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JOURNAL

OF THE

LEGISLATIVE COUNCIL

OF THE

ISLAND OF NEWFOUNDLAND.



His Excellency ANTHONY MUSGRAVE, Esquire, Governor
and Commander-in-Chief in and over the Island of
Newfoundland and its Dependencies, &c.

Being the Second Session of the Ninth General Assembly.

1867.

ST. JOHN'S, N. F.

J. C. Withers, Printer to the Queen's Most Excellent Majesty.



Proclamation.

A. MUSGRAVE,
Governor.
[L. S.]

By His Excellency ANTHONY MUSGRAVE, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS the GENERAL ASSEMBLY of this Island stands PROROGUED until TUESDAY the THIRD day of JULY instant : and whereas I think fit to PROROGUE the said GENERAL ASSEMBLY until WEDNESDAY the FIFTH day of SEPTEMBER next ensuing : I do therefore, by this my Proclamation, further PROROGUE the said GENERAL ASSEMBLY until WEDNESDAY the FIFTH day of SEPTEMBER next, as aforesaid : of which all Persons concerned are required and commanded to take due notice and govern themselves accordingly.

Given under my Hand and the Great Seal of the Island of Newfoundland, at the Government House, at St. John's, in the said Island, this Second day of July, 1866, and in the Thirtieth Year of Her Majesty's Reign.

By His Excellency's Command,

J. BEMISTER,
Colonial Secretary.



Proclamation.

A. MUSGRAVE,
Governor.
[L. S]

By His Excellency ANTHONY MUSGRAVE, Esquire, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS the GENERAL ASSEMBLY of this Island stands PROROGUED until WEDNESDAY the FIFTH day of SEPTEMBER instant : and whereas I think fit to PROROGUE the said GENERAL ASSEMBLY until WEDNESDAY the TWENTY-FOURTH day of OCTOBER next : I do therefore, by this my Proclamation, further PROROGUE the said GENERAL ASSEMBLY until WEDNESDAY the TWENTY-FOURTH day of OCTOBER next, as aforesaid : of which all Persons concerned are required and commanded to take due notice and govern themselves accordingly.

Given under my Hand and the Great Seal of the Island of Newfoundland, at Government House, at St. John's, in the said Island, this Fourth day of September, 1856, and in the Thirtieth Year of Her Majesty's Reign.

By His Excellency's Command,

J. BEMISTER,
Colonial Secretary.



Proclamation.

A. MUSGRAVE,
Governor.
[L. S]

By His Excellency ANTHONY MUSGRAVE, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS the GENERAL ASSEMBLY of this Island stands PRO-ROGUE until WEDNESDAY the TWENTY-FOURTH day of OCTOBER instant : and whereas I think fit to PROROGUE the said GENERAL ASSEMBLY until WEDNESDAY the TWELFTH day of DECEMBER next : I do therefore, by this my Proclamation, further PRO-ROGUE the said GENERAL ASSEMBLY until WEDNESDAY the TWELFTH day of DECEMBER next, as aforesaid : of which all Persons concerned are required and commanded to take due notice and govern themselves accordingly.

Given under my Hand and the Great Seal of the Island of Newfoundland, at the Government House, at St. John's, in the said Island, this Twenty-Second day of October, 1866, and in the Thirtieth Year of Her Majesty's Reign.

By His Excellency's Command,

J. BEMISTER,
Colonial Secretary.



Proclamation.

A. MUSGRAVE,
Governor,
[L. S.]

By His Excellency ANTHONY MUSGRAVE, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS the GENERAL ASSEMBLY of this Island stands PROROGUED until WEDNESDAY the TWELFTH day of DECEMBER instant: and whereas I think fit to PROROGUE the said GENERAL ASSEMBLY until THURSDAY the THIRTY FIRST day of JANUARY next ensuing: I do therefore, by this my Proclamation, further PROROGUE the said GENERAL ASSEMBLY until THURSDAY the THIRTY FIRST day of January next, as aforesaid, *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 the Great Seal of the Island of Newfoundland, at the Government House, at St. John's, in the said Island, this Tenth day of December, 1866, and in the Thirtieth Year of Her Majesty's Reign.

By His Excellency's Command,

J. BEMISTER,
Colonial Secretary.

LEGISLATIVE COUNCIL

OF

NEWFOUNDLAND.

Second Session of the Ninth General Assembly.

THURSDAY, 31st January, 1867.

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

At One of the Clock the House met.

PRESENT :

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

“ MESSRS. MORRIS,
STABB,
KENT,
CLIFT,
TESSIER,
CORMACK,
FRASER,
WINTER,
SHEA.

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 Gentleman Usher of the Black Rod, attendant on the Council, to go to the Commons House of Assembly and inform the Members thereof that it is His Excellency's will and pleasure that they do forthwith attend at the Bar of this House, and they being come

thereto, the Honorable the President of the Council, by command of His Excellency, informed the Members of the Assembly that it would be necessary for them to retire to their Chamber and proceed to the appointment of a Speaker; which being done, and the choice approved of, His Excellency the Governor was pleased to open the present Session of the Legislature with the following gracious Speech to both Houses :—

Mr. President and Honorable Gentlemen of the Council :

Mr. Speaker and Gentlemen of the Honorable House of Assembly :

For the third time since I have been charged with the administration of the Government I now have the pleasure of again meeting you in Session assembled : and I recur with much satisfaction to your advice and co-operation.

Since we last met, the successful laying of the Atlantic Telegraph Cables between Europe and America has added another great work to the achievements of modern science and enterprise. The Colonies are thus drawn closer to the Mother Country, and their friendly intercourse with neighbouring States will be strengthened and extended by the increased facilities for communication, which always stimulate Commerce and diffuse knowledge and intelligence. Time has scarcely yet been afforded for this Colony to reap the full benefit which may be expected to accrue, but no doubt when more settled arrangements shall have enabled the Telegraph Company to reduce their charges, the immediate advantage to our Mercantile community of this new triumph of engineering skill will be more fully perceptible.

I regret that I am not able to congratulate you on the prosperity of the Colony during the past year. Unfortunately, from causes to some extent beyond the control and even the knowledge of man, the Fishery has been more unsuccessful than for many years past; and the failure of the Potato Crop, from the sudden ravages of the blight which has before visited this Colony, has been a calamity from which the labouring classes have suffered heavily. My Government have made such provision as is within their means to relieve the distress which is thus caused in many districts of the

Colony ; but from the nature of our peculiar circumstances, any employment on public works must be of very limited character, and even for undertaking these our means are small.

The frequent failure of the Potato Crop should inculcate upon the people the wisdom of not relying upon any one esculent as the staple product of their farms and gardens ; and I am happy to believe that the laudable efforts of the Agricultural Society are doing much to diffuse greater intelligence in this matter. There are few edible roots belonging to a temperate climate which cannot be produced readily in this country, and it is most unwise to depend solely upon the supply of Potatoes, which experience has shown to be so frequently liable to almost entire destruction.

It is only too obvious, from the teachings of past years, that the true remedy for that periodical pauperism of so large a mass of our people, which has become so certain, can only be found in new enterprise by which occupation can be given to our operative population, especially at that time of the year when the fisheries cannot be prosecuted. With this view, and for the purpose of encouraging the rearing of Sheep, the Act was passed to make provision against their destruction by dogs ; and much good may be confidently anticipated from the application, by the Agricultural Society, of funds placed by you at their disposal, for introducing a good breed of Sheep in various districts.

But while appreciating the benefit which may be so afforded to the community in the establishment of auxiliary occupations, efforts should be redoubled to utilize without waste the wealth for which this Colony has long been celebrated. The value of the Herring Fishery would be greater than it is if prosecuted with more attention, and if sufficient pains were taken to ensure such cure and packing of the fish as is necessary to sustain the character of the produce in foreign markets. I recommend you to consider whether some regulations established by Law for this latter purpose may not be attended with good effect.

Mr. Speaker and Gentlemen of the Honorable House of Assembly :

You will be glad to hear that the Revenue for the past year was

equal to the estimated amount. The accounts for 1866, and the estimates for the present year, shall be promptly laid before you. You will, no doubt, give careful consideration to the requirements of the Public Service in the provision of necessary means for the maintenance of Public Credit, and the support of the departments of Government.

Mr. President and Honorable Gentlemen of the Council :

Mr. Speaker and Gentlemen of the Honorable House of Assembly :

During the last summer I was enabled to visit many districts of the Southern and Western Coasts, of which I could not previously acquire any personal knowledge. In the course of my tour I obtained much information, which will be valuable to me in the administration of Public Affairs; and I used the opportunity for acquainting myself with the circumstances of the settlements and the character of the country on a considerable part of the West Coast. The Report of Mr. Murray, the Geological Surveyor, engaged in exploration of portions of the Interior, encourages enterprise in mining, and the success attending some undertakings already commenced affords ground for reasonable expectation that exports of ores will, before long, form a prominent feature in our trade. You are aware that there is reason to believe that considerable Mineral wealth exists in districts of the Island within the limits commonly known as the French Shore; and many applications have recently been made respecting Grants of Land in these localities, which, in obedience to instructions from Her Majesty's Government, I have hitherto been obliged to decline to issue. I shall lay before you a recent Despatch from the Secretary of State relating to this subject, in which he expresses his regret at the inconvenience which results from the unsettled state of the questions respecting British and French rights on the coast, but states that, pending their settlement, he has no alternative but to instruct me, for the present, not to make any grants of Land on that coast. At the same time, Lord Carnarvon expresses the readiness of Her Majesty's Government to re open the negotiations with the French Government which were broken off in 1860, if only satisfied that there were a reasonable prospect of bringing them to a successful

termination. The negotiations referred to were founded on the report of the Commissioners appointed in 1859, and it was explained in a Despatch from the late Duke of Newcastle, which shall be furnished to you, that the convention which was then proposed had not "for its object in any way to enlarge the territorial or maritime rights of France, or to abridge those of Newfoundland, but primarily, and almost exclusively, to provide a machinery capable of securing that the just rights of each party, under the existing Treaties, shall be respected by the other." His Grace further stated, that the comparatively unimportant clauses of the proposed convention which had not this object, contained provisions which would confer material advantages on some of the inhabitants of Newfoundland; and that he did not anticipate that they would be considered by the community of Newfoundland, any more than by Her Majesty's Government, either as injurious to their interests or as involving such modifications of their rights as was contemplated in Mr. Labouchere's Despatch, No 10, of 26th March, 1857.

I recommend you, therefore, to request Her Majesty's Government to resume these negotiations, of which the settlement would probably remove all obstruction to the effective development of the territorial resources of the Colony. It would be easy to specify such rights as the Colony is not prepared to relinquish, and, these being excluded from the negotiation, to leave Her Majesty's Government at liberty to complete the proposed agreement.

The importance can hardly be overrated of the prospect thus opened to us, and of which practical experiment has already demonstrated the value, of developing the mineral wealth of the Colony. Means of employment would then be afforded to numbers of the people who now are without any alternative on failure of the Fisheries. And we might hope, under such circumstances, that the revenue would be relieved from those constantly recurring drafts for Poor Relief, which have almost entirely paralyzed all effort for legitimate public improvements.

I appointed Commissioners for the purpose of carrying out the object which you had in view in your grant, to enable the representation of the industry and products of this Colony at the International Exhibition of Arts and Industry, to be held at Paris

during the next summer. The Commissioners have been active in the discharge of the trust confided to them, and a collection has been forwarded to Paris illustrative of our staple products and our mineral resources which, as regards the latter especially, I hope it may be the means of attracting aid in their effective utilization.

I shall lay before you Despatches from the Secretary of State, in which he recommends some amendments to be made in certain Acts passed during the last session, before they are submitted for confirmation by Her Majesty in Council ; and I have no doubt that you will give that attention to his suggestions which their importance deserves.

Several measures of public interest will be submitted for your consideration. I confidently trust in your solicitude for the interests of the people confided to your care ; and assure you of my cordial desire to co-operate with you for the public good.

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

A copy of His Excellency's Speech having been left with the Honorable the President, it was read by the Clerk.

On motion of the Hon. Mr. Clift,

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

Ordered—That Honorables Messrs. Clift, Morris, Kent and Tessier, be a Committee for that purpose.

On motion of Hon. Mr. Clift,

Ordered—That the Speech of His Excellency the Governor be printed.

Hon. Mr. Stabb gives notice that he will, on to-morrow, move the appointment of a Committee on Printing and Contingencies.

On motion made and seconded, the House adjourned until Monday next at 4 o'clock, P. M.

MONDAY, 4th February, 1867.

The House met pursuant to adjournment.

PRESENT :

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

Honbles. Messrs. MORRIS,
STABB,
KENT,
CLIFT,
TESSIER,
CORMACK,
FRASER,
WINTER,
SHEA.

The Minutes of Thursday last were read.

Hon. Mr. Clift, from the Select Committee appointed to prepare the Address in reply to the Speech of His Excellency the Governor, presented a draft of the same, which was received and read a first time, and

Ordered to be read a second time to-morrow.

Hon. Mr. Clift gives notice that he will on to-morrow move the suspension of the 35th Rule, with reference to the Address.

Pursuant to notice, and on motion of the Hon. Mr. Stabb, Ordered, that a Select Committee be appointed on the Printing and Contingencies of this House during the present Session, and

Ordered—That Honbles. Messrs. Stabb, Clift, Morris, Tessier, and Kent, be a Committee for that purpose.

On motion made and seconded, the House adjourned until Tuesday next at 4 o'clock, P. M.

TUESDAY, 5th February, 1867.

The House met pursuant to adjournment.

PRESENT :

The Hon. LAURENCE O'BRIEN, *President*.
Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
CORMACK,
FRASER,
WINTER,
SHEA.

The Minutes of Monday last were read.

Pursuant to Order of the Day, and on motion of the Hon. Mr. Clift, the Address in reply to the Speech of His Excellency the Governor was read a second time, and ordered to be committed to-morrow. And on motion of the Hon. Mr. Clift, ordered, that the said Address be printed for the use of Members.

Hon. Mr. Shea informed the House, that the Hon. Mr. Cormack wished to obtain leave to absent himself for a few days, on private affairs.

Leave granted accordingly.

On motion, made and seconded, the House adjourned until Thursday next, at 4 o'clock, P. M.

THURSDAY, 7th February, 1867.

The House met pursuant to adjournment.

PRESENT :

HON. LAURENCE O'BRIEN, *President.*
Hon'bles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
WINTER,
SHEA.

The minutes of Tuesday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Clift, the House went into Committee on the Address in reply to the Speech of His Excellency the Governor.

Hon. Mr. Shea in the Chair.

After some time the House resumed.

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

Ordered that the Report be received.

On motion, made and seconded, the House adjourned until to-morrow, Friday, at 4 o'clock, P. M.

FRIDAY, 8th February, 1857.

The House met pursuant to adjournment.

PRESENT :

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

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
WINTER,
SHEA.

The Minutes of Thursday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Clift, the House went again into Committee on the Address in reply to the Speech of His Excellency the Governor.

Hon. Mr. Shea in the Chair.

After some time the House resumed.

The Chairman reported the Address with some amendments.

Ordered—That the Report be received.

Pursuant to notice, and on motion of the Hon. Mr. Clift, ordered that the 35th rule be suspended. Whereupon the said Address was read a third time and passed, and the Hon. the President signed the same.

The Address is as follows :

*To His Excellency ANTHONY MUSGRAVE,
Esquire, Governor and Commander-
in-Chief in and over the Island of
Newfoundland and its Dependencies,
&c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY,—

We, the Legislative Council, in Session convened, beg leave to

thank your Excellency for the gracious Speech with which you have been pleased to open the present Session of the Legislature.

We agree with your Excellency that the successful laying of the Atlantic Telegraph Cables between Europe and America has added another great work to the achievements of modern science. We are mindful of the many advantages which the Colonies must derive from the accomplishment of the enterprise, while we entertain a belief that before long more full and perceptible benefits will be felt and appreciated by those engaged in Commercial undertakings as well as the people generally.

We regret with your Excellency that the circumstances of this Colony for the past year do not afford matter of gratulation; and we ascribe this to the causes adverted to by your Excellency, and which have produced much destitution among the labouring and operative classes. Such a calamity must of necessity be a subject of concern and anxiety to the Government; and we are gratified to find that provision commensurate with the means of the Colony has been made with a view to lessen in some degree this lamentable evil.

The potato blight is not a new visitation, and we concur with your Excellency that those engaged in agricultural pursuits in this country, where other crops may be successfully cultivated, should not rely upon the potato as a staple article of food.

We agree with your Excellency that new enterprizes would afford a remedy for the periodical pauperism of so large a portion of our people, and that employments auxiliary to the fisheries should be encouraged and fostered by every available means.

We are glad to find that the funds granted by the Legislature for Agricultural purposes have afforded means to secure the introduction of a good breed of Sheep into various Districts of the Island, and we trust that this measure may be attended with beneficial results. We would further express the hope that the provisions of the Act for the destruction of dogs may be vigorously carried into effect.

We agree with your Excellency that the prosecution of our Herring Fishery would be attended with greater advantages to all

engaged in this undertaking if more care were observed in the curing and packing of the fish, especially when intended for Foreign markets. And should the Legislature deem it necessary to enforce this precaution by the enactment of any law, we shall be prepared to give the measure our best consideration.

We are gratified to find that the Revenue for the past year has been equal to the estimated amount ; and we thank your Excellency for the assurance that the Accounts of 1866 and the Estimates for the present year will be laid before us.

Your Excellency's visit during the past Summer to the Western coast of this Island was no doubt as satisfactory to yourself as it will be advantageous to the inhabitants,—enabling your Excellency to estimate the resources of that portion of the Colony under your administration. We are glad to be informed that the Report of Mr. Murray, the Geological Surveyor, encourages a belief in our Mineral capabilities ; and that the success attending undertakings already commenced gives a reasonable expectation that the export of valuable ores may soon become a prominent feature in our trade.

We regret that the unsettled state of a question between the Governments of England and France, involving certain rights within the limits commonly known as the French Shore in this Island, has rendered it necessary for your Excellency, guided by instructions from Her Majesty's Government, to decline applications for grants of land within such limits. We are aware that there is reason to believe that extensive minerals of a valuable nature exists within the territory named ; and we are sorry that differences of opinion between the two Governments upon this matter should occasion inconvenience and impede the prosecution of enterprizes in which the inhabitants of this colony are interested. We beg to assure your Excellency that when the Despatches from the Secretary of State upon this important subject are laid before us they will receive our most serious consideration.

We appreciate the interest manifested by your Excellency and the Commissioners appointed by you in obtaining the various Specimens of our Minerals and Staple Products for transmission to the Paris International Exhibition ; and we trust that the repre-

sentation may be the means of attracting enterprize and capital among us, and of opening resources the extent and value of which can hardly at present be estimated.

We thank your Excellency that the Despatches from the Secretary of State upon the subject of certain Acts passed by the Legislature during the last Session shall be laid before us ; and for the assurance of your Excellency's cordial desire to co-operate with us for the public good.

Legislative Council, }
8th February, 1867. }

LAURENCE O'BRIEN,
President.

Ordered, that the said Address as amended be engrossed, and presented to His Excellency the Governor by a deputation of the whole House.

On motion, made and seconded, the House adjourned until Monday next, at 11 o'clock, A. M.

MONDAY, 11th February, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Friday last were read.

At 12 o'clock, noon, the House proceeded to the Government House with the Address.

At half-past 12 o'clock, P. M., the House having returned,

The Hon. Mr. Morris 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 Council :

Accept my acknowledgments of the cordial spirit of your Address. I am convinced of your anxiety to co-operate with the other branches of the Legislature for the advancement of the community ; and I trust that I shall retain your confidence, and that we shall preserve unimpaired those good relations which have always subsisted between Her Majesty's Representative and the Legislative Council.

On motion made and seconded, the House adjourned until Wednesday next at 4 o'clock, P. M.

WEDNESDAY, 13th February, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Monday last were read.

Hon. Mr. Stabb, by command of His Excellency the Governor, laid upon the table of the House the following documents :—

7th December, 1866.

Despatch in reply to communication from His Excellency the Governor, reporting his return from a visit to the South and West Coasts of the Island, and having reference to granting mining licenses on the French Shore; and enclosing Copy of Despatch sent to Governor Sir A. Bannerman, 4th March, 1861.

13th October, 1866.

Despatch with Enclosures from Board of Trade disallowing Act for preventing Collisions at Sea on the Coasts within the limits of this Colony.

7th December, 1866.

Despatch and Enclosures from Secretary of State, stating that 17th Section of Marine Courts of Enquiry Act should be repealed.

15th October, 1866.

Amendment in Banishment Act suggested.

1st February, 1867.

Report of Postmaster General for 1866.

Copy of Contract with George Makinson, for new Steamer in Conception Bay. Dated 29th September, 1866.

3rd November, 1866.

Copy of Report of Voyage of Schooner *Pioneer*, fitted out as a Banker by Messrs. Job, Brothers & Co.

Fishery Report, Cape John, during the Summer of 1866.

Report on Fisheries at Belle Isle, 1866.

On motion, made and seconded, the House adjourned until Friday next, at 4 o'clock, P. M.

FRIDAY, 15th February, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Wednesday last were read.

Hon. Mr. Stabb, by direction of His Excellency the Governor, laid on the table of the House the following documents :—

28th January, 1867.

Letter from A. Murray, Esq., to His Excellency the Governor, stating that his preliminary Report and plans are not yet completed owing to his accident, and giving a brief summary of his proceedings during the past season.

Report of the Cashier of the Newfoundland Savings' Bank, 1866.

Statement of Commercial Bank, 30th June, 1866.

General Statement of Affairs of Union Bank, year ending 31st May, 1866.

Statement of Affairs of Vail's Joint Stock Company, for the year 1866, ending 30th June, 1866.

Report upon the Inspection of Protestant Schools, 1866.

Report upon the Inspection of Catholic Schools, for the year 1866.

Hon. Mr. Stabb, from the Select Committee on the Printing and Contingencies of this House, presented a Report of the same, which was received and read.

A deputation from the House of Assembly, brought up for concurrence, a Bill entitled, "An Act to amend an Act passed in the 28th year of the Reign of Her present Majesty, entitled 'An Act to regulate the Inland Posts of this Colony,'" which, on motion of Hon. Mr. Shea, was read a first time, and ordered to be read a second time to-morrow.

On motion, made and seconded, the House adjourned until Tuesday next, at 4 o'clock, P. M.

TUESDAY, 19th February, 1867.

The House met pursuant to adjournment.

PRESENT:

Hon'bles. MESSRS. MORRIS,
 STABB,
 KENT,
 TESSIER,
 CLIFT,
 FRASER,
 WINTER,
 SHEA.

The Hon. Mr. Morris, Senior Member present, took the Chair.

The minutes of Friday last were read.

Pursuant to the Order of the Day, and on motion of Hon. Mr. Shea, the Bill entitled, "An Act to amend an Act passed in the 28th year of the Reign of Her present Majesty, entitled, 'An Act to regulate the Inland Posts of this Colony,'" was read a second time, and ordered to be committed to-morrow.

On motion of the Hon. Mr. Stabb, ordered that the following Re-

port of the Select Committee on the Printing and Contingencies of this House be adopted :

The Committee on Printing and Contingencies beg to report that they have considered the expense for Printing and Reporting for the last Session, and consider that considerable reduction may be made therein ; and recommend that for the present Session \$500 be appropriated for Reporting, and \$360 for Publishing the Debates, in the following Papers:—The *Times* to publish ; *Courier* and *Public Ledger* to copy ; and to prevent the Journals of the Council from being again filled with unnecessary documents, thereby largely increasing the cost of Printing, without any adequate advantage being derived therefrom, the Committee recommend that the Clerk of the Council be instructed that in future no document shall appear in the Appendix to the Journals without the Committee having first sanctioned the same ; and that the Committee shall, on the last day of the Session, submit a list of all such papers and documents as they may consider desirable to be printed in the Appendix to the Journal of the Council.

The Committee further recommend, that no expense be incurred by any Officer of the Council, without the sanction of the Committee being first obtained.

Committee Room,
15th February, 1867. }

N. STABB,
J. SHANNON CLIFT,
ROBERT KENT,
P. G. TESSIER,
EDWARD MORRIS.

On motion made and seconded, the House adjourned until Friday next, at 4 o'clock, P. M.

FRIDAY, 22nd February, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Tuesday last were read.

On motion, made and seconded, the House adjourned until Monday next, at 4 o'clock, P. M.

MONDAY, 25th February, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Friday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the House went into Committee on the Bill sent up, entitled "An Act to amend an Act passed in the 28th year of the Reign of Her present Majesty, entitled 'An Act to regulate the Inland Posts of this Colony.'"

Hon. Mr. Clift in the Chair.

A Message from the Assembly being announced, the House resumed.

A deputation from the Assembly brought up a Bill for concurrence, entitled "An Act to amend an Act passed in the 29th year of the Reign of Her present Majesty, entitled 'An Act to empower the Superior Courts of this Colony to direct certain offenders to remove therefrom, and for other purposes.'"

The same deputation brought up the following Message and Resolutions:—

MR. PRESIDENT,—

The House of Assembly have passed the accompanying Resolutions, to which they request the concurrence of the Hon. the Legislative Council.

W. V. WHITEWAY,

Speaker.

House of Assembly, }
22nd February, 1867. }

Whereas this House has considered the Despatches laid on the table, by command of His Excellency the Governor, from Her Majesty's Principal Secretary of State for the Colonies, dated March 4th, 1861, and December 7th, 1866, with reference to the French Shore, and particularly the latter, instructing His Excellency, pending the settlement of questions respecting French and British rights on the coast, not to appoint a British Magistrate or to issue grants of land there. And whereas the interests of Her Majesty's subjects in this Colony are seriously affected by the aforesaid instructions in regard to the maintenance of law and order on parts of the said coast, and in restraining parties, from

want of title, in working valuable Minerals therein, and engaging in other industrial pursuits, apart from those of fishery, and which would afford remunerative employment to many of our people, now in great need.

Resolved,—That this House, whilst asserting the undoubted right of the Colony to the territory, subject to certain privileges of the French on the coast, yet in view of the magnitude of the interests involved, and conflicting opinions on the construction of the Treaties between the two nations, and with the earnest desire to arrive at a settlement satisfactory to both, are willing, as recommended by His Excellency in his opening speech, to consider the terms that may be proposed with safety to the Colony, for adjustment of differences arising from existing Treaties, and of securing the just rights of each party thereunder.

Resolved,—That the better to afford due consideration to this important subject, a Select Committee of this House be appointed to co-operate with a Select Committee of the Legislative Council, and report to this House.

Resolved,—That a Message be sent to the Legislative Council requesting their concurrence in the foregoing Resolutions.

[Passed the House of Assembly, 22nd February, 1867.]

W. V. WHITEWAY,

Speaker.

The deputation having retired,

The Chairman resumed the Chair of the Committee.

After some time the House resumed, the Chairman reported the Bill without amendment.

Ordered—That the Report be received, and

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

On motion of the Hon. Mr. Stabb, the Bill sent up, entitled
“An Act to amend an Act passed in the 29th year of Her present

Majesty, entitled 'An Act to Empower the Superior Courts of this Colony to direct certain Offenders to remove therefrom, and for other purposes,' " was read a first time, and ordered to be read a second time to-morrow.

Hon. Mr. Stabb gives notice, that he will, on to-morrow, move the consideration of certain Resolutions sent up from the Assembly.

Hon. Mr. Fraser gives notice, that he will, on to-morrow, ask the Hon. the Organ of the Government to cause to be laid upon the Table of this House, a Detailed Statement of the progress made, and monies expended, in the construction of the Colinet River and Rocky River Bridges, on the Placentia Main Line.

On motion, made and seconded, the House adjourned until to-morrow, Tuesday, at 4 o'clock, P. M.

TUESDAY, 26th February, 1867.

The House met pursuant to adjournment.

PRESENT :

Hon'bles. Messrs MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
WINTER,
SHEA.

The Hon. Mr. Morris, Senior Member present, took the Chair.

The minutes of Monday last were read.

Hon. Mr. Stabb, by direction of His Excellency the Governor, laid on the Table of the House the following document :

Report of the Inspector of Weights and Measures, for 1866.

On motion of Hon. Mr. Stabb, ordered that the following Message be sent to the House of Assembly, in reply to their Message, on subject of certain Resolutions :

MR. SPEAKER,

The Legislative Council acquaint the House of Assembly, that they concur in the Resolutions of the Assembly of the 22nd, sent up, and have appointed Hon'bles. Messrs. Stabb, Kent, Tessier, and Clift, a Select Committee to meet a Select Committee of the Assembly in the Committee Room of the Council, on Thursday next, at 11 o'clock, in the forenoon, to consider the subject matter of the said Resolutions, and to report thereon.

EDWARD MORRIS,

Senior Member present.

