensed with.

I further beg to submit the following suggestions and alterations, which after due consideration, I am of opinion may be acted upon with advantage, and by which public convenience would be greatly promoted.

First.—The immediate introduction of Imperial, Provincial and Local Postal Stamps. The former to be of the value respectively of one penny and sixpence. The Provincial of the value of fourpence, sixpence half-penny, and one shilling, and the Local of the value of threepence.

Secondly.—That authority be given for the registration of letters, and that an extra charge of sixpence be made on each letter for such registration.

Thirdly.—The introduction of the money order system, would also be a great boon to those persons wishing to transmit small sums through the Post-office to their friends in Great Britain. I have been in communication with the Post Master General of Halifax upon the subject, who has informed me that no arrangement has yet been made, either in Nova Scotia, New Brunswick, or Canada, for its introduction into those Provinces, and that he was therefore for the present unable to give any information on the subject.

Fourthly.—As great irregularity has existed in the transmission of the Western Mails, which has been the cause of frequent complaint, both by the inhabitants of Placentia, Burin, and Harbor Breton, I beg to recommend that the service between St. John's and Placentia, be carried out by one Contractor instead of two as at present. By this arrangement the present difficulty would be overcome in the delay which not unfrequently occurs at Salmonier by the

St. John's and Placentia Couriers being out of time on their arrival at that place with the Western and the return Mails for St. John's, arising on some occasions from the non-arrival of the Halifax Mail-boat in due course, the badness of the roads in winter, and other causes, by which circumstances those Mails remain at the Salmonier Way-office, until opportunity offers for forwarding them, when they are sent to destination at an extra expense.

In support of this change I beg to annex copies of two addresses sent to me upon this subject, one signed by R.F. Sweatman and others, and the second by George LeMessurier and others. I am also of opinion that a change might be advantageously made in the Mail Line between Burin and Harbor Breton; at present the Mails are conveyed from Burin by messenger to Garnish, and thence by boat to Harbor Breton.

The line of route that I have now the honor of recommending is, with little alteration, that already proposed in my letter of the 15th of September, 1852, addressed to the late Colonial Secretary the Hon. James Crowdy, viz., that the Mails for Harbor Breton be forwarded *via* St. Lawrence, Lawn, Lamaline, Fortune, and Grand Bank.

The route would also open a communication between this place and St. Peter's, for which town numerous letters arrive here from Foreign Parts, and which could be forwarded from Grand Bank or Lamaline, either of which places is but a few hours run from St. Peter's. The only communication between St. John's and that place is *via* Halifax.

The Government concurred in the desirableness of this arrangement, and an annual sum of £20 was subsequently granted by the Legislature for the appointment of a Courier from Burin to St. Lawrence and Lamaline, at which latter place a Way-office was to have been established, but as Grand Bank was not included in the scheme, it was afterwards considered by His Excellency, the late Governor, unnecessary to make these appointments, and the Mails were continued to be forwarded as before.

Should the Government now deem it advisable to have the Western Mails transmitted in this way, the interests of the inhabitants of Grand Bank would be conserved, and the prayer of the petitioners conceded, whose names are attached to the petition enclosed to me, in Mr. Ayre's letter of the 18th instant, for my report thereon, by his Excellency's command.

I would observe, however, that doubts have been entertained as to the practicability of this route in consequence of there being, at present, no roads

between those settlements, excepting that from Burin to St. Lawrence, sixteen miles ; the whole distance being sixty miles.

Fifthly.—The number and weight of the Western Mails render it imperative to have them conveyed by a light waggon as far as the roads will render it practicable ; and thence by horse to Placentia. It will, therefore, be necessary to convey this intimation in the next advertisement for tenders, to prevent undue loss to the contracting party with the department.

Sixthly.—In the Act of the 16th Vic., Cap. 3, Sec. 18, a sum of £50 was granted for a boat to run between Bonavista and Greenspond, “for (the Act goes on to state) the present summer ; provided, that on the expiration of the present contract for the conveyance of the Mails to Fogo and Twillingate, such Mails shall be transmitted by way of Carbonear, Trinity, Bonavista, and Greenspond.”

By direction of His Excellency Ker Baillie Hamilton, Esq., the Northern Mails were forwarded in this way during the past winter, but the expense of transit was found to be so large that His Excellency remanded the order.

The Mails have since been transmitted direct to Greenspond, Fogo, and Twillingate, as heretofore.

Seventhly.—Great difficulty is found to exist both in England and the United States in dealing with Public Companies for the transmission of the Mails by Railway. This matter has been referred to by Viscount Canning, in the want of arrangements for enforcing punctuality in the arrival of the Mail Trains, and other obstructions of the Postal service, and remarks, “Perhaps it is some consolation to see, by the Report of the Post Master General of the United States, that difficulties in relation to Railways, similar to those which I have described, exist in that country also.” Similar difficulties too, have an existence here, where the Mails are transmitted by Steamer.

The Merchants, Clergymen, and other Inhabitants of Carbonear have on several occasions expressed their disapproval of the manner in which the Mail service has been carried out by the Conception Bay Steam Company, and several addresses, signed by those gentlemen, have been forwarded to me, praying that the evils of which they complain, may be corrected, and I must in justice to the Company observe that they have, where too great a sacrifice of their interests have not been involved, cordially co-operated in affording such accommodation as appeared to me to be requisite. To provide, however, against similar contingencies, which I find no contract however stringent will

prevent, it has been proposed by me to the Petitioners that two gentlemen from each of the towns of Harbor Grace, Carbonear and Brigus, shall be appointed to meet the Directors of the Company to fix the arrivals and departure of the Steamer for mutual accommodation, and I am happy to say, that this proposition has met their views and will be acted upon previously to new contracts being entered into with the Company, and I entertain no doubt of the satisfactory result of the conference.

Whilst upon this subject, I beg to remark that the greatest exertion has to be used in forwarding the Conception Bay Mails on the arrival of the Halifax Packet; on some occasions they are despatched at so late an hour that great risk attends the sailing of the Steamer across the Bay. I more particularly allude to the fall of the year, when she not unfrequently has to leave the Cove at night, when the weather is stormy and boisterous.—It was on such an occasion, in the performance of this service, that the melancholy loss of the Mail-boat Victoria and crew occurred, and it was supposed that had the Mails arrived but half an hour before, the boat would have reached her destination in safety.

With the view of having this evil remedied, it becomes my duty to suggest, that a person be appointed to assort the extern letters immediately after their receipt from the Halifax Packet, whose business it shall also be to make up such Local Mails as may require to be forwarded at that time.

To carry out this service with efficiency it will be necessary that the party who contracts for the delivery of the Mails at the Cove shall keep a horse in readiness to convey special Mails. A considerable sum is now annually expended for such a service. But the inconvenience and delay attendant upon procuring a mode of conveyance at the time required is very great, and in some occasions is not to be had.

Eighthly.—I also beg to annex a copy of a petition from Allan Goodridge and others, praying that a Way-office may be established at Renew's.

This town being an important Fishing Establishment, I would respectfully advise that the prayer of the petitioners be acceded to, particularly as the expense attendant upon this appointment would be but £4 per annum, being the salary of the Way-master only.

Ninthly.—I beg to draw His Excellency's attention to my letter of the 12th April last, addressed to the late Colonial Secretary, the Hon. James Crowdy, upon the necessity of an increase to the staff of this office, in which I pointed

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out the overtaken strength of the present Assistants, arising from the increasing duties of the department.

Tenthly.—The necessity of the daily attendance of a Messenger at the General Post Office is every day becoming more urgent, to prevent the unavoidable delay that now frequently occurs in the delivery of late correspondence.

Eleventhly.—I have now the honor to draw the attention of His Excellency to the 10th Sec. of the 14th Vic., Cap. 4, in reference to exemption of certain documents and papers from postage. The terms used in the Act being rather indefinite, I beg to subjoin an extract from my Report of January 1853, upon this subject, with the view of the Act being amended in this particular. “To prevent the abuse of this privilege, as also to enable the officers of this department to form a correct opinion in carrying out the intentions of the Legislature, I would respectfully suggest that the following conditions be observed:—First, that all letters, despatches, and other documents upon public business, intended to be sent free through the Post, shall be confined to those passing between one public Office and another, and shall have marked on the face of every such letter, the words ‘On Her Majesty’s Service,’ also the writer’s name or Office in the corner: as at present private individuals may, without detection, address their private correspondence to public officers free of charge. Secondly, that all books, periodical publications, pamphlets, papers ordered to be printed by either branch of the Legislature, and all returns, writs, and process to and from the Sheriffs and their Deputies (except in cases in which the Crown is a party) and all newspapers intended to be transmitted free by Post, be sent without a cover, or in a cover open at the ends or sides.

