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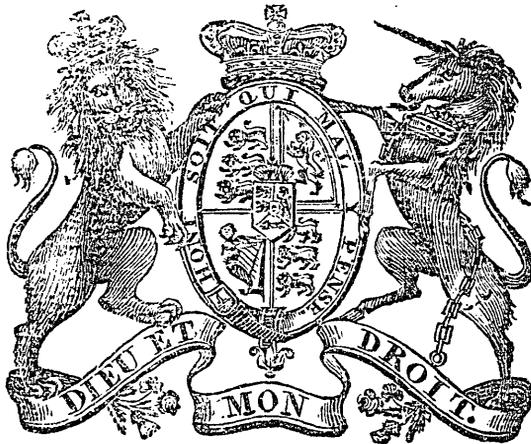
**JOURNAL**  
OF THE  
**HOUSE OF ASSEMBLY**  
OF  
**NEWFOUNDLAND.**

**ANNO QUINTO REGIS GULIELMI IV.**

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**FIFTH SESSION OF THE FIRST GENERAL ASSEMBLY.**

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**St. John's, Newfoundland.**

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

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**1835.**



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## Proclamation.

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(H. PRESCOTT.)

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

**W**HEREAS the GENERAL ASSEMBLY of this Island stands prorogued until Thursday, the 4th day of December next, AND, WHEREAS, I think fit further to prorogue the said GENERAL ASSEMBLY until Thursday, the 8th day of January next.

I do, therefore, further prorogue the said GENERAL ASSEMBLY until Thursday the 8th day of January next, then to meet for the despatch of business.—And all persons concerned are required and commanded to take due notice hereof, and govern themselves accordingly.

Given under my hand and Seal at the  
Government House, at St. John's,  
in the said Island, the 25th day of  
November, 1834, in the Fifth year  
of His Majesty's Reign.

*By His Excellency's Command,*

**JAMES CROWDY.**

**JOURNAL**  
AND  
**PROCEEDINGS**  
OF THE

**House of Assembly of Newfoundland.**

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THURSDAY, JANUARY 8, 1835.

**T**HE House having been by His Excellency's Proclamation of the 25th November last, prorogued to this day, then to meet for the despatch of business, met pursuant to the said Proclamation accordingly.

Members assemble.

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

Adjourn.

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FRIDAY, JANUARY 9, 1835.

**T**HE House met, pursuant to adjournment, and, on motion, adjourned until Monday next, at twelve of the clock.

House meet & adjourn.

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MONDAY, JANUARY 12, 1835,

**T**HE House met pursuant to adjournment.

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

Message from Governor commanding attendance of House.

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

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

House attend his Excellency in Council Chamber.

Accordingly, Mr. Speaker and the House went up to attend his Excellency in the Council Chamber, and being returned

Mr. Speaker reports.

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

*Honorable Gentlemen, and Gentlemen,*

His Excellency's Speech.

I have assembled you at this early period to enable you to devote sufficient time to the public business without injury to your private pursuits.

Our situation is, happily, one of tranquillity, and therefore your deliberations unoccupied by matters of a temporary nature may be directed to such as shall conduce to the permanent advantage of the colony.

The Road Bill passed in your second Session of the last Parliamentary year, though excellent in principle and in much of its detail, nevertheless seems in some degree to fail in its intention from want of a more efficient and concentrated superintendance. You will determine whether any alteration can be beneficially made in that particular.

Another object of moment is the improvement of the Judicature, and this for various reasons becomes daily of greater importance.

It will behove you also to consider what enactments may be requisite in consequence of the Fishery Act having expired.

Under more prosperous Financial circumstances, I should have been induced to draw your attention to the support of general education which, as highly essential to the best interests of society, well merits your protection; especially as it might be fostered here in a spirit of perfect liberality, unfettered by invidious distinctions of any description.

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

My predecessor, when closing the last Session, expressed a hope that he should be able to defray the public charges without having recourse to the issue of Treasury Notes, until he could meet you again in this place; but I found the remaining funds totally inadequate to the existing claims, and was consequently compelled, almost immediately after assuming the Government, to avail myself of that resource. You will, I am confident, feel with me that the sooner these notes are called in the better, and that no subject so imperiously requires your present application, as the establishment of a sound and wholesome system of Finance.

We may be said to have reached a crisis,—but a crisis in which we are cheered by many encouraging considerations connected with the fishery, agricultural produce, and general state of trade. I trust that the difficulties in your way will only operate as incentives to exertion, and that you will fix the Revenue on a scale proportioned to all such demands as shall consist with a strict but rational economy.

I have directed an estimate for the ensuing financial year, and various other documents to be prepared for your information; and you may rest assured that I shall always be anxious to prevent unnecessary expenditure, and to enforce every due provision for that purpose.

*Honorable Gentlemen and Gentlemen,*

This being the first time of my addressing you, I gladly embrace the opportunity of expressing the great satisfaction I feel in having been appointed to administer the Government of this Island at a time when its independent Legislature is fully established.

The prosperity of Newfoundland is the wish nearest my heart; and my most ardent desire is, that by your united endeavours you may rea-

lize the fondest expectations of those who petitioned for the present constitution, and fulfil the paternal hopes of the beneficent Monarch who granted the boon.

Be convinced of my cordial concurrence on every occasion, and of my constant readiness to promote all public measures, and to listen to all private suggestions which shall have for their object the well doing of this community.

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

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

Address of Thanks in reply to his Excellency's speech moved.

*Ordered*, that Mr. KENT, Mr. Row, and Mr. PACK, be a committee to prepare the said Address.

Committee to prepare address.

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

## TUESDAY, JANUARY 13, 1835.

MR. PACK gave notice that, on Saturday next, he should move for leave to introduce a Bill to limit the duration of the Parliaments of this Island.

Notice of bill to limit duration of Parliament.

Also, that he should move for leave to introduce a Bill for establishing a Light House on Harbor Grace Island in Conception Bay.

Notice of bill for Light House on Harbor Grace Island.

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

## WEDNESDAY, JANUARY 14, 1835.

MR. KENT, from the committee appointed to prepare an address of thanks to His Excellency the Governor, in reply to His Excellency's speech, reported that the committee had drawn up the draft of an address accordingly; and he read the same in his place, and afterwards delivered it in at the clerk's table, where it was read throughout a second time, and thereupon,

Report of committee to prepare an address in reply to his Excellency's speech.

Address read.

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

*Ordered*, that the said address be engrossed and read a third time this day.

Address engrossed.

Mr. CARSON gave notice that, on Friday next, he should move that an address be presented to his Excellency the Governor, praying that his Excellency would cause to be laid before the House the following documents

Notice of motion for an address for returns of Judicial Papers &c.

Viz.

Copies of the commissions of Assistant Judge Augustus Wallet Des Farres, and of the Acting Assistant Judges Archibald and Lilly. Copies of all official communications respecting the prosecution of Assistant Judge Des Barres, and the suspending of Acting Assistant Judge Lilly, which may have taken place between the Law Authorities and the Executive. Copies of all Panels and Convictions in the Central Circuit and Supreme Courts during the year 1834. And copies of the commission of the High Sheriff, his Bail Bonds and leave of absence.

Agreeably to order, the engrossed address of thanks to his Excellency the Governor was read a third time, and is as follows:

Engrossed Address of Thanks to his Excellency read a third time.

Address to his Excellency

*To His Excellency HENRY PRESCOTT,  
C. B. Governor and Commander-  
in-Chief in and over the Island of  
Newfoundland and its Depend-  
encies, &c. &c. &c.*

*May it please Your Excellency,*

We the Representatives of His Majesty's Loyal Subjects, the Inhabitants of Newfoundland, in Colonial Parliament assembled, beg leave to thank your Excellency for the speech with which you have been pleased to open the present Session.

We fully appreciate the considerate motive which has induced your Excellency to assemble us at a season of the year, when a short intermission of our private pursuits, will allow us to give to the public business our undivided attention.

The tranquillity that pervades all classes in the Country affords us, in common with your Excellency, sincere satisfaction ; and we doubt not that by the enactment of wholesome and salutary Laws, that tranquillity will be rendered permanent.

Experience has shewn that in all countries civilization has kept pace with the means of facilitating intercourse ; we therefore thank your Excellency for calling our attention to the inefficiency of some of the provisions of so important an enactment as the Road bill, which shall not fail to receive our early consideration.

To the improvement of the Judicature, and the framing of such enactments as will become necessary in consequence of the Fishery Act having expired, we will direct our attention with that care and prudence which a due sense of the injury which might result from sudden and incautious changes made in Laws affecting the vital interests of the colony must necessarily inspire.

The causes that prevent your Excellency from drawing our attention more immediately to the means of promoting public education, are obvious ; and it is to us a matter of deep regret that your Excellency's humane and enlightened views on this interesting subject, cannot at present be acted upon. It is, however, consoling to learn that your Excellency's opinions of the elements of the community over which you preside have been so justly formed.

We regret that on your Excellency's assumption of the Government, you should have found yourself compelled by the inadequacy of the remaining funds to have recourse to the issue of Treasury Notes ; and we agree with your Excellency that the sooner these Notes can be called in the better.

We beg to assure your Excellency that all our energies shall be applied to a sound and wholesome system of Finance, capable, after effectuating all possible retrenchments, of defraying the Civil expenditure of the colony.

We thank your Excellency for having directed an Estimate of the ensuing Financial year, and various other documents to be prepared for our information ; and, also, for the assurance that your Excellency will be anxious to prevent unnecessary expenditure, and to enforce every due provision for that purpose.

The satisfaction which your Excellency has been pleased to express at having been appointed to administer the Government of this Island, at a time when its independent Legislature is fully established, we hail as the harbinger of that prosperity to the Colony which is the benevolent wish of your Excellency's heart. That Government in which the people

have a rational controul is the easiest and the best, and such sentiments openly and without reserve expressed by your Excellency, will realize the expectations of the people, and fulfil the paternal hopes of our most Gracious Sovereign.

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

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

Address passed

*Ordered*, that Mr. KENT, and Mr. PACK, be a committee to wait on his Excellency to know his Excellency's pleasure when he will be attended by the House with the said address.

Committee to know when his Excellency will receive the same.

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

#### THURSDAY, JANUARY 15, 1835,

MR. KENT, from the committee appointed to wait on his Excellency the Governor, to know his Excellency's pleasure when he would be pleased to be attended by the House with their address, reported that the committee had, according to order, waited on his Excellency, who was pleased to appoint three o'clock this day for receiving the said address.

Time for receiving Address of thanks fixed.

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

*Resolved*, that a committee be appointed to examine and report upon such acts of the Legislature as have expired, or are about to expire.

Committee on Expiring Laws.

*Ordered*, that Mr. PACK, Mr. POWER, and Mr. Row, do form such committee.

Then the House adjourned until half-past two of the clock.

At half-past two, the House met, pursuant to adjournment, and proceeded to Government House, with the address in reply to his Excellency's speech, and being returned,

Mr. SPEAKER reported that the House had been in attendance on his Excellency with the address in answer to his Excellency's speech at the opening of the session, to which his Excellency was pleased to make the following reply :

Mr. Speaker reports Address to his Excellency.

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

Reply of his Excellency.

I receive your address with great satisfaction, and thank you for your determination to proceed promptly to the consideration of the subjects to which I have drawn your attention. I look forward with hope and confidence to a happy result of your labours for the public good.

Mr. PACK gave notice that, on Monday next, he should move for leave to introduce a bill to regulate the streets in the town of Carbonar.

Notice of Carbonar Street Bill.

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

*Ordered*, that no Member have leave to introduce any Bill of a private nature into this House, after the 20th day of February next.

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

#### FRIDAY, JANUARY 16, 1835.

ON motion of Mr. CARSON, seconded by Mr. KENT,

*Resolved*, that an humble Address be presented to his Excellency the Governor, praying that his Excellency will cause the following documents to be laid before the House, viz :

Copies of the Commissions of Assistant Judge Augustus Wallet Des Barres, and of the acting Assistant Judges Archibald, and Lilly, with copies of the official communications between the Law Authorities of this Island and the Governor, respecting the prosecution of Judge Des Barres, and the suspending of acting Judge Lilly.

Also, copies of all panels and convictions in the Central Circuit and Supreme Courts during the year 1834.

Also, copies of the Commissions to the High Sheriff and Deputy Sheriff, their Bail Bonds and leaves of absence.

*Ordered*, that Mr. CARSON, Mr. KENT, and Mr. PACK, be a committee to prepare the said address.

Notice of motion for Address for further papers.

Mr. CARSON gave notice that, on Monday next, he should move that an address be presented to his Excellency the Governor, praying that he will cause the following papers and documents to be laid before the House, viz :

No. 1.—Copies of the Commissions of Judges Brenton, Archibald, and Des Barres, and a copy of the deprivation, if any, or the leave of absence of the latter.

No. 2.—A copy of the Record of the swearing into office of Judges Boulton, and Archibald, with the date thereof.

No. 3.—A copy or copies of the several panels of Grand, Special, and Petit Jurors upon the opening of the first term of the Supreme Court, in the year 1834, together with the names of the Grand Jury sworn on that occasion.

No. 4.—A copy of the Governor's Warrant appointing a High Sheriff, as required by Charter, on the first Monday of the year 1834, and a copy of the record of his being sworn into office. Also, similar copies for the year commencing 1835, together with copies of all such leaves of absence of that Officer as may have been granted since the first Monday of the year 1834.

No. 5.—Copies of the Indictments or Informations prepared against Assistant Judge Des Barres, together with copies of all communications had upon that subject, with the Executive and the Law Officers of the Crown, and the names and additions of the Petty Jurors trying the case.

No. 6.—Copies of the records of the convictions of the several Prisoners found guilty during the several terms and Sessions of the Supreme and Central Circuit Courts, during the year 1834, with the sentences passed on each ; also the record of the execution of such several sentences as may have been executed, and the discharge of such as may have fulfilled the term of their imprisonment.

No. 7.—A copy or copies of the several deprivations of Judge Archibald, and of the commission of Judge Lilly, and the record of his deprivation ; together with an enumeration of the cases reserved in the last Sessions of the Northern and Southern Circuit Courts for the opinion of the Judges ; as, also, the record of the certification of the records of the late Circuit Courts, and an enumeration of all cases whether of administration or probate, or of the appointment of Guardians to Idiots and Infants entertained by the Supreme Court during the year 1834—together with an enumeration of the cases, under the Admiralty Laws, during the same period—(the latter only refers to the sittings in chambers between terms).

No. 8.—A copy of the swearing into office of the several Sub Sheriffs during the year 1834, and 35, together with copies of their appointments.

No. 9.—A copy of the transmission through the Governor by the Supreme Court, for the approval of the Crown, of such rules and orders as may have been promulgated in that Court, during the year 1834, as required by the charter.

No. 10.—A copy of affidavits sworn to before a Magistrate to justify the swearing in of Special Constables under the 1st and 2nd William 4, cap 41, together with the names of the Special Constables sworn within the year 1834, and the Magistrates before whom sworn.

A Petition of William Evans and others, principal Inhabitants of Grand Bank in Fortune Bay, was presented by Mr. Hoyles, and the same was received and read setting forth, that the population of the aforesaid settlement of Grand Bank are equally fast increasing in number, and in vice, misrule, and disorder, and that the Petitioners have no adequate means of checking the growing evil—there being no place of confinement, to which to commit the disorderly—no Gaol, Stocks, or even Irons of any description, by which the small civil authority established there might exert the power invested in them. That the depressed state of the Fishery and the poverty of the Inhabitants, in general, prevent them from raising the necessary sum for erecting a small gaol or place of confinement,—and praying that the House will take their case into consideration, and grant them such pecuniary or other assistance as in their wisdom may seem meet.

Petition of William Evans presented and read.

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

To lie on the table!

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

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MONDAY, JANUARY 19, 1835.

**M**R. CARSON, seconded by Mr. KENT, moved, pursuant to notice, that an address be presented to his Excellency the Governor praying that his Excellency will cause to be laid before the House the following documents and papers, viz.—

Address for papers moved, pursuant to notice.

Copies of the Commissions of Judges Brenton, Archibald and Des Barres; and a copy of the deprivation, if any, or leave of absence of the latter.

A copy of the record of the swearing into office of Judges Brenton and Archibald, with the date thereof.

A copy or copies, of the several panels, of Grand, Special, and Petit Juries upon the opening of the first term of the Supreme Court in the year 1834—together with the names of the Grand Jury sworn upon that occasion.

A copy of the Governor's Warrant appointing a High Sheriff, as required by the Charter, on the first Monday of the year 1834, and a copy of the record of his being sworn into office. Also, similar copies for the year commencing 1835, together with copies of all such leave of absence of that Officer as may have been granted since the first Monday of the year 1834.

Copies of the Indictments or informations preferred against Assistant Judge Des Barres, together with all communications upon that subject with the Executive and Law Officers of the Crown, and the names and additions of the Petit Jury trying the case.

Copies of the records of the convictions of the several Prisoners found guilty during the several terms of the Supreme and Central Circuit Courts, during the year 1834, with the sentences passed on each; also, the record of the execution of such several sentences as may have been executed,

and the discharge of such as may have fulfilled the term of their imprisonment.

A copy or copies of the several deprivations of Judge Archibald, and of the commission of Judge Lilly, and the record of his deprivation ; together with an enumeration of the cases reserved in the last Sessions of the Northern and Southern Circuit Courts for the opinion of the Judges ; as, also, the record of the certification of the records of the late Circuit Courts, and an enumeration of all cases whether of administration or probate, or of the appointment of Guardians to Idiots and Infants entertained by the Supreme Court during the year 1834—together with an enumeration of the cases, under the Admiralty Laws, during the same period—the latter only refers to the sittings in chambers between terms).

A copy of the swearing into office of the several Sub Sheriffs during the year 1834, and 35, together with copies of their appointments.

A copy of the transmission through the Governor by the Supreme Court, for the approval of the Crown, of such rules and orders as may have been promulgated in that Court, during the year 1834, as required by the charter.

A copy or copies of affidavits sworn to before a Magistrate to justify the swearing in of Special Constables under the 1st and 2nd William 4, cap 41, together with the names of the Special Constables sworn within the year 1834, and the Magistrates before whom sworn.

Which being put, passed in the affirmative.

*Ordered*, that the committee appointed to prepare an address to his Excellency, in pursuance of the Resolution of Friday last, do draft the above mentioned address.

Accordingly, Mr. CARSON, Chairman of the said committee, reported that they had prepared the draft of an address in pursuance of the said resolutions of Friday last, and of this day ; and he read the same in his place, and afterwards delivered it in at the clerk's table, where it was read, and is as follows :

*To His Excellency HENRY PRESCOTT,  
C. B. Governor and Commander-  
in-Chief in and over the Island of  
Newfoundland and its Depend-  
encies, &c. &c. &c.*

*May it please Your Excellency,*

The Commons House of Assembly respectfully request, that your Excellency will be pleased to direct that the following documents and papers be laid before them for their information, viz :

Copies of the Commissions of Judges Brenton, Archibald and Des Barres ; and a copy of the deprivation, if any, or leave of absence of the latter.

A copy of the record of the swearing into office of Judges Brenton and Archibald with the date thereof.

A copy or copies, of the several panels, of Grand, Special, and Petit Jurors upon the opening of the first term of the Supreme Court in the year 1834—together with the names of the Grand Jury sworn upon that occasion.

A copy of the Governor's Warrant appointing a High Sheriff, as required by Charter, on the first Monday of the year 1834, and a copy of the record of his being sworn into office. Also, similar copies of the year commencing 1835, together with copies of all such leaves of ab-

Carried.

Committee to prepare Address.

Report of committee.

Address read.

sence of that Officer as may have been granted since the first Monday of the year 1834.

Address read

Copies of the Indictments or Informations prepared against Assistant Judge Des Barres, together with copies of all communications had upon that subject with the Executive and the Law Officers of the Crown, and the Names and additions of the Petty Jurors trying the cause.

Copies of the records of the convictions of the several Prisoners found guilty during the several terms of the Supreme and Central Circuit Courts, during the year 1834, with the sentences passed on each; also, the record of the execution of such several sentences as may have fulfilled the term of their imprisonment.

A copy or copies of the several deprivations of Judge Archibald, and of the commission of Judge Lilly, and the record of his deprivation, together with an enumeration of the cases reserved in the last Sessions of the Northern and Southern Circuit Courts for the opinion of the Judges, as, also, the record of the certification of the records of the late Circuit Courts, and an enumeration of all cases, whether of administration or probate, or of the appointment of Guardians to Idiots and Infants, entertained by the Supreme Court during the year 1834—together with an enumeration of the cases under the Admiralty Law during the same period—the latter only refers to the sittings in Chambers between terms)

A copy of the swearing into office of the several Sub-Sheriffs during the years 1834 and 35, together with copies of their appointments.

A copy of the transmission through the Governor by the Supreme Court for the approval of the Crown, of such rules and orders as may have been promulgated in that Court during the year 1834, as required by the Charter.

A copy of affidavits sworn to before a Magistrate to justify the swearing in of Special Constables under the 1st and 2nd William 4th cap. 41, together with the names of the Special Constables sworn within the year 1834, and the Magistrate before whom sworn.

On motion of Mr. KENT, seconded by Mr. CARSON,  
*Resolved*, that the said address be adopted by the House.

*Ordered*, that the said address be engrossed.

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

Mr. PETER BROWN gave notice that, on Wednesday the 2nd instant, he should move for leave to introduce a Bill for appointing honorary High Sheriffs in the several Districts of this Island.

A Message from his Excellency the Governor.

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

### MESSAGE.

H. PRESCOTT.

The Governor transmits for the consideration of the House of Assembly the following Documents, viz. Copy of despatch from the Secretary of State for the Colonies in reply to Memorials from Mr. Broom (Chief Magistrate) and William Phippard (High Constable).—Extract of a despatch relative to the Salary of the Judge of the Admiralty, and the Copy of a Letter from Sir Thomas Cochrane, enclosing sundry papers on the subject of certain expenses connected with the introduction of the Legislature of this Colony

*Government House,* }  
*19th January, 1835.* }

and adopted.

Engrossed.

Committee to present same

Notice of Sheriff's bill:

Message from his Excellency.

Message read.

Despatch of Secretary of State relative to Judge of the Admiralty, Mr. Broom and Mr. Phippard—Letter from Sir Thomas Cochrane to his Excellency—Estimates, Returns, and Financial Statements laid before the House.

Mr. Secretary CROWDY also presented to the House the following documents, viz :

Financial statement for the year ending 31st March, 1835.

Estimate for the service of the year 1835-6.

Estimate of the probable amount of Revenue in the year ending 31st March, 1836.

Statement shewing the several sums paid the Colonial Treasurer in each of the quarters ending 5th July, 10th October, and 5th January, 1835.

Statement shewing the probable amount which will be payable to the Colonial Treasurer on the 5th April next.

And then he withdrew.

The several documents accompanying the said Message, as, also the said several statements and estimates were then read by the clerk, and

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

*Ordered*, that the said Message, Documents and Papers be printed for the use of the House.

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

To be printed.

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TUESDAY, JANUARY 20, 1835,

Time for receiving the address of the 19th fixed.

**M**R. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, acquainting him, for the information of the House, that his Excellency the Governor had appointed to-morrow, Wednesday, at eleven o'clock, for receiving a committee with the address of the House passed yesterday.

Vouchers in support of Financial statement to be furnished by Treasurer.

Mr. SPEAKER, also, laid before the House a letter from the Honorable Mr. Secretary Crowdy, acquainting him, by command of his Excellency, for the information of the House, that the several Vouchers in support of the Financial statement laid before the House, would be submitted by the Colonial Treasurer, whenever the House might require the same.

Then the House adjourned until three o'clock, this day.

No Quorum.

At three o'clock, Mr. Speaker took the chair ; and, at half past three o'clock, there being only five Members present, viz. Mr. Speaker, Mr. Pack, Mr. Power, Mr. Carter, and Mr. Row,—Mr. Speaker adjourned the House for want of a Quorum.

Mr. Speaker adjourns the House.

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WEDNESDAY, JANUARY 21, 1835.

Financial documents laid before the House by Mr. Speaker.

**M**R. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, transmitting him, by command of his Excellency, for the information of the House, a statement of the amount of the Receipts and Expenditure of the Revenue during the past year.

The said document were then read by the Clerk, and,

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

*Ordered*, that the said document be printed for the use of the House.

Documents to be printed.

Report of committee to present address for papers

Mr. CARSON, from the committee appointed to wait on his Excellency the Governor with the address of Monday last, praying for certain documents and papers, reported, that the committee had waited upon his Excellency with the said address, and that, in reply thereto, his Excellency was pleased to say he would cause such of the said documents and papers to be laid before the House as could be forthcoming.

A Petition of Joseph Skinner and others, Inhabitants of the town of St John's, was presented by Mr. CARSON, and the same was received and read, setting forth—that there is no means of communicating with the South Side of the said town, except by boats, which at this season is almost impossible, and, at all times, inconvenient and dangerous to the inhabitants. That within a short period several lives have been lost in attempting to cross the few sticks which were thrown over the river at Mr. Job's Mill, and which temporary Bridge was carried away by the Ice, on the 2d of January, instant. That the Petitioners being convinced of the expediency of affording a more ready communication between the north and south sides of this town, and the necessity of erecting a Bridge for that purpose, have subscribed towards the object, and have, by voluntary contributions, collected the sum of about One hundred and fifty pounds, currency, which Petitioners hope and expect will defray about one half of the expense of erecting a Bridge at the Western end of Water Street:—The Petitioners, therefore, humbly pray that the House will be pleased to grant the sum of One hundred and fifty pounds to enable them to complete the undertaking.

*Ordered*, that the said Petition do lie on the Table.

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

*Ordered*, that the Colonial Treasurer do lay upon the Table the several Vouchers in support of the Financial Statement of the year 1834, transmitted to this House by his Excellency the Governor.

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

*Resolved*, that this House require detailed statements of the Receipts and Expenditure of the Colony for the past Financial year, with the several Vouchers and Documents in support of the same.

Mr. PACK gave notice that, on Saturday next, he should move for leave to introduce a Bill to regulate the streets of Carbonear, of which he had given notice for Monday last.

Mr. CARTER gave notice that, on an early day, he should move for leave to introduce a Bill for regulating the granting of Licences for the sale of Spirituous Liquors, and for repealing so much of the Act of the Imperial Parliament 5 Geo. IV, cap. 67, as relates to the granting of Licences.

Mr. CARTER also gave notice that, on Monday next, he should move for leave to introduce a Bill to provide for the registration of Deeds.

Mr. KOUGH, gave notice that, on an early day, he should move that a committee be appointed to frame an Act to regulate the fisheries of this Island.

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

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### FRIDAY, JANUARY 23, 1835.

**M**R. SPEAKER, laid before the House a letter from the hon. Mr. Secretary Crowdy transmitting, by command of his Excellency the Governor, an extract from a despatch received by his Excellency from the Secretary of State for the Colonies.

The said extract was read by the Clerk, and is as follows:—

“You should decline to assent to any further Colonial Act imposing Custom's Duties, unless it be distinctly specified in the Act itself, that the Duties so imposed are to be collected in addition to any Duties imposed by the British Act 3 and 4 Wm. 4 cap. 59, and to any other duties now raised in Newfoundland by virtue of Imperial Acts.

Petition of the inhabitants of St John's presented and read—

praying aid towards building a Bridge at River Head.

Treasurer ordered to lay vouchers on the Table.

Detailed statements required

Notice of Bill to regulate the Streets of Carbonear.

Notice of Bill to regulate the granting of Licences.

Notice of Bill to regulate the registration of Deeds.

Notice of motion for committee to frame a fishery Act.

Extract of Despatch from Secretary of State to the Governor laid before the House.

Extract read.

Treasurer lays Vouchers on the Table.

Pursuant to order, the Colonial Treasurer laid upon the Table of the House the several Warrants and Vouchers in support of the Financial Statements transmitted to the House by his Excellency the Governor.

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

Committee appointed to examine the public accounts.

*Resolved*, that a select committee be appointed to examine and report upon the Estimates, Statements, and Public Accounts submitted to the House.

Committee.

*Ordered*, that Mr. KOUGH, Mr. PACK, Mr. CARSON, Mr. KENT and Mr. Row, do form a committee for that purpose.

Bill to limit the duration of Parliament read a 2nd time.

Agreeably to the order of the day, the Bill for limiting the duration of Parliaments of this Colony was read a second time.

Committed,

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

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

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

Notice of motion as to breach of privileges,

Mr. KENT gave notice that, to-morrow, he should move that it be resolved, that it is a gross violation of the privileges of this House to pay any public monies subject to its controul, without its consent or the sanction of a Bill of appropriation.

Petition of sundry persons to the Governor laid before the House.

Mr. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, transmitting, by command of his Excellency, petitions to his Excellency from Matthew Stevenson, Clerk of the Peace at Harbor Grace—William Martin, High Constable at the same place—and from the Police Constables for the district of Conception Bay,—which his Excellency recommended to the favorable consideration of the House.

Petition of Matthew Stevenson read.

The petition of the said Matthew Stevenson was read by the Clerk, setting forth, that the petitioner had served under his Majesty's Government for upwards of twenty two years—having been appointed, in 1812, Clerk of the Surrogate Court, and in 1826, Clerk of the Peace for Harbor Grace, and had continued to serve until the 4th day of October last, when the ill state of his health disabled him from attending to his duties in the quarter Sessions of the Peace, and has prevented him acting until the present time; but that his son Thomas, had acted in his stead—that petitioner is left with a wife and three helpless children without the means of subsistence, and from his long services praying his Excellency to grant him such support as in his wisdom might seem meet.

Petition of William Martin read.

The petition of the said William Martin, was also read, setting forth, that for 53 years he had served his Majesty—thirty one years as constable and twenty two as High Constable, for the aforesaid district, invariably with the approbation of his superiors in office—that he is solely dependant on the emoluments of his office for support, having been prevented from directing his industry to any other species of labour—that he is now in his 79th year, and unable to exert himself as formerly—that, under these circumstances, he is compelled to crave the protection of his Majesty's Government for the short residue of his days, and praying that his Excellency would take his case into his consideration, and grant him such compensation as he might be considered entitled to.

Petition of Police Constables of C. Bay read.

The petition of the said Police Constables of Conception Bay was also read, setting forth, that in consequence of new Acts from the House of Assembly their duties are generally increasing, and they are almost continually on duty—that they are frequently obliged to travel the whole extent of the said district, which extends no less than 160 miles from Bay de Verds to Topsail—and are under the necessity of directing the whole

of their attention to the public duties of their respective offices—that the small salary afforded them is inadequate to defray their expenses, and praying that his Excellency will be pleased to place them on the same footing with the Police constables in the district of St. John's.

*Ordered*, that the said Letter and Petitions do lie on the Table.

Mr. SPEAKER also laid before the House a letter from the Honorable Mr. Secretary Crowdy, transmitting, by command of his Excellency, the several Returns following, called for by the address of the House of Monday last,

Copies of the commissions of Judges Boulton, Archibald and Des Barres.

Of the leave of absence granted to Judge Des Barres.

Of the High Sheriffs commission on the first Monday of the year 1834, and another dated 22d October, 1834.

Of the leave of absence granted to the Sheriff in the year 1834.

Of communications with the Law Officers of the Crown, on the subject of proceedings against Judge Des Barres.

Of the Supersedeas of Judge Archibald, and of the appointment and Supersedeas of Judge Lilly.

A copy of the transmission by the Supreme Court, for the approval of the Crown, of Rules and Orders of that Court promulgated in 1834—and

A return of Special Constables sworn in during the year 1834.

Mr. Secretary CROWDY, by the said letter, further acquainted Mr. Speaker, that in consequence of the issuing of the commission of the 22d October, 1834, and of the absence of Captain Buchan, no commission to a Sheriff was issued on the first Monday of the present month.

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

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

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SATURDAY, JANUARY 24, 1835.

**A** GREEBLY to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill for limiting the duration of the Parliaments of this Colony.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the committee.

Mr. SPEAKER resumed the Chair.

Mr. HOYLES, the Chairman of the committee, reported, that they had gone through the said bill and had agreed to the same without any amendments; and he delivered the bill in at the Clerk's table.

*Resolved*, that this House doth concur with the committee in the said Report.

*Ordered*, that the said bill be engrossed.

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

Pursuant to notice, Mr. KENT moved, seconded by Mr. CARSON, that it be

*Resolved*, that it is a gross violation of the privileges of this House to pay any public monies subject to its controul, without its consent or the sanction of a bill of appropriation.

Which, being put, passed in the affirmative, *nemine contradicente*.

To lie on the Table.

Sundry documents laid before the House in reply to the address of the 19th instant.

House in committee of the whole on the Bill to limit the duration of Parliament

Report.

Adopted.

Bill engrossed.

3d reading.

Resolution concerning breach of Privileges.

Petition of Commercial Society of St. John's presented and read.

A petition of the Vice President and Members of the Commercial Society of St. John's, was presented by Mr. Row, and the same was received and read, setting forth—That for several years past petitioners have, in common with nearly all the other inhabitants of this Island, to contend with a succession of unproductive fishery seasons together with a generally depressed state of Trade, by which numbers have suffered and are now suffering the greatest distress and privation, wanting the common necessities of life to sustain themselves, and, (in many instances) large and helpless families. That, whilst petitioners assure the House that they shall most willingly contribute to the support of a Government founded with a strict regard to the circumstances of the people, they, at the same time, most earnestly implore the House to enter fearlessly, and without delay, upon a close investigation into the state of the colony, more especially with reference to such public offices as are under the controul of the Local Legislature, and become satisfied with their utility—abolishing such as are unnecessary, and granting to such as are a remuneration commensurate only with the duties which they are called on to perform, and which petitioners think will entirely prevent the necessity of imposing additional burthens upon a population already labouring under poverty and indigence. That the petitioners are of opinion the Revenue at present raised in this Island, (if disbursed with a frugal hand, and with that proper regard to economy which our circumstances imperiously demand) is amply sufficient to meet all the reasonable expenditure of the colony, and leave a considerable sum for general improvements.

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

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

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MONDAY, JANUARY 26, 1835.

Bill to limit duration of Parliament read 3d time, and

Passed.

Title.

Sent to Council.

Petition of Inhabitants of Carbonear praying for Bill to regulate their Streets.

**A** GREEABLY to the order of the day, the engrossed bill to limit the duration of the Parliaments of this colony, was read a third time

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

*Resolved*, that the bill do pass, and that the title be "An act to limit the duration of the Parliaments of this colony."

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

A Petition of Thomas Chancey and others, Householders of the town of Carbonear, (intended to have been presented to the House during a former Session) was, pursuant to leave granted, presented by Mr. PACK, and the same was received and read, setting forth, that Petitioners had taken into consideration the Bill brought into the House for regulating the streets of the said town, and for making fire breaks therein, and are of opinion that the provisions of the said Bill, when carried into operation, would be efficient and give general satisfaction; but they suggest that spaces for fire-breaks, and at suitable distances, be left from the house of John Buckingham, Esquire, on the South Side, and extend round the Harbor of Carbonear, West and North of the town, as far as Crocker's Cove Brook at the Beach. That the distance from the sea for Fire-Breaks from North to South, and East to West, be 250 yards, and that the persons holding Dwelling-houses or other buildings, residing within the limits, be assessed rateably.

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

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

*Ordered*, that Mr. PACK have leave to bring in a bill to regulate the streets of the town of Carbonear.

Leave granted to Mr. Pack to bring in a bill.

And he presented the said bill to the House, and the same was read a first time.

Read a first time.

*Ordered*, that the said bill be read a second time on Thursday next. Then the House adjourned until to-morrow, at twelve of the clock.

2d reading.

TUESDAY, JANUARY 27, 1835.

*Present.*

**M**R. SPEAKER, Mr. KENT, Mr. PACK, Mr. KOUGH, Mr. POWER, and, at halfpast twelve, Mr. SPEAKER adjourned the House for want of a Quorum.

House adjourned for want of a Quorum.

WEDNESDAY, JANUARY 28, 1835.

**M**R. Row gave notice that, on Friday next, he should move that an Address be presented to his Excellency praying that he will cause to be laid before the House, an account of all duties received at the Custom House, from the 5th January, 1834, to the 5th January, 1835, distinguishing the receipts of each quarter and shewing, where practicable, the amount of duty received on each article. Also, a detailed account of all monies paid or reserved by the Collector out of the amount of such duties.

Notice of motion of address praying for Custom House Returns.

Mr. PETER BROWN, pursuant to notice and leave granted, presented a bill to regulate the office of Sheriff, and for the appointment of Sheriffs in the several districts in this Island, and the same was read a first time.

Bill to regulate the office of Sheriff, presented and read.

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

2d reading.

*Ordered*, that the bill be printed.

Bill printed.

Mr. KENT gave notice that, on Monday next, he should move that a select committee be appointed to enquire into and report the best means of recovering certain monies paid by the Colonial Treasurer on the Warrant of Sir Thomas Cochrane.

Notice of motion on Sir T. Cochrane's Warrant.

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

FRIDAY, JANUARY 30, 1835.

**M**R. SPEAKER laid before the House a letter from the Honorable Mr. Secretary CROWDY, transmitting, by command of his Excellency, certain documents, agreeably to the request of the House of Assembly conveyed in their address of the 19th instant :—

Sundry documents laid before the House in reply to the address of the 19th inst.

Copy of the record of the swearing into office of Judges Boulton and Archibald, with the dates thereof.

Copies of the several Panels of Grand and Petit Jurors, upon the opening of first Term of the Supreme Court, in the year 1834 ; with the names of the Jurors sworn on that occasion.

Copy of the Indictment against Assistant Judge Des Barres, and the names and additions of the Petit Jurors trying the case.

Copy of the record of the conviction of the prisoners found guilty during the several terms of the Supreme Court, in the year 1834, with the sentences passed on each.

An enumeration of all cases of administration, of probate, and of the appointment of guardians of infants and idiots, in the Supreme Court, in the year 1834, and

An extract from the letter of the Chief Clerk of the Supreme Court.

*Ordered*, that the said papers do lie upon the table to be perused by the Members.

Report of Committee on  
Public Accounts.

Mr. KOUGH reported from the select committee appointed to examine and report upon the estimates, statements, and public accounts, submitted the House; and heread the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read, and is as follows:—

Your committee in the exercise of the duties entrusted to them, have thought it necessary to enter upon a minute investigation of all the public disbursements for the year, and for this purpose called for all the warrants issued by the Treasurer, as well as the vouchers connected with the same, all which they carefully examined and checked off; and it affords your committee much satisfaction to report, that the payments made by the Treasurer correspond with the warrants issued by the Governor.

Your committee have given particular attention to the warrant issued for the payment of the sum of £853 6 11, mentioned in the Message of his Excellency the Governor of the 19th instant, and find that it is signed by Sir Thomas Cochrane, is dated the 31st day of October, and was paid, as appears by the receipt, on the 4th day of November, and directs the payment of that sum “from the General Fund to John Laidley, Esq. Commissary General,” “being the amount of the expenses of the Legislature during its first Session, and directed by the Lords of the Treasury to be paid from the Colonial Funds.” As this subject will come under the direct notice of the House, on the consideration of his Excellency's Message, your committee have thought it right to abstain from any remarks upon it, but simply to state the particulars contained in the warrant and receipt, for the information and guidance of the House.

Your committee have next to remark upon a warrant from Sir Thomas Cochrane, dated the 26th July, directing the Treasurer to pay “out of the General Fund to the Honorable J. B. Garland, the sum of £41 9s. 8d. being for the hire of the Speaker's Room during the first Session of the Colonial Legislature, to be paid from the Vote of Credit.” Your committee are of opinion, that this sum, being for the Rent of a former year and due before the Legislature took upon itself the burthen of the Colonial establishment, ought not to have been paid out of the Colonial Funds of the last year, but should have been borne by the Parent Government.

Your committee have also to remark upon the item of £158 12s 2d, forming the excess of expense on the charge for Criminal prosecutions, that the sum of £170 has been paid to the Solicitor General for business on the Northern Circuit, and that the whole accounts of that Officer for such service amounted to upwards of £200. It therefore occurs to your committee that it might be desirable, instead of such fees, that a stated salary should in future be allowed for conducting the public prosecutions of the Northern Circuit Court. And, connected with the law department, your committee observe that there is a charge of £15 for printing the forms of civil process which ought in future to be paid by the suitors.

Your committee on entering upon the consideration of the estimates of the ensuing year remark, that they are founded upon the Bills of Appropriation and the Expenditure of last year; but as it appeared to your committee that several important alterations would be made in the

arrangements on which the expenditure of former years has been incurred, and that savings might therefore be made to a considerable extent—all which would more properly become subjects of consideration in a committee of the whole House—your committee have thought that it would best suit the convenience of the House, and the despatch of public business, to abstain from any further report upon these estimates at present.

*Ordered*, that the said Report do lie on the table.

The order of the day for the second reading of the Bill to establish a Light House on Harbor Grace Island being read—

On motion of Mr. P<sup>ACK</sup>, seconded by Mr. P<sup>ETER</sup> B<sup>BROWN</sup>,

*Ordered*, that the said order of the day be postponed.

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

Pursuant to notice Mr. R<sup>OW</sup>, seconded by Mr. C<sup>ARSON</sup>, moved that it be—

*Resolved*, that an address be presented to his Excellency the Governor praying that he will cause to be laid before the House, an account of all duties received at the Custom House, from the 5th January, 1834, to the 5th January, 1835, distinguishing the receipts of each quarter, and showing, where practicable, the amount of duty received on each article. Also, a detailed account of all monies paid or reserved by the Collector out of the amount of such duties:—

Which, being put, passed in the affirmative.

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

*To His Excellency HENRY PRESCOTT,  
C. B. Governor and Commander-  
in-Chief in and over the Island of  
Newfoundland and its Depend-  
encies, &c. &c. &c.*

*May it please Your Excellency,*

We his Majesty's faithful subjects, the Commons of Newfoundland, in Colonial Parliament assembled, respectfully request that your Excellency will direct that there be laid before us, for our information, the following documents:—

An account of all duties received at the Custom House, from the 5th day of January, 1834, to the 5th day of January, 1835, distinguishing the receipts of each quarter, and showing, where practicable, the amount of duty received on each article.