Council Chamber, }
26th February, 1867. }

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the Bill sent up, entitled "An Act to amend an Act passed in the 28th year of the Reign of Her present Majesty, entitled 'An Act to regulate the Inland Posts of this Colony,' " was read a third time and passed, and the Hon. Mr. Morris, Senior Member present, signed the same. Ordered that the said Bill be sent to the House of Assembly with Message that this House had passed the same without amendment.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the Bill sent up, entitled "An Act to amend an Act passed in the 29th year of the Reign of Her present Majesty, entitled 'An Act to Empower the Superior Courts of this Colony to direct certain Offenders to remove therefrom, and for other purposes,' " was read a second time, and ordered to be committed to-morrow.

Pursuant to notice, the Hon. Mr. Fraser asked the Hon. the Organ of the Government to cause to be laid on the table of this House, a detailed statement of the progress made and monies expended in the construction of the Colinet River and Rocky River Bridges, on the Placentia Main line.

Hon. Mr. Stabb laid on the table the required document.

Hon. Mr. Kent gives notice that he will on to-morrow ask the Hon. the Organ of the Government, if there be any instructions given to the Steamers subsidized or hired by the Government to regulate their conduct in the event of their falling in with vessels in distress at sea.

On motion made and seconded, the House adjourned until to-morrow, (Wednesday), at 4 o'clock, P. M.

WEDNESDAY, 27th February, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
FRASER,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Tuesday last were read.

Hon. Mr. Stabb, by direction of His Excellency the Governor, laid on the table of the House the following documents :—

Distribution of Sheep on account of Her Majesty's Government, 1866.

Her Majesty's Government Account with the Newfoundland Agricultural Society, Sheep Grant, 1866.

Hon. Mr. Stabb presented a Petition from Peter Cooper, President, and other Directors of the New York, Newfoundland and London Telegraph Company.

Pursuant to the Order of the Day, and on motion of Hon. Mr. Stabb, the House went into Committee on the Bill sent up, entitled "An Act to amend an Act passed in the 29th year of the Reign of Her present Majesty, entitled 'An Act to Empower the Superior Courts of this Colony to direct certain Offenders to remove therefrom, and for other purposes.'"

Hon. Mr. Kent in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received, and

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

Pursuant to notice, the Hon. Mr. Kent asked the Hon. the Organ of the Government, if there be any instructions given to the Steamers subsidized or hired by the Government, to regulate their conduct in the event of their falling in with vessels in distress at sea.

On motion made and seconded, the House adjourned until Friday next, at 4 o'clock, P. M.

FRIDAY, 1st March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
FRASER,
CORMACK,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Wednesday last were read.

Hon. Mr. Stabb, by direction of His Excellency the Governor, laid on the table of the House the following documents:—

Report of Directors of General Water Company, 1866.

Statement of the Affairs of the General Water Company, for the year ended 31st December, 1866.

On motion of the Hon. Mr. Stabb, the Petition of Peter Cooper, President, and other Directors of the New York, Newfoundland and London Telegraph Company, was read by the Clerk, setting forth that the said Company was incorporated by Act of the Legislature of this Colony, 17th Victoria, Cap. 2, and that in the execution of the purposes of the said Act, the Company had expended Three Millions of Dollars, and praying that the capital of the Company be increased to Six Millions of Dollars, to enable them to erect another overland line from St. John's to Cape Ray, and also a Submarine Cable from Placentia to the Continent of America, with a connecting overland line from Heart's Content to Placentia.

Ordered, that the said Petition lie on the table.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the Bill sent up, entitled "An Act to amend an Act passed in the 29th year of the Reign of Her present Majesty, entitled 'An Act to Empower the Superior Courts of this Colony to direct certain Offenders to remove therefrom,'" was read a third time and passed, and the Hon. Mr. Morris, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the Assembly with Message that this House had passed the same, without amendment.

On motion, made and seconded, the House adjourned until Monday next, at 4 o'clock, P. M.

MONDAY, 4th March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
CORMACK,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Tuesday last were read.

Hon. Mr. Winter gives notice that he will, on to morrow, move an Address to His Excellency the Governor, for a copy of the Memorial of Mr. Bennett, referred to in the Principal Secretary of State for the Colonies' Despatch, No. 128, 13th November, 1866, and a copy of His Excellency the Governor's Despatch transmitting the same to the Secretary for the Colonies.

Also, for a copy of the original Enclosures in the Secretary of State's Confidential Despatch, of the 17th August, 1852, printed in the Appendix to the Journals of the Legislative Council, for 1857, pages 113, 112; the first, 113—A "Copie" in French, of proposals made by the French Commissioner, Mr. Debon, signed by Debon, A Perrier; the second, 112, dated Paris, 5th July, 1852, signed Anthony Perrier, containing his translation of Mr. Debon's, or rather the French proposals addressed to the Earl of Malmesbury.

On motion, made and seconded, the House adjourned until Thursday next, at 4 o'clock, P. M.

THURSDAY, 7th March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
CLIFT,
FRASER,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The minutes of Monday last were read.

Hon. Mr. Stabb, by direction of His Excellency the Governor, laid on the Table of the House the following document :

Annual Report and General Account of Expenditure of the Harbor Grace Water Company.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Winter,

Ordered—That the following Address be presented to His Excellency the Governor :

*To His Excellency ANTHONY MUSGRAVE,
Esquire, Governor and Commander-
in-Chief in and over the Island of
Newfoundland, and its Dependencies,
&c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY,—

The Legislative Council respectfully request that your Excellency will be pleased to cause to be laid before this House, a copy of the Memorial of Mr. Bennett, referred to in the Principal Secretary of State for the Colonies' Despatch, No 128, 13th November, 1866, and a copy of your Excellency's Despatch, transmitting the same to the Secretary of State for the Colonies. Also, for a Copy of the original Enclosures in the Secretary of States'

Confidential Despatch, of the 17th August, 1852, printed in the Appendix to the Journals of the Legislative Council, for 1857, pages 113, 112; the first, 113—A “Copie” in French, of proposals made by the French Commissioner, Mr. Debon, signed by Debon, A. Perrier. The second, 112, dated Paris, 5th July, 1852, signed Anthony Perrier, containing his translation of Mr. Debon's, or rather the French proposals, addressed to the Earl of Malmesbury.

EDWARD MORRIS,
Senior Member.

Legislative Council,)
7th March, 1867.)

Ordered—That the Hon'bles. Messrs. Winter and Fraser, be a deputation to present the said Address.

A deputation from the House of Assembly brought up for concurrence a Bill, entitled “An Act to amend an Act passed in the 27th year of Her present Majesty, entitled ‘An Act for Establishing the Standard Weight of Grain and Pulse, and to regulate the sale of Bread, Coals, and other Articles,’” which, on motion of the Hon. Mr. Shea, was read a first time, and ordered to be read a second time to-morrow.

On motion made and seconded, the House adjourned until to-morrow, (Friday), at 4 o'clock, P. M.

FRIDAY, 8th March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
CLIFT,
FRASER,
CORMACK,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Thursday last were read.

Honble. Mr. Winter, from the deputation to present the Address to His Excellency the Governor, reported that the same had been presented, and that His Excellency was pleased to receive the same.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the Bill sent up, entitled "An Act to amend an Act passed in the 27th year of the reign of Her present Majesty, entitled 'An Act for establishing the Standard Weight of Grain and Pulse, and to regulate the sale of Bread, Coals, and other articles,'" was read a second time, and

Ordered to be committed to-morrow.

Hon. Mr. Winter gives notice that he will, on to-morrow, move an Address to His Excellency the Governor, requesting, for the information of this Branch of the Legislature, a Copy of the Agreement entered into between the two Nations, Great Britain and France, referred to in Governor Darling's Despatch to the Right Honorable the Secretary of State, on the subject of the Fisheries, No. 26, dated 8th July, 1855, page 273, Appendix to the Journals of the House of Assembly, for 1857, addressed to the Right Honorable Lord John Russell, M. P.

On motion made and seconded, the House adjourned until Monday next, at 4 o'clock, P. M.

MONDAY, 11th March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
FRASER,
CORMACK,
SHEA.
CLIFT,

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Friday last were read.

Hon. Mr. Stabb, by direction of His Excellency the Governor, laid on the table of the House the following Message, with certain documents appended :—

MESSAGE.

A. MUSGRAVE.

GOVERNMENT HOUSE,
11th March, 1867. }

In reply to the Address from the Honorable Board of Legislative Council, dated the 7th instant, the Governor has the honor to forward, for their information, a copy of Mr. Bennett's Memorial, referred to in the Despatch, No. 128, of the 13th November, 1866, from the Secretary of State, with a copy of the Despatch from the Governor, in which that Memorial was transmitted to Lord Carnarvon. In compliance with the request of the Council, the Governor also forwards copies of the original Enclosures in the Secretary of States' Confidential Despatch, of the 17th August, 1852, printed in the Appendix to the Journals of the Legislative Council, for 1857, pages 112, 113.

The Council will observe that these Documents were printed correctly, with the single exception of the substitution, by a typographical error, of the word "Marne" for the word "Morue," in the French Memorandum.

By Command.

A Deputation from the House of Assembly brought up for concurrence, a Bill, entitled "An Act to facilitate the recovery of Tenements, after due determination of the Tenancy," which, on motion of the Hon. Mr. Stabb, was read a first time; ordered to be read a second time to-morrow.

On motion made and seconded, the House adjourned until to-morrow, Tuesday, at 4 o'clock, P. M.

TUESDAY, 12th March, 1867.

The House met pursuant to adjournment.

PRESENT :

Hon'bles. Messrs. MORRIS,
 STABB,
 CLIFT,
 FRASER,
 CORMACK,
 WINTER,
 SHEA.

The Hon. Mr. Morris, Senior Member present, took the Chair.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the House went into Committee of the whole, on the Bill sent up, entitled "An Act to amend an Act passed in the 27th year of the Reign of Her present Majesty, entitled 'An Act for Establishing the Standard Weight of Grain and Pulse, and to regulate the Sale of Bread, Coals, and other articles.'"

Hon. Mr. Cormack in the Chair.

After some time the House resumed, the Chairman reported the Bill without amendment.

Ordered—That the Report be received; and

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

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the Bill sent up, entitled “An Act to facilitate the Recovery of Tenements, after due determination of the Tenancy,” was read a second time, and ordered to be Committed on Friday next.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Winter,

Ordered—That the following Address be presented to His Excellency the Governor by a deputation of this House, and ordered, that Hon’bles. Messrs. Winter and Shea be the deputation.

*To His Excellency ANTHONY MUEGRAVE,
Esquire, Governor and Commander-
in-Chief in and over the Island of
Newfoundland and its Dependencies,
&c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

The Legislative Council respectfully request that your Excellency will be pleased to cause to be laid before this House, a copy of the agreement entered into between the two Nations, (Great Britain and France,) referred to in Governor Darling’s Despatch to the Right Honorable the Secretary of State, on the subject of the Fisheries. No 26, dated 8th July, 1855, page 273, Appendix to the Journals of the House of Assembly for 1857, addressed to the Right Honorable Lord John Russell, M.P.

EDWARD MORRIS,
Senior Member.

Council Chamber,
12th March, 1867. }

On motion, made and seconded, the House adjourned until Thursday next, at 4 o’clock, P. M.

THURSDAY, 14th March, 1867.

The House met pursuant to adjournment.

PRESENT :

Hon'bles. Messrs. MORRIS,
 STABB,
 KENT,
 CLIFT,
 FRASER,
 CORMACK,
 WINTER,
 SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

Hon. Mr. Stabb, by Command of His Excellency the Governor, laid upon the Table of the House, the following Message from the Governor, in reply to the Address of the Council, of the 13th March :

A. MUSGRAVE.

GOVERNMENT HOUSE, }
 14th March, 1867. }

The Governor has had under consideration the Address from the Legislative Council, requesting to be furnished with a Copy of the Agreement between the two Nations, (Great Britain and France,) referred to in Governor Darling's Despatch to the Right Honorable the Secretary of State for the Colonies, No. 26, dated 8th July, 1855, printed in the Journals of the House of Assembly, for the year 1857. In reply, the Governor has the honor to inform the Honorable Board, that he is not acquainted with any Agreement, to which Governor Darling could then have referred, except the General Agreement between the two Nations, contained in the provisions of the Ancient Treaties, of which the Legislature is fully cognisant.

By Command,

J. BEMISTER,
Colonial Secretary.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the Bill sent up, entitled "An Act to amend the Act passed in the 27th year of the Reign of Her present Majesty, entitled 'An Act to establish the Standard Weights of Grain and Pulse, and to regulate the sale of Bread, Coals, and other articles,'" was read a third time and passed, and the Hon. Mr. Morris, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the Assembly, with message that this House had passed the same without amendment.

A deputation from the Assembly brought up for concurrence a Bill, entitled "An Act to amend the Constitution of the Supreme Court of this Colony, and to abolish the Circuit Courts," which, on motion of Hon. Mr. Stabb, was read a first time, and ordered to be read a second time on Monday next.

On motion, made and seconded, the House adjourned until to-morrow, Friday, at 4 o'clock, P. M.

FRIDAY, 15th March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
 STABB,
 KENT,
 CLIFT,
 FRASER,
 WINTER,
 SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Thursday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the House went into Committee on the Bill sent up, entitled "An Act to facilitate the Recovery of Tenements, after due determination of the Tenancy ;"

Hon. Mr. Winter in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received, and

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

On motion made and seconded, the House adjourned until Monday next, at 4 o'clock, P. M.

MONDAY, 18th March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
CLIFT,
FRASER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Friday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the Bill sent up, entitled "An Act to facilitate the recovery of Tenements after due determination of the Tenancy," was read a third time and passed, and the Hon. Mr. Morris, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the Bill sent up, entitled "An Act to amend the Constitution of the Supreme Court of this Colony, and to abolish the Circuit Courts," was read a second time, and

Ordered to be committed to-morrow.

On motion made and seconded, the House adjourned until Wednesday next, at 4 o'clock, P. M.

WEDNESDAY, 20th March. 1867.

The House met pursuant to adjournment.

PRESENT :

Hon'bles. Messrs. MORRIS,
STABB,
KENT,
CLIFT,
FRASER,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Monday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the House went into Committee on the Bill sent up, entitled "An Act to amend the Constitution of the Supreme Court of this Colony, and to Abolish the Circuit Courts."

Hon. Mr. Shea in the Chair.

A Message from the Assembly being announced,

The House resumed.

A deputation from the House of Assembly brought up for concurrence a Bill, entitled "An Act to amend an Act passed in the

27th year of the Reign of Her present Majesty, entitled ' An Act for the amendment of the General Water Company Acts, and also of the Act for the Incorporation of the Harbor Grace Water Company.' "

A Deputation at the same time brought up for concurrence a Bill, entitled " An Act to continue an Act passed in the 24th and 25th years of the Reign of Her present Majesty, entitled ' An Act to provide for the Organization of a Volunteer Force for the protection of Newfoundland.' "

The Deputation having retired, the said Bills were severally read a first time, and

Ordered to be read a second time to-morrow.

The Chairman then resumed the Chair of the Committee.

After some time the House resumed.

The Chairman reported that they had made some progress, and asked leave to sit again.

Ordered—That the Report be received.

On motion, made and seconded, the House adjourned until to-morrow, (Thursday), at 4 o'clock, P. M.

THURSDAY, 21st March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
FRASER,
WINTER,
SHEA,
CLIFT.

Hon. Mr. Morris, Senior Member present, took the Chair.

The minutes of Wednesday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the House went again into Committee on the Bill sent up, entitled "An Act to amend the Constitution of the Supreme Court of this Colony, and to abolish the Circuit Courts."

After some time the House resumed.

The Chairman reported that they had made some progress, and asked leave to sit again.

Ordered—That the Report be received.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Clift, the Bill sent up, entitled "An Act to continue an Act passed in the 24th and 25th years of the Reign of Her present Majesty, entitled 'An Act to provide for the Organization of a Volunteer Force for the protection of Newfoundland,'" was read a second time, and

Ordered to be committed to-morrow.

On motion of the Hon. Mr. Fraser,

Ordered—That the second reading of the Bill sent up, entitled "An Act for the amendment of the General Water Company Acts; and also, the Act for the Incorporation of the Harbor Grace Water Company," be postponed until Monday next.

On motion made and seconded, the House adjourned until to-morrow, (Friday), at 4 o'clock, P. M.

FRIDAY, 22nd March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. MESSRS. MORRIS,
 STABB,
 KENT,
 CLIFT,
 FRASER,
 WINTER,
 SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Thursday last were read.

Hon. Mr. Stabb presented a petition from Robert Brown, Manager of the Commercial Bank, which was laid on the Table.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Clift, the House went into Committee on the Bill, entitled "An Act to continue an Act passed in the 24th and 25th years of the Reign of Her present Majesty, entitled 'An Act to provide for the organization of a Volunteer Force for the protection of Newfoundland.'"

Hon. Mr. Fraser in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received, and

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

On motion, made and seconded, the House adjourned until Monday next at 4 o'clock, P. M.

MONDAY, 25th March, 1867.

The House met pursuant to adjournment.

PRESENT :

**Honbles. Messrs. MORRIS,
STABB.**

At half-past 4 of the clock. the House adjourned for want of a Quorum, until to-morrow at 4 o'clock, P. M.

TUESDAY, 26th March, 1867.

The House met pursuant to adjournment.

PRESENT :

**Hon'bles. Messrs. MORRIS,
STABB,
KENT,
FRASER,
CORMACK,
WINTER,
SHEA.**

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Monday last were read.

Hon. Mr. Stabb, by direction of His Excellency the Governor, laid upon the table of the Ho use the following documents :—

Preliminary Report of A. Murray, Esq., on his Geological Survey of 1866.

Statement of the Affairs of the General Water Company, for the year ended 31st December, 1866.

Upon motion of the Hon. Mr. Stabb, the Petition of Robert Brown, Manager of the Commercial Bank of Newfoundland, was read, and

Ordered to lie on the table.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the House went into Committee on the Bill sent up, entitled "An Act to amend the Constitution of the Supreme Court of this Colony, and to Abolish the Circuit Courts."

After some time the House resumed.

The Chairman reported that they had passed the Bill with some amendments.

Ordered—That the Report be received, and

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

The Amendments are as follows :—

At the end of the Third Section, add "The determination of one Judge of the Supreme Court may be re-heard, on motion of any party feeling himself aggrieved, before two or more Judges, in the manner prescribed by the 5th Section."

Fifth Section, on the first line, after the words "Supreme Court," insert "in St. John's," and on the seventh line, after the word "Equity," insert "and in Revenue cases."

Fourteenth Section, on the fifth line, after the word "Judge," insert "on Circuit;" and on the 8th line, after the word "there" add "Or may have a Special case, Equity suit, or any information, action, or suit, relating to the Revenue, re-heard."

Fifteenth Section—After the word "Saint John's" on the last line, add "and they shall, after the passing of this Act, be styled the Chief Clerks and Registrars of the Supreme Court on Circuit."

Nineteenth Section—After the word "Court" on the second and third lines, expunge the words "against any person, wherever within its Jurisdiction, and," and insert in lieu thereof "returnable before the Supreme Court in Saint John's, or in the District where the Defendant or his agent may reside;" and on the fourth line, after the word "writs" insert "as may be issued out of St. John's."

Twentieth Section—At the end of the last line, add “and any records and proceedings not carried to final execution at the time that this Act shall come into operation, shall become the records and proceedings of the Supreme Court or Circuit, or otherwise, as the case may be, and shall be proceeded with to final Judgment and Execution, as if the same had been initiated in the Supreme Court.”

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Fraser, the Bill sent up, entitled “An Act to amend an Act passed in the 27th year of the Reign of Her present Majesty, entitled ‘An Act for the amendment of the General Water Company Acts; and also, of the Act for the Incorporation of the Harbor Grace Water Company,’” was read a second time, and

Ordered, to be committed to-morrow.

On motion, made and seconded, the House adjourned until to-morrow, Wednesday, at 4 o'clock, P. M.

WEDNESDAY, 27th March. 1867.

The House met pursuant to adjournment.

PRESENT :

Hon'bles. Messrs. MORRIS,
 STABB,
 KENT,
 TESSIER,
 FRASER,
 CORMACK,
 WINTER,
 SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Tuesday last were read.

Pursuant to the Order of the Day, and on motion of the Hon.

Mr. Stabb, the Bill sent up, entitled "An Act to amend the Constitution of the Supreme Court of this Colony, and to abolish the Circuit Courts," was read a third time and passed, and the Hon. Mr. Morris, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the Assembly with Message that this House had passed the same, and requesting concurrence thereto.

Pursuant to the Order of the day, and on motion of the Hon. Mr. Fraser, the House went into Committee on the Bill sent up, entitled "An Act to amend an Act passed in the 27th year of the Reign of Her present Majesty, entitled 'An Act for the amendment of the General Water Company Acts, and also of the Act for the Incorporation of the Harbor Grace Water Company.'"

Hon. Mr. Kent in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received, and

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

Hon. Kent gives notice that on to-morrow he will ask the Hon. the Organ of the Government why the law for regulating the Public Coves in St. John's is not carried out, so as to allow the ingress and egress of Craft through the same, free from obstruction.

On motion, made and seconded, the House adjourned until Friday next, at 4 o'clock, P. M.

FRIDAY, 29th March, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
CORMACK,
WINTER,
SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Wednesday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Fraser, the Bill sent up, entitled "An Act to amend an Act passed in the 27th Year of the Reign of Her present Majesty, entitled "An Act for the amendment of the General Water Company Acts; and also, the Act for the Incorporation of the Harbor Grace Water Company," was read a third time and passed, and the Hon. Mr. Morris, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the Assembly, with message, that this House had passed the same, without amendment.

Hon. Mr. Kent, pursuant to notice, asked the Hon. the Organ of the Government, why the law for regulating the Public Coves in St. John's, is not carried out, so as to allow the ingress and egress of Craft through the same, free from obstruction.

Hon. Mr. Clift gives notice, that he will on to-morrow ask the Hon. the Organ of the Government to lay upon the table of this House full and particular statements in detail of the following items charged in the account of the General Water Company's Account—viz., the sum of \$740.17 under the head of cost of lead pipe, wire cloth, leather hose, for Fire Brigades, &c.

The sum of \$688.90 for cost of leather hose, for Fire Brigades, &c.

The sum of \$960 for "account allowance to Fire Brigade."

The sum of \$1,243.90 expended for wages, cartage, labour, &c.

The sum of \$672.39 Contingent expenses, including Office and Store Rent, Stationery, &c.

The sum of \$1733.34, Salaries, including Engineers and all Officers.

The sum of \$327 30 labour and cartage hose, watering Vessels.

Also, a Statement in detail of the sum of \$2700, under the head of "balance at debit loan account 12th January, 1866;"—when had, and the purposes to which this loan has been applied.

On motion, made and seconded, the House adjourned until Tuesday next at 4 o'clock, P. M.

TUESDAY, 2nd April, 1867.

The House met pursuant to adjournment.

PRESENT :

Hon'bles. Messrs. MORRIS,
 STABB,
 KENT,
 TESSIER,
 CLIFT,
 FRASER,
 CORMACK,
 WINTER,
 SHEA.

Hon. Mr. Morris, Senior Member present, took the Chair.

The Minutes of Friday last were read.

Pursuant to notice, the Hon. Mr. Clift asked the Hon. the Organ of the Government, to lay upon the table of this House full and particular statements in detail of the following items charged in the account of the General Water Company's Account—viz., the sum of \$740.17 under the head of cost of lead pipe, wire cloth, leather hose for Fire Brigades, &c.

The sum of \$688.90 for cost of leather hose for Fire Brigades, &c.

The sum of \$960 for "account allowance to Fire Brigade."

The sum of \$1243.90 expended for wages, cartage, labour, &c.

The sum of \$672.39 Contingent expenses, including Office and Store Rent, Stationery, &c.

The sum of \$1733.34, "Salaries, including Engineers and all Officers."

The sum of \$327.30 labor and cartage hose, watering Vessels.

Also, a Statement in detail of the sum of \$2700, under the head of "balance at debit loan account 12th January, 1866;"—when had, and the purposes to which this loan has been applied.

On motion, made and seconded, the House adjourned until Thursday next, at 4 o'clock, P. M.

THURSDAY, 4th April, 1867

The House met pursuant to adjournment.

PRESENT :

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

Honbles. Messrs. MORRIS,
 STABB,
 KENT,
 CLIFT.
 TESSIER,
 CORMACK,
 WINTER,
 SHEA,

Hon. the President took the Chair.

The Minutes of Thursday last were read.

Hon. Mr. Stabb laid on the table of the House a Detailed Statement of Expenditure of sums of money charged in the statement of the Affairs of the General Water Company.

On motion made and seconded, the House adjourned until Monday next, at 4 o'clock, P. M.

MONDAY, 8th April, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. STABB,
 KENT,
 TESSIER,
 CLIFT,
 FRASER,
 CORMACK,
 WINTER,
 SHEA.

Hon. Mr. Stabb, Senior Member present, took the Chair.

The Minutes of Thursday last were read.

A deputation from the House of Assembly brought up a Bill for concurrence, entitled "An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandise, imported into this Colony and its dependencies;" which, on motion of the Hon. Mr. Shea, was read a first time, and

Ordered to be read a second time to-morrow.

Hon. Mr. Clift gives notice that he will ask the Hon. the Organ of the Government why the sum of \$2700, paid in 1862, '63 and '64, now appeared for the first time in the General Water Company's accounts; and whether that Company did not resist payment of this sum as not being properly chargeable to it. Also, the nature of the services performed for which the several amounts were paid to R. J. Pinsent, E. Hanrahan, and J. T. Nevill.

On motion made and seconded, the House adjourned until to-morrow (Tuesday,) at 4 o'clock, P. M.

TUESDAY, 9th April, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. MESSRS. STABB,
 KENT,
 TESSIER,
 CLIFT,
 FRASER,
 CORMACK,
 WINTER,
 SHEA.

Hon. Mr. Stabb, Senior Member present, took the Chair.

The Minutes of Monday last were read.

Hon. Mr. Tessier, from the Select Joint Committee in reference

to the question of British Territorial Rights and French privileges, presented a Report of the same, which was received and read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the Bill sent up, entitled "An Act for granting to Her Majesty certain duties on Goods, Wares, and Merchandise, imported into this Colony and its dependencies," was read a second time, and

Ordered to be committed to-morrow.

Hon. Mr. Clift, pursuant to notice, asked the Hon. the Organ of the Government, why the sum of \$2700, paid in 1862, '63 and '64, now appeared for the first time in the General Water Company's accounts; and whether that Company did not resist payment of this sum as not being properly chargeable to it. Also, the nature of the services performed for which the several amounts were paid to R. J. Pinsent, E. Hanrahan, and J. T. Nevill.

On motion made and seconded, the House adjourned until to-morrow, (Wednesday,) at 4 o'clock, P. M.

WEDNESDAY, 10th April, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles, Messrs. STABB,
 KENT,
 TESSIER,
 CLIFT,
 CORMACK,
 FRASER,
 WINTER,
 SHEA.

Hon. Mr. Stabb, Senior Member present, took the Chair.

The Minutes of Tuesday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the House went into Committee on the Bill sent up, entitled "An Act for granting to Her Majesty certain duties on Goods, Wares, and Merchandise, imported into this Colony and its dependencies."

Hon. Mr. Winter in the Chair.

A Message from the Assembly being announced,

The House resumed.

A Deputation from the Assembly brought up the following Message:—

MR. PRESIDENT,

The House of Assembly acquaint the Hon. the Legislative Council that they have passed the Amendments made by the Council in and upon the Bill sent up from the Assembly, entitled "An Act to amend the Constitution of the Supreme Court of this Colony, and to abolish the Circuit Courts," without amendment.

(Signed),

W. V. WHITEWAY,

Speaker.

House of Assembly, }
10th April, 1867. }

The Deputation at the same time brought up for concurrence the following Bills:—

A Bill entitled "An Act to amend an Act passed in the second year of the Reign of Her present Majesty, entitled 'An Act to preserve the Harbors and Roadsteads of Newfoundland and its Dependencies, from Nuisances and Obstructions.'"

A Bill entitled "An Act to amend the Acts for the Encouragement of Education in this Colony."

And a Bill, entitled "An Act to amend an Act passed in the 28th year of the Reign of Her present Majesty, entitled 'An Act to regulate the making and repairing of Roads, Streets and Bridges within this Colony.'"

Another Deputation at the same time brought up for concurrence a Bill entitled "An Act to amend an Act passed in the 17th year of the Reign of Her present Majesty, entitled 'An Act to Incorporate a Company under the style and title of the New York, Newfoundland, and London Telegraph Company.'"

The Deputation having retired,

The said Bills were severally read a first time, and

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

The Chairman then resumed the Chair of the Committee.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received, and

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

On motion of the Hon. Mr. Shea, the following Message was sent to the Assembly :—

MR. SPEAKER,—

The Legislative Council respectfully request that the House of Assembly will furnish this House with the Evidence or Report in proof of the allegations or matter whereon the Bill, entitled "An Act to amend an Act passed in the 17th year of the Reign of Her present Majesty, entitled 'An Act to Incorporate a Company under the style and title of the New York, Newfoundland and London Telegraph Company,'" is founded.

NICHOLAS STABB,

Senior Member presiding.

Legislative Council, }
10th April, 1867. }

Hon. Mr. Clift presented a Petition from William Pitts and others, Water-rate payers, of St. John's.