“This Section has also been construed to include the correspondence of Boards and Bodies appointed under the Local Act, but which I have not considered to be entitled to exemption. Such correspondence therefore, in all cases, when sent through the Post Office, have been charged with full rates of letter Postage. I therefore, trust that His Excellency will see the expediency of having rendered more definite the terms and meaning of the Section referred to.”

I also beg to refer His Excellency to the late Attorney General’s opinion upon this subject, contained in a letter dated the 20th November, 1852, addressed to C. Ayre, Esq., and forwarded to me for my guidance.

Twelfthly.—All correspondence passing through the Imperial Post Office, the Postmaster General’s excepted, are taxed with full rates of Postage, the

same regulation is also observed in Canada, and thus, very properly, the whole Revenue of the Office is brought to account and taken credit for by the several departments.

The Postmaster General of Canada, in his annual Report of last year, observes upon this head, that much unnecessary labor and waste of time is occasioned to the department by the collection of Postage on Government and Legislative correspondence, and recommends “the transmission of all such matter through the Mail, under proper restrictions, free of Postage charge, and that in lieu thereof, a certain fixed annual sum estimated to be equivalent to the aggregate of the Postage arising upon such correspondence, should be paid by the Receiver General to the Post Office, to be accounted for as Post Office Revenue.”

In my belief the adoption of such a regulation here would be but fair, as regards the Government correspondence which pass through this office free of Postage.

I have the honor to be, Sir,

Your very obedient servant,

W. L. SOLOMON,

*P. M. G.*

The Hon. John Kent, Colonial Secretary.

[COPY].

By the present arrangement, letters received by the Steamer at St. John's on Monday or Tuesday reach Placentia on the following Saturday or Sunday, the return Mail from Placentia and the Western Shore is due at St. John's on the Saturday after the sailing of the Packet with the second Mails from St. John's, thus two Mails are despatched from St. John's before a reply to a letter even at Halifax can be received, (one Mail is unavoidable) the Western Mails laying for several days at the St. John's Post-office. By a Messenger from Placentia, carrying the Western Mails through to St. John's, a fortnight may be saved during the fortnightly, and one month during the monthly Mails.

The Messenger to leave Placentia on Saturday at 2, p. m., to deliver the Mails at St. John's on Tuesday at noon—the week the Steamer is due at St. John's with the Mails—to be despatched on Wednesday at noon, provided the European Mails have arrived in due course, otherwise as soon as possible after arrival of the Mails to deliver the Mails at Placentia on Saturday following.

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The Packet Boat to be ready to proceed to the Western Shore as soon as the Postmaster can despatch the Mails, as by the present arrangement the letters from the Westward will of course be despatched in steamer or sailing Packet earlier, as well as the Placentia letters, by this arrangement being carried out.

The foregoing are my suggestions as an improvement upon the present Postal arrangements, leaving to others equally interested in the matter to state their views on the subject.

Placentia, 3rd October, 1854.

(Signed)

**R. F. SWEETMAN**  
**J. L. BRADSHAW**  
**JAMES CROAKER**  
**E. CONDON, P. P.**  
**ALEXANDER BURKE**  
**A. BOUTIN**  
**JAMES MURPHY**  
**PELAGIUS NOWLAN**  
**THOMAS KEEFLER.**

W. L. Solomon, Esq., Post Master General.

[COPY.]

St. John's, 28th February, 1855.

SIR,—

Much and serious inconvenience having been felt by persons residing at and carrying on business in the district of Burin and Placentia Bay West, from the present mode of transmitting the Mails, the subscribers beg respectfully to suggest for the consideration of H. M. Postmaster General, their views on this matter.

By the plan at present adopted, the Western Mails arrive in St. John's after the departure of the Steamer for Halifax, and consequently letters for England, the Colonial and Foreign ports, instead of proceeding promptly (often of the greatest possible importance to individual interests) remain at the Post Office in St. John's, until the departure of the succeeding outward Mail, thereby inconveniencing more or less all persons engaged in trade in those districts, particularly in cases where orders for Insurance, for Salt, and other indispensable supplies for the fishery, are the purport of such letters, and which require to be promptly executed.



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The plan we would suggest as a remedy for the present very serious cause of complaint is, that the Mails instead of being made up in St. John's on Thursday morning, should be despatched thence not later than 10 o'clock on Wednesday, in which case they would usually arrive at Placentia on the Friday afternoon following. The Packet Master should be required to start from Placentia the first tide after the arrival of the Mails at that place, (weather permitting) and the Postmaster at Burin should be directed to close the Mails on the Wednesday following at 10 p. m., and then deliver them to the Master of the Packet, who should be required to depart immediately, weather permitting. Were such orders given by the Post Master General, and insisted on being fully carried out, the Western Mails would arrive at Placentia nine trips out of ten in ample time to be forwarded on the Saturday, and the letters intended for the Mail Steamer on her return to Halifax, would be received at St. John's sufficiently early to be transmitted to their destination by that conveyance.

Should the late arrival of the Mails from Halifax prevent the departure of the Foreign Mail for Placentia by 10, a. m., on Wednesday, then to prevent disappointment from the non-arrival of the letters from St. John's, the Mail with the St. John's letters only, for the Westward, should be despatched on the morning of Thursday at latest, to insure the return of the Packet from Burin in proper time.

We beg also respectfully to remark for your consideration, that it is our decided opinion that the Mail Service between the Capital and Placentia, could be far better performed by one Contractor than by two, and that the result by this individual responsibility would be greater promptitude, efficiency and convenience to all interested in the adoption of a more perfect system in the Mail Service to the Westward, besides a saving of expense to the Colony in this branch of the public service.

(Signed)

**GEORGE LE MESSURIER**  
**JAMES FURLONG**  
**PATRICK TASKER**  
**R. FALLE & Co.**  
 p. **W. H. MARE,**  
**J. & W. STEWART**  
**NEWMAN & Co.**  
 p. **THOMAS G. MOREY**  
**P. & L. TESSIER**  
**JOHN O'NEILL**  
 p. **W. W. LE MESSURIER**  
**M. & R. MARSHALL**  
 p. **W. W. LE MESSURIER**  
**THOMAS KEEFLER.**

W. L. Solomon, Esq., Post Master General.

*A P P E N D I X , N o . 1 6 .*

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(copy)

St. John's, Newfoundland,  
2nd July, 1855.

W. L. Solomon, Esq.,  
Post Master General,  
Newfoundland. }

SIR,—

We, the undersigned, engaged and connected with the Trade and Fisheries of Renew's, beg to represent that we frequently require to correspond by letter hence to Renew's. In consequence of there being no Way-office for letters at Renew's, we cannot avail ourselves of sending through the Post Office, and trust that you will take the same into consideration, and cause a Way-office to be established in order to insure regular communication from hence to Renew's and neighbourhood.

ALAN GOODRIDGE  
MUDGE & CO.  
JOHN BOND  
GOODRIDGE & KELLIGREW

TABLE NO. 1.

Shewing the number of Post Offices, Post Masters, their Salaries, and Revenue derivable from each Office, with expense of transit, for the fiscal year ended 30th September, 1854.