Also, a detailed account of all monies paid or reserved by the Collector of his Majesty's Customs out of the amount of such duties.

*Resolved*, that the said address be adopted by the House.

*Ordered*, that Mr. R<sup>OW</sup> and Mr. M<sup>MARTIN</sup> be a committee to present the same to his Excellency.

On motion of Mr. K<sup>ENT</sup>, seconded by Mr. C<sup>ARSON</sup>,

*Ordered*, that the message of his Excellency presented to the House on the 19th instant, transmitting the copy of a letter from Sir Thomas Cochrane to his Excellency, with the documents accompanying the same, be referred to a committee of the whole House.

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

Order of the day read.

Postponed.

Motion for an address praying for Custom House returns.

Address presented and read.

Address adopted.

Committee to present same

Message of the Governor of the 19th instant referred to a committee of the whole House.

To be considered on Monday next.

Notice of Resolution in committee of supply.

Mr. KENT gave notice that, in the said committee, he should move the following resolution: Whereas by a resolution of this House, unanimously adopted, it has been determined that a gross violation of its privileges has been committed in the paying away by the Colonial Treasurer of certain sums of money, on the warrants of Governor Sir Thomas Cochrane, without the sanction of the Legislature; and, whereas, such proceedings, on the part of Governor Sir Thomas Cochrane, were not alone unconstitutional, but in direct contravention of the provisions of the Imperial Acts 3d and 4th Wm. 4, cap. 59, and 2d and 3d Wm. 4, cap. 78; and, whereas, such warrants, issued by Sir Thomas Cochrane, are, of consequence, illegal, and being illegal, it was the bounden duty of the Treasurer of the Island not to obey them.

*Resolved*, that an address be presented to his Excellency Governor Prescott, praying that his Excellency will be pleased to direct that proceedings be instituted in the Supreme Court of Newfoundland, in order to recover from the Treasurer all sums of money paid by him on the authority of such illegal warrants.

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

*Resolved*, that a supply be granted to his Majesty.

Committee of Supply.

*Resolved*, that this House will to-morrow resolve itself into a committee of the whole House to consider of a supply to be granted to his Majesty.

*Ordered*, that the estimate of the sum required to defray the civil expenditure of the Colony for the ensuing year, be referred to the said committee of the whole House.

Notice of motion for return of sundry documents relative to the last Northern Circuit Court.

Mr. PETER BROWN gave notice that, to-morrow, he would move that an address be presented to his Excellency praying that he will cause to be laid before the House, a return of the number of Indictments and Informations on the Crown side of the last Northern Circuit Court, at Harbor Grace, laid before the Grand Jury—and a return of the number respectively found and ignored by them. Also, a return of all trials and Judgments thereon. Also, a return of the number of such Indictments as remained over untried.

Notice of motion for return of receipts of Crown Lands &c. in 1834.

Mr. Row gave notice that, to-morrow, he should move that an address be presented to his Excellency praying for an account of all monies received in the year 1834, for the Rents of or proceeds of the sales of Crown Lands, escheats, fines and forfeitures, which his Majesty was graciously pleased to direct should be applied towards the expense of the Civil or Military Government, or towards objects exclusively local—specifying the amount of Rents recovered for Ships Rooms—and an account of the appropriation thereof.

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

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SATURDAY, JANUARY 31, 1835.

Letter from C. Cozens, Esq. relative to Constable at Brigus, laid before the House.

MR. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, transmitting by command of his Excellency the copy of a Letter from Charles Cozens, Esquire, on the subject of the Salary of a Constable at Brigus.

The said copy of the letter from Mr. Cozens was read by the Clerk. and thereupon,

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

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

Referred to committee of supply.

Mr. Row from the committee appointed to present the address to his Excellency the Governor praying for returns from the Custom House reported, that the committee had waited on his Excellency with the said address and that, in reply thereto, his Excellency was pleased to say he would direct the returns required to be laid before the House.

Report of committee to present address praying for Custom House returns.

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

Motion for address praying for returns of Criminal proceeding in Northern District.

*Resolved*, that an address be presented to his Excellency the Governor praying that he will cause to be laid before this House, a return of the number of Indictments and Informations on the Crown side of the last Northern Circuit Court at Harbor Grace, laid before the Grand Jury; and a return of the number respectively found and ignored therein. Also, a return of all trials and judgments thereon, and a return of the number of such of the said Indictments as remained over untried :—

Which being put, passed in the affirmative.

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

Address presented and read.

*To His Excellency HENRY PRESCOTT,  
C. B. Governor and Commander-  
in-Chief in and over the Island of  
Newfoundland and its Depend-  
encies, &c. &c. &c.*

*May it please Your Excellency,*

The House of Assembly respectfully request that your Excellency will be pleased to direct that there be laid before them, a return of the number of Indictments and Informations on the Crown side of the last Northern Circuit Court at Harbor Grace, laid before the Grand Jury; and a return of the number respectively found and ignored thereon. Also, a return of the number of all trials and judgments thereon, and a return of the number of such of the said Indictments as remained over untried.

Address.

*Resolved*, that the said address be adopted by the House.

Adopted.

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

Committee to present same

Mr Row moved, pursuant to notice, and seconded by Mr. CARSON, that it be

Motion for address praying a return of Receipts of Crown Rents &c.

*Resolved*, that an address be presented to his Excellency praying that he will cause to be laid before this House an account of all monies received in the year 1834, for the rents or proceeds of the Sales of Crown Lands, Escheats, Fines and Forfeitures, which his Majesty was graciously pleased to direct should be applied towards the expense of the Civil or Military Government, or towards objects exclusively local—specifying the amount of rents received for Ships Rooms, and an account of the appropriation thereof :

Which being put, passed in the affirmative.

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

Address presented and read.

*To His Excellency HENRY PRESCOTT,  
C. B. Governor and Commander-  
in-Chief in and over the Island of  
Newfoundland and its Depend-  
encies, &c. &c. &c.*

*May it please Your Excellency,*

The House of Assembly respectfully request that your Excellency will be pleased to direct that there be laid before the House, for their infor-

Address read.

mation, an account of monies received in the year 1834, for the Rents or proceeds of the Sales of Crown Lands, Escheats, Fines and Forfeitures, which his Majesty was graciously pleased to direct should be applied towards the expense of the Civil or Military Government, or towards objects exclusively local—specifying the amount of Rents received for ship's rooms—and an account of the appropriation thereof.

Adopted.

*Resolved*, that the said address be adopted by the House.

Committee to present same

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

House in committee of supply.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House to consider of a supply to be granted to his Majesty.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the committee.

Mr. SPEAKER resumed the Chair.

Report.

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

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

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

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

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## MONDAY, FEBRUARY 2, 1835.

Report of committee to present address

MR. MARTIN, from the committee appointed to wait on his Excellency the Governor with the address praying for returns of Indictments and Informations on the Crown Side of the Northern Circuit Court at Harbor Grace, reported, that the committee had waited on his Excellency with the said address, and, in reply thereto, his Excellency was pleased to say that he would direct the said returns to be laid before the House.

Praying for returns of Criminal Proceedings in Northern District.

Praying a return of proceeds of Crown Rents &c.

Mr. PACK, from the committee appointed to present the address to his Excellency praying for an account of the proceeds of the Rents and Sales of Crown Lands &c., reported, that the Committee had waited on his Excellency accordingly, and, in reply thereto, his Excellency was pleased to say he would cause the said account to be laid before the House.

Motion for address praying sundry returns relative to the Executive Council.

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

*Resolved*, that an address be presented to his Excellency praying that he will cause to be laid before the House a copy of the commission of the Clerk of the Executive Council, and a return of the nature of the duties of that office. Also, a return of the number of times the said Executive Council has met, in its official capacity, since its first constitution.

*Ordered*, that the mover and seconder do prepare and report such address to the House.

House in committee on his Excellency's message of the 19th January.

On motion, the order of the day for the House to resolve itself into a committee of the whole House on the consideration of his Excellency's message presented to the House on the 19th of January, was read, and, thereupon, the House resolved itself into the said committee.

Mr. SPEAKER left the chair.

Mr. MARTIN took the chair of the committee.

Mr. SPEAKER resumed the chair.

And Mr. MARTIN reported from the committee that they had made some progress in the business to them referred, and had come to certain Resolutions thereupon, which they had directed him to report to the House ; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was read, and is as follows :

Report.

Report read.

*Resolved*, that this House has received with equal astonishment and regret the information contained in the letter of his late Excellency Sir Thomas Cochrane, dated the 5th November last, transmitted to the House with the Governor's Message of the 19th January, whereby it appears that the sum of £853 6 11 had been drawn from the Colonial Funds by a Warrant of his said late Excellency, unsanctioned by a vote of this House, or by any Act of the Colonial Legislature.

*Resolved*, that as it is the inherent and undoubted right of this House to originate every measure for the payment of money raised in the colony by imposts on the subject, so every attempt to appropriate such money by whatever authority, without the sanction of this House, is a gross violation of its most sacred rights, and would, if suffered to be practised by the Executive, tend to subvert the constitution of the Colony and to introduce arbitrary rule.

*Resolved*, that an humble address be prepared and transmitted to his Majesty, complaining of this most unconstitutional act of his Majesty's Representative in this Island, and praying that his Majesty will graciously be pleased to direct that the sum of £853 6 11 be replaced in the Colonial Treasury.

*Resolved*, that it was the duty of the Treasurer to remonstrate against the said Warrant, and to use all proper and constitutional means in his power for resisting payment thereof ; and that, in order to guard against the repetition of such a proceeding, this House will, in future, insert in every appropriation bill a special clause to prevent the payment of any money by the Treasurer, without the sanction of this House or an act of the Legislature.

Whereupon, Mr. CARSON, seconded by Mr. POWER, moved that the said report be not received.

Motion not to receive the Report.

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

For the motion—

Mr. CARSON,  
— POWER.

Against the motion—

Mr. KOUGH  
— ROW,  
— CARTER,  
— MARTIN,  
— COZENS.

House divide.

So it passed in the negative.

The said report was then, upon the question put thereon, agreed to by the House.

Motion negatived.

Report agreed to.

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

*Resolved*, that a committee be appointed to prepare an address to his Majesty, in pursuance of the foregoing Resolutions.

Committee to prepare address.

*Ordered*, that Mr. Row, Mr. MARTIN, and Mr. KOUGH, do form such committee.

Mr. PETER BROWN, gave notice that, to-morrow, he should move that there be laid before the House a copy of the commission or appointment of the Solicitor General, and copies of all letters or communications from the Secretary of State to the Governor on the subject of his appointment.

Notice of motion for copy of Solicitor General's Commission.

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

TUESDAY, FEBRUARY 3, 1835.

Address praying for returns relative to the Executive Council, presented and read.

**M**R. CARSON reported from the committee to prepare an address to his Excellency the Governor praying for documents relative to the Clerk of the Executive Council, and presented the draft of an address which was read by the Clerk, and is as follows:—

*To His Excellency HENRY PRESCOTT,  
C. B. Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.*

*May it please Your Excellency,*

The Commons House of Assembly respectfully request that your Excellency will be pleased to direct that there be laid before them, for their information, a copy of the commission of the Clerk of the Executive Council, and a return of the nature of the duties of that office. Also, a return of the number times the said Executive Council has met in its official capacity, since its first constitution.

Address adopted.

*Resolved*, that the said address be adopted by the House.

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

House in committee of supply.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a supply to be granted to his Majesty.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the committee.

Mr. SPEAKER resumed the Chair.

Report.

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

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

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

Motion for address praying for copy of Solicitor General's Commission.

Mr. P. BROWN, seconded by Mr. KENT, moved, pursuant to notice, that an address be presented to his Excellency the Governor praying that he will cause to be laid before the House, a copy of the commission or appointment of the Solicitor General, and copies of all letters and communications from the Secretary of State to the Governor, on the subject of his appointment.

Which being put, passed in the affirmative.

Address presented and read.

And he presented to the House accordingly, the draft of an address for that purpose, which was read by the Clerk, and is as follows:—

*To His Excellency HENRY PRESCOTT  
C. B. Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.*

*May it please Your Excellency,*

The Commons House of Assembly respectfully request that your Ex-

cellency will be pleased to direct that there be laid before them a copy of the commission of the Solicitor General, and copies of all letters and communications of the Secretary of State for the Colonies to the Governor, on the subject of his appointment.

*Resolved*, that the said address be adopted by the House.

Address adopted.

*Ordered*, that Mr. PETER BROWN, and Mr. KENT, be a committee to present the same to his Excellency.

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

*Resolved*, that a select committee be appointed to enquire into, and report upon, the present state of the Police of the Central District, with power to send for persons, papers and records.

Select committee to report upon the Police of the Central district.

*Ordered*, that Mr. ROW, Mr. CARSON, Mr. CARTER, Mr. KENT and Mr. KOUGH, do form a committee for that purpose.

Committee.

On motion of Mr. PETER BROWN, the entry on the the Journal of the eighth day of September last, of the Resolution relative to the right of appointing the Officers of the House, was read, and thereupon

Entry on Journals of the 8th September 1834, read.

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

*Resolved*, that a select committee be appointed to prepare an address to his Majesty in pursuance of the said Resolution.

Address to his Majesty thereon moved.

*Ordered*, that Mr. PETER BROWN, Mr. PACK, Mr. ROW, and Mr. KOUGH do form such committee.

Mr. CARTER gave notice that, to-morrow, he should move for copies of the correspondence between the Secretary of State and the Executive, on the subject of the commutation of the Attorney General's fees.

Notice of motion for copies of correspondence relative to Attorney Generals fees.

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

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### WEDNESDAY, FEBRUARY 4, 1835.

**A** GREEABLY to the order of the day, a Bill to regulate the office of Sheriff in the several Districts of this Island, was read a second time.

Sheriff's Bill read a time.

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

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

Committed.

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

Order of the day for Friday.

Mr. KENT gave notice that, on Monday next, he should move for leave to introduce a Bill for locating the Assistant Judges of the Supreme Court.

Mr. Kent gives notice of motion for leave to bring in Bill to locate the assistant Judges.

A Petition of James Scapelin and 130 others, Inhabitants of Bay Roberts, was presented by Mr. PACK, and the same was received and read, setting forth, that the practice of hauling caplin for manure has proved very prejudicial to the success of the cod fishery and is a rapidly increasing evil. That Petitioners could adduce, if necessary, many instances of the inability of Fishermen to obtain bait in the most important part of the fishery season, in consequence of the places to which the caplin resort, being swept by large seines used in taking it for manure. That Petitioners are inhabitants of a place in which the shore Fishery is prosecuted to as great an extent as in any other Harbor or Settlement in Conception Bay, and confidently relying on the readiness of the House to remedy an evil so prejudicial to their interest, they pray the House to protect, by Legislative Enactment, the most valuable branch of the trade of this Island, by strictly prohibiting, under any pretence whatever, the use of caplin for the purpose of manure.

Petition of inhabitants of Bay Roberts praying for an enactment to prohibit the use of Caplin as manure.

*Ordered*, that the said petition do lie on the table.

Mr. Pack gives notice of motion for leave to bring in a bill.

House in committee of supply.

Mr. PACK gave notice that, on Monday next, he should move for leave to bring in a bill to prohibit the use of caplin for manure.

Agreeably to the order of the day, the House resolved itself into committee of the whole House on the consideration of a supply to be granted to his Majesty.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Chairman reports.

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

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

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

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

Committee to enquire into state of Police in outports.

*Ordered*, that the select committee appointed to enquire into and report upon the Police of the Central District, be instructed also to enquire into and report upon the state of the police in the outports.

*Ordered*, that Mr. PETER BROWN, Mr. PACK, and Mr. MARTIN, be added to the said committee.

Sundry documents relative to Light Houses on Cape Spear and Fort Amherst laid before the House.

Mr. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, transmitting, by command of his Excellency, certain documents relative to the Light House on Cape Spear, and conveying his Excellency's favorable consideration of them to the House of Assembly.

The said documents were read by the Clerk, and are,

No. 1.—Report of the Commissioners of Light Houses on the state of the Light Houses at Fort Amherst and Cape Spear.

No. 2.—Estimate of Light Room with Light Reflectors, Lamps, and Reflector frame for Cape Spear Light House; and copies of correspondence between Robert Kerr, Esq. and Messrs. Robert Stevenson & Sons, on the subject thereof.

*Ordered*, that the said letter and documents do lie upon the table.

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

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## FRIDAY, FEBRUARY 6, 1835.

**M**R. CARSON from the committee appointed to wait upon his Excellency the Governor with the address relative to the office of Clerk of the Executive Council and the commission of the Solicitor General, reported, that the committee had waited on his Excellency with the said address accordingly, and, in reply thereto, his Excellency was pleased to say he would comply with the request of the House.

Petition of James B. Wood relative to overcharge in duty on wine.

A Petition of James B. Wood whose name is thereto subscribed, was presented by Mr. KOUGH, and the same was received and read, setting forth, that, in October last, Petitioner received from Madeira a consignment of twentyfour hogsheads and twelve quarter casks of Wine, of a low quality, inferior to common Fayal Wine, shipped from Madeira by a Portuguese Resident under the belief that the duty thereon was the same as is payable on other Wines of a low quality; but that Petitioner has been obliged to pay the duty chargeable upon Wines of the finest

quality imported by the said vessel viz. £7 10 *per* ton Imperial duty and one shilling *per* gallon Colonial duty,—whereas, the latter obtain £63 *per* pipe, whilst for that consigned to petitioner he can scarcely obtain from £22 to £24 a pipe.—That Petitioner had applied to the Collector of the Customs believing he could release him from the heavy duty, but, though convinced of the hardship of his case, that Officer could afford him no relief—and praying the House to take his case into consideration, and grant him such relief as may appear just.

A certificate of the Officers of H. M. Customs of the truth of the facts stated in the said Petition was read by the Clerk, and thereupon

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

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

Mr. SPEAKER laid before the House a letter from Mr. Secretary Crowdy, transmitting, by command of his Excellency, sundry documents required by the House in their addresses of the 19th & 31st ult. viz:

Sundry documents laid before the House in reply to addresses of the House of the 19th & 31st ult.

Copy of record of prisoners tried, convicted and sentenced, during the sittings of the Central Circuit Court, in the year 1834.

Record of the execution of such several sentences as may have been executed, and discharge of such as may have fulfilled the term of their confinement.

Also, an account of all monies received in the year 1834, for the rents or proceeds of sales of Crown Lands and Escheats, with the appropriation thereof.

And a return of all fines and forfeitures during the same period.

Mr. SPEAKER also laid before the House a further letter from Mr. Secretary Crowdy, transmitting certain other documents required by the House in their addresses of the 2d and 3rd instant, viz :

Sundry documents laid before the House in reply to addresses of the House of the 2nd and 3rd inst.

Copy of the commission of the Clerk of the Executive Council, with a return of the nature of the duties of that office.

A return of the number of times the said Council met, in its official capacity, since its first constitution.

Copy of the commission of the Solicitor General, and

Extract of a despatch from the Colonial department, relative to the said appointment.

The said documents were then read by the Clerk, and

*Ordered*, that the said letter and papers do lie upon the table.

A petition of Thomas Chancey and others, inhabitants of the town of Carbonear, Owners and Masters of vessels, was presented by Mr. Pack, and the same was received and read, setting forth, that the petitioners have, at many times, been in imminent danger of their lives for the want of a Light House on Harbor Grace Island, during dark and stormy nights. That a conspicuous light exhibited on Harbor Grace Island, would greatly add to the security of navigation in Conception Bay, and probably be the means of saving many valuable lives and large property in time to come—and praying the House to take their case into consideration and remedy the existing evil by a law to be passed for that purpose.

Petition of inhabitants of Carbonear praying for a Light House on Harbor Grace Island.

A petition of James Scapelin and others, inhabitants of Bay Roberts, being Schooner owners and persons engaged in the perilous employment of the sea, was also presented by Mr. Pack, and the same was received and read, setting forth, that for want of a Light House upon some one of the Islands of Conception Bay, the petitioners have oftentimes been in imminent peril of their lives and property during dark and tem-

Petition of James Scapelin and others read.

pestuous nights, when engaged in the Cod Fishery or returning from voyages prosecuted beyond the bay. That a light exhibited on one of the Harbor Grace Islands, which they consider the most preferable site, from sun set to sun rise during about ten months of the year, would greatly tend to the security of navigation in the Bay, and may be the means of saving many valuable lives and much property—and praying the House to take the matter into their serious consideration.

*Ordered*, that the said petitions do lie upon the Table.

Harbor Grace Island  
Light House Bill read 2d  
time.

Pursuant to the order of the day, a Bill to establish a Light House on Harbor Grace Island, was read a second time.

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

Committed.

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

To be considered to-mor-  
row.

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

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

SATURDAY, FEBRUARY 7, 1835.,

House meet and adjourn.

**T**HE House met and adjourned until Monday next, at twelve of of the clock.

MONDAY, FEBRUARY 9, 1835.

Petition of Thomas Mar-  
tin and others read.]

**A** Petition of Thomas Martin and 400 others, inhabitants of Port-de-Grave, was presented by Mr. Cozens, and the same was received and read, setting forth, that petitioners view with deep concern the increasing practice of taking vast quantities of caplin and squids for manure, and convinced that such practice is decidedly injurious to the Fishery, they pray the House to take into their consideration a subject of such vital importance. That petitioners conceive it unnecessary to adduce numerous instances of Fishermen being unable to obtain any bait in consequence of the places to which they resort being swept by large seines used in taking it for the purposes of manure. That the Petitioners are inhabitants of a place in which the shore fishery is carried on to a greater extent than in other settlements in Conception Bay—and praying the House to remedy, by Legislative enactment, an evil so prejudicial to the interest of Petitioners, by prohibiting the use of caplin or squids for manure.

*Ordered*, that the said petition do lie on the table.

Petition of the Commer-  
cial Society of Harbor  
Grace read.

A petition of the commercial Society, ship owners, and 196 others, inhabitants of the Town of Harbor Grace, was presented by Mr. Peter Brown, and the same was received and read, setting forth, that the commerce of Conception Bay has of late greatly increased, and petitioners beg to refer the House to the official returns for the year ending 5th of January, 1834, by which it appears that 136 vessels of the burthen of 17,163 Tons were admitted to entry from the United Kingdom and her Colonies, and Foreign Europe, and that the number of clearances for those ports were for 149 Vessels of the burthen of 19,336 Tons—that 250 Sail of Vessels are employed in the Fisheries and coasting Trade besides upwards of 3,000 open Boats—altogether navigated by many thousand Seamen. That the said Bay of Conception is of considerable

extent, and on its north side is closely indented with anchoring harbours in which the greater part of the trade is carried on ; and although the Harbors are difficult of access in dark and stormy nights, their entrances are not pointed out by any Light. That the navigation of the said Bay is attended with many dangers, and scarcely a season passes without a shipwreck ; and that so recently as the 25th of December, a schooner laden with property of considerable value was lost on the back of Harbor Grace Island—which accident probably would not have occurred had there been a Light on the said Island. That the Petitioners are decidedly of opinion a Light might be so conspicuously fixed on the above mentioned Island, as to be a sufficient guide to Vessels bound to any anchoring port in the said Bay ; and that many other advantages would result to the Trade of the Petitioners, and to the cause of humanity, from such an establishment—they therefore pray that the House will take the subject into their serious consideration, and provide the only effectual remedy by establishing a Light House on Harbor Grace Island.

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

Mr. PACK, pursuant to notice and leave granted, presented a Bill to prevent the taking and using of the Fish or Bait called Caplin, for agricultural purposes, and the same was read a first time.

Bill to prevent using Caplin for manure presented and read.

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

2nd reading.

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

*Ordered*, that the Bill for regulating the streets of the Town of Carbonear be now read a second time.

Carbonear Street Bill read 2nd time.

And the said bill was read a second time accordingly.

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

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

Committed.

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

For consideration on Thursday next.

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

The House resolved itself into a committee of the whole House on the consideration of the Bill to regulate the office of Sheriff, and for the appointment of Sheriffs in the several districts of this Island.

House in committee on Sheriff's Bill.

Mr. SPEAKER left the chair.

Mr. COZENS took the chair of the committee.

Mr. SPEAKER resumed the chair.

And the Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to report that the committee were of opinion that the said Bill should be referred to a select committee to examine and report thereon,

Report.

*Ordered*, that the said Report be received.

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

*Ordered*, that the said Bill be referred to a select committee of five Members, to examine and report thereon.

Bill referred to a select committee.

*Ordered*, that Mr. PETER BROWN, Mr. PACK, Mr. CARTER, Mr. KOUGH, and Mr. ROW, do compose the said committee.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill for establishing a Light House on Harbor Grace Island.

House in committee on Harbor Grace Island Light House Bill.

Mr. SPEAKER left the chair.

Mr. CARTER took the chair of the committee.

Mr. SPEAKER resumed the chair.

- Report. The Chairman reported from the committee that they had gone through the said Bill and had made an amendment therein, which they had directed him to report to the House; and he delivered the Bill with the amendment in at the Clerk's Table.
- Bill with amendments. And the said amendment having been read throughout a first and second time, was, upon the question put thereon, agreed to by the House.
- Amendments agreed to. *Ordered*, that the said Bill, as amended, be engrossed.
- Bill engrossed. *Ordered*, that the Bill be read a third time on Thursday next.
- 3d. reading. Then the House adjourned until to-morrow, at twelve of the clock.

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TUESDAY, FEBRUARY 10, 1835.

Report of committee upon the Police, brought up and read.

**M**R. Row reported from the committee appointed to enquire into, and report upon, the state of the Police of the Island, and he read the report in his place, and afterwards delivered it in at the Clerk's table, where the same was read and is as follows:

Your committee, in pursuance of the powers entrusted to them, have examined such evidence and documents as were thought necessary to enable them to arrive at a just conclusion relative as well to the Police of the Capital as to that of the Outports, and at last feel themselves obliged to report, that the existing establishments will not conveniently admit of an immediate reduction to the extent that had been hoped.

Among the documentary evidence called for by your committee was the commission of the Peace for the Central District, in which, besides the three Stipendiary Magistrates, are the names of twenty four other gentlemen resident in the town; but the enquiries of your committee having been directed to ascertain whether any of those gentlemen had been in the habit of regularly attending at the Police office, or in the Court of Sessions, it was found that they had not: that some of them had not even taken the Oaths, that some two or three had attended once or twice, but that others although sent for on several occasions and requested to attend, declined to do so, alleging business of their own to attend to.

It appears that after opening the new Commission in August last, the Court was not permitted to hold its sittings in the Room formerly appropriated to its use, which, for some unexplained reason, was shut up and left wholly unoccupied; and the want of accommodation in the small office called the Police Office, in which the Court was afterwards obliged to sit, may have been the cause of their non-attendance, but from the evidence before them your committee have been induced to think that from the peculiarity of the trade of this Island, converging as it does to a focus at the termination of the fishing season, at which period the ordinary business of the Court is also the greatest and most urgent, the voluntary attendance of merchants and others in business would here at all times be found uncertain, and the more so that numerous acts of the Legislature have cast upon the Magistrates additional duties, which besides that several of them relate exclusively to St. John's, must from obvious causes necessarily fall heaviest upon those of the Metropolitan District.

Your committee are therefore of opinion that the number of Stipendiary Magistrates for St John's could not, without injury to the public

service, be at present reduced to less than two ; but as it does not appear that their duties can be materially different, your committee see no reason why any distinction should be made in their Salaries, and as it is necessary these situations should be filled by efficient persons, your committee would suggest that instead of £680 for three Magistrates, £500 should be granted for two, which would effect a saving of £180, leaving the pension of Mr. Broom either to be paid out of that saving or to be referred to the Parent Government as the House may think fit.

Your committee are of opinion that the number of Stipendiary Constables in St. John's may be reduced to six, who may be provided for at an expense of £200, effecting a saving of £120 13 4, and leaving the provision proposed for Mr. Plupard on the same footing as that of Mr. Broom.

Your committee, in taking into consideration the sum required for the Police establishment of the Outports, have had strongly pressed upon them the disproportion in which by the detailed account it appears to be divided, £512 out of £772 being paid for Conception Bay. There are in that Bay three Magistrates who receive pay for their services, all of whom reside at Harbor Grace and Carbonear—Your Committee are of opinion that one stipendiary Magistrate at each of these places, and one at Brigus or Port de Grave, would be a more desirable arrangement. In looking at the expenditure for Conception Bay, your committee directed their attention to the large sum paid for public prosecutions in that District, and are of opinion that a considerable saving might be effected by the appointment of an efficient Clerk of the Peace with a moderate allowance for the duty of conducting all the public prosecutions there, as well in the Circuit Courts as in the Court of Sessions—the person at present discharging the duties of that office is stated to be of very infirm health and frequently unable to attend.

As there is no stipendiary Magistrate in any other District of the Island it occurs to your committee that this may be one of the principal causes of the inefficiency so much complained of in the more Northern Districts, and that a small salary to one of the Magistrates of each District might be desirable—it would point out one responsible person who would feel the obligations imposed on him in particular of attending to the necessary business as well as enjoining it on others, and of calling them together when occasion required.

Your committee feel strongly the unprotected state of the remoter District, but until the system of the Judicature is finally settled they are of opinion that any further deviation from the present Magisterial and Police establishments, than those which they have already submitted, could not with propriety be recommended at least for immediate adoption.

*Ordered*, that the said report be received.

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

*Ordered*, that the said report be referred to the committee of Supply.

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

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

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made progress in the business to them referred, and had directed him to ask for leave to sit again.

Report referred to committee of supply.

House in committee of supply.

Progress.

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

To sit again to-morrow.

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

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

WEDNESDAY, FEBRUARY 11, 1835.

Caplin Bill read 2d time.

**P**URSUANT to the order of the day, a bill to prevent the catching or using of the fish or bait called caplin for agricultural purposes, was read a second time.

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

Committed.

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

Order of the day for Friday.

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

House in committee of Supply.

Agreeably to the order of the day the House resolved itself into a committee of the whole House on the consideration of a supply to be granted to his Majesty.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Progress.

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

Leave.

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

To sit again to-morrow.

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

Mr. PETER BROWN gave notice that, on Saturday next, he would move that an address be presented to his Excellency praying that he would use his prerogative by dissolving this present Commons House of Assembly.

Petition of Mrs. Traverse transmitted to the House by his Excellency the Governor.

Mr. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, transmitting, by command of his Excellency, for the consideration of the House of Assembly, a petition from Mrs. Mary Traverse.

The said Petition was read by the Clerk, praying to be compensated for the non-payment of five months Rent, which she alleges to be due to her for the occupation of her house by the Legislature in the year 1833.

*Ordered*, that the said letter and Petition do lie upon the table.

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

THURSDAY, FEBRUARY 12, 1835.

Harbor Grace Island Light House Bill read 3d time.

**A**GREEABLY to the order of the day an engrossed Bill for establishing a Light House on Harbor Grace Island was read a third time.

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

Passed.

*Ordered*, that the said Bill do pass, and that the title be "an Act for the establishment of a Light House on Harbor Grace Island."

Title.

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

sent to Council.

The order of the day for the House in committee of the whole House on the consideration of the Bill to regulate the Streets of Carbonear being read—

Order of day postponed.

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

*Ordered*, that the said order of the day be postponed.

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

Pursuant to the order of the day, the House resolved itself a committee of the whole House on the consideration of a Supply to be granted to his Majesty.

House in committee of supply.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Progress.

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

Leave to sit again.

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

To sit to-morrow.

Mr. CARTER gave notice that, on Saturday next, he should move for leave to bring in a bill to enable the Commissioners for building the Light House on Cape Spear to raise a further sum of money for the purpose of completing the same.

Notice of bill to raise money for completing Cape Spear Light House.

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

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FRIDAY, FEBRUARY 13, 1835.

**T**HE order of the day for the House in committee of the whole House on the consideration of the Bill to prohibit the use of Caplin for manure, being read,

Order of day for committee on caplin bill postponed

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

*Ordered*, that the said order of the day be postponed.

until

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

Monday next.

Agreeably to the order of the day the House resolved itself into a committee of the whole House on the consideration of a supply to be granted to his Majesty.

House in committee of supply.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair on a question of order.

The Chairman again took the chair of the committee,

Mr. SPEAKER resumed the chair.

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

Progress.

*Ordered*, that the said Committee have leave to sit again.

Leave

*Resolved*, that this House will to-morrow again resolve itself into the said committee.

Mr. SPEAKER laid before the House a Letter from the Honorable Mr. Secretary Crowdy, transmitting, by command of his Excellency the Governor, certain documents and returns connected with the Custom House, as required by the address of the House of the 30th January last.

Custom House returns laid before the House.

Notice of motion for return of expenditure of sum voted last year for civil and criminal prosecutions.

Mr. MARTIN gave notice that, to-morrow, he should move that an address be presented to his Excellency praying that he will cause to be laid before the House a detailed account of the expenditure of the sums voted last year for Civil and Criminal Prosecutions, Gaol expenses, and repairs of Court Houses, and Gaols throughout the Island.

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

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SATURDAY, FEBRUARY 14, 1835.

Notice of motion for committee to report upon Judicature returns in pursuance of the address of the 19th January

**D**R. CARSON gave notice that, on Wednesday next, he would move that the papers and documents laid before the House, in reply to the address of the 19th January last, be referred to a select committee to enquire into and report thereupon.

Notice of Bill to repeal Law Society Act.

Mr. KENT gave notice that, on Saturday next, he would move for leave to bring in a Bill to repeal the "Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to practise in the Law in the several Courts of this Island".

Bill to raise a further sum of money to complete Cape Spear Light House. Bill read 1st time

Pursuant to notice and leave granted, Mr. CARTER presented a Bill to authorize the raising of further sum of money to complete the erection of a Light House on Cape Spear, and the same was read a first time.

2nd reading

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

Notice of bill to locate one of the Judges in the Northern District

Mr. PETER BROWN gave notice that, on Thursday next, he should move for leave to bring in a bill to locate one of the Judges of the Supreme Court in the Northern District.

Mr Martin's motion for a return of the Expenditure of the sum voted last year for Civil and Criminal Prosecutions

Pursuant to notice given by Mr. MARTIN yesterday, Mr. CARTER moved, seconded by Mr. PACK, that an address be presented to his Excellency, praying that he will cause to be laid before the House, a detailed account of the expenditure of the sums voted last year for Civil and Criminal Prosecutions—Gaol expenses, and the repairs of Gaols and Court Houses throughout the Island—and a Return shewing whether the charges to which the sum granted for Civil and Criminal prosecutions has been applied, are conformable to those made and defrayed in former years, and what, if any, changes have been made therein.

Which, being put, passed in the affirmative.

Draft of address for returns of expenditure of sum voted for Civil and Criminal Prosecutions.

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

*To His Excellency HENRY PRESCOTT,  
C. B. Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.*

*May it please Your Excellency,*

The House of Assembly respectfully request that your Excellency will be pleased to direct that there be laid before the House a detailed account of the expenditure of the sums voted last year for Civil and Criminal Prosecutions—Gaol Expenses, and the repairs of Gaols and Court Houses throughout the Island—and a return shewing whether the charges to which the sum granted for Civil and Criminal Prosecutions has been applied, are conformable to those made and defrayed in former years.

Adopted.

*Resolved*, that the said address be adopted by the House.

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

Committee to present same

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

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MONDAY, FEBRUARY 16, 1835.

**O**N motion of Mr. CARTER, seconded by Mr. MARTIN,

*Ordered*, that Mr. POWER have leave to absent himself from this House, for one fortnight, on his private business.

Leave of absence granted to Mr. Power.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill to regulate the Town of Carbonear,

House in committee on the Carbonear Street Bill.

Mr. SPEAKER left the chair.

Mr. COZENS took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill, and had agreed to the same without any amendment.

Report.

*Ordered*, that the said report be received.

Agreed to.

*Ordered*, that the bill be engrossed and read a third time on Thursday next.

3d. reading.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill to prohibit the taking or using of Caplin for manure.

House in committee on the caplin bill.

Mr. SPEAKER left the chair.

Mr. KOUGH took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Progress.

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

Leave.

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

To sit again to-morrow

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

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TUESDAY, FEBRUARY 17, 1835.

**P**URSUANT to the order of the day, a Bill to authorize the raising of a further sum of money to complete the erection of a Light House on Cape Spear, was read a second time.

Bill for completing Cape Spear Light House read a second time.

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

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

Committed.

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

For consideration on Saturday.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill to prohibit the use of caplin for manure.

House in committee on caplin Bill.

Mr. SPEAKER left the chair.

Mr. CARSON took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

Progress.

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

*Ordered*, that the said Bill as amended be engrossed.

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

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

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WEDNESDAY, FEBRUARY 18, 1835.

Caplin Bill read 3d time

and

**P**URSUANT to the order of the day, an engrossed bill for preventing the taking and using of Caplin for manure, was read a third time, and

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

Passed.

*Ordered*, that the said bill do pass and that the title be "An Act for preventing the taking and using of Caplin in Conception Bay."

Title.

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

Sent to Council.

Pursuant to notice, Mr. CARSON, seconded by Mr. KENT, moved that it be—

Motion for papers prayed for 19th January be referred to a select committee.

*Resolved*, that the copies of papers, prayed for on the 19th January last, be submitted to a select Committee to examine and report upon, with leave to take evidence.

House divide.

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

For the motion.

Against the motion.

Mr. CARSON.

Mr. ROW.

— KENT.

— KOUGH.

— PACK.

— COZENS.

— P. BROWN.

— CARTER.

— MARTIN.

— HOYLES.

Negatived.

So it passed in the negative.

Report of committee for public accounts.

Mr. CARTER reported from the committee appointed to wait on his Excellency with the address praying for detailed accounts of the expenditure of sundry sums voted last year, that the committee had waited on his Excellency with the address accordingly, and, in reply thereto, that his Excellency was pleased to say he would cause the said accounts to be laid before the House.

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

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THURSDAY, FEBRUARY 19, 1835.

Carbonear Street Bill read 3d time.

**A**GREEBLY to the order of the day, an engrossed Bill to regulate the Streets of the Town of Carbonear was read a third time.

On motion of Mr. PACK, Seconded by Mr. PETER BROWN,

Passed.

*Ordered*, that the Bill do pass and that the title be "An Act to regulate the Streets of the Town of Carbonear."

Title.

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

Pursuant to notice and leave granted, Mr. PETER BROWN presented a Bill to render the Circuit Courts more efficient in the administration of Justice ; and the same was read a first time.

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

Mr. PETER BROWN, from the select committee to whom was referred the Bill to regulate the office of Sheriff, reported, that the committee had gone through the said Bill and had made sundry amendments therein, which they had directed him to report to the House ; and he delivered his report in at the Clerk's Table.

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

*Ordered*, that the said Bill, together with the report of the select committee thereon, be now referred to a committee of the whole House.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

*Ordered*, that the said Committee have leave to sit again.

Mr. MARTIN gave notice that, to-morrow, he should move that a select committee be appointed to prepare, and report to the House, a code of Rules and Orders for its guidance, and conduct.

Mr. ROW gave notice that, to-morrow, he should move for leave to bring in a Bill to amend the Law respecting Writs of Attachment.

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

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### FRIDAY, FEBRUARY 20, 1835.

#### Present

MR. SPEAKER, Mr. CARTER and Mr. KENT. So at half past twelve o'clock, Mr. SPEAKER adjourned the House for want of a quorum.

Sent to Council.

Circuit Court bill read 1st time.

2nd reading.

Report of select committee on Sheriffs bill with amendments

Committed to the whole House.

House in committee thereon.

Report.  
Progress.

Notice of motion for a select committee to frame Rules and Orders.

Notice of motion for Law of attachment bill.

House adjourns for want of a quorum.

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### SATURDAY, FEBRUARY 21, 1835.

THE order of the day for the House to resolve itself into a committee of the whole House on the consideration of the Bill to authorize the raising of a further sum of money for completing the erection of a Light House at Cape Spear, being read—

The House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

And the Chairman reported from the committee that they had gone through the said Bill, and had agreed to the same without any amendment ; and he delivered the Bill in at the Clerk's Table.

*Ordered*, that the said Bill be engrossed.

Order of day read.

Cape Spear Light House bill, read.

House in committee thereon.

Report.

Engrossed.

3d reading.

*Ordered*, that the Bill be read a third time on Monday next.

Circuit Court bill read 2d time.

Pursuant to the order of the day, a Bill to render the Circuit Courts more efficient in the administration of Justice, was read a second time.

Committed for

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

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

Saturday next.

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

Printed.

*Ordered*, that the said Bill be printed.

Bill to repeal Law Society act read 1st time.

Mr. KENT, pursuant to notice and leave granted, presented a Bill to repeal an Act passed in the fourth year of his present Majesty's Reign, entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts in the said Island," and the same read a first time.

2nd reading

*Ordered*, that the said Bill be read a second time, on Monday week next.

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

Appointment of committee to frame Rules and Orders for the House.

*Resolved*, that a select committee be appointed to prepare, and report to the House, a body of Rules and Orders for its guidance—to be selected by such committee from the Rules and Orders of the Imperial House of Commons.

Committee.

*Ordered*, that Mr. MARTIN, Mr. CARSON, Mr. ROW, Mr. CARTER, and Mr. PACK, do form such committee.

Order of day read, and

The order of the day for the House in committee of the whole House on the further consideration of the Bill relating to Sheriffs being read,—

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

Postponed, to

*Ordered*, that the said order of the day be postponed.

Monday next

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

Notice of bill to amend attachment law, extended

Mr. ROW gave further notice of his motion for Tuesday next, for leave to bring in a Bill to amend the Law respecting writs of attachment, of which he had given notice for yesterday.

Letter from his Excellency with Road Commissioners report

Mr. SPEAKER laid before the House a Letter from the Honorable Mr. Secretary Crowdy, transmitting, by command of his Excellency to be laid before the House, a report of Commissioners of Roads in the District of St. John's, in pursuance of the fourth section of the Act 4 Wm. 4, cap. 25 accompanied by sundry vouchers for the expenditure of the money placed at their disposal.

The said report and vouchers were read by the Clerk, and,

To lie on the table

*Ordered*, that they lie on the Table for the perusal of the Members of the House.