Hon. Mr. Tessier gives notice that he will, on to-morrow, move the adoption of the report of the Select Committee on the French Shore Territorial Rights, and address to the Governor thereon.

On motion, made and seconded, the House adjourned until Thursday next, at 4 o'clock, P. M.

THURSDAY, 11th April, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. STABB,
KENT,
TESSIER,
CLIFT.
FRASER,
CORMACK,
WINTER,
SHEA.

Hon. Mr. Stabb, Senior Member present, took the Chair.

The Minutes of Wednesday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the Bill sent up, entitled "An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandise, imported into this Colony and its dependencies," was read a third time and passed, and the Hon. Mr. Stabb, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the Assembly with Message that this House had passed the same, without amendment.

A Deputation from the House of Assembly brought up the following Message, with the accompanying Report, which are as follows :—

MR. PRESIDENT,—

The House of Assembly beg leave to annex, for the information of the Hon. Legislative Council, copy of a report of the Select Committee "appointed to take into consideration the petition of

the New York, Newfoundland, and London Telegraph Company, praying for an Act of the Legislature to authorize the increase of the Capital Stock of the said Company to the further extent of Three Millions of Dollars, for the purpose of running additional lines of Telegraph wires in this country, and a Cable from Placentia Bay to some part of the American Continent," being the proof of the allegation or matter whereon the Bill entitled "An Act to amend an Act passed in the 17th year of the Reign of Her present Majesty, entitled 'An Act to Incorporate a Company under the style and title of the New York, Newfoundland and London Telegraph Company,' " has been founded.

W. V. WHITEWAY,

Speaker.

House of Assembly, }
11th April, 1867. }

(Copy.)

COMMITTEE ROOM, }
House of Assembly. }

The Select Committee appointed by your Honorable House to take into consideration the petition of the New York, Newfoundland, and London Telegraph Company, praying for an Act of the Legislature to authorize the increase of the Capital Stock of the said Company, to the further extent of Three Millions of Dollars, for the purpose of running additional lines of Telegraph wires in this country, and a Cable from Placentia Bay to some part of the American Continent, beg leave to report that they have taken the evidence, on the subject, of Mr. McKay, the Agent of the Company in this Colony, and have given due consideration to the whole matter of the petition.

Mr. McKay was unable to furnish the Committee with any statement of accounts of the expenditure by the Company, under their former Charter, which enabled them to lay out Three Millions of Dollars on Telegraph lines in this Country. It is obvious that the information is necessary to enable the House to determine as to the sufficiency of the grounds on which the present application is made. The reason assigned by the Agent of the Company for their inability to produce these accounts is, that by a

fire in New York in 1850, by which Mr. Field's premises were burned, the books and papers of the Telegraph Company, which were in Mr. Field's possession, were destroyed, and no copies are attainable. The Committee, while believing this statement to be correct, regret to be called on to act in the absence of that data, which is invariably demanded in a case of this description, and by which alone such an application can be satisfactorily sustained.

The Committee, however, being fully alive to the interests involved in the grand undertaking with which this petition is connected, felt that objections, though just in themselves and strong enough to prevail in an ordinary case, may yet be insufficient when weighed by the considerations which directly and indirectly belong to the present question. The works now proposed, and for which the additional Capital is said to be necessary, are required to facilitate the business of the Atlantic Cable, and will result, it is believed, and asserted by Mr. McKay, in a material reduction of the present rates of messages. Employment will also be given, during the coming season, in the construction of the new land lines to a large number of operatives; and, in these facts are embraced advantages of so important a character that the Committee, having further regard to the spirited efforts and sacrifices already made by the New York, Newfoundland, and London Telegraph Company, beg to recommend that the prayer of the petition be complied with, by granting the privileges which the Company seek.

It appears in evidence from Mr. McKay, that the Telegraph line between St. John's and Trepassey, has been taken down at the instance of the Company. It is one of the stipulations of the existing Charter, that this line of Telegraph shall be maintained, and worked; and the Committee, therefore, feel that the violation of this condition of the Charter is without warrant, and they beg to report it for the consideration of the House and the Government.

Respectfully submitted.

F. B. T. CARTER,
A. SHEA,
H. RENOUF,
STEPHEN RENDELL.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the Bill sent up, entitled "An Act to amend an Act passed in the second year of the Reign of Her present Majesty, entitled 'An Act to preserve the Harbours and Roadsteads of Newfoundland and its Dependencies from Nuisances and Obstructions,' " was read a second time, and

Ordered to be committed to-morrow.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Clift, the Bill sent up, entitled "An Act to amend the Acts for the Encouragement of Education in this Colony," was read a second time, and

Ordered to be committed to-morrow.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the Bill sent up, entitled "An Act to amend an Act passed in the 28th year of the Reign of Her present Majesty, entitled 'An Act to regulate the making and repairing of Roads, Streets and Bridges within this Colony,' " was read a second time, and

Ordered to be committed to-morrow.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the Bill sent up, entitled "An Act to amend an Act passed in the 17th year of the Reign of Her present Majesty, entitled 'An Act to Incorporate a Company under the style and title of the New York, Newfoundland and London Telegraph Company,' " was read a second time, and

Ordered to be committed to-morrow.

Hon. Mr. Winter gives notice that, on to-morrow, he will move an Address to His Excellency the Governor for a copy of the Report of Commodore Dunlop and the Honorable John Kent, to the British Government, relative to their action as Members of the joint British and French Commission for enquiring into the claims made on behalf of French fishermen.

Hon. Mr. Winter gives notice that, on to-morrow, he will move an Address to His Excellency the Governor for copies of all cor-

respondence having relation to British Territorial, Maritime or Fishery rights, under the French Fishery Treaties, between the Governors or Administrators of the Government and Her Majesty's Government, from September 23rd, 1858, up to this date, which may not already have been laid before the Legislative Council.

On motion of the Hon. Mr. Clift, the Petition of William Pitts and others, of St. John's, Water-rate payers, setting forth the hardships felt by petitioners under the existing General Water Company Acts, and praying the favorable consideration of this Honorable House in the premises, was read by the Clerk.

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

Hon Mr. Shea gives notice that he will, on to-morrow, move the suspension of the 35th rule of this House, with reference to Bills and all other matters, during the remainder of the Session.

On motion made and seconded, the House adjourned until to-morrow, (Friday,) at 4 o'clock, P. M.

FRIDAY, 12th April, 1867.

The House met pursuant to adjournment.

PRESENT :

Honbles. Messrs. STABB,
KENT,
FRASER,
CORMACK,
TESSIER,
WINTER,
SHEA.

Hon. Mr. Stabb, Senior Member present, took the Chair.

The Minutes of Thursday last were read.

Pursuant to notice, and on motion of the Hon. Mr. Shea,

Ordered—That the 35th Rule be suspended in reference to Bills and all other matters, during the remainder of the Session.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the House went into Committee on the Bill sent up, entitled “ An Act to amend an Act passed in the second year of the Reign of Her present Majesty, entitled ‘ An Act to preserve the Harbors and Roadsteads of Newfoundland and its Dependencies from Nuisances and Obstructions.’ ”

Hon. Mr. Fraser in the Chair.

After some time the House resumed.

The Chairman reported the Bill with some amendments.

Ordered—That the Report be received.

The said Bill, as amended, was then read a third time and passed, and the Hon. Mr. Stabb, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same with some amendments, and requesting concurrence thereto.

The amendments are as follows :

The following to stand as the First Section :

“ Any person who shall hereafter in any way encumber, make erections across, or obstruct any of the Public Coves, or the waters thereof, shall forfeit and pay for every offence, a fine not exceeding Ten Dollars, to be recovered in a summary manner before any Stipendiary Justice of the Peace, and by distress and sale of the Offender’s goods and chattels. And in default of any sufficient distress being found, such Offender shall be imprisoned for any term not exceeding two months.

“ Provided, that this clause shall not affect the right of parties to haul Vessels or Boats to the wharves adjoining the Public Coves, for the purpose of loading or discharging cargoes.”

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the House went into Committee on the Bill sent up, entitled “ An Act to amend an Act passed in the 28th year of the

Reign of Her present Majesty, entitled ' An Act to regulate the Making and Repairing of Roads, Streets and Bridges within this Colony.' ”

Hon. Mr. Cormack in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. Mr. Stabb, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the House of Assembly with Message, that this House had passed the same without amendment.

Pursuant to the Order of the Day, and on Motion of the Hon. Mr. Winter, the House went into Committee on the Bill sent up, entitled “ An Act to amend the Acts for the Encouragement of Education in this Colony.”

Hon. Mr. Kent in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. Mr. Stabb, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the House of Assembly with Message, that the House had passed the same without amendment.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Shea, the House went into Committee on the Bill sent up, entitled “ An Act to amend an Act passed in the Seventeenth year of the Reign of Her present Majesty, entitled ‘ An Act to Incorporate a Company under the style and title of the New York, Newfoundland and London Telegraph Company.’ ”

Hon. Mr. Tessier in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. Mr. Stabb, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the House of Assembly with Message, that this House had passed the same without amendment.

On motion made and seconded, the House adjourned until to-morrow (Saturday,) at 4 o'clock, P. M.

SATURDAY, 13th April, 1867.

The House met pursuant to adjournment.

PRESENT :

Hon bles. Messrs. STABB,
KENT,
WINTER,

At half-past 4 o'clock, the House adjourned until Monday next at 4 o'clock, P.M., for want of a Quorum.

MONDAY, 15th April, 1867.

The House met pursuant to adjournment.

PRESENT :

Hon'bles. Messrs. STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
WINTER,
SHEA.

Hon. Mr. Stabb, Senior Member present, took the Chair.

The Minutes of Friday and Saturday last were read.

On motion made and seconded, the House adjourned until tomorrow, (Tuesday,) at 4 o'clock, P. M.

TUESDAY, 16th April, 1867.

The House met pursuant to adjournment.

PRESENT :

Hon'bles. Messrs. STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
CORMACK,
WINTER,
SHEA.

Hon. Mr. Stabb, Senior Member present, took the Chair.

The Minutes of Monday last were read.

A Deputation from the Assembly brought up for concurrence a Bill, entitled "An Act to amend an Act passed in the 29th year of the Reign of Her present Majesty, entitled 'An Act to make provision for the Constitution of a Marine Court of Enquiry in this Colony.'"

A Deputation at the same time brought up for concurrence a Bill, entitled "An Act for granting to Her Majesty a Sum of Money for Constructing and Repairing Roads, Streets, and Bridges, in this Colony.

On motion of the Hon. Mr. Shea, the said last mentioned Bill was read a first and second time, and the House went into Committee on the same presently.

Hon. Mr. Winter in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. Mr. Stabb, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

On motion of the Hon. Mr. Tessier, the Bill sent up, entitled "An Act to amend an Act passed in the 29th year of the Reign of Her present Majesty, entitled 'An Act to make provision for the Constitution of a Marine Court of Enquiry in this Colony,'"

was read a first and second time, and the House went into Committee on the same presently.

Hon. Mr. Clift in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. Mr. Stabb, Senior Member present, signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

Hon. Mr. Cormack presented a Petition from John Howley, Reporter of this House.

On motion, made and seconded, the House adjourned until Tuesday next, at 4 o'clock, P. M.

TUESDAY, 23rd April, 1867.

The House met pursuant to adjournment.

PRESENT :

The Hon'ble. LAURENCE O'BRIEN, *President*.

Hon'bles. Messrs. MORRIS,
STABB,
TESSIER,
KENT,
FRASER,
CLIFT,
CORMACK,
WINTER,
SHEA.

The Minutes of Tuesday last were read.

A Deputation from the House of Assembly brought up, for concurrence the following Bills, entitled, respectively, "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 31st day of December, One Thousand Eight Hundred and Sixty-seven, and for other purposes;" and a Bill, entitled "An Act to Authorize the Consolidation of part of the Public Debt of this Colony."

A Deputation at the same time brought up, for concurrence, the following Bills, entitled, respectively, "An Act to amend the

Practice of the Superior Courts, as regards the Estates of Infants and Persons of Unsound Mind ;”

A Bill, entitled “ An Act to amend an Act passed in the 21st Year of the Reign of Her present Majesty, entitled ‘ An Act to Incorporate the Commercial Bank of Newfoundland ;’ ”

And a Bill, entitled “ An Act further to amend an Act passed in the 19th Year of the Reign of Her present Majesty, entitled ‘ An Act to determine the Qualification of Jurors, to serve in the several Courts of this Island, and to regulate the Empanelling of Jurors therein.’ ”

On motion of the Hon. Mr. Stabb, the Bill sent up, entitled “ An Act for granting to Her Majesty a sum of Money to defray the expenses of the Civil Government of this Colony, for the Year ending the 31st day of December, One Thousand Eight Hundred and Sixty-seven, and for other purposes,” was read a first and second time, and the House went into Committee thereon presently.

Hon. Mr. Winter in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. the President signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

On motion of the Hon. Mr. Shea, the Bill sent up, entitled “ An Act to authorize the Consolidation of part of the Public Debt of this Colony,” was read a first and second time, and the House went into Committee on the same presently.

Hon. Mr. Cormack in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. the President signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

On motion of the Hon. Mr. Shea, the Bill sent up, entitled “ An Act to amend the Practice of the Superior Courts as regards the Estates of Infants and Persons of Unsound Mind,” was read a first and second time, and the House went into Committee on the same presently.

Hon. Mr. Fraser in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. the President signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

On motion of the Hon. Mr. Stabb, the Bill sent up, entitled “ An Act to amend an Act passed in the 21st year of the Reign of Her present Majesty, entitled ‘ An Act to Incorporate the Commercial Bank of Newfoundland,’ ” was read a first and second time, and the House went into Committee on the same presently.

Hon. Mr. Tessier in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. the President signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

On motion of the Hon. Mr. Stabb, the Bill sent up, entitled “An Act to further amend an Act passed in the 19th Year of the Reign of Her present Majesty, entitled ‘An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the Empanelling of Jurors therein,’ ” was read a first and second time, and the House went into Committee on the same presently.

Hon. Mr. Kent in the Chair.

After some time the House resumed.

The Chairman reported the Bill with some amendments.

Ordered—That the Report be received.

The said Bill, as amended, was then read a third time and passed, and the Hon. the President signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same with some amendments, and requesting concurrence thereto.

A Deputation from the Assembly brought up the following Message :—

MR. PRESIDENT,—

The House of Assembly acquaint the Hon. the Legislative Council, that they have passed the Amendments made by the Council in and upon the Bill sent up from the Assembly, entitled “An Act to further amend an Act passed in the 19th year of the Reign of Her present Majesty, entitled ‘An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the Empanelling of Jurors therein,’ ” without amendment.

W. V. WHITEWAY,

House of Assembly, }
23rd April, 1867. }

Speaker.

A Deputation, at the same time, brought up, for concurrence, a Bill entitled "An Act to Indemnify His Excellency the Governor of Newfoundland for certain Sums of Money advanced by him from the Colonial Treasury for the service of the Colony," which, on motion of the Hon. Mr. Stabb, was read a first and second time, and

Ordered to be committed to morrow.

On motion made and seconded, the House adjourned until to-morrow, Wednesday, at 4 o'clock, P. M.

WEDNESDAY, 24th April, 1867.

The House met pursuant to adjournment.

PRESENT .

The Hon'ble. LAURENCE O'BRIEN, *President*.

Hon'bles. Messrs. MORRIS,
 STABB,
 KENT,
 TESSIER,
 CLIFT,
 CORMACK,
 WINTER,
 SHEA.

The Minutes of Tuesday last were read.

Pursuant to the Order of the Day, and on motion of the Hon. Mr. Stabb, the House went into Committee on the Bill sent up, entitled "An Act to Indemnify His Excellency the Governor of Newfoundland for certain Sums of Money advanced by him from the Colonial Treasury for the service of the Colony."

Hon. Mr. Clift in the Chair.

A Message from the Assembly being announced, the House resumed.

A Deputation from the Assembly brought up the following Messages :—

MR. PRESIDENT,—

The House of Assembly acquaint the Hon. the Legislative Council, that they have passed the Amendments made by the Council in and upon the Bill sent up from the Assembly, entitled “An Act to further amend an Act passed in the 19th year of the Reign of Her present Majesty, entitled ‘An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the Empanelling of Jurors therein,’” without amendment.

W. V. WHITEWAY,
Speaker.

House of Assembly, }
24th April, 1867. }

MR. PRESIDENT,—

The House of Assembly acquaint the Hon. the Legislative Council, that they have passed the Amendments made by the Council in and upon the Bill sent up from the Assembly, entitled “An Act to amend an Act passed in the Second year of the Reign of Her present Majesty, entitled “An Act to Preserve the Harbors and Roadsteads of Newfoundland and its Dependencies, from Nuisances and Obstructions,” without amendment.

W. V. WHITEWAY,
Speaker.

House of Assembly, }
16th April, 1867. }

MR. PRESIDENT,—

The House of Assembly respectfully request, that the Hon. the

Legislative Council will furnish them with the amount of their Contingent Expenses for the present Session.

W. V. WHITEWAY,
Speaker.

House of Assembly, }
16th April, 1867. }

The same Deputation, at the same time, brought up, for concurrence, a Bill, entitled "An Act for the Protection of Married Women in certain cases."

The Deputation having retired,

The Chairman resumed the Chair of the Committee.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. the President signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

On motion of the Hon. Mr. Stabb, the Bill sent up, entitled "An Act for the Protection of Married Women in certain cases," was read a first and second time, and the House went into Committee on the same presently.

Hon. Mr. Morris in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. the President signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

The Hon. Mr. Stabb, from the Select Committee appointed to report on the Contingencies of this House for the present Session, presented a Report of the same, which was received and read.

Whereupon, on motion of the Hon. Mr. Stabb, the House went into Committee of Privilege on the same presently.

Hon. Mr. Shea in the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the Report of the Select Committee on the Contingencies of this House, without amendment.

Ordered—That the Report be received.

The said Report was then adopted and passed, and the Hon. the President signed the same.

Ordered—That the same be sent to the Assembly with Message, requesting their concurrence thereto.

The Report is as follows :—

The Select Committee appointed to take into consideration the Contingent Expenses of this House for the present Session, beg leave to report, that they have examined the Accounts of the Clerk, amounting to Three Hundred and Thirty-two Dollars and Forty-five Cents ; and those of the Gentleman Usher of the Black Rod, amounting to Ninety-four Dollars and Eighty Cents, which they recommend to be paid ; and the Committee further recommend, that the Members and Officers of this House be paid for their services the present Session, as follows :—

The President of the Legislative Council, for his services during the present Session, Two Hundred and Forty Dollars.

The Clerk and Master-in-Chancery, for his services during the present Session, One Thousand Six Hundred and Fifteen Dollars and Forty Cents.

The Usher of the Black Rod, for his services during the present Session, Five Hundred and Fifty-three Dollars and Eighty-three Cents.

The Reporter of the Legislative Council, for his services during the present Session, Five Hundred Dollars.

The Door Keeper of the Legislative Council, for his services during the present Session, Two Hundred and Thirty Dollars and Seventy-six Cents.

The Assistant Door Keeper and Messenger of the Legislative Council, for his services during the present Session, One Hundred and Thirty-eight Dollars and Forty-five Cents.

The Messenger of the Legislative Council, for his services during the present Session, One Hundred and Fifteen Dollars and Thirty-eight Cents.

The Fireman of the Legislative Council, for his services during the present Session, Fifty-six Dollars.

The Proprietor of the *Times*, for publishing Debates and Proceedings of the Legislative Council, for the present Session, One Hundred and Sixty Dollars.

The Proprietor of the *Ledger*, for copying Debates and Proceedings of the Legislative Council, for the present Session, One Hundred Dollars.

The Proprietor of the *Courier*, for copying Debates and Proceedings of the Legislative Council, for the present Session, One Hundred Dollars.

John W. McCoubrey, for Printing Bills and Miscellaneous Papers, Legislative Council, for the present Session, One Hundred and Ninety-two Dollars and Forty Cents.

Estimate for Printing and Binding Journals of the Legislative Council, for the present Session, Eight Hundred Dollars.

The Clerk of the Legislative Council, to defray the Contingent Expenses of his office, during the present Session, Three Hundred and Thirty-two Dollars and Forty-five Cents.

The Usher of the Black Rod, to defray the Contingent Expenses of his office, during the present Session, Ninety-four Dollars and Eighty Cents.

To Members of the Legislative Council, for their services during the present Session, (less certain non-attendances,) at One Hundred and Twenty Dollars per Session, One Thousand and Eighty Dollars.

Robert Dicks, Binding Papers, (two years), Twenty Dollars.

(Signed), NICHOLAS STABB, *Chairman.*
EDWARD MORRIS,
P. G. TESSIER,
ROBERT KENT,
J. S. CLIFT.

COMMITTEE ROOM,
Legislative Council,)
24th April, 1867.)

Hon. Mr. Stabb laid on the Table of the House, the following documents :—

Statement of the Assets and Liabilities of the Colony, on the 31st day of December, 1866.

Statement of the Aggregate Amount of the Public Debt of the Colony, on the 31st day of December, 1866.

Estimate for defraying part of the Public Expenditure of the Colony, for the year 1867.

Hon. Mr. Tessier gives notice, that he will, on to-morrow, move the House into Committee for the consideration of the Report of the Joint Select Committee of both Houses, upon British Territorial Rights and French Privileges in this Colony, with a view to its adoption, and an Address to the Governor thereon.

On motion made and seconded, the House adjourned until to-morrow (Thursday,) at 4 o'clock, P. M.

THURSDAY, 25th April, 1867.

The House met pursuant to adjournment.

PRESENT :

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

Hon'bles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
WINTER,
SHEA,
CLIFT,
FRASER.

The Minutes of Wednesday last were read.

The Hon. the President announced that he had received a communication from the Colonial Secretary, for the information of the Legislative Council, that His Excellency the Governor would close the Second Session of the Ninth General Assembly, on to-morrow, the 26th instant, at 2 o'clock, P. M.

Pursuant to notice, and on motion of the Hon. Mr. Tessier, the House went into Committee on the Report of the Joint Select Committee of both Houses upon British Territorial Rights and French Privileges in this Colony, with a view to its adoption, and Address to the Governor thereon.

Hon. Mr. Shea in the Chair.

A Message from the Assembly being announced,

The House resumed.

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

MR. PRESIDENT,—

The House of Assembly beg to acquaint the Honorable Legislative Council, that they have passed the Report of the Joint Committee in reference to the question of British Territorial Rights

and French Privileges on that part of the Coast of this Island called the French Shore, with some Amendments, to which they request the concurrence of the Council.

W. V. WHITEWAY,
Speaker.

House of Assembly, }
25th April, 1867. }

The Deputation having retired, the said Amendments were read a first and second time.

The Amendments are as follows :—

2nd Clause.—Seventh line, expunge the word “ the ” between “ all ” and “ Negotiations ; ” insert after “ Negotiations, ” “ between, ” and expunge the word “ of, ” in the same line.

3rd Clause.—Add the following words after Fisheries, at the end thereof: “ On the coast are French Establishments of a substantial character, unauthorized by the Treaties.”

Expunge the 5th Clause.

5th Clause.—4th line, between the words “ possess, ” and “ but, ” insert “ under existing Treaties, ” and add, after the word “ same, ” at the end of this clause, the words “ upon the Terms herein contained being agreed upon.”

11th Clause.—Expunge the word “ including, ” in the 2nd line: insert “ Bonne Bay ” after “ Island, ” in the 11th line: insert the word “ actually ” between “ not ” and “ interfere, ” in the eleventh line.

12th Clause.—8th line, insert “ such ” between “ any ” and “ Building.”

13th Clause.—5th line, after “ Salmon ” insert “ and all other.”

14th Clause.—After the word “ of ” in 3rd line, insert the words “ temporary use for Fishery purposes; ” after the word “ lands ” in the 5th line, insert “ for all purposes.”

W. V. WHITEWAY,
Speaker.

Passed the House of Assembly, }
25th April, 1867. }

The Chairman resumed the Chair of the Committee.

Whereupon, on motion of the Hon. Mr. Stabb, the said Amendments were referred to the said Committee presently.

After some time the House resumed.

The Chairman reported that the Committee had gone through the matters to them referred, and had adopted the said Report with the Amendments made thereon by the House of Assembly, without amendment.

Ordered—That the Report be received, and

Ordered—That the Report, with the said Amendments, do pass, and

Ordered—That they be sent to the House of Assembly with Message, that this House had passed the same without Amendment.

The Report, as amended, is as follows :—

The Joint Committee appointed by Resolution of the Legislative Council and House of Assembly, in reference to the question of British Territorial Rights and French Privileges, on that part of the Coast of this Island called the French Shore, respectfully report :—

That they have had under consideration the Speech of His Excellency the Governor at the opening of the present session, and the Despatches therein referred to, with the Treaties and other documents relating to the subject matter of their inquiry.

Your Committee submit that no question can arise under the Treaties, as to the dominion of the soil on the so-called French Shore, in common with the whole Island of Newfoundland, belonging to the Crown of Great Britain ; and such right, in all negotiations between the two nations on the subject of the Treaties, has never been impeached. But certain privileges are claimed by the French under these Treaties and accompanying Declarations, in making erections and otherwise, on the coast, for Fishery purposes ; and it is contended that British subjects are prohibited from having fixed settlements there.

Your Committee further submit that, without French permission, it is lawful for British subjects to construct buildings and reside therein, for purposes apart from those of Fishery, and to make use of the strand for all purposes essential to the exercise of the Territorial Dominion of the interior land; and that the term "fixed settlements," referred to in His Britannic Majesty's Declaration, applies only to such as are in connection with the Fisheries. On the coast are French establishments of a substantial character, unauthorized by the Treaties.

It would appear to Your Committee that the objection to issuing Grants and Licenses has arisen from the construction given by the French to their Treaty right to the use of the shore in connection with the Fishery; and whilst it is advisable that any uncertainty on this point should be removed by amicable arrangement, yet Your Committee submit that the territory being unquestionably in Great Britain, the Local Executive is authorized to issue Grants and Licenses for Agricultural, Mining, and other purposes, which have not for their object the interruption of the French by competition in the Fishery.

Your Committee are, however, aware that in the construction of the Treaties, as regards the respective rights and privileges of the subjects of both nations, there has not been general acquiescence, and they would recommend a concurrence in any fair adjustment for the better observance and execution of existing Treaties which did not concede any further rights of Fishery to the French on the Coast of this Island, nor any rights or privileges whatever at Belle Isle and Labrador.

With this view, and in the acceptance of the suggestions of Her Majesty's Imperial Government, for the resumption of negotiations with the Government of France, in order that the utilization of Territorial rights may no longer be obstructed,—

Your Committee recommend that the Legislature should state to Her Majesty's Government, that they are not prepared to agree to any concessions to the Government of France which should convey to the French rights of Fishery which they do not now possess under existing Treaties, but they would recommend the Legislature to consent that the valuable and important right to purchase

Bait, both Herring and Caplin, on the Southern Coast, be conceded to the French, at such times as British subjects may lawfully take the same, upon the terms herein contained being agreed upon.

It being thus clearly understood that any further concession with regard to rights of fishery are to be excluded from the negotiation, your Committee are of opinion that it would be desirable for the interests of all parties, if Her Majesty's Government should be able to make such an arrangement with the Government of France as would embrace the following matters, viz :—

1.—The Establishment of a Joint Naval Commission which shall only take cognisance of such matters as relate to the Fisheries, and in case of disagreement, reference to be made to the respective Governments ; all other questions shall be dealt with by the competent authorities.

2.—That the existing British settlements in St. George's Bay, Cod Roy, and the Bay of Islands, Bonne Bay, and White Bay, shall remain undisturbed, and that there shall be no interruption by the French to fishing by the British in those Bays ; nor interference with their buildings and enclosures there, nor with any erections or buildings on any part of the French Shore which do not actually interfere with the fishery privileges of the French, as shall be determined by the Commissioners ; nor shall British subjects be molested in fishing on any part where they do not actually interrupt the French by their competition.

3.—That no Building or Enclosure which shall have been erected for five years, shall be removed as interfering with the French fishing privileges, without compensation, to be determined on by the Commissioners ; but no compensation shall be payable for any such Building or Enclosure hereafter erected without the consent of the Commissioners.

4.—That the Commissioners should determine the limit or boundary line, to which the French may prosecute their fishery ; the British having the exclusive right of Salmon and all other fishing in rivers.

5.—That the breadth of strand of which the French should have the right of temporary use for fishery purposes should be defined, thus removing objections to grants of land for all purposes beyond the boundary so to be defined, and within the same, for Mining purposes, right being reserved to the British Government, to erect on such strand works of a Military or other Public character; and to British subjects, for wharves and buildings necessary for Mining, Trading, and other purposes apart from the Fishery, in places selected with the permission of the Commissioners.

On the basis of the foregoing propositions, Your Committee respectfully recommend that the Legislature should request Her Majesty's Government to resume negotiations with the Government of France for such an agreement as will accomplish these objects, while ensuring the effectual execution of existing Treaties, and the sustainment thereunder of the rights of the subjects of both Nations.