Name of Post Office.	Postmasters.	No. of Colonial Letters and Papers.	No. of Imperial Letters and Papers.	Assistants, &c.	Salaries, &c.	Net Revenue.	Expense of Transit.
Gen. Post Office	W. L. Solomon, P. M. G.		100,000	£275			
"	"		108,000	M. Shea 100			
"	"			E. Solomon 50			
"	"			J. Freeman 35			
"	"			Stationery 30			
"	"			Printing 30			
"	"			Fuel & light 15	535 0 0		
Harbor Grace	A. Drysdale	8367	25000		45 0 0	96 17 1	
Carbonear	E. M. Hanrahan	3793	12000		45 0 0	43 15 2	
Brigus	W. T. Stentafoord	3794	11000		25 0 0	41 3 9	235 0 0
Trinity	A. Buchanan	1228	4300		15 0 0	19 15 3	140 0 0
Bonavista	John Lawrence	685	2500		15 0 0	7 0 0	20 0 0
Twillingate	Joseph J. Pearce	206	720		15 0 0	2 13 10	
Fogo	James Fitzgerald	121	400		15 0 0	1 4 0	
Greenspond	Lorenzo Moore	59	300		10 0 0	0 18 0	
Bay Bulls	Martin Williams	52	200		15 0 0	0 15 6	
Ferryland	John Morey	627	1510		15 0 0	7 1 0	29 0 0
Trepassey	John Devereux	114	300		15 0 0	1 8 3	32 0 0
St. Mary's	Hannibal Murch	150	220		15 0 0	2 3 9	20 0 0
Placentia	M. Morris	572	1700		15 0 0	7 0 6	30 0 0
Burin	Thos. Birkett	780	2000		15 0 0	10 7 11	130 0 0
Harbor Briton	Thos. E. Gaden	873	1800	And Colonial	15 0 0	11 14 10	110 0 0
		21,421	63,940	Total	£825 0 0	£233 18 10	£846 0 0
		21,421	121,421	Total			

General Post Office }  
30th September, 1854. }

This return embraces 3 Quarters only. W. L. S.

M. SHEA, Accountant.

## APPENDIX, No. 16.

TABLE NO. 2.  
*Shewing the number of Contracts, name of Contractors, name of Route, and mode of Conveyance, with amounts received.*

Name of Contractors.	Amounts.	Name of Route.	Mode of Conveyance.
Conception Bay Steam Navigation Company	180 0 0	Conception Bay	Steam Boat
John Collins	130 0 0	Burin and Placentia	Sailing Boat
Peter Coleman	120 0 0	New Perlican and Trinity	Ditto
Philip Nicholle	110 0 0	Burin and Harbor Breton	Do& Messenger
Thomas Coyle	100 0 0	St. John's, Fogo, Greenspond, and Twillingate	Ditto
William Coughlan	40 0 0	St. John's and Salmonier	Foot Messenger
Patrick Ryan	32 0 0	Ferryland and Trepassy	Ditto
Thomas Kelley	30 0 0	Placentia and Salmonier	Ditto
Matthew Ryan	29 0 0	St. John's and Ferryland	Ditto
Daniel Whelan	23 8 0	Trinity and King's Cove	Ditto
Daniel Sullivan	20 0 0	Carbonear and New Perlican	Ditto
William Peddle	20 0 0	Salmonier and St. Mary's	Ditto
William Coughlan	10 0 0	St. John's and Portugal Cove	Horse & Vehicle
Matthew O'Rielley	10 0 0	Brigus and Port-de-Grave	Foot Messenger
Francis Howell	6 0 0	South Side of Trinity Bay	Ditto
Alexander Burke	4 0 0	Great and Little Placentia	Ditto
John Bishop	15 0 0	Bonavista and King's Cove	Ditto
Thomas E. Collett	10 0 0	Little Placentia and Harbor Buffett	Boat
	£889 8 0		

M. SHEA,  
 Accountant.

Post Office Department, }  
 30th September, 1854. }

TABLE NO. 3.  
*Shewing the number of Way-offices, Way-masters, and the Salaries received by those Officers.*

Number of Way Office.	Name of Way-Master.	Salary.	Observations.
1 Garnish . . . .	Henry Campe . . . .	4 0 0	The Revenue of Way-Offices is accounted to the Post Office to which they are subject.
2 Salmonier . . . .	Patrick Hurley . . . .	4 0 0	
3 Little Placentia . . . .	Alexander Burke . . . .	4 0 0	
4. Port de Grave . . . .	Matthew O'Rielley . . . .	4 0 0	
5 King's Cove . . . .	Michael Murphy . . . .	4 0 0	
6 Harbor Buffett . . . .	Thomas E. Collett . . . .	4 0 0	
7 New Perlican . . . .	Francis Howell . . . .	4 0 0	
		£28 0 0	

M. SHEA,  
 Accountant.

Post Office Department

30th September, 1854.

## APPENDIX, No. 17.

## STATEMENT

*Of the Affairs of the "Saint John's Marine Insurance Company," for the year ending 10th January, 1856.*

1855.	£	s	d	£	s	d	1855.	£	s	d		
Dec. 31—To stock paid up £10 per share	2000	0	0				Dec. 31—By Amount paid the Stockholders and given to Patriotic Fund as per other side	670	0	0		
Accumulated stock, 1853	2425	17	5									
Accumulated stock, 1854	2471	14	11									
Accumulated stock, 1855	3102	7	8				Monies on hand and securities	18107	13	8		
Amount given to the Patriotic Fund	50	0	0	10000	0	0						
Interest on paid up Capital at 6 per cent.	120	0	0									
Bonus on ditto at 25 per cent.	500	0	0	670	0	0						
Amount reserved to meet claims not yet admitted and for risks unexpired				8107	13	8						
				£18777	13	8				£18777	13	8

Errors Excepted.

St. John's, Nfld., 10th January, 1856.

Audited and found correct.

THOMAS R. SMITH

LEWIS TESSIER.

Auditors.

JOHN BUTLER BULLEY,

Agent.

## APPENDIX, No. 18.

## GENERAL ABSTRACT

*Of the Affairs of the Newfoundland Marine Assurance Company, as they existed at 3 o'clock, p. m., on Thursday the 10th January, 1856.*

Dr.		Cr.	
To Capital Stock paid up	£5000 0 0	By Investments in Union Bank	£5203 16 7
Balance to credit of Provincial Insurance Company	..... 1700 7 11	Cash deposited in ditto	..... 584 4 1
Premiums on unexpired risks on joint account with the Provincial Insurance Company	..... 1199 0 0	Bills Receivable	..... 1763 1 9
Premiums on unexpired risks on private account	..... 1992 12 3	Balances of accounts due and not due	4653 9 10
Balance to meet current claims	..... 2985 2 1	Half amount of premiums on unexpired risks an joint account Provincial Company	..... 599 10 0
	£12,777 2 3		£12,777 2 3

*A P P E N D I X, N o. 18.*

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Aggregate amount of risks taken under policies of this Company since January 11th, 1855, £363,795 0 0 being on joint account with the Provincial Insurance Company.	£510,586 0 0
Aggregate amount of premiums charged upon said policies, £11,379 12 1 being on said joint account.	15,578 8 6
Aggregate amount of current risks at this date, £11,550 being on said joint account.	50,795 0 1
Aggregate amount of premiums charged for said current risks, £1,199 0 0 being on said joint account.	3,191 12 3
Aggregate amount of losses paid by this Company since January 11th, 1855, £728 17 6 being on private account and the remainder on said joint account.	13,343 6 3
Amount of dividend declared in January, 1855, the reserved profits at that period being £2,539 16 6.	250 0 0
Amount of dividend declared in July, 1855, the reserved profits at that period being £764 3 5.	250 0 0
Amount of Bonds for unpaid Capital as per share-list marked A herewith.	20,000 0 0

**E. L. JARVIS,**

*Secretary.*

WE, the undersigned Directors of the Newfoundland Marine Assurance Company, do certify that the Books of the Corporation indicate the facts above stated by the Secretary thereof, and that we have full confidence in the truth of this return.

**ROBERT PROWSE, President.**

**PATRICK TASKER**

**J. MACGREGOR**

**LAURENCE O'BRIEN**

**JAMES S. CLIFT**

**WALTER GRIEVE**

Directors.

I, EDWARD L. JARVIS, Secretary of the Newfoundland Marine Assurance Company, do swear that the Return hereunto annexed exhibits a true state of the affairs of the said Company up to the time therein named.