Petition of Thomas Williams presented and read

A Petition of Thomas Williams of St. John's, Gentleman, was presented by Mr. PACK, and the same was received and read, setting forth, that Petitioner, on the 12th of August last, was appointed by the Magistrates in Sessions, Inspector of Weights and Measures, under the Colonial Act 4 Wm. 4 cap. 9. That since his appointment Petitioner has, in the execution of his duty, made six daily visits of inspection at different stores and premises in this District, and has inspected and marked 2162 weights and measures—a great majority of which were found incorrect—and that he found no less than 341 so very faulty as to be utterly incapable of adjustment. That, according to the present moderate scale of compensation, the sum total of his fees amounted to only £27 0 6—

while his actual expenses incurred amount to £32 12 4, leaving a balance due him of £5 11 10, without one farthing compensation to himself, either for his own labour and responsibility, or for the use of premises for the purpose of correction, adjusting, and marking—all which is fully exhibited in the statements hereto annexed. That the House will perceive by the returns the great necessity there was for the Law, by which the Inspector or Assayer is bound to visit every house of trade four times in each year, and oftener if necessary, to ascertain that no weight or measure is in use unless stamped; and as nearly the whole now in use are so stamped, there will be no remuneration in future for labour, unless the House afford encouragement and protection to the office.—That for some years past a salary was allowed the High Constable for making enquiry into the state of the weights and measures, but that very little could have been done previously to the appointment made under the Act referred to—Petitioner, therefore, humbly prays the House to take his case into consideration, and allow him such salary as the nature of the business he is employed upon may deserve.

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

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

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

Referred to committee of Supply.

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MONDAY, FEBRUARY 23, 1835.

**A** PETITION of James M'Bride and others, Inhabitants of the District of St. John's, was presented by Mr. CARSON, and the same was received and read, setting forth, that Memorialists in the exercise of their invaluable right of petition and remonstrance, approach the House with those sentiments of respect always due to the constitutional guardians of the rights and property of the people.—Memorialists beg to draw the attention of the House to the circumstance of the civil expenditure of the Government of this colony being greatly increased within the last few years. That this increase of public expenditure has not produced for the Colony, either in its trade, fisheries, or agriculture, any visible benefit, but has been created by the defraying of extravagant salaries to useless officers. That the scale of expenditure would, if agreed to, entail additional taxation on the Country. That, at the present crisis, any additional taxation is not alone unnecessary but would be impolitic. That they consider additional taxation unnecessary because of the existing Revenue being not alone sufficient for an adequate civil expenditure, but capable by judicious arrangement, of affording a considerable surplus for the improvement of the Colony. That additional taxation would be unnecessary because of the unprecedented depression of every branch of their industry—of the trade, fisheries, and agriculture. That Memorialists, impressed with these opinions, and still uninfluenced by any desire to cramp the energies of Government, pray the House to place no further imposts on the industry of the Colony.

Petition of James M'Bride and others, of St. John's, presented and read.

*Ordered*, that the said Petition do lie on the Table.

To lie on the table

Pursuant to the order of the day, an engrossed Bill, for raising a further sum of money for completing the erection of a Light House on Cape Spear, was read a third time.

Cape Spear Light House bill read 3rd time.

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

*Ordered*, that the said Bill do pass, and that the title be "an Act for raising a further sum of money for completing the erection of a Light House on Cape Spear."

Passed  
Title

Sent to Council

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

House in committee on Sheriff's bill

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill to regulate the office of Sheriff, and for the appointment of Sheriffs in the several Districts of this Island.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

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

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

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

TUESDAY, FEBRUARY 24, 1835.

Present

House adjourns for want of a quorum

MR. SPEAKER, Mr. MARTIN, Mr. PACK, Mr. KOUGH, and Mr. HOYLES. So at half past twelve of the clock, Mr. SPEAKER adjourned the House for want of a quorum.

WEDNESDAY, FEBRUARY 25, 1835.

Petition of Thomas Foley and others of Harbor Grace presented and read

**A** PETITION of Thomas Foley and others, Inhabitants of the Town and vicinage of Harbor Grace, was presented by Mr. Peter Brown, and the same was received and read, setting forth, that the interest of the Petitioners and of the Country at large being deeply involved in the fate of the shore fishery, they beg to bring under the consideration of the House an increasing practice of very injurious tendency to the fishery—namely the taking of caplin bait for the purposes of manure. That among other ill consequences resulting from the said practice, the disturbance of the caplin while depositing their spawn has the effect of driving them from their usual place of resort, and of preventing them again returning to it. In proof of this assertion, Petitioners instance the case of Holy Rood, in Conception Bay, whither, in former times, the caplin were accustomed to resort in great abundance, but since the Inhabitants of that place began to use them for manure, the fishermen have to go many leagues before they can obtain a sufficiency for bait. That there were formerly in force, certain salutary regulations relative to the shore fishery, drawn up with a consummate knowledge of the subject to which they referred, and grounded upon long and practical experience, which Petitioners regret have of late fallen into disuse, and bid fair soon to be entirely disregarded. One of the most efficient of these regulations was that prohibiting the splitting of fish upon the ledges and throwing the offal into the sea, a practice most injurious to the fishery.—Petitioners, therefore, pray the House to remedy these several grievances by an Act or Acts for that purpose.

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

Petition of Thomas Foley and others of Harbor Grace against further taxation, received and read.

A Petition of Thomas Foley and others, Inhabitants of the Town of Harbor Grace was presented by Mr. Peter Brown, and the same was received and read, setting forth that Memorialists have heard with much

that it is in the contemplation of the House to impose additional taxation on the people of this Colony. Petitioners beg to assure the House that they are now, as they have always been, most willing to contribute to the support of the Government, yet Memorialists believe that, with that judicious regard to economy which the present depressed state of the Country demands, the revenue already raised will be found more than adequate to meet the reasonable expenditure of the Colony. That Petitioners have the utmost confidence in the House, knowing as they do, the unprecedented state of depression under which the trade, fisheries, and agriculture of the Island are now labouring—they, therefore, pray the House to take the matter into serious consideration, and cause such retrenchment in the various departments of the Government, as may enable the House to avoid so impolitic a measure as taxation on a people already in a state of poverty and distress.

*Ordered*, that the said Petition do lie on the Table.

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

The House resolved itself into a committee of the whole House on the consideration of the Bill to regulate the office of Sheriff and to provide for the appointment of Sheriffs in the several Districts of this Island.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

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

*Ordered*, that the said Bill, as amended, be engrossed.

*Ordered*, that the Bill be read a third time on Friday next.

Mr. PETER BROWN gave notice that he should, on Monday next, move for leave to bring in a Bill, to prohibit the splitting of fish upon ledges.

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

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FRIDAY, FEBRUARY 27, 1835.

MR. SPEAKER laid before the House a Letter from Mr. Secretary Crowdy transmitting, by command of his Excellency, a detailed statement of the sums expended on account of "Civil and Criminal prosecutions," of "Gaol Expenses," and of "Repairs of Gaols," as required by the address of the 14th Instant.

The said Statement was read by the Clerk and

*Ordered*, that the said Letter and Statement do lie upon the Table.

A Message from his Excellency the Governor by Joseph Templeman, Esquire.

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

**MESSAGE**

"HENRY PRESCOTT."

The Governor, in transmitting the Memorial of Assistant Judge Brenton for the consideration of the House of Assembly, has only to express

House in committee on  
Sheriff's bill.

Report

Progress

Amendments agreed to.

Bill engrossed.

3d reading.

Notice of motion for bill to  
prohibit splitting fish on  
ledges.

Letter from his Excellency  
with sundry returns  
prayed for 14th inst.

Message from his Excellency.

Read.

Transmitting Petition of  
Judge Brenton.

express his concurrence in the general opinion entertained of that gentleman's integrity and devotion to his duties.

*Government House,* }  
23d February, 1835. }

Read.	The Memorial from the Honorable Assistant Judge Brenton, accompanying the said Message, was read by the Clerk, and
To lie on the Table.	<i>Ordered</i> , that the said message and memorial do lie upon the table.
Sheriffs bill read 3d time.	Agreeably to the order of the day, an engrossed bill to regulate the office of Sheriff and for the appointment of Sheriffs, in the several districts of this island, was read a third time, and
Passed.	On motion of Mr. PETER BROWN, seconded by Mr. PACK,
Title.	<i>Ordered</i> , that the said bill do pass, and that the title be "an Act to regulate the office of Sheriff, and to provide for the appointment of Sheriffs in the several districts of this Island."
Sent to Council	<i>Ordered</i> , that Mr. PETER BROWN do carry the bill up to the honorable the Legislative Council and desire their concurrence.
Appointment of a committee to draft a fishery bill.	On motion of Mr. KOUGH, seconded by Mr. MARTIN,
Committee.	<i>Ordered</i> , that a committee be appointed to prepare and report to the House, the draft of a bill for regulating the fisheries of this Island.
Notice of motion for bill for members to vacate their seats.	<i>Ordered</i> , that Mr. KOUGH, Mr. ROW, Mr. PACK, Mr. CARTER and Mr. KENT, do form such committee.
Detailed statements referred to committee of supply	Mr. KOUGH gave notice that, to-morrow, he would move for leave to bring in a bill to enable Members of this House, under certain circumstances, to vacate their seats.
House in committee of supply.	On motion of Mr. KENT, seconded by Mr. PACK,
Report Progress.	<i>Ordered</i> , that the detailed statements of the sums expended last year for Civil and Criminal Prosecutions, of Gaol expenses, and repairs of Gaols, laid before the House this day, be referred to the committee of supply.
	On motion of Mr. KENT, seconded by Mr. KOUGH,
	The House resolved itself into a committee of the whole House on the consideration of a supply to be granted to his Majesty.
	Mr. SPEAKER left the chair.
	Mr. HOYLES took the chair of the committee.
	Mr. SPEAKER resumed the chair.
	The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.
	<i>Ordered</i> , that the said Committee have leave to sit again.
	<i>Resolved</i> , that this House will, to-morrow, again resolve itself into the said committee.
	Then the House adjourned until to-morrow, at twelve of the clock.

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SATURDAY, FEBRUARY 28, 1835.

Order of the day read and

**T**HE order of the day for the House in committee of the whole House on the consideration of the Bill for rendering the Circuit Courts more efficient in the administration of Justice, being read,

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

Postponed.

*Ordered*, that the said order of the day be postponed.

Mr. KOUGH, pursuant to notice and leave granted, presented a Bill for enabling Members of this House to vacate their seats therein, under certain limitations, and the same was read a first time.

Members vacant seat bill read first time.

*Ordered*, that the said Bill be read a second time, on Monday week next.

2nd reading.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a supply to be granted to his Majesty.

House in committee of supply.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

Progress.

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

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

### MONDAY, MARCH 2, 1835.

MR. CARTER gave notice that, on Thursday next, he would move for leave to bring in a Bill to provide for the registration of Deeds.

Notice of motion for registration of deeds bill.

Mr. CARSON gave notice that, on Thursday, he would move for leave to bring in a Bill to combine the offices of Clerk of the Supreme Court and Clerk of the Central Circuit Court, and to make provision for the Officer discharging the duties of the said offices.

Notice of motion for bill to combine Offices of Clerk of the Supreme and Central Circuit Courts.

Mr. Row gave notice that, on Thursday next, he would move that the House do resolve itself into a committee of the whole House on the consideration of the Message of his Excellency the Governor, and the documents accompanying the same, respecting the salaries of the Judge of Vice Admiralty Court, of Mr. Broom, Chief Magistrate, and of Mr. Phipard the high Constable.

Notice of motion for considering message of his Excellency relative to Judge of Admiralty, Mr. Broom and Mr. Phipard.

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

### THURSDAY, MARCH 5, 1835.

MR. CARSON, pursuant to notice and leave granted, presented a bill to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices; and the same was read a first time.

Amalgamation of Office bill read a first time.

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

2nd reading.

Mr. KENT gave notice that, on Thursday next, he would move the second reading of the bill to repeal the act incorporating a Law Society in Newfoundland.

Notice of 2nd reading of bill to repeal Law Society Act.

On motion of Mr. Row, pursuant to notice, and seconded by Mr. KOUGH,

The House resolved itself into a committee of the whole House on the consideration of the message of his Excellency the Governor of the 19th of January last, transmitting copies of despatches from the Secretary of State for the Colonies in reply to the Memorials of Mr. Broom and Mr. Phipard and respecting the salary of the Judge of the Admiralty.

House in committee on Governor's message of 19th inst.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

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

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

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

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

*Ordered*, that the Letter of Mr. Secretary Crowdy of the 23d January last, transmitting sundry petitions to his Excellency from the Clerk of the Peace and the Constables of Conception Bay, be referred to the above committee.

Letter of Colonial Secretary with sundry Petitions of 23d January referred to the above committee.

Registration of Deeds bill read 1st time.

Mr. CARTER, pursuant to notice and leave granted, presented a Bill to provide for the Registration of Deeds, and the same was read a first time.

2nd reading.

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

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

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#### FRIDAY, MARCH 6, 1835.

Petition of George Thorne and others presented and read.

**A** PETITION of George Thorne and others, inhabitants of the town of Harbor Grace, was presented by Mr. PETER BROWN, and the same was received and read, setting forth, that by an act passed in the General Assembly of this colony, in the third year of his Majesty's Reign, entitled "An act to regulate the streets of the town of Harbor Grace," it was among other things enacted, that commissioners should be appointed by the Landlords and Tenants of the said town to mark out spaces of ground to serve as fire-breaks. That by another act passed in the fourth year of his Majesty's Reign, entitled "An act to amend an act entitled 'An act to regulate the streets of the town of Harbor Grace,'" certain parts of the first mentioned act relating to the appointment of commissioners and the opening of streets were repealed, and certain other cross streets or fire breaks were adopted in lieu of those laid down by such commissioners. That before the passing and promulgation of the said last mentioned act, part of the ground appropriated thereby for the Westernmost cross street or fire break, had been in part built upon by the erection of several buildings with the concurrence of the Road Commissioners, appointed under the first mentioned act, and in strict conformity with the Law as it then stood. The petitioners further state that the said statute last past would, if put into full operation, not only prove burdensome to the inhabitants of the said town generally, by requiring a very heavy assessment or rate on the Landlords and Tenants to compensate those persons who would suffer losses in houses and lands, but, as an *ex post facto* Law, would bear with particular hardship and injustice on those individuals who have unwittingly built on ground subsequently appropriated by such act of the General Assembly. Petitioners, therefore, pray the House that so much of the last mentioned act as fixes or determines the situation or metes and bounds of the Western fire-break at Harbor Grace, may be repealed.

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

Mr. PETER BROWN gave notice that, to-morrow, he would move for leave to bring in a bill to repeal certain parts of an act entitled "An act to amend an act for regulating the streets of the town of Harbor Grace."

Notice of motion for bill to repeal part of Harbor Grace Street Act.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the Message of his Excellency the Governor of the 19th instant, and, also, of the Letter of the Colonial Secretary of the 23d January, transmitting the petitions of Matthew Stevenson, Clerk of the Peace, and William Martin, High Constable of Conception Bay.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had come to certain resolutions, on the matters referred to them, which they had directed him to report to the House; and he read the said resolutions in his place, and afterwards delivered them in at the Clerk's table, where they were again read, and are as follow:

Report.

Certain resolutions thereon.

*Resolved*, that it is the opinion of this committee, that the Court of Vice Admiralty being a Court of general maritime jurisdiction and not limited to the business of this colony, the salary of the Judge ought not to be borne by the colony but by the Parent Government; and that, moreover, the long services of the present Judge having been performed before the establishment of the Local Legislature, any pension to which he may be entitled for past services can form no claim on the Colonial Funds.

Report with resolutions &c.

*Resolved*, that although the services of Mr. Broom and Mr. Phipard were performed in the colony and related entirely to colonial business, yet being before the establishment of the Local Legislature, and at a time when the whole of the Revenue of the Colony was remitted to and appropriated by the Government of the Mother Country, this country cannot justly be called on to provide pensions for them, more particularly when this committee consider, that not only almost the whole amount of the Revenue of the colony which his Majesty was graciously pleased to declare should be placed at the disposal of the Local Legislature, was, by an act of the Imperial Parliament, reserved and absorbed in the payment of the salaries of the higher officers of this Government, but that the Revenue arising from the rents and sales of ships' rooms and Crown lands,—which the Legislature had every reason to expect would have been placed under its controul—has been reserved to the sole appropriation of the Executive, and which last mentioned Revenue this committee consider might be rendered available for the objects at present under consideration.

*Resolved*, that it is the opinion of this committee that the claims of Matthew Stevenson, Clerk of the Peace at Harbor Grace, and William Martin, High Constable of the same place, being also for services performed before the establishment of the Local Legislature, are subject to the same considerations as those of Mr. Broom and Mr. Phipard.

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

Agreed to.

Mr. KOUGH, from the committee appointed to prepare the draft of a Bill for the better conduct of the fisheries of this Island, reported that the committee had prepared the draft of a Bill accordingly, and he presented the same to the House, and it was read a first time.

Fishery bill read 1st time

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

2nd reading.

Printed.

*Ordered*, that the said Bill be printed.

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

SATURDAY, MARCH 7, 1835.

Mr. Speaker lays before the House Petition of Thomas Williams, Inspector of Weights and Measures.

**M**R. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy transmitting, by command of his Excellency, a Petition of Thomas Williams, Inspector of Weights and Measures for the Central District, praying remuneration for his services, and the reimbursement of sundry expenses incurred by him in the discharge of his duty—which Petition his Excellency recommended to the favorable consideration of the House.

Read,—and

The said Petition was read by the Clerk and, thereupon,

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

Referred to committee of supply.

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

Draft code of Rules and Orders reported to the House.

Mr. MARTIN from the committee appointed to prepare a code of Rules and Orders for the guidance of the House, reported that the committee had prepared the draft of certain Rules and Orders accordingly, which they had directed him to report to the House.

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

Committed

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

for  
Monday next.

*Resolved*, that this House will, on Monday next, resolve itself into a committee of the whole House to consider of the said report.

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

Motion for Committee to prepare address upon Resolutions passed yesterday.

*Resolved*, that a committee be appointed to prepare an address to his Excellency the Governor, in compliance with the resolutions reported from the committee of the whole House yesterday, on the consideration of his Excellency's message of the 19th January, and Mr. Secretary Crowdy's Letter of the 23d January.

Committee.

*Ordered*, that Mr. Row, Mr. KOUGH, and Mr. PACK, do form such committee.

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

MONDAY, MARCH 9, 1835.

Petition of St. John's Factory committee presented and read.

**A**PETITION of the Ladies composing the committee for the management of the St. John's Factory, was presented by Mr. Carson, and the same was received and read, setting forth, that Petitioners having observed with concern the number of poor persons in this Town who were anxious to earn a livelihood for themselves and families, but are deprived of the means of so doing by the want of any Institution or Establishment wherein employment could be obtained during the inclement season of the year, and having been firmly convinced that gratuitous and indiscriminate charity is, in most cases, not only injurious to the individual relieved but pernicious to the general interests of society, did, by subscriptions and donations, in the year 1832, succeed in founding the St. John's Factory. That the good which the said institution has already done in promoting habits of industry, in suppressing mendicancy, and in relieving distress has been such as amply to reward the Petitioners for any trouble they may have taken in its institu-

tion—and when they see the spacious and comfortable building which has been erected, the number of poor men, women, and children, of every creed and country, who daily receive employment and shelter under its roof, and the great improvement which it has been the means of producing in the morals and conduct of many of their fellow creatures, they anxiously look forward to a continuance of its prosperity and usefulness. That Petitioners are apprehensive the voluntary contribution of the Inhabitants of St. John's will be unequal to the maintenance and support of the said institution, and they therefore pray the House to grant towards the support of the said institution such assistance as to the House may seem meet.

And the said Petition being read, Mr. CARSON thereupon stated, that his Excellency the Governor, being acquainted with the purport thereof, consents that the House proceed therein as they think fit.

*Ordered*, that the said petition do lie upon the Table.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the report of the select committee to prepare a body of Rules and Orders for the guidance of the House.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said Rules, and had agreed to the same—with the exception of two.

*Ordered*, that the said report be adopted.

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

Governor acquiesces therein.

To lie on the Table.

House in committee on Rules and Orders for the guidance of the House.

Report.

Adopted.

TUESDAY, MARCH 10, 1835.

**P**URSUANT to the order of the day, a bill to provide for the registration of deeds was read a second time.

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

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

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

Agreeably to the order of the day, a Bill to combine the office of Clerk of the Central Circuit Court with that of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices, was read a second time.

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

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

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

Mr. MARTIN gave notice that, to-morrow, he should move that this House do adjourn for one fortnight.

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

Registration of Deeds Bill read 2d time.

Committed.

Offices amalgamation Bill read 2d time.

Committed.

WEDNESDAY, MARCH 11, 1835.

**O**N motion of Mr. KOUGH, seconded by Mr. MARTIN,

Vacant seat bill read 2nd time.

*Ordered*, that the Bill to enable Members of this House to vacate their seats therein, under certain limitations, be now read a second time.

And the said Bill was read a second time accordingly,

Committed.

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

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

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

Sundry returns laid before the House.

Mr. **SPEAKER** laid before the House a letter from the honorable Mr. Secretary Crowdy, transmitting, by command of his Excellency the Governor, a Return of the Indictments, Informations, and Criminal Prosecutions, in the last Northern Circuit Court, at Harbor Grace, in compliance with the address of the House of the 31st January last.

The said return was read by the Clerk, and

*Ordered*, that the said letter and return do lie upon the Table to be perused by the Members.

Notice of motion for committee of Supply.

Mr. **KOUGH** gave notice that, to-morrow, he should move that the House do resolve itself into a committee of the whole House to consider further of a supply to be granted to his Majesty.

Resolution for House to adjourn for ten days.

Mr. **MARTIN** moved, pursuant to notice and seconded by Mr. **CARTER**, that from and after Monday next, this House do adjourn for ten days :—Which being put, and the House dividing thereon, there appeared for the motion, four ; against it, five ;

For the motion—

Against the motion—

House divide.

Mr. **CARTER**

Mr. **HOOPER**

— **MARTIN**

— **HOYLES**

— **KOUGH**

— **ROW**

— **PACK**

— **P. BROWN**

— **KENT.**

Negatived.

So it passed in the negative.

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

#### THURSDAY, MARCH 12, 1835.

Motion for 2nd reading of Law Society act.

**A** GREEABLY to the order of the day Mr. **KENT** moved, seconded by Mr. **PACK**, that the bill to repeal an act of the Parliament of this colony, entitled “ An act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of Law in this Island ” be now read a second time.

Mr. **ROW** moved in amendment and seconded by Mr. **HOYLES**, that the said bill be read a second time this day six months ;—which being put, and the House dividing thereon, there appeared for the amendment, six ; against it, five.

For the amendment—

Against the amendment—

House divide thereon.

Mr. **CARTER**

Mr. **CARSON**

— **MARTIN**

— **PACK**

— **HOOPER**

— **P. BROWN**

— **KOUGH**

— **KENT**

— **HOYLES**

— **POWER.**

— **ROW.**

So it passed in the affirmative, and

Amendment carried.

*Ordered*, accordingly.

Mr. CARSON gave notice that, at the commencement of the next session of this House, he should move for leave to bring in a bill to found and establish an Academy in this Island.

Notice of motion for next Session for bill to found an Academy.

Mr. P. BROWN gave notice that, to-morrow, he should move that the returns of Indictments and Criminal Prosecutions in the last Northern Circuit Court at Harbor Grace, be referred to a select committee to enquire into and report upon to the House.

Notice of motion for Northern Circuit Criminal Returns, to be referred to a select committee.

Mr. KOUGH gave notice that, to-morrow, he should move that the House do resolve itself into a committee of the whole House to consider of a supply to be granted to his Majesty.

Notice of motion for committee of supply.

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

FRIDAY, MARCH 13, 1835.

**O**N motion of Mr. CARSON, seconded by Mr. PACK,

*Resolved*, that a committee be appointed to search the Journals of the Legislative Council, to ascertain what proceedings have been had upon the several bills transmitted from this House to the Legislative Council during the present Session; and also to ascertain in what manner the sum voted during the last Winter Session for the contingencies of the Legislative Council have been appropriated.

Committee to search Journals of Council

*Ordered*, that Mr. CARSON and Mr. PACK do form such committee.

Appointed.

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

*Resolved*, that the returns of the indictments and criminal prosecutions in the last Northern Circuit Court, transmitted to this House by his Excellency the Governor, be referred to a select committee to examine into and report upon, with power to send for persons, papers, and records.

Northern Circuit Criminal Returns referred to select committee, with power, &c

*Ordered*, that Mr. PETER BROWN, Mr. CARSON, Mr. KOUGH, Mr. CARTER, and Mr. ROW, do form such committee.

Committee.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill to enable Members of this House to vacate their seats therein, under certain limitations.

House in committee on Members Vacant seat bill

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again this day six months.

Report.

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

House divide thereon.

For receiving the Report.

Against receiving the Report.

Mr. CARSON  
— HOYLES  
— CARTER  
— ROW  
— MARTIN  
— KENT.

Mr. KOUGH  
— PACK  
— HOOPER

So it passed in the affirmative.

*Ordered*, that the said committee have leave to sit again this day six months.

House in committee of supply.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a supply to be granted to his Majesty.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

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

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

SATURDAY, MARCH 14, 1835.

House in committee on amalgamation of offices Bill.

**A** GREEABLY to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill to combine the office of Clerk of the Central Circuit Court with that of the Supreme Court, and to make provision for the officer discharging the duties of the said office.

Mr. SPEAKER left the chair.

Mr. MARTIN took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had gone through the said Bill and had made some amendments therein, which they had directed him to report to the House; and he delivered the Bill with the amendments in at the Clerks table.

Amendments.

Agreed to.

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

Engrossed.

*Ordered*, that the said Bill as amended be engrossed.

3d. reading.

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

Order of the day read.

The order of the day for the House in committee of the whole on the Bill to provide for the registration of Deeds being read.

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

Postponed.

*Ordered*, that the said order of the day be postponed.

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

Notice of motion for wild fowl Bill.

Mr. CARTER gave notice that, on Tuesday next, he would move for leave to bring in a Bill, to protect the breeding of wild Fowl in this Island.

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

MONDAY, MARCH 16, 1835.

**O**N motion of Mr. PACK, seconded by Mr. CARTER,

House in committee of supply on Wednesday.

*Resolved*, that this House will, on Wednesday next, resolve itself into a committee of the whole House on the further consideration of a supply to be granted to his Majesty.

Mr. Row gave notice that, on Wednesday next, he would move for leave to bring in a Bill to amend the law respecting Writs of Attachment.

Notice of motion for Bill to amend attachment law.

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

*Ordered*, that the message of his Excellency the Governor relative to the memorials of Assistant Judge Brenton be referred to a committee of the whole House.

Petition of Judge Brenton referred to committee of the whole House.

*Resolved*, that this House will, on Wednesday next, resolve itself into a committee of the whole House on the consideration of the said message.

A Petition of Felix M'Carthy and others, Inhabitants of Carbonear, and its Vicinity, was presented by Mr. POWER, and the same was received and read, setting forth, that the Petitioners impressed with the obligation they are under of contributing to the support of a wise and economical government, beg, notwithstanding, most respectfully to represent to your honorable House, the hardship and injustice of any additional impost being now placed upon them when, in common with the other Inhabitants of the Island, they are suffering from a series of unsuccessful fishing seasons, and are rendered by the general depression of trade, totally unable to bear any further taxation—Petitioners beg, also, to submit to the House, that after the necessary retrenchments shall have been made in the Civil Expenditure; the Revenue of the Colony will be found more than commensurate to meet the exigencies of the Government—Petitioners, therefore, pray the House to levy no further taxation on the Colony.

Petition of Felix M'Carthy and others of Carbonear.

*Ordered*, that the said petition do lie upon the Table.

To lie on the Table.

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

WEDNESDAY, MARCH 18, 1835.

**M**R. ROW, pursuant to notice and leave granted, presented a Bill to amend the Law respecting Writs of Attachment, and the same was read a first time.

Bill to amend Law of attachment read 1st time.

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

2d reading.

A message from his Excellency the Governor.

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

Message from Governor transmitting

**MESSAGE.**

“H. PRESCOTT.”

The Governor transmits to the House of Assembly a Memorial which he has received from Mr. Blaikie, and recommends the claims of that Gentleman, founded on long and faithful services in the Colony, to the favourable consideration of the House.

Memorial of Mr. Blaikie.

Government House, }  
18th March, 1835. }

The Memorial accompanying the said message was read by the Clerk, and

Read.

*Ordered*, that the said message and memorial do lie upon the table.

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

- House in committee of supply. The House resolved itself into a committee of the whole House on the further consideration of a supply to be granted to his Majesty.
- Mr. SPEAKER left the chair.
- Mr. HOYLES took the chair of the committee.
- Mr. SPEAKER resumed the chair.
- Report. The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again.
- Ordered*, that the said Committee have leave to sit again.
- Order of the day read The order of the day for the House in committee of the whole House to take into consideration the message of his Excellency relative to the Memorial of Assstant Judge Brenton, being read,
- and On motion of Mr. Row, seconded by Mr. CARTER.
- Postponed *Ordered*, that the said order of the day be postponed.
- till To-morrow. *Resolved*, that this House will, to-morrow, resolve itself into the said committee.
- On motion of Mr. HOYLES, seconded by Mr. KOUGH,
- James Blaikie's petition, also, for consideration in committee to-morrow. *Resolved*, That this House will to-morrow, resolve itself into a committee of the whole House on the consideration of the message of his Excellency the Governor, transmitting to this House the Memorial of James Blaikie, Esquire.
- Then the House adjourned until to-morrow, at twelve of the clock.

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THURSDAY, MARCH 19, 1835.

- House in committee on Judge Brenton's Petition. **A** GREEABLY to the order of day, the House resolved itself into a committee of the whole House on the consideration of the Message of his Excellency the Governor of the 23d February last, transmitting to the House the Memorial of the Honourable Assistant Judge Brenton.
- Mr. SPEAKER left the chair.
- Mr. POWER took the chair of the committee.
- Mr. SPEAKER resumed the chair.
- Report. The Chairman reported from the committee that they had considered of the said Message of his Excellency, and had come to a resolution thereupon, which they had directed him to report to the House; and he read the same in his place, and afterwards delivered it in at the Clerk's table, where it was again read, and is as follows:—
- Resolution thereon *Resolved*, that this House, acting on the same principle as in the cases of Mr. Broom and Mr. Phipard, does not feel itself called on to provide pensions for officers whose services were performed for the Parent Government, before the establishment of a Local Legislature, and, therefore, cannot make any provision out of the Colonial Revenue for Assistant Judge Brenton.
- Agreed to. And the said resolution having been read throughout a first and second time was, upon the question put thereon, agreed to by the House.
- also upon James Blaikie's petition. Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Message of his Excellency the Governor, transmitting to this House the Memorial of James Blaikie, Esquire.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

*Ordered*, that the said Committee have leave to sit again.

The order of the day for the House to resolve itself into a committee of the whole on the bill to provide for the Registration of Deeds, being read,

On motion of Mr. CARTER,

*Ordered*, that the said order of the day be postponed.

*Resolved*, that this House will, on the 25th instant, resolve itself into a committee of the whole House, on the said bill.

Mr. P. BROWN gave notice that, to-morrow, he would move that a Message be sent to the Legislative Council requesting that they would grant permission to the Attorney General, one of their Members, to attend and be examined before the Special Committee of this House appointed to enquire into and report upon the return of Indictments and Criminal Prosecutions in the last Northern Circuit Court at Harbor Grace.

Mr. KENT gave notice that, to-morrow, in committee of the whole upon Supply, he would move to rescind the two votes passed in committee of supply yesterday.

Mr. HOYLES gave notice that, on Thursday next, he would move for leave to bring in a bill for the relief of old and disabled seamen and fishermen—their widows and orphans.

Mr. P. BROWN gave notice that, on Monday next, he would move for leave to bring in a bill to compensate Out-port Members for their expenses after this present Assembly is dissolved.

Mr. HOYLES gave notice that, on an early day, he would move that this House do resolve itself into a committee of the whole House to consider of Ways and Means.

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

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FRIDAY, MARCH 20, 1835.

**O**N motion of Mr. P. BROWN, seconded by Mr. KENT,

*Resolved*, that a Message be sent to the Honorable the Legislative Council to request that they will grant permission to the honorable the Attorney General, one of their Members, to come to a special committee of this House to whom it was referred to enquire into and report upon the documents lately laid before this House by his Excellency the Governor, relative to the number of Indictments and Criminal Prosecutions in the last Northern Circuit Court at Harbor Grace, to-morrow, at eleven o'clock in the forenoon—to be examined touching the same.

*Ordered*, that Mr. PETER BROWN; and Mr. CARSON, do communicate the said Message to the honorable the Legislative Council.

Mr. KENT gave notice that, to-morrow, he would move that the House do resolve itself into a committee of the whole House on the consideration of the general state of the Colony.

Report.

Order of the day read, and

Postponed to  
25th inst.

Notice of motion to ask leave of Council for the attendance of the Attorney General upon Special committee.

Notice of motion to rescind two votes passed in committee of supply.

Notice of motion for Hospital Bill.

Notice of motion for bill to obtain pay to Out-port Members.

Notice of motion for House to go into committee of Ways and Means.

Message sent to Council for the Attendance of Attorney General on Special Committee.

Notice of motion for House in committee on state of the Colony.

Notice of motion for committee of Supply.

Mr. PETER BROWN gave notice that he should, to-morrow, move that the House resolve itself into a committee of the whole on supply.

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

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SATURDAY, MARCH 21, 1835.

Report of committee to search Journals of Legislative Council.

**M**R. CARSON reported from the committee appointed to search the Journals of the Legislative Council relative to the proceedings had upon theseveral bills sent up to them during the present session—and also relative to the distribution and appropriation of the sum voted last year for the Contingencies of the Legislative Council,—and he read his report in his place, and afterwards delivered it in at the clerk's table, where it was read, and is as follows :—

The Bill for limiting the duration of Parliament—read three times, but re-committed for further amendment.

Bill to establish a Light House on Harbor Grace Island;—read a first and second time, and at present under consideration in committee.

Bill to prevent the using of caplin for manure in Conception Bay—read a third time and passed with amendments.

Bill to regulate the streets of the town of Carbonear,—read a third time and passed with amendments.

Bill to raise a further sum for completing the erection of Cape Spear Light House—read a third time and passed without any amendment.

Bill to regulate the office of Sheriff—read a first time March 5, and ordered to be read a second time that day six months.

Extract relative to the distribution of the sum voted for contingencies.

“ TUESDAY, 13th May, 1834.”

“ The Honorable WILLIAM THOMAS, from the select committee appointed to report upon the contingencies of this House, delivered his report which is as follows :

“ The select committee appointed to take into consideration the contingencies of this House, beg leave to report, that they have carefully examined the accounts of the Clerk, and of the Usher of the Black Rod, the former amounting to £76 17 10 Stg., and the latter to £51 5 8 Stg. making together £128 3 6 Stg. which they recommend to be paid. Your committee recommend the sum of £50 Sterling, to be paid to the Master-in-Chancery for his services—Your committee further recommend that that the Clerk, Usher of the Black Rod, and Doorkeeper of this House, be placed in point of emolument on a footing with the corresponding officers of the House of Assembly.

“ W. THOMAS,  
Chairman.”

“ Ordered, that the House be put into a committee of the whole on the said report.

“ The Honorable the Colonial Secretary took the chair.

“ After some time the House resumed.

“ The Chairman reported the said report with some amendments, which are as follow :—At the end of the said report insert as follows ; ‘ And ‘ that there be paid to the Clerk of this House, the sum of £150 sterling, ‘ to the Gentleman Usher of the Black Rod, the sum of £50 sterling, and ‘ to the Doorkeeper of this House, the sum of £20 sterling.’”

*Ordered*, that the said report, as amended, be adopted and that an account of the amount in gross be sent to the House of Assembly,"

*Ordered*, that the said report and extract do lie upon the Table.

Pursuant to the order of the day, a Bill to provide for the better conduct of the fisheries of this Island, was read a second time.

Fishery Bill read 2d time.

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

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

Committed.

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

Agreeably to the order of the day, a Bill to amend the Law respecting Writs of Attachment was read a second time.

Law of Attachment Bill read 2d time.

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

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

Committed.

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

*Ordered*, that the said Bill be printed.

Printed.

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

That the House do now resolve itself into a committee of the whole House, to take into consideration the general state of the Colony:—

Motion for House to go into committee on the state of the Colony.

Which, being put, Mr. P. BROWN, moved in amendment of the said motion, and seconded by Mr. KENT, that it be—

*Resolved*, that this Colony cannot bear any additional taxation";— which being put, and the House dividing thereon, there appeared for the amendment, two ; against it, eight.

Amendment thereon,

For the amendment.

Against the amendment.

House divide.

Mr. KENT.  
— P. BROWN.

Mr. CARSON  
— ROW.  
— KOUGH.  
— CARTER.  
— POWER.  
— HOYLES.  
— COZENS.  
— HOOPER.

So it passed in the negative.

Negated.

The original motion was then put, and the House dividing thereon, there appeared for the motion, three ; against it, seven.

Original motion moved.

For the motion.

Against the motion.

House divide.

Mr. KENT.  
— P. BROWN.  
— CARSON.

Mr. HOOPER.  
— CARTER.  
— COZENS.  
— ROW.  
— HOYLES.  
— POWER.  
— KOUGH.

So it passed in the negative.

Negated.

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

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

House in committee of supply.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

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

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

MONDAY, MARCH 23, 1835.

Notice of motion for committee of supply.

**M**R. CARSON gave notice that, to-morrow, he would move that the House do resolve itself into a committee of the whole House, to consider further of a supply to be granted to his Majesty.

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

TUESDAY, MARCH 24, 1835.

Notice of motion for Registration of Deeds Bill to go into committee.

**M**R. CARTER gave notice that, to-morrow, he would move that the House do resolve itself into a committee of the whole House, on the consideration of the Bill to provide for the Registration of Deeds.

Notice of motion for Bill to protect Wild Fowl.

Mr. CARTER, also, gave notice that, to-morrow, he should move for leave to bring in a Bill for the protection of wild Fowl.

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

House in committee of supply.

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

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had made some progress in the business to them referred, and come to certain resolutions thereupon, which they had directed him to report to the House whenever it shall be pleased to receive the same.

*Ordered*, that the said report be received tomorrow.

Notice of motion for 3d reading of amalgamation of offices Bill.

Mr. KOUGH gave notice that, to-morrow, he would move that the Bill for combining the office of Clerk of the Central Circuit Court with that of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices, be read a third time.

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

WEDNESDAY, MARCH 25, 1835.

Wild Fowl Bill read 1st time.

**M**R. CARTER, pursuant to notice and leave granted, presented a Bill for the preservation of wild Fowl, and the same was read a first time.

2d reading.

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

House in committee on Registration of Deeds Bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a Bill to provide for the Registration of Deeds.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

Adopted.

*Ordered*, that the said Bill as amended be engrossed.

Engrossed.

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

3d reading.

A message from the Honorable the Legislative Council by Mr. Robinson, one of the Masters in Chancery.

Message from Council,

with

*Mr. Speaker,*

The Legislative Council have passed the Bill sent up from the House of Assembly, entitled "an Act for raising a further sum of money for completing the erection of a Light House on Cape Spear," without any amendment.

Cape Spear Light House Bill, agreed to.

Also

The Legislative Council have also passed the Bill sent up from the House of Assembly entitled "an Act to regulate the Streets of the Town of Carbonear," with some amendments, to which the concurrence of the House of Assembly is requested.—Also, the Bill sent up entitled "An act to prevent the taking and using of caplin for manure in Conception Bay," with some amendments, to which the concurrence of the Commons House of Assembly is requested.

Carbonear Street Bill amended.

Also

Caplin Bill with amendments.

And then the Messenger withdrew.

The amendments made by the Legislative Council to the said Bill, entitled "an Act to regulate the Streets of the Town of Carbonear," were read a first time, and are as follows :

Amendments to Carbonear Street Bill read 1st time.

*Page 2, Line 2.* After the word "Commissioners" expunge the word "or" and insert "and."

— *4, Line 11.*—The same amendment.

At the end of the 2d clause, insert "and in case of the death, absence or resignation, of any of such Commissioners and Appraisers, it shall and may be lawful for the Governor, or acting Governor for the time being, by and with the advice of his Majesty's Council, to nominate and appoint a Commissioner and Appraiser, or Commissioners and Appraisers, in his or their stead, who shall have the like power and authority conferred by this act upon the other Commissioners and Appraisers."

Insert as the 4 Clause. And be it further enacted that if any ground taken for the purpose of widening the Main Street aforesaid shall so diminish the property of any of the said Proprietor or Proprietors of land as not to leave him or them a space of forty feet in breadth, fronting on the said Street, it shall then be lawful for the said Commissioners and Appraisers to compensate such Proprietor or Proprietors, and to assess for the same in like manner as if the ground had been taken into the cross streets or fire Breaks : Provided always that if the said Commissioners and Appraisers or a majority of them shall be of opinion, that any Proprietors of the said ground so required for the streets aforesaid, or any of them, may be indemnified at a less expense to the Proprietors in general, by having an equal portion of ground assigned to them from any ground adjoining, and that such adjoining ground may be taken without material injury to the Proprietor or Proprietors thereof, it shall be lawful and the said Commissioners and Appraisers or a majority of them are

required to mark off and in like manner to appraise so much of the said adjoining ground as they may think sufficient to replace the ground required for the said streets, and the same so marked off shall belong to the first mentioned Proprietors, and be instead and in lieu of all and every indemnity whatsoever, and the appraised value of the same shall be paid by the Proprietors and Tenants in general to the Proprietor or Proprietors from whom the same was respectively taken, and shall be as a full satisfaction and release of the same and of all right and title thereto.

*Ordered*, that the said amendments be read a second time.

Amendments to caplin Bill  
read 1st time.