N. STABB, *Chairman*.
 P. G. TESSIER,
 ROBERT KENT,
 J. SHANNON CLIFT,
 F. B. T. CARTER,
 R. J. PINSENT, JR.,
 T. R. BENNETT,
 JOHN KENT.

Committee Room, }
 25th April, 1867. }

On motion made and seconded, the House adjourned until tomorrow, Friday, at 11 o'clock, A. M.

FRIDAY, 26th April, 1867.

The House met pursuant to adjournment.

PRESENT :

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

Hon'bles. Messrs. MORRIS,
STABB,
KENT,
TESSIER,
CLIFT,
FRASER,
WINTER,
SHEA.

The Minutes of Thursday last were read.

A Deputation from the House of Assembly brought up, for concurrence, a Bill entitled "An Act to provide for the Contingent Expenses of the Legislature," which, on motion of the Hon. Mr. Stabb, was read a first and second time, and the House went into Committee on the same presently;

Hon. Mr. Morris in the Chair.

A Message from the Assembly being announced,

The House resumed.

A Deputation from the Assembly brought up the following Message and Address :—

MR. PRESIDENT,—

The House of Assembly acquaint the Hon. the Legislative Council, that they have passed the accompanying Address to His Excellency the Governor, with reference to the Joint Report of the Council and Assembly, on the subject of British Territorial Rights and French Privileges, on that part of the coast of this Island called the French Shore, to which they request the concurrence of the Council.

(Signed,)

W. V. WHITEWAY,

House of Assembly,
25th April, 1867. }

Speaker.

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

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly, having had under consideration the accompanying Joint Report of this House and the Legislative Council, on the question of British Territorial Rights and French Privileges, on that part of the Coast of this Island called the French Shore, respectfully request that Your Excellency will be pleased to transmit the same to Her Majesty's Principal Secretary of State for the Colonies.

The Deputation having retired,

The said Address, on motion, was then adopted and passed, and the Hon. the President signed the same.

The Chairman then resumed the Chair of the Committee.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered—That the Report be received.

The said Bill was then read a third time and passed, and the Hon. the President signed the same.

Ordered—That the said Bill be sent to the Assembly with Message, that this House had passed the same without amendment.

At Two of the Clock, P. M., His Excellency the Governor having arrived at the Council Chamber, and being seated on the Throne, the Hon. the President of the Council directed the Gentleman Usher of the Black Rod to proceed to the Commons House of Assembly, and acquaint the Speaker and Members thereof that it is His Excellency's will and pleasure that they do forthwith attend at the Bar of this House; and they being come thereto, His Excellency was pleased to give his assent to the following Bills :—

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, within this Colony.

An Act to amend an Act passed in the Twenty-eighth Year of the Reign of Her present Majesty, entitled "An Act to regulate the Making and Repairing of Roads, Streets, and Bridges, within this Colony."

An Act to amend an Act passed in the Twenty-eighth Year of the Reign of Her present Majesty, entitled "An Act to regulate the Inland Posts of this Colony."

An Act to facilitate the Recovery of Tenements, after due determination of the Tenancy.

An Act further to amend an Act passed in the Nineteenth Year of the Reign of Her present Majesty, 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."

An Act to continue an Act passed in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, entitled "An Act to provide for the Organization of a Volunteer Force for the Protection of Newfoundland."

An Act to amend an Act passed in the Twenty-ninth Year of the Reign of Her present Majesty, entitled "An Act to make provision for the Constitution of a Marine Court of Enquiry in this Colony.

An Act to amend the Constitution of the Supreme Court of this Colony, and to abolish the Circuit Courts.

An Act for the Protection of Married Women, in certain cases.

An Act to amend the Practice of the Superior Courts, as regards the Estates of Infants and Persons of Unsound Mind.

An Act to amend an Act passed in the Twenty-ninth Year of the Reign of Her present Majesty, entitled "An Act to Empower

the Superior Courts of this Colony to direct certain Offenders to remove therefrom, and for other purposes."

An Act to amend an Act passed in the Twenty-seventh Year of the Reign of Her present Majesty, entitled "An Act for establishing the Standard Weight of Grain and Pulse, and to regulate the Sale of Bread, Coals, and other articles.

An Act to amend an Act passed in the Second Year of the Reign of Her present Majesty, entitled "An Act to Preserve the Harbours and Roadsteads of Newfoundland and its Dependencies, from Nuisances and Obstructions."

An Act to amend the Acts for the Encouragement of Education in this Colony.

An Act to amend an Act passed in the Twenty-seventh Year of the Reign of Her present Majesty, entitled "An Act for the amendment of the General Water Company Acts; and also of the Act for the Incorporation of the Harbor Grace Water Company."

An Act to amend an Act passed in the Seventeenth Year of the Reign of Her present Majesty, entitled "An Act to Incorporate a Company under the Style and Title of "The New York, Newfoundland, and London Telegraph Company."

An Act to amend an Act passed in the Twenty-first Year of the Reign of Her present Majesty, entitled "An Act to Incorporate the Commercial Bank of Newfoundland."

An Act to authorize the Consolidation of part of the Public Debt of this Colony.

An Act to Indemnify His Excellency the Governor of Newfoundland, for certain Sums of Money advanced by him from the Colonial Treasury, for the service of the 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 the Thirty-first day of December, One Thousand Eight Hundred and Sixty-seven, and for other purposes.

An Act to Provide for the Contingent Expenses of the Legislature.

After which His Excellency was pleased to deliver the following gracious

S P E E C H :

Mr. President and Honorable Gentlemen of the Council :

Mr. Speaker and Gentlemen of the Honorable House of Assembly :

The completion of the duties which have engaged your attention during the Session, enables me to release you from further attendance. I know that many Members of your Honorable Bodies have important occupations requiring their presence in other places at this season of the year, to which they are anxious to return.

I am happy to be able to congratulate you on the generally successful issue of the Seal Fishery, and I trust that the ensuing season may be attended with not less fortunate results from the chief occupation of the people.

Mr. Speaker and Gentlemen of the Honorable House of Assembly :

I thank you for the provision which you have made for the public service.

Mr. President and Honorable Gentlemen of the Council :

Mr. Speaker and Gentlemen of the Honorable House of Assembly :

I shall have much pleasure in transmitting to the Secretary of State, the Report of the Joint Committee appointed by you on the questions relating to what is commonly known as the French Shore, which was adopted by Your Honourable Houses. I am certain that Her Majesty's Government will gladly endeavour to carry into effect the views thus expressed by the Local Legislature, and I trust that their expression will lead to such an understanding with the Government of France as will practically remove the vexed questions with regard to our Fisheries which have proved so irritating for many years past, and will be found to be satisfactory to public feeling as well as substantially beneficial to the best interests of the Colony.

The Act of the Imperial Parliament recently passed for the Union of Canada, Nova Scotia and New Brunswick, has accomplished, in respect of those Provinces, the proposal for the Confederation of all the British North American Possessions. The measure contains provisions for the admission of this Colony, in common with others not yet included, upon terms hereafter to be settled. It becomes the duty of each Member of your Bodies to carefully investigate this subject in order that when at your next meeting it may be again brought under the consideration of the Legislature, you may be able deliberately to choose the course to take with regard to the most important question which the community has yet been called upon to decide, and which in any case must exercise the greatest influence on its future fortunes.

This duty will be not less important than any others which devolve upon you in respect of the constituencies whom you represent, and whose true interests will no doubt obtain your careful consideration.

I earnestly trust that under the blessing of the Almighty Ruler of all events, your influence and your efforts may be guided towards the promotion of the general prosperity and contentment of the people of this Colony.

The Hon. the President of the Council then said, it is His Excellency the Governor's will and pleasure that this General Assembly be prorogued until the 3rd day of July next, then and here to be holden; and this General Assembly stands prorogued accordingly.

APPENDIX

TO THE

JOURNAL

OF THE

LEGISLATIVE COUNCIL:

APPENDIX.

No. 1.

**Despatch (with Enclosure from Board of Trade)
disallowing Act for preventing Collisions at Sea on
the Coasts within the limits of this Colony.**

(Copy.)

Newfoundland.

No. 15.

DOWNING STREET, }
13th October, 1866. }

SIR,—

I have had under my consideration the Act passed by the Legislature of Newfoundland during their late session, No. 373, entitled “An Act for preventing Collisions at Sea on the Coast within the limits of the Jurisdiction of this Colony.”

Enclosed is a Copy of a Letter on the subject from the department of the Lords of the Committee of Privy Council for Trade.

The sea is the highway of Nations, and the rules made by a great Country for the safety of Mariners from all parts of the world must be uniform throughout its possessions, especially as those rules have been adopted by all other Maritime Nations. The regulations in Newfoundland must conform to those established by England in concert with other Powers, which in fact are legally obligatory on all British Ships, including those of the Colony of Newfoundland, and extend to the sea, whether within or without the Colonial jurisdiction.

I cannot therefore advise Her Majesty to confirm the present Act. As it has a suspending clause, it is unnecessary that an order should be made by Her Majesty in Council for its disallowance. But you will take such measures as appear to you necessary for

causing the Imperial rules for the prevention of Collisions at Sea to be unequivocally established within the maritime jurisdiction of Newfoundland. A copy of these Rules was sent to Newfoundland in a Circular Despatch from this Department, dated the 29th of January, 1863, but for your convenience I enclose some spare copies.

I have the honor to be,

Sir,

Your most obedient humble Servant,

(Signed),

CARNARVON.

Governor MUSGRAVE,
&c., &c., &c.

(Copy.)

MR. FARRER TO THE UNDER-SECRETARY OF STATE.

BOARD OF TRADE, WHITEHALL, }
13th August, 1866. }

SIR,—

I am directed by the Board of Trade to acknowledge the receipt of your letter of the 31st ultimo, transmitting for the consideration of this Board the transcript of an Act of the Newfoundland Legislature for preventing Collisions at Sea on the Coast within the limits of jurisdiction of the Colony, and requesting the opinion of the Board of Trade whether it may properly be submitted for Her Majesty's confirmation.

In reply, I am to observe that the Rules laid down in the Colonial Act differ materially in certain important points from the Imperial and International Rules for preventing Collisions at Sea, which are at present in almost universal use.

The Imperial Rules say that a Sailing Ship under weigh shall carry Green and Red Lights, and that all ships, when at anchor in

a Road or Fairway, shall carry a White Light not more than twenty feet above deck ; that open Boats shall show, when they do not carry fixed Red and Green Lights, Lanterns with Red and Green slides.

The Newfoundland Act says, that Coasting Vessels, Fishing Vessels, and open Boats, shall all carry a White Light at the mast head.

It is true that an exception is made of vessels which carry Lights according to Imperial legislation, but this does not meet the case. They may be bound to carry them, and yet may not do so.

Serious questions might thus be raised, e. g., supposing a British or French ship fitted with Lights according to the Imperial and International Rules, was to come into collision with a Newfoundland Coaster carrying Lights according to the Colonial Act.

The Act, it is to be observed, is not confined or meant to be confined to inland Colonial waters.

Again, the Imperial Rules say that in a Fog steamships under weigh shall use a whistle ; sailing vessels under weigh shall use a Fog Horn, and not under weigh a Bell.

The Colonial Act says that all vessels shall use a Fog horn, whether under weigh or not.

It is most important for the security of ships that the Imperial Rules should be preserved in their integrity ; and, according to the arrangements made with other nations, Her Majesty's Government are bound to take every step in their power to effect this object. Under these circumstances, and for reasons above stated, this Board cannot advise that the Newfoundland Act, as it stands, should be submitted for Her Majesty's confirmation.

I have the honor, &c., &c ,

(Signed),

T. H. FARRER.

THE UNDER SECRETARY OF STATE,
Colonial Office.

No. 2.

Amendment in Banishment Act suggested.

(Copy.)

Newfoundland.

No. 16.

DOWNING STREET,
15th October, 1866. }

SIR,—

I have had under my consideration the Act passed during the last Session of the Legislature of Newfoundland, and transmitted to me in your Despatch, No. 106, of the 11th June last, entitled Cap. 14, "An Act to Empower the Superior Courts of this Colony to direct certain Offenders to remove therefrom, and for other purposes."

The words in Section 1, "without delay," coupled with the enactment, that if the person does not depart he may be arrested, and detained by any person, and imprisoned *without warrant*, might give rise to some hardship, as there is no provision in the proposed statute as to who is to say what is delay in each case, or to guard against abuse in "*any person*" arresting and detaining on the score that there has been delay. I think the Court should be authorized to name the time within which the convict is to leave, and that then he should be subject to arrest if found in the Colony after that time, and before the expiration of his sentence.

I have therefore to instruct you to submit to the Legislature the propriety of amending the Law in the above particulars, and when so amended, I shall be happy to recommend that it should be left to its operation.

I have, &c.

(Signed),

CARNARVON.

Governor MUSGRAVE,
&c., &c., &c.

No. 3.

Despatch in Reply to Communication from His Excellency Governor Musgrave, reporting his return from a visit to the South and West Coasts of the Island; also having reference to granting Mining Licenses on French Shore; and enclosing copy of Despatch sent to Governor Sir A. Bannerman, 4th March, 1861,

(Copy.)

Newfoundland.

No. 19.

DOWNING STREET,
7th December, 1866. }

SIR,—

I have had under my consideration your Despatch, No. 116, of the 8th August, 1866, reporting your return from a visit to the South and West Coasts of Newfoundland, and communicating to me the impression you derived from the journey.

I have also received from you a more recent Despatch enclosing a memorial from Mr. C. F. Bennett, who appears to have been engaged in searching for Minerals on the West coast of Newfoundland.

Mr. Bennett does not seem to be fully aware that some of the conclusions which have been advocated from time to time by the British Government, in relation to the use of the French Shore and its neighbouring waters, have never been admitted by the Government of France; and that it is the difference which has hitherto existed on these points between the two Governments which creates a difficulty in dealing with the coasts of Newfoundland in a manner most calculated to develop the resources of the Colony. Her Majesty's Government much regret the unsettled state of this question, and the serious inconvenience to which this leads. But it would be a far graver evil to embroil the Government of England in a dispute with that of France on grounds which a careful consideration of existing Treaties did not clearly

justify. They are unable therefore to treat as decided questions which are really matter of controversy. They would, however, most readily re-open the negotiations with the French Government which were broken off in 1861, if only satisfied that there were a reasonable prospect of bringing them to a successful termination. Meanwhile, pending the settlement of the questions of French and British rights on the coast, I am unable to authorize the appointment of a British Magistrate on the so-called French Shore; nor have I any alternative but to instruct you for the present not to make any grants of land on that coast.

There is no doubt that the provisions of the existing Treaties, as they stand, are ill adapted to meet the real exigencies, either of the French Fishermen or of the Newfoundland Colonists; and might be greatly modified for the advantage of both parties. And I should gladly resume negotiations with a view to such a modification, but I think it necessary to add that any such negotiation must be attended with considerable difficulty, so long as it is liable to be disturbed by unforeseen objections on the part of the Colony.

I have the honor to be,

Sir,

Your most obedient humble Servant,

(Signed),

CARNARVON.

Governor MUSGRAVE,
&c., &c.

(Copy.)

Newfoundland.

No. 80.

DOWNING STREET,
4th March 1861. }

SIR,—

I have received your Despatches, Nos. 11 and 12, of the 30th ultimo, enclosing Addresses from the House of Assembly of New-

foundland, and from certain Members of your Executive Council respecting a convention for regulating the Newfoundland Fisheries, which is at present in course of negotiation between the English and French Governments.

You acted rightly in forwarding to me these Addresses, and in your statements to the Assembly you have accurately represented the views of Her Majesty's Government.

It is plain that the responsibility of securing to French Fishermen the free exercise of every right guaranteed to them by existing Treaties, rests on the British Government which made those Treaties. This obligation they cannot transfer to the Colony of Newfoundland, but are bound themselves to discharge frankly and effectually. Subject to that obligation Her Majesty's Government are most anxious, not only to protect and advance the interests of Newfoundland, but in all local questions to ascertain, and as far as possible defer to, the wishes of the Colonists.

The Convention now proposed, has not for its object in any way to enlarge the "Maritime or Territorial rights" of France, or to abridge those of Newfoundland, but primarily and almost exclusively to provide a machinery capable of securing that the just rights of each party under the existing Treaties shall be respected by the other.

The comparatively unimportant clauses of the Convention which have not this object, contain provisions which will confer material advantage on some of the inhabitants of Newfoundland, and embrace nothing which, in the opinion of Her Majesty's Government, falls within the spirit of Mr Labouchere's promise, which was not lost sight of by them throughout the protracted negotiations with the French Government.

I make these observations to prevent misconception. But I do not anticipate that the provisions of the Convention will be considered by the community of Newfoundland, any more than they are by Her Majesty's Government, either as injurious to their interests, or as involving such modifications of their rights as was contemplated in Mr. Labouchere's Despatch. I regret much that it is not in my power at once to authorize you to communicate a

copy of that Convention to the Government and Legislature of the Colony.

I have the honor to be,

Sir,

Your most obedient humble Servant,

(Signed), NEWCASTLE.

Governor SIR A. BANNERMAN,
&c., &c., &c.

No. 4.

Despatch and Enclosure from Secretary of State stating that 7th Section of Marine Courts of Enquiry Act should be repealed.

(Copy.)

Newfoundland.

No. 21.

DOWNING STREET,
7th December, 1866. }

SIR,—

I have referred to the Board of Trade and to the Law Officers of the Crown, an Act transmitted in your Despatch No. 106, of the 11th June, and entitled "An Act to make provision for the constitution of a Marine Court of Enquiry in this Colony."

I annex a copy of a letter which I have received from the Board of Trade, from which you will perceive that the seventh section of the Act is founded on a misapprehension, and should be repealed.

The intention with which the 10th Section is passed, is evidently a very proper one, and the clause appears to have been well considered, but I regret to find that, in the opinion of the

Law Officers, effect cannot safely be given to it without a risk of raising inconvenient questions with Foreign Powers.

I have, therefore, to request that you will take steps to procure the repeal of these two clauses. I presume that your Ministers will readily give you their assistance in obtaining from the Legislature these necessary alterations, of what, I hope, will prove a useful law.

I have, &c.

(Signed),

CARNARVON.

Governor MUSGRAVE,
&c., &c., &c.

(Copy.)

MR. FARRER TO THE UNDER-SECRETARY OF STATE.

BOARD OF TRADE, WHITEHALL, }
30th August, 1866. }

SIR,—

I am directed by the Board of Trade to acknowledge the receipt of your letter of the 31st ultimo, transmitting a transcript (herewith returned), of an Act passed at the last Session of the Newfoundland Legislature, Cap. VIII, entitled "An Act to make provision for the constitution of a Marine Court of Enquiry in this Colony," and requesting that Lord Carnarvon may be informed whether the Board of Trade are of opinion that this Act may properly be submitted for Her Majesty's confirmation.

In reply, I am to acquaint you, for the information of Lord Carnarvon, that the Board of Trade see no reason for objecting to the Act.

I am, however, to point out that Section 7, which provides for payments to members of the Court out of the Mercantile Marine

Fund, has been adopted under a misapprehension, since the Board of Trade have no power to pay the expenses of Colonial enquiries out of that Fund. As however the Section requires the consent of the Board of Trade, it cannot operate wrongly; but with the view of preventing misapprehension, it would, this Board think, be well that this provision should be repealed when there is an opportunity.

In the meantime, the Board of Trade are of opinion that the Act in question may properly be submitted for Her Majesty's confirmation.

I have, &c.,

(Signed),

T. H. FARRER.

THE UNDER SECRETARY OF STATE,
Colonial Office.

No. 5.

Message from His Excellency the Governor in Reply to an Address from the Legislative Council, and transmitting the Documents therein requested by that Body.

MESSAGE.

A. MUSGRAVE.

GOVERNMENT HOUSE,
11th March, 1867. }

In reply to the Address from the Honorable Board of Legislative Council, dated the 7th instant, the Governor has the honor to forward, for their information, a copy of Mr. Bennett's Memorial, referred to in the Despatch, No. 128, of the 13th November, 1866, from the Secretary of State, with a copy of the Despatch from the Governor, in which that Memorial was transmitted to Lord Carnarvon.

In compliance with the request of the Council, the Governor also forwards copies of the original enclosures in the Secretary of

State's confidential Despatch of the 17th August, 1852, printed in the Appendix to the Journals of the Legislative Council for 1857 at pages 112 and 113.

The Council will observe that these Documents were printed correctly with the single exception of the substitution, by a typographical error, of the word "Marne," for the word "Morue," in the French memorandum.

By Command.

(Copy.)

No. 128.

GOVERNMENT HOUSE,
Newfoundland,
13th November, 1866. }

MY LORD,—

Referring to previous Correspondence respecting Grants of Land on the portion of the coast of Newfoundland, known as the "French Shore," I have the honor to forward, for your consideration, a Copy of Memorial which has been laid before me, from Mr. Charles Fox Bennett, complaining of the inconvenience which he suffers from the objection of the Local Government to making any Grants of Land on that portion of the coast, until further instructions have been received from your Lordship.

I have the honor to be,

My Lord,

Your most obedient humble Servant,

(Signed),

A. MUSGRAVE.

The Right Honourable
The EARL OF CARNARVON.

**Memorial of Mr. Charles F. Bennett, on the subject
of Mining Licenses.**

*To His Excellency ANTHONY MUSGRAVE,
Esquire, Governor and Commander-
in-Chief in and over the Island of
Newfoundland and its Dependencies,
&c., &c., &c.*

The Memorial of CHARLES FOX BENNETT, of Saint John's, in
the Island of Newfoundland, Merchant,

Respectfully Sheweth,—

That your Memorialist had for many years, previously to the year 1860, been engaged in the search for Minerals in this Colony. In that year the Legislature, with the view to encourage your Memorialist and others who might be disposed to embark in that comparatively new field of enterprise and industry, passed a Bill modifying the terms upon which Mineral Licenses and Grants had previously been issued, the said Bill stipulating that it should not become Law until Her Majesty's sanction thereto had been in the first place obtained.

That subsequently Her Majesty's assent having been obtained, the Bill became the Law of the Colony, and general rules and regulations for the issuing and cost of such Licenses and Grants, and for the collection of Royalties provided for in the Act, were prescribed by the Governor in Council, and published in the *Royal Gazette*, in conformity with the Act.

That the aforesaid Act makes no reservation, whatever, of any part of the Sovereignty of this Colony, and therefore your Memorialist humbly submits that it applies to the whole territory.

That your Memorialist, notwithstanding the many Thousands of Pounds which he had, previously to the passing of the aforesaid Act, expended in his search for Minerals, without any returns whatever resulting to him therefrom, was encouraged by the terms of that Act to renew his operations, and for this purpose, in

the year 1864, he provided himself with a Vessel, Crew, and the necessary appurtenances, at no inconsiderable cost, and has, for the past three years, during the summer months, given the whole of his valuable time in a very dangerous navigation, visiting all parts of the Island, in carrying out his aforesaid object.

That in 1864, your Memorialist obtained from the Government a License of Search for a deposit of White Marble, situated in Canada Bay, on that part of the coast called the French Shore, extending Northward from White Bay.

That in 1865, your Memorialist had reason to believe that some Mineral, Oil, Coal, and Metallic Ores, existed on the West coast of Newfoundland, also called the French Shore; and on his return thence, in conformity with the terms of the Act he applied for other Licenses and paid the usual fees for the same. Subsequently, your Memorialist made a voyage to England, and on his return to Newfoundland in June last, on making application to the Surveyor General for the aforesaid Licenses, was told that the subject of granting them was under the consideration of the Government.

Your Memorialist then proceeded on his exploratory voyage, and on his return therefrom, made other applications for Licenses of Search and paid the lawful fees. Subsequently, he made application for these Licenses, when he was informed that your Excellency had received instructions from the Imperial Government to issue no more Grants on the French Shore.

On receiving the foregoing information, your Memorialist naturally felt very much surprised, and more especially that the British Government should have given such instructions in the face of and in violation of a Colonial Act that had in so special a manner received the Queen's sanction.

Your Memorialist, under the circumstances, felt himself in a position of great embarrassment; he had spent a considerable amount of money and a great deal of his valuable time, and had hoped that he was about to receive some adequate return for the same. He had intended to visit England with the view to organize a Company or Companies, with the requisite Capital to develop his discoveries; but, he has now been met on the part of the Gov-

ernment with insuperable obstacles to his progress ; for it would be useless for him to attempt to raise capital with an imperfect title, however just and good his legal rights may be to obtain the same.

Your Memorialist fully appreciates the just motives which he believes has actuated the Colonial Minister in giving such instructions ; it is no doubt with the intent to protect the French fishermen in the exercise of their Treaty rights, which your Memorialist has no desire in the remotest degree to interrupt or interfere with ; but, he believes that those instructions have been based on error, or in a misconception of what the French Treaty rights really were ; also, in the absence of all knowledge of the existence of the amended Land Act passed in 1860, under the operation of which your Memorialist has been spending his time and money in the prosecution of his adventure.

Your Memorialist begs here to observe, that whatever treaty rights the French possess in Newfoundland, are held under the Treaty of Utrecht made in 1713, the Treaty of Paris in 1763, and the Treaty of Versailles in 1783, renewed and confirmed by the Treaty of Paris in 1814, and the subsequent Treaty of Paris. By those Treaties France ceded in " full right " to Great Britain, the entire Sovereignty over all the territory of Newfoundland and the Islands adjacent thereto, with the exception of the Islands of St. Pierre and Miquelon, which by the Treaty of Versailles were ceded by Great Britain to France in full right, and that same Treaty granted also to France, a concurrent right of fishery during the temporary exercise of it on that part of the coast on the East side thereof, which extends from Cape John to the northernmost part of the Island, thence down by the Western coast to Cape Ray, with the stipulation that the 13th Article of the Treaty of Utrecht, and the method of carrying on the fishery which had at all times been acknowledged, should not be deviated from by either party. The best illustration of what those treaty rights are, is, in the opinion of your Memorialist, to be seen in Lord Palmerston's note to Count Sebastiani, dated July 10th, 1838, and published in the Journals of the House of Assembly of this Colony in the year 1857, folios 175 to 179, and likewise in the Despatches of Governor K. B. Hamilton, 28th September, 1853, Journal, folio 216, to which your Memorialist craves your Excellency's particular attention.

Your Memorialist would, under the peculiar circumstances in which your Excellency's Government and himself have been placed in regard to this matter, and to enable him, your Memorialist, without protracted delay to progress with his object, have suggested to your Excellency whether the Licenses and Grants could not be issued subject to the reservation of the French Treaty rights; but the objections that have presented themselves to your Memorialist as to the propriety of adopting this course, are, in the first place, that strangers about to advance their capital in the enterprise might take exception to this reservation, and would not take the trouble of satisfying their minds upon the subject of the legal points at issue; and in the second place, whether it would be wise on the part of the Government to raise any question of doubt as to their present valid title to the whole of the territorial rights of Newfoundland and its dependencies.

Your Memorialist would further remark, that it should be borne in mind that since the date of those treaties this Colony has undergone great and important changes. When the treaties of Utrecht and Versailles were made, Great Britain, as well as France, used the Newfoundland Fisheries simply as a nursery for seamen, and British subjects were then, as well as those of France, prohibited from residing permanently in the Colony, and it was not until the arrival of Sir Thomas Cochrane as Governor, that the British Government officially assented to the disposal of the land of the Colony, and to the erection of permanent buildings thereon. In 1832, His Majesty King William the Fourth extended to this country the privileges of self-government, and on stated conditions in the Charter, transferred to the Colony its territorial rights. From that time the Colony assumed to itself all the responsibilities of the Civil Government, and made the requisite provision out of its resources to raise a revenue to meet the cost of the same. Hitherto that revenue has been limited, almost wholly, to the imports necessary for the Fisheries; but as there were other resources within the Colonial domain of secondary importance only to the Fisheries, your Memorialist had reason to believe that the object of the Government in passing the amended Land Act in the year 1860, hereinbefore referred to, was for the two-fold purpose of revenue, and the giving employment to its surplus and increasing distressed population—the latter, it would now appear, has become

more and more necessary, and particularly so the present year, arising from the gradual but persistent failure of the Fisheries on the Eastern and Southern coast of Newfoundland.

Your Memorialist would further observe, with regard to the engagement of His Britannic Majesty to remove all "fixed" settlements on the French Shore, that, he cannot learn from his researches that it has ever practically been carried out. Proclamations have from time to time been issued by the Governors of Newfoundland, ordering the removal of such Buildings, but with what effect, the large resident population which has been permanently resident on that coast time out of mind, is the best evidence your Memorialist can adduce upon the subject. The usage of both nations on that Shore, now is, and has been, to have "fixed" and permanent settlements, and no disputes arise between them on the subject. Your Memorialist believes, that the only removals that ever took place, were the removal of persons who had possessed themselves of the French rooms, stages, and premises, which they had occupied during the war, and which the French claimed under the Treaty, to be put into possession of, but no such claims were made on the rooms of British subjects. With regard to the British population, they are now become so numerous on all parts of that coast, (for the French occupy a mere fraction of it only,) and possess such improvements, Agricultural and otherwise, thereon, that I adopt it as my reason why it would be physically and morally impracticable to remove them.