**EDWARD L. JARVIS.**

Sworn to before me at St. John's,  
 this 2nd day of February, 1856. }  
 P. W. Carter, J. P. }



[A]

## PARTICULAR STATEMENT

*Shewing the names of the Stockholders in the Newfoundland Marine Assurance Company on the 10th January, 1856 ; the number of Shares held by each, the amounts paid up, the amounts secured by Bonds, and the names of the Stockholders' sureties respectively.*

Stockholders.	Shares	Paid.	Sureties.	Bonds.
Laurence O'Brien	60	£300	James Furlong	1200
James J. Grieve	40	200	James Cormack	800
Robert Prowse	60	300	H. K. Dickenson	1200
Henry K. Dickenson	60	300	Robert Prowse	1200
John Munn	40	200	Wm. Donnelly	800
Kenneth McLea	15	75	Wm. Donnelly	300
James S. Clift	30	150	Wm. M. Barnes	600
James Furlong	59	295	L. O'Brien	1180
T. Harrison Ridley	20	100	John Munn	400
Wm. Henry Ridley	20	100	John Munn	400
William Donnelly	20	100	John Munn	400
John I. Roddick	20	100	John Munn	400
Peter G. Tessier	20	100	W. H. Mare	400
William L. Solomon	20	100	Alexander Mitchell	400
John Barron	20	100	Jas. W. Prowse	400
James J. Rogerson	10	50	Wm. M. Barnes	200
Philip Duggan	20	100	Nicholas Cusack	400
William M. Barnes	20	100	Jas. S. Clift	400
Patrick Tasker	30	150	David Steele	600
John Bond	20	100	Jas. McLaughlan	400
David Steele	20	100	Patrick Tasker	400
Richard O'Dwyer	20	100	L. O'Brien	400
Nicholas Cusack	20	100	P. Duggan	400
James Cormack	20	100	Jas. J. Grieve	400
Robert Pack	20	100	Jas. J. Rogerson	400
James Crowdy	12	60	Joseph Crowdy	240
Joseph Crowdy	12	60	James Crowdy	240
Nicholas Mudge	10	50	John Bond	200
Alexander Mitchell	10	50	John Macgregor	200
John O'Mara	10	50	J. J. Geran	200
Laurence Maccassey	10	50	Wm. Hogan	200
William Hogan	10	50	Laurence Maccassey	200
Edward White	10	50	Thos. B. Job	200
W. W. LeMessurier	10	50	Jas. B. Wood	200
<b>Forward</b>	<b>798</b>	<b>£3990</b>	<b>Forward</b>	<b>£15960</b>

## APPENDIX, No. 18.

[A]

## PARTICULAR STATEMENT

*Shewing the names of the Stockholders in the Newfoundland Marine Assurance Company on the 10th January, 1856 ; the number of Shares held by each, the amounts paid up, the amounts secured by Bonds, and the names of the Stockholders' sureties respectively. (Continued.)*

Stockholders.	Shares	Paid.	Sureties.	Bonds.
Forward	798	£3990	Forward	£15960
Wm. H. Mare	10	50	P. G. Tessier	200
Edward M. Archibald	10	50	Jas. J. Grieve	200
Jas. McLaughlan	10	50	John Bond	200
William Parsons	10	50	John Munn	200
John H. Cozens	6	30	Henry Winton	120
Philip Hutchings	6	30	John Bowring	120
James Chalmers	6	30	John MacGregor	120
James Cullen	4	20	Richard O'Dwyer	30
Walter Dillon	2	10	Patrick Hearn	40
Henry Winton	2	10	J. H. Cozens	40
Thomas Avery	20	100	Thos. R. Smith	400
Charles Crowdy	10	50	Joseph Crowdy	200
Edward Bowring	10	50	James S. Cliff	200
John MacGregor	15	75	James Chalmers	300
Lewis Tessier	10	50	W. H. Mare	200
John J. Geran	10	50	John O'Mara	200
Joseph Noad (in trust)	4	20	E. L. Jarvis	80
Nicholas Stabb	2	10	Ewen Stabb	40
Robert H. Prowse	18	90	H. K. Dickenson	360
James W. Prowse	17	85	H. K. Dickenson	340
Walter Grieve	20	100	James Cormack	400
<b>Totals</b>	<b>1000</b>	<b>£5000</b>		<b>£20000</b>

EDWARD L. JARVIS.

Secretary.

**APPENDIX, No. 19.**

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**APPENDIX, No. 19.**

**EVIDENCE**

*Taken before a Select Committee of the Council on the Pilots' Act Amendment Bill.*

**GEORGE BENNETT, Esq.**, Assistant Collector, states that the difference between the old and new mode of measurement of vessels is about ten per cent.

**JAMES BAILIE, Esq.**, says the average of 14 vessels under the "old new" measurement is about seven and a quarter per cent., but he thinks that the average may be fairly taken at about eight per cent.

**J. B. BULLEY, Esq.**—It is difficult to ascertain the earnings of Pilots, but he should say that it amounts to about £65 to £75 per man, per annum. This is independent of anything they might obtain from assistance afforded to Vessels as Hobblers. Very few complaints have been made of the conduct of the Pilots for the last year or two. There are 21 Pilots. The greater part of the Pilotage is earned by the *bringing in* of a Vessel—the taking her *out* is a mere bagatelle. Vessels between 100 and 118 tons will be charged 10s. more under the new Bill than under the old one.

150	to	200	Ton Vessels will be affected to the extent of	15s.
220			Tons will pay an increase of	10s.
220	to	270	ditto	30s.
300			ditto	20s.
300	to	400	ditto	40s.
400	to	500	ditto	60s.
500	to	600	ditto	80s.
600	to	700	ditto	100s.
700	to	800	ditto	120s.

The measurement of Foreign Vessels is more nearly the old Carpenter's measurement than the new. Thinks there is additional trouble in bringing in a Foreign Vessel—but it would be well to define on what measurement Foreign Vessels should pay for Pilotage.

If a Tug Steamer were to take Vessels in, from outside the Narrows, the Pilots' rate of Pilotage might be reduced—but not reduced if the Vessel is brought into the Harbor from "the Narrows."

Is of opinion the rate of Pilotage under the old Act, up to 250 tons, should remain as it is, but after that tonnage it should be increased.

The rule in England is, if vessels return to port the same day they go out, the Pilotage is reduced one half, and thinks it should apply here.

Recommends that Vessels hoist a light a mile outside of Cape Spear, either at the Jib-boom, or Mast-head.

There is less trouble bringing in a Steamer than a Sailing Vessel—Steamers therefore ought not to pay at the same rate per ton—and recommends that they pay according to their Horse-power.

Mr. P. CUMMINGS—Considers present amount of Pilotage sufficiently high—situation of Pilot is much sought after—considers the class as well paid.

Recommends that the Light hoisted outside Cape Spear, should be on the weather yard-arm of Vessels, so as to shew clear of all sails.

JOHN VINECOMBE, Pilot—Is not desirous that all Vessels should pay an increased rate of Pilotage, but only in proportion to their new rate of tonnage.

Large Vessels should pay in proportion to the small Vessels—Vessels of 180 tons pay (under the present Act) sufficient. Vessels under 80 tons should pay 40s.

It is more troublesome to bring in or take out a Vessel of 800 than of 400 tons—having, to take her out, to wait and watch for a favourable time. Pilots are cut one-third of the Pilotage (both ways) in and out when boarded inside of Cape Spear, they should be cut on the inward Pilotage only.

Vessels of War of all nations should pay more than they do under the present Act.

Thinks if a light be hoisted a mile outside Cape Spear, that would be far enough off. Fractional parts of tonnage of Vessels not to pay Pilotage. Any Vessel taking a Pilot outside the limits, may make an agreement with the master of her, and if a Vessel is compelled to go into a neighboring outport, or service is performed by the Pilot outside the limits, with the consent of the Captain, the Pilot shall be paid such sum as the Commissioners of Pilots may judge proper. Foreign Vessels to pay on their own Registered Tonnage, or on the certificate of the Register of the Vessel, as admeasured by the proper officer here. No merchant or mail ship to pay more than £12.

2nd May, 1856.

## APPENDIX, No. 20.

## EVIDENCE

*Taken by a Select Committee of the Council on the Seal and other Fisheries Regulation Bill.*

MESSRS. JAMES PITTS  
 CHARLES POWER  
 TERENCE HALLAHAN  
 JAMES McLOUGHLAN  
 NATHAN NORMAN  
 PETER CUMMINGS  
 THOMAS KNIGHT—and  
 JAMES LYNCH,

Agree that the Sealing voyage should be continued until the 20th May—the 10th being too early.

1st SECTION.—Mr. Pitts is of opinion that the men called on to work before the 1st May, should be allowed 1s. 6d. a day for diet.

2nd SECTION.—All agree that the blank in this Section of the Bill should be filled up with the words “not exceeding five pounds.”

3rd SECTION.—Mr. James McLoughlan is of opinion that persons signing the Agreement, and not entering on his duties, should be subject to five months’ imprisonment.

Mr. Peter Cummings recommends that any party neglecting his duty should pay a fine of £5—or be subject to imprisonment for 30 days.