The amendments made by the Legislative Council in and upon the said Bill entitled "An act for preventing the taking and using of caplin for manure in Conception Bay" were read a first time and are as follow :  
In the title, expunge the words "in Conception Bay."

In the preamble—between the words "*quantities*" and "*for*" expunge the words "out of the harbors and coves of Conception Bay"—and after the word "*fisheries*" expunge the words "of the said Bay."

*Section 1, Line 7.* Expunge the words "from or out of any of the harbors or coves of Conception Bay aforesaid" between the words "thereof" and "for."

————— *Line 12.* Expunge the words "from any of the coves or harbors of the said Bay," between the words "taken" and "be."

————— *Line 17.* Expunge the words "from any of the coves or harbors of the said Bay" between the words "taken" and "away."

*Ordered*, that the said amendments be read a second time.

Order of the day read.

The order of the day for the third reading of a Bill for combining the office of Clerk of the Central Circuit Court with that of Clerk of Supreme Court, and to make provision for the officer discharging the duties of the said offices, being read,

Motion to discharge the  
same.

Mr. KENT moved, seconded by Mr. BROWN, that the said order of the day be discharged, and that the said Bill be read a third time this day six months.

Amendment thereto.

Mr. KOUGH moved in amendment of the said motion, and seconded by Mr. HOYLES, that the said Bill be now read a third time :

House divide thereon.

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

For the amendment.

Mr. CARTER.

— COZENS.

— HOOPER.

— KOUGH.

— HOYLES.

Against the amendment.

Mr. KENT.

— POWER.

— P. BROWN.

Passed.

So it passed in the affirmative.

Read 3d time.

The said Bill was then read a third time, and thereupon,

Motion for expunging 2d  
clause.

Mr. KENT moved, seconded by Mr. POWER, that the second clause of the said Bill be expunged—which being put, and the House dividing thereon, there appeared for the motion, three ; against it, five.

House divide.

For the motion.

Mr. KENT.

— POWER.

— P. BROWN.

Against the motion.

Mr. HOOPER.

— CARTER.

— COZENS.

— HOYLES.

— KOUGH.

Negatived.

So it passed in the negative.

Mr. KOUGH then moved, seconded by Mr. Row, that the said Bill do pass—which being put, and the House dividing thereon, there appeared for the motion, five ; against it, three.

Motion that the bill do pass.

For the motion.

Mr. CARTER.  
— HOOPER.  
— KOUGH.  
— HOYLES.  
— COZENS.

Against the motion.

Mr. KENT.  
— P. BROWN.  
— POWER.

House divide thereon.

So it passed in the affirmative.

Agreed to.  
Title moved.

Mr KOUGH moved, seconded by Mr. CARTER, that the Bill be entitled “ An act for combining the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court and to make provision for the officer discharging the duties of the said offices.”

Mr. PETER BROWN, moved in amendment, and seconded by Mr. KENT, that the said bill be entitled “ An act to provide for Mr. Archibald, and for the purpose of dispossessing Mr. Blaikie of office which he has held for twenty eight years”—whereon the House divided, when there appeared for the amendment, three ; against it, five.

Amendment thereto.

For the amendment—

Mr. PETER BROWN  
— KENT  
— POWER

Against the amendment—

Mr. CARTER.  
— HOYLES  
— KOUGH  
— COZENS  
— HOOPER.

House divide.

So it passed in the negative.

Negatived.

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

Original motion carried.

*Ordered*, that the bill be entitled “ An act to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices.”

Title.

*Ordered*, that Mr. KOUGH do carry the bill up to the Honorable the Legislative Council and desire their concurrence.

Sent to Council.

A Message from the Legislative Council by Mr. Robinson, one of the Masters in Chancery.

Message from Council.

*Mr. Speaker,*

The Legislative Council have passed the bill sent up to them by the Commons House of Assembly, entitled “ An act to limit the duration of the Parliaments of this colony,” with some amendments to which the concurrence of the House of Assembly is requested.

Limitation of Parliament bill passed with amendments.

And then the Messenger withdrew.

The Amendments made by the Legislative Council to the said bill were then read a first time, and are as follow ;

The said amendments read 1st time.

*Section 2, Line 6.* Between the words “ *shall*” and “ *have*” insert the words “ notwithstanding the demise of the Crown.”—Between the words “ *continuance*” and “ *for*” expunge the word “ *only*.”

—— *Line 7.* Between the words “ *years*” and “ *to*” expunge the words “ *at the farthest.*”

*Line 9.* Between the words “ *Majesty*” and “ *such*” expunge the words “ *or of the Governor or Acting Governor of Newfoundland.*”

Add to the 2nd Section the following words—“ *Provided always, that nothing herein contained shall extend to or be construed to extend to prevent his Majesty his heirs or successors from dissolving any such Assembly should he or they deem it expedient so to do.*”

2nd reading.  
Order of the day read, and

*Ordered*, that the said amendments be read a second time.  
The order of the day for receiving the report of the committee of the whole House on supply, being read,

Postponed

On motion of Mr. CARTER, seconded by Mr. HOYLES,  
*Ordered*, that the said report be received to-morrow.  
Then the House adjourned until to-morrow, at twelve of the clock.

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THURSDAY, MARCH 26, 1835.

Hospital Bill read 1st time

**M**R. HOYLES, pursuant to notice and leave granted, presented a bill for the relief of sick and distressed seamen and fishermen, their widows and children, and the same was read a first time.

Referred to select committee.

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

*Ordered*, that the said bill be referred to a select committee to examine into and report thereon, with power to send for persons, papers and records.

Committee.

*Ordered*, that Mr. CARSON, Mr. POWER, Mr. ROW, Mr. KENT, Mr. KOUGH, Mr. HOOPER, Mr. P. BROWN, Mr. COZENS, and Mr. CARTER, do form the said committee.

Report of committee of supply.

Mr. HOYLES from the committee of the whole House on the consideration of a supply to be granted to his Majesty reported, according to order, the Resolutions of the said committee, and he read the report in his place, and afterwards delivered it in at the clerk's table, where it was again read, and is as follows :—

1.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Two hundred Pounds, Sterling, be granted to his Majesty, towards defraying the salary of the Clerk of the Council from the *first* day of *April, One Thousand Eight Hundred and Thirty-five*, to the *Thirty-first* day of *March, One Thousand Eight hundred and Thirty-Six*, inclusive.

2.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Four hundred and Fifty pounds, Sterling, be granted to his Majesty towards defraying the salaries of two clerks in the Colonial Secretary's office, for the same period.

3.—*Resolved*, that it is the opinion of this committee that a sum not exceeding One hundred and Five pounds, Sterling, be granted to his Majesty towards the salaries of an Office-keeper, and of a Messenger in the Secretary's Office, for the same period.

4.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Three hundred pounds, Sterling, be granted to his Majesty towards defraying the salary of Clerk of the Supreme Court, for performing the duties of Clerk of the Central Circuit Court, for the same period.

5.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Two hundred pounds, Sterling, be granted to his Majesty towards defraying the salary of the Clerk of the Northern Circuit Court, for the same period.

6.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Fifty pounds, Sterling, be granted to his Majesty towards defraying the salary of the Clerk of the Southern Circuit Court, for the same period.

7.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Sixty pounds, Sterling, be granted to his Majesty towards

defraying the salary of the Crier and Tipstaff of the Supreme Court, for the same period. Report, &c

8.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Thirty-six pounds, Sterling, be granted to his Majesty towards defraying the salary of the Gaoler at St. John's, for the same period.

9.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Five hundred pounds, Sterling, be granted to his Majesty towards defraying the salaries of two Police Magistrates at St. John's, for the same period.

10.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Two hundred pounds, Sterling, be granted to his Majesty towards defraying the salaries of six Police Constables at St. John's, for the same period.

11.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Eight hundred and Ten pounds, Sterling, be granted to his Majesty towards defraying the salaries of Magistrates, Gaolers and Constables in the Outports, for the same period, according to the following detail :—A Chief Magistrate at Harbor Grace, £120. A Stipendiary Magistrate to reside on the North side of the Harbor of Carbonear, £90. A Stipendiary Magistrate to reside at Brigus, or Port de Grave, £90. A Clerk of the Peace for Conception Bay, and as a compensation for conducting Civil and Criminal Prosecutions there, £50. The Gaoler at Harbor Grace, £30. The Chief Constables of Conception Bay £30. Two Constables at Harbor Grace, £40. Two Constables at Carbonear, £40. Two Constables at Brigus, and Port de Grave, £36. A Constable at Western Bay, £12. A Constable at Harbor Main, £12. The Gaoler at Burin, £20. A Constable at the same place, £10. The Gaoler at Placentia, £20. A Constable at the same place, £10. The Gaoler at Ferryland, £20. A Constable at the same place, £10. The Gaoler at Trinity, £20. Two constables at the same place, £25. Two Constables at Bonavista, £25. A Constable at Greenspond, £15. Three Constables at Twillingate, and Fogo, £35. Two Constables at Trepassey, and St. Mary's, £20. Two Constables at Fortune Bay, £20. And one constable at Bay Bulls, £10.

12.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Three hundred and Thirty Pounds, Sterling, be granted to his Majesty, towards defraying the salary of the Colonial Treasurer, for the same period.

13.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Two hundred and Fifty pounds, Sterling, be granted to his Majesty, towards defraying the Attorney General's Fees, for the same period.

14.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Fifty pounds, Sterling, be granted to his Majesty towards defraying the pension of William Armstrong, for the same period.

15.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Three hundred pounds, Sterling, be granted to his Majesty towards defraying the expense of Printing, Advertising, Stationery, &c. for the same period.

16.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Five hundred pounds, Sterling, be granted to his Majesty towards defraying the expense of Civil and Criminal Prosecutions, for the same period.

17.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Five hundred and Fifty pounds, Sterling, be granted to his Majesty towards defraying the expenses of Gaols throughout the Island, for the same period.

Report, &c.

18.—*Resolved*, that it is the opinion of this committee that a sum not exceeding One hundred pounds, Sterling, be granted to his Majesty towards defraying the expenses of Coroners throughout the Island, for the same period.

19.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Five hundred Pounds, Sterling, be granted to his Majesty towards defraying the expense of relieving the poor of the Island, for the same period,

20.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Two hundred pounds, sterling, be granted to his Majesty towards defraying the expense of Fuel and Light, for the same period.

21.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Eighty pounds, Sterling, be granted to his Majesty towards defraying the expense of postages and other incidentals, for the same period.

22.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Two hundred and Fifty pounds, Sterling, be granted to his Majesty towards defraying the expense of the repairs of Government Buildings for the same period.

23.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding One hundred pounds, Sterling, be granted to his Majesty towards defraying the expense of the repairs of the Gaols at St John's and Harbor Grace, for the same period.

24.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Two hundred and Thirty pounds, Sterling, be granted to his Majesty towards defraying the expense of the conveyance of the Judges on the Circuit, for the same period.

25.—*Resolved*, that it is the opinion of this Committee that a sum not exceeding Ten pounds, Sterling, be granted to his Majesty towards remunerating the Constable at Brigus for his services during the last year.

26.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Six pounds, six shillings, Sterling, be granted to his Majesty towards remunerating the Constables for superintending convicts at hard labour, during the past year ;—and that a further sum not exceeding Sixty-two pounds, ten shillings, Sterling, be granted to his Majesty towards defraying the expense of superintending convicts at hard labour, during the present year.

27.—*Resolved*, that it is the opinion of this committee that a sum not exceeding One hundred and Seventy-four pounds, thirteen shillings and five pence, Sterling, be granted to his Majesty towards defraying the expense of certain repairs and alterations of the Gaol at St. John's, made during the past year, and unprovided for.

28.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Thirty-seven pounds, two shillings, sterling, be granted to his Majesty towards remitting to James B. Wood, certain Colonial duties paid by him on the importation of a quantity of Madeira Wine, agreeably to the prayer of his petition,

29.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Thirty-five pounds, eleven shillings, and ten pence, sterling, be granted to his Majesty towards compensating Thomas Williams, Inspector of weights and measures for the Central District, for his services during the past year, and for sundry expenses incurred by him as such Inspector of weights and measures.

30.—*Resolved*, that it is the opinion of this committee that there be

granted to his Majesty towards defraying the expense of the attendance of such of the Members of the House of Assembly representing Outports as do not reside in the town of St. John's, the sum of One pound, sterling, per diem, for every day's attendance of each of the said Members in the House of Assembly—provided the same shall not exceed the number of forty-two days attendance in the whole.

Report, &c.

31.—*Resolved*, that it is the opinion of this committee that a sum not exceeding One hundred pounds, sterling, be granted to his Majesty towards defraying the expense of importing the Standard of Weights and Measures required by the Act 4, Wm. IV. cap. 9.

32.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Five hundred pounds, sterling be granted to his Majesty towards defraying the expense of unforeseen contingencies, for the present year.

And the *first* to the *nineteenth* of the said Resolutions being again read, and the question of concurrence being severally put thereon, the same were agreed to by the House.

1st to 19th resolution agreed to.

And the said Nineteenth Resolution being again read—Mr. KENT moved, seconded by Mr. P. BROWN, that the same be not agreed to:—which being put, and the House dividing thereon, there appeared for the motion, six; against it, four.

Motion for expunging 19th resolution.

For the motion.

Against the motion.

House divide thereon.

Mr. CARTER.

Mr. COZENS.

— HOOPER.

— KOUGH.

— POWER.

— HOYLES

— P. BROWN.

— ROW.

— KENT.

— CARSON.

So it passed in the affirmative, and

Agreed to.

*Ordered* that the said nineteenth resolution be not agreed to.

And the *twentieth* to the *twenty-second* of the said resolutions being again read, and the question of concurrence being separately put thereon, the same were agreed to by the House.

20th to 22nd agreed to.

And the said *twenty-second* resolution being again read,—Mr. KENT moved, seconded by Mr. P. BROWN, that the same be not agreed to,—which being put, and the House dividing thereon, there appeared for the motion, four; against it, six.

Motion for expunging 22d resolution.

For the motion—

Against the motion—

Mr. PETER BROWN

Mr. CARTER

— KENT

— HOYLES

— POWER

— KOUGH

— CARSON

— COZENS

— HOOPER

— ROW.

House divide thereon.

So it passed in the negative.

Negated.

The said *twenty-second* resolution was then, upon the question put thereon, agreed to by the House.

And the said *twenty-third* resolution being again read, was, upon the question put thereon, agreed to by the House.

23d agreed to.

And the said *twenty-fourth* resolution being again read—Mr. HOYLES moved, seconded by Mr. ROW, that the words "two hundred and thirty" in the said resolution be struck out, and the words "three hundred and thirty" be substituted in lieu thereof.

Amendment to 24th moved.

Which, being put, passed in the negative.

The said *twenty-fourth* resolution was then, upon the question put thereon, agreed to by the House.

25th to 32d agreed to.

And the *twenty-fifth* to the *thirty-second* of the said resolutions being again read were, upon the question separately put thereon, agreed to by the House.

Committee to draft a Bill upon the resolutions

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

*Resolved*, that a committee be appointed to draft a bill in conformity with the said resolutions as agreed to by the House.

Committee.

*Ordered*, that Mr. HOYLES, Mr. KENT, Mr. HOOPER, Mr. Row, and Mr. KOUGH, do form the said committee.

Petition of James B. Wood referred to select committee.

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

*Resolved*, that the Petition of James B. Wood, be referred to a select committee to examine into and report thereon to the House, with power to send for persons, papers and records.

Committee.

*Ordered*, that Mr. CARTER, Mr. KOUGH, Mr. P. BROWN, Mr. KENT, and Mr. HOYLES, do form the said committee.

Notice of motion for Bill to amend Harbor Grace street act.

Mr. P. BROWN, gave notice that, to-morrow, he would move for leave to bring in a Bill to alter the act in amendment of the act to regulate the Streets of the Town of Harbor Grace.

Notice of motion for House in committee on ways and means.

Mr. HOYLES gave notice that, on Monday next, he would move that the House do resolve itself into a committee of the whole House on the consideration of Ways and Means.

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

House in committee on Fishery Bill for Saturday.

*Resolved*, that this House will, on Saturday next, resolve itself into a committee of the whole House on the consideration of the Bill to provide for the better conduct of the Fisheries of this Island.

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

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### FRIDAY, MARCH 27, 1835.

Registration of Deeds Bill read 3d time.

**P**URSUANT to the order of the day, an engrossed Bill for the registration of Deeds was read a third time.

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

Passed.

*Resolved*, that the said Bill do pass and, that the title be "An act to provide for the registration of Deeds and to repeal so much of an act of the Imperial Parliament entitled "An act for the better administration of Justice in Newfoundland and for other purposes" as relates to the registration of Deeds.

Title.

*Ordered*, that Mr. CARTER do carry the said Bill up to the Honorable the Legislative Council and desire their concurrence.

Sent to Council

Agreeably to the order of the day, a Bill for the preservation of Wild Fowl was read a second time.

Wild Fowl Bill read 2d time.

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

Committed.

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

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

Bill to amend Harbor Grace Street Act read 1st time.

Pursuant to notice and leave granted, Mr. P. BROWN, presented a Bill to amend the act in amendment of the act to regulate the streets of the Town of Harbor Grace, and the same was read a first time

2d reading.

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

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

The amendments made by the Legislative Council to the Bill entitled "An act to regulate the streets of the Town of Carbonear."

Amendments to Carbonear street act amendment Bill,

Also, the amendments made by the Legislative Council in the Bill entitled "An act to limit the duration of the Parliaments of this Colony."

Duration of Parliament Bill,

Also, the amendments made by the Legislative Council in the Bill entitled "An act to prevent the taking and using of caplin for manure in Conception Bay," were severally read a second time.

and  
Caplin Bill,

read 2d time,

and

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

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

Referred to committee of the whole House.

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

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

SATURDAY, MARCH 28, 1835.

**T**HE order of the day for the House in committee of the whole House on the consideration of the Bill to provide for the better conduct of the fisheries of this Island, being read,

Order of the day read

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

*Ordered*, that the said order of the day be postponed.

and

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

Postponed to

Thursday next.

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

MONDAY, MARCH 30, 1835.

**A**GREEABLY to the order of the day, a Bill in alteration of an act to amend an act to regulate the streets of the Town of Harbor Grace, was read a second time.

Bill to amend Harbor Grace street act read 2nd time.

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

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

Committed.

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

Mr. HOYLES gave notice that, to-morrow, he should move that the House do resolve itself into a committee of the whole upon Ways and Means, of which he had given notice for to-day.

Notice of motion for to-morrow on ways and means.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the amendments made by the Council in the Bill entitled "An act to limit the duration of the Parliaments of this Colony."

House in committee on duration of Parliament Bill.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The chairman reported from the committee that they had gone through the said amendments and had agreed to the same.

Report.

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

House in committee on amendments to Carbonear Street Bill

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the amendments made by the Council in the Bill entitled "An act to regulate the streets of the Town of Carbonear."

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The chairman reported from the committee that they had gone through the said amendments and had agreed to the same.

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

And on amendments to Caplin Bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the amendments made by the Council in the Bill entitled "An act to prevent the taking and using of caplin for manure in Conception Bay."

Mr. SPEAKER left the chair.

Mr. CARSON took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had gone through the said amendments and had agreed to the same.

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

3d reading.

A message from the Honorable the Legislative Council, by Mr. Robinson, one of the Masters in Chancery.

Message from Council,

*Mr. Speaker,*

Harbor Grace Island Light House Bill passed with amendments.

The Legislative Council have passed the bill sent up to them from the Commons House of Assembly, entitled "An act for establishing a Light House on Harbor Grace Island" with some amendments, to which the concurrence of this House is requested.

And then the Messenger withdrew.

Amendments read 1st time

The amendments made by the Council in the said bill were then read a first time.

2d reading.

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

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

Attachment Bill to be considered to-morrow.

*Resolved*, that this House will, to-morrow, resolve itself into a committee of the whole House, to consider of the bill to amend the Law of Attachment.

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

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## TUESDAY, MARCH 31, 1835.

Amendments to the Bill to limit the duration of Parliament read 3d time.

**A**GREEABLY to the order of the day, the amendments made by the Council in the bill entitled "An act to limit the duration of the Parliaments of this Colony," were read a third time.

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

*Resolved*, that the said amendments do pass.

Amendments passed.

Council acquainted thereof.

*Ordered*, that Mr. CARSON do carry the said Bill up to the Honorable the Legislative Council and acquaint them that this House have concurred in the said amendments.

Amendments to Carbonear street Bill read 3d time, and

Pursuant to the order of the day, the amendments made by the Legislative Council in the bill entitled "An act to regulate the streets of the town of Carbonear," were read a third time.

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

*Resolved*, that the said amendments do pass.

Passed.

*Ordered*, that Mr. P. BROWN do go up to the Honorable the Legislative Council and acquaint them that this House have concurred in the said amendments.

Council acquainted thereof.

Agreeably to order, the amendments made by the Council in the bill entitled "An act for preventing the taking and using of caplin for manure in Conception Bay," were read a third time, and thereupon,

Amendments to caplin Bill read 3d time.

Mr. KOUGH moved, seconded by Mr. KENT, that a conference be requested with the Council on the subject of the said amendments ;—

Motion that conference be desired thereon.

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

For the motion—

Against the motion—

House divide.

Mr. KOUGH  
— KENT  
— CARSON.

Mr. PETER BROWN.  
— HOYLES  
— POWER  
— COZENS  
— HOOPER  
— ROW.

So it passed in the negative.

Motion negatived.

Mr. P. BROWN then moved, seconded by Mr. COZENS, that the said amendments do pass,—

Motion for passing them.

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

For the motion.

Against the motion.

House divide.

Mr. COZENS.  
— HOOPER.  
— POWER  
— P. BROWN.  
— ROW.  
— HOYLES.

Mr. CARSON.  
— KOUGH.  
— KENT.

So it passed in the affirmative, and

*Resolved*, that the said amendments do pass.

Amendments passed.

*Ordered*, that Mr. POWER do go up to the Honorable the Legislative Council and acquaint them that this House have concurred in the said amendments.

Council acquainted thereof.

Mr. CARSON reported from the select committee to whom was referred the bill for the relief of sick and disabled seamen and fishermen, that they had gone through the said bill, and had made several amendments therein, which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's table

Report of committee on the Hospital Bill.

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

2d reading.

Pursuant to the order of the day, the amendments made by the Council in the bill entitled "An act for establishing a Light House on Harbor Grace Island" were read a second time.

Amendments to Harbor Grace Island Light House Bill read 2d time.

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

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

Committed.

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

For to-morrow.

A petition of George Thorne and others, inhabitants of the town of Harbor Grace, was presented by Mr. P. BROWN, and the same was received and read, setting forth, that the petitioners have seen in the "Mercury," newspaper, the copy of a bill now before the House relating

Petition of George Thorne and others presented and read.

to the Harbor Grace street acts ; and having maturely weighed and considered its provisions, and the present circumstances of the people, are of opinion that so much of the present Law as establishes and relates to another Fire Break marked out through certain land in the said Town, formerly occupied by Mr. William Innott and known as part of Pynn's Estate, should also be abolished—Petitioners therefore pray, that the House will be pleased to repeal so much of the act 4, William 4 cap 2 as authorizes the establishment of the said Fire Break.

Referred to committee on Harbor Grace street act.

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

*Ordered*, that the said Petition be referred to the committee of the whole House upon the Bill to alter the act in amendment of the act to regulate the streets of the Town of Harbor Grace.

Notice of motion for statement of Salaries of officers and contingencies of the Legislative Council.

Mr. P. BROWN gave notice that, to-morrow, he should move that a message be sent to the Legislative Council requesting that they will furnish this House with a statement of the salaries of the officers and of the contingencies of their House.

House in committee on Game Bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the Bill for the preservation of wild fowl.

Mr. SPEAKER left the chair.

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

Bill reported with amendments.

Mr. SPEAKER resumed the chair.

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

Report adopted.

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

Bill engrossed.

*Ordered*, that the said Bill as amended be engrossed.

3d reading.

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

Account of contingencies laid before the House.

Mr. SPEAKER laid before the House the Clerk's account of the contingent expenses of his office during the vacation ; and also an account of contingencies during the present Session.

Order of the day read.

The order of the day for the House to resolve itself into a committee of the whole House on the consideration of the Bill to amend the Law of Attachment being read—

Motion to discharge the order of the day.

Mr. KENT moved, seconded by Mr. CARSON, that the said order of the day be discharged, and that the said Bill be read a third time this day six months :—whereon the House divided, when there appeared for the motion, three ; against it, seven ;—

House divide.

For the motion.

Against the motion.

Mr. KENT.

Mr. POWER.

— P. BROWN.

— KOUGH.

— CARSON.

— HOYLES.

— ROW.

— HOOPER.

— CARTER.

— COZENS.

Motion negatived.

So it passed in the negative.

House in committee on the Attachment Bill.

On the question being put, the House then resolved itself into a committee of the whole House on the consideration of the said Bill.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

And the chairman reported from the committee that they had made some progress, and had directed him to move for leave to sit again.

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

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

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

Progress.

Leave to sit again to-morrow.

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WEDNESDAY, APRIL 1, 1835.

**A**GREEABLY to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the Bill to amend the Law of Attachment.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

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

*Ordered*, that the said Bill as amended be engrossed.

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

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

*Resolved* that a select committee be appointed to examine and report upon the Clerk's account of the contingencies.

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

The order of the day for the House to resolve itself into a committee of the whole House on the consideration of the Bill to alter the act in amendment of the Harbor Grace street act; being read;

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

*Ordered*, that the said order of the day be postponed.

*Resolved*, that this House will, to-morrow, resolve itself into the said committee.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the amendments made by the Council in the Bill entitled "An act to establish a Light House on Harbor Grace Island."

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

And the chairman reported from the committee that they had considered of the said amendments, and had directed him to report that they were of opinion that a conference should be requested with the Council on the subject of the said amendments.

*Resolved*, that the said report be adopted.

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

House in committee on the Attachment Bill.

Bill reported with amendments.

Amendments adopted.

Bill engrossed.

3d reading.

Committee to report upon Contingencies.

Order of the day for committee of whole House on Harbor Grace Street Bill read,

And postponed until to-morrow.

House in committee on amendments to Harbor Grace Island Light House Bill.

Report.

Conference to be desired with the Council.

Adopted.

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THURSDAY, APRIL 2, 1835.

*Present,*

**M**R. SPEAKER, Mr. CARTER, Mr. HOOPER, Mr. P. BROWN, and Mr. POWER.

SO Mr. SPEAKER, adjourned the House for want of a Quorum.

No Quorum.

House adjourned.

FRIDAY, APRIL 3, 1835.

Wild Fowl Bill read a 3d time.

**A**GREEABLY to the order of the day, an engrossed Bill for the preservation of wild fowl was read a third time.

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

Passed. *Resolved*, that the said Bill do pass and that the title be "An act for the protection of the breeding of hares, and wild Fowl."

Title.

Sent to Council.

*Ordered*, that Mr. CARTER do carry the said Bill up to the Honorable the Legislative Council and desire their concurrence.

Attachment Bill read a 3d time.

Agreeably to the order of the day, an engrossed Bill to amend the law of attachment was read a third time.

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

Passed. *Resolved*, that the said Bill do pass and that the title be "An act to amend the Law of Attachment and to facilitate the recovery of debts from absent or absconding debtors."

Title.

Sent to Council.

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

Report of committee upon the Contingencies.

Mr. P. BROWN reported from the select committee appointed to report upon the contingencies of the House, and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read, and is as follows :

The select committee appointed to report upon the contingencies of your Honorable House, have examined the several accounts and vouchers laid before them, and beg leave to report as follows :

*Last Winter Session, 1834.*

John Shea, short estimated and unpaid for printing and binding Journals.....	£69	6	8	
Perchard & Boag, account for sundries unpaid:	3	6	3	
				72 12 11

*September Session, 1834.*

John Shea, printing Bills and Estimates.....	} £29	16	11	
printing and binding Journals..				
Ryan & Withers, account for copies of acts &c.	3	15	6	
Henry Winton, account for Stationery.....	1	10	1	
William Freeman, account for Carpenters Repairs.....	2	3	0	
Charles Simms, account for Furniture & Books.	9	12	4	
				46 17 10

*Present Session.*

Estimate for printing and binding Journals...	£120	0	0	
John Shea, account for printing Bills &c....	30	0	0	
ditto for Stationery.....	12	3	6	
Henry Winton, account for binding &c....	2	5	11	
William Freeman, account for Carpenter's Work.....	11	5	0	
Thomas M'Grath, Smith's Work.....	1	6	5	
Proportion of Fuel.....	15	0	0	
Richard Perchard, Housekeeper.....	10	0	0	
John Cox, extra Doorkeeper.....	15	0	0	
To the Clerk to defray the expense of copying Clerks.....	50	0	0	
				267 0 10

£386 11 7

In reference to the balance due for the printing and binding of the Journals of the last Winter Session, your committee beg to report that they have examined the Clerk of the House and the Printer, from whom it appears that the Printer was called on to give in his Estimate on the 24th of April, at which time the Journal and Documents composing the Appendix were scarcely half completed, as the Legislature was not prorogued until the 12th of June, and he was consequently quite ignorant of the amount of work which he would be required to perform: Your committee have however the satisfaction of stating, that, on enquiry, they find the charges of Mr. Shea are very considerably lower than those made by other Printers for similar work. Your committee have examined and find the other accounts correct—all which is submitted to the favorable consideration of the House.

PETER BROWN, *Chairman.*

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

*Ordered*, that the said report be referred to a committee of the whole House on the consideration of Supply.

Referred to committee of Supply.

Pursuant to order, a bill for the relief of sick and distressed seamen and fishermen was read a second time.

Hospital Bill read 2d time

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

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

Committed.

*Ordered*, that the said bill be printed.

The order of the day for the House to resolve itself into a committee of the whole on the Harbor Grace Street Bill, being read,

Order of day for committee on Harbor Grace street act,

*Ordered*, that the said order of the day be postponed.

Postponed

*Resolved*, that this House will, to-morrow, resolve itself into the said committee.

until to-morrow.

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

*Resolved*, that a conference be requested with the Legislative Council on the subject of their amendments to the bill entitled "An act for establishing a Light House on Harbor Grace Island."

Conference to be requested with Council on amendments to Harbor Grace Island Light House Bill.

*Ordered*, that Mr. P. BROWN, Mr. POWER, Mr. KOUGH and Mr. KENT, be a committee to prepare reasons to be offered at the said conference for disagreeing to the said amendments.

Committee to prepare reasons, &c.

The order of the day for the House to resolve itself into a committee of the whole on the bill to provide for the better conduct of the fisheries being read;

Order of the day read.

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

*Ordered*, that the said order of the day be postponed.

Postponed.

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

*Resolved*, that this House do now resolve itself into a committee of the whole to consider further of a Supply to be granted to his Majesty.

House in committee of Supply.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

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

*Ordered*, that the Message of his Excellency the Governor, transmitting to this House the petition of James Blaikie, be referred to the committee of Supply.

Mr. Blaikie's Petition referred to committee of Supply.

Notice of motion for Monday on Ways and Means.

Mr. HOYLES gave notice that, on Monday next, he should move that this House do resolve itself into a committee of the whole House to consider of Ways and Means.

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

SATURDAY, APRIL 4, 1835.

Order of day read

**T**HE order of the day for the House in committee of the whole House on the consideration of the bill to amend the Harbor Grace Street Act, being read,

Motion for its adoption

Mr. P. BROWN moved, seconded by Mr. POWER, that the House do now resolve itself into the said committee ;

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

House divide.

For the motion.

Against the motion.

Mr. COZENS.

Mr. CARTER

— HOOPER.

— KOUGH.

— KENT.

— HOYLES

— POWER

— ROW.

— P. BROWN.

Passed

So it passed in the affirmative, and the House accordingly resolved itself into the said committee,

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred.

Mr. P. BROWN, seconded by Mr. KENT, moved that it be

To sit again on Monday next.

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

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

House divide

For the motion—

Against the motion—

Mr. PETER BROWN

Mr. KOUGH

— KENT

— HOYLES

— COZENS

— ROW.

— POWER

— CARTER.

— HOOPER.

Passed

So it passed in the affirmative, and

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

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

MONDAY, APRIL 6, 1835.

**O**N motion of Mr. P. BROWN, seconded by Mr. KENT,

*Ordered*, that Mr. P. BROWN have leave of absence for ten days, to attend to his private business.

Ten days absence granted to a Member.

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

*Ordered*, that Mr. KENT be added to the committee appointed to enquire into the return of Informations and prosecutions on the Crown side of the last Northern Circuit Court.

Mr. Kent added to the committee on Crown Prosecutions.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the bill to amend the Harbor Grace Street Act.

House in committee on Harbor Grace street act.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without any amendment.

Report

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

House divide

For the report.

Against the report.

Mr. COZENS.  
— HOOPER.  
— KENT.  
— POWER  
— P. BROWN.  
— CARSON.

Mr. CARTER  
— KOUGH.  
— HOYLES  
— ROW.

So it passed in the affirmative, and

*Resolved*, that this House concurs with the committee in the said report.

Report adopted.

*Ordered*, that the said bill be engrossed.

Engrossed.

The order of the day for the House in committee of the whole House on the consideration of Ways and Means, being read,

Order of day read

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

*Ordered*, that the said order of the day be postponed.

*Resolved*, that this House will, to-morrow, resolve itself into the said committee, and that it be the first item on the order of the day.

Mr. COZENS gave notice that, on Wednesday next, he would move for leave to bring in a bill to amend the act for repairing roads and bridges.

Notice of motion for bill to amend road act.

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

TUESDAY, APRIL 7, 1835.

**P**URSUANT to the order of the day the House resolved itself into a committee of the whole House on the consideration of ways and means.

House in committee on Ways and Means.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

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

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WEDNESDAY, APRIL 8, 1835.

Bill to amend road act,  
read 1st time.

**P**URSUANT to notice and leave granted, Mr. COZENS presented a bill to amend the act for the making and repairing of Roads and Highways in this Island, and the same was read a first time.

2nd reading.

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

House in committee on  
Ways and Means.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of Ways and Means.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had come to certain resolutions thereon, which they had directed him to report to the House; and he read the resolutions in his place and afterwards delivered them in at the Clerk's table, where they were again read, and are as follow;—

Resolutions thereon.

*Resolved*, that it is the opinion of this committee that it is expedient and necessary to raise an additional Revenue.

*Resolved*, that it is the opinion of this committee that a duty equal to two and a half per cent. *ad valorem*, be levied on all articles imported into this Colony, except Wines, Spirits and Molasses.

Agreed to.

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

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

Committee to prepare bill  
thereon.

*Resolved*, that a committee be appointed to prepare the draft of a Bill in conformity with the said Resolutions.

*Ordered*, that Mr. HOYLES, Mr. CARSON, and Mr. ROW, do form such committee.

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

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THURSDAY, APRIL 9, 1835.

Amended road act bill  
read 2d time.

**P**URSUANT to the order of the day, a Bill to amend the act for making and repairing of roads and highways was read a second time.

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

Committed for

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

to-morrow.

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

Bill on Ways & Means  
reported & read 1st time.

Mr. HOYLES reported from the select committee appointed to draft a

Bill in pursuance of the Resolutions of the committee of the whole House on Ways and Means, and he presented the draft of a Bill to the House accordingly; and the same was received and read a first time.

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

*Ordered*, that the said Bill be now read a second time.

And the said Bill was read a second time accordingly.

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

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

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

Mr. Row reported from the select committee appointed to draft an address to his Majesty, in compliance with the Resolutions of the House on the consideration of his Excellency's Message of the 19th January, adopted on the second day of February last, that the committee had prepared the draft of an address accordingly; and he read the same in his place, and afterwards delivered it in at the Clerk's table, where it was again read.

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

*Ordered*, that the said address be engrossed and read a second time to-morrow.

Mr. Row also reported from the select committee appointed to prepare an address to his Excellency the Governor in pursuance of the Resolutions adopted by the House on the fifth day of March last, on the consideration of his excellency's message relative to the pensions and salaries of Judge Carter, Mr. Broom, Mr. Phipard, and others, that the committee had prepared the draft of an address accordingly; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was read throughout a first time,

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

*Resolved*, that the said address be adopted and engrossed.

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

*Resolved*, that this House will, to-morrow, resolve itself into a committee of the whole House on the further consideration of a supply to be granted to his Majesty.

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

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FRIDAY, APRIL 10, 1835.

**P**URSUANT to order, the engrossed address to his Majesty was read a second time as follows:

*To the King's most Excellent Majesty.*

*Most Gracious Sovereign,*

We your Majesty's dutiful and loyal subjects, the Inhabitants of Newfoundland in Colonial Parliament assembled, most humbly beg leave to approach your Majesty, to lay at the foot of your august Throne our just complaint against a proceeding which we cannot but regard as a flagrant violation of our most sacred rights and privileges.

When your Majesty was graciously pleased to concede to the prayers of a grateful people the boon so long desired of a Local Legislative Government, no doubt was entertained of your Majesty's intention to confer

2d reading.

Committed.

Address to his Majesty upon Resolutions of 2d February, read 1st time.

2d reading.

Address to his Excellency upon Resolutions of 6th March reported and read 1st time.

Adopted and to be engrossed.

House in committee of supply to-morrow.

Address to his Majesty read 2d time.

Address &amp;c.

upon the Assembly of this Island the like rights, privileges, and immunities, as are enjoyed by your Majesty's other Colonial subjects, and among the first and most important of those privileges we gratefully acknowledged that, which is indeed constitutionally inherent in the representative branch of the Government, of granting to your Majesty such supplies as your Majesty's service might from time to time require.

Acting under the conviction, and influenced by the desire which alike animates all your Majesty's subjects to support your Majesty's just Government, we did, in our very first session, pass an act for the further increase of your Majesty's Revenue; but it having been rejected by the Legislative Council, upon grounds already laid before your Majesty, his Excellency Sir Thomas John Cochrane, our then Governor, agreed to take upon himself the responsibility of discharging the expenses of the Government, until your Majesty's pleasure should be known, and we, therefore, placed at his disposal the revenue then raised by virtue of the several acts of the Imperial Parliament—an arrangement, which was afterwards sanctioned by your Majesty's principal Secretary of State for the Colonial Department, and supported by a parliamentary grant for the service of the year ending the first day of April 1834, from which period only, it was then intimated that the Colony would be expected to bear its own expenses, and neither the Revenue or Expenditure of the Colony were until that period accounted for to us.

Accordingly, in the first session of the year 1834, we passed an act appointing to your Majesty's use, various sums of money adequate, as it appeared by the statements laid before us by your Majesty's representative the Governor of this Island, to defray all the expenses of the year, in full confidence that the Revenue of the Colony would be faithfully applied to the purpose for which it had been so appropriated.—But it is with the deepest concern we now feel ourselves called upon (by the duty we owe our constituents) to acquaint your Majesty, that in the late interval of our Parliamentary Session the sum of £853 6 11 was drawn from the Colonial Treasury by a warrant dated the 26th day of October last, under the hand and seal of his Excellency Sir Thomas John Cochrane, our late Governor, for purposes not sanctioned by any act of the General Assembly, or by any vote of your Majesty's faithful Commons of this Colony.

In thus laying before Your Majesty our humble complaint of a proceeding which we cannot but regard as a dangerous and unconstitutional innovation on the privileges which your Majesty had so graciously conferred on us, it is, however, but justice to admit that there have been laid before us by his Excellency Governor Prescott, at the request of Sir Thomas Cochrane, Documents affording presumptive evidence that the money in question was so drawn in consequence of directions from your Majesty's Principal Secretary of State for the Colonial Department, to the effect, that this sum, although for charges allowed in the public accounts of his Excellency, should be paid out of the Colonial Funds. But as the charges alluded to were for expenses incurred previous to the commencement of the period from which the burthen of the public establishments was to be borne by the Colony, we humbly conceive that such directions must have been given without reference to the peculiar circumstances of embarrassment in which the Colony had been placed by the rejection of our first Revenue Bill, and that Your Majesty's Government could only have intended that the subjects should have been submitted for our approval; more especially, when we consider that to this Colony alone has been denied that Parliamentary aid which so liberally fostered the infancy of Your Majesty's other Colonies.

But apart from every consideration of the expediency of calling upon

the Colony to discharge expenses contracted before the Revenue was at its disposal. We humbly, but confidently, appeal to your Majesty against the unconstitutional course pursued in drawing and applying the public money without the previous sanction of the Legislature.

We therefore pray, that your Majesty will be graciously pleased to direct that such measures may be taken as will cause the said sum of £853 6 11 to be replaced in the Colonial Treasury of this Island.

The engrossed address to his Excellency was also read a second time, and is as follows.

Address &c.

Address to his Excellency  
read 2d time.

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

*May it please your Excellency,*

We his Majesty's faithful subjects the Commons of Newfoundland in Parliament assembled, humbly beg leave to acquaint your Excellency that we have taken into consideration the several despatches of his Majesty's principal Secretary of State for the Colonies of the 25th and 26th of August last, transmitted to us with your Excellency's message of the 19th of January—the first relative to the claims for retiring pensions of Mr. Broom, and Mr. Phipard, the Chief Constable of St. John's, and the second relative to a similar claim for Mr. Carter, Judge of the Court of Vice Admiralty; and sensible of the importance of the subject to those individuals we have entered upon it with an anxious desire to meet the views of the Home Government, but after the most deliberate consideration, it becomes our duty to declare to your Excellency that we can discover no grounds upon which the Colony can justly be called on to provide pensions for those officers.

In the Despatches of Mr. Secretary Rice it is assumed, that the whole Expenditure as well as the whole Revenue of the Colony was transferred to its own Government, when the Legislature was created, and it is said that this transfer at once of all the Revenues and all the Burthens of the Island formed an essential part of the measure by which the new institutions were conferred on Newfoundland; but it will be obvious to your Excellency that instead of the whole Revenue being transferred to us, the principal part of it was reserved by an act of the Imperial Parliament for the payment of the Salaries of the higher officers of the Government, and nearly the whole of the remainder is taken for collecting it by the Officers of the Customs—unsanctioned by any act of the Assembly—neither has that part of the Revenue arising from the Rents and Sales of Ships Rooms and Crown Lands been yet placed at our disposal. And we assure your Excellency that so far from any intention being made known to us of calling upon the Colony to provide pensions for the aged Servants of the Crown, we were induced, from the Royal Instructions to your Excellency's predecessor, to expect that during the early period of the new Government, we should receive from the Parent State the same paternal assistance as was for many years extended to his Majesty's other Colonies.