Your Memorialist would observe, with regard to Mining and other operations, which are independent of the fishery, that, he cannot understand nor conceive, in what manner such operations could possibly interfere with the French fishing rights. Were any of Her Majesty's subjects on that part of the so-called French Shore, to interfere with those rights, the persons so interrupted or molested would have their remedy in our Courts of Law, which Courts are open to all who have grievances to redress therein, and such Courts would be quite alive to their duty in maintaining the French in their full rights, and they would, doubtless, be aided also, by the countenance of the Executive Government in all their just complaints. Those Courts, your Memorialist need scarcely observe to your Excellency, are constituted upon the same principles as are the Courts of Law in Great Britain.

In conclusion, your Memorialist respectfully prays that your Excellency, by and with the advice of your Council, will be pleased to take the prayer of your Memorialist into your most favourable consideration, and grant to him the relief which the justice and the hardship of his case, in the estimation of your Excellency, demands.

And as in duty bound, your Memorialist will ever pray.

C. F. BENNETT.

Saint John's, }
November 8th, 1866. }

(Copy.)

NEWFOUNDLAND.

Fisheries.

No. 9.

PARIS,
5th July, 1852. }

MY LORD,—

Monsieur de Bon having this morning received authority from the Minister of Marine, to communicate to me his proposals for the settlement of the conflicting rights of British and French fishermen on the coasts of Newfoundland, the said proposal was read at this morning's conference, a minute of the proceedings of which I have the honor to enclose.

The French Government offers to admit the right of British subjects to inhabit the Bay of St. George, or in other terms to give up the exclusive right of Fishery in that Bay, to which they consider themselves entitled by the Treaty of 1783.

In return for this concession they demand,—

1st. The right to purchase and fish for Herrings and Caplin on the South coast of Newfoundland, without any hindrance or retribution.

2nd. The right to fish during two months of the year (without curing or drying on shore) on that part of the coast of Labrador,

between the "Isles Vertes" and the "Isles St. Modeste," both included.

3rd. The right of fishing at Belle Isle in the Straits, which they enjoyed (according to their assertion) up to 1841, without any demur on the part of Great Britain.

Having stated to M. de Bon my desire not to enter into any discussion on this proposal until I shall have communicated it to Her Majesty's Government, he said that being charged with an urgent mission along the Coasts of France, he could not await in Paris the result of my communication, and therefore that our meetings had better be suspended until his return, of which he will give me timely notice.

Monsieur de Bon's mission is to inspect all the French fisheries between Dunkerque and Bayonne. He is to leave Paris to-morrow, to commence from Havre, having already visited the Fisheries between that port and Dunkerque.

Under these circumstances I shall proceed to London at the end of this week, unless I receive instructions from your Lordship to do otherwise.

I have, &c.,

(Signed), ANTHONY PERRIER.

THE EARL OF MALMESBURY,
&c., &c., &c.

(Copie.)

Aujourd'hui cinq Juillet, 1852, Monsr. de Bon, Commissaire du Gouvernement Français en vertu de l' autorisation qu'il en a recue ce matin du Ministre de la Marine, a communiqué à Monsieur Perrier, Commissaire du Gouvernement Britannique, la proposition suivante.

Proposition faite par le Commissaire du Gouvernement Français au Commissaire du Gouvernement de la Grande Bretagne, pour modifier dans un intérêt commun, l'exercice des droits de Pêche des Citoyens des deux Pays à l' Isle de l'erra Neuve et dans les Parages adjacents.

De la part du Gouvernement Français.

Concession aux sujets de la Grande Bretagne du droit d' habiter dans la Baie de St. George's (Ile de Terre Neuve) et d'y pratiquer la pêche en commun avec les citoyens Français, ou, en d' autres termes, abandon du droit *exclusif* de pêche que le traité de paix de 1783, assure à la France dans cette Baie.

De la part du Gouvernement de la Grande Bretagne.

1st. Concession aux citoyens Français du droit d' acheter et de pêcher le Hareng et le Capelan à la côte sud de l' Ile de Terre Neuve, sans être assugettis à aucune taxe ni retribution quelconque.

2nd. Concession au citoyens Français du droit de pêche pendant deux mois chaque année sans pouvoir preparer la morue à terre, sur les points de la côte du Labrador ci après designés l' Ile Verte, l' Anse de Loup, La Baie Noire, et les Iles St. Modeste.

3rd. Reconnaissance du droit des citoyens Français de pêcher à Belle Ile du Detroit, droit qu' ils ont exercé sans contestation jusqu' en 1841.

Après avoir pris lecture de cette proposition, le Commissaire Anglais a fait connaitre à son collègue qu' il desirait la communiquer à son Gouvernement avant d' entamer la discussion.

Monsieur de Bon a fait remarquer à Monsieur Perrier qu' etant chargé d' une mission urgente sur le littoral il ne pouvait attendre à Paris le résultat de cette communication, et qu' en coaséquence il y avait lieu d' ajourner leurs reunions à l' epoque de son retour dont il tiandrait informé.

(Signé),

DE BON,
A. PERRIER.

No. 6.

Fishery Report of the General Superintendent during the Summer of 1866.

(Copy.)

On the 5th July I left St. John's for the Straits in the schooner *Hawk*, a vessel well suited for the service. Calling off Bay-de-Verde, I was informed that the Fishery, up to date, had been poor. An American whaler was here with one fish. In the evening anchored at Old Perlican, and left next morning.

July 7.—Off Bonavista Cape. Passed by a number of fishing boats; bait plenty; fish scarce.

July 8.—Calm off Cape Freels. In the evening the wind came in from the S. E.

July 9.—Blowing strong from the N. E. Passed Cape Fogo.

July 10.—Took a strong breeze from the N. E. and ran into Shoe Cove for shelter. Whilst here, I visited, for the first time, Mr. C. F. Bennett's copper mine at Tilt Cove, where I found nearly one hundred men busily employed, receiving four shillings per day all the year round. Their homes were neat and comfortable. A large barque had just arrived, and was about to load with Ore from this mine. Other copper mines are about to be opened, which I hope will be as beneficial to the people as this one.

July 11.—Left early in the morning, and on the 12th landed Rev. Mr. Temple at Englee, on the French Shore. The English residents on this coast are nearly all well off, and latterly have been turning their attention more to agricultural pursuits, one person having ten cows, another fifty sheep, so that they are enabled to make the greater part of their own clothing. The seals they kill in the winter, with their catch of cod fish and salmon in the summer, add considerably to their means of living. Those who have large Coasters lay them up on this shore to carry on the seal fishery.

July 13.—Left at 4 a.m. Saw a large French man-of-war off the Grey Islands, apparently taking soundings. In the afternoon

it came very stormy with a strong breeze from the S.E. Reached Quirpon just at dark and gladly took shelter. Nearly all the French merchants on the Eastern part of this coast have abandoned their establishments on account of the failure of the fishery, which failure, old and experienced French Captains attribute to the use of Bultows and large Seines. The latter are not to be employed on this shore for the next five years.

July 14.—Left early in the morning, and called off Belle Isle. No French fishermen to be seen.

July 15.—At Henley Harbor; wind strong from the North West. No cod fish to be caught, and salmon very scarce. Those favored with large craft were making preparations to go North, seeking fish. The resident population here are becoming subjects of poverty, owing to both the seal and cod fisheries being failures for several years back. A few are trying to get to the Bay of Islands to winter, intending to return again in the summer.

July 16.—Made sail at 2 a. m. Called off Chateau and Black Bay.

July 17.—Reached Red Bay. Up to date the fishermen had not caught enough to supply their daily wants. A small schooner, owned by Nathaniel Pike, was fitted out here last winter for the seal fishery with a crew of fourteen men, who, at the close of the voyage, had ten pounds a man.

July 18.—Left Red Bay, and called off East and West St. Modeste, and Pied Noir Bar. No French had yet visited this coast.

July 19.—Called off Lance au Loup. Was informed by Messrs. Stabb, Row and Company's Agent, that they would sustain a heavy loss, on account of their fishermen not being down in time. The fish were on this part of the coast ten days earlier than usual, which, I believe, was general on the whole of Labrador. Whilst cruising the Straits, I discovered a Batteau and followed her into Lance au Loup. The crew professed to have despatches for one Mr. LeFevre, who carries on a small business here. I was quite satisfied, from past experience, that they were looking for bait, knowing how they disguise their craft, and practise every kind of

deception. It turned out afterwards that I was quite correct, for I caught them shortly after with a load, and their only plea was "one of the residents sold it to us." The bait had now left their coast, and I was confident that a number of trespassers would soon be over.

July 20 —Cruizing the Straits. Several French Chaloupes appeared, but as soon as they discovered the *Hawk*, returned to their own shore till the night. Next morning they were in every principal bait Cove from Pied Noir to Forteau.

July 21 —Caught three French crafts making in for Fox Cove, where the Lance au Loup people generally fish, and can supply themselves with bait at any time in the day. The French commenced this day, and continued to carry away bait which had been sold them by a resident there, until there was not a Caplin left in the Cove. Our fishermen were indignant that such a grave injury should be done them; and it nearly led to a serious quarrel.

July 22.—Spent the Sabbath at Forteau. Shortly after the morning service, a boat and crew arrived from East Saint Modeste for Rev. Mr. Dobie. The resident Minister on this coast has many privations, and is exposed to hardships and dangers. He has to visit nearly all the people by water, for there are but few roads.

Mr. Ellis has an establishment on the Eastern side of Forteau, (which formerly belonged to Mr. Bennett), and conducts the cod-fishery in a most enterprising manner. There are also two large Jersey establishments on the Western side. The agents complain that while our Government make them pay duty, they do not receive their proportion of the money granted for Roads, Schools, &c.

July 23.—Cruised the Straits. French craft constantly coming and going, carrying off large quantities of bait which they purchased of some of the fishermen. Arrived at Blanc Sablon. Messrs. De Quetteville Brothers have a large amount invested here, and employ a number of men. Formerly they brought all their fishermen from Jersey, but finding that bringing them out and taking them back was very expensive, they have been getting a number of men from Gaspé these last few years. The latter gave them a good deal of trouble last year, insisting upon being

sent home three weeks before the usual time, and would not go fishing, while the other boats were bringing in three or four quintals a day. The Agents, most determined men, kept them on bread and water to bring them to their senses, but as they all had large accounts with their merchants, and seeing that the fishery was poor, they took the advantage of their employers, knowing there was no way they could be punished. Those Agents for the future will take a number of our fishermen. They had a few this year, who pleased them very much, and although the voyage was not an average one, they made fair wages.

July 24th.—Found a number of French fishing vessels between Isle au Bois and Green Island, setting large bultows to the great injury of our fishermen. As the Isle au Bois was the Western part of my station, I was not sure whether I had a right to interfere with them, but fortunately the Canadian Commissioner arrived in his yacht, which is fitted in Naval style, with a crew of eighteen men and officers. He soon started them off, but as soon as he went West, they returned; I gave them a start, and kept an eye on this place afterwards. Messrs. Le Boutillier Brothers have a splendid establishment on Isle au Bois, and carry on a very extensive fishery. Three smaller Jersey establishments are on this Island.

July 25.—Cruized the Straits. French taking about a thousand barrels bait a day from our waters, supplied by a few persons on the Labrador. When the bait leaves their coast, they not only take a supply from our waters for their hooks, but also carry away thousands of barrels, to scatter in the water, and thus prevent the fish from coming down to our fishermen in the Straits. The people at Red Bay, and along the coast, these last few years, cannot average 5 quintals a man, till all the bait is swept from their coast by the French; then the fish finds its way down, and they kill their voyage in September. French hooks have been found in fish this year, passing down the Straits, a proof that the fish is intercepted by bultows.

From this time till the 31st, I was constantly cruizing from Belle Isle to Isle au Bois, touching at the different Harbors, endeavouring to prevent the French taking fish and bait from our

waters, but having no power to seize, they took advantage of my position.

August 1.—Cruizing the Straits. Large steamers passing and re-passing. Scarcely an iceberg to be seen on the coast, something unusual. The fishery being almost a failure, hundreds of coasters were moving up and down in search of fish.

August 2, until the 10th.—Cruizing from Belle Isle to Isle au Bois. Every day numbers of Batteaux and Chaloupes, crossing and re-crossing.

Anchored at Isle au Bois and saw the Agent. Seventy boats were lying at their moorings, which had been fitted out for the Gaspé fishermen, who would not go out, while other boats were bringing in 3 and 4 quintals a day. This was very trying to the Agent, after supplying them with everything necessary for their families and the voyage. As H. M. Ship *Lily*, intended to be stationed on this coast, was detained, on account of the laying of the cable, it was not in my power to remedy this evil.

From the 10th to the 15th.—Cruized from Forteau to Pied Noir, closely watching the latter, as it is the last place where bait can be had. When the French had taken the last Caplin on the Bar, they commence to take Lance, depriving hundreds of our fishermen of bait, and the fishery being such a failure in Newfoundland, craft of all descriptions were centred in this place, fully expecting a supply. I had much to contend with, as the people reflected on me for not preventing such proceedings against their best interests.

August 21.—Cruized the Straits; took shelter at Red Bay. The fishery had improved as soon as the French stopped taking bait. Mr. Penny, who supplies largely for the fishery in this settlement, gives it as his opinion that if the French are not prevented taking fish from our waters, the people will have to leave their homes or starve.

Left Red Bay on the 23rd, and called off all the Coves and Creeks as I passed down the Straits. I found in a place called Wild Bight, a number of Batteaux and a large French codseine concealed in a little Creek, where they thought the *Hawk* would

not venture. I ordered my boat to be manned, and after a good deal of parleying got them under way and followed them partly across the Straits.

August 24.—Took shelter at Battle Harbor. In the evening the *Diamond* arrived from St. John's with the mail and news of the successful laying of the Atlantic cable.

August 25.—Started for Belle Isle. Not a Frenchman had been seen near the Island for the summer. Last year I took seven Batteaux, and gave the men a fright, which might have been the cause of their not appearing. A large number of the British fishermen were about the Island, and nearly every Cove was filled with small craft from Newfoundland.

August 28.—Cruized the Straits; took shelter at Cape Charles. Large shoals of Herring had struck in, and every one was employed night and day. It is impossible to estimate the great benefits this fishery confers upon the people. For ten days any quantity could be barred or netted, even from 1000 to 1500 barrels could be barred in a few minutes. From Battle and Sizes Harbors to Cape Charles, there must have been 25,000 barrels barred at one time. This is the only way the Herring Fishery can be profitably carried on, as Herring barred in large seines will keep good for twenty days, can be taken from the net and cured as required. A great many Nova Scotia vessels visit this coast late in the fall, laden with fresh beef, pork, poultry, and all kinds of vegetables. The residents and others can thus find a ready market for their Herring, and are thus supplied with the necessaries of life. After six years' experience, I would respectfully suggest to the Legislature the propriety of repealing that part of the Herring Act which refers to what is termed "barring," so that every man may have free access to these shoals of wealth when they come within reach.

August 29.—Went to Battle Harbor, left next day for Sizes Harbor. Found it filled with craft from the Northward; some had scarcely any cod fish, but were loaded with Herring. This made many stand well with their merchants, who otherwise would have been badly off.

August 31.—Anchored at Cape Charles.

September 4.—Went to Belle Isle. Found no Frenchmen on the fishing ground. Started from the French Shore. The Salmon fishery here has been destroyed by nets being set across the mouths of the principal rivers. It would be money well spent, if an experienced man was brought out from England to improve this valuable fishery.

As steam has been introduced into Newfoundland waters to carry on the Seal fishery, I believe, that if a number of fore-and-afters, with small crews, wintered on this shore for that fishery, they would do well, taking one year with another. These are the craft in which to make men of the rising youth, for the punt fishery has destroyed the prospect of thousands; and hundreds of our planters, once independent, are now subjects of poverty. In Nova Scotia, the fisheries are conducted in schooners, and I have seen as many as one hundred in a fleet.

I paid an interpreter, in order to ascertain the names of the Chaloupes and Batteaux found encroaching, and also the residence of their owners, but as they erased their names and changed crews, it was impossible to get an accurate statement. The following can be relied on :

July 19.—One Batteau belonging to Messrs. Fontain, of St. Malo, fishing at Port au Choix.

July 23.—Schooner *Clipper*, Francois Gouble, master, belonging to Messieurs Lenié, of St. Malo, buying bait from British subjects, at Lance au Loup.

July 24.—Schooner *St. Anne*, of St. John's Island, belonging to Messieurs Lenegard, St. Malo, buying bait from the Lance au Diable people.

July 31.—Schooner *Clipper*, belonging to Messieurs Lenié, St. Malo, buying bait from the Lance au Diable people.

July 31.—One Batteau belonging to Messieurs Fontain, St. Malo, Chatelier, master, buying bait at Lance au Diable.

August 8 —Two Batteaux and one Cod Seine Boat, belonging to Messieurs Madicorne, of Grande Ville, fishing at Cape Norman, Edward DuPond, cod seine master; Joseph Anconard and Louis

Brilliant, Batteaux masters. Schooner *Trump*, of St. Peters, Berchell, master and owner, fishing at East St. Modeste.

August 14.—One Chaloupe, Aubert, master and owner, belonging to LaPoile, fishing at Green Island. Aubert is married to a British subject, was master of a British schooner for eighteen years, and has a permit to fish on English grounds, from Captains of British ships of war.

August 16.—A schooner belonging to Messieurs Lenié, of St. Malo, Jean LeBré, master, buying Herrings from the people at Pied Noir.

REMARKS.

I cannot close this report, without bearing my strongest testimony against the suicidal traffic in bait, at present carried on with the French at the Labrador, and the effects of which will sometimes, even at the height of the fishery, leave our own people without a sufficient supply, and which traffic, independently of other evils, furnishes such an easy opportunity of encroachments upon our fishery grounds, when as is but too often the case, the French grounds should fail in consequence of their destructive mode of conducting the fishery by Bultows and large Seines. This is an evil which will increase year by year, and when it is remembered the very large outlay embarked by the merchants and planters of Newfoundland in that fishery, and the thousands of men, women, and children, dependent thereon for their yearly support, I need not, I conceive, say anything further to induce the Government and the Legislature, to take such steps as may be necessary, to check the evil, of which there is so very much reason at present to complain.

Respectfully submitted.

(Signed),

STEPHEN MARCH.

No. 7.

**Copy of Report of Voyage of Schooner "Pioneer,"
fitted out as a Banker by Messrs. Job, Brothers &
Co.**

ST. JOHN'S, November 3rd, 1866.

HON'BLE COLONIAL SECRETARY.

Dear Sir,—

We beg to enclose to you the general record copied from the Log Book kept on board the Schooner *Pioneer*, 71 tons register, fitted out by us for a Banking and Fishing voyage during the past season, in accordance with the Act of the Legislature for the encouragement of the deep sea fisheries.

In explanation of the errata and informalities which appear on the original copy from the Log Book of the *Pioneer*, signed by Captain Bartlett, we may observe that it was hurriedly done on the evening of the 4th October, just a day or two days after the vessel's arrival back to this port, and when it was decided to pay off Captain Bartlett so as to allow of his return to Boston by the *Chedabucto*, leaving early on the following day.

You will readily understand, from the "Extracts from the Log Book," that the voyage has not been a successful one, and it may not be amiss in us on the present occasion, to give you our views of the main causes why it has not been remunerative, especially as it is well understood the French and American fishermen have been very prosperous.

We may preface our following observations by stating that in every detail that suggested itself to us, we did everything in our power to ensure success. The *Pioneer* was a new vessel, built for the express purpose of employing her as a Banking vessel. Captain Bartlett was engaged for our service at Gloucester, U. S., as an experienced fisherman, at \$1000 United States currency, as wages for the season, and his passage paid by us from and to Boston. We now think that we have not been very fortunate in the selection of a Captain, and his failure in not securing a good

voyage, has partly arisen from defective judgment, combined with a want of local knowledge, to enable him more readily to secure good bait at the proper times and seasons ; next, owing to the ice being so late in Trinity Bay, the vessel was detained there from this cause for three weeks, and this detention, combined with the still further delay occasioned by going to St. Mary's Bay for bait, instead of Fortune Bay or St. Peters, was the loss of one and a-half months of the *best fishing time*, or, in other words, the first trip of the *Pioneer* was a loss instead of a gain, owing solely to these circumstances. Such are the leading features which, in our opinion, have led to failure in our experiment at the deep sea fishery ; but we still have faith in it, and purpose once again to make trial. The experience gained by *our own fishermen* on the voyage herein described, has been such as to give us confidence that they can successfully prosecute the Bank Fishery next season, and we hope to have the *Pioneer* so engaged by the end of March or early in April next year.

We remain, &c.,

(Signed), JOB, BROTHERS & CO.

Extract from the Log Book, kept on board the Schooner "Pioneer," 71 Tons Register, Bartlett, master, on a Fishing and Banking voyage, season 1866.

March 19.—Israel M. Bartlett arrived this day from Boston, in the brig *Seamew*, having been engaged by Job, Brothers & Co., to take charge of the *Pioneer*, on a Banking voyage.

March 29.—Captain Bartlett left overland for Hant's Harbor, where the schooner *Pioneer* was ready for launching new from the stocks.

April 20.—Owing to ice in Trinity Bay, and on the coast, could not possibly get to St. John's before this day.

28.—Having completed outfits in St. John's, sailed on this day for St. Mary's Bay to procure bait, and in prosecution of the voyage, having on board a crew of 12 men, all told.

29.—Returned to St. John's Harbor, not being able to get round Cape Spear on account of ice.

30.—Re-sailed from St. John's, but fog and heavy weather with the wind on shore, forced us for shelter into Cape Broyle, where we lay wind bound until

May 4, when we proceeded for St. Mary's for the purpose of getting bait; arrived at St. Mary's Harbor on the 7th May, and cruized to Great Colinet, Salmon River, and other places in the Bay, but failed in procuring bait sufficient, until May 14, but gales and head winds prevented our going to sea until

17.—When we left for St. Peter's Bank, where we anchored, and commenced fishing. At this time the French Bankers had been on the ground for nearly a month, and some of them were loaded or nearly so. We continued fishing on this Bank with varied success until we shifted and anchored on Banquereau Bank. On the 28th, continued fishing on this Bank, and frequently shifting ground, losing one of our boats on June 13, and on the following day finding fish continued scarce and bait becoming stale, weighed anchor, and proceeded towards the Cape Breton coast, came to; Amherst Island bearing N. E. by E., on

June 19.—When we set Bultows, and also fished from the deck, occasionally going to land for the purpose of procuring fresh bait, which, when obtained, we now and then made good takes of fish. We continued on the Cape Breton coast from Cape North to Sydney, with difficulty procuring bait, and not in sufficient quantity to keep us continually on the fishing ground. We fished sometimes with Bultows, and sometimes with Hook and Line from the deck of the craft.

August 1.—Set sail for St. John's, to land fish and re-fit.

8.—Arrived at St. John's, landed at Webber's Room 380 Qtls. Fish, docked the vessel, graved her bottom, took on board provisions, water, squid and salted caplin Bait, and re-sailed for the Banks on the 16th August.

18.—Reached anchorage in lat. $46^{\circ} 6'$ N., long. $55^{\circ} 42'$ West, and commenced to fish, so continued until 21st, when we ran to

Scatarie Bank and anchored ; afterwards, finding the Bait we had on board not good, we frequently ran for land, setting Nets to procure Bait.

31.—Heavy weather and head pitch ; discovered our Bowsprit sprung, and on the following day ran for Sydney ; and between Sept. 1st and 6th we procured and fitted a new Bowsprit.

September 6.—Again put to sea, anchoring and fishing at different points off the Cape Breton coast. From this date until October, when finding weather very stormy and fish scarce, we gave up the voyage, returning to St. John's.

October 4.—Landed $79\frac{1}{4}$ Quintals Cod Fish.

St. John's, Newfoundland, }
October 5th, 1866. }

(Signed),

ISRAEL M. BARTLETT,
Master of the Schooner Pioneer.

No. 8.

Report of Henry Knight, on Fishery Protection at Cape St. John, 1866.

June 10.—Arrived at Shoe Cove.

14.—Three French vessels arrived at Lascie : Captain Rebore, Captain Monyar, Captain Botane.

15.—Sent boat and 5 hands to the Cape ; commenced making shelter for the Summer.

16.—Men employed on shore.

17.—Five Seine Boats came to the Cape. Guard Boat took her place at the boundary.

18.—Twenty-seven Batteaux came to the South Bill ; no fish worth notice.

19.—Caplin landed at Mansfield Bight ; fish very scarce ; one Seine hauled about 10 Qtls.

20.—Left Brinies Cove at daylight ; went to the boundary ; 4 Seines at the South Bill, and 9 Batteaux, hauled 14,000 fish. Men doing but little with the hook-and-line.

21.—Strong wind South ; Frenchmen at Middle Bill all day.

22.—At daylight left Brinies, and rowed to the limit ; weather fine ; only few Boats at the boundary ; fish very scarce ; Frenchmen looking blue ; took about 200 qtls. from the Cape to-day for about 60 men.

23.—Rowed to the Cape ; several French Boats rowing round ; fish scarce. Frenchmen enquired if there was much fish in Bay Notre Dame. Hauled to day, at South Bill, 16,000 fish, or 150 qtls. according to French reckoning.

24.—At 3 A. M. went to the limit ; Frenchmen uncovered and commenced work ; done but little for the day.

25.—Strong wind S. E. French North of the Cape.

26.—Wind S W. ; great many small craft going North ; saw few Frenchmen, all day fish very scarce at the Cape.

27.—Rowed to Cape at 3 A. M. ; 4 Seines at the boundary. Hauled to-day 26,000 fish ; hook-and-line men doing very little.

28.—At sunrise left the Camp and rowed to the limit ; French uncovered and began to row along shore ; took from the South Bill to-day 30,000 fish for 5 Seines.

29.—At 3 A. M left Brinies Cove, wind West, most of the French at Middle Bill ; at 3 P. M spoke Seine master, said he hauled at North West Point 5,000 fish ; complained very much of the voyage.

30.—Strong wind N E. Most of the Lascie Boats on the South of the Cape, doing very little all day.

July 1.—Rowed to boundary ; Frenchmen anchored at Mother Burk, too much sea on for hauling ; hook-and-line doing a little. Frenchmen quite discouraged about the voyage.

2.—Sea more moderate ; Frenchmen very busy, took to-day, from the limit, 19,000 fish for 4 Seines.

3.—Wind E. with heavy tumble ; French North of the Cape, not doing much.

4.—Wind South, sea calm, Frenchmen at Middle Bill, fish scarce.

5.—Rowed to Cape at sunrise ; French at the South Bill, hauled to-day at the limit, 18,000 fish.

6.—Strong wind South ; boats at North Bill.

7.—At 3 A. M. rowed to the boundary ; saw but few boats all day.

8.—Left Brinies Cove at daybreak ; 3 Seines at South Bill hauled 9000 fish.

9.—No Frenchmen at the Cape all day.

10.—Saw but 4 boats for the day ; fish scarce.

11.—At daylight went to Cape ; saw no French all day ; at noon the schooner *Hawk*, with Superintendent of the Fisheries on board, passed the Cape going North.

12.—Saw only 6 Batteaux for the day.

13.—No Frenchmen at the Cape.

14.—Saw but 1 Seine for the day ; 8 Batteaux at the Middle Bill ; fish scarce.

15.—At daylight left the Camp for the Cape ; saw but 9 Boats all day ; one Seine took from the limit 4000 fish ; enquired if there was any fish at Shoe Cove ; said the fish was very scarce down the Shore ; some vessels not more than 100 qtls. on shore.

16.—Strong wind S.E. ; saw no French for the day ; fish very scarce in Mansfield Bight, and also at Shoe Cove.

17.—No Frenchmen South of Middle Bill ; some appearance of fish on the bottom ; Shoe Cove fishermen began to sink the Cod Nets.

18.—Saw only 7 Batteaux at the North Bill ; some fish taken from the Cod Nets in Mansfield Bight.

19.—Three Seine Boats came to the limit ; one hauled 6000 fish, one 4000 and 3000 ; no fish for the hook-and-line.

20.—At daylight rowed to the Cape ; 4 Seine Boats at the boundary took to-day 10,000 fish, or one hundred qtls. according to French reckoning.

21.—Left Brinies Cove at 3 A. M., strong wind South ; Frenchmen in Cape Cove not doing much.

22.—Wind S.E., bad weather ; nothing done at the Cape.

23.—Saw no French all day.

24.—Frenchmen North of the Cape.

25.—French Boats North of the Cape.

26.—Saw 11 Batteaux at the Middle Bill, and 1 Seine.

27.—Left Brinies Cove at 3 A. M. ; 14 Batteaux at the boundary, done nothing with the hook ; some quantity of fish taken out of Cod Nets in Mansfield Bight by the Shoe Cove men.

28.—Saw only 12 French boats all day ; fish scarce.

29.—Wind N.N.E., with sea ; French boats in Mansfield Bight for shelter.

30.—Wind W.N.W. strong ; Frenchmen left for the Cape ; done very little for the day. No Caplin in Cape Cove

31.—Rowed to the boundary ; 4 Seines at the limit, hauled in all to day about 30 qtls ; Cod Nets doing well.