4th SECTION.—It is generally agreed that the blank in this Section should be filled up with the words “five pounds or 30 days’ imprisonment.”

Mr. McLoughlan, however, thinks the term of imprisonment should be five months.

5th SECTION.—All agree that the blank in this Section should be filled up with the words “five pounds.”

6th SECTION.—Mr. Hallahan is of opinion that this Section should be stricken out.

Messrs. Cummings, Norman and others, are of opinion that the Master

and Owner only should have the direction of the Vessel, and be the judge of the necessity and propriety of her making a second trip to the Ice.

Messrs. Power, Norman, Cummings and others, are of opinion that if the majority of the crew of a Vessel desire to go on a second trip up to the 5th April, the Master and Owners shall be compelled to make such second trip, notwithstanding they may not be desirous of doing so.

Messrs. Knight, T. Hallahan, and Pitts, think the date should be from the 5th to the 15th of April.

Mr. Pitts recommends a *new Section* to the effect that any person disobeying the lawful commands of the Master, and compelling him to give up the voyage before he shall desire to do so, and to return to Port in opposition to his wishes, shall be liable to be imprisoned three months, or to pay a fine of Three Pounds.

It is generally considered that the imprisonment in the foregoing case should be six months—but Mr. Hallahan thinks the imprisonment should not be less than 12 months, and all agree that this new Section should be very rigid.

Bread should be supplied to the Sealing crew at the rate of a bag each, and other provisions in proportion.

Mr. McNeill enters.

8th SECTION.—Eight of the Evidence are for 1s. for the Medical Chest, and two for 9d.

2nd May, 1856.

PRESENT :

TERENCE HALLAHAN

PATRICK MORRIS

JAMES PITTS

THOMAS BUTLER

PETER CUMMINGS

CHARLES POWER

JAMES LYNCH,

10th SECTION.—Mr. Morris is of opinion that the party absenting himself should be fined or imprisoned at the option of the Magistrate.

Mr. Pitts agrees with Mr. Morris.

Mr. Hallahan thinks the party should be fined only.

All agree that sharemen should be subject to the same rules and conditions as are servants absenting themselves.

**11th SECTION.**—Unanimously recommended that a sum not exceeding five pounds, shall be forfeited by the servant—and also that in May, June, July and August, two days' absence should make him to be considered a Deserter—and after these months, ten days—and further, that any person shipping and employing a servant after notice given of his being already shipped, be subject to a heavy fine.

**12th SECTION.**—Agreed to unanimously—that the sharemen be placed in the same position as the servant as respects attachment—and that at the end of this section it should be added “that in case of loss of a vessel or boat while proceeding to or prosecuting the fishery, whereby the master is rendered incapable of prosecuting it, the servants may claim for such portion of their wages as may be due at the time of such loss, and for two weeks longer. The servants and sharemen to be then at liberty to provide for themselves.”

Mr. Morris is of opinion, that in case a vessel going to the Labrador is lost, the planter should be subject to pay the servant his wages for the time he is engaged.

If on the return voyage the vessel is lost, the whole wages should be paid to the servant.

It is the general opinion that on such loss occurring after the 1st of September, no deduction of wages should be made.

Mr. T. Hallahan says—where no part of the voyage is on shore, the servant should be paid his wages to the time of the loss of the vessel and no longer.

Mr. Power—the servant should be paid to the time of loss of the vessel, with reference to the Labrador Fishery.

Messrs. Pitts and Butler agree with Mr. Power with reference to the Fishery generally, for ten days after.

All agree that any servant shipping for a service he is not competent to perform, should be mulcted in his wages.

## APPENDIX, No. 21.

## PETITION

*Of Superintendent of Newfoundland School Society, for usual Grant.*

*To the Honourable the Legislative Council in General Session convened—*

The Memorial of Johnstone Vicars, Clerk, Superintendent of the Newfoundland School Society in connexion with the Colonial Church and School Society,

HUMBLY SHEWETH—

That your memorialist begs to express his sincere and cordial gratitude to your Honorable House for the encouragement and support vouchsafed during many years past to the Newfoundland School Society, through whose instrumentality upwards of Twenty Thousand persons of all ranks and denominations have reaped the advantages of a practical, moral and religious education.

Your memorialist solicits the attention of your Honorable House to the accompanying abstract, shewing that in the past year the sum of £153 has been laid out repairing School-houses, and that, of the £2,250 expended by the Society no less than £1,340 were contributed by parties in the mother country anxious to promote the welfare of children in this Colony.

Your memorialist humbly requests your Honorable House to take into your grave consideration the following statements:—that Forty Agents of the Society are annually imparting to about Three Thousand of the rising generation the blessings of useful instruction and training them up in habits of piety, sobriety, order and dutiful submission to constituted authorities; that two Infant Schools, one in St. John's and another in Greenspond, containing together upwards of Two Hundred Scholars from two to seven years of age, are in active and beneficial operation; that the Society, anxious to excite in the Inhabitants a desire for their own advancement and to promote a spirit of self-dependence, have, with a view of affording them opportunities of effecting this object, opened a Training Institution, wherein already a number of Teachers have obtained an acquaintance with the modern system of education, and others been trained for the office of School Masters and Mistresses; and that large quantities of wearing apparel continue to be imported by the Society and distributed to children of all denominations whose parents are not in circumstances to provide them with clothing suitable for their attending School in the winter season.



*A P P E N D I X , N o . 2 1 .*

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Your memorialist has, during the past summer, at considerable expense, visited and inspected twenty-four of the thirty-two Schools under the Society, and deems it his duty to say that though, considering all circumstances, they are in a state highly creditable to the Teachers, yet the whole system of education and the character and condition of the buildings and premises are far below the standard he desires to be attained, and cannot bear a comparison with educational establishments in other countries; and that whilst the Society are called on to occupy so many stations with the limited funds at their disposal, neither Teachers nor Schools can arrive at a thoroughly efficient state.

Your memorialist deeply regrets to inform your Honorable House that, owing to the heavy demands made upon the incomes of the Society—supporters in Britain—the Society entertain serious apprehensions that it will become their most painful duty to diminish their grants to many of the Colonies for this year, unless their appeal recently made to the Christian public be responded to with unusual liberality.

Your memorialist, in conclusion, indulges a confident and well grounded hope that your Honorable House, after viewing the past and present labours of the Society and reflecting on the incalculable blessings communicated to all classes through their Agencies, will conclude the Institution to be fully deserving your most favourable consideration and possessing an undoubted claim on your liberal support; and he urgently, yet most respectfully, prays your Honorable House, not only to vote the accustomed grant, but also to bestow upon the Society such additional amount as will enable them to carry on their operations with increased energy and with enlarged advantage to the Colony.

And your memorialist, as in duty bound, will ever pray.

**JOHNSTONE VICARS,**

Superintendent.

St. John's, February 1st, 1856.

## APPENDIX, No. 21.

*The Newfoundland School Society in Connexion with the Colonial Church and School Society in account with the Treasurer for the Year ending the 31st December, 1855.*

Dr.	Cr.
To amount paid to the Superintendent and Teachers . . . . .	By amount of Government Grant £500 stig. . . . .
Amount paid for repairing School-houses 153 8 2	Amount of voluntary contributions and Fees for Tuition in Newfoundland 333 16 8
Amount paid for Books, Maps and apparatus . . . . .	Amount received from Parent Society 1,340 14 0
Amount paid for Rents, Stationery, Board of persons whilst training, travelling expenses, Fuel and other incidentals 210 7 9	
£2,251 9 11	£2,251 9 11

Errors Excepted,

**JOHNSTONE VICARS,**

Superintendent.

The value of the Clothing for the Poor Children is not included in the above account.