Whilst, therefore, we admit the propositions of Mr. Secretary Rice that in considering the *mode* of providing for a retiring Officer, the practical question relates to the source whence it will be possible hereafter to defray his retiring pension,—we humbly submit that a previous consideration is, whether in the absence of any direct understanding to the contrary, the pensions of such officers ought not to be paid by the government under which the actual services of the individual were per-

Address, &amp;c.

formed—more especially when, as it is not denied, the same government during the entire period of service received the total Revenue of the Colony.

In reference more especially to the Despatch of the 26th August, relative to the retiring pension of Mr. Carter, it appears to us that there is additional objection ; that the Court of Vice Admiralty is a national, and not a Colonial, Court, exercising a general maritime jurisdiction, and not limited to the business of this colony, which alone would be a sufficient reason why the retiring pension of the Judge, as well as his salary when in active service, should be at the national charge. But should it still be insisted that the Court is a Colonial Court, as the Judge whilst in active service is provided for by the power reserved to his Majesty of directing the appropriation of the reserved sum of £6550 among the Judges and other Officers mentioned in the Imperial Act of the 2d & 3d of his present Majesty, chap. 78. we humbly submit, that any pension to a retiring Judge should be paid out of the same fund. We would, however, presume to suggest to your Excellency whether until a suitable allowance could be made by the Home Government, a moderate pension might be allowed Mr. Broom and Mr. Phipard out of the fund arising from the Rents of Ships' Rooms and Sales of Crown Lands.

We beg leave also to acquaint your Excellency that we have taken into consideration the petitions of Matthew Stevenson, Clerk of the Peace at Harbor Grace, and of William Martin, High Constable of the same place, transmitted to us, by your Excellency's direction, on the 23d day of January last, which being also for services performed before the Establishment of the Local Legislature, must be subject to the same objections as the claims of Mr. Broom and Mr. Phipard, and for the same reasons cannot be granted by the House of Assembly.

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

*Ordered*, that the said address do pass.

House in committee on  
Ways and Means.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill to raise an additional Revenue.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

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

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

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

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SATURDAY, APRIL 11, 1835.

**O**N motion of Mr. POWER, seconded by Mr. HOYLES,

*Ordered*, that Mr. PACK be added to the committee appointed to prepare reasons for disagreeing to the amendments made by the Legislative Council in the bill for the establishment of a Light House on Harbor Grace Island.

Addition to the committee  
on amendments to Harbor  
Grace Island Light House  
Bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the bill for raising an additional revenue.

House in committee on Ways and Means.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

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

*Ordered*, that the committee of the whole House to whom was committed the bill for raising an additional Revenue, have power to examine witnesses touching the subject matter of the said bill.

The said committee to examine witnesses thereon.

*Resolved*, that this House do now again resolve itself into the said committee.

House in the said committee again.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The chairman reported from the committee that they had gone through the said bill, and had examined several witnesses on the subject matter thereof; and had also made several amendments in the said bill which they had directed him to report to the House; and he delivered the bill with the amendments in at the Clerk's table.

Report.

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

Agreed to.

*Ordered*, that the said amendments be engrossed.

Engrossed.

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

3rd reading.

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

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### MONDAY, APRIL 13, 1835.

**P**URSUANT to the order of the day, an engrossed Bill for raising a Revenue was read a third time.

Revenue bill read 3d time

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

*Resolved*, that the said Bill do pass and that the title be "An act for granting to his Majesty certain duties on Goods, Wares and Merchandize imported into this Colony."

Passed  
Title.

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

Sent to Council.

Mr. PACK reported from the select committee appointed to prepare reasons for disagreeing to the amendments made by the Legislative Council in the Bill entitled "An act for the establishment of a Light House on Harbor Grace Island," that the committee had prepared certain reasons accordingly, and he read the report in his place, and afterwards delivered it in at the Clerk's Table where it was again read throughout.

Report of select committee on amendments to Harbor Grace Light House Bill.

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

*Ordered*, that the said report of the select committee be referred to a committee of the whole House.

Referred to committee of whole House.

House in committee there-  
on.

*Resolved*, that this House do now resolve itself into a committee of the whole House to consider of the said report.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

The chairman reported from the committee that they had gone through the said report and had made some amendments therein, which they had directed him to report to the House.

And the said reasons, as amended, were read by the Clerk as follows :

Read.

The House of Assembly do not concur in the amendments made by the Council in the sixth section of the Bill entitled "An act for the establishment of a Light House on Harbor Grace Island," whereby it is intended that some other persons should be appointed for the Collection of the Light Duty to be levied under the act than those named in the Bill, viz., the Collector and Sub-Collectors of his Majesty's Customs. The Assembly are of opinion that if any other persons were appointed to collect the duties in question, the expense of collection not only would exceed what would be consistent with the amount to be raised, but from the nature of their offices the Sub-Collectors of his Majesty's Customs are of all others the best adapted for the efficient collection of the Duties. The Assembly beg to call the attention of the Council to the act passed in the second Session of the Legislature entitled "An act for the establishment of Light Houses," whereby it is enacted that the duties to be raised by that act shall be collected by the Collector and Sub-Collectors of his Majesty's Customs, and the Assembly cannot discover any reasons for making a difference in the collection of the duties to be raised by this act. The Assembly, however, have no objection (if the Council think fit to recede from the above amendments) to insert a clause to compensate the Collector or Sub-Collectors of the Customs, by granting them a commission of five per cent. on the amount of Light Duties to be collected by them.

Agreed to.

*Resolved*, that the said report be adopted by the House.

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

Conference with Council  
requested thereon

*Resolved*, that a conference be requested with the Legislative Council on the subject matter of the above amendments.

*Ordered*, that Mr. PACK do go up to the Council and request such conference.

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

House in committee on  
amended road act Bill.

*Resolved*, that this House do now resolve itself into a committee of the whole House on the further consideration of the Bill in amendment of the road act.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair, the Black Rod being at the Door.

The chairman again took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report Bill with amend-  
ments.

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

Agreed to

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

*Ordered*, that the Bill as amended be engrossed, and read a third time to-morrow. 3d reading.

A message from the Legislative Council. Message from Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written messages.

*Mr. Speaker,*

The Council have passed the Bill sent up from the Commons House of Assembly entitled "An act to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court and to make provision for the officer discharging the duties of the said offices," without amendment.

Bill to combine the offices of Clerk of the Supreme & Central Circuit Court agreed to.

H. J. BOULTON.

Council Chamber, }  
8th April 1835. }

*Mr. Speaker,*

The Council accede to the request made by the Commons House of Assembly for a conference on the subject matter of the amendments made by the Council in the Bill entitled "An act for the establishment of a Light House on Harbor Grace Island," and have appointed two Conferrees on the part of the Council who will meet the Conferrees on the part of the House of Assembly, in the committee room of the Council, immediately.

Conference requested upon Harbor Grace Light House Bill, agreed to.

H. J. BOULTON.

Council Chamber, }  
13th April 1835. }

And then the Messenger withdrew.

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

Conferrees named.

And they went to the conference.

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

Report

Mr. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, transmitting by direction of the Governor an application from Mr. George Lilly which his Excellency recommended to the favourable consideration of the House.

Letter from his Excellency transmitting an application from Geo. Lilly.

The said application from Mr. Lilly was read by the Clerk, setting forth, that he had been appointed by Governor Sir Thomas Cochrane as Clerk of the House of Assembly in the month of September last, the duties of which office he performed, and praying for such remuneration as his services may entitle him to.

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

*Ordered*, that the said letter and application be referred to the committee of supply.

Referred to committee of supply.

A message from the Legislative Council.

Message from Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written message.

*Mr. Speaker,*

The Council have passed the Bill sent up from the Commons House of Assembly entitled "An act for the protection of the breeding of hares and Wild Fowl" with some amendments to which they request the concurrence of that House.

Wild Fowl Bill agreed to with amendments.

H. J. BOULTON.

Council Chamber, }  
10th April 1835. }

Amendments read 1st time

The amendments made by the Council in the said bill were then read a first time, and are as follow:—

- 2nd Page, 16th Line. Expunge the words "Black Ducks" and "Wild Geese."
- " " 22nd Line. Expunge the words "twenty-fifth," and insert the word "twentieth" instead.
- " " 23rd Line. Expunge the word "March," and insert in its stead the word "April."
- " " " " Expunge all the words between the word "August," and the word "in."
- 3rd " 2nd Line. Insert the word "or" between the words "Hare" and "Partridge," and expunge the words "Black Duck" & "Wild Goose."
- " " 4th Line. The same amendment.
- " " 5th Line. Expunge the words between the words "sale" and "forfeit."
- " " 4th Line. Insert the word "or" between the words "Hare" and "Partridge" and expunge the words "Black Duck or Wild Goose."

2d reading:

*Ordered*, that the said amendments be read a second time to-morrow. Then the House adjourned until to-morrow, at twelve of the clock.

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TUESDAY, APRIL 14, 1835.

Amended road act bill read 3d time

**P**URSUANT to the order of the day, an engrossed Bill in amendment of the act to regulate the making and repairing of roads and highways, was read a third time.

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

Passed

*Resolved*, that the said bill do pass, and that the title be "An act to amend an act passed in the second Session of the Parliament of this Colony entitled 'An act to regulate the making and repairing of roads and highways in this Island.'"

Title

Sent to Council

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

Notice of motion on Fishery bill

Mr. KOUGH gave notice that, to-morrow, he should move that the House do resolve itself into a committee of the whole House on the consideration of the bill to provide for the better conduct of the Fisheries.

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

House in committee to-morrow on Hospital bill

*Resolved*, that this House will, to-morrow, resolve itself into a committee of the whole House on the further consideration of the bill to provide for the relief of sick and distressed seamen and fishermen.

Amendments to wild fowl bill read 2nd time

Pursuant to the order of the day, the amendments made by the Legislative Council in the bill entitled "An act for the protection of the breeding of Hare and Wild Fowl," were read a second time.

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

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

House in committee thereon.

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

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said amendments and were of opinion that a conference should be requested with the Council on the subject matter thereof. The Chairman also reported that he was directed by the committee to move for leave to sit again.

Report.

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

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

*Resolved*, that a select committee be appointed to prepare reasons to be offered at a conference with the Legislative Council for disagreeing to the said amendments.

Select committee to prepare reasons for disagreeing to the same

*Ordered*, that Mr. CARTER, and Mr. PACK do form such committee.

A Message from the Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written Messages:

Message from Council

*Mr. Speaker,*

The Council have passed the bill sent up to them from the Commons House of Assembly entitled "An act to provide for the registration of Deeds and to repeal so much of an act of the Imperial Parliament entitled 'an act for the better administration of Justice in Newfoundland, and for other purposes, as relates to the registration of Deeds,'" with some amendments, to which they request the concurrence of that House.

Registration of Deeds bill agreed to with amendments

H. J. BOULTON.

Council Chamber, }  
13th April, 1835. }

*Mr. Speaker,*

The Legislative Council request a conference with the Commons House of Assembly on the subject of the last conference, and have appointed two Managers to meet the Managers of the Assembly in the Committee Room immediately.

Conference requested upon the subject of the last conference

H. J. BOULTON.

Council Chamber, }  
14th April, 1835. }

And then the Messenger withdrew.

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

*Resolved*, that the conference be agreed to as requested by the Legislative Council.

Conference acquiesced in.

*Ordered*, that Mr. PACK do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the said conference.

Council acquainted thereof.

*Ordered*, that the Managers who managed the last conference on the part of this House, do manage this conference.

Managers appointed.

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

Conference held.

And being returned, Mr. PACK reported that the Managers had been at the conference, and he read the report thereof in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows:—

The Legislative Council have requested this Conference with the Commons House of Assembly for the purpose of acquainting them that while they fully concur in the opinion expressed by the Assembly that

Report.

Report &amp;c.

the Sub-Collectors of his Majesty's Customs are from the nature of their offices, the best adapted for the efficient collection of the said Duties, yet they are at a loss to perceive upon what principle of justice, any Public Officer can be called on to discharge other duties than those which his office imposes, without receiving a reasonable compensation for any additional responsibility or labour which may thus be cast upon him, and the Council are happy to perceive that the assembly have readily suggested what appears to be a fair remuneration for such service, and therefore they feel no hesitation in receding from their amendment upon the compensation clause being added, as recommended by the Assembly at their last conference.

*Ordered*, that the said report do lie upon the Table.

Amendments to registration of Deeds Bill read 1st time.

The amendments made by the Legislative Council in the Bill entitled "An act to provide for the registration of Deeds and to repeal so much of an act of the Imperial Parliament entitled 'An act for the better administration of Justice in Newfoundland and for other purposes' as relates to the registration of Deeds," were read a first time as follow :—

- |                               |  |
|-------------------------------|--|
| <i>Preamble, 1st Line.</i>    | Expunge the word "deemed."   |
| "    2d    "                  | Expunge the words "certain portions" and insert instead thereof, the words "so much."  |
| "    "    "                   | Expunge the word "Imperial."   |
| "    7th    "                 | Expunge the word "concerning" and insert in its place the words "as relates to."   |
| "    8th    "                 | Expunge the words "whereas it is requisite."   |
| "    9th    "                 | Expunge the words "for the registration of Deeds" and insert in their stead, the word "therefore."   |
| <i>1st Section, 5th Line.</i> | Expunge the words "and such parts," and insert after the word "said" in the 6th Line and before the word "recited" the words "in part."  |
| "    8th    "                 | Expunge the words "in writing" and insert in their stead, the words "whereby any Lands or Tenements may be granted, conveyed, devised, mortgaged, charged or otherwise encumbered" |
| "    9th    "                 | Expunge the word "are" and insert in its stead, the word "is."   |
|                               | Expunge the 2nd, 3rd, 4th, 5th, 6th, 7th, and 8th Sections.  |

Insert as the 2nd Section the following words—

"And be it further enacted that a Memorial of all Deeds, Conveyances or other Assurances which have been or shall or may be made and executed, and of all Wills and Devises made and to be made and published, whereby any Lands, Tenements or Hereditaments in Newfoundland or its Dependencies may be in anywise affected in Law or Equity, may, at the election of the Party or Parties concerned, be registered in the office of the Registrar of the Supreme Court in such manner as is hereinafter directed, and that every Deed, Will, Conveyance or other Assurance of any Lands, Tenements or Hereditaments shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee for valuable consideration unless such Memorial be registered as by this act is directed before the registering of the Memorial of the Deed, Will, Conveyance or Assurance under which such subsequent purchaser or Mortgagee shall claim; provided always that the registration of any will for the

purpose of taking out probate thereof, shall be deemed a registry under this act, and provided also that any party to any Deed, Conveyance or Assurance may require the same instead of a Memorial thereof to be enrolled at length by the said Registrar, which enrollment shall have the same force and effect as the registration of any such Memorial as aforesaid."

Insert as the 3d section, the following words :—

"And be it further enacted, that every Memorial of any Deed, Will, Conveyance or other Assurance shall contain the date thereof, the names and additions and places of abode of all the Parties and Witnesses thereto, and shall contain a description of the Lands Tenements or Hereditaments thereby intended to be conveyed in such manner as the same are described in any such Deed, Will, Conveyance, or assurance or to the same effect and shall be executed by at least one of the Parties to such Deed, Conveyance or Assurance, or by one of the Executors or Devisees claiming under any Will a Memorial whereof may be required to be registered; and that every such Deed, Conveyance, Will or other Assurance of which such Memorial is to be registered as aforesaid shall be produced to the said Registrar or his Deputy at the time of entering such Memorial who shall endorse a Certificate on every such Deed, Will, Conveyance or other Assurance, and therein the certain day, hour and time on which such Memorial was entered or registered, or in case of enrollment as aforesaid when the same was enrolled, expressing also in what Book, Page and Number the same is entered, and that the said Registrar or his Deputy shall sign the said Certificate when so endorsed,—which Certificate shall be taken and allowed as evidence of such respective registries in all Courts whatsoever: and every page of such Register Books, and every Memorial that shall be entered therein shall be numbered and the day of the month and year and the hour of the day of every such registry or enrollment shall be entered in the margins of the said Register Books and of the said Memorial where a Memorial shall be entered. And such Registrar shall keep an Alphabetical Index of all the Towns, Villages or Settlements as the same are usually designated in the Maps or other public muniments of this Colony with reference to the number of every Memorial or enrollment that concerns the Lands, Tenements or Hereditaments in every such Town, Village or Settlement respectively and of the names of the Parties mentioned in such Memorial; and the said Registrar shall enroll such Deeds, Wills, Conveyances or other Assurances or enter the Memorial thereof in the order in which they shall come to his hands:—Provided always, and be it further enacted that this act shall not extend to require the enrollment or registry of the Memorial of any Lease at a rack rent where the actual possession and occupation goeth along with the Lease.

Insert the following words as the 4th Section.

And be it further enacted, that any such Deeds, Wills, Conveyances, or other Assurances as shall be made and executed or published within this Colony, shall and may be enrolled or a Memorial thereof enregistered, upon an affidavit of the due execution thereof by all the parties thereto respectively, and of the Memorial thereof in cases of registry, which affidavit shall be made by one or more of the Witnesses attesting the execution thereof respectively, and may be sworn before the said Registrar or his Deputy, or before any Commissioner appointed by commission under the hand and seal of the Chief Justice of Newfoundland to take affidavits in the Supreme Court of this Island; and where any such Deeds, Wills, Conveyances or other Assurances shall have been executed or published in any part of the United Kingdom of Great Britain and Ireland, or in any of his Majesty's Colonies or other possessions abroad, such affidavit may be sworn before the

Amendments &amp;c.

Mayor or Chief Magistrate of any City, Borough, or Town Corporate, in Great Britain, or Ireland, or before the Chief Justice or other Judge of any Superior Court of Record in any of his Majesty's said Colonies or Possessions abroad, and shall be attested by the seal of any such Corporation or Court of Record respectively.

Insert the following words as the 5th Section,—

Provided always and be it further enacted, that all Wills whereof a Probate shall be granted or a Memorial thereof enregistered within the space of twelve Calendar months after the death of every respective Devisor dying within this Colony, shall be as valid and effectual against subsequent purchasers, as if the same had been registered immediately after the death of the Devisors respectively; provided always that in case any Devisee or person interested in the Lands, Tenements or Hereditaments devised by any such Wills as aforesaid shall, by reason of the contesting of any such Will or other inevitable difficulty without his, her or their wilful neglect or default be prevented from proving the same or exhibiting a memorial thereof within the time hereinbefore limited, then and in such case the enrollment of such Will or the registry of a Memorial thereof within the space of three months next after the removal of such impediment as aforesaid shall be a sufficient registry within the meaning of this act, anything herein contained to the contrary thereof notwithstanding.

Insert the following words as the 6th Section,—

And be it further enacted that the said Registrar shall half yearly on the first Mondays of May and November in each year, prepare and transmit to some one of the commissioners for taking affidavits in the Supreme Court abovementioned resident in the different Towns, Villages, or Settlements of this Island, an abstract of all Deeds, Wills, Conveyances or other Assurances, for or concerning any Lands, Tenements or Hereditaments situate in or near such Towns, Villages or Settlements respectively, which may from time to time be registered in the office of such Registrar; and such abstracts shall be carefully kept and preserved by such commissioners respectively and shall be open to the public to make searches therein.

Insert the following as the 7th Section,—

And be it further enacted, that it shall and may be lawful for the Governor, Lieutenant-Governor, or Person administering the Government of Newfoundland for the time being by commission under the Great Seal, to appoint a Registrar for the District of Conception Bay, who shall reside at Harbor Grace, and such Registrar shall in the way and manner by this Act directed, register all Deeds, Wills, Conveyances or other Assurances relating to or in anywise affecting Lands, Tenements and Hereditaments, situate within the said district as the same is marked out and described in his Majesty's Proclamation dividing this Island into Electoral districts, bearing date on the Twenty-sixth day of July, in the year of Our Lord One thousand Eight hundred and Thirty-two. And the said Registrar, shall half-yearly on the first Mondays of May and November in each year prepare and transmit to the office of the Registrar at St. John's, abstracts of all Deeds, Wills, Conveyances and other Assurances by him recorded; and such abstracts shall be preserved by the said Registrar and be entered in a Book to be kept by him for that purpose, which shall be open to the public to make searches therein.

In the 9th Section of the bill, 3d Line—Between the words “ Deputy” and “ as” insert the words “ or commissioner for taking affidavits.”

Expunge the tenth Section of the Bill.

In the 11th Section of the Bill, 2d line.—Between the words “their” and “Assigns” insert the words “Heirs or.”

“ “ 13th Line.—Expunge the words “the District of Newfoundland.”

Expunge the 12th Section of the Bill.

In the 13th Section of the Bill, Expunge the word “Sterling,” wherever it occurs—and in the 17th Line after the word “Shilling” insert the words “and for a copy thereof sixpence per folio.”

“ “ 23rd Line.—Expunge the words “or acknowledgment.”

Expunge the 14th Section of the bill.

Insert the following words as the 11th Section.

And be it further enacted that all Deeds of Bargain and Sale which shall hereafter be registered or enrolled according to the provisions of this Act shall have the like force and effect for the passing of Real Estates as if the same had been duly enrolled in any Court of Record.

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

2d reading:

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

*Ordered*, that the Report of the committee of conference with the Legislative Council on the subject of the amendments made in the Bill to establish a Light House on Harbor Grace Island, be referred to the committee of the House on the consideration of the said amendments.

Report of Conference on amendments to Harbor Grace Light House Bill referred to committee of whole House.

*Resolved*, this House do now resolve itself into a committee of the whole House, on the further consideration of the said amendments.

House in committee thereon.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said amendments and had agreed to the same; and that they had also made an amendment thereon which they had directed him to report to the House. And he read the same in his place and afterwards delivered it in at the Clerk's table, where it was again read as follows:

Report

(Proviso to be added to the 6th section of the Bill.)

“Provided always that it shall be lawful for such Collector or Sub-Collector of His Majesty's Customs, and such Justices of the Peace as aforesaid to retain and withhold from the sums by them respectively collected for Light Duties under this act and paid into the hands of the Treasurer of the Colony, a Commission at and after the rate of Five Pounds per centum upon the amount so by them respectively collected and paid over, as a compensation for their trouble in collecting the same.

Amendment read.

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

Agreed to.

*Ordered*, that the said amendment be engrossed.

*Ordered*, that Mr. PACK, do go up to the Honorable the Legislative Council, and acquaint them that this House have agreed to the amendments made by them in the said Bill for the establishment of a Light House on Harbor Grace Island, with an amendment thereon, to which their concurrence is requested.

Council acquainted thereof

A Petition of William Magill of St. John's, whose name is thereto subscribed, was presented by Mr. HOOPER, and the same was received

Petition of Wm. Magill presented and read.

and read setting forth, that the Petitioner is the sole Inventor of a machine for cutting up Seal's fat, and by the same power conveying it to the Vat, by which much labour and expense would be saved to the Oil Manufacturer, and which machine has met with the approbation of several Merchants and other competent Judges. That the Petitioner having been put to some trouble and time in inventing and making the said machine, humbly submits that he ought to derive the sole benefit of such invention for the usual limited period—Petitioner therefore prays that a Bill may be introduced into the House and passed, to confer upon him the right of Patent of the said invention.

To lie on the Table

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

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

WEDNESDAY, APRIL 15, 1835.

**O**N motion of Mr. KOUGH, seconded by Mr. PACK,  
*Resolved*, that this House do now resolve itself into a committee of the whole House on the consideration of the Bill to provide for the better conduct of the Fisheries.

House in committee on Fishery Bill.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair, the Black Rod being at the Door.

The Chairman again took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

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

Progress.

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

Message from Council.

A message from the Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written message.

*Mr. Speaker,*

Conference requested upon Revenue Bill.

The Legislative Council request a conference with the Commons House of Assembly on the subject of the Bill entitled "An act for granting to his Majesty certain duties on Goods, Wares and Merchandize imported into this Colony" and they acquaint the Assembly that they have appointed conferees to meet the Managers of the Assembly in the Committee Room of this House immediately.

H. J. BOULTON.

*Council Chamber,* }  
13th April 1835. }

And then the Messenger withdrew.

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

Granted.

*Resolved*, that the conference be acceded to as requested by the Legislative Council.

Council acquainted thereof

*Ordered*, that Mr. Row do go up to the Legislative Council and acquaint them that this House have agreed to the said conference.

Conferees named.

*Ordered*, that Mr. Row, Mr. HOYLES, Mr. PACK, and Mr. POWER, do manage the said conference on the part of this House.

Conference held.

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

And being returned, Mr. Row reported that the Managers had been at the conference and he stated the subject matter of the said conference.

Report thereof.

And, thereupon, Mr. Speaker informed the House that, it appearing from the said report of the conference on the Bill for "granting to his Majesty certain Duties on Goods, Wares and Merchandize imported into this Colony," that the Council had made amendments in the said Bill the House could not, consistently with its privileges, consider further of the subject matter of the said conference.

Bill nullified by Council's amendments thereon in fringing the privileges of the House,

Mr. HOYLES gave notice that, to-morrow, he should move for leave to bring in a Bill for granting to his Majesty certain duties on Imports.

Notice of motion for Revenue Bill.

Mr Row gave notice that, to-morrow, he should move that the Rules of the House, in reference to the passing of Bills, be suspended so far as relates to the said Bill for granting to his Majesty certain duties on Imports.

Notice of motion for Rules to be suspended.

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

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THURSDAY, APRIL 16, 1835.

**M**R. HOYLES, pursuant to notice and leave granted, presented a Bill for granting to his Majesty certain duties on Imports, and the same was read a first time.

Revenue Bill read 1st time

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

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

Rules suspended.

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

*Ordered*, that the said Bill be now read a second time.

Revenue Bill read 2d time

And the said Bill was read a second time accordingly:

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

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

Committed.

On the question that the House do resolve itself into a committee of the whole House on the consideration of the said Bill, the House divided, when there appeared for the motion, six ; against it, three.

Motion for its committal.

House divide thereon.

For the motion.

Against the motion.

Mr. HOOPER.

Mr. KENT.

— HOYLES.

— PACK.

— ROW.

— POWER.

— CARTER.

— KOUGH.

— COZENS.

So it passed in the affirmative.

Motion carried.

And the House resolved itself into the said committee accordingly.

House in committee thereon.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report Bill with Amendment.

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

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

Agreed to.

- 3d reading: On motion of Mr. HOYLES, seconded by Mr. KOUGH,  
*Ordered*, that the said bill be now read a third time.  
And the same was read a third time accordingly.
- Passed: On motion of Mr. HOYLES, seconded by Mr. CARTER,  
Title. *Resolved*, that the said bill do pass, and that the title be "An act for granting to his Majesty certain duties on all articles imported into this Colony."
- Sent to Council. *Ordered*, that Mr. HOYLES do carry the Bill up to the Honorable the Legislative Council and desire their concurrence.
- Message from Council. A Message from the Legislative Council.
- Law of Attachment Bill agreed to with amendments. The Master in Chancery brought down from the Honorable the Legislative Council the following written Messages:
- Mr. Speaker,*  
The Legislative Council have passed the bill sent up by the Commons House of Assembly entitled "An act to amend the Law of Attachment and to facilitate the recovery of Debts from absent or absconding Debtors" with certain amendments, to which the concurrence of that House is requested.  
H. J. BOULTON.
- Legislative Council Chamber, }  
16th April, 1835. }*

- Amendment upon Council's amendments to Harbor Grace Light House Bill agreed to. *Mr. Speaker,*  
The Legislative Council have passed the amendment made by the Commons House of Assembly on the amendments made by this House in and upon the Bill entitled "An act for the establishment of a Light House on Harbor Grace Island."  
H. J. BOULTON.
- Legislative Council Chamber, }  
15th April, 1835. }*

- Amended Road Act Bill agreed to. *Mr. Speaker,*  
The Legislative Council have passed the Bill sent up by the Commons House of Assembly entitled "An act to amend an act passed in the second session of the Parliament of this Colony entitled 'An act to regulate the making and repairing of Roads and Highways in this Island' without amendment."  
H. J. BOULTON.
- Legislative Council Chamber }  
16th April, 1835. }*

- Bill for the protection of Public Buildings from fire and. *Mr. Speaker,*  
The Legislative Council have passed two bills, one entitled "An act to make provision for the protection of Houses of Public Worship in the District of St. John's from destruction by Fire, and to make further regulations in respect to the erection of houses and other buildings on the borders of the highways, roads, streets and lanes, within the said District," the other entitled "An act to prevent the unnecessary discharging of Guns and other fire arms, in the streets of St. John's, and the suburbs thereof," to which the concurrence of the Commons House of Assembly is requested.
- Bill to prevent the unnecessary discharging of fire arms;—for the concurrence of this House.
- H. J. BOULTON.

*Legislative Council Chamber }  
16th April, 1835. }*  
And then the Messenger withdrew.

The Bill sent down from the Honorable the Legislative Council entitled "An act to make provision for the protection of houses of Public Worship in the district of St. John's from destruction by fire, and to make provision for the erection of houses and other buildings on the borders of the highways, roads, streets and lanes, within the said district" was read a first time.

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

The bill sent down from the Honorable the Legislative Council entitled "An act to prevent the unnecessary discharge of Guns and other fire-arms in the streets of St. John's, and the suburbs thereof" was read a first time.

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

The amendments made by the Legislative Council in the bill sent up to them from this House entitled "An act to amend the Law of Attachment and to facilitate the recovery of debts from absent or absconding Debtors," were read a first time, and are as follow :

Section 1, Line 12.—Immediately after the word "Defendants," insert the words "his, her or their constituted Attorney."

" " Line 13.—After the word "Agent" expunge the words "or Attorney."

" " Line 15.—The same amendment.

" " Line 25.—Expunge all the words in the Parenthesis.

Section 2 Line 4.—Expunge the words "have absconded" and insert in their stead "be absent."

" " " " —Insert after the word "Colony" the words "or not resident therein."

" " " 5.—Insert after "Attorney" the words "as aforesaid."

" 3 " 5.—Expunge the word "absconding" and insert in its place "be absent."

" 4 " 4.—Expunge the word "the" and insert in its place the word "such"—and after the word "Defendants" expunge the words "who shall have so absconded."

" 6 " 9.—Expunge the words "Defendant or" and insert the words "or Defendant" after the word "Plaintiff."

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

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

*Resolved*, that this House will, on Saturday next, resolve itself into a committee of the whole House on the further consideration of the bill to provide for the better conduct of the Fisheries.

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

Bill from Council for the protection of Public Buildings from fire, read 1st time.

2d reading.

Bill from Council to prevent the discharge of Fire Arms.

2d reading.

Amendments to Law of Attachment bill read 1st time.

2d reading

House in committee on Fishery Bill for Saturday next.

SATURDAY, APRIL 18, 1835.

**P**URSUANT to order, the Bill sent down from the Honorable the Legislative Council entitled "An act to make provision for the protection of houses of Public Worship in the District of St. John's from destruction by fire, and to make further regulations in respect to

Bill for the protection of Public Buildings from fire, read 2d time.

the erection of Houses and other Buildings on the Borders of Highways, Roads, Streets, and Lanes within the said District," was read a second time.

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

Committed for

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

Monday next.

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

Bill to prevent the discharging of Fire Arms, read 2d time.

The Bill sent down from the Council entitled "An act to prevent the unnecessary discharging of Guns and other Fire Arms in the Streets of St. John's and the Suburbs thereof" was read a second time.

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

Committed for

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

Monday next.

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

Amendments to Law of Attachment Bill read 2d time.

Agreeably to order, the amendments made by the Legislative Council in the Bill entitled "An act to amend the law of attachment and to facilitate the recovery of debts from absent or absconding debtors." were read a second time.

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

Committed for

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

Monday next.

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

Amendments to registration of Deeds Bill read 2d time.

The amendments made by the Council in the Bill entitled "An act to provide for the registration of Deeds and to repeal so much of an act of the Imperial Parliament as relates to the registration of Deeds," were read a second time.

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

Committed for

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

Tuesday next.

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

House in committee on Fishery Bill,

Agreeably to order, the House resolved itself into a committee of the whole House on the further consideration of the Bill to provide for the better conduct of the Fisheries.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report  
Progress

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

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

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

A message from the Governor.

Message from his Excellency.

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

**MESSAGE.**

“ H. PRESCOTT ”

Message &c.

The Governor acquaints the House of Assembly that his Majesty has been pleased, by an order in Council bearing date the 7th day of February last, to direct that the undermentioned acts passed in the last Session of the Legislature of this Colony should be left to their operation. Viz :

“ An act to continue for one year an act to provide for the performance of Quarantine, and more effectually to provide against the introduction of infectious or contagious diseases and the spreading thereof in this Island.”

“ An act to suspend until the year One thousand eight hundred and thirty five, the operation of an act passed in the last Session of Parliament entitled ‘ An act for registering the names of persons entitled to vote at Elections.’ ”

“ An act to authorize the issue of Treasury Notes.”

“ An act for granting to his Majesty the sum of Five Hundred pounds, sterling, to be appropriated and applied towards defraying any expenses which may arise in the event of the introduction and spreading of Asiatic Cholera in this Colony.”

*Government House,* }  
18th April 1835. }

A message from the Legislative Council.

Message from Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written message.

*Mr. Speaker,*

The Legislative Council have passed the Bill sent up from the Commons House of Assembly entitled “ An act for granting to his Majesty certain duties on articles imported into this Colony,” without amendment.

Revenue Bill passed.

H. J. BOULTON.

*Legislative Council Chamber,* }  
18th April, 1835. }

And then the Messenger withdrew.

Mr. CARTER gave notice that, on Tuesday next, he should move for leave to bring in a Bill to extend the jurisdiction of the Courts of Sessions.

Notice of motion for a Court of Sessions Bill.

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

MONDAY, APRIL 20, 1835.

**A** Message from the Governor, by Joseph Templeman, Esquire, Usher of the Black Rod.

Message from his Excellency,

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

His Excellency the Governor commands your immediate attendance<sup>e</sup> in the Council Chamber.

Desiring the attendance of this House.

And then the messenger withdrew.

Accordingly Mr Speaker and the House went up to attend his Excellency.

House went up.

And being returned,

Returned.

Mr. Speaker reported that the House had attended his Excellency the Governor in the Council Chamber, when his Excellency was pleased to assent to the Bill entitled “ An act for granting to his Majesty certain duties on articles imported into this Colony.”

Report Revenue Bill assented to by his Excellency.

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

Address to his Excellency.

**Resolved**, that an address be presented to his Excellency the Governor praying that his Excellency will be pleased to forward to England to be laid at the foot of the Throne, the address of this House to his Majesty passed on the *tenth* instant.

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

Read.

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

*May it please your Excellency,*

The House of Assembly have passed an address to his Majesty praying that his Majesty will be graciously pleased to direct that such measures may be taken as will cause the sum of Eight Hundred and fifty three pounds, six shillings and eleven pence, paid out of the Colonial Treasury on a Warrant of his late Excellency Sir Thomas John Cochrane, dated the 26th day of October last, to be replaced ;—which they respectfully request your Excellency will cause to be forwarded to England by an early opportunity, to be laid at the foot of the Throne.

Adopted.

**Resolved**, that the said address be adopted by the House.

Engrossed.

**Ordered**, that the said address be engrossed, and presented to his Excellency by Mr. Speaker and the whole House.

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

Committee to wait upon His Excellency.

**Ordered**, that Mr. Row, Mr. KOUGH, and Mr. HOOPER, be a committee to present to his Excellency the address of the House passed on the tenth instant, in reply to his Excellency's message of the 19th January last.

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

Committee to prepare address to his Excellency upon Judge Brenton's Petition.

**Resolved**, that a committee be appointed to prepare an address to his Excellency the Governor, in pursuance of the Resolution adopted in committee of the whole House on the 19th day of March last, on the consideration of his Excellency's message transmitting to this House the Memorial of Assistant Judge Brenton.

Named.

**Ordered**, that Mr. HOYLES, Mr. HOOPER, and Mr. KOUGH, be a committee for that purpose.

House in committee on Amendments to law of attachment Bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the amendments made by the Legislative Council in the Bill entitled "An act to amend the law of attachment and to facilitate the recovery of debts from absent or absconding Debtors."

Mr. SPEAKER left the chair.

Mr. KOUGH took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

The chairman reported from the committee that they had gone through the said amendments, and had agreed to the whole of them.

Amendments agreed to.

**Resolved**, that this House do concur with the committee in the said report.

Council acquainted thereof

**Ordered**, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have passed the said amendments.

Notice of motion for Rules of House to be Printed.

Mr. HOYLES gave notice that, to-morrow, he should move that the Rules adopted by this House on the 9th day of March last, be printed.

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

House in committee of  
Supply  
and

Mr. HOYLES also gave notice that, to-morrow, he should move that the House do resolve itself into a committee of the whole to consider of the bill for the relief of sick and distressed seamen and fishermen.

In committee on Hospital  
bill, to-morrow

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill sent down by the Legislative Council entitled "An act to prevent the unnecessary discharging of guns and other fire-arms in the streets of St. John's, and the suburbs thereof."

House in committee on bill  
to prevent the unnecessa-  
ry discharge of fire arms

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill, and had made some amendments therein, which they had directed him to report to the House; and he delivered the bill with the amendments in at the Clerk's table; and the said amendments were read by the Clerk as follow:—

Report

Amendments thereon read

In the title of the Bill—Expunge the word "Streets" and insert in its place the word "Towns."—Insert between the words "St. John's" and "and" the words "Harbor Grace, Carbonear, Port-de-Grave and Brigus."

In the Preamble, 4th Line—Expunge the words "Streets of the," and add to the word "Town" the letter "s."

" " 5th Line.—After the words "St. John's" insert the words "Harbor Grace, Carbonear, Port-de-Grave and Brigus."

1st Section, 6th Line.—Add to the word "Town" the letter "s."

" " 7th Line.—Between the words "thereof" and "discharge" insert the word "respectively."

" " At the end of the 11th Line, insert the following words—

" And every person so offending shall for every offence upon conviction thereof on the oath of one or more credible Witness or Witnesses, before any one of his Majesty's Justices of the Peace, or on the view of any such Justice, forfeit and pay to Our Sovereign Lord the King, his Heirs and Successors the sum of Ten Shillings to be levied by Warrant of Distress from such Justice on the offender's goods and chattels, and for want of sufficient goods and chattels, such offender shall be committed to Gaol for the space of twenty four hours; one half of the said fine to be paid to the Informer and the other half towards the support of the Poor of the said Towns respectively: Provided always, that no prosecution for a breach of this Act shall be admitted unless complaint be made thereof within forty eight hours after the offence committed."

Page 2, Line 1—Expunge "always" and insert instead the word "also"

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

Agreed to

*Ordered*, that the said amendments be engrossed.

Engrossed

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

3d reading.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill sent down

House in committee on bill  
for the protection of pub-  
lic buildings from Fire

from the Honorable the Legislative Council, entitled "An act to make provision for the protection of houses of Public Worship in the District of St. John's from destruction by fire, and to make further regulations in respect to the erection of houses and buildings on the borders of high-ways, roads, streets and lanes, in the said district."

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

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

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

House in committee to-morrow on Fishery Bill.

*Resolved*, that this House will, to-morrow, resolve itself into a committee of the whole House on the further consideration of the bill to provide for the better conduct of the Fisheries, and that it stand first on the order of the day.

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

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TUESDAY, APRIL 21, 1835.

Time fixed for his Excellency receiving addresses.

MR. SPEAKER laid before the House a Letter from the Honorable Mr. Secretary Crowdy, acquainting him for the information of the House, that his Excellency would receive committees of the House with the addresses to be presented to him, to-morrow morning, at eleven o'clock.

3d reading of bill to amend Harbor Grace Street Acts moved.

Mr. PACK gave notice that, to-morrow, he should move that the bill in amendment of the Harbor Grace Street Acts be read a third time.

Bill to prevent unnecessary discharging of fire arms read 3d time

Pursuant to the order of the day, the bill sent down from the Legislative Council entitled "An act to prevent the unnecessary discharging of guns and other fire arms in the streets of St. John's and the suburbs thereof" as amended, was read a third time.

Motion to pass

Mr. Row moved, seconded by Mr. PACK, that the said bill do pass—whereon the House divided, when there appeared for the motion, six ; against it, two.

For the motion—

Mr. HOYLES

— PACK

— ROW

— HOOPER

— POWER

— KOUGH.

Against the motion—

Mr. KENT

— MARTIN.

So it passed in the affirmative, and

*Resolved*, that the said bill do pass.

Passed.

Sent to Council.

*Ordered*, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have passed the said bill, with some amendments, to which their concurrence is requested.

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

House in committee on Hospital bill

The House resolved itself into a committee of the whole House on the consideration of the bill for the relief of sick and distressed seamen and fishermen.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

A Message from the Governor,

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

Message from his Excellency

**MESSAGE.**

“ H. PRESCOTT.”

The Governor transmits to the House of Assembly an extract of a Letter from the Collector of the Customs to the Colonial Secretary, pointing out the additional assistance which will be required in his Establishment to carry into effect the Act of the Legislature just passed, imposing duties on Goods imported into the Colony, and, in submitting this communication to the consideration of the House, his Excellency expresses his belief that views of economy may be best promoted, and the nett amount of revenue increased, by the establishment of Custom House officers in accordance with the Collector's suggestion.

Transmitting an extract of a letter from the Collector of the Customs.

*Government House,* }  
*21st April, 1835.* }

And then the Messenger withdrew.

The Extract of the letter from the Collector of Customs above referred to, was then read by the Clerk, and thereupon,

Extract read, and

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

*Ordered*, that the said Message and Document be referred to the committee of Supply.

Referred to committee of Supply.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a Supply to be granted to his Majesty.

House in committee of Supply.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report

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

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

*Ordered*, that the Rules and Orders adopted by this House on the 9th day of March last, be printed for the use of this House.

Rules of the House to be printed.

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

WEDNESDAY, APRIL 22, 1835.