August 1.—At daylight French uncovered and began to look for fish, at 6 A. M. French boats went North of the Cape.

2.—Saw no French for the day ; Shoe Cove men doing well with the Cod Nets

3.—Wind S.W. ; saw no Frenchmen ; Caplin gone ; some fish on the bottom in Mansfield Bight.

4.—One Seine at the South Bill ; asked Seine master, where all the boats were ? said they went to Condo Hash, (Bryant's Cove) this morning ; asked him, what fish he hauled ? said 100,000 fish, about 900 qtls. ; the rest of the Seines not so much, one had but 30,000 fish.

5.—No French at the Cape until 5 p m. ; 2 Seine Boats came round North Bill ; remained in Cape Cove.

6.—At daylight rowed to the Cape ; saw but 7 Batteaux for the day ; fish very scarce.

7.—At 3 A.M Guard Boat dropped graplin at limit ; saw but 9 Batteaux at the Cape, saw several Batteaux going out to Gull Island ; spoke Batteaux master ; said all their Seines were landed ; fish scarce at the Cape.

8.—Fourteen Batteaux at the Cape ; hook-and-line not doing much ; cod nets in Mansfield Bight doing well.

9.—Wind N.E., strong breeze ; several boats at the boundary ; fish don't eat ; some Herring in Mansfield Bight ; spoke Batteau man, asked him if they got any fish at Gull Island ? said not much, about 400 fish for each boat ; said the boats that were at the Horse Islands done very well last week.

10.—Some sea on ; few boats at the South Bill ; fish very scarce ; Shoe Cove cod nets doing well ; no bait for the hook-and-line men.

11.—No Frenchmen at the Cape.

12.—Saw but 4 boats for the day.

13.—Only 9 Batteaux at the Cape for the day ; saw several boats out to the Gull Island ; asked Batteau master, what bait they had ; said they caught some squids in Lascie.

14.—Several boats at the Cape, not doing much.

15.—Wind S.W., fine weather ; little or no fish.

16.—No French boats at the Cape for the day ; several Shoe Cove punts going round the Cape, to try the Frenchmen, if they would allow them to take squids in Harbour Round.

17.—But 6 Batteaux at the Cape.

18.—Rowed to Cape ; saw but 9 boats for the day.

19.—Wind South, and heavy rain, and thunder ; no fish at the Cape of any account.

20.—Saw no boats at the Cape ; some Shoe Cove punts came from Harbour Round with squids, dropped graplin at Middle Bill, and done well.

21.—Thirteen Batteaux came to South Bill at 7 A. M. ; took 2 or 3 hundred fish for a boat.

22.—Several boats at North West Point.

23.—Saw no boats.

24.—No Frenchmen ; a number of small craft passing from Labrador.

25.—Saw but 3 or 4 Batteaux all day ; fish scarce.

26.—Wind N. W. ; 10 Batteaux at N. W. Point.

27.—Saw no Batteaux for the day.

28.—Saw 7 Batteaux at Middle Bill, 7 at South ; fish very scarce.

29.—No Frenchmen at the Cape.

30.—Saw no boats.

31.—Four Batteaux at the North West point.

September 1.—From this date saw nothing worth noticing ; boat and crew remained in Mansfield Bight until the 1st October, visiting the Cape when the weather would permit.

In conclusion, I beg leave to state that the voyage of the French is much worse than last season ; one ship left Lascie on the 10th with a load of salt for St. Peter's, her catch being 500 Qtls., one 1200 Qtls., and 800 Qtls. I must also state, the French done the Shoe Cove men good service in allowing them to catch squids in their Harbour. The voyage at Shoe Cove is short of last

summer; the average catch of cod net men about 45 Qls., the hook-and-line men about 22 Qls., that is those that got no nets; the two last Vessels left Lascie the 4th of October.

(Signed,) HENRY KNIGHT.

No. 9.

Report of James March, on Fisheries, Belle Isle, 1860.

(Copy.)

July 8.—Left Old Perlican for Belle Isle, and on our arrival found that the fish and bait had struck in. Several boats from Newfoundland were favored with a few days' good fishing; but as soon as the bait left, the fish followed. It is an uncommon thing for Caplin to remain about this Island more than a week. As the fishery was almost a failure in Newfoundland, a great many craft were making their way to the Northward, the smaller ones putting up at Belle Isle. Every Creek was filled. Fifty boats would be out at a time, and as there was no Bait they had to use the Jigger, which was the cause of the fish leaving so soon.

July 18.—Wind S. W. A large Mail Steamer passed by. Saw the Light House Keeper, a man suited for the office he holds. Every thing was in perfect order. He informed me that the seals were very numerous about the Island last Spring, from the 10th to the 20th April. Mail steamers going by every week.

July 30.—Several vessels passed to the Northward. Some to carry on a Herring Fishery; others for Dry Fish. Not a French craft was seen near the Island for the season. It may have been from the fright the Commodore gave them last summer, when he seized six of their Batteaux. A great many British Fishermen were around the Island, and the first time for these last twenty years the fishery was a failure at Belle Isle.

August 10.—The Green Fish Catchers early on the coast, were making their way home. This was a cheering sight to see them

amply rewarded for their toil. Had the fishermen been earlier at Labrador, they would have done much better. The Commissioner in the *Hawk* gave us an occasional call, and for the first time these last six years had no trouble with French trespassers. He had many storms to contend with whilst discharging his duty in the Straits. The *Hawk* ran to Lark Harbor for shelter, and remained there a day and night. We were all glad to hear that they had succeeded in laying the Cable. Large numbers of Green Fish Catchers passing, bound home.

August 31 — The weather began to get stormy, and as it is such a dangerous place, those that had not good moorings had to leave. Four craft held on till the 20th September, thinking as the fish passed to the Eastward from the Straits, they would have a good catch like other Falls, but they were sadly disappointed. A Coaster called on her way home from Labrador; and I took this opportunity of getting a passage for myself and crew. The Government act wisely in protecting the Fishery at Belle Isle, as hundreds of our fishermen resort there, and this is the only summer they have been disappointed.

(Signed),

JAMES MARCH.

No. 10.

Petition of Directors of Telegraph Company.

*To the Honorable the Legislative Council,
in Session convened.*

The Petition of Peter Cooper, President, and other Directors of the New York, Newfoundland, and London Telegraph Company,

Humbly Sheweth,—

That the said Company was incorporated by Act of the Legislature of this Colony, 17th Victoria, Cap. 2.

That the said Company, in the execution of the purposes of the said Act, has expended a capital of Three Millions of Dollars, which amount it is not authorized to exceed.

That since the successful laying of the Ocean Cable, the business of the said Company has so greatly increased that it is essentially necessary, in order to ensure certainty and due dispatch in the transmission of Messages, there should be a second Overland Line of Telegraph from Saint John's to Port Hood ; also a Cable laid from Placentia to the Continent of America, with a connecting Overland Line from Heart's Content to Placentia.

That in these proposed additions to the works of the Company, the Government of Great Britain and the Colonies are, with the Commercial communities and others, deeply interested ; and in this Colony remunerative employment would be afforded to a large number of operatives.

That to enable the Company to commence and complete the said works, an addition of Three Millions of Dollars to the present capital that cannot be exceeded by the said Act, will be required.

Your Petitioners therefore pray that your Honorable House will be pleased to take the foregoing circumstances into consideration, and sanction an enactment for increase of Capital to the aforesaid amount.

And in duty bound will ever pray,

A. M. MACKAY,

Local Manager in Newfoundland under the Statute.

Saint John's, February, 1867.

No. 11.

Report of Postmaster General for 1866.

(Copy.)

GENERAL POST OFFICE, ST. JOHN'S, }
1st February, 1867. }

SIR,—

I have the honor to submit, for the information of the Governor and Executive Council, my seventh General Report of the Newfoundland Post Office, for the Year ended 31st December, 1866, with the accompanying Returns, numbering from 1 to 12, showing the details of the business and transactions of this Branch of the Public Service during that period.

No. 1.—Statement Account Current shews the amount of Revenue collected from all sources to be \$11,968,22, being a small increase of \$87 in last year's account on the gross Revenue collected. The amount of Postage Stamps sold in 1866 is more than double that of 1865; and the amount collected for Inland and British Packet Postages, shews a corresponding decrease the past year as compared with 1865, as follows:—

	1866.	1865.
Amount Inland Postage and Fees.	\$1259.38	\$2730.47
Amount British Packet Postages.	\$3122.07	\$5524.19
Amount Postage Stamps sold....	\$7586.77	\$3575.90
	<u>\$11968.22</u>	<u>\$11880.56</u>

No. 2.—Statement shews the amount of British Packet Postages collected during the year ended 31st December, 1866.

No. 3.—Statement of Inland Postage collected year ended 31st December, 1866.

No. 4.—Statement of the amount of Inland and British Packet Postage collected, and of Postage Stamps sold, during the year ended 31st December, 1866.

No. 5.—Statement of Postage Stamps Account for the year ended 31st December, 1866.

No. 6.—Statement of amount paid for Mail Transportation for the year ended 31st December, 1866.

No. 7.—Statement of amount of Salaries paid to Postmasters, Way Masters, Clerks, &c., for the year ended 31st December, 1866.

No. 8.—Statement embracing a Report of applications for Missing Letters for year ended 31st December, 1866.

No. 9.—Statement embracing a Record of Letters of value amongst Dead Letters, and how they were disposed of.

No. 10.—Statement exhibiting the extent of Money Order transactions between Newfoundland, the United Kingdom, and the British Provinces, during the year ended 31st December, 1866.

No. 11.—Statement of the number and amount of Money Orders issued and paid, and the Commissions received at the several Post Offices, during the year ended 31st December, 1866.

No. 12.—Table of sailings of the *Ariel*, North and West, shewing the dates of her arrival and departure from each Port of Call, during the year ended 31st December, 1866.

The number of Letters, Imperial and Local, received and despatched during the year, was over 151,000; Newspapers, about 220,000.

The number of Registered Letters received and despatched was 1098 :—

Registered at St. John's.....	576
“ “ Outport Offices.....	198
“ in other Countries.....	324

The number of Dead Letters disposed of, Local and Foreign, 1691 :—

Received from Outport Postmasters.....	1121
“ “ London.....	152
“ “ United States.....	418
	1691
Returned to London, United States and British Provinces.....	726
Returned to owners in Newfoundland....	965

I regret that the facilities given the Public for the transmission of Parcels by Post, has not been much availed of ; also, the Pillar Letter Boxes for receiving Letters for Town delivery, (and which I consider a great public accommodation,) are not as much patronized as they should be.

The Money Order business is rapidly progressing. The number of Orders issued and paid during the year was 1061, amounting to \$20,588.24. The number issued and paid in 1865 was 707, amounting to \$13,111.92.

It will be pleasing to the Government to learn that no loss or fraud has arisen since the introduction of the Money Order system.

On the 24th of November, application was made to His Grace the Postmaster General of London, requesting permission to establish an exchange of Money Orders between Newfoundland and the British West Indian Islands ; and His Grace states in his reply, that none of the Post Offices in the British West Indies are under his control, and that the question rests entirely with the Colonies themselves. I shall take the liberty at an early day to request the Executive to bring the matter under the notice of the Authorities in the West Indian Islands.

The New Brunswick Government have not yet adopted the Money Order system with this Colony.

A Way Office has been established at English Harbour, and Courier in connection therewith, to take Letters to and from Beloram and adjacent places. The Packet Boat running between Harbor Briton and Garnish calls at English Harbor, going and returning.

A Mail Courier has been established between Burin and Lamaline, calling at the intermediate places, Little and Great St. Laurence, and Lawn, and receives and delivers Letters and Papers at each settlement, going and returning.

The first Mail was despatched (overland) for the Northern settlements on the 3rd ultimo. I trust, from the pains that have been taken to make the arrangements more satisfactory than heretofore, that the service will be performed with more speed and regularity ; but, at the same time, it must be borne in mind that nothing has been done during the year to remove the falling timber and other obstructions which so impeded the Mail Couriers on their route, as to compel them to abandon it at several places. Through the kindness of the Colonial Secretary and the Board of Works, I was permitted to get Tilts erected at suitable places along the line, which has been done.

A Messenger has been established between Bloody Bay and Salvage ; and also, between Twillingate and Little Bay of Islands, for the winter months only.

In connexion with the Northern Mail route, temporary Way-Offices were appointed at Come by-Chance, Shoal Harbour, (Random Sound), and Fresh Water.

Arrangements have been made at Trinity and Random Sound for conveying Mails to and from St. John's and Trinity, in the event of the Packet Boat in Trinity Bay being impeded by ice, or otherwise.

Having in the foregoing given a brief Report of the transactions of the Post Office for the year, I would beg leave to state that throughout the whole of the Post Office Department, the utmost unity and harmony prevails, and a most anxious desire evinced on the part of the Officers to discharge their duties satisfactorily.

I have the honor to be,

Sir,

Your obedient Servant,

(Signed),

JOHN DELANEY,

Postmaster General.

Honorable JOHN BEMISTER,
Colonial Secretary.

No. 12.

**Report of the Inspector of Weights and Measures,
St. John's, for 1866.**

St. JOHN'S, January 1st, 1867.

SIR,—

I have the honor to forward, for the information of the Government, a Report of my duties for the past year.

In accordance with the Amendment of the Weights and Measures Act of last Session, I visited the different Shops, Stores, and Premises, where Weights and Measures were used, marking such as were correct and adjusting any that required it.

I would respectfully beg leave to suggest that there should be some restriction placed on the use of so many different sizes of Rods as there are at present used in Gauging Oil, Molasses, Spirits, &c, &c., varying in size from $\frac{3}{8}$ inch. square, to $\frac{3}{4}$ inch., and tending to endless disputes. The point of a small Rod fitting more closely in the Package or Cask than the larger one, will consequently make a difference, in the measurement of a Hogshead, of over one Gallon, and so in proportion to the size of the vessel. I am sustained in the opinion by many interested parties, that but one size Rod should be used, and which should not be larger than $\frac{5}{8}$ inch. nor less than $\frac{1}{2}$ inch. square. Or if a second size Rod be allowed, it should not be larger than $\frac{3}{4}$ inch. square, and used only for gauging Molasses. These being the dimensions of the Rods adjusted by me and used by H. M. Customs.

It may not be irrelevant in this Report to allude to a case brought under my notice the past summer, and which sufficiently proves the necessity for some further supervision to protect the interests of the trade. I was requested by a highly respectable firm in town to attend officially at the weighing of Fifty barrels of Pork which was after being landed, and intended for this market. Out of the entire lot only two weighed 200 lbs., the remainder ranging from 170 lbs. upwards, and averaging on the whole only 186 lbs; this occurred at a time when Pork was selling in the market at from 24 to 26 Dollars per Barrel.

I have received in fees the past year the sum of \$354.10, and adjusted the following number of Beams or Scales, Weights and Measures, from the 1st of January to 31st December, 1866 :—

Beams and Scales	507
Weights of 2lbs. and upwards	1667
“ 1lb. and under.....	1240
Measures	943

I have the honor to be,

Sir,

Your obedient Servant,

T. S. DWYER,

Inspector of Weights and Measures.

To the

Hon'ble JOHN BEMISTER,
Colonial Secretary.

No. 13.

Report of the Directors of the General Water Company, 1866.

The Directors of the General Water Company, in submitting their Statement of Accounts for the past year, beg leave to call the attention of the Government to the charge on account of Fire Companies, which during the past year amounted to the sum of £451. The charge for this service was formerly borne by the General Revenue, and did not form any part of the ground work over which the Board of Directors based their calculations, and determining the amount of the rates necessary to produce the required sum for ordinary expenses. The imposition of this charge on the Revenue of the Water Company has therefore involved the Directors in a debt which they cannot pay without further

taxation on the rate-payers, unless the Government relieve them from the cost they have been obliged to incur on this account, and which the Directors feel is not a fair charge on their resources, and which, moreover, until the institution of the Water Company, was otherwise provided for.

In other respects the expenditure has been fully within that of any former year under the several heads of outlay ; and the Directors have the satisfaction of reporting that the works are in a condition of perfect efficiency.

From the fact of there not being any Reservoir in connection with the Water Works, the supply of the town is often affected by the disturbance of the water in the Lake, and the Directors have therefore entered on the construction of a Breakwater across the end of the Lake, near which the supply-pipe enters. This will obviate the inconvenience hitherto felt from the deposit with which the water has been impregnated after stormy weather, and will besides prevent the incrustation of the pipes, which in process of time would be a matter of serious consideration.

The Board are also glad to state that this work has been contracted for at a sum far below that which was estimated for this service. The amount of the estimate was £185, while the Contract has been made for £130, under which it is now being most satisfactorily carried out.

Respectfully submitted.

(Signed),

P. M. BARRON,
Secretary.

Dr. Statement of Affairs of the General Water Company, for the year ended 31st December, 1866.

	£	s.	d.	\$	cts.
To Balance due Commercial Bank, as per Statement, 31st Dec., 1865	1548	13	1	6194.62	
“ Balance due Agent at Greenock, as per Statement, 31st December, 1865.....	61	18	8	247.74	
“ Cost Lead Pipe, Wire Cloth, &c., &c., imported.....	185	0	10	740.17	
“ Cost Leather Hose for Fire Brigades.....	172	4	6	688.90	
“ Allowance to George Thomas, of Cathedral Brigade, for injuries sustained at Hutchins' Fire	19	4	0	76.80	
“ Cost of Runners for Hose for Fire Brigades.....	20	0	0	80.00	
“ Account, allowance to ditto.....	240	0	0	960.00	
“ Expended for Wages, Labor, Cartage, &c., &c.....	310	19	6	1243.90	
“ Contingent Expenses, including Office and Store Rent, Stationery, &c, &c.....	168	1	11	672.39	
“ Salaries, including Engineers and all Officers.. . . .	433	6	8	1733.34	
“ Balance at Debit, cleansing Sewers, acct.....	5	4	0	20.80	
“ Interest on Capital Stock.....	4575	0	0	18,300.00	
“ “ on Current Accounts... ..	239	12	10	958.67	
“ Balance at Debit, Agent at Greenock	25	3	9	100.75	
“ Labor and Cartage Hose, watering Vessels.. . . .	81	16	6	327.30	
“ Compensation to John Walsh, for damage to property by bursting of Pipes.....	2	0	0	8.00	
To Balance at Debit Loan Account 12th January, 1866	675	0	0	2700.00	
Carried forward.....	£8763	6	3	\$35,053.28	

Dr. Statement of Affairs of the General Water Com-

	£	s.	d.	\$	cts.
Amount brought forward.....	8763	6	3	35,053.	28

£8763	6	3	\$35,053.	28
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Examined,

(Signed),

E. D. SHEA,
Financial Secretary.

pany, for the Year ended 31st December, 1866. Cr.

	£	s.	d.	\$	cts.
By received for Water Rates and Assessments, for the year ended date	4204	0	0		
“ Less 5 per cent. Commission to Collector	£210	14	6		
Clerk's Salary.....	96	0	0		
Serving Legal Process.....	2	0	11		
	308	5	5		
	3896	3	11	15,584.	79
“ Interest on Water Assessment Account.....	66	17	8	267.	55
“ Received from Receiver General for duty on Coal and Water Rates on Shipping.....	2530	13	6	10,122.	50
“ Received for Lead Pipe, Cocks, &c., &c., sold.....	133	7	11	533.	59
“ Balance at credit Commercial Bank, 31st December, 1866...	1461	3	3	5844.	65
“ Balance at Credit Savings' Bank, (on loan), 31st December, 1866.	675	0	0	2700.	00
	£8763	6	3	\$35,053.	28

E. & O. E.,

(Signed)

P. M. BARRON,
Secretary.

Saint John's, Newfoundland, }
31st December, 1866. }

No. 14.

Annual Report of the Harbor Grace Water Company.

HARBOR GRACE, }
 July 16th, 1866. }

The Directors of the Harbor Grace Water Company beg leave to transmit herewith, for the information of the Government, a Statement of their Affairs for the past year, showing a balance in the hands of the Treasurer of £429 15s. 6d. currency, after the payment of Interest for the last half year ending 30th June.

They have much pleasure in stating that the works of the Company, since last Report, have continued in most satisfactory operation; that the Embankment at Bannerman Lake requires some repairs of a trifling nature, but on the whole is firm and secure, having borne the pressure of the past season without yielding.

They also beg to state that it has been found necessary to order a fresh lot of Pipes and other Materials, to meet the present and proximate requirements of the Company, partly with the view of extending their operations; also, a new Hose, complete, of six hundred feet in length, and a new Fire Bell for the Western part of the town.

The Directors are of opinion, that the Materials, Hose, Fire Bell, &c., &c., will absorb the greater part of the balance in hand.

I have the honor to be,

Sir,

Your most obedient Servant

T. HARRISON RIDLEY,

President.

To the

HON. JOHN BEMISTER,
Colonial Secretary,
 &c., &c.

Dr. W. J. S. Donnelly, Esq., Treasurer, in Account with Harbor Grace Water Company.

1865.		
July 4.—To balance due per last Account.....		£193 0 2
“ Rachel Green, due on Interest over Assessment, not paid.....		0 12 6
Dec. 30.—“ Cash for Assessments to date.....	£422 7 8	£193 12 8
“ Cash for sundry Materials sold, and Work done, to date.....	29 9 6	451 17 2
1866.		
June 30.—“ Cash for Assessments to date.....	467 2 5	£645 9 10
“ Cash for sundry Materials sold, and Work done, from 1st Jan., to date.....	37 8 4	504 10 9
Carried forward.....		£1150 0 7

Dr. W. J. S. Donnelly, Esq., Treasurer, in Account

Amount brought forward..... £1150 0 7

Carried forward.....£1150 0 7

with Harbor Grace Water Company.

Cr:

1865.		
Dec. 30.—By Amount paid for Labor from 3rd July last to date.....	£27 5 0	
“ paid Jillards for Copper Wire, &c....	0 14 6	
“ “ Do. for Neats Foot Oil.....	0 17 0	
“ “ for Stove for drying Hose.....	2 2 6	
“ “ W. Squarey, for Printing.....	8 7 6	
“ “ J. Hayward, for attendance.....	1 4 4	
“ “ Account Volunteer Fire Company....	5 16 4	
“ “ for Paint, Oil, &c.	1 4 2	
“ “ “ Manilla Rope and Coal.....	0 5 6	
		£47 16 10
“ Sundries for 6 months' Interest to date.....		227 10 0
“ John Lynch, for Six months' wages.....		40 0 0
“ Do. as Bonus for good services.....		10 0 0
“ C. Watts, for 8 months' services as Secretary and Collector, at £100 per annum.....		66 13 4
		992 0 2
1866.		
Feb. 10.— “ paid J. C. Withers, for Gazetting.....	0 8 4	0 8 4
Carried forward.....		£992 8 6

Dr. W. J. S. Donnelly, Esq., Treasurer, in Account

Amount brought forward..... £1150 0 7

£1150 0 7

June 30.—By Balance due, brought down.... £657 5 6

£657 5 6

To Balance due after payment of
Interest..... £429 15 6

Total amount of Assessment collected for
the year..... £889 10 1
Sundry materials sold and work done..... 66 17 10

Total Receipts for the year ending 30th June, £956 7 11

with Harbor Grace Water Company.—Continued. Cr.

1866.			
	Amount brought forward....		£392 8 6
Feb. 16.—	To paid Ridley's for sundries.....	£0 15 3	
27.—	" 2 Tubs Coal.....	0 7 0	
April 10.—	" 1 lb. Leather.....	0 1 6	
	" paid proportion Rent Account, Lynch.	2 0 0	as voted.
May 28.—	" " for Labor.....	0 13 6	
June 27.—	" " H. T. Moore, for premium on Insurance Account, Fire Compy.	1 6 9	
	" Sundry Materials had from Greenock last year	5 3 1	
	" John Lynch, for Six months' wages.....	40 0 0	
	" C. Watts, for Six months' salary.....	50 0 0	100 14 11
			<u>492 15 1</u>
30.—	" Balance.....		657 5 6
			<u>£ 1150 0 7</u>

June 30.—	By Sundries for 6 months' Interest to date.....	£227 10 0
	Balance.....	429 15 6
		<u>£657 5 6</u>

E. & O. E.,

Harbor Grace, 30th June, 1866.

CLAUDIUS WATTS,
Secretary.

No. 15.

Report of the Cashier of the Newfoundland Savings' Bank, for the Year ending 31st December, 1866.

Amount of Deposits on 1st January		\$668,866.81
“ “ 31st December.....		634,528.45
Decrease.....		<u>34,338.36</u>
Amount Withdrawn during the year	\$141,638.07	
“ Deposited “	<u>107,299.71</u>	
The Amount received for Interest on Investments, and from other sources		\$31,470.56
Which was thus appropriated :—		
Interest to Depositors....	\$18,857.78	
Disbursements.....	2343.30	
Harbor Grace Disbursements..	200.00	
The Receiver General for use of the Colony.....	7200.00	
Balance carried to Reserve Ac- count.	2869.48	<u>\$31,470.56</u>
The Balance from the Reserve Account of last year.....		\$3616.68
To which has been added the balance of the same Account for this year		<u>2178.26</u>
Balance to 1867.....		<u>\$5794.94</u>
The Assets are :—		
Colonial Debentures.....		\$459,028.94
Cash		39,091.87
Water Company Stock.....		65,000.00
Loans and Discounts.....		15,429.13
Mortgages.....		59,026.35
Gower Street Property.....		1310.92
Lazy Bank ditto		1436.18
		<u>\$640,323.39</u>

CONTRA.

The Deposits	\$634,528.45
“ Reserve Account.....	5794.94
	<u>\$640,323.39</u>

The Deposits are thus classified, viz. :—

612	Accounts under	\$200.00
427	“ from	200 to 500.00
222	“ “	500 “ 1000.00
89	“ “	1000 “ 2000.00
41	“ “	2000 “ 3000.00
4	“ “	3000 “ 4000.00
3	“ “	4000 “ 5000.00
1	“ Supreme Court.....	6522.00
1	“ Harbor Grace Branch	29,473.00

1400 Accounts.

The Statement from the Harbor Grace Branch shews 125 Depositors.....	\$29,850.14
---	-------------

Thus accounted for :—

To Credit of Branch in St. John’s Bank.....	\$29,473.67	
Balance at Harbor Grace..	<u>376.47</u>	<u>\$29,850.14</u>

Respectfully submitted.

EDWARD MORRIS,
Cashier.

Certified by

NICHOLAS STABB,	}	<i>Directors.</i>
A. SHEA,		
F. B. T. CARTER,		

No. 16.

**General Statement of the Affairs of the Union Bank
of Newfoundland, for the year ending 31st May,
1866.**

LIABILITIES.

Capital Stock, paid up.....	£50,000	0	0
Bank Notes in circulation.....	96,423	0	0
Due by the Bank, including amount on Interest payable in Jan. and July only, on receiving 15 days' notice.....	195,928	13	10
Dividend, No. 23, payable 12th June, 1866....	2,000	0	0
Bonus, No. 10, " " " ".....	2,000	0	0
Reserve Fund.	13,000	0	0
Profit and Loss, (undivided Profit.)	1,576	10	9
	<u>£360,928</u>	<u>4</u>	<u>7</u>

ASSETS.

Gold, Silver and Copper Coins in the Vault of the Bank.....	£95,463	4	5
Notes of other Banks.....	3,064	0	0
Balances due by Agents and Funds immediately available.....	101,599	7	9
Leasehold, Water Street.....	5,971	17	8
Bank Premises, Iron Safes, and Office Furni- ture.....	5,000	0	0
Bills Discounted, Loans, &c.....	209,829	14	9
	<u>£360,928</u>	<u>4</u>	<u>7</u>

Average Amount of Notes in circulation and Specie on hand, for the Year ending 31st May, 1866.

1865.	SPECIE.	CIRCULATION.
June.....	£36,587	£68,112
July.....	35,497	65,923
August.....	38,939	66,527
September.....	41,448	71,444
October.....	38,610	84,748
November.....	38,072	103,247
December.....	32,485	100,870
1866.		
January.....	30,414	92,557
February.....	32,082	84,649
March.....	38,468	81,285
April.....	38,990	86,434
May.. .. .	37,106	98,493

We, the undersigned Directors of the Union Bank of Newfoundland, hereby certify, to the best of our knowledge and belief, that the within is a true and correct Statement of the Affairs of the Bank.

LAURENCE O'BRIEN, *Chairman.*
 ROBERT ALEXANDER,
 ROBERT THORBURN,
 A. W. HARVEY.

ST. JOHN'S, }
to wit. }

JOHN W. SMITH, of St. John's, Manager of the Union Bank of Newfoundland, maketh oath and saith, that the within Statement is just and true to the best of his knowledge and belief.

JOHN W. SMITH,
Manager

Sworn to before me this 9th }
 day of June, 1866. }

P. W. CARTER, J.P.

No. 17.