## APPENDIX, No. 21.

## RETURNS

*Of Schools under the Newfoundland School Society, 1855.*

Districts where Schools are situate.	No. of Schools.	No. of Teachers.	No. of Scholars.			Remarks.
			Male.	Female.	Total.	
St. John's	6	8	217	207	424	The cost to Government of each child's education is under four shillings a year.  No portion of the sums appropriated to the Boards is given for the support of the two last Schools.
Brigus	4	4	130	110	240	
Harbor Grace	4	6	214	194	408	
Bay Roberts	3	4	176	129	305	
Trinity, West	1	2	53	40	93	
Trinity, North	3	3	90	81	171	
Bonavista, South	1	1	70	60	130	
Bonavista, North	5	6	208	210	418	
Fogo	1	1	25	30	55	
Twillingate	1	1	51	45	96	
Fortune Bay	1	2	35	50	85	
Bonavista, West	1	2	50	34	84	
Placentia	1	1	22	23	45	
	32	41	1341	1213	2554	

## APPENDIX, No. 22.

## PETITION

*Of the Manager of the Bank of British North America on the subject of the Bill entitled "An Act to provide for Limited Partnerships."*

*To the Honorable the President and Members of the Legislative Council of Newfoundland.*

The Memorial of the undersigned, Manager of the Bank of British North America,

SHEWETH—

That your memorialist has observed that a Bill is depending before your Honorable House, entitled "An Act to provide for Limited Partnerships," as to the general policy of which your memorialist does not venture to offer any opinion, as being without his province to do so. He would, however, respectfully solicit the attention of your Honorable House to the 20th and 21st Sections of the Bill, which might, in his judgment, occasion much difficulty, and unduly restrict the freedom of business to Banking Institutions, and to Commerce at large.

That your memorialist does not take it upon him to suggest the special amendment of which these Sections may be susceptible, leaving the consideration of that subject to your Honorable House, in the confident expectation that you will adopt such provisions in the Bill as will have the effect of continuing unfettered the legitimate operations of Trade.

ANDREW MILROY,

*Manager.*

St. John's, Newfoundland, }  
18th March, 1856. }

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*APPENDIX, No. 23.***PETITION**

*Of the Inhabitants of Port de Grave, for aid towards the Establishment of a Commercial School in that town.*

*To the Honorable Her Majesty's Legislative Council in Session Convened.*

The Petition of the Inhabitants of Port de Grave :—

Humbly beg to lay before your Honorable House your Petitioners' views and wishes on a matter which your Petitioners conceive to be of vital concern, and which your Petitioners have taken this early opportunity of bringing before the notice of your Honorable House.

Your Petitioners would humbly shew, that while the neighboring Districts are provided with Commercial Schools, thereby enabling them to procure a suitable education for their children, the central part of Port de Grave labors under a disadvantage for want of such a School as would ensure your Petitioners' children that instruction which is requisite and necessary to fit them for the business and duties of life in general ; and your Petitioners are therefore of opinion, that in a community where the generality of the population are engaged in the business of the sea, Navigation ought to claim a share of attention and not totally neglected as it is at present, for there is not a single School in Port de Grave where this important branch of Education is taught. Efficient and useful Education is a subject your Petitioners judge to be of the highest consideration, and second to no other in point of importance.

Your Petitioners would further beg to submit, that if your Honorable House will grant the sum of Forty Pounds towards maintaining a Commercial School, your Petitioners will ensure the remaining amount requisite to complete an income which will command the services of a competent Teacher for so desirable an object.

Your Petitioners would further pray, that your Honorable House will take the matter under your consideration, and afford such aid and assistance as the judgment of your Honorable House may dictate, and the requisiteness of this most important subject calls for.

And your Petitioners, as in duty bound, will ever pray.

*APPENDIX, Nos. 23 and 24.*

Thomas Butler  
 John Kehoe  
 Peter Butler  
 Matthew O'Rielly  
 Robert Hampton  
 John Efford  
 John Bussy  
 Abraham Bussy  
 Isaac Bussy  
 John H. Andrews  
 John Andrews, jr.  
 William Efford  
 Frederick Burnham  
 Robert Kehoe  
 Timothy Cowley

James Gahan  
 Peter Abbott  
 James Dwyer  
 James McCarthy  
 Michael Riely  
 Patrick Riely  
 James Delaney  
 Patrick Cowley  
 Richard Hennebury  
 Patrick Kenney  
 Frederick Kenney  
 Thomas Delaney  
 Mark Hennebury  
 Patrick Forristal  
 Thomas Forristal  
 Jacob Hall.

*APPENDIX, No. 24.***PETITION***Of D. B. Holbrook.*

*To the Honorable the President and the Honorable the Members  
of the Legislative Council of Newfoundland.*

The Petition of D. B. Holbrook, of New York, Merchant,

**HUMBLY SHEWETH—**

That there is now before your Honorable House, a Bill sent up to you by the House of Assembly, entitled "An Act to amend the Act for the Incorporation of the New York, Newfoundland and London Telegraph Company."

That the said Bill is a private Bill in its object, its substance and its name.

That this Honorable House have considered it a private Bill, and required that the Fees prescribed to be paid to the Officers of this Honorable House on private Bills, should be paid, or guaranteed, before it should be allowed to be read a second time, and such Fees were accordingly guaranteed.

*APPENDIX, Nos. 24 and 25.*

That the Act for the Incorporation of the said "New York, Newfoundland, and London Telegraph Company," which the present Bill is intended to amend, was passed in derogation of the vested rights of your Petitioner, which had been guaranteed to him by an Act of the Legislature of this Colony, and also was passed under a misapprehension of facts, and without your Petitioner's knowledge or consent.

That the rights and interests of your Petitioner, and of others not resident in Newfoundland, would be deeply affected by the Bill now before your Honorable House.

That for the protection of the rights of parties under private Bills, the 42nd and 43rd Rules of your Honorable House are provided.

That your Petitioner has not consented, and does not consent to, but most respectfully protests against the provisions of the said Bill, and against them passing into law.

He therefore humbly prays that your Honorable House will protect his interests in the premises, and not pass the said Bill until the requirements of the Standing Rules of your Honorable House shall, in regard thereto, be complied with.

And in duty bound, he will ever pray.

**DARIUS B. HOLBROOK,**

By his Agent, **BRYAN ROBINSON.**

21st April, 1856.

*APPENDIX, No. 25.*

**MEMORIAL**

*Of Benjamin Greer Garrett, for a Retiring Allowance.*

*To the Honorable the President, and the Honorable the Members of the Legislative Council, in Session Convened.*

The Memorial of Benjamin Greer Garrett, Sheriff of the Central District,

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**HUMBLY SHEWETH—**

That Memorialist was nominated Chief Clerk and Registrar of the Southern Circuit Court, and sworn into Office 2nd January, 1826, in which Office he continued, until 17th October, 1835, when Memorialist was appointed Sheriff of Newfoundland, and as such became entitled to all the fees and emoluments of the said Office.

That in 1843, the Government desirous of doing away with the system of paying Public Officers by Fees, enquired into those received by Memorialist, by virtue of his said office, when the Legislature passed the Commutation Act, Vic. 6, Cap. 22, giving Memorialist the fixed sum of Seven Hundred and Fifty Pounds per annum in lieu of the Fees of Office he had hitherto received, and although this sum was less than that Memorialist had previously enjoyed, still as it was an arrangement desired by the Government, Memorialist acquiesced when his consent was subsequently deemed necessary by the Right Honorable the Secretary of State for the Colonies, before Her Majesty's assent being given to the said Act of the Legislature.

That in 1847, the Legislature, desirous of dividing Memorialist's Bailiwick into three, and appointing two independent Sheriffs where Memorialist had hitherto deputies, notwithstanding this loss of patronage he did not make any opposition thereto on the Legislature passing a permanent Act appointing him Sheriff of the Central District, and reserving to Memorialist the full salary he had hitherto enjoyed as Sheriff of the whole Island.

That on the introduction into this Colony of the system of Responsible Government, last year, your Honorable Body deemed it necessary to pass an Act to provide for all the Official Salaries of the Public Officers in the Colony, in this Memorialist's Salary was fixed at Five Hundred Pounds, causing a reduction to him of no less than one-third of the Salary he had enjoyed by virtue of his Office for nearly twenty years.

That Memorialist has been forty-five years in the service of his country, thirty-one of which have been in that of the Local Government, and that as Memorialist is becoming infirm, and is suffering in domestic affliction, he is desirous of retiring from active life.



## APPENDIX, No. 26.

Memorialist therefore, for the foregoing reasons, prays that your Honorable Body may be pleased to take his case into your favourable consideration, and grant a retiring allowance sufficient to support Memorialist and his family in his declining years.

All of which is most respectfully submitted.

B. G. GARRETT.

St. John's, 7th May, 1856.

## APPENDIX, No. 26.

ANNO DECIMO OCTAVO AND DECIMO NONO.

VICTORIÆ REGINÆ.

CAP. XCI.

An Act to facilitate the Erection and Maintenance of Colonial Light-houses, and otherwise to amend the Merchant Shipping Act, 1854.