MR. SPEAKER reported that the House had been in attendance on his Excellency the Governor with the address passed on Mon-

His Excellency's reply to the House on waiting on him with the address

day last, praying his Excellency to forward to England to be laid at the foot of the Throne the address of the House to his Majesty passed on the tenth instant ; and that, in reply, his Excellency was pleased to say he would cause the said address to be forwarded in compliance with the request of the House.

Report of committee appointed to wait on his Excellency with another address.

Mr. Row, from the committee appointed to present to his Excellency the address of the House passed on the tenth instant, in reply to his Message of the 19th January last, reported that the committee had presented the said address to his Excellency accordingly ; and, in reply thereto, that his Excellency was pleased to say he would cause the said address to be transmitted to his Majesty's Principal Secretary of State for the Colonies.

3d reading of bill to amend Harbor Grace Street acts moved.

Pursuant to notice, Mr. PACK moved, seconded by Mr. POWER—that the bill in amendment of the Harbor Grace Street Acts be now read a third time.

Mr. Row, moved in amendment, seconded by Mr. KOUGH, that the said bill be read a third time this day six months ;—

House divide thereon.

Whereon the House divided, when there appeared for the motion, four ; against it, five.

For the motion—

Mr. HOYLES

— ROW

— KOUGH

— CARTER

Against the motion—

Mr. KENT

— MARTIN

— PACK

— POWER

— HOOPER.

So it passed in the negative.

Carried.

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

Read 3d time.

The said bill was read a third time accordingly.

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

Passed,

*Resolved*, that the bill do pass, and that the title be “ An act to repeal part of an act passed in the fourth year of his Majesty's Reign entitled ‘ An act to amend an act entitled ‘ an act to regulate the streets of the town of Harbor Grace.’ ”

Title.

Sent to Council.

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

Notice of motion up on his Excellency's Message of yesterday.

Mr. Row gave notice that, to-morrow, he would move that an address be presented to his Excellency the Governor, in reply to his Message presented to the House yesterday, respecting the increase of the establishment of the Customs for the purpose of collecting the Colonial Revenue, stating that this House is of opinion that an increase of the said establishment is not required to the extent pointed out by the Collector of the Customs.

House in committee on Fishery Bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill to provide for the better conduct of the fisheries.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had made some progress, and had directed him to move for leave to sit again.

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

House in committee on Hospital Bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill for the relief

of sick and distressed Seamen and Fishermen.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report Bill with amendments.

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

Amendments read and agreed to.

*Ordered*, that the Bill as amended be engrossed.

Engrossed.

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

3d reading.

The order of the day for the consideration in committee of the amendments made in the registration of Deeds Bill, being read.

Order of the day read.

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

*Ordered*, that the said order of the day be postponed until tomorrow.

Postponed.

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

THURSDAY, APRIL 23, 1835.

**P**URSUANT to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the Bill to provide for the better conduct of the Fisheries.

House in committee on Fishery Bill.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said Bill and had agreed to the same, and had also made some amendments therein, which they had directed him to report to the House, and he delivered the Bill with the amendments in at the Clerk's Table.

Report Bill with Amendments.

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

Amendments read and agreed to.

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

Engrossed.

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

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

House in committee of supply.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report

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

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

A message from the Governor.

Mr. Secretary Crowdy, acquainted the House that he had a message from his Excellency the Governor, signed by his Excellency, and he

Message from his Excellency.

presented the same to the House ; and the said message was read by Mr. SPEAKER, (all the Members being uncovered,) and is as follows :

**MESSAGE.**

“ H. PRESCOTT ”

The Governor acquaints the House of Assembly that in consequence of their address on the subject of retiring allowances to Messrs. Broom and Phipard, he caused enquiries to be made of those Gentlemen whether it was their wish to resign their situations, and that they have both replied in the negative. The Governor loses no time in making this communication, lest under a misapprehension of the intention of these old Officers, their Salary for the present year might be omitted in the votes of the House.

*Government House,*  
23d April 1835. }

*Ordered,* that the said message do lie upon the Table.

Mr. CARTER from the committee appointed to prepare reasons to be offered at a conference with the Legislative Council, on the subject of the amendments made in the Bill entitled “ An act for the protection of the breeding of hares and wild fowl ”, for disagreeing to certain of the said amendments, reported that the committee had drawn up reasons accordingly ; and he read the same in his place as follow :

The House of Assembly do not concur in the amendments made in the Bill entitled “ An act for the protection of the breeding of hares and wild fowl,” whereby it is proposed to expunge the words “ black ducks and wild geese ” and to alter the time within which persons are prohibited from killing hares and partridges.—The House of Assembly were induced to extend the protection of the Law to the breeding of wild geese and ducks, by prohibiting the killing of them from the twentieth of April to the tenth of July, as the Assembly apprehended that, unless some such provision were made, these species of wild fowl, which some few years ago abounded in vast numbers in all parts of the Island, would, from the destroying of them at all seasons of the year, in a short time entirely disappear—as of late years they have disappeared from the eastern part of the Island between Cape Race and Conception Bay—more particularly as the House are fully of opinion that the black duck and wild goose both breed in this Island, and remain here during the whole of the year excepting about four months of the Winter Season when the latter bird seeks a warmer climate. The House of Assembly do not concur in the amendment by which it is proposed to alter the period within which persons are prohibited from killing hares and partridges, as the Assembly are of opinion that both hares and partridges pair quite as early as the 25th of March, and as the object of the Bill would be thereby in a great measure defeated.

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

Mr. CARTER gave notice that, to-morrow, he should move for leave to bring in a Bill to extend the jurisdiction of the Courts of Session—and also that he should move that the rules of the House in reference to the passing of Bills be suspended, so far as relates to the said Bill.

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

*Ordered,* that the Message of his Excellency the Governor, this day presented to the House, be referred to the committee of Supply.

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

*Ordered,* that the order of the day for the House in committee of the whole on the consideration of the amendments made in the bill to provide for the Registration of Deeds be postponed.

Acquainting the House that Messrs. Broom and Phipard still wished to hold their situations.

Reasons for the conference on wild fowl Bill reported.

Read.

Adopted.

Notice of motion for Court of Session Bill—also the suspension of the Rules.

Governor's Message of to day referred to committee of supply.

Order of day postponed.

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

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

FRIDAY, APRIL 24, 1835.

**M**R. CARTER, pursuant to notice and leave granted, presented a Bill to extend the jurisdiction of the Courts of Session, and the same was read a first time.

Court of Sessions Bill read 1st time.

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

*Resolved*, that the Rules of the House, in reference to the passing of Bills, be dispensed with, so far as relates to the said Bill, and that the same be now read a second time.

Rules suspended.

And the said Bill was read a second time accordingly.

Bill read 2d time.

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

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

Committed.

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

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

*Resolved*, that a conference be requested with the Legislative Council on the subject of the amendments made by them in the Bill entitled "An act for the protection of the breeding of hares and wild fowl."

Conference with Council requested.

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

A Petition of George Lake and others, Inhabitants of Fortune Bay, was presented by Mr. HOYLES, and the same was received and read, setting forth that the Petitioners are Planters and Fishermen resident in Fortune Bay, solely dependant on the Fisheries for a livelihood. That in common with the other Inhabitants of the said Bay the Petitioners depend for their Bait for the cod fishery principally on the caplin—which at certain seasons of the year visit the Bay; but that within the last two years, by means of large seines, such a quantity of caplin have been caught by the French Vessels visiting the Bay,—amounting in one year as the Petitioners believe to above five hundred tons of caplin,—that few if any are now ever found in several parts of the Bay, where within the memory of the oldest Inhabitants the caplin scull had never before failed,—that in consequence thereof the Fishermen living at the head of the said Bay, cannot procure sufficient Bait to prosecute the cod fishery, and Petitioners verily believe that if the French Vessels are allowed, as hitherto, to catch such quantities of caplin, persons living in the Bay and dependant on the fisheries, who carry on the fishery only in boats, will be totally deprived of the means of subsistence;—Petitioners, therefore, pray the House to take such measures as may be deemed requisite for the prevention of the evil of which the Petitioners complain.

Petition of George Lake and others presented and read.

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

*Resolved*, that the said Petition be referred to a select committee to examine and report upon, with power to send for and examine persons, papers, and records,—and that there be also an instruction to the said committee to enquire into and report upon the encroachments of the French Fishermen upon the British fisheries on the western coast of this Island, and on the coast of Labrador.

Referred to a select committee.

Committee named.

*Ordered*, that Mr. HOYLES, Mr. HOOPER, Mr. KOUGH, Mr. PACK, and Mr. CARTER, do form the said committee.

Hospital Bill read 3d time.

Pursuant to the order of the day, the engrossed Bill for the relief of sick and disabled Seamen, Fishermen and other persons, was read a third time.

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

Passed.

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

Title.

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

Sent to Council.

Petition of Joseph Templeman presented and read

A Petition of Joseph Templeman was presented by Mr. PACK, and the same was received and read, setting forth, that the want of a general Index and Digest of the several acts passed by the Parliament of this Island having presented itself to the Petitioner, and it occurring to him that a work if executed with fidelity and care would, while affording to the Petitioner a profitable occupation for his leisure hours during the past winter, not only prove of great practical utility to the two Branches of the Legislature, as well as to the Courts of Law, the Magistracy, and other public Departments, but would meet due encouragement from the House; Petitioner accordingly applied himself with great diligence to the task, and having with much care, pains, and mental exertion, accomplished the same (which Petitioner states has obtained the marked approbation of several Members of the House,) he submits it for favorable consideration, and prays the House will award him such remuneration for his trouble as may be deemed meet, and as will not only compensate him for the same, but encourage him to continue the said work for the acts of subsequent Sessions.

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

Referred to a select committee.

*Ordered*, that the said Petition be referred to Mr. PACK and Mr. KOUGH to examine and report upon to this House.

Fishery Bill read 3d time.

Pursuant to the order of the day, the engrossed Bill to provide for the better conduct of the Fisheries, was read a third time.

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

Passed.

*Resolved*, that the said Bill do pass, and that the title be "An act to provide for the better conduct of the Fisheries of this Island."

Title.

*Ordered*, that Mr. KOUGH do carry the bill up to the Honorable the Legislative Council and desire their concurrence.

Sent to Council.

On motion of Mr. PACK,

Petition of Mary Travers read.

The petition of Mrs. Mary Travers presented to the House on the 1st day of February last was read.

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

Referred to committee of supply.

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

Report of committee upon expiring laws.

Mr. Row, from the committee appointed to report upon expiring Laws, made the following report:—

The committee appointed to report upon expiring acts beg leave to report that there are no acts that will expire until the end of the next Session of the Legislature. The act 4th, Wm. 4 cap. 1, however, entitled "An act for the further increase of the Revenue" was passed on the 24th day of March, 1834, for one year, and from thence to the end of the then next Session of Parliament, and the committee submit to the House whether it would not be advisable to pass an act to continue it for one year from the present time.

*Ordered*, that the said report do lie upon the Table.

Mr. HOYLES gave notice that, to-morrow, he should move for leave to introduce a bill to amend an act for establishing and regulating Fire Companies in the Town of St. John's, and also, that he should move that the Rules of the House in reference to the passing of bills be suspended with regard to the said bill.

Notice of motion for Bill to amend Fire Companies Act. also, For the suspension of the Rules.

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

*Resolved*, that the order of yesterday, by which the message of his Excellency the Governor in reply to the address of the House on the subject of the retiring allowances of Mr. Broom and Mr. Phipard was referred to the committee of Supply, be rescinded.

Order of yesterday rescinded.

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

*Resolved*, that the House do now resolve itself into such committee.

And the House resolved itself into the said committee accordingly.

House in committee on Governor's Message.

Mr. SPEAKER left the chair.

Mr. PACK took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had considered of the said message and had come to several Resolutions thereon; which they had directed him to report to the House, and he delivered the same in at the Clerk's table where they were read as follow:—

Report.

1st.—*Resolved*, that it is the opinion of this committee, that in taking into their consideration the messages of his Excellency the Governor of the 19th May, 1834, and the 19th January, 1835, they understood them to be grounded upon the incapacity of Mr. Broom and Mr. Phipard,—arising from their advanced age and known infirmities—of any longer fulfilling the duties of their respective offices, and being clearly of opinion that any pension to which they could be considered entitled ought to be paid by the Parent Government, did express that opinion, as well in their address to his Excellency the Governor of the 10th instant, as in their former address to his Excellency Sir Thomas Cochrane of the 8th June, 1834.

Resolutions thereon.

2nd.—*Resolved*, that it is the opinion of this committee, not doubting that adequate provision would, under all the circumstances of the case, be made by the Parent Government for these its ancient servants, intimated by their address of the 8th June, 1834, that they had voted the salaries for that year, not doubting but such provision would be made, and that the House had no expectation but that with the acknowledged infirmities of these officers their retirement would immediately take place.

3rd.—*Resolved*, that it is the opinion of this committee, that there does not appear any reason why the Resolutions already agreed to on the subject should not be adhered to, and that the committee have therefore not deemed it expedient to vote any salaries for these officers for the present year.

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

Agreed to.

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

*Resolved*, that an address be presented to his Excellency the Governor in pursuance of the said Resolutions.

Address to Governor in pursuance thereof.

*Ordered*, that Mr. PACK, and Mr. Row be a committee to draft such address.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a Supply to be granted to his Majesty.

House in committee of Supply.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

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

*Resolved*, that this House will, to-morrow, again resolve itself into the said committee.

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

Leave for a bill to continue Revenue Act.

*Ordered*, that Mr. Row have leave to bring in a bill to continue for one year an act entitled "An act for the further increase of the Revenue."

Presented and read.

Accordingly, Mr. Row presented the said bill to the House, and the same was read a first time.

2d reading.

*Ordered*, that the bill be read a second time to-morrow.

Notice of motion to suspend Rules.

Mr. Row gave notice that, to-morrow, he should move that the Rules of the House, in reference to the passing of bills, be dispensed with so far as related to the said bill.

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

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### SATURDAY, APRIL 25, 1835.

Bill to amend Fire Companies Act, read 1st time.

MR. HOYLES, pursuant to notice and leave granted, presented a bill to amend an act of the Parliament of the Colony entitled "An act for the establishment and regulation of Fire Companies in the town of St. John's," and the same was read a first time.

Rules suspended.

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

Second reading.

*Resolved*, that the rules of the House, in reference to the passing of Bills, be suspended so far as they relate to this bill, and that the same be now read a second time.

And the said bill was read a second time accordingly.

Committed.

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

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

House in committee thereon.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

And Mr. HOOPER reported from the committee that they had gone through the said Bill, and had agreed to the same without any amendment.

Engrossed.  
3d reading.

*Ordered*, that the said Bill be engrossed and read a third time on Monday next.

Bill to continue Revenue Act, read 2d time.

Pursuant to the order of the day, a Bill to continue an act of the Parliament of this Colony entitled "An act for the further increase of the Revenue," was read a second time.

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

Rules suspended, and bill Committed.

*Resolved*, that the Rules of the House, in reference to the passing of Bills, be suspended so far as relates to this Bill, and that the same be now committed to a committee of the whole House.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. KOUGH took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said Bill, and had agreed to the same without any amendment.

*Ordered*, that the said Bill be engrossed and read a third time on Monday next.

Mr. PACK reported from the select committee to whom was referred the Petition of Joseph Templeman, and he read the report in his place, and afterwards delivered it in at the clerk's table, where it was again read as follows :

“ The Committee to whom was referred the Petition of Joseph Templeman, beg leave to report, that they had the same, as well as the index or digest therein mentioned, under their consideration, and that they find the said work well and faithfully executed, and likely to be eminently useful to all classes of the community—The committee have no doubt the said work must have cost the petitioner much toil and labour, and is deserving of encouragement, and they therefore recommend that the sum of Twenty five pounds be granted to the petitioner to aid him in publishing his said digest.

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

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

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a Supply to be granted to his Majesty.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had come to certain resolutions thereon, which they had directed him to report to the House, whenever it shall be pleased to receive the same.

*Ordered*, that the said report be now received.

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

1.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Fifty pounds, sterling, be granted to his Majesty towards defraying the salary of the Clerk of the Legislative Council during the present Session.

2.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Fifty pounds, sterling, be granted to his Majesty towards defraying the salary of the Usher of the Black Rod, for his services during the present Session.

3.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Thirty-five pounds, sterling, be granted to his Majesty towards defraying the salary of the Door-keeper of the Legislative Council, during the present Session.

4.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding One hundred pounds, sterling, be granted to his Majesty towards defraying the contingent expenses of the Legislative Council, during the present Session.

5.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding One hundred pounds, sterling, be granted to his Majesty towards defraying the salary of the Clerk of the House of Assembly, during the present Session.

House in committee thereon.

Report.

Engrossed.

3d reading.

Report upon Joseph Templeman's Petition.

Referred to committee of Supply.

House in committee of Supply.

Report

Resolutions thereon.

Report read.

Report, &c.

6.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding One hundred pounds, sterling, be granted to his Majesty towards compensating the Solicitor attending the House of Assembly, for his services during the last September and present Session.

7.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Fifty pounds, sterling, be granted to his Majesty towards defraying the salary of the Sergeant-at-Arms attending the House of Assembly, during the present Session.

8.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Thirty-five pounds, sterling, be granted to his Majesty towards defraying the salary of the Door-keeper of the House of Assembly, during the present Session.

9.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Twenty-five pounds, sterling, be granted to his Majesty towards defraying the salary of the Messenger of the House of Assembly, during the present Session.

10.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Three hundred and eighty-six pounds eleven shillings and sevenpence, sterling, be granted to his Majesty towards defraying the contingent expenses of the House of Assembly, during the present session.

11.—*Resolved*, that it is the opinion of this committee that a sum not exceeding Seventy-four pounds, sterling, be granted to his Majesty towards compensating the officers of the Legislature for their services during the last September session—viz.: The Clerk of the Legislative Council, Ten pounds,—The Usher of the Black Rod, Ten pounds—The Door-keeper of the Legislative Council, Seven pounds—The Acting Clerk of the House of Assembly, Twenty pounds—The Sergeant-at-Arms of the House of Assembly, Ten pounds—The Door-keeper, Seven pounds—The Messenger, Five pounds—The House-keeper, Five pounds.

12.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding One hundred pounds, sterling, be granted to his Majesty towards defraying the expense of purchasing books for the use of the Legislature.

13.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Two hundred pounds, sterling, be granted to his Majesty towards defraying the additional expense of collecting the Colonial Revenue.

14.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Five hundred pounds, sterling, be granted to his Majesty for the relief of the poor of the Island.

15.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding One hundred and eighty pounds, sterling, be granted to his Majesty towards defraying certain expenses incurred for the relief of the poor during the last year, and unprovided for.

16.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Four hundred and fifty pounds, sterling, be granted to his Majesty towards defraying the expense of employing three competent persons, with such assistance as may be necessary, to survey and lay out the best lines of main roads leading from St. John's towards Holy Rood, St. Mary's, Placentia, Trepassey, down the North shore of Conception Bay. From the head of Conception Bay to New Harbor in Trinity Bay, and thence down the South Shore of Trinity Bay.

17.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding One hundred pounds, sterling, be granted to his Majesty towards defraying the expense of purchasing Law Books for the use of the Courts of Session in the following outports, viz. Harbor Grace, Trinity, Bonavista, Twillingate, Ferryland, Placentia, St. Mary's, Burin, and Harbor Grace.

18.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding One thousand five hundred and ninety pounds, sterling, be granted to his Majesty towards defraying the expense of opening and repairing Roads and building Bridges, that is to say.—Repair of the Road between St. John's and Topsail, One hundred pounds.—Repair of Road from St. John's to Petty Harbor, One hundred pounds.—Opening a Road from Conception Bay to Trinity Bay, One hundred pounds.—Opening a Road from the head of Conception Bay to the head of Trinity Bay, One hundred pounds.—Opening a Road from St. John's to Bay Bulls, One hundred pounds.—Repair of Road from St. John's to Torbay, and thence Northward to Cape St. Francis, One hundred pounds.—For the repair of Bridges in the neighbourhood of St. John's, Two hundred pounds.—Opening a Road from the North side of Trinity Bay to Bonavista Bay, One hundred pounds.—Opening a Road from Salmonier to Holy Rood, One hundred pounds.—To repair the Roads and Bridges between Harbor Grace and Holy Rood, One hundred pounds.—Repair of Bridges in the District of Ferryland, One hundred pounds.—Repair of the Road from St. John's to Portugal Cove, Twenty pounds.—Opening a Road from Garnish to Grand Bank and Fortune in Fortune Bay, One hundred pounds.—Opening a Road from Burin to Lameline, One hundred pounds.—Building two Bridges between Burin and Mortier, Twenty pounds.—Building Bridges between Placentia and Salmonier, inclusive, Fifty pounds.

Report &amp;c.

19.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Twenty five pounds, be granted to his Majesty towards aiding Joseph Templeman, Esquire, in publishing his Index and Digest of the acts of the Colonial Legislature.

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

Adopted.

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

*Ordered*, that Mr. HOYLES have leave to bring in a Bill for granting to his Majesty certain supplies for the service of the year One thousand eight hundred and thirty five.

Leave granted for the introduction of a supply Bill.

Accordingly, Mr. HOYLES presented to the House a Bill for that purpose, and the same was read a first time.

Presented and read.

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

*Resolved*, that the said Bill be now read a second time.

2d reading.

And the said Bill was read a second time accordingly.

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

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

Committed for

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

Monday next.

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

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### MONDAY, APRIL 27, 1835.

**A**N engrossed Bill in amendment of the act for the establishment and regulation of Fire Companies in the Town of St. John's, was read a third time.

Bill to amend fire companies act read 3d time.

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

*Resolved*, that the said Bill do pass, and that the title be "An act in amendment of an act of the Parliament of this Colony entitled an act for the establishment and regulation of Fire Companies in the town of St. John's."

Passed.

Title.

Sent to Council.

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

Bill to continue Revenue act read 3d time.

Agreeably to the order of the day, an engrossed Bill to continue an act for the further increase of the Revenue, was read a third time.

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

Passed.

*Resolved*, that the said Bill do pass, and that the title be "An act to continue an act passed in the 4th year of his Majesty's reign entitled an act for the further increase of the Revenue."

Title

Sent to Council.

*Ordered*, that Mr. KOUGH do carry the bill up to the Honorable the Legislative Council and desire their concurrence.

Report of select committee upon George Lake's Petition.

Mr. HOYLES reported from the select committee to whom was referred the Petition of George Lake and others, Inhabitants of Fortune Bay, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as follows:

Read.

Your committee beg to report that they have, agreeably to their instructions, taken the evidence of several respectable Planters, and Boat-keepers resident in Fortune Bay, on the subject matter of the Petition referred to them, and from information they have obtained, they find that not only are the statements in the said Petition fully borne out, but that they only represent a small portion of the injuries likely to be sustained by the Inhabitants of that District.—They find that the increase of French Fishermen has been such that they have driven the caplin from their own shores, and if they are allowed to resort to ours as they have done during the last two years, the bait will be driven also from Fortune Bay, and along the coast from Lamaline to St. Lawrence, and the Inhabitants of those shores are under serious apprehensions that if the intrusions they complain of are not put a stop to by the interference of our Government, they will lose their Fisheries altogether, and be driven from their native Harbors to look for a better means elsewhere.

It appears that upwards of three hundred sail of French Bankers, and many of them with one or more boats in their train, have been sweeping the Harbors and Coves of Fortune Bay with large seines during the last summer, by which means they procured bait not only for the voyage, but also immense quantities which were salted and taken to France for the Spring Fishery on the Banks; by which it would appear that in addition to the great injury done to the Inhabitants of our shores, we are supplying them with the means of rivalling us to a very considerable extent; and your committee are also of opinion that the facilities thus obtained by the French Fishermen in procuring bait for the early spring is most injurious to the Bank Fishery, in as much as they fish with bul-tows and by that means destroy a large quantity of the mother fish when full of spawn. It appears that the caplin have heretofore remained from six to seven weeks, whereas the year before last it was considerably short of that time, and last season not more than four weeks,—besides which, in former years, the caplin never failed at the head of the Bay, but the year before last very little reached so high and last year none, so that the small boats had to come down a considerable distance to look for bait; and from information obtained at St. Peters, and among the French Fishermen in various ways, the Witnesses have every reason to believe from the success they have met with in their Fisheries, owing to their obtaining bait without interruption, will be the cause of a considerable increase in the number of French Bankers the present season.—Some of the Witnesses state that near one thousand tons of caplin were taken by the French last year, and that they were prevented from taking bait in Fortune Harbour by the number of French Boats sweeping the coves of all the caplin—and that they cut firewood to a great extent, the Inhabitants not being numerous or strong enough to prevent them.

Your committee have also examined several persons on the subject to them referred, respecting the encroachments of the French Fishermen on the coast of Labrador, and find that great numbers of their Vessels and Boats are constantly in the habit of going into our Harbors for the purpose of taking Bait and Fish.

Report &c.

Your committee, therefore, under these alarming and encreasing encroachments on the rights of British Subjects, most strongly recommend to the House that immediate application be made to his Excellency the Governor, by an address, praying that he will be pleased to take such measures as will obtain such protection during the ensuing caplin school, as will be sufficient to prevent the French Vessels from coming to our Shores for the purpose of fishing or taking Bait, and thereby prevent the serious annoyances to our trade in general, and to the inhabitants of the places aforesaid in particular.

Committee Room, }  
27th April, 1835. }      NEWMAN W. HOYLES, *Chairman.*

*Resolved*, that the said report be received and adopted by the House.

Adopted.

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

*Resolved*, that this House do now resolve itself into a committee of the whole House on the consideration of the Bill to extend the authority of Justices of the Peace,

House in committee on Courts of Sessions Bill.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report Bill with amendments.

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

Agreed to.

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

Engrossed.

3d reading.

A message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down the following message from the Honorable the Legislative Council:

*Mr. Speaker,*

The Legislative Council agree to the conference requested by the House of Assembly on the subject of the amendments made in the Bill entitled "An act for the protection of the breeding of Hares and Wild Fowl" and have appointed two conferrees on the part of this House, who will meet the conferrees on the part of the House of Assembly, in the committee Room of the Legislative Council, immediately.

Conference on Wild Fowl: Bill agreed to.

Legislative Council Chamber, }  
27th April, 1835. }      H. J. BOULTON.

And then the Messenger withdrew.

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

Conferrees named.

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

Went to conference:

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

Return and report.

A message from the Legislative Council.

Message from Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written Message:—

Requesting evidence ad-  
duced upon the Bill to  
amend the Harbor Grace  
Street act, and

*Mr. Speaker,*

The Legislative Council request the Commons House of Assembly will furnish to this House the evidence produced to the Assembly previous to the passing of the Bill entitled "An act to repeal part of an act passed in the fourth year of his Majesty's reign entitled an act to amend an act of the General Assembly entitled an act to regulate the Streets of the Town of Harbor Grace."

*Legislative Council Chamber,* }  
27th April 1835. }

H. J. BOULTON.

Notifying they agree to  
the amendments made in  
the Bill for the unneces-  
sary discharge of Fire  
arms, and

*Mr. Speaker,*

The Legislative Council have agreed to the amendments made in the Bill sent down to the Commons House of Assembly from this House entitled "An act to prevent the unnecessary discharging of guns and other fire arms in the Streets of St. John's, and the suburbs thereof."

*Legislative Council Chamber,* }  
27th April, 1835. }

H. J. BOULTON.

Requiring concurrence to  
a Bill for ascertaining the  
Census of the Island.

*Mr. Speaker,*

The Legislative Council have passed the Bill entitled "An act for ascertaining the Census of the population of this Island and its Dependencies, and other statistical information," to which they request the concurrence of the Commons House of Assembly.

*Legislative Council Chamber* }  
27th April 1835. }

H. J. BOULTON.

And then the Messenger withdrew.

Census Bill read 1st time.

The said Bill for ascertaining the Census of the population of this Island and its Dependencies and other statistical information, was then read a first time.

2d reading.

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

Notice of motion for sus-  
pension of Rules.

Mr. CARTER gave notice, that he should, to-morrow, move that the Rules of the House, in reference to the passing of Bills, be dispensed with, so far as relates to the said Bill.

House in committee on  
supply Bill.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill for granting to his Majesty, certain supplies for the service of the year One thousand eight hundred and thirty five.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report Bill with amend-  
ments,

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

House divide on receiving  
same.

On the question for receiving the Report, the House divided.

For the Report.

Mr. PACK  
— HOOPER  
— HOYLES  
— MARTIN  
— POWER  
— CARTER  
— COZENS.

Against the Report.

Mr. KOUGH

So it passed in the affirmative.

*Ordered*, that the said report be received.

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

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

Engrossed;  
3d reading.

TUESDAY, APRIL 28, 1835.

**A** GREEABLY to the order of the day, the engrossed bill for granting to his Majesty certain Supplies for the service of the year One thousand Eight hundred and Thirty-five, was read a third time.

Supply bill read 3d time.

Mr. Row moved, seconded by Mr. KOUGH, that the following words be expunged from the bill, viz.—

Motion to expunge certain parts thereof.

“And the further sum of One pound per diem, each, for every day’s attendance in the House of Assembly of such of the Members of the said House representing Outports as do not reside in St. John’s, provided the same shall not exceed forty two days in the whole.”—Whereon the House divided, when there appeared for the motion, three; against it, six.

House divide thereon.

For the motion—

Against the motion—

Mr. Row

Mr. PACK

— KOUGH

— MARTIN

— HOYLES.

— POWER

— HOOPER

— CARTER

— COZENS.

So it passed in the negative

Motion negatived.

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

*Resolved*, that the words “for repairing Bridges between Harbor Grace and Holy Rood” in the eighth page of the said bill be struck out, and the words “for building Bridges across the Spaniards Bay River, and across the Northern and Southern Guts of Port de Grave, Salmon Cove, between Harbor Grace and Holy Rood” be substituted in their stead.

Clause in 8th page amended.

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

*Resolved*, that the words “two hundred pounds for repairing Bridges in the neighbourhood of St. John’s” be struck out of the eighth page of the bill, and the words “two hundred and fifty pounds for erecting and completing a stone Bridge across the King’s River in the neighbourhood of St. John’s” be substituted in their stead.

Similar amendment.

And the said amendments were made in the bill at the table of the House accordingly.

Bill amended accordingly.

Mr. HOYLES moved, seconded by Mr. POWER, that the said bill do pass;—whereon the House divided, when there appeared for the motion, six; against it, two.

Motion for bill to pass.

House divide thereon.

For the motion—

Against the motion—

Mr. PACK

Mr. Row

— POWER

— KOUGH.

— CARTER

— HOYLES

— COZENS

— HOOPER.

So it passed in the affirmative, and

Carried,

*Resolved*, that the said bill do pass, and that the title be “An act for granting to his Majesty certain Supplies for the support of his Majesty’s

Passed.  
Title.

Government in this Island for the year of Our Lord One Thousand Eight hundred and Thirty-five.”

Sent to Council

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

Courts of Session Bill read 3d time

The engrossed bill for extending the jurisdiction of the Courts of Sessions and the authority of Justices of the Peace, was read a third time.

Ryder added thereto

On motion of Mr. CARTER, seconded by Mr. HOOPER,  
*Resolved*, that the following section be added to the said bill by way of Ryder:—

“And be it further enacted, that it shall and may be lawful for the Judges of the Supreme Court of this Island and they are hereby authorized and empowered to settle such forms of Process and such Rules of practice and proceeding for the conduct of all suits and complaints in the said Courts of Sessions and before the Justices thereof respectively and such reasonable fees to be demanded or taken by each and every officer of the said Courts of Sessions respectively, as the said Judges shall deem proper—and such Rules of practice and proceeding and such forms of Process shall be followed by the said Courts of Sessions, and such fees shall be received by the respective officers thereof and no other.”

Passed,

Title

On motion of Mr. CARTER, seconded by Mr. PACK,  
*Resolved*, that the said bill do pass and that the title be “An act to enlarge the Jurisdiction of the Courts of Session and to extend the authority of the Justices of the Peace.”

Sent to Council,

*Ordered*, that Mr. CARTER do carry the bill up to the Honorable the Legislative Council and desire their concurrence.

Census Bill, read 2d time.

Agreeably to the order of the day, the bill sent down from the Honorable the Legislative Council entitled “An act for ascertaining the census of the population of this Island and for obtaining other statistical information,” was read a second time.

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

Rules suspended, and bill Committed

*Ordered*, that the Rules of the House, in reference to the passing of bills, be dispensed with, so far as relates to the said bill, and that the same be committed to a committee of the whole House.

House in committee thereon.

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

Mr. SPEAKER left the chair.

Mr. COZENS took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had made some progress, and had directed him to move for leave to sit again.

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

Report of committee to prepare address in reply to his Excellency's message of the 23d inst.

Mr. Row, from the committee appointed to prepare the draft of an address to his Excellency the Governor, in reply to his Excellency's Message of the 23d instant, reported that the committee had prepared the draft of an address accordingly; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows:—

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

Address read:

*May it please your Excellency,*

We his Majesty's dutiful and loyal subjects the Commons of Newfoundland in Parliament assembled, having taken into consideration

your Excellency's Message of the 23d instant, relating to the salaries of Mr. Broom and Mr. Phipard, beg leave to acquaint your Excellency that in taking into consideration your Excellency's former message of the 19th January, relating to pensions for those officers, we understood the same to be founded upon their incapacity any longer to fulfil the duties of their respective offices, on account of their advanced age and increasing infirmities, and were clearly of opinion that any pension to which they could be considered entitled, ought to be borne by the Parent Government, which opinion we had also previously expressed in our address to his Excellency Sir Thomas J. Cochrane, in reply to his message on the same subject.

We further beg leave to acquaint your Excellency that on granting the salaries of last year we did, in an address to his Excellency Sir Thomas John Cochrane, acquainting him that we had so done, decline to take upon ourselves the future maintenance of those persons, and not doubting that, under all the circumstances, adequate provision for that purpose, would have been made by the Parent Government, we had no expectation but that ere now their retirement would have taken place.

Much, therefore, as we lament that no such pensions have yet been made, we could not consistently depart from the Rule already adopted, and feeling that a grant for these ancient officers, by whatever name it should be made, would under the circumstance of their acknowledged insufficiency, be regarded only as for pensions, we have not felt ourselves at liberty to include salaries for them in the votes of the present year.

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

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WEDNESDAY, APRIL 29, 1835.

**A** Message from the Legislative Council.

The Master-in-Chancery brought down from the Honorable the Legislative Council the following written message :

Message from Council.

*Mr. Speaker,*

The Legislative Council request a conference with the Commons House of Assembly on the subject matter of the bill sent up from that House entitled "An act for granting to his Majesty certain Supplies for the support of his Majesty's Government in this Island for the year of Our Lord, One thousand Eight hundred and Thirty-five," and have appointed the Honorable Messrs. Crowdy and Thomas, Conferees on the part of this House, to meet the managers from the Assembly in the committee room of this House, to-day, at one of the clock, P. M.

Requesting a conference upon Supply bill

H. J. BOULTON.

*Legislative Council Chamber, }  
28th April, 1835. }*

And then he withdrew.

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

*Resolved*, that the said Conference be agreed to as requested by the Legislative Council.

Acceded to.

*Ordered*, that Mr. CARTER do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the said conference.

Council acquainted thereof.

*Ordered*, that Mr. CARTER, Mr. KOUGH, Mr. KENT and Mr. HOOPER, do manage the said conference on the part of this House.

Conferees.

Report of committee to prepare address to his Excellency upon fishery encroachments.

Mr. HOYLES, from the committee appointed to prepare an address to his Excellency the Governor, on the subject of the encroachments of the French fishermen on the British fisheries in Fortune Bay, and on the coast of Labrador, reported, that the committee had prepared the draft of an address accordingly; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows:—

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

*May it please your Excellency,*

Address read.

The House of Assembly beg leave to acquaint your Excellency, that in consequence of a petition presented to them from several respectable Planters, inhabitants of Fortune Bay, complaining of the increasing encroachments of the fishermen of St. Peter's, and other Islands belonging to France, the House have examined a number of respectable planters and boat-keepers resident in the said Bay, on the subject matter of the said petition, from whose evidence the House find—

That not are the statements in the said petition fully borne out by fact, but that they only represent a small portion of the injuries sustained by the inhabitants of the said Bay. That the increase of the number of French fishermen has been such as to have been the cause of the caplin being driven from their shores, and that if they are allowed to resort to ours, as they have done for the last two years, the bait would also be driven from the shores of Fortune Bay, and of the coast lying between Lamaline and St. Lawrence; and the inhabitants of those shores are under serious apprehensions that if the intrusions they complain of are not prevented by the interference of our Government, they will lose their fisheries altogether, and be compelled to abandon their native harbors and seek a livelihood elsewhere.

That upwards of three hundred sail of French Bankers, and many of them with one or more boats in their train, had been sweeping the coves and harbors of Fortune Bay, with large seines, during the last summer, by which means they procured bait not only for the summer voyage, but also immense quantities which were salted and taken to France, for the Spring fishery on the Banks, whereby, in addition to the injury done to the inhabitants of our shores, they are supplied with the means of rivalling the British fisheries; besides which, the facilities thus obtained by the French fishermen in procuring bait for the early Spring, are most injurious to the Bank fishery, inasmuch as they fish with bultows, and by that means destroy a large quantity of the mother fish when full of spawn. That the caplin have heretofore remained from six to seven weeks on the shores of the aforesaid Bay, whereas the year before last their stay was considerably short of that period—and last year it did not exceed four weeks; in former years, also, the caplin never failed at the head of the Bay, but the year preceding the last very little reached so high, and last year none, so that the small boats had to come down a considerable distance to look for bait, and it seems the success the French have met with in the fisheries, owing to their obtaining bait without interruption, is likely to lead to a considerable increase in the number of French Bankers the present season. That not less than one thousand tons of caplin were taken by them last year, and several persons were prevented from taking bait in Fortune Harbour, by the number of French boats sweeping the coves of all the caplin, the inhabitants not being sufficiently strong or numerous to prevent them.

That the French Fishermen cut firewood and other timber to a considerable extent on our land, and on the coast of Labrador great numbers of their Vessels and Boats are constantly in the habit of entering our Harbors for the purpose of taking bait and fish.

Address &c.

That until the last few years, several of his Majesty's Ships of War were stationed on our coasts to prevent the French and American Fishermen from making encroachments, contrary to the treaties with their respective nations, and since they have been withdrawn these encroachments have increased to an alarming extent, not only on our own shores, but also on the Banks.

The House, therefore, respectfully request that your Excellency will be pleased to adopt such measures as your Excellency may deem best calculated to prevent the recurrence of such interference during the ensuing caplin scull, and to obtain such a naval force as will effectually protect the British Fisheries on the coasts of the aforesaid Bay, and the coasts and Bays adjacent.

*Resolved*, that the said address be engrossed and adopted by the House.

Adopted.

*Ordered*, that Mr. HOYLES and Mr. HOOPER be a committee to present the same to his Excellency.

Committee to present same.

The time for holding the conference with the Legislative Council, on the Bill for granting to his Majesty certain supplies for the support of his Majesty's Government in this Island, for the year of our Lord One thousand eight hundred and thirty five, being arrived, the names of the Managers were called over, and they went to the conference.

Conference on supply Bill held.

And being returned, Mr. CARTER reported that the Managers had been at the conference, and he stated the subject matter of the said conference to the House.

Conferrees return and report.

And, thereupon, Mr. SPEAKER acquainted the House that it appearing from the report of the said Conference that the Legislative Council had made amendments in the said Bill for granting to his Majesty certain supplies for the support of his Majesty's Government in this Island, for the year of our Lord One thousand eight hundred and thirty five, the House could not, consistently with its privileges, consider further of the subject matter of the said conference.

Mr. KENT gave notice that, tomorrow, he should move that it be resolved, that this House cannot receive any further messages from the Legislative Council, unless they be signed in the official manner hitherto usually practised.

Notice of motion not to receive any further Messages from Council unless officially signed.

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

*Resolved*, that a committee be appointed to prepare an address to his Excellency the Governor, in reply to his Excellency's message of the 27th day of February last, transmitting to this House the memorial of Mr. Justice Brenton—and that such address be in compliance with the resolution adopted by the House, on the 18th day of March last.

Address to be prepared to his Excellency upon Judge Brenton's Petition.

*Ordered*, that Mr. KOUGH, Mr. CARTER, and Mr. POWER, do form such committee.

Committee to prepare same.

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

*Resolved*, that a select committee be appointed to draft a Bill for granting to his Majesty certain monies for the service of the year One thousand eight hundred and thirty five.

Select committee to prepare further supply Bill.

*Ordered*, that Mr. HOYLES, Mr. ROW, Mr. KOUGH, Mr. CARTER, and Mr. HOOPER, do form such committee.

A message from the Legislative Council.

Message from Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written Messages:—

*Mr. Speaker,*

Bill to amend St. John's  
Fire Companies act passed

The Legislative Council have passed the Bill sent up from the Commons House of Assembly, entitled "An act to amend an act of the Parliament of this Colony entitled 'An act for the establishment and regulation of Fire Companies in the Town of St John's,'" without amendment.

*Legislative Council Chamber,* }  
29th April, 1835. }

H. J. BOULTON.

*Mr. Speaker,*

Fishery Bill passed with  
amendments,

The Legislative Council have passed the Bill sent up from the Commons House of Assembly entitled "An act to provide for the better conducting of the Fisheries of this Island," with some amendments, to which they request the concurrence of that House.

*Legislative Council Chamber* }  
29th April 1835. }

H. J. BOULTON.

And then the Messenger withdrew.

Amendments read 1st time

The amendments made by the Legislative Council in the said Bill entitled "An act for the better conducting of the Fisheries of this Island," were read a first time and are as follow :—

2d Section, 2d Line. Expunge the words "or stranger whatsoever."  
Expunge the 7th, 9th, and 10th, Sections.

Insert as the 7th Section, the following words.