Dr. The Commercial Bank of

To Proprietors for paid up Capital	£50,000	0	0
“ Bank Notes in Circulation	38,474	10	0
	<hr/>		
	£88,474	10	0
“ Due to Sundries on Current Accounts, Deposits, Receipts, &c.	57,298	6	7
“ Unclaimed Dividends	166	10	0
“ Dividends at 6 per cent. £3000	0	0	
Less 6 months' paid 31st December, 1865.....	1500	0	0
	<hr/>		
“ Reserve Fund	5000	0	0
“ Profits and Loss unappropriated	577	15	4
	<hr/>		
	£153,017	1	11
	<hr/>		

Notes in Circulation, and Specie on hand, in each Month of the Year ending 30th June, A. D., 1866.

MONTH.	NOTES.	SPECIE.	MONTH.	NOTES.	SPECIE.
1865.	£	£	1866.	£	£
July	32,138	43,331	January ...	47,271	37,249
August	33,895	38,600	February...	40,197	41,862
September .	37,046	32,728	March.....	39,616	40,590
October....	44,847	30,792	April.....	40,933	44,631
November..	55,585	27,550	May	44,841	47,283
December..	49,273	33,826	June . . .	40,804	42,975

Newfoundland, 30th June, 1866.**Cr.**

By Specie in the Vault, in Gold and Silver Coins	£40,896	0	8
“ Notes of other Banks.....	369	11	11
	<hr/>		
	£41,265	12	7
“ Local Bills Discounted, amount due from other Banks, &c.	89,867	5	10
“ Debenture Bonds and Water Stock.....	18,284	3	6
“ Bank Premises.	3600	0	0
	<hr/>		
	£153,017	1	11
	<hr/> <hr/>		

We certify, to the best of our knowledge and belief, that the within Account is a true and correct Statement of the Affairs of the Commercial Bank of Newfoundland, as made up from the Books of said Bank.

S. RENDELL,
JNO. BOWRING,
JNO. B. McLEA,
FRED. J. WYATT,
J. GOODFELLOW.

ST. JOHN'S, }
To wit. }

ROBERT BROWN, Manager of the Commercial Bank of Newfoundland, maketh oath and saith, that the within Statement is just and true to the best of his knowledge and belief.

R. BROWN,
Manager.

Sworn before me this 9th day }
of July, 1866. }

M. W. WALBANK,
Commissioner of Affidavits, Supreme Court.

No. 18.

Dr. Statement of Affairs of Vail's Joint Stock Company, for year ending 30th June, 1866.

To Capital Stock paid up.....	£30,000	0	0
“ Amount due on Bills payable.....	145	3	4
“ Amount Sundries on Current Account.....	280	19	11
“ Reserve Fund.....	2000	0	0
“ Dividend.....	1500	0	0
“ Profit and Loss for Balance.	5	14	9

Carried forward £33,931 18 0

Dr.

Vail's Joint Stock

Amount brought forward..... £33,931 18 0

£33,931 18 0

Company, 30th June, 1866.

Cr.

By Dwelling House, Premises, Machinery and
 Utensils..... £12,645 0 0
 " Stock on hand, per inventory 7839 12 0
 " Cash on hand and in Banks 171 3 8
 " Amount due on Bills receivable..... 9742 17 6
 " " due by Sundries on Current Account 3532 4 10

£33,931 18 0

We certify, to the best of our knowledge and belief, that the within Account is a true and correct Statement of the Affairs of the "*Vail's Joint Stock Company*," as made up from the Books of said Company, to 30th June, 1866.

S. RENDELL, EDWIN DUDER, ROBERT THORBURN, A. W. HARVEY, JNO. BOWRING,	}	<i>Directors.</i>
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WILLIAM WHEATLEY, Manager of Vail's Joint Stock Company, maketh oath and saith, that the within Statement is just and true to the best of his knowledge and belief.

WM. WHEATLEY.

Sworn before me at St. John's, }
 this Tenth day of January. }
 A. D., 1867.

H. T. WOOD,

Commissioner of Affidavits, Supreme Court.

No. 19.

Letter from A. Murray, Esq., to His Excellency the Governor, stating that his Preliminary Report and Plans are not yet completed, owing to his accident, and giving a brief summary of his proceedings during the past season.

(Copy).

ST. JOHN'S, NEWFOUNDLAND, }
28th January, 1867. }

MAY IT PLEASE YOUR EXCELLENCY,—

In consequence of a serious injury I had the misfortune to meet with whilst prosecuting my labors on the West Coast of this Island last summer, I have been incapable, since my return here, of completing the material requisite to illustrate the results of my recent investigations, upon which to frame a preliminary Report to be laid before the Legislature. The work, however, is now in progress, and with the assistance of Mr. J. T. Nevill, who is working up the plans from my field drawings, I hope to be prepared to furnish you with the required documents in the course of next month.

In the early part of the season I took the opportunity, while detained at St. John's, to measure a section of the rocks near Topsail, and on Kelly's Island, in Conception Bay, which section, together with certain facts since ascertained, is likely to reveal some very important information as to the Geological structure of the country. I was afterwards chiefly occupied in continuing the examination of the Carboniferous formation on the Western side of the Island, commenced last year; and in connexion with that examination, I found it necessary to make topographical surveys of the rivers Great Codroy and Humber, as well as a portion of the country between Flat Bay, in the Bay St. George, and the mountains to the Southward; and a good section of the Carboniferous measures was obtained along the coast between Cape Anguille and Cape Ray.

A partial examination was also made of the coast between Cape St. George and the Humber River; and various parts were visited on the Southern coast of the Island, during the latter part of the season, for the purpose of acquiring as much information as possible on the subject of the general distribution of the Geological formations, together with the mode of occurrence of certain Metaliferous ores.

Plans of the country surveyed will be submitted to Your Excellency on a scale of one statute mile to one inch, together with a general plan on a scale of four miles to one inch, brought to connect with my survey of 1865; which will serve to explain the text of the narrative intended to accompany them.

I trust it will be admitted, when the documents alluded to are laid before your Excellency and Council, that the work done, so far as it goes, gives considerable useful information, which in course of time may turn to the advantage of the Colony, although I am too well aware that it might have been much more perfect had it not been for the untoward accident that has rendered me a cripple to the present day.

I endeavoured, while prosecuting my explorations, to collect some specimens of the rocks and minerals of the country, in aid of the Local Commissioners for the Great Exhibition shortly to be held in Paris; but this collection is also quite unequal to what it might have been, had my physical condition permitted more active exertion; yet, it is still my ambition, should I receive permission from the Government to visit Europe for a part of the coming Summer, to do my best to draw public attention to the Mineral and Agricultural resources of this country, which I have little hesitation in saying are, in the meantime, only very imperfectly understood.

I have, &c.,

(Signed),

ALEXR. MURRAY.

His Excellency

The GOVERNOR, &c., &c.,
of Newfoundland.

No. 20.

Preliminary Report of A. Murray, Esq., on his Geological Survey of 1867.

(Copy.)

ST. JOHN'S, NEWFOUNDLAND, }
1st March, 1867. }

MAY IT PLEASE YOUR EXCELLENCY :

I have the honor to furnish you with the following narrative of my proceedings in the prosecution of the Geological Survey of the Island during the past season, preliminary to a more detailed report, which in due course I shall be prepared to present through Sir W. E. Logan.

As in the course of my investigations it was necessary to visit places on the coast remotely distant from each other, with which there was no direct communication, it was deemed expedient that I should be supplied with a small vessel for that purpose ; and accordingly the Schooner "*A. M. W.*" of Harbor Grace, with a crew of four hands, was placed at my disposal.

After some little unavoidable detention in fitting out the vessel, I sailed from St. John's on the 4th July, and returned thither on 21st November, 1866.

The plan of the expedition was (as already intimated by Sir W. E. Logan, in his letter to the Honorable F. Carter, accompanying my Report to him for the year 1864), to follow out the limits and distribution of the Coal formation, which had been partially examined last year, and to trace out any workable seams that might be met with ; at the same time to take particular note of the older formations at the various parts that might be visited, in order to be the better prepared to follow out their distribution at a future time.

In connexion with the examination a considerable amount of topographical surveying was required, there being no recently

published charts of those parts of the Western coast which were likely to be convenient as starting points ; I therefore deemed it necessary to supply myself with a good Chronometer, for the purpose of ascertaining longitude from time to time, by means of which, with latitude found by observations of the sun or a star, the position of such places might be laid down with some degree of accuracy.

The earlier part of the season was devoted to an examination of the coast between Cape Ray and Cape Anguille, where a good section of the Coal formation was obtained,—and a survey was made of the great Codroy river and valley. I then proceeded to the Bay of Islands, examining the coast between Cape St. George and Round Head on the way, and commencing in Humber Arm, surveyed the main river and valley for about fifty miles up its course, by which I was enabled to connect the work of the present with that of last year. Lastly, I repaired to the Bay of St. George with the intention of extending my survey from the South coast of the Bay by the vallies of the various brooks, so as to connect that part with the survey of the great Codroy ; thereby also obtaining a transverse section of the Coal measures of that region. This part of my plan was but partially accomplished, as I only succeeded in surveying the Flat Bay, at the same time fixing the position of the most conspicuous mountains to the Southward, by triangulation and scaling two of the streams—viz., the Barrachois and Flat Bay brooks.

My operations during a considerable part of the season, and particularly while in St. George's Bay, were materially retarded in consequence of a very serious accident I had the misfortune to meet with while examining the cliffs near Cape St. George, by which I was rendered incapable of walking without assistance, and had to limit my investigation to such places as were more or less accessible by a boat or canoe. Under these circumstances I was with the greatest reluctance compelled to abandon my intended visit to the spot where a three-foot seam of Coal is represented to exist, by Mr. Jukes in his work on the Geology of Newfoundland, and which I had resolved to examine and trace to its furthest limits, in order to ascertain whether or not it was likely to prove of Commercial importance.

Previously to sailing from St. John's, I visited Topsail and Kelly's Island, in Conception Bay, for the purpose of ascertaining the relation between the rocks which form the lofty cliffs of the main land there and those of the sea coast and the group of Islands,—a subject which may turn out of paramount importance when further investigated in revealing the Geological structure of the Island.

A very good Section of the more recent formation was obtained on Manuel's Brook at Topsail Head, and at Kelly's Island, but the obscurity or absence of organic remains renders it still unadvisable to express too decided an opinion as to the horizon to which they belong, or the age of the series on which they repose unconformably.*

Returning from the Westward several parts of the Southern Shore were visited, and every possible opportunity taken to obtain information respecting Mineral indications, and the character of the rocks with which they were associated. Thus some considerable time was occupied in Hermitage Bay and Bay Despair, where I was much indebted to Mr. Bradshaw, Collector of Customs at Gaultois, for assistance; and, finally, the season was concluded by visiting the La Manche lead mine, near the head of Placentia Bay, touching at Burin, Isle Valen, and other parts on the Western side of the Bay, on the way thither.

GEOGRAPHICAL DESCRIPTION OF THE GREAT CODROY VALLEY. †

The Great Codroy River runs into the sea in Lat. 47.50. 14, Long. 59.19. 55, between 15 and 16 miles North from Cape Ray,

* Since the above was written a fossil has been placed in my hands by C. F. Bennett, Esq., which is said to have been found by Mr. A. Harvey of this place, on the Larger Belle Isle of Conception Bay. A photograph of this fossil was forwarded to E. Billings, Esq., Palaeontologist of the Geological Survey of Canada, who at once recognised it to be "Cruziana Semplicata," (Saltu),—a form characteristic of the singular flags near the extreme base of the Silurian system.

† All the bearings are from the true meridian.

and about 6 miles South-easterly from Cape Anguille. The entrance from the sea is very narrow, passing between banks of sand and gravel, and several bars and reefs of the same material stretch outwards to a considerable distance; which moreover are frequently shifted in position by the violence of the storms from without, by which they are assailed, rendering the approach even for small craft very difficult and dangerous; although when once inside there is an excellent harbour, sheltered thoroughly from all weather.

Measuring from the lower part of the estuary, a little way North from the point where the Latitude and Longitude were ascertained (see plan), the general courses ascending the river are as follows.—

	<i>Miles.</i>	<i>Chains.</i>		<i>Rise.</i>
1st Reach N. 81° E.	6	"	to head of estuary is Lagoon	tide water.
2nd " N. 55° E.	8	60	to the lower main fork (say)	18 feet.
3rd " N. 53° E.	4	60	to second main fork	" 15 ft.
4th " N. 86° E.	3	25	to the end of Survey	" 12 ft.

The lower part of the 1st Reach is wide and open, but flat and shallow over the whole area, except where the main channel cuts through, where there is sufficient water to float vessels of considerable size for upwards of three miles, when high tide. The upper part of the same Reach also spreads over a large space, but it includes some low Islands which extend nearly to the point where the current of the river becomes perceptible.

The second Reach is more or less rapid, and at a little over four miles up it, or about half way to the lower main fork, there is a little fall of about 2 feet; the total rise on the whole Reach being estimated to be about 18 feet. At the head of this Reach the river is split into two streams of about equal size, the one turning a little North towards the Anguille range of hills for about three miles, after which it bends again to the Eastward at the Southern base of these hills, and runs parallel to them; while the other bears upwards on the 3rd Reach in nearly the same course as before, gradually approaching the Cape Ray or long range of mountains, which it enters on the 4th Reach above the second larger fork. The second fork joins the main river on the South side, pro-

ceeding from a gorge of the Cape Ray mountains at about one mile distant from it. Between the first and second forks the main river was estimated to fall at the rate of about 3 feet in a mile, making a total of about 15 feet; and the upper Reach, where it becomes a mountain torrent, at the rate of about 4 feet, giving about 12 feet more, to the end of the survey,—thus giving a rise in the measured length of the stream of about 45 feet. Besides the forks already mentioned, there are numerous tributaries to this river falling in on either side; among the most important of which there are two in the lower Reach, on the North side, flowing from the Anguille range,—one opposite the 1st fork, at the head of the 2nd Reach, falling from the Cape Ray mountains, and one coming in opposite the 2nd fork, at the head of the third Reach, which proceeds from North-eastward. The stream, at the time of my visit, was low, and the measurements had to be made on foot all the way, but when well supplied with water it is easily navigable for canoes up to the second fork.

On the coast, four miles South from the outlet of the Great Codroy River, is Lar-in-Point, immediately South of which the waters of the Little Codroy river are poured into the sea. This stream runs parallel to and not far from the North-western base of the Cape Ray range, for the whole or greater part of its course, receiving many tributary streams from the mountains on its way. Above the estuary at its mouth it is very shallow and rapid, and inaccessible for canoe navigation.

The Cape Ray mountains, which bound the fine valley drained by these two streams on the South-east side, are bold, bare, barren and picturesque; but they nowhere attain an elevation much above 2000 feet, and are, for the most part, according to measurements made both by triangulation and Barometrical observations, considerably below that altitude. On the other hand, the Cape Anguille range, which bounds the valley on the Northern side, presents a soft and gentle outline where the higher elevations attain an altitude of from 1000 to 1300 feet, richly covered by forest trees nearly to the summits.

The flat or low lands forming the lower part of the valley between the two ranges of hills extend on the sea coast from the

neighbourhood of Trainvain brook 3 miles South from the mouth of Little Codroy river to within a short distance of Cape Anguille, giving a breadth of 12 statute miles; but the hill ranges converging slightly towards each other in their North-eastern course into the interior, the valley gradually becomes more and more contracted in width until shut in nearly altogether, where the main stream at the end of the survey becomes split up among the mountains of the long range into a succession of small turbulent mountain brooks.

The area occupied by level or gently undulating land in the valley amounts, by rough measurement on the plan, to about 75 square miles, or 48,000 square acres,—a very large proportion of which is available for settlement. For the most part the country is well wooded with stout mixed timber, consisting chiefly of spruce, balsam-fir, yellow birch, frequently of large size; white birch and tamarack; but there are also frequent spots of barren or spongy marsh entirely void of timber or only maintaining a very stunted growth of evergreens or small tamarack bushes. The Islands and flats of the lower part of the Great Codroy river yield a luxuriant growth of wild grass, affording an ample supply of admirable fodder for cattle. Along the sea coast, between Trainvain brook and the little village of Codroy, the country is partially settled all the way, the attention of the settlers being about equally divided between the cultivation of the land and fishing operations; but up the Great Codroy river, which is more or less occupied on either side of the estuary, the calling of the inhabitants appears to be more nearly purely agricultural; and it may be fairly stated, that notwithstanding the very rude process by which the land is cultivated, the crops produced of grass, grain and roots, highly testify to the excellence of the soil in which they are grown. Cattle and Sheep are raised upon most of these small farms, producing most excellent beef and mutton, besides dairy produce of the very best description.

The greater portion of the Anguille and some portions of the lower slopes of the Cape Ray ranges also, are quite capable of improvement, and if cleared of timber and sown in grass would afford grazing land not easily surpassed in any country.

**ST. GEORGE'S BAY AND COAST TO HUMBER ARM,
BAY OF ISLANDS.**

While examining this part of the Western shores, I took every available opportunity of getting astronomical observations, in order to correct as far as possible certain discrepancies suspected to exist in the published charts. The result has proved of importance, as a very considerable error in both Latitude and Longitude was found to exist in the representation of a great part of St. George's Bay and the Bay of Islands. These corrections must be taken only as approximative, but as the Geographical position found by the observations taken at one or two well-marked places, very nearly coincided with those determined by Captain G. Cloué of the French Imperial Navy, (whose admirable and well known accuracy requires no comment), they may be taken as moderately trustworthy. St. George's Harbor, the only harbor in the Bay, was one of the parts found to be very inaccurately represented, not only as regards Geographical position, but in the contour of the coast, so that it was deemed necessary to triangulate the whole of Flat Bay, in order to get sufficiently accurate data to start with before fixing the position of the mountains and rivers of the interior. Harbor or Sandy Point, at the entrance to Flat Bay, is in Latitude $48^{\circ} 27' 27''$ N., and Longitude $58^{\circ} 30' 30''$ West. It is the termination of a long low spit of gravel and sand, projecting from the main land for nearly six miles, and enclosing Flat Bay and St. George's Harbor. There is an excellent and secure anchorage for vessels, of nearly all sizes, immediately under this point, and a moderately deep, although somewhat tortuous and narrow channel, runs up nearly the whole length of Flat Bay; but all the rest of its area is exceedingly shallow, much of it being entirely dry at low ebb tides.

A stream known as the Barrachois Brook falls into the sea a little way outside of Flat Bay, the entrance being about S. E. of Harbor Point, and another of about equal size, called the Flat Bay Brook, falls in near the head of Flat Bay. Both these streams were found to be navigable for canoes for a considerable distance.

The course of the Barrachois, in general bearing, is N. 65 E. for $8\frac{1}{4}$ miles, at which distance it opens out into a suite of small

lakes at the base of the long range of mountains bearing upwards on the same course for about $2\frac{1}{2}$ miles more,—thus, turning sharply to the Southward, the upper lake lies for nearly 2 miles transversely across the hill range, and contracts again at the end of that distance in a narrow and rapid mountain brook. The Flat Bay Brook bears upwards on its general course S. 76° E. 7 miles six chains, through an undulating country to the mountain range, which it intersects through a narrow gorge at that distance, still maintaining the same upward bearing for some four or five miles more in a narrow mountain valley, receiving numerous tributary streams on either side.

The stream is very rapid from the outlet to the mountains, but after entering the gorge the current becomes moderate as far as it was ascended. At the point where the main stream enters the mountain gorge it is joined by a tributary on the right side flowing from the South-eastward, in the forks of which stands a remarkable and prominently conspicuous hill, which was termed the Cairn Mountain, from the circumstance of a monument having been erected on it, which afforded an excellent object for triangulation. The summit of this mountain, where the monument stands, was found to be 1012 feet above the level of the sea. The North-western flank of the long range of mountains will thus be seen to run in a nearly straight direction, about N 36° E. from the upper forks of the Codroy towards the Cairn Mountain in Flat Bay Brook, crossing the Barrachois at the lakes and striking for Hare Head, at the head of the Grand Pond. Between the hills and the Southern coast of St. George's Bay the land is level or undulating, for the most part thickly grown over by a fine growth of mixed forest timber, and drained by numerous streams, several of which, besides the two already described, are navigable for small boats or canoes for several miles inland. This tract is bounded on the South-west by the high land of Cape Anguille, which rises into a wooded mountainous country about half way between the Cape and the head of Flat Bay, extending across the Southward, to the Northern main fork of the great Codroy river. The maximum width of the level region between the sea and the long range is from 10 to 12 miles, but this width decreases, advancing to the North-eastward, and is reduced to about 5 miles opposite the Cairn

Mountain, while it becomes narrow still at the Barrachois Brook.

By a rough measurement made upon the plan the area of the region lying between the mountains and the sea is about 192 square miles, or 122,880 square acres, a very large proportion of which is available for settlement. On the North side of the Bay St. George also there is a considerable area of fine agricultural country, extending from the coast between Indian Head and the Isthmus of Port á Port, to the range of the Table mountains, roughly estimated at about ten miles in length, by an average of three in breadth, or about 30 square miles equal to 19,200 square acres. The present settlement of this fine region is limited to some straggling farms along the coast on either side of the Bay, on which, however, excellent crops of grain, grass, potatoes and turnips, are raised. Winter wheat has been grown successfully on Mr. Romain's farm, on the North side of the Bay, and the hardier varieties of that grain might, no doubt, be cultivated to a large extent were there a mill in the country to make it into flour; and as there is ample water power upon every brook, these would readily be constructed if an impetus were once given to purely agricultural pursuits. Many of these small farms, even now, maintain good stock of cattle, sheep, horses, pigs, &c., &c.,—the condition of all of which gives ample testimony to the capabilities of the soil on which they have been raised.

THE HUMBER ARM AND RIVER.

Considerable discrepancies were found to exist in the position of this coast, as represented in the published charts, especially towards the mouth of the Humber River, where there was found to be an error of upwards of two minutes of Latitude; and as one prominent position, where observations were taken, namely, the Gravel Point in Lark Harbor, agrees with the result obtained by M. Cloué at the same place, within a few seconds, the outline given upon the accompanying plan may be relied on as tolerably near the truth.

Brake's Landing, at the entrance to the Humber River, was found to be in Latitude $48^{\circ} 57' 58''$ N., and Longitude $57^{\circ} 55' 32''$ West. The following are the bearings and distances, exclusive of minor turns up its course, as far as surveyed:—

	<i>Bearings.</i>	<i>Distance.</i>	
		Miles.	Chains.
1st Course, from Brake's Landing to the head of the lower rapids at Station 9.....	S. 61 E.	3	4
2nd Course, from Station 9 to entrance into Deer Lake.....	N. 60 E.	8	63
3rd Course, Deer Lake from Governor's Point to head of Lake...	N. 42 E.	15	7
4th Course, Head of Deer Lake to forks of Grand Pond.....	N. 44 E.	5	14
5th Course, from Grand Pond forks to Beaver Pond.....	N. 38 E.	4	12
6th Course, from Beaver Pond to the Great Bend.....	N. 56 E.	8	46

The upper part of the arm towards the entrance to the river is very shallow over a large area, much of which becomes nearly dry at low water ; but there is a deep channel, although somewhat tortuous, by which small vessels can enter the stream, and there is very good anchorage outside of the shoals, a little way Westward of Brake's Landing.

The first or lower course of the river passes through a narrow gorge bounded on either side by lofty calcareous crags which in some parts rise nearly vertically from the water's edge in cliffs of 1,000 feet or more,—the whole body of the magnificent river being pent up, sometimes, within less than a chain in width. The current is tolerably strong and water deep in this course, and towards the end of it there is a moderately strong rapid. Above this rapid the river opens out wide, flowing through a very picturesque valley, the current being moderate all the way until within about a mile of the lower end of Deer Lake, where another pretty strong rapid occurs. The rise from the sea to the level of Deer Lake was estimated to be only about ten feet.

Following the course over Deer Lake to the junction with the Grand Pond branch, the current is sluggish, the river wide, sometimes opening to upwards of a quarter of a mile, the water usually deep and is very easily ascended by boats of any ordinary draught.

A little way above the junction of the Grand Pond branch the stream becomes very turbulent, the first rapid making a fall of 11 feet in about a quarter of a mile, and it is more or less rapid, and often shallow and difficult of ascent for canoes, all the way except at two parts where it opens into what is called the Seal Pool and Beaver Pond, where it is still, wide and deep. There is also a stretch of some two miles where the current is moderate below the great bend, above which it turns up in a South and South-west course for about a mile, and then bending round again in the prevailing North-eastern direction for another mile and a half, comes to a vertical fall of about ten feet, where our ascent terminated. The estimated rise above the sea at the top of the fall was about 90 feet. Above the fall the general course is said to be a little Eastward of North for about 8 or 9 miles, where it reaches within less than 10 miles of the head of White Bay, and then turning Westerly for a few miles runs along the base of the mountains, and finally turns South-westerly, and terminates at Adee's Pond, within about 12 miles distance from the head of Deer Lake, and some twenty miles from the Eastern arm of Bonne Bay.

The Grand Pond branch was only ascended for a little over a mile, at the end of which distance the stream becomes violently rapid, and although practicable for canoe navigation all the way to the Grand Pond, it is exceedingly difficult and dangerous.*

The hills at the lower reach of the river, although very precipitous and broken, are nevertheless covered by a dense growth of forest trees, amongst which are many pines and spruces of large size, well adapted for spars or lumber.

Above and immediately on entering the 2nd Reach the valley opens out with a narrow fringe of fine flat land on either side of

*Judging from the description given of these rapids, the rise must be at least above 38 feet; therefore, allowing about 2 feet for the fall of the stream from the Forks to Deer Lake, and 10 feet as the height of Deer Lake, the Grand Pond will be about 50 feet above the sea, instead of 36 feet, as given last year; and all the other heights on the West side of the Water-shed will also be proportionably higher than represented.

the river, lying between it and the mountains, which varies in width and extent to Deer Lake, while at Deer Lake it expands more and more, and on the Northern side it is in some parts upwards of three miles wide. The Southern side is more contracted until reaching towards the upper end of the Lake, where a great expanse of flat or rolling country spreads away to the Eastwards and Northwards, reaching in the former direction to the Grand Pond. Above Deer Lake the flat country is of great breadth, more particularly above the forks, the mountain range which bounds it on the West side pointing in the direction of Adee's Pond at the head of the river on the one hand, while on the other it extends to the base of the low wooded range West of Sandy Pond; and this level tract extends upwards on the river's course to the Western bend, which is said to be less than ten miles distant from the head of White Bay. By a rough measurement of this large tract of country, made upon the plan, there would be an area of about 429 square miles, or 256,000 square acres;—at least one-half of which is probably well adapted for raising almost every kind of agricultural produce.

Independently of its agricultural capabilities, this fine tract of country seems to present inducements for other branches of industry and enterprize. in the quality of its timber, much of which is excellent. Tamarack or juniper is not rare; yellow birch of large dimensions is abundant; while pine and spruce grow in the greatest profusion, frequently of a size and quality not greatly inferior, if not equal, to the best that is now largely brought into market in Gaspé and other parts of the Lower Province of Canada. The natural facilities this part of the Island presents for communication also from shore to shore are very great; the valley is easily accessible by water from the Bay of Islands to the Grand Pond forks, while the country further North is well adapted for laying out roads; and a road of less than 10 miles from the Northern bend would open up the whole from the head of White Bay. Water power to drive machinery is every where obtainable, either in the main river, as on the upper part of the stream, or in the numerous brooks that fall into Deer Lake and the Lower Reaches.

Thousands of square miles of country have been laid out in townships, and already partially settled in Canada, either for the

purpose of lumbering or farming, on the Northern shores of Lake Huron and many parts of the Lower Provinces, far inferior in most respects to this region of Newfoundland, which there can scarcely be a doubt is capable of supporting a very large population.

The mountains of the region, although very rugged and usually barren at the summits, do not reach in any case a very high elevation. The range known as the "Blowmedowns," which runs to the water's edge, destitute of timber from top to bottom, opposite Harbor Island, at the entrance to the arm, appears to be the highest; one summit of which was found by triangulation to be 2086 feet above the sea. Near the river the most conspicuous of the hills, and apparently about the highest, is Mount Musgrave (called so in honor of Your Excellency's recent visit to this part of the country), which, towering over the lower ranges towards the mouth, and bearing directly on the line of the Lower Reach, attains an altitude of 1864 feet. Further inland, and towards Deer Lake, the general heights are still more moderate, the highest measurement being only 1041 feet over the level of the Lake.

In entering on the Geological part of the subject, I shall in the meantime confine my remarks to an account of the general distribution of the Carboniferous series, and to the Geographical and Geological position of the various economic materials which have come under my notice, deferring a more minute detail of the facts and circumstances ascertained until the collection of specimens already forwarded to Montreal have been duly examined and analyzed, when I shall be prepared to send in a report to Sir W. E. Logan.

DISTRIBUTION OF THE CARBONIFEROUS FORMATION.

The rocks recognized as belonging to the Carboniferous age occupy three distinct areas, being separated from each other by ridges of the older formations, upon which they unconformably repose. For convenience they may be classed as the St. George's Trough, the Port à Port Trough, and the inland Trough of the Humber River and Grand Pond.