[14th August, 1855.]

WHEREAS it is expedient to make Provision for facilitating the erection and maintenance of Light-houses in the *British Possessions* abroad, and otherwise to amend the Merchant Shipping Act, 1854: 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, as follows:—

I.—This Act may be cited as “The Merchant Shipping Act Amendment

## APPENDIX, No. 26.

Act, 1855," and shall be taken to be Part of the Merchant Shipping Act, 1854, and shall be construed accordingly.

Short Title of Act.  
17 & 18 Vict. c. 104.

II.—In any Case in which any Light-house, Buoy, or Beacon has been or is hereafter erected or placed on or near the Coasts of any *British Possession*, by or with the Consent of the Legislative Authority of such Possession, Her Majesty may, by Order in Council, fix such Dues in respect thereof, to be paid by the Owner or Master of every Ship which passes the same or derives Benefit therefrom, as Her Majesty may deem reasonable, and may in like Manner from Time to Time increase, diminish, or repeal such Dues, and from the Time specified in such Order for the Commencement of the Dues thereby fixed, increased, or diminished the same shall be leviable throughout Her Majesty's Dominions, in manner hereinafter mentioned.

*Colonial Lighthouses*

Her Majesty may by Order in Council fix Dues for Colonial Lighthouses.

III.—No such Dues as aforesaid shall be levied in any Colony unless and until the Legislative Authority in such Colony has, either by Address to the Crown, or by an Act or Ordinance duly passed, signified its Opinion that the same ought to be levied in such Colony.

No such Dues to be levied in any Colony without the Consent of the Colonial Legislature.

IV.—The said Dues shall in the United Kingdom be collected by the same Persons by whom, and by the same Means, in the same Manner, and subject to the same Conditions, so far as Circumstances permit, by, in, and subject to which the Light Dues leviable under the Merchant Shipping Act, 1854, are collected, and shall in each *British Possession* abroad be collected by such Persons as the Governor of such Possession abroad may appoint for the Purpose, and shall be collected by the same Means, in the same Manner, and subject to the same Conditions, so far as Circumstances permit, by, in, and subject to which the Light Dues leviable under the Merchant Shipping Act, 1854, are paid and collected, or by such other Means, in such other Manner, and subject to such other Conditions as the Legislative Authority in such Possession may direct.

Mode of collecting the said Dues.  
17 & 18 Vict. c. 104.  
ss. 399, 400, 401.

V.—All Dues levied under this Act shall be paid over to Her Majesty's Paymaster General at such Times and in such Manner as the Board of Trade may direct, and shall be applied, paid and dealt with by him, for the Purposes hereinafter mentioned, in such Manner as such Board may direct.

Dues to be paid over to Her Majesty's Paymaster General.

Dues to be applied to Expenses of Light-house, &c., for which they are levied.

VI.—The Dues levied under the Authority of this Act in respect of any such Light-house, Buoy, or Beacon as aforesaid shall, after deducting any Expenses incurred in collecting the same, be applied for the Purpose of paying the Expenses incurred in erecting and maintaining such Light-House, Buoy, or Beacon, and for no other Purpose whatever.

Power to borrow Money on Security of Dues.  
17 & 18 Vict. c. 104  
ss. 424, 425, 426.

VII.—For the purpose of constructing or repairing any such Light-house, Buoy, or Beacon as aforesaid, the Board of Trade may raise, upon the Security of the Dues to be levied in respect thereof, such Sums of Money as they may deem fit; and the Commissioners of Her Majesty's Treasury, out of any Monies which may be provided by Parliament, the Public Works Loan Commissioners, or any other Person or Body of Persons, may advance the same accordingly, such Advances to be made in the same Manner, with the same Powers, and subject to the same Provisions, so far as Circumstances permit, in, with, and subject to which, under the Merchant Shipping Act, 1854, Advances may be made upon the Security of the Mercantile Marine Fund for the Construction and Repair of Light-houses in the United Kingdom.

Accounts for each Lighthouse, &c., to be kept, and laid before Parliament, and to be audited.  
17 & 18 Vict. c. 104.  
s. 428.

VIII.—Accounts shall be kept of all Sums expended in the Construction, Repair, or Maintenance of every Light-house, Buoy, or Beacon in the *British Possessions* abroad for which Dues are levied under the Authority of this Act, and of the Dues received in respect thereof, in such Manner as the Board of Trade may direct, and shall be laid before Parliament annually; and the said Accounts shall be audited in such Manner as Her Majesty may by Order in Council direct.

*Registry of Ships.*

PART II. of Merchant Shipping Act, 1854.

Penalty on false Declarations under Part II. of Merchant Shipping Act.  
17 & 18 Vict. c. 104.  
s. 103.

IX.—Any Person who, in any Declaration made in the presence of or produced to any Registrar of Shipping, in pursuance of the Second Part of the Merchant Shipping Act, 1854, or in any Documents or other Evidence produced to such Registrar, wilfully makes, or assists in making or procures to be made, any false Statement concerning the Title to or the Ownership of or the Interests existing in any Ship, or any Share or Shares in any Ship, or who utters, produces, or makes use of any Declaration or Document containing any such false Statement, knowing the same to be false, shall be guilty of a Misdemeanor.

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X.—Shares in Ships registered under the said Merchant Shipping Act, 1854, shall be deemed to be included in the word “Stock,” as defined by the Trustee Act, 1850, and the Provisions of such last-mentioned Act shall be applicable to such Shares accordingly.

Shares in Shipping within the Trustee Act, 1850.  
13 & 14 Vict. c. 60.

XI.—In any Case in which any Bill of Sale, Mortgage, or other Instrument for the Disposal or Transfer of any Ship, or any Share or Shares therein or of any Interest therein is made in any Form or contains any Particulars other than the Form and Particulars prescribed and approved for the Purpose by or in pursuance of the Merchant Shipping Act, 1854, no Registrar shall be required to record the same without the express Direction of the Commissioners of Her Majesty’s Customs.

Forms of Instruments.  
17 & 18 Vict. c. 104.  
s. 96.

XII.—Upon the Transfer of the Registry of a Ship from one Port to another, the Certificate of Registry required by the Ninetieth Section of the Merchant Shipping Act, 1854, to be delivered up for that Purpose, may be delivered up to the Registrar of either of such Ports.

Delivery of Certificate upon Transfer of Registry.  
17 & 18 Vict. c. 104.  
s. 90.

XIII.—The Commissioners of Customs may, with the Consent of the Board of Trade, exempt any Pleasure Yacht from the Provision contained in the Thirty-fourth Section of the Merchant Shipping Act, 1854, which requires the Name of every Ship and the Port to which she belongs to be painted on her Stern.

Exemption of certain Ships from having Name painted on Stern.  
17 & 18 Vict. c. 104.  
s. 34.

XIV.—The Owner of any Ship which is measured under Rule II. contained in the Twenty-second Section of the Merchant Shipping Act, 1854, may at any subsequent Period apply to the Commissioners of Customs to have the said Ship measured under Rule I. contained in the Twenty-first Section of the same Act, and the said Commissioners may thereupon, and upon Payment of such Fee not exceeding Seven Shillings and Sixpence for each Transverse Section as they may authorize, direct the said Ship to be remeasured accordingly, and the Number denoting the Register Tonnage shall be altered accordingly.

Ships measured under Rule II. may be measured under Rule I.  
17 & 18 Vict. c. 104.  
ss. 21 and 22.

XV.—The Copy or Transcript of the Register of any *British* Ship which is kept by the Chief Registrar of Shipping at the Custom House in *London*, or by the Registrar General of Seamen under the Direction of Her Majesty’s Commissioners of Customs or of the Board of Trade, shall have the same Effect to all intents and

General Register Books in London.  
17 & 18 Vict. c. 104.  
s. 107.

Purposes as the original Register of which the same is a Copy or Transcript.

*Masters and Seamen.*

PART III. of Merchant Shipping Act, 1854.

Extension of Provisions concerning the Relief of destitute Seamen.  
17 & 18 Vict. c. 104.  
ss. 211, 212, and 213.