"And whereas, it is expedient to repeal the 25th Section of an act passed in the Parliament of the United Kingdom of Great Britain and Ireland entitled "An act for the better administration of Justice in Newfoundland and for other purposes," and to afford protection in certain cases to Seamen, Fishermen and Servants employed in the Fishery, as well as to the Creditor for supplies necessary for the Fishery.—Be it therefore enacted, that the 25th Section of the said last in part recited act be and the same is hereby repealed."

Insert as the 8th Section, the following words.—

"And be it further enacted that in the distribution to be made of the produce of the Estates and effects of every person or persons hereafter declared insolvent in Newfoundland, every Seaman, Fisherman or Servant employed in the Fishery and every Creditor for supplies necessary and furnished bona fide for the Fishery during the current season that is to say at any time after the close of the last preceding season of the Fishery shall be considered as a privileged Creditor and shall be first paid twenty shillings in the pound, and that all other Creditors shall be paid equally and rateably : Provided always, that at the distribution of the said effects the Seamen, Fishermen and Servants shall be entitled to receive in the proportion of thirteen shillings and four pence in the pound ; and the Creditor for the supplies at the rate of six shillings and eight pence in the pound until each of the said parties shall have received the full sum of twenty shillings in the pound.

Insert as the 9th Section, the following words.—

"And be it further enacted that all Fish and Oil which shall be taken and made during the current year by the person or persons who shall hire or employ any such Seamen, Fishermen or other Servants employed in the Fishery as the proceeds thereof which shall have come to the hands or possession of such Creditor or Creditors for supplies so furnished as aforesaid or so much thereof as shall be sufficient to realize twenty shillings in the pound to such preferred Creditors upon the distribution of

such insolvent estate shall be taken and deemed to be a part of the estate and effects of such insolvent, and shall be recoverable by such decree, order, or judgment of the Court before which such insolvency shall have been declared, as such Court shall deem equitable and proper for the recovery thereof; *Provided always*, that nothing herein contained shall extend to any claim or demand which shall not have been preferred or prosecuted at the first Court of competent jurisdiction which shall have sat next after the termination of the fishing season during which such claims or demands shall have accrued.

In the 12th Section, 9th Line. Between the words "Proprietor" and "and" insert the following words "of the Ship or Vessel on board of which such Fisherman or Seaman had first entered."

*Ordered*, that the said amendments be read a second time.

Mr. KENT gave notice that, to-morrow, he should move that an address be presented to his Excellency the Governor, praying that he will cause to be laid before the House copies of all correspondence that may have taken place between the Executive and the Legislative Council relative to the change of the title of the President of that body—and also, of all correspondence between the Executive and the Colonial Department on the same subject.

Several Members having retired, and there being present Mr. SPEAKER, Mr. KENT, Mr. HOOPER, and Mr. KOUGH, Mr. SPEAKER adjourned the House at half past three o'clock P. M. for want of a quorum.

Amendments &c.

2d reading.

Notice of motion for an address to his Excellency relative to the change of title of President of Legislative Council.

House adjourn for want of a quorum.

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THURSDAY, APRIL 30, 1835.

MR. HOYLES, from the committee appointed to prepare the draft of a Bill for Granting to his Majesty certain supplies for the service of the year 1835, reported, that the committee had drawn up the draft of a Bill accordingly, and presented the same to the House; and the said Bill was read a first time.

A further supply Bill presented and read 1st time.

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

*Resolved*, that the Rules of this House, in reference to the passing of Bills, be dispensed with, so far as relates to the said Bill, and that the same be now read a second time.

Rules suspended and Bill read 2d time.

And the same was read a second time accordingly.

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

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

Committed.

Accordingly, the House resolved itself into a committee of the whole House on the said Bill.

House in committee there on.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said Bill, and had agreed to the same with some amendments, which they had directed him to report to the House; and he delivered the Bill with the amendments in at the Clerk's Table.

Report Bill with amendments.

On the question for receiving the Report, the House divided, when there appeared for receiving the Report, six; against it, three.

House divide on receiving same.

For the Report.

Mr. MARTIN

— KENT

— POWER

— HOOPER

— CARTER

— COZENS.

Against the Report.

Mr. Row

— KOUGH

— HOYLES

Agreed to.

So the question passed in the affirmative, and

*Resolved*, that this House concur with the committee in the said Report.

Message from Council.

A message from the Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written Message:—

*Mr. Speaker,*Communicating statement  
of their contingencies.

The Legislative Council acquaint the House of Assembly that they have adopted the following resolution on the subject of their contingencies, during the last and present Session of the Legislature.

*Resolved*, that the sum of One hundred and twenty five pounds, seven shillings and eight pence, be paid to the Clerk to defray the contingencies in his office, during the last and present Sessions of the Legislature; and that the sum of Eight pounds, thirteen shillings, and eight pence, be paid to the Usher of the Black Rod, to defray the contingences of his office, during the past and present Sessions of the Legislature; and that the Master in Chancery, the Clerk, the Usher of the Black Rod, and the Doorkeeper of this House, be placed, in point of emolument, on a footing with the Solicitor, Clerk, Serjeant at Arms, and the Doorkeeper of the House of Assembly.*Legislative Council Chamber }  
30th April 1835. }*

H. J. BOULTON.

And then the Messenger withdrew.

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

Bill for granting a further  
supply recommitted to  
consider of the said mes-  
sage.*Ordered*, that the Bill for granting to his Majesty certain monies for the service of the year 1835, be recommitted to a committee of the whole House, for the purpose of considering therein the subject matter of the message this day received from the Legislative Council, relative to their contingencies.*Resolved*, that this House do now resolve itself into a committee of the whole House on the further consideration of the said Bill.House in committee there-  
on.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report Bill with amend-  
ments.

The Chairman reported from the committee that they had reconsidered the said Bill and had made several amendments therein, which they had directed him to report to the House; and he delivered the Bill with the the amendments in at the Clerk's Table.

Agreed to.

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

Engrossed.

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

3d reading.

Message from Council.

A Message from the Legislative Council.

The Master-in-Chancery brought down from the Honorable the Legislative Council the following written message :

*Mr. Speaker,*

The Legislative Council have passed the Bill sent up from the Commons House of Assembly entitled "An act for the relief of sick and disabled Seamen, Fishermen and other persons," with some amendments, to which the concurrence of that House is requested.

Hospital bill agreed to with amendments

*Legislative Council Chamber,* }  
30th April 1835.

H. J. BOULTON.

And then the Messenger withdrew.

The amendments made by the Legislative Council in the said bill entitled "An act for the relief of sick and distressed seamen, fishermen, and other persons," were then read a first time, and are as follow:—

Read 1st time

Expunge the first six lines of the Preamble and the word "and" at the beginning of the seventh line.

Expunge the first section, and insert in its place

"Be it therefore enacted by the Governor, Council and Assembly of Newfoundland in Parliament assembled, that it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of this Island, to appoint seven Directors for the management of such hospital or hospitals as may be used or occupied for the reception of Patients under the provisions of this act, which directors shall have power and authority to nominate and appoint such and so many Collectors as may be necessary for the collecting of the dues hereby authorized to be raised as hereinafter mentioned, and to take such security from such collectors for the performance of their duty as they may think proper to require."

Expunge the 2nd, 3rd, 4th, 5th, 6th, 7th, and 11th sections of the bill.

12th Section, 3rd line.—Expunge the word "three" and insert in its stead the word "one"—Expunge the letter "s" at the end of the word "year."

12th Section, 5th and 6th lines—Expunge the words commencing with "of" in the 5th line and ending with the word "be" in the 6th line, and insert in their place the words "appointed by and under the authority of this act."

" " 7th line.—Expunge all the words in this section after the word "require."

Expunge the 13th, 14th, 15th, 16th, 17th, 19th and 20th sections.

*Ordered*, that the said amendments be read a second time.

2d reading.

Agreeably to order, the engrossed bill for granting to his Majesty certain supplies for the service of the year of Our Lord, One thousand Eight hundred and Thirty-five, was read a third time.

Supply bill read 3d time.

Mr. KOUGH moved, seconded by Mr. Row, that the words following, viz.—"One Pound *per diem*, each, for every day's attendance in the "House of Assembly during the present session of such of the Members "of the said House representing Outports as do not reside in St. John's, "provided the same shall not exceed forty-two days in the whole, to be "certified by the Speaker of the House of Assembly"—in the sixth page of the bill, be expunged;—whereon the House divided, when there appeared for the motion, three; against it, six.

Motion to expunge part thereof

For the motion—

Against the motion—

Mr. ROW  
— KOUGH  
— HOYLES.

Mr. KENT  
— MARTIN  
— POWER  
— HOOPER  
— CARTER  
— COZENS.

House divide thereon

So it passed in the negative.

Motion negatived.

Grant to the Solicitor  
amended

On motion of Mr. Row, seconded by Mr. CARTER,  
*Resolved*, that the words "for the past and present Sessions" be inserted in the vote to the Solicitor attending this House in the eighth page of the bill.

And the same words were inserted accordingly,

Passed  
Title.

On motion of Mr. HOYLES, seconded by Mr. CARTER,  
*Resolved*, that the said bill do pass, and that the title be "An act for granting to his Majesty certain Supplies for the service of the year of Our Lord, One thousand Eight hundred and Thirty-five."

Sent to Council

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

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

FRIDAY, MAY 1, 1835.

Amendments to Hospital  
bill read 2d time.

**O**N motion of Mr. HOYLES, seconded by Mr. Row,  
*Ordered*, that the amendments to the bill for the relief of sick and distressed seamen, fishermen and other persons, be read a second time.

And the same were read a second time accordingly.

Motion for 3d reading this  
day six months.

Mr. KENT moved, seconded by Mr. POWER, that the said amendments be read a third time this day six months;—whereon the House divided, when there appeared for the motion, six; against it, three.

House divide

For the motion—

Against the motion—

Mr. KENT

Mr. Row

— POWER

— HOYLES

— CARTER

— MARTIN

— KOUGH

— COZENS

— HOOPER.

Motion carried.

So it passed in the affirmative, and

*Ordered*, that the said amendments be read a third time this day six months.

House in committee on  
amendments to Registration  
of Deeds bill.

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

*Resolved*, that this House do now resolve itself into a committee of the whole House on the consideration of the amendments made by the Legislative Council in the bill to provide for the Registration of Deeds.

Mr. SPEAKER left the chair.

Mr. COZENS took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had made some progress, and had directed him to move for leave to sit again this day six months, and thereupon,

Motion not to receive the  
Report.

Mr. MARTIN moved, seconded by Mr. Row,

That the said report be not received;—whereon the House divided, when there appeared for the motion, three; against it, four.

House divide.

For the motion—

Against the motion—

Mr. MARTIN

Mr. COZENS.

— Row

— CARTER

— KOUGH.

— HOOPER

— KENT.

Motion negated.

So it passed in the negative.

*Ordered*, that the said committee have leave to sit again this day six months.

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

*Resolved*, that a committee be appointed to search the Journals of the Legislative Council to ascertain what proceedings have been had upon the bill sent up from this House entitled "An act for granting to his Majesty certain Supplies for the service of the year 1835."

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

Mr. SPEAKER acquainted the House that he had received a letter from Mr. Secretary Crowdy, informing them that his Excellency the Governor would receive the several committees of the House to present addresses, to-morrow morning, at eleven o'clock.

Committee to search Journals of Council upon 2nd supply Bill.

House acquainted when His Excellency would receive the addresses.

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SATURDAY, MAY 2, 1835.

MR. CARTER reported from the committee appointed to search the Journals of the Legislative Council to ascertain what proceedings have been had upon the bill for granting to his Majesty certain Supplies for the service of the year 1835, that the committee had searched the Journals of the House accordingly, and he read the following extract from the said Journals, and afterwards delivered it in at the clerk's table, where it was again read as follows:—

"The Appropriation Bill was brought up and read a first time.

"On motion of the Honorable Mr. SPEARMAN, seconded by the Honorable the CHIEF JUSTICE, that the same be read a second time this day six months—when there appeared—

"Content."

"Non-content."

The Honble.

The Honble.

— — The CHIEF JUSTICE  
 — — The COLONIAL SECRETARY  
 — — The COLLECTOR of the Customs  
 — — Mr. HALY  
 — — Mr. DUNSCOMB  
 — — Mr. BLAND.

The ATTORNEY GENERAL.

"So the question passed in the affirmative."

The committee also reported the following Protest of the Honorable the Attorney General, which they had extracted from the Journals of the Legislative Council:—

"DISSENTIENT."

"Because although the Bill in its present state be in several important particulars objectionable, no less in relation to the principles of some of its provisions, than as regards the privileges of the Council in relation to them, still those objections might possibly have been obviated, on further reference by message to the House of Assembly, requiring a conference with them, but which medium of remedy the absolute and immediate rejection of the bill utterly precludes.

"And because the rejection of the bill by the Council, within a few minutes after its being brought up from the House of Assembly, is not calculated to sustain the deliberative character of the Council, but rather bears the features of hasty resentment, susceptible of being imputed to an oversensitive feeling in relation to their own privileges—while at the same time it appears upon reference to the Council's Message to the House of Assembly on the subject matter of this bill, it is not quite clear that the Council themselves are perfectly free from the imputation of interference with the privileges of the House of Assembly.

Report of Committee to search Journals of Council

Report &c.

“ And because no necessity exists to require the *instant* rejection of this Bill ; and no good end is promoted by such a procedure—and because no practical evil or inconvenience could have arisen from the retention of the Bill before the Council for the space of twenty-four hours ; after when if it were found that the House of Assembly would not concur with the Council in the adoption of means requisite for its amendment, the reasons now subsisting in the minds of the Council to induce its rejection, if valid, would not become weakened in their force after receiving the sanction of deliberation and reflection.

“ And because it is most desirable and important to the public interests that all collision between the Council and House of Assembly upon such an important subject as that to which this Bill relates, should be most sedulously avoided.”

(Signed)

“ JAMES SIMMS.”

To lie on table.

*Ordered*, that the said Report and Extracts do lie upon the table to be perused by the Members of the House.

Report of Committee to present address to His Excellency relative to Messrs. Broom & Phipard, and

Mr. Row reported from the committee appointed to present to his Excellency the address of the House in reply to his Excellency's Message of the 23d of April, relative to Messrs. Broom and Phipard, that the committee had presented the same to his Excellency.

Relative to the Fishery encroachments, and

Mr. HOYLES reported from the committee appointed to present to his Excellency the Governor the address of the House relative to the encroachments upon the British Fisheries in this Island, that they had presented the same to his Excellency, and, in reply thereto, that his Excellency said he would cause the same to be immediately forwarded to his Majesty's Government.

Relative to Judge Brenton's Petition.

Mr. HOYLES also reported from the committee to present to his Excellency the address of the House in reply to his Excellency's Message relative to the Memorial of Mr. Justice Brenton, that the committee had presented the same to his Excellency.

Notice of motion for sundry Custom House returns

Mr. CARTER gave notice that, on Tuesday next, he should move that an address be presented to his Excellency the Governor praying that he will cause to be laid before this House a Return of all entries made at the Custom-house on the 20th day of April last, of goods subject to duties under Colonial acts—of the amount of all duties due and payable, and of the amount of duties actually paid or secured on such goods—as also a Return of the times when the goods so entered were actually landed.

Then the House adjourned until Tuesday next, at eleven of the clock.

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TUESDAY, May 5, 1835.

**O**N motion of Mr. HOYLES, seconded by Mr. MARTIN,

Committee to prepare a Bill for defraying the expenses of the attendance of the Members.

*Resolved*, that a committee be appointed to prepare a Bill or Bills for granting to his Majesty certain supplies for the service of the year 1835.

*Ordered*, that Mr. HOYLES, Mr. MARTIN and Mr. CARTER do form such committee.

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

Committee to prepare a Bill for defraying the expenses of the attendance of the Members.

*Resolved*, that a committee be appointed to prepare the draft of a Bill to make provision for defraying the expenses of the attendance in Parliament of the Members of the House of Assembly.

*Ordered*, that Mr. MARTIN, Mr. CARTER, and Mr. HOOPER do form such committee.

House adjourned.

Then, on motion, the House adjourned until two o'clock, P. M.

House meet.

At two o'clock the House met, pursuant to adjournment.

Mr. HOYLES reported from the committee appointed to prepare a Bill for granting to his Majesty the supplies for the service of the year 1835, and he presented to the House the draft of a Bill for granting to his Majesty certain monies for the service of the year of Our Lord, One thousand Eight hundred and Thirty-five, and the same was read a first time.

Supply bill presented and read a 1st and

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

*Ordered*, that the said Bill be now read a second time. And the same was read a second time accordingly.

2nd time.

Mr. CARTER reported from the committee appointed to prepare the draft of Bill to reimburse to certain of the Members of the House of Assembly the expenses of their attendance in Parliament during the present Session, and he presented the draft of a Bill for that purpose, and the same was received and read a first time.

Bill for defraying the expenses of the attendance of Members, read a 1st time.

Mr. KENT moved, seconded by Mr. P. BROWN, that the said Bill be read a second time this day six months, whereon the House divided, when there appeared for the motion, four ; against it, five.

Motion for 2d reading this day six months.

House divide.

For the motion—

Against the motion—

Mr. POWER

Mr. HOOPER

— KENT

— COZENS

— P. BROWN

— CARTER

— ROW.

— HOYLES

— MARTIN.

So it passed in the negative.

Motion negatived, and

On motion of Mr. CARTER, seconded by Mr. COZENS, *Ordered*, that the said Bill be now read a second time.

Bill read 2d time.

And the same was read a second time accordingly.

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

*Ordered*, that the Bill for granting to his Majesty certain monies for the service of the year of Our Lord, 1835, be now committed to a committee of the whole House.

House in committee upon Supply Bill.

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

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said Bill, and had agreed to the same without any amendment, and he delivered the Bill in at the Clerk's Table.

Report.

*Ordered*, that the Bill be engrossed, and read a third time to-morrow.

3d reading.

Mr. CARTER moved, seconded by Mr. COZENS, that the Bill to reimburse to certain Members of this House the expenses of their attendance in Parliament the present Session, be now committed to a committee of the whole House ;—whereupon the House divided, when there appeared for the motion, five ; against it, four.

Votion for the committal of Bill to reimburse certain Members.

House divide.

For the motion—

Against the motion—

Mr. COZENS

Mr. KENT

— MARTIN

— POWER

— HOOPER

— P. BROWN

— CARTER

— ROW.

— HOYLES

So the question passed in the affirmative, and the House resolved itself into the said committee accordingly.

Motion carried, and House in committee thereon

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had gone through the said Bill and had agreed to the same without any amendment, and he delivered the Bill in at the Clerk's Table.

3d reading.

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

Contingent Supply Bill  
presented & read 1st time.

Mr. MARTIN reported from the committee appointed to prepare the draft of a Bill for defraying the contingent expenses of the Legislature during the last and present Sessions, and he presented the draft of a Bill for that purpose, and the same was read a first time.

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

Read 2d time

*Ordered*, that the said Bill be now read a second time.  
And the same was read a second time accordingly.

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

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

House in committee there-  
on

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

The Chairman reported from the committee that they had gone through the said Bill and had agreed to the same without any amendment, and delivered the Bill in at the Clerk's Table.

3d reading.

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

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

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### WEDNESDAY, MAY 6, 1835.

Bill to reimburse certain  
Members read 3d time.

**A** GREEBLY to the order of the day, an engrossed Bill to reimburse to certain Members of the House of Assembly the expenses of their attendance in Parliament during the present Session, was read a third time.

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

Passed

Title.

*Resolved*, that the said Bill do pass, and that the title thereof be "An act to reimburse to certain Members of the House of Assembly the expenses of their attendance in Parliament during the present Session."

Sent to Council

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

Supply Bill read 3d time.

Pursuant to the order of the day, an engrossed Bill for granting to his Majesty certain monies for the service of the year of Our Lord 1835, was read a third time-

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

Passed

Title.

*Resolved*, that the said bill do pass, and that the title be "An act for granting to his Majesty certain monies for defraying the expense of the Civil Establishment of this Colony during the year of Our Lord One thousand eight hundred and thirty-five, and for other purposes."

Sent to Council

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

Pursuant to order, an engrossed Bill to make provision for defraying the contingent expenses of the Legislature during the last and present Sessions, was read a third time.

Contingent Supply Bill  
read 3d time.

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

*Resolved*, that the said Bill do pass and that the title be "An act to make provision for defraying the contingent expenses of the Legislature during the last and present Sessions."

Passed  
Title.

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

Sent to Council

The amendments made by the Legislative Council in the Bill sent up from this House, entitled "An act for the better conducting of the Fisheries of this Island," were read a second time.

Amendments to Fishery  
Bill read 2d time.

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

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

Committed.

And the House resolved itself into a committee on the said amendments accordingly.

House in committee there-  
on

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

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

*Resolved*, that a committee be appointed to draw up reasons for disagreeing, (at a conference with the Legislative Council) to the amendments made by them in the said Bill for the better conducting of the Fisheries of this Island.

Committee to draw up  
reasons for disagreeing at  
a conference to the said  
amendments.

*Ordered*, that Mr. KOUGH, Mr. MARTIN and Mr. POWER do form such committee.

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

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THURSDAY, MAY 7, 1835.

**A** Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council, the following written message;

*Mr. Speaker,*

The Legislative Council request a conference with the Commons House of Assembly on the subject matter of the Bill sent up from that House entitled "An act for granting to his Majesty certain monies for defraying the expense of the Civil Establishment of this Colony during the year of Our Lord One thousand eight hundred and thirty-five, and for other purposes," and have appointed the Honorable Messrs. Spearman and Dunscomb, Conferrees on the part of this House who, will be ready to meet the Managers from the Assembly in the committee room of the Council, presently.

Requesting a conference  
upon Supply Bill.

*Legislative Council Chamber }  
7th May 1835. }*

H. J. BOULTON.

And then the Messenger withdrew.

*Resolved*, that the conference be agreed to as requested by the Legislative Council.

Conference agreed to.

*Ordered*, that Mr. HOYLES, Mr. KOUGH, Mr. HOOPER and Mr. Row do manage the said conference on the part of this House.

Managers named.

Council acquainted thereof.

*Ordered*, that Mr. HOYLES do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the conference requested by them.

Message from Council.

A Message from the Legislative Council by Mr. ROBINSON, one of the Masters in Chancery.

*Mr. Speaker,*

Contingent Supply Bill acceded to.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly entitled "An act to make provision for defraying the contingent expenses of the Legislature during the last and present Sessions," without amendment.

*Legislative Council Chamber,* }  
7th May, 1835. }

H. J. BOULTON.

And then the Messenger withdrew.

Conference held upon supply Bill.

The time for holding the conference with the Legislative Council having arrived, the names of the Managers were called over, and they went to the conference.

Report thereof.

And being returned, Mr. HOYLES reported that the Managers had been at the conference, and had met the conferrees on the part of the Legislative Council, at the time and place appointed; and he read his report as follows:—

The Legislative Council being deeply impressed with the evil consequences which must result from any interruption of that good correspondence between the two Houses, which it is so essential to the best interests of the Colony to preserve, have desired this conference upon the Bill sent up from the Assembly, entitled "An act for granting to his Majesty certain monies for defraying the expense of the Civil Establishment of this Colony during the year of Our Lord One thousand eight hundred and thirty-five, and for other purposes," in order to acquaint the Assembly that although they have (for the purpose of meeting the wishes of the Assembly in a spirit the most conciliatory) postponed upon this occasion the rigid adherence to those principles which were asserted by the Council at the conference held with the Assembly, on the 29th of April, yet they deem it necessary for the preservation of their own rights and privileges, as a co-ordinate branch of the Legislature, to protest against the method adopted in this Bill, of introducing matter foreign to the ordinary annual supply for the support of the Civil Government of the Colony, being, upon any future occasion, drawn into a precedent, as they shall feel it to be their bounden duty strenuously to resist such a course of proceeding in all time coming, as tending to deprive the Council of their necessary and legitimate right of discussing and voting separately upon matters which have no proper reference to each other.

To lie on the Table.

*Ordered*, that the said report do lie upon the Table to be perused by the Members of the House.

Message from Council.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Messages:

*Mr. Speaker,*

Insisting upon their amendments to Wild Fowl Bill.

The Legislative Council have had under their consideration the instructions given by the Commons House of Assembly to their committee of conference on the amendments made in the bill entitled "An act for the protection of the breeding of Hares and Wild Fowl" and they acquaint that House that they do insist upon their amendments.

*Legislative Council Chamber,* }  
7th May, 1835. }

H. J. BOULTON.

*Mr. Speaker,*

The Legislative Council have passed the bill sent up from the Commons House of Assembly entitled "An act for granting to his Majesty certain monies for defraying the expense of the Civil Establishment of the Colony during the year of Our Lord, One thousand Eight hundred and Thirty-five and for other purposes" without amendment.

*Legislative Council Chamber,* }  
7th May, 1835.

H. J. BOULTON.

And then the Messenger withdrew.

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

*Resolved*, that this House do recede from their disagreement to the amendments made by the Legislative Council in the bill entitled "An act for the protection of the breeding of Hares and Wild Fowl" and do agree to the said amendments.

*Ordered*, that Mr. HOOPER do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the said amendments.

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

Supply Bill agreed to.

House withdraws their objections to the Council's amendments to Wild Fowl Bill.

Council acquainted thereof

FRIDAY, MAY 8, 1835.

**M**R. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, acquainting him, for the information of the House, that his Excellency the Governor would prorogue the Legislature at two o'clock this day.

At two o'clock, a Message from his Excellency the Governor, by Joseph Templeman, Esquire, Usher of the Black Rod.

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

His Excellency the Governor commands your attendance in the Council Chamber immediately.

Accordingly, Mr. SPEAKER and the House attended his Excellency in the Council Chamber, when his Excellency was pleased to give his assent to the several Bills following :—

An act to amend the law of attachment and facilitate the recovery of debts from absent or absconding debtors.

An act for preventing the taking and using of caplin for manure.

An act for the protection of the breeding of hares and wild fowl.

An act to amend an act passed in the second session of the Parliament of this colony, entitled "an act to regulate the making and repairing of roads and highways in this Island."

An act for raising a further sum of money for completing the erection of a Light House on Cape Spear.

An act for the establishment of a Light House on Harbor Grace Island.

An act to amend an act of the Parliament of this colony entitled "an act for the establishment and regulation of Fire Companies in the town of St. John's."

An act to prevent the unnecessary discharging of Guns and other Fire-arms in the towns of St. John's, Harbor Grace, Carbonear, Port-de-Grave and Brigus, and the suburbs thereof.

An act to limit the duration of the Parliaments of this colony.

An act to combine the office of Clerk of the Central Circuit Court with the office of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices.

An act to regulate the streets of the town of Carbonear.

An act for granting to his Majesty certain monies for defraying the

House acquainted of its Prorogation.

Message from his Excellency,

requesting the attendance of the House.

House attend his Excellency, who assents to several bills.

expense of the Civil establishment of this colony during the year One thousand Eight hundred and Thirty-five, and for other purposes.

An act to make provision for defraying the contingent expenses of the Legislature during the last and present Sessions.

His Excellency's Speech.

His Excellency was then pleased to make the following Speech to both Houses, viz:—

*Honourable Gentlemen, and Gentlemen,*

I have great satisfaction in relieving you from the labours of a Session protracted far beyond my original expectation.

The acts to which I have given my assent will, I trust, be beneficial to the Island.

I observe, with particular pleasure, the mode adopted for enforcing the removal of obstructions and impurities from the streets of St. John's. It is to be desired that the present regulation may be followed by the construction of common sewers, and by other measures conducive to cleanliness, health and comfort.

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

I thank you for the supplies; in the application of which I shall observe all due economy.

Some alteration must of necessity take place in the arrangement of the Circuit Courts, in consequence of the reduction you have made in the Estimate for that branch of the service. I will endeavour to render the administration of justice in the Out-Ports as effective as the present limited means will permit,

*Honourable Gentlemen, and Gentlemen,*

The probability of an improving Revenue from pre-existing sources, induces me to believe that the additional duties now imposed, will be found sufficient to effect a gradual extinction of the Treasury Notes.

The light tax laid upon imports will prove, I feel assured, in no degree oppressive; and I entertain sanguine hopes that in succeeding Sessions, after providing for all Departments of the Public Service, you may find a surplus to be devoted to further internal improvements.

In taking leave of you, under the idea of not meeting you again, in your collective capacity, for several months, I cannot recommend any thing more earnestly to your attention than the promotion of concord and friendly feeling throughout the colony; nor can I too strongly express my opinion that the influence which you naturally derive from your position as Members of the Legislature, will be best and most laudably exerted in allaying party spirit, wherever it may unhappily exist.

After which the Speaker of the Honourable the Legislative Council, by his Excellency's command, said—

*Honourable Gentlemen, and Gentlemen,*

It is His Excellency the Governor's will and pleasure that this General Assembly be prorogued until Saturday the Thirty-first day of October next; and this General Assembly stands prorogued until Saturday the Thirty-first day of October next accordingly.

EDWARD M. ARCHIBALD,

*Clerk of the General Assembly.*

# **APPENDIX**

**TO THE**

**JOURNAL OF THE FIFTH SESSION**

**OF THE**

# **HOUSE OF ASSEMBLY**

**OF**

**NEWFOUNDLAND.**



**1835.**





**FINANCIAL STATEMENT**

For the Year ending 31st March, 1835.

ITEMS OF EXPENSE.	Amount voted for 1834—5	Estimated Charge for 1835—6
<b>Salaries.</b>		
Clerk of the Council.....	200 0 0	200 0 0
2 Clerks in the Secretary's Office.....	400 0 0	400 0 0
Office Keeper of ditto.....	60 0 0	60 0 0
Messenger ditto.....	45 0 0	45 0 0
Clerk of the Supreme Court.....	400 0 0	400 0 0
——— Central Circuit Court.....	250 0 0	250 0 0
——— Northern Circuit Court.....	200 0 0	200 0 0
——— Southern Circuit Court.....	200 0 0	200 0 0
Crier and Tipstaff.....	60 0 0	60 0 0
Sheriff.....	513 5 0	513 5 0
Gaoler (St. John's).....	36 0 0	36 0 0
Chief Magistrate.....	360 0 0	360 0 0
2 Junior Magistrates } Police of John's.....	320 0 0	320 0 0
9 Constables }.....	320 13 4	320 13 4
Colonial Treasurer.....	430 0 0	430 0 0
Magistrates, Constables and Gaolers in the Outports	772 0 0	772 0 0
<b>OFFICERS OF THE LEGISLATURE.</b>		
Clerk of the Legislative Council.....	100 0 0	100 0 0
Usher of the Black Rod.....	50 0 0	50 0 0
Door keeper of the Council.....	35 0 0	35 0 0
Clerk of the Assembly.....	100 0 0	100 0 0
Serjeant-at-Arms.....	50 0 0	50 0 0
Door keeper.....	35 0 0	35 0 0
Messenger.....	25 0 0	25 0 0
Solicitor.....	107 2 0	107 2 0
<b>MISCELLANEOUS SERVICES.</b>		
H. P. Thomas—Roads.....	43 6 8	
Thomas F. Moore.....	18 0 0	
P. W. Carter, J. P.—(Extra).....	90 0 0	
James Lake.....	20 0 0	
James Sharpe.....	8 0 0	
Attorney General's Fees.....	250 0 0	250 0 0
<b>PENSIONS.</b>		
William Armstrong.....	50 0 0	50 0 0

## FINANCIAL STATEMENT.

CONTINUED.

Items of Expense.	Amount voted for 1834-5.			Amount of accounts rendered and paid.			Probable amt. required in the present quart'r			Excess of Ex- pense.			Estimated Charge for 1835-6.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
<b>Contingencies.</b>															
Printing, Advertising, Stationery, &c. (a).....	500	0	0	488	12	9½	11	7	3				500	0	0
Civil and Criminal Prosecutions.....	500	0	0	643	12	2	45	0	0	158	12	2	658	12	2
Gaol Expenses.....	600	0	0	545	0	0	180	0	0	125	0	0	725	0	0
Coroners (b).....	140	0	0	35	12	2	104	7	10				140	0	0
Relief of the poor £1975															
Seed Potatoes..... 1200															
	3175	0	0	2536	6	5	638	13	7	(c)					
Fuel and Light.....	215	0	0	181	13	8	33	6	4				215	0	0
Postages & other incidentals (d)	150	0	0	47	19	3	102	0	9				150	0	0
Repairs of Government Buildings, &c. (e).....	340	0	0	306	19	8	33	0	4				250	0	0
Repairs of gaols in Outports viz															
Burin (f).....	110	0	0												
Placentia (g).....	200	0	0												
Ferryland.....	100	0	0	100	0	0									
Trinity.....	20	0	0												
Harbor Grace..	60	0	0	22	17	7									
Roads (h).....	956	13	4	400	0	0							400	0	0
Conveyance of the Judges..	400	0	0	458	8	10½				58	8	10½	460	0	0
Unforeseen Contingencies (i).	500	0	0	485	14	0							500	0	0
Contingent expenses of the Legislature															
Council.....	213	3	6												
Assembly.....	298	16	5												

## EXPLANATORY OBSERVATIONS.

(a) The Stationery and Printing for the year being all provided, the small balance remaining will probably cover the expense of *Advertising* during the present Quarter.

(b) The only accounts paid are those of the Coroners of *St. John's*, *Harbor Grace*, *Greenspond* and *Ferryland* for the half year ending at Michaelmas, and which for the current half year it is presumed will, as usual, be heavier.—No accounts have yet been furnished from the other Outports, it is therefore difficult to say what may be required for the present quarter—but it will most probably be within the sum voted.

(c) The Districts every day requiring balances.

(d) Several accounts not yet obtained.—It is difficult to fix the probable amount for the present quarter, but it will be hoped be within the balance remaining on the vote.

(e) The amount required for the present quarter will depend upon the weather. It is however expected that the sum remaining will be sufficient.

(f) This Gaol is very much out of repair. During the sitting of the last Court at Burin, the Sheriff advertised for a Contract, but obtained no tender.

(g) Mr. Sweetman has undertaken to do these repairs (agreeably to a specification prepared by the Commanding Engineer) for the sum voted.

(h) Commissioners have been appointed—but it is not known whether they have contracted to the extent of the vote or not—no application has been made for any advances, except in the instance of *St. John's*, for the £400 paid.

(i) The amount paid under this head arises from the excess of Expenditure in other items and Warrants drawn by Sir Thomas Cochrane.

**STATEMENT**  
OF THE  
**COLONIAL REVENUE AND EXPENDITURE**  
In the Year ending 31st March, 1835.

**Receipts.**

Amount in Treasurer's hands collected previous to 1st April...	2540	7	3
Amount received of Imperial Duties in the 3 Quarters ending 5th January 1835.....	500	0	0
Ditto of Colonial Duties same period.....	5264	14	4
Probable amount of Ditto for Quarter ending 5th April next..	800	0	0
License Money Collected in St. John's.....	729	1	8
Probable amount of Ditto from Outports.....	270	18	4
Amount of Treasury Notes issued by the Commissioners.....	5600	0	0
	£15705	1	7

**EXPENDITURE.**

Amount returned to the Collector on account of Reserved Salaries in the previous year.....	389	7	7
Amount repaid to Military Chest on Sir Thos. Cochrane's War- rant, [vide his letter on that subject to the Governor]...	853	6	11
Amount of appropriation act, 4 Wm. 4, c. 25.....	11834	18	4
———— Ditto ditto ditto c. 26.....	2192	1	11
Vote to provide for expenses attending the introduction of Cholera	500	0	0
	£15769	14	9

**ESTIMATE**

*Of the probable amount of Revenue (under existing Imposts)  
in the year ending 31st March, 1836:*

Imperial Duties.....	£	1000
Colonial Ditto.....		6000
License Money .....		1000
		£8000 Stg.

## STATEMENT

*Shewing the several Sums paid to the Colonial Treasurer on account of the Imperial and Colonial Duties in each of the undermentioned Quarters of the year ended 5th Jan. instant.*

	Quarter ended 5th July.	Quarter ended 10th October.	Quarter ended 5th January.	Total.
Duties under Acts prior to 18th Geo. III.....	0 0 0	500 0 0	0 0 0	500 0 0
Duties under Acts subsequent to 18th Geo. III.....	0 0 0	0 0 0	0 0 0	0 0 0
Duties under Colonial Acts.....	1469 16 6	1733 0 0	2061 11 2	5264 14 4
Totals....	1469 16 6	2233 6 8	2061 11 2	5764 14 4

N. B.—No Return has as yet been received from Twillingate for the quarter ended 10th October, nor has any return been received from any of the Outports for the quarter ended 5th Instant.

J. M. SPEARMAN, *Collector.*

*Custom House, St. John's* }  
16th January, 1835. }

## STATEMENT

*Shewing the probable Sums which will be payable to the Colonial Treasurer on account of Imperial and Colonial Duties in the Quarter ending 5th April next.*

	Quarter ending 5th April
Duties under Acts prior to 18th Geo. III.....	0 0 0
Duties under Acts subsequent to 18th Geo. III.....	0 0 0
Duties under Colonial Acts.....	800 0 0
Total.....	£800 0 0

N. B.—The Outbay receipts for this Quarter are not taken into account in the above Estimate:—those receipts will be brought to account in the July Quarter:—nor does the above estimate include the Outbay receipts for the quarter ended 5th instant, though those receipts will then be brought to account.

J. M. SPEARMAN, *Collector.*

*Custom House, St John's* }  
16th January, 1835. }

## Estimate,

OF THE CHARGE OF DEFRAYING THE PUBLIC EXPENDITURE OF THE COLONY OF NEW-  
FOUNDLAND, FOR THE YEAR ENDING 31ST DAY OF MARCH, 1836.

Twelve Thousand Three hundred and Sixty-five Pounds, Seven Shillings, and Nine pence, Sterling.

Proposed distribution of the above Sum of £12,365 7 9, Sterling, for the Service of the year 1835-6.

Salary of the Clerk of Council.....	200	0	0
2 Clerks in the Secretary's Office.....	400	0	0
Office Keeper of do. ....	60	0	0
Messenger do. ....	45	0	0
Clerk of the Supreme Court.....	400	0	0
———— Central Circuit Court .....	250	0	0
———— Northern Circuit Court.....	200	0	0
———— Southern Circuit Court.....	200	0	0
Crier & Tipstaff.....	60	0	0
Sheriff.....	513	5	0
Gaoler (St. John's.....)	36	0	0
Chief Magistrate.....	360	0	0
2 Junior Magistrates.. } .....	320	0	0
9 Constables..... } .....	320	13	4
Magistrates, Constables and Gaolers in the Outports (as per detail annexed).....	772	0	0
Colonial Treasurer.....	430	0	0
Judge of the Admiralty.....	£500		
Arrear.....	500		
	1000	0	0
		£5566	18 4
To defray the Attorney General's Fees.....	250	0	0
Pension of William Armstrong.....	50	0	0
		300	0 0
Expense of Printing, Advertising, Stationery, &c... ..	500	0	0
Civil and Criminal Prosecutions.....	660	0	0
Expenses of Gaol.....	725	0	0
Coroners.....	140	0	0
Relieving the poor.....	1975	0	0
		4090	0 0
Fuel and Light.....	215	0	0
Postages & other Incidentals.....	150	0	0
Repair of Gaol Buildings.....	250	0	0
Gaol at St. John's.....	90	0	0
Harbor Grace.....	190	0	0
Repairing Roads and Bridges.....	400	0	0
Conveyance of the Judges on Circuit... ..	460	0	0
Unforeseen Contingencies.....	500	0	0
		2255	0 0
Constables Superintending Convicts at hard Labour past year (a)	6	6	0
Ditto in the ensuing year and present Quarter.....	62	10	0
Expenses of making certain alterations in and about the Gaol of St. John's, (as ordered by the Chief Justice) (b).....	87	19	8
Repairs of ditto and other expenses during the last year (unpro- vided for) (c).....	86	13	9
		243	9 5
<b>Total Estimated Charge for 1835-6</b>	<b>£12365</b>	<b>7</b>	<b>9</b>

(a) Remuneration for additional Labour recommended. (Magistrates Letter appended.)

(b) These alterations are highly judicious and have contributed very materially to the health and comfort of the prisoners,

(c) The repairs and other Items were indispensable.

**Detail**

OF SALARIES OF MAGISTRATES, GAOLERS AND CONSTABLES IN THE OUTPORTS, REFERRED TO IN THE FOREGOING ESTIMATE.

OUT-PORTS.	Magistrates	Clerk of Peace.	CONSTABLES.		Gaolers.	Total Expenses
			No.	Allowance.		
Harbor Grace & Carbonear....	£336	£18	5	£118	£30	£502
Port-de-Grave.....			1	10		10
Burin.....			1	10	20	30
Placentia.....			1	10	20	30
Ferryland.....			1	10	20	30
Trinity.....			2	25	20	45
Bonavista.....			2	25		25
Greenspond.....			1	15		15
Twillingate & Fogo.....			3	35		35
Trepassey & St. Mary's.....			2	20		20
Fortune Bay.....			2	20		20
Bay Bulls.....			1	10		10
					TOTAL	£772

*St. John's, 10th January, 1835.*

SIR,—I am favoured with your note of yesterday, informing me that His Excellency the Governor had given directions that the annual estimates for works and repairs on Government Buildings should be prepared without delay,—and in reply I beg leave to state—

That with regard to Government House and the appurtenant buildings, the repairs at present required are very trifling, and if detailed would be found not to exceed a very small amount; but, as the annual expense arises in a great degree from incidental causes, and, consequently, may be more or less in the aggregate, I would therefore submit that the better mode to pursue, would be, to name a sum that might be fairly thought sufficient to cover the amount, and whatever balance might arise, either of excess or deficiency, to be carried to account of the ensuing year.

It will be found, on reference to former years, that the expense incurred under this head, varied from 400*l.* to 700*l.* and upwards, embracing occasionally extensive alterations, some new erections; but if it be the intention of His Excellency the Governor to limit the expense to what may be required for *Repairs*, I am of opinion that a much smaller amount would be found adequate, and that a sum not exceeding 250*l.* would be sufficient for repairs and contingencies in sustaining those buildings.

With respect to the Gaol and Court House buildings, I beg to remind you, that surveys, reports and estimates have been made on them in 1832 and 3, by the Clerk of Works and Master Carpenter of the Royal Engineer Department on this station, and myself; and as no material change has since taken place in their state or condition, I think that the former estimates may still apply.