The South eastern edge of the St. George's trough follows the base of the Cape Ray or long range of Laurentian mountains, from near the entrance of Trainvain brook, in nearly a straight line towards the upper forks of the Great Codroy river, and then, apparently still keeping towards the base of the mountain range to the Cairn Mountain in Flat Bay brook, crossing the Barrachois brook a little below the lakes and striking for the arm of St. George's river.

The Northern edge of the same trough appears to be partially divided by a mass of chrystalline metamorphic rocks, the age of which has not yet been satisfactorily ascertained, which forms a sharp ridge of hills terminating at Indian Head, on the West side of which the outcrop of the formation sweeps round towards the base of the table mountain range of lower Silurian limestone, and runs out on the shore a mile West of Romain's brook, near the Isthmus of Port à Port.

The Port à Port trough is divided from St. George's trough by a ridge of lower Silurian limestone, which extends along the coast across the measures from Cape St. George to a point nearly opposite to Red Island. Red Island is all a coarse conglomerate of carboniferous age, and from it the outcrops was supposed to strike Easterly across the peninsula of Port à Port into Port à Port Bay, the whole country to the North of which was supposed to belong to the same formation, except the high land called Round Head, which probably protrudes through it. The flat valley of Coal River is also probably spread over by rocks of carboniferous age, but was not examined

The Western outcrops of the Humber trough strikes inland from the lower end of Deer Lake, resting against the Eastern flank of the long range of Guissoid mountains which run in this Northerly course towards Adee's Pond, at the head of the river, and then along the left bank of the river towards the Western shores of White Bay. The Eastern outcrops run along the edge of the upper end of Deer Lake, making a narrow fringe between the Lake and Guissoid mountains until within about a mile of its head, when it sweeps round to the Eastward toward the Grand Pond, resting on the flank of the Laurentian hill, which constitute the nucleus of the ridge between the two great lakes. The remainder

of the outcrop of the inland trough, within the Grand Pond country, has already been described in a former communication.

The coast between Cape Anguille and Larkin's Point, at the mouth of the Little Codroy river, displays some fine exposures of this formation. Between Cape Anguille and Codroy Island the exposures consist of strong beds of dark grey sandstone, dark blue or blackish limestone, coarse conglomerate, and a mass of black indurated shale, with their seams of snowy gypsum, interstratified with beds of limestone and calcareous sandstone. The Western side of Codroy Island exhibits a section of dark grey sandstone in thick beds, sometimes of conglomerate character, the pebbles arranged parallel to the stratification with brownish and dark blue, hard, compact, slightly calcareous sandstone; some thin bedded greenish coarse grained micaceous sandstones, with brown arenaceous and micaceous shades, while at the Eastern side, at the point of the Cove, some beds of hard dark blue limestone, alternate with brown, yellow weathering sandstone in their beds. In mostly all of the above mentioned strata, comminated and carbonised plants were observed in some cases in great profusion, especially among the softer sandstones and shales, and at the Northern end of Codroy Island an accumulation of vegetable remains of about 2 inches thick may be styled a thin seam of coal.

The coast Southerly from Codroy Island displays cliffs of red and green marls, with thinnish beds of black or dark brown, sometimes nodular limestone, associated with which are vast masses of gypsum; the strata being very much corrugated, contorted and broken, especially at the immediate contact with the gypsum, which sometimes contain great fragments of beds of limestone enclosed within the gypseous paste. Towards Woody Cape the high precipitous cliffs consist of green and reddish calcareous sandstone, with greenish black and dark blue, frequently nodular limestone, and calcareous shales in nearly vertical strata. Fossil shells were found in some of the calcareous beds, calamites and other plants abundant in some of the sandstones. Between Woody Cape and Stormy Point the gypseous masses, with their associated measures, are again brought out on the coast, the strata being sharply folded over and repeated. Beyond Stormy Cape the older strata are concealed up to the entrance to the Great Codroy river. In conse-

quence of the numerous folds and repetitions by which the rocks are affected between Cape Anguille and Stormy Point, the thickness of the accumulation remains somewhat uncertain.

On the coast between the Great and Little Codroy rivers a section of the measures was obtained in pretty regular sequence, consisting of green and red conglomerates, sandstones, red and green marls, and red, green, and black shales, the whole accumulation of which amounted to a thickness of 2306 feet. All this mass of strata is very micaceous, and most of the beds are more or less characterized by the presence of carbonized plants; in some parts the carbonaceous material derived from an accumulation of them being found packed in irregular beds and nests, but in no case did there appear to exist any thing like a workable seam of coal.

The course of the Great Codroy river runs a little obliquely across the lower portions of the measures, the calcareous parts, with masses of gypsum, coming out on Ryan's brook, a little way back from the estuary, while the limestones were observed on or near the right bank of the river both above and below the falls, and further on crossing the 1st fork about a mile and a half above the junction of the stream.

The measures both on the coast and river section were found uniformly to dip to the South-eastward (except when a few small disturbances occasion a slight break or undulation) towards the Cape Ray range of mountains, until within a very short distance of the gneiss, where they were usually either highly tilted, inclining in the opposite direction, or vertical. These disturbances were visible on the coast near Trainvain brook, on the banks of the streams near the mountains in the neighbourhood of the 1st fork, and at the junction of gneiss above the 2nd fork, affording evidences of a great break or fault, which shall presently be more particularly referred to.

The high land of Cape Anguille runs upon the axis of an anti-clinal, the North-eastern extension of which is mentioned by Mr. Jukes as crossing the 1st and 2nd brooks in the country, about 3 miles from the coast of St. George's Bay. On both sides of the Cape the rocks are disturbed, but are more conspicuously so on the St. George's Bay side, where the cliffs show many complicated

contortions; and whether any older formations may protrude through the carboniferous or near the crown of the anticlinal arch, has not yet been ascertained. Mr. Jukes also mentions the recurrence of the gypseous masses and associated rocks, resembling those of Codroy on either side of the anticlinal, on the 2nd brook; and at 8 miles from the coast, he states having seen a bed of coal 3 feet thick, which however was not traced. At about that distance from the coast there is reason to suspect that the great fault already alluded to may have the effect of cutting off part of that seam and bringing the lower measures once more to the surface on the South eastern side.

Evidences of the presence of the gypseous part of the formation were perceived near the base of the mountains a short distance to the Westward of the Cairn Mountains, where a set of enormous cavities, resembling inverted cones of almost perfect symmetry, sometimes nearly 150 feet in diameter at the surface, with a depth of from 60 to 80 feet to the apex of the cone, in the strike of which some fragments of gypsum were found on the bed of a small brook which falls into Flat Bay brook just before it enters the gorge of the mountain range. A coarse conglomerate was also observed on this brook associated with bright red marls, and some small fragments of coal were found strewed at a few parts along its bed and banks. Coarse conglomerate is exposed upon the banks of Flat Bay brook, dipping irregularly to the Eastward, which apparently strikes across to Flat Bay, where, with a North-easterly inclination, it rests upon beds of limestone; and at the mouth of Flat Bay brook beds of limestone are exposed with red marls, and conglomerate beds resting on them which dip to the Northward.

The mode of occurrence of the lower measures of the formation, with the associated masses of gypsum on the North side of St. George's Bay, were described in the narrative of last year. A fault is there represented letting down a confused mass of carboniferous limestone, among the limestones of the calciferous age, inside of Port à Port Bay, and a calcareous vein holding galena is represented as indicating the position of the dislocation. The effects of this fault were observed again this season on the outer coast near Red Island, where limestone holding fossils of carboniferous age were found entangled with Silurian strata, the rocks being

thrown down on the Northern side, while patches of flat-beds (which however were not accessible) resting in inconformable relation to the upturned strata of the cliffs, were supposed to be of the same formation. The disturbances which affect the cliffs on the main land at this part do not reach Red Island, which is of a coarse red conglomerate, with intercalations here and there of great lenticular masses of coarse brown sandstone. The cliffs on the South side of the Island attain an altitude of well nigh 300 feet, while at the Northern extremity they are not much over 100 feet, shewing a gentle inclination very regularly to the Northward.

The flat land of the Peninsulas, between the sea and Port à Port Bay, was considered from the aspect of the country to be spread over by the arenaceous and calcareous rocks of the lower portions of the carboniferous formation, but in consequence of the accident to myself which occurred while in this part of the coast, it was not visited.

At Deer Lake the formation is again recognized on the West side, in some strong beds of coarse conglomerate, dipping at a very small angle to the North-eastward, which line the lake-shore a little way North from the Island, near the lower end of the lake; and by numerous large angular slabs of red, green, and brown sandstone, which are strewn abundantly on the banks and shores further up, and are exposed in low cliffs on a brook called Coal brook, where the strata is nearly horizontal on the Eastern side of Deer Lake, the conglomerate is exposed with some beds of limestone at its base turned up vertically, or inclined at a very high angle towards the lake, striking along the shore and resting against the gneiss of the mountains,—the disturbance being evidently connected with a fault running in a North-easterly direction, with a downthrow on the North-west side. Above the forks of the Grand Pond branch the banks expose strata of very bright red sandstone with bright red marls, usually quite or nearly quite flat, until within a short distance of the lower or John's fall, where the rock consists of brownish and red sandstones in thickish beds, which are somewhat tilted with a dip towards the North-west. At John's all the rock is a coarse conglomerate with red sandstone, the former sometimes in beds upwards of five feet thick,

which is underlaid by black and greenish calcareous shale. Above John's fall the banks, which sometimes are upwards of 30 feet high, exhibit black and greenish calcareous and argillaceous shales, interstratified with beds of dark grey nodular limestone varying in thickness from 1 to 7 inches in nearly horizontal strata, which continues to be exposed up the long reach at the great bend, and on either side of the river to the foot of the upper fall, where they again dip below the coarse conglomerate, inclining at a moderate angle up the river to the North-eastward, shewing a flat anticlinal between the two falls.

There appears to be evidence to shew that the great fault, of which mention has been made as affecting the strata in the Great Codroy valley, intersects the Island diagonally from shore to shore, running in an almost perfectly straight line from near the entrance of the Little Codroy river to White Bay.

The Coal rocks were perceived to be disturbed along the base of the Cape Ray mountains wherever visited from Trainvain brook to the upper forks of the Great Codroy, at the base of the hills near the Cairn Mountain, on the East side of the Deer Lake, and near John's fall on the Humber; while the Silurian limestones at the head of Spruce brook, which are directly in the line of the dislocation, are much disturbed, and the coarse conglomerates of Millar's Island and the Western shores of White Bay are turned up vertically. The value of this fault was not accurately ascertained, but as in some parts, as at Trainvain brook, it seems to bring up strata low down in the Coal formation against measures which may be assumed to be 3000 feet higher in the formation, it may be equal to that amount and probably more.

I have been thus particular in describing this dislocation, not simply as a feature of great Geological importance, but as materially affecting the probability of workable seams of Coal being found to exist in the Coal measures of the interior. There is no doubt a very considerable breadth of country spread over by Coal measures between Sandy Point on the one hand, and Adees Pond and the Laurentian mountains on the other, but the strata being mostly flat, as has been shewn in the valley of the Humber, and an upthrow fault occurring on the Sandy Pond side of the trough,

bringing lower measures to the surface on the Eastern side of the dislocation, it is not unreasonable to infer that the whole or greater amount of strata consists of lower members of the formation, in which, so far as at present known, seams of workable coal do not appear to exist.

ECONOMIC MATERIALS.

The economic materials observed during the season at various parts were copper, lead, iron, plumbago, building stones of granite, sandstone and limestone, limestone for burning, whetstones, black, white and variegated marbles, serpentine, gypsum (white and grey), red ochre, shell marl, peat and clay.

COPPER ORE.

A beautiful sample of vitreous grey copper ore was obtained from Rock Cove, near Grandy's Point, in Placentia Bay, which appears by the description given of the locality to run in veins, and indications of similar ore, together with native copper, are reported to exist at various parts in Fortune Bay. Copper was also observed associated with other minerals at the La Manche mines, in Placentia Bay. At this place it is chiefly indicated by the presence of green carbonate of copper diffused through the calcareous matrix of the vein, and nodules of malachite occur usually near the walls of the lode.

LEAD.

Crystals of galena were observed in quartz veins cutting the gneiss of the Island on Deer Lake, and on the point of the main land opposite. The rock at this part is chiefly mica slate, constituted for the greater part of fine grains of white quartz; and small scales of silvery mica, small coarse garnets, and cubical iron pyrites are sprinkled through the mass in abundance. The strata are cut by numerous veins of semi-translucent white quartz, the largest of which is about 3 feet wide, running in a North and South direction, with numerous smaller veins radiating from it East and West. A few specks of galena were observed in the main vein, but it was chiefly in the smaller ones that the ore seemed to occur.

At Parrody's Head, near the head of the Bay Despair, galena was found in white quartz veins, through which calcespar is disseminated, but not in large proportion. These veins run irregularly intersecting black plumbaginous, occasionally slightly calcareous slate, which was supposed to be of lower Silurian age, and is the rock of the country over a very large area of the surrounding region.

The La Manche mine is situated near the North-eastern extremity of Placentia Bay, between Little Southern Harbor and Little Bay. The vein that is worked for lead varies in width from 3 to 6 feet, and is chiefly of calcespar, much of which is tinged of a pale pinkish amethystine colour. Sulphate of barztes, quartz and flour spar are more or less distributed through the vein, the walls of which are frequently lined with beautiful crystals of amethystine quartz, and occasionally with green or blue malachite.

The ore is distributed irregularly through the whole thickness of the vein, sometimes in "veeghs," as termed by the miners or pockets; but there appears to be also a pretty regular and continuous string of ore near the middle of the lode of from 1 to 4 inches thickness, from whence the "prill ore," as it is termed, is derived. The run of the vein is about N. 63° E. from the water's edge, and its altitude vertical, maintaining that course and altitude with great regularity, and being traceable on the surface for a considerable distance. The lode cuts a set of green, very hard and brittle compact cherty or jaspery slates, which cleave exactly with the bedding, and for the most part weather an opaque white, which discolouration extends into the stone for an inch or more. The dip on the South-eastern side of the lode is about N. 27° W., Long 25°,—that on the North side points in the same direction, but with an increased rate of inclination. From the position of the vein to the entrance of Little Southern Harbor the measures gradually accumulate upon this dip, but as there are several dislocations observed in the cliffs it is probable the same strata may be repeated. A considerable amount of red strata are visible in the cliffs, of a hard jaspery character, alternating with rock of a dark bottle green colour, having the aspect of diorite; but being incapable of landing to examine that part of the coast, I am unable to state the mineral character with certainty.

It will require much further investigation to determine with any amount of certainty the Geological horizon which these rocks may represent ; but it may be stated that the mineral character and general aspect of the strata bear a very strong resemblance to the rocks of the Topsail cliffs in Conception Bay, where the evidence tends to shew that rocks of lower Silurian age succeed them unconformably. Indications of lead ore, moreover, have been perceived near the coast between Topsail Head and Portugal Cove ; and more recently the same ore has been found in veins intersecting the slates and sandstones in the immediate vicinity of St. John's.*

IRON.

Near the junction of the Coal measures with the gneiss on the Great Codroy river, some bands of a very ferruginous character were observed interstratified with the latter rocks. These bands are of a reddish brown colour,—are hard, brittle, and with a conchoidal fracture, the broken surface presenting occasionally a metallic lustre. Much of the gneiss in this locality is of a bright red colour, which is derived from the prevalence of bright red orthoclase feldspar over the other constituents, which consist of small grains of semi-translucent white quartz and small scales of mica. In this locality, and for some distance down the stream, large slabs and fragments of pure white crystalline limestone, with specks of graphite and silvery mica, were observed to occur in abundance ; from which circumstance it was assumed that strata of that character must rest “in silex” somewhere among the Laurentian rocks further into the interior.

Some beautiful specimens of magnetic iron ore were procured from the neighbourhood of the Cairn Mountain, near Flat Bay brook, which, judging from the quantity distributed over the surface of the ground, is probably derived from a large and important mass in that neighbourhood. The rocks with which the ore seems to be associated are of an opaque white colour,—for the most part

* I was informed at the La Manche mines that the amount of ore shipped during the years of 1858-59 amounted to 2,351,987 lbs., or 1049 2227-2240 tons.

being chiefly composed of white orthoclase fellspar, with quartz in a small proportion, and Labradorite.

PLUMBAGO.

This mineral was found to be pretty generally disseminated in a set of black shaley slates on the Islands and main shores towards the head of the Bay Despair. On the North side of Richard's Island it has been taken out in considerable quantities by the neighbouring residents for usual household purposes ; and it was observed to occur in the same rocks on the banks of the brook by the Indian settlement at the entrance of the Conne River. The mineral appeared to be in the greatest abundance where the strata were affected by cracks or dislocations, which on Richard's Island, Isle Bois, and the Northern side of Long Island are of frequent occurrence. The age of these plumbaginous slates is doubtful, but it was considered probable will prove eventually to be lower Silurian, and may be the equivalent of the slates and shales of Manuel's brook and the Island of Conception Bay.

The slates in Bay Despair are usually more or less calcareous, and are intersected by veins of both calcspar and white quartz. They usually display a fibrous structure, with a silky glistening surface, sometimes covered over by remarkable crystals, and abounding with decomposing iron pyrites.

GYPSUM.

Gypsum abounds in the lower part of the carboniferous system, and is largely developed on the coast near Codroy and in the Bay St. George. The vast masses which come out in the cliffs between Codroy Island and the Great Codroy river, can hardly fail to prove some day of very great value and importance. The colour of the greater portion of the masses on the Codroy side of Cape Anguille is grey, and usually presents a regularly laminated appearance by the presence of their scales of a black substance, which alternates with the soft white gypsum ; but there are portions very white also, and the associated marls are frequently streaked with their seams of snowy fibrous gypsum. The little harbor in Codroy Island is sufficiently favourable shelter for small vessels, and the

Codroy roads having a fair anchorage for larger sized craft outside during the Summer months, there does not appear to be any great difficulty to overcome in having these great deposits opened out to Commercial enterprise. Large quantities of gypsum are annually taken for the Lower Canada market from the Magdalen Islands, where probably the facilities for working the material are not greatly more favourable than in this part of Newfoundland.

The great mass of gypsum at the entrance to Romain's brook was described in the narrative of last year's exploration.

It is chiefly pure white, and is admirably suited for stucco purposes ; but the want of shelter for vessels at that part offers a considerable obstacle to the shipment of the material. The gypsum of the South coast of St. George's Bay and in the interior I had no opportunity of visiting.

MARBLES.

The fossiliferous limestone of Topsail Head take a high polish and affords a very handsome description of variegated marble, some cubes of which were sent as specimens to be shewn at the ensuing exhibition at Paris. Some of the variegated red and white beds of limestone near Cape St. George are likely to yield a good and ornamental material, and one strong, pale drab-coloured bed, which comes out in the cliffs nearly opposite to Red Island, is particularly fine in grain,—takes a very high polish, and might be taken in blocks of any size under five feet in thickness. This bed seems to be of very pure lime, and is sometimes upwards of 7 feet thick. The position of this stratum of rock, however, cannot be said to be favourable, as the only anchorage near is under the beach at Red Island, which affords shelter from Northerly winds only ; but as it strikes inland, and probably runs across to the Port à Port side of the peninsula, it is possible enough some parts may be found where it might be quarried to advantage.

Marbles of various kinds occur at certain parts of the Bay of Islands. The cliffs at the entrance to the Humber River yield white, black, and variegated red and white limestone, a large portion of which is capable of being used for many ornamental pur-

poses ; although, so far as I have yet been able to ascertain, the white variety seems usually to be too coarsely crystalline for statuary purposes. Just below the lower rapids a vein of compact calcareous spar, between $2\frac{1}{2}$ and 3 feet wide, may be seen on the right bank of the river cutting the strata and running up the face of the cliff with great regularity, and many more similar veins occur on both sides, both above and below. Some white and variegated marble has been obtained from this large vein, which, although susceptible of giving a smooth surface, is mostly too coarse in texture to be considered of high quality as an ornamental stone ; but I am informed by Mr. Mackim of this place that higher up the hill, near where this vein comes out, a pure white marble may be obtained from beds which may prove to be of more importance. Some beds of black limestone of very fine grain, hard and compact, the exposed surfaces of which are sometimes characterized by obscure silicified organic remains, occur also in the lower reach of the Humber river, which are capable of receiving a fine polish ; and at a place called Cook's Cove, on the South side of the Humber Arm, a beautiful and homogenous sample of jet black marble was obtained from a bed about 6 inches thick, and in immediate contact with a conglomerate limestone.

Still another variety of marble may be found at York Harbour, where a great mass of serpentine, which forms an adjacent range of hills, comes to the water's edge. Some specimens were obtained from this locality, and sent with others of the collection for exhibition ; but as these were derived from broken fragments of the exposed outcrops, they can hardly be taken as fair samples of the general quality of the rock. The colour is a dark bottle-green, with black and sometimes white streaks ; but the rock being brittle and a good deal shattered, probably by the influence of the weather, the surfaces polished were not very satisfactory. A beautiful specimen of serpentine, however, was produced for exhibition by C. F. Bennett, Esq., from Little Bay, near the Terra Nova mine.

BUILDING STONE.

GRANITE.—A very coarse, dark, reddish granite occupies a considerable portion of the coast at LaPoile, the prevailing colour

being derived from large irregularly formed crystals of red fellspar, which usually give the exposed surface the aspect of a conglomerate, when viewed at a little distance. A finer grained quality of granite is found to intersect the coarse mass, sometimes of a red, and at other times of a whitish-grey colour. The coarse variety is very hard, tough and durable, and would doubtless have a grand and imposing effect in large and massive structures. The age of the coarse grained rock is undermined, the intersecting veins however penetrate into a set of blackish or dark blue and greenish slates which come against the granite at Little LaPoile, indicating a more recent origin than the slates which are probably lower Silurian. An exactly similar coarse granite was observed in 1864 at the other extreme of the Island at Cat's Cove, near Cape Freels.

A beautiful variety of granite occurs at Rose Blanche, where there is an excellent small harbour about twelve miles West from LaPoile. The colour of the rock is of a whitish grey,—it is rather fine grained, and is constituted of white quartz, white fellspar, and brown mica. Blocks of this granite are easily procurable in almost any requisite size all along the shore, and in inexhaustible quantity.

SANDSTONES —A good material for building may be procured in ample abundance from the sandstones of Kelly's Island, in Conception Bay. The stone is usually of a greenish tinge, sometimes weathering yellowish. Some beds are very hard and difficult to dress with the hammer,—others are free in the grain, and dress with facility. The sandstones of Kelly's Island rest upon a set of brownish shaley slates, and beds of that description are interstratified with them. Portions of the measures are slightly calcareous, and most of the sandstones are somewhat micaceous. The horizon of these rocks, together with the slates and limestones of Manuel's brook and Topsail Head, is supposed to be low down in the Silurian system.

Admirable building stone is obtainable at many parts from the sandstones of the carboniferous rocks,—instances of which may be specified as occurring on Codroy Island, in the section between the great and little rivers Codroy, and on the Great Codroy river.

The rock in Codroy Island, where the bands are thick, is frequently slightly calcareous, and is very hard and compact; the centre part of the bed being of a pale bluish grey or fracture, while the exposed surfaces weather of a drab or yellowish colour. Some of the beds south of Codroy river are a drab freestone, slightly coarse in grain, and always more or less micaceous, yielding a handsome material which is easily worked. Beds of this description were also observed in several parts on the banks of the Great Codroy river.

WHETSTONES and GRINDSTONES.—Some of the sandstone beds of the Coal formation on the Great Codroy river, near the falls and at one or two places in the Coast section, would produce good scythe-stones; and near Cape Anguille pieces of a slightly calcareous slate of the very finest texture, very hard and of a dark grey colour, were found of excellent quality as hones for knives, and are probably well adapted for finer tools or instruments. Many sandstone beds of the Coal measures might be used for grind-stones. Some of the best hitherto observed were found on the Grand Pond, near the foot of Old Harry mountain; while at Whetstone Point, on the opposite side of the same lake, scythe and coarse hone stones in unbounded quantity may be picked off the beach or worked out of the adjacent cliffs.

LIMESTONE.—The cliffs of Cape St. George and the coast North from it are apparently more or less magnesian in quality; but beds occur of very pure lime at some parts,—among which may be enumerated, in particular, the pale drab stratum already alluded to under the head of Marble. Some of the dark coloured bituminous and fossiliferous beds of the calciferous formation, such as those that skirt the coast inside the isthmus of Port à Port, are no doubt of good material for burning.

Many beds in the cliffs of limestone at the entrance to the Humber River, which are supposed to be chiefly of the calciferous age, may be found to possess all the requisites for burning into lime; and some of those which outcrop in the Humber Arm, at Cook's Cove, and other places associated with limestone conglomerate, may also be found available for the same purpose.

The limestone beds in the lower Coal measures also are probably capable in many instances for making good lime,—examples of which may be instanced as occurring on the coast near Codroy, and thence cropping out at intervals, near the right bank of the Great Codroy river, particularly at Ryan's brook, where there is a considerable thickness of this rock exposed, associated with sandstone and masses of gypsum.

A limestone occurs at the entrance to Ship Cove, at Burin, on the West side of Placentia Bay, which was supposed to be the equivalent of the rock at Topsail Head, and very low down in the Silurian system. It occurs in two bands, one from 15 to 20 feet thick, the other from 30 to 40 feet, divided by black calcareous shales and overlaid by similar shaly and slaty strata, containing a brown material supposed to be an oxide of manganese, with which the surrounding parts are discoloured. The colour of the limestone on fracture is pale blue, weathering drab on the exposed surfaces,—some of which exhibit obscure forms supposed to be organic, probably fucoids. This rock has been quarried to some extent for the purpose of burning into lime.

RED OCHRE.

This material is derived from the red marls of the Coal measures, and has been frequently used by the inhabitants near the coast of St. George's Bay, as a red paint and as red chalk. It was observed upon the banks of the Flat Bay brook, and on the Humber River, above Beaver Pond. It is also reported to be found on the banks of the brooks between Flat Bay and the high land of Cape Anguille.

CLAY.

At the extreme head of the Bay, at the entrance to the Conne River, there is a deposit of stiff blue regularly stratified clay, apparently quite free from lime, which probably may be found fit for the manufacture of either common or fire bricks, and possibly for some pottery purposes. A rude attempt was observed to have been made to burn bricks upon the spot, which did not appear to have been successful, probably in consequence of want of proper appliances. When burnt it becomes an Indian red colour.

SHELL MARL AND PEAT.

Peat is extensively spread over the flat country of the Codroy, most of the way, and at Caplin Cove it forms the upper part of the bank in a thickness at some parts of 5 feet or more, resting upon a bed of shell marl, which in its turn is underlaid by another bed of peat from 6 to 10 inches thick. The shore bank between Flat Bay and the Gut also are capped with peat, and the same is probably the case over a great part of the flat Coal measure area, which has not been visited. The value of this substance as a fuel need not be commented upon.

A deposit of fresh water shell marl was observed on the coast of St. George's Bay, between Romain's Brook and the isthmus of Port à Port, about half a mile from the former.

The deposit is not very extensive, but of considerable thickness;—it is white and contains planorbis and other fresh water shells, and rests on a bed of seaweed about eighteen inches in thickness, which reposes on clay with pebbles and small boulders. The bottom of the bed of seaweed is about 12 feet over high-water mark. Shell marl is useful as an agricultural manure, and when sufficiently pure answers a good purpose as a whitewash.

ORNAMENTAL STONES.

Red, red and green, and brown jaspers were frequently found on the shores of the Humber Arm, and in the valley of the Humber river. They were also observed at sundry places in St. George's Bay and on Flat Bay brook. These probably take their origin in beds or veins of lower Silurian age, but frequently occur as smoothly rounded pebbles in the conglomerates of the Coal measures. The red jaspers in particular are frequently capable of taking a high polish, and might be cut into brooches, seals and other personal ornaments.

The Labradorite of Cairn Mountain, some cleavage planes of which are opalescent, reflecting various beautiful colours when placed at a certain angle to the rays of light, may in some cases be found as a handsome ornamental material. Its prevalent colour at this part is a pale yellowish white.

The malachite found lining the walls of the vein at the LaManche mine, as far as my present information goes, has only been found in small quantities.

PETROLEUM.

This substance was reported as existing on Middle Point à Port in my narrative of last year. Since then a sample of oil has been procured from the spot by C. F. Bennett, Esq., but having been unable to visit that part I can give no further particulars as to the mode of its occurrence. Petroleum is now stated to have been discovered in the neighbourhood of Bonne Bay, but not having visited the locality, I am still ignorant of the conditions under which it is produced.

QUARTZ VEINS.

Samples were taken of quartz veins from Deer Lake, Humber Arm, and Bay Despair, which have been forwarded to Montreal for chemical analysis,—the conditions under which they have been found to occur giving reason to presume the possibility of some trace of the precious metals being discovered.

I have, &c.,

(Signed)

ALEX. MURRAY,
Geol. Surveyor.

To His Excellency
ANTHONY MUSGRAVE, Esq.,
Governor of Newfoundland,
St. John's.

I N D E X

TO THE

JOURNAL AND APPENDIX.

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