XVI.—The Board of Trade may issue Instructions concerning the Relief to be administered to distressed Seamen and Apprentices, in pursuance of the Two hundred and eleventh and Two hundred and twelfth Sections of the Merchant Shipping Act, 1854, and may by such Instructions determine in what Cases and under what Circumstances and Conditions such Relief is to be administered; and all Powers of recovering Expenses incurred with respect to distressed Seamen and Apprentices, which by the Two hundred and thirteenth Section of the said Act are given to the Board of Trade, shall extend to all Expenses incurred by any Foreign Government for the Purposes aforesaid, and repaid to such Government by Her Majesty's Government, and shall likewise extend to any Expenses incurred by the conveying home such Seamen or Apprentices in Foreign as well as *British Ships*; and all Provisions concerning the Relief of distressed Seamen and Apprentices, being Subjects of Her Majesty, which are contained in the said Sections of the said Act, and in this Section, shall extend to such Seamen and Apprentices, not being Subjects of Her Majesty, as are reduced to Distress in Foreign Parts by reason of their having been shipwrecked, discharged, or left behind from any *British Ship*; subject nevertheless to such Modifications and Directions concerning the Cases in which Relief is to be given to such Foreigners, and the Country to which they are to be sent, as the Board of Trade may, under the Circumstances, think fit to make and issue.

Enactment concerning Savings Banks extended to Seamen in the Navy.  
17 & 18 Vict. c. 104.  
s. 180.

XVII.—The Enactment of the Merchant Shipping Act, 1854, relating to Savings' Banks shall apply to all Seamen, and to their Wives and Families, whether such Seamen belong to the Royal Navy or to the Merchant Service, or to any other Sea Service.

Additional Powers of Naval Courts.  
17 & 18 Vict. c. 104.  
ss. 260 to 266.

XVIII.—Any Naval Court summoned, under the Provisions of the Merchant Shipping Act, 1854, to hear any Complaint touching the Conduct of the Master or any of the Crew of any Ship, shall, in addition to the Powers given to it by the said Act, have Power to try the said Master or any of the said Crew for any Offences against the Merchant Shipping Act, 1854, in respect of which two Justices would, if the Case were tried in the United Kingdom, have Power to convict summarily, and by Order duly made to inflict the same

Punishments for such Offences which Two Justices might in the Cases aforesaid inflict upon summary Conviction ; provided, that in Cases where an Offender is sentenced to Imprisonment the Sentence shall be confirmed in Writing by the Senior Naval or Consular Officer present at the Place where the Court is held, and the Place of Imprisonment, whether on Land or on board Ship, shall be approved by him as a proper Place for the Purpose, and Copies of all Sentences made by any Naval Court summoned to hear any such Complaint as aforesaid shall be sent to the Commander-in-Chief or Senior Naval Officer of the Station.

XIX.—Whenever any Articles belonging to or forming Part of any Foreign Ship which has been wrecked on or near the Coasts of the United Kingdom, or belonging to or forming Part of the Cargo thereof, are found on or near such Coasts, or are brought into any Port in the United Kingdom, the Consul General of the Country to which such Ship, or, in the Case of Cargo, to which the Owners of such Cargo, may have belonged, or any Consular Officer of such Country authorized in that Behalf by any Treaty or Agreement with such Country, shall, in the Absence of the Owner of such Ship or Articles, and of the Master or other Agent of the Owner, be deemed to be the Agent of the Owner, so far as relates to the Custody and Disposal of such Articles.

XX.—In Cases where Services are rendered by Officers or Men of the Coast Guard Service in watching or protecting ship-wrecked Property, then, unless it can be shown that such Services have been declined by the Owner of such Property or his Agent at the Time they were tendered, or that Salvage has been claimed and awarded for such Services, the Owner of the ship-wrecked Property shall pay in respect to the said Services Remuneration according to a Scale to be fixed by the Board of Trade, so, however, that such Scale shall not exceed any Scale by which Payment to Officers and Men of the Coast Guard for extra Duties in the ordinary Service of the Commissioners of Customs is for the Time being regulated ; and such Remuneration shall be recoverable by the same Means and shall be paid to the same Persons and accounted for and applied in the same Manner as Fees received by Receivers appointed under the Merchant Shipping Act, 1854.

*Wrecks, Casualties,  
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12 & 13 Vict. c. 96.

having committed any Crime or Offence on board any *British Ship* on the High Seas or in any Foreign Port or Harbor, or if any Person, not being a *British Subject*, charged with having committed any Crime or Offence on board any *British Ship* on the High Seas, is found within the Jurisdiction of any Court of Justice in Her Majesty's Dominions which would have had Cognizance of such Crime or Offence if committed within the Limits of its ordinary Jurisdiction, such Court shall have Jurisdiction to hear and try the Case as if such Crime or Offence had been committed within such Limits: Provided, that nothing contained in this Section shall be construed to alter or interfere with the Act of the Thirteenth Year of Her present Majesty, Chapter Ninety-six.

*Miscellaneous.*

PART XI. of Merchant  
Shipping Act, 1854.

Relief of destitute  
Lascars.

XXII.—It shall be the Duty of the *East India Company* to take charge of and send home or otherwise provide for all Persons, being Lascars or other Natives of the Territories under the Government of the said Company, who are found destitute in the United Kingdom; and if any such Person is relieved and maintained by any Guardians, Overseers, or other Persons administering the Relief of the Poor, such Overseer, Guardian, or other Persons may, by Letter sent through the Post or otherwise, give notice thereof in Writing to the Secretary of the Court of Directors of the *East India Company*, specifying, so far as is practicable, the following Particulars; *viz.*,—

1. The Name of the Person so relieved or maintained :
2. The Presidency or District or Part of the Territories of the *East India Company* of which he professes to be a Native:
3. The Name of the Ship in which he was brought to the United Kingdom :
4. The Port or Place abroad from which such Ship sailed, and the Port or Place in the United Kingdom at which such Ship arrived, when he was so brought to the United Kingdom, and the Time of such Arrival :

And the said *East India Company* shall repay to the said Overseers, Guardians, or other Persons, out of the Revenues of the said Company, all Monies duly expended by them in relieving or maintaining such destitute Person, after the Time at which such Notice aforesaid is sent or otherwise given.

XXIII.—It shall be lawful for any Master or Owner of a Ship or his Agent to enter into Agreement with Lascars or Natives of the Territories of the *East India Company*, binding them to proceed to any Port or Ports in the United Kingdom, either as Seamen or as Passengers, and there to enter into a further Agreement to serve as Seamen in any Ship which may happen to be there, and to be bound to any Port in the Territories of the *East India Company*; provided, that every such original Agreement shall be made in such Form, and shall contain such Provisions, and shall be executed in such Manner, and under such Conditions for securing the Return of such Lascars or Natives to their own Country, and for other Purposes, as the Governor General of *India* in Council, or the Governors of the respective Presidencies in which the original Agreement is made, in Council may direct; and if any Lascar or other Person who has bound himself by any such original Agreement is, on arriving in the United Kingdom, required to enter into a further Agreement to serve as a Seaman in any Ship bound to any Port in the Territories of the *East India Company*, and if it is certified by some Officer appointed for that Purpose by the *East India Company* that such further Agreement is a proper Agreement in all respects for such Lascar or other Person to enter into, and is in accordance with the original Agreement, and that the Ship to which such further Agreement relates is in all respects a proper Ship for such Lascar or other Person to serve in, and that there is not, in the Opinion of such Officer, any Objection to the full Performance of the said original Agreement, such Lascar or other Person shall be deemed to be engaged under such further Agreement, and to serve as a Seaman in the Ship to which it relates, and shall thereupon be deemed to be for all Purposes One of the Crew of the Ship; and for every Lascar or other Person in respect of whom such Certificate is applied for, the Person applying for the same shall pay to such Officer as aforesaid such Fee as the *East India Company* may appoint, not exceeding Ten Shillings.

Contracts may be made with Natives in India, under certain Conditions, binding them to go to the United Kingdom, and then to serve in other Ships back to India or elsewhere.

XXIV.—Nothing herein contained shall be deemed to repeal or affect any Provisions contained in the Twenty-fifth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, or Thirty-fourth Sections of the Act of the Fourth Year of King *George the Fourth*, Chapter Eighty, or in the Sixteenth Section of the Act of the Eighteenth Year of Her present Majesty, Chapter One hundred and twenty.

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4 Geo. 4. c. 89.  
ss. 25 to 34.  
17 & 18 Vict. c. 120.  
s. 16.





# **I N D E X**

TO THE

# **J O U R N A L S**

OF THE

# **LEGISLATIVE COUNCIL.**

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