I have the honour to be,

Sir,

Your most obedient humble Servant,

PATRICK KOUGH.

The Honourable JAMES CROWDY,  
COLONIAL SECRETARY, &c. &c. &c.

*Court House, St. John's, Newfld.*  
*19th January, 1835.*

We are of opinion that a Constable or other person taking charge of the Convicts sentenced to hard Labour would be entitled to three shillings per diem.

JAMES BLAIKIE, J. P.

P. W. CARTER, J. P.

I certify that the Police commenced the above duty on the 12th November last—and have continued since, Sundays excepted.

A. HOGSETT, D. S.

## *MESSAGE FROM THE GOVERNOR, &c. &c. &c.*



H. PRESCOTT.

**T**HE Governor transmits for the consideration of the House of Assembly the following documents, viz.

Copy of a despatch from the Secretary of State for the Colonies in reply to Memorials from Mr. Broom (Chief Magistrate) and William Phipard (High Constable.)—25th August 1834.

Extract of a despatch relative to the Salary of the Judge of the Admiralty.—26th August, 1834.—and

The copy of a letter from Sir Thomas Cochrane enclosing sundry papers on the subject of certain expenses connected with the introduction of the Legislature of this Colony.—5th Nov. 1834.

*Government House,* }  
19th January, 1835. }

No. 8.

*Downing Street,* }  
25th August, 1834. }

SIR,—I have had the honour to receive your Despatch No. 26 of the 14th June last, accompanied by the application of Mr. Broom, the Chief Magistrate of St. John's, and Mr. Phipard, the Chief Constable, to be allowed to retire.—The Assembly to whom you referred the cases, appears to have stated an opinion that as the services of both applicants were rendered before the establishment of the Legislative Government, and during a period in which the Revenue of the Island was transmitted to the Imperial Treasury, their pensions ought to be defrayed by the Parent Government.

Upon this communication I have to remark, that if the circumstance of an Officer's having rendered the greater part of his services previous to the establishment of the Legislature in Newfoundland, be deemed a sufficient ground for charging his retired allowance to this country, all pensions for several years to come must fall upon the Government at Home.

But the whole expenditure as well as the whole revenue of the Colony was transferred to its own Government, when the Legislature was created; this transfer at once of all the resources, and all the burthens of the Island, formed an essential part of the measure by which the new institutions were conferred on Newfoundland; since therefore there is no fund in this country chargeable with such objects, it is evident that any application for a pension on account of civil situations held in Newfoundland, must either fail altogether or be complied with by the Assembly.

It is very truly observed that at the time when the present candidates for retirement performed their services, the whole Revenue of the Island was remitted to this country, but I must remark that the whole amount of the Expenditure was at the same time supplied from this country; and that, at any rate the practical question, in considering the mode of providing for a retiring Officer, relates, not to the source whence it was found possible to defray his salary while he was in the active discharge of his duties, but to the source whence it will be possible hereafter to defray his retiring pension.

You will have the goodness to bring these considerations before the Assembly: and to submit to them once more, in the absence of any available fund in England, the applications of Mr. Broom, and of Mr. Phipard, the Constable.

I have, &c.

(Signed)

T. SPRING RICE.

SIR THOMAS COCHRANE,  
&c. &c. &c.

*Downing Street,*  
26th August, 1834.

SIR—I have had under my consideration your despatch No. 25 of the 13th June, accompanied by a statement of Services for which the Assembly declined to provide in their votes of last Session.

The assignment of a retired allowance to the Judge of the Vice Admiralty Court must depend upon the Assembly, for the reasons stated in my despatch of yesterday's date, No. 8.

You will bring this case before the Assembly, together with those of Mr. Broom and Mr. Phipard.

SIR THOMAS COCHRANE,  
&c. &c. &c.

I have, &c.  
(Signed,)

T. SPRING RICE.

*On board His Majesty's Colonial Brig Maria,*  
5th November, 1834.

SIR—In resigning to you this Government, I deem it necessary to leave with you the duplicate of a despatch which I have recently received from His Majesty's Principal Secretary of State for the Colonies, relative to the expenses incurred in carrying into execution His Majesty's pleasure in establishing the existing local Government of this Island.

By this despatch you will perceive that my Lords Commissioners of the Treasury have been pleased to decide that out of £1443 2s.—the sum of £853 6s. 11d. shall be disallowed, and that the same shall be charged against the Colonial Fund.

His Majesty's Government having been pleased to come to the foregoing decision, it was only left me to follow their directions, and I have accordingly issued my warrant to the Colonial Treasurer to defray the sum of £853 6s. 11d. to the Military Chest—but as I consider such a direction on my part to be, in principle, unconstitutional, and only to be justified by the circumstances attending it, it was my intention on the meeting of the Legislature to lay before the Council and Assembly copies of the despatch alluded to, with the course I had pursued in consequence thereof, and I have now to request that your Excellency will be good enough to transmit to those Bodies on their first assembly, a copy of this despatch together with the documents it encloses.

His Excellency the Governor.

I have, &c.

(Signed)

THOS. COCHRANE.

*Downing Street.*  
26th June, 1834.

SIR—I have the honor to transmit to you, for your information and guidance, the enclosed copies of a correspondence with the Treasury, on the subject of certain expenses incurred by you in carrying into effect the instructions for establishing a Local Legislature at Newfoundland.

I have, &c.

(Signed)

T. SPRING RICE.

Governor,  
SIR THOS. COCHRANE.

*Treasury Chambers,*  
17th March, 1834.

SIR—I am commanded by the Lords Commissioners of H. M. Treasury to transmit herewith, for the information of Mr. Secretary Stanley, a statement of the expenses incurred by Sir Thomas Cochrane in carrying into effect the instructions for establishing a Local Legislature at Newfoundland, and I am to request you will move Mr. Stanley to favour my Lords with his opinion as to the propriety of the charges, and of authorising the Commissioners of Audit to admit them in Sir Thomas Cochrane's accounts of the application of the Colonial Revenues prior to the 31st March, 1833, and of monies received from the Military Chest in aid of those revenues, or whether they should be provided for from Funds at the disposal of the Local Legislature subsequently to that period.

R. W. HAY, Esq.  
&c. &c. &c.

I am, &c.  
(Signed)

J. STEWART

## Statement

*Of extraordinary expenses claimed in Sir Thomas Cochrane's accounts, as Governor of Newfoundland, from the 1st of January, to the 31st of March, 1833, and those of the High Sheriff, and the License Account for the same period, referred to in a representation from the Commissioners of Audit to the Lords of the Treasury, dated 25th Feb. 1834.*

Sums claimed in Sir Thomas Cochrane's account as Governor, viz.—

1833. August 2.—Expenses attending the first General Election.

District of St. John's.....	£223	18	6
Conception Bay.....	82	2	4
Fogo.....	38	2	8
Placentia & St. Mary's.....	48	12	5
Bonavista.....	80	14	2
Ferryland.....	25	4	10
Burin.....	28	8	1
Trinity.....	29	0	10
Fortune Bay.....	25	4	10
	£581	8	8

*Salaries and Allowances to the Officers of the two Houses for their services and attendance during the past Session.*

### Legislative Council.

J. Templeman, Usher of the Black Rod	£50
V. Borne, Doorkeeper and Messenger..	25
	£76

### House of Assembly.

E. M. Archibald, Clerk.....	£150
E. Rendell, Sergeant-at-Arms.....	50
J. Canning, Doorkeeper.....	35
W. Kelly, Messenger.....	25
C. Simms, Solicitor.....	100
	£360

### Other Incidental Expenses.

Mrs. Traverse—allowance for use of Furniture, coals, wood, candles, services, and attendance of Servants.....	£86	13	4
J. Lang, furnishing.....	22	7	8
J. Shea, printing.....	34	1	6
H. Winton, Stationery.....	9	9	5
A. M'Iver, ditto.....	5	3	1
Ryan & Withers, printing.....	109	17	0
Thos. M'Grath, Smith's work..	25	2	6
Wm. Freeman, Carpenter.....	17	5	9

£310 0 3

### Claimed in the High Sheriff's Account 1833

Aug. 2.—Mary Traverse, hire of house for Legislature.....	£108	6	8
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### License Money.

1833.	
Jan. 10.—Paid A. Beyers, for furnishing a band of Music on occasion of opening first Session....	£8 6 5

**£1443 2s.**

*Audit Office, Somerset Place,  
25th Feb. 1834.*

*Downing Street, }  
18th June, 1834. }*

SIR—In answer to your Letter of the 17th March last, respecting the expenses incurred by Sir Thomas Cochrane in carrying into effect the instructions for convening a Local Legislature at Newfoundland, I am directed by Mr. Secretary Spring Rice to convey to you, for the information of the Lords Commissioners of H. M. Treasury, his opinion that such charges should be sanctioned, and that so many of them as were incurred previously to the 31st March, 1833, should be admitted among the accounts of the application of the General Revenue of the Colony prior to that date; but that the remainder should be charged either

to the Funds at the disposal of the Legislature subsequently to the 31st March, 1833, or to that portion of the Parliamentary Grant for the year ending 31st March, 1834, which, by the Transfer of the expenses amounting to £6550 to the revenue arising from Customs' duties, has been set free for any purpose to which the Lords Commissioners of the Treasury may think fit that it should be applied.

I am, &c.

(Signed)

R. W. HAY.

The Honorable J. K. STEWART.

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*Treasury Chambers,*  
9th July, 1834.

SIR,—I am commanded by the Lords Commissioners of H. M. Treasury to transmit herewith for the information of Mr. Secretary Rice, with reference to your Letter of the 18th ult., a copy of their Lordships' minute of the 4th inst. relative to certain expenses incurred by Governor Sir Thomas Cochrane, in convening the Local Legislature at Newfoundland.

I am, &c.

(Signed)

C. WOOD.

R. W. HAY, &c. &c.

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### *Copy of Treasury Minute of 4th July, 1834.*

Read a letter from Mr. Hay dated 18th ult. acknowledging the receipt of the letter from this Board of 17th March last, respecting the expenses incurred by Sir Thos. Cochrane in carrying into effect the instructions for convening a Local Legislature at Newfoundland:

My Lords have again before them the Report of the Commissioners of Audit of the 25th February, last and the statement therein submitted of charges connected with the establishment of a Local Legislature.

Acquaint the Commissioners of Audit that my Lords are pleased to sanction the admission on the Audit of Sir Thos. Cochrane's accounts, as Governor of Newfoundland, from 1st January, to 31st March, 1833, of any expenditure connected with the convocation and election of the newly established Legislative Council and Assembly of the Colony, which may have been incurred prior to the 1st April 1833—that any expenditure for the same purpose incurred subsequently to the 1st April, is to be defrayed out of that portion of the Parliamentary Grant for the Civil Service of the Colony for the year from 1st April, to 31st March, last, which was not required to continue the payment for that period of established salaries or other charges specifically borne on the estimate approved by Parliament for the previous year, and Sir Thomas Cochrane may be allowed to take Credit for the same in his account of the application of monies drawn from that Grant; but that the expenditure for salaries and allowances to Officers of the Council and Assembly, for attendance during their Session amounting to £435—for the hire of a House for the meeting of the Legislature amounting to £108 6s. 8d., and for the incidental charges of the Council and Assembly amounting to £310 0s. 3d., must be provided for out of funds at the disposal of the Legislature, and cannot be allowed in either of Sir Thomas Cochrane's accounts beforementioned.

# AN ACCOUNT

*Of all Monies received in the year commencing 1st April, 1834, for the Rents or Proceeds of the Sales of Crown Lands (distinguishing the Amount derived from "Ships' Rooms" from that of Leases and Grants of Land for cultivation) with the appropriation thereof.*

## 1834-5.

RECEIPTS.	EXPENDITURE.
<p>Rents of Lands formerly "Ships rooms" 319 1 3            — leased &amp; granted. 176 19 3            * Proceeds of lands sold. 258 11 6            Escheats..... . . . .  <span style="float: right;">————— 754 12 0</span></p>	<p>New fences &amp; repairs of old ones about the Government Grounds. 193 9 3            Repairs of road to Outer Cove..... 21 0 0            Pilotage of the Colonial Vessel..... 10 17 6            Salary of Private Sec.<sup>y</sup> (to 1st Nov.).... 108 0 0            3 } Surveyor General 225 0 0            qrs } Chainman to ditto 15 0 0            Fuel, Stationery, and printing for the Surveyor General's office.... 10 4 0            Advertising, &amp;c..... 11 12 7  <span style="float: right;">————— 595 3 4</span></p>
<p>Total Receipts up to 31st Jan. £754 12 0</p>	<p>Total expenditure to 31st Jan. £595 3 4</p>
<p><i>Amount which will probably be collected before the 31st March.</i></p> <p>From "Ships Rooms" 200 0 0            — Leases &amp; Grants for Cultivation ... 40 0 0            — Sales..... 120 0 0  <span style="float: right;">————— £360 0 0</span></p>	<p><i>To pay during the present Quarter.</i></p> <p>Surveyor General and Chainman's salary.... 80 0 0            Mr. Westcote's pension 30 0 0            Accounts not rendered and expenses connected with the Surveyor General's Department.... 50 0 0  <span style="float: right;">————— 160 0 0</span></p>
<p>Estimated amount to be received before the 31st March ... £360 0 0</p>	<p>Estimated charge in the present Quarter..... £160 0 0</p>

\* These Items are unusually large from the produce of a valuable piece of Land in the neighbourhood of this Town sold to Mr. Job for 170*l.* and from the proceeds of Beach Lots at Harbor Grace sold in 1832, but only received in the present year.

## Newfoundland.

### \* DETAILED STATEMENT

*Of the Expenditure of Sums voted by the Legislature (for the service of the year ending 31st Mach, 1835) for defraying the expenses of "Civil and Criminal Prosecutions," "Gaol Expenses" and "Repairs of Gaols."*

#### CIVIL AND CRIMINAL PROSECUTIONS.

Paid James Blaikie, Esq. J. P. expenses incurred in going to the French Shore to procure evidence in the case of ——— Cooney, accused of Murder .....	25	0	0
— H. A. Emerson, Esq. Solicitor General for Criminal Prosecutions in the Northern Circuit Court .....	194	18	0
— Charles Simms, Esq. do. do. do. ....	33	3	8
— William Dickson, Esq. Fees as Clerk of the Peace .....	77	5	0
Disbursed by the Sheriff as per his statement annexed .....	265	0	0
<b>Total for "Civil and Criminal Prosecutions" ..</b>	<b>£595</b>	<b>6</b>	<b>8</b>

#### GAOL EXPENSES.

Paid the Surgeon's Salary (3 Qrs.) .....	30	0	0
Disbursed by the High Sheriff as per his statement annexed .....	536	13	4
<b>Total for "Gaol Expenses" ..</b>	<b>£566</b>	<b>13</b>	<b>4</b>

#### REPAIRS OF GAOLS.

Contract to repair Gaol at Ferryland .....	100	0	0
Disbursed by the Sheriff as per his statement .....	22	17	7
<b>Total for "Repairs of Gaols", ..</b>	<b>£122</b>	<b>17</b>	<b>7</b>

## NEWFOUNDLAND.

### DETAILED STATEMENT

*Of the Expenditure of the Sums voted by the Legislature for the year ending 31st March, 1835, to defray the expenses of Civil and Criminal Prosecutions, Gaol Expenses, and Repairs of Court Houses and Gaols, as paid through the High Sheriff.*

#### CIVIL AND CRIMINAL PROSECUTIONS.

##### EXPENSES OF SUMMONING JURIES, JUROR'S FEES, &c.

In the Supreme Court .....	24	19	0
Central Circuit Court .....	55	0	0
Northern Circuit Court .....	72	7	0
Southern Circuit Court .....	18	0	0
Courts of Session .....	15	7	0
Expenses of Witnesses and charge of Criminals .....	57	15	0
Extra Constables on Circuit .....	10	2	0
Clerk of the Peace at Harbor Grace, Fees .....	11	10	0
<b>Amount paid for Civil and Criminal Prosecutions .....</b>	<b>£265</b>	<b>0</b>	<b>0</b>

**DETAILED STATEMENT.**

CONTINUED.

**GAOL EXPENSES.**

St. John's—Dietry of Prisoners.....	262	8	3
Washing.....	24	12	0
Contingencies, Laborers, &c.....	46	3	2
Barber.....	9	0	0
Sick Prisoners at Prowse's.....	45	16	8
Harbor Grace—Dietry of Prisoners.....	68	1	3
Washing and care of Lunatics.....	33	12	0
Contingencies.....	20	15	0
Surgeon—3 Quarters.....	11	5	0
Servants Wages, do.....	15	0	0

£536 13 4

**REPAIRS OF GAOLS.**

Harbor Grace.....	£22	17	7
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I certify that the payments made in this account are conformable to those of former years.

For D. BUCHAN,

A. HOGSETT, D. S.

*A Return of the number of Indictments and Informations on the Crown side of the last Northern Circuit Court at Harbor Grace laid before the Grand Jury, and a Return of the number of such Indictments respectively found and ignored by them.—A Return of the number of Trials and Judgments upon such Indictments.—Also, a Return of the number of the said Indictments as remained over untried—commencing 20th October, and ending 20th November, 1834.*

Number of Indictments and informations laid before the Court and Grand Jury and disposed of as under. viz.				Number of Trials and Judgments.		Number of Indictments remaining over untried.	REMARKS.
No. of Indictments.	No. of Informations	No. of Indictments found.	No. of Indictments ignored	No. of Trials	No. of Judgments.		
19	None.	17	2	8*	6	11†	<p>* Of these 8 Trials 5 only went to a jury, and in 3 cases the Defendants pleaded "guilty"—in 2 cases a verdict of "not guilty" was returned by the Jury.</p> <p>† Included in the 11 Indictments remaining over untried are 2 cases removed into the Hon. the Supreme Court.</p> <p>All these Indictments are at Common Law, there being 17 for nuisance and 2 for assault.</p>

I, JOHN STARK, Chief Clerk and Registrar of the Honorable the Circuit Court for the Northern District of Newfoundland, do hereby certify that the above Return has this day been carefully extracted from and collected with the Records of the said Court by me.

In testimony whereof I have hereunto set my hand  
(L. S.) and affixed the Seal of the said Court, at Harbor Grace,  
this Twentieth day of February, One thousand Eight  
hundred and Thirty-five, 1835.

JOHN STARK.

**COPY**

OF COMMISSION UNDER THE GREAT SEAL OF NEWFOUNDLAND, APPOINTING  
**JAMES CROWDY, Esquire,**  
 SECRETARY AND CLERK OF THE COUNCIL OF THE SAID ISLAND.

*WILLIAM the Fourth, by the Grace of  
 GOD, of the United Kingdom of Great  
 Britain and Ireland, King, Defender of  
 the Faith.*

(L. S.)  
**THOS. COCHRANE.**

TO JAMES CROWDY, ESQUIRE, GREETING—

WE, reposing especial trust and confidence in your loyalty, integrity and ability, have constituted and appointed, and by these presents do constitute and appoint you the said James Crowdy, Esquire, to be Secretary and Clerk of the Council of our Island of Newfoundland, to have, hold, exercise and enjoy the said offices and places during our pleasure, together with all the rights, profits, privileges and advantages thereunto belonging or appertaining—Provided always that you the said James Crowdy do actually reside within our said Island, and do execute the said offices in your own person, except in case of sickness or other incapacity.

GIVEN under the Great Seal of our said Island.

WITNESS, our trusty and well-beloved Sir THOMAS J. COCHRANE, Knight, our Governor &c. &c. the 13th day of September, 1831, in the second year of our Reign.

*By His Excellency's command,*  
 (Signed)

**J. CAMPBELL.**

By virtue of a writ of Mandamus under the Royal Signet and Sign Manual dated at Saint James's 1st March, 1831.

**Return**

OF THE NATURE OF THE DUTIES PERFORMED BY THE CLERK OF THE EXECUTIVE COUNCIL OF NEWFOUNDLAND.

Attending the Meetings of the said Council.—taking minutes of the proceedings,—keeping a Record of the same,—and making Duplicate Copies thereof (with a Return of the Members,) for transmission to his Majesty's Secretary of State for the Colonies.

**RETURN**

OF THE NUMBER OF TIMES WHICH THE EXECUTIVE COUNCIL OF NEWFOUNDLAND HAS MET IN ITS OFFICIAL CAPACITY SINCE ITS FIRST CONSTITUTION.

In the year 1825.....	3 Times
———— 1826.....	6 ———
———— 1827.....	6 ———
———— 1828.....	4 ———
———— 1829.....	None.
———— 1830.....	4 Times
———— 1831.....	3 ———
———— 1832.....	25 ———
———— 1833.....	12 ———
———— 1834.....	18 ———

**Copy***Of Commission under the Great Seal of Newfoundland, appointing***HUGH A. EMERSON, ESQ.****Solicitor General of the said Island,***(L. S.)***THOS. COCHRANE.**

WILLIAM the Fourth, by the Grace of GOD, of the  
United Kingdom of Great Britain and Ireland, King,  
Defender of the Faith.

TO OUR TRUSTY AND WELL BELOVED HUGH ALEXANDER EMERSON, ESQ., GREETING:—

WE, reposing especial trust and confidence in your loyalty, integrity, and ability, have constituted and appointed, and by these presents do constitute and appoint you, the said Hugh Alexander Emerson, Esquire, to be our Solicitor General for our affairs in our Island of Newfoundland and its Dependencies;—to have, hold, exercise, and enjoy the said Office or place, together with all and singular the rights, profits, privileges, and advantages thereunto belonging and appertaining, for and during our pleasure, and your actual residence within our said Island, and the execution of your Office in your own person, except in case of sickness or other incapacity.

Given under the Great Seal of our said Island.

Witness our trusty and well-beloved Sir THOMAS  
JOHN COCHRANE, Knight, our Governor &c.  
&c. the second day of October, 1833. in the  
third year of our Reign.

*By his Excellency's command,*  
(Signed)

**JAMES CROWDY,**  
*Secretary.*

By virtue of a Writ of Mandamus  
under the Royal Signet and Sign  
Manual dated at St. James's the  
5th April, 1832.

**EXTRACT**

OF A DESPATCH FROM THE COLONIAL DEPARTMENT RELATIVE TO THE APPOINTMENT OF MR. H. EMERSON,  
AS SOLICITOR GENERAL OF NEWFOUNDLAND.

SIR,—“Mr. Emerson, a Barrister who is proceeding to Newfoundland, has applied to Lord Goderich for the Office of Solicitor General of that Colony, which he is willing to accept without salary. This Gentleman has been strongly recommended to his Lordship, and he is disposed to comply with his request.”

## Report

### OF THE COMMISSIONERS OF ROADS FOR THE DISTRICT OF ST. JOHN'S.

#### TOPSAIL.

The sum of One hundred and fifty pounds was set apart by the Legislature to be expended in opening a road to Topsail.

In effecting this object of the Legislature, the Commissioners found that by adopting the Brookfield road as far as it went, they should be availing themselves of nearly seven miles of existing road, and that at the same time it would form part of a new line to Topsail, having an advantage over the former route of possessing a far better level, while the distance is not increased.

The Commissioners have therefore opened a road 9 feet wide to that place from the termination of the Brookfield road, a distance of nearly five miles.—They have also drained two miles, and have still on hand to be appropriated for the same road, the sum of £23 2 9, which together with the amount expended, will make up £150 named by the Legislature.

Not less than 60 covered drains and 8 bridges will be required on this road; two miles more of side draining, and some levelling is also wanted. To accomplish these objects an additional sum of about £100 would be necessary, the judicious expenditure of which sum, the Commissioners are sanguine would complete a bridle road to Topsail. The distance to that place from the eastern end of the western fishing ship's room, is  $11\frac{1}{2}$  miles.

A large tract of land bearing on its surface the heaviest growth of timber, and a corresponding goodness of soil, has been thrown open by the cutting of this road; and the Commissioners cannot but express their sense of the very general benefit that would arise from its completion, forming as it appears naturally to do, part of a main line of road, which extending from Topsail along the Southern Shore of Conception Bay to Holyrood, may thence with great facility be continued to St. Mary's and Placentia.

#### PORTUGAL COVE.

On the Portugal Cove road, the Commissioners have renewed 26 covered drains, for which purpose they have used stone wherever that material of a size sufficiently large could be procured. They have also built one bridge, and repaired the worst parts of the road. To do this the sum of £44 8 10 has been expended, and to maintain this road in as good repair as it is at present about the same sum annually may be required.

#### TORBAY.

On the Torbay road, the Commissioners have expended £50, in completing 8 good and substantial bridges, which were most essentially wanted. Two others are required, one about two miles from Town over a stream running into Forest Pond, which may be built for about £25, and a smaller one near Torbay, for which £5 would be sufficient. The completion of the two bridges here named would leave the Torbay road in a tolerable state of repair.

#### PETTY HARBOR.

Both the summer and winter path to Petty Harbor commence at the base of the South Side Hill, nearly opposite Mr. Job's Mill. To ascend this hill with any kind of vehicle, is, the Commissioners believe, never attempted, and they considered it most desirable to open such a communication as would enable carts with an ordinary load to pass between St. John's and Petty Harbor. The Commissioners consider they have attained this object, by adopting the Blockmakers' Hall road for some distance beyond Waterford Bridge, whence they have opened a road nine feet wide to Petty Harbor, the distance to which place from the Court House in St. John's is nine miles on the new line thus opened, and which the Commissioners have much satisfaction in stating does not exceed the length of the old summer route.

The sum of £52 2 4 has been expended on this road, and to complete the same as a bridle road would require a further sum of £150.

#### OUTER COVE.

The old track to Outer Cove being a very circuitous one, and so hilly as barely to admit the passage of the most simple kind of cart, the Commissioners have, from a point on the old road about  $4\frac{1}{2}$  miles from Town, opened a new line to Outer Cove, which is also available for the inhabitants of Middle Cove, by a branch being carried to that place. The sum of £26 18 4 has been expended here, and two bridges are still required that would cost a further sum of £30. After the expenditure of this latter amount, the Commissioners think

the Statute Labor should put the road into a state of usefulness. The distance to Outer Cove on the new line is about seven miles, being a mile shorter than the former direction.

## QUIDDY-VIDI.

On the south side of Quiddy-Vidi Pond the Commissioners have expended £10 in making drains and other general repairs.

The bridge at the eastern end of the before-named pond was so bad, as not to admit of being repaired; and as the only tender to rebuild the same was for the sum of £25, an amount larger than the Commissioners considered themselves justified in appropriating for that purpose, they agreed to furnish materials and to erect the frame of a bridge at that place, provided the parties most interested therein, would convey the materials to the spot, and finish the same;—an engagement of this nature has been acceded to, and the bridge is now in progress.—The materials and proportion of labour to be done by the Commissioners will cost £14.

## BROOKFIELD.

On the road to Brookfield the Commissioners have erected two good bridges—one of wood over the stream near Mr. Hawson's, and another of stone about  $3\frac{1}{2}$  miles from town; also two covered drains at the western extremity of the town—at a cost for the whole of £11 8.

After the expenditure of the several sums before enumerated, and some incidental expenses, the Commissioners have still on hand the sum of £15 19 9, which they purpose applying towards draining the road to Petty Harbor.

In the commencement of their labours the Commissioners endeavoured to give their own personal attendance at the several places where repairs were required, but they found that to insure a faithful performance of the contracts, and to determine various particulars connected with the most economical expenditure of the sum entrusted to them, would entirely withdraw them from their respective occupations; they were therefore compelled to procure a person who, under their direction, should give a general superintendence over the repairs contracted for. Such a person they have subsequently employed, and from whose services they conceive much benefit has been derived to the Public;—and from the experience of the past year, the Commissioners feel assured that the permanent employment of a person whose whole time should be devoted to a general supervision of the roads in the district of St. John's, would be a measure calculated to influence the most judicious method of expending any sums that may in future be appropriated for roads.

Should His Excellency concur with the Commissioners in this opinion, and deem it a matter of sufficient importance to bring before the notice of the House of Assembly, they beg leave to state that the person they have employed the past year, Mr. Thomas Byrne, is every way capable of discharging the duties to which they refer, and to whose ability and general good conduct they have pleasure in bearing testimony.

WM. HALY.  
C. F. BENNETT.  
H. P. THOMAS.  
JOSEPH NOAD.

## ABSTRACT ACCOUNT

OF MONIES EXPENDED BY THE ROAD COMMISSIONERS FOR THE DISTRICT OF ST. JOHN'S.

1834.

On the Topsail Road . . . . .	£126	17	3
— Petty Harbor do . . . . .	52	15	3
— Portugal Cove do . . . . .	42	14	2
— Outer Cove do . . . . .	26	18	4
— Torbay do . . . . .	50	0	0
At Quidi Vidi (North side £10—South side £14) . . . . .	24	0	0
— River Head . . . . .	9	17	8
Incidental Expenses . . . . .	27	14	10
Balance on hand to be expended on the Topsail Road . . . . .	23	2	9
Do. do. at the disposal of the Commissioners . . . . .	15	19	9
	£400	0	0

REPORT OF THE COMMISSIONERS OF LIGHT HOUSES.

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

May it please Your Excellency,

The Commissioners of Light Houses appointed by Sir Thomas Cochrane under the Act of the Colonial Legislature 4th Wm. IV. cap. 4., beg leave to submit to your Excellency a statement of their proceedings since their appointment.

The attention of the Commissioners was, in the first instance, directed to the state of the Light House at Fort Amherst, on the South head of the entrance of this Port, to which they gave some necessary repairs, and, on the 7th July last, they had the satisfaction of exhibiting at that station the present Light, which, as a temporary one, appears to have answered the purposes of the Trade.—It is, however, in the contemplation of the Commissioners to procure a more effective Harbor Light as early as possible, the cost of which, the Commissioners are informed will amount to about Seventy pounds.

The Commissioners having early in the season, accompanied by Sir Thomas Cochrane, the Commanding Royal Engineer, and the Surveyor General, visited Cape Spear, selected a suitable site for the Light House which has since been erected thereon, and which is now ready for a Lantern,—at an expense exceeding Four hundred pounds.

The Commissioners also transmitted orders to Robert Kerr, Esq., Greenock, to procure a Lantern fitted with a superior Light for Cape Spear, limiting the expense to Six hundred pounds, including the cost of three new Reflectors for the Harbor Light.—Mr. Kerr, on the receipt of the order, with prompt attention for which the Commissioners feel much indebted, immediately proceeded to Edinburgh, for the purpose of consulting Mr. Stevenson, the Civil Engineer of the Scotch Light House Board, on the subject, and the result of Mr. Kerr's application will be found in the Estimate and Correspondence transmitted to your Excellency herewith, and by which it appears that the expense of the Lantern and apparatus will exceed the sum at the disposal of the Commissioners by Four hundred pounds.

The Commissioners, therefore, not feeling warranted in proceeding further without the necessary means, respectfully request your Excellency will recommend to the House of Assembly the adoption of such measures as they may deem expedient to carry the intended object into effect.

THOS. BENNETT  
H. P. THOMAS  
J. M'BRIDE  
B. BONIFANT.

Commissioners of Light Houses.

ST. JOHN'S, JANUARY 31, 1835.

*ESTIMATE of Light Room with Light Reflectors, Lamps, and Reflector Frame, for Cape Spear Light House.*

For 16 cast Iron sash frames complete, with fittings and bolts in the workshop, for a	£
Lantern of 10 feet diameter across the angles, and 5 ft. 8 in. of daylight in the height	105
— A single dome roof of copper with rivets and handles, &c.....	100
— 30 plates of Glass measuring 27 inches square and $\frac{1}{4}$ inch thick.....	130
	£335
For a suspension frame for 8 Reflectors disposed in 2 zones.....	30
— 8 Silvered-copper parabolic Reflectors with Argand Lamps, Sliding Carri- } ages, Oil Cups and Frost Lamps..... }	280
	310
	£645

*ESTIMATE, &c. Continued.*

N. B. The cost of a Reflector 21 inches in diameter complete Lamp, is made up by the following items,—

Messrs. Bolton & Watt of Soho's Invoice price for a disc of Reflector Metal composed, of	
6 oz. of silver to 16 oz. of copper .....	£23
Price of raising Disc to parabolic curve, and fitting with Bizzel, &c.....	6
Ditto of Fountain Lamps complete with Sliding Carriage, Oil Cups & Frost Lamps..	6
	£35

COPY OF A LETTER FROM  
MESSRS. ROBERT STEVENSON & SONS TO ROBERT KERR, Esq.

*Edinburgh, Nov. 22, 1834.*

ROBERT KERR, Esq.

Sir—On the preceding page we send you an Estimate for a Lantern with eight Reflectors and a frame, for the Light House at Cape Spear.

It will be necessary to arrange these Reflectors in two zones, one above the other, so that the centres of the Reflectors of in the upper zone shall be immediately over the junction of the Reflectors in the lower one; these eight Reflectors so arranged will efficiently light no more than *one third* of the whole horizon, and as appears by the estimate, the cost will be £645. To light 26 points, as desired in the letters you handed to us, would require about £1070.

Regarding the Harbor Light for which you desire three additional Reflectors, we would recommend in their place, a small Apparatus peculiarly suited for a Harbor Light; the cost of which, independently of a light cast iron frame for supporting it, would not exceed £50; for the illumination of this apparatus a small Lamp is sufficient.

We beg further to notice that the sooner we shall receive your directions the better, in order to be in readiness for the Vessels of the ensuing spring and when the work is finished we shall forward you the several accounts attested by us as correct. We may at the same time notice that we shall limit our fee for superintending the construction of the Apparatus and for other trouble to £50.

We remain Sir,

Your most obedient servants,

(Signed) ROBERT STEVENSON & SONS.

COPY OF A LETTER FROM ROBERT KERR, Esq., TO MESSRS. R. STEVENSON & SON,  
CIVIL ENGINEERS, EDINBURGH.

MESSRS. R. STEVENSON & SON,

*Greenock, 24th November, 1834.*

GENTLEMEN—I am favoured with yours of the 22d inst. handing Estimate for the Lantern, &c. required for the Light House on Cape Spear, but as the sum exceeds the amount placed at our disposal, I shall require further instructions from Newfoundland before any more can be done. I intend sending out by the first opportunity, copies of your Letter and Estimate, and as I am anxious to give all the information in my power, would feel much obliged by your letting me know in the course of a post or two whether a revolving Light would add to or diminish the expense; and if the latter would you recommend its adoption?—I would also be glad to be able to state the expense of illuminating with lenses, and your opinion as to the propriety of using them at Cape Spear.

In your Estimate you put down 130*l.* for plate Glass,—in this calculation have you taken the drawback into account?

I shall hope to hear from you as soon as possible, as there is a probability of a vessel sailing soon from Bristol for Newfoundland, most likely the last from Britain this season. I remain, &c.

(Signed) ROBERT KERR.

ROBERT STEVENSON & SONS TO ROBERT KERR, Esq.

*Edinburgh, November 26, 1834.*

DEAR SIR,

In answer to your Letter of the 24th current, with regard to Cape Spear Light House, we are of opinion as follows. Regarding a Revolving Light for that Station we find that with the expense of Machinery, it would be as expensive as the fixed Light. The Lens Apparatus stands much in the same predicament in this respect,—while the Apparatus of the Lamp in particular, is particularly objectionable; the Oil requires to be pumped up to the flame.

On the whole the less prolix, and the more certain the Apparatus is for your purpose, the better.

We had the Glass duty in view, but things occur in an Estimate of this kind, that may require the sum as it stands.

We are Dear Sir, your most obedient Servants,

(Signed) R. STEVENSON & SONS.

TO ROBERT KERR, Esq., Greenock.

## Imports

INTO THE ISLAND OF NEWFOUNDLAND FROM THE 5TH JANUARY, 1834,  
TO THE 5TH JANUARY, 1835.

COUNTRIES.	VALUE.
Great Britain .....	288,653 18 5
Ireland .....	7,357 17 0
Jersey and Guernsey .....	12,308 7 0
Gibraltar .....	713 15 0
British North America .....	71,769 18 9
British West Indies .....	45,626 2 2
Spain .....	4,155 17 6
Portugal .....	12,900 0 6
Madeira .....	287 1 0
Azores .....	880 16 0
Italy .....	1,316 15 0
Germany .....	111,882 11 11
Prussia .....	2,275 0 0
St. Peters .....	9 0 0
United States .....	57,242 8 10
Foreign West Indies .....	1,214 0 0
Teneriffe .....	60 0 0
Ivica .....	103 14 7
Total - - - -	£618,757 2 11

## Exports

FROM THE ISLAND OF NEWFOUNDLAND FROM THE 5TH JANUARY, 1834,  
TO THE 5TH JANUARY, 1835.

COUNTRIES.	VALUE.
Great Britain .....	340,229 0 4
Ireland .....	24,018 13 0
Jersey and Guernsey .....	2181 10 0
Gibraltar .....	4938 12 0
British North America .....	36,200 18 0
British West Indies .....	54,813 17 0
Spain .....	78,352 0 0
Portugal .....	170,549 2 0
Madeira .....	1788 0 0
Azores .....	225 0 0
Italy .....	58,388 18 0
Sicily .....	4455 0 0
Ionian Islands .....	3836 0 0
Malta .....	1144 0 0
St. Peters .....	23 5 0
Brazil .....	35,638 13 6
Havannah .....	900 0 0
United States .....	9408 0 0
Foreign West Indies .....	569 0 0
Total . . . . .	£826,659 8 10

## AN ACCOUNT

*Of all Duties received at the Custom House from the 5th day of January, 1834, to the 5th day of January, 1835, distinguishing the Receipts of each Quarter, together with a detailed account of all Monies paid or reserved by the Collector of His Majesty's Customs out of the amount of such Duties.*

Duties collected on the coast of Labrador, 1833 . . . . .			61	4	2
In the Port of St. John's, 5th April, 1834 . . . . .			717	1	6
Harbor Grace 5th January 1834.	157	17	8		
Trinity ditto.	5	17	5		
Twillingate ditto.	26	14	6		
Port-de-Grave ditto.	40	13	0 <sup>3</sup> / <sub>4</sub>		
Bay Bulls ditto.	0	0	0		
Ferryland ditto.	0	0	0		
Burin ditto	0	0	0		
Placentia ditto	4	7	0		
Little Bay ditto	0	5	0	235	14 7 <sup>1</sup> / <sub>4</sub>
Duties collected in the Port of St. John's, 5th July, 1834 . . . . .			2992	2	9
Harbor Grace, 5th April, 1834.	1	15	7		
Trinity ditto.	187	11	2		
Twillingate ditto.	0	0	0		
Port-de-Grave ditto.	0	0	0		
Bay Bulls ditto.	0	0	0		
Ferryland ditto.	0	0	10		
Burin ditto.	0	0	0		
Placentia ditto.	0	0	0		
Little Bay ditto.	0	0	0	189	7 7
Duties collected in the Port of St. John's, 10th October, 1834 . . . . .			3315	3	7
Harbor Grace, 5th July, 1834 .	94	17	10		
Trinity ditto.	29	18	4		
Twillingate ditto.	57	2	1		
Port-de-Grave ditto.	1	17	11		
Bay Bulls ditto.	0	0	0		
Ferryland ditto.	0	0	0		
Burin ditto.	10	7	4		
Placentia ditto.	0	0	0		
Little Bay ditto.	257	4	7	451	8 1
Duties collected in the Port of St. John's, 5th January, 1835 . . . . .			2888	16	4
Harbor Grace, 10th October, 1834	26	4	2		
Trinity ditto	31	17	2		
Twillingate (no Return)					
Port-de-Grave, 10th October, 1834	30	0	6		
Bay Bulls ditto					
Ferryland ditto	6	17	7 <sup>3</sup> / <sub>4</sub>		
Burin ditto	19	18	7		
Placentia ditto	12	6	4		
Little Bay ditto	45	15	4	172	15 8 <sup>3</sup> / <sub>4</sub>
<b>Total Receipts - - -</b>			<b>£11023</b>	<b>14</b>	<b>4<sup>1</sup>/<sub>2</sub></b>

ACCOUNT, &c.—*Continued.***Customs Establishment.**

Salaries . . . . .				3658	9	4
Incidental Expenses viz.						
(St: John's.)						
Fuel 1833 . . . . .	17	14	2			
Stationary ditto . . . . .	8	6	1			
Postages 1834 . . . . .	2	11	9			
Account Boxes ditto . . . . .	1	0	0			
Repairs and Painting Boat . . . . .	4	2	1			
— Office Windows and Grates. . . . .	1	0	11	34	15	0
(Harbor Grace.)						
Office Rent, Fuel, and Stationary . . . . .	15	0	0	15	0	0
Drawback on 1168 gallons Rum exported to Quebec in 1833 . . . . .				28	4	0
Allowance at 25 per cent for collecting Duties on Coast of Labrador in the year 1833 . . . . .					15	6
Salaries reserved under 2nd and 3rd Wm. 4th, cap. 78 . . . . .				4912	10	0
Paid Colonial Treasurer 3rd and 4th Wm. 4th, cap. 59, sec. 13 - - - -				500	0	0
Reserved Salaries year ended 31st March, 1834 - - - - -				81	17	2 $\frac{3}{4}$
This sum in hand on account of Reserved Salaries year ending 31 March, 1835				1637	10	0
Balance in hand on account of Sub Collector's Salaries Quarter ending 5th April next - - - - -				140	2	9 $\frac{3}{4}$

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£11023 14 4 $\frac{1}{2}$

J. M. SPEARMAN, *Collector.*

Custom-House St. John's, }  
12th February, 1835. }

## AN ACCOUNT

*Of the number of British and Foreign Vessels entered at the Custom House Ports of Newfoundland, from the 5th January, 1834, to the 5th January, 1835.*



PORTS.	BRITISH SHIPS.			FOREIGN SHIPS.		
	No.	Tons.	Men.	No.	Tons.	Men.
St. Johns.....	627	72604	3917	20	2978	157
Harbor Grace.....	83	12028	680			
Port-de-Grave.....	16	1970	122			
Trinity.....	46	6348	388			
Twillingate.....	27	3077	196			
Burin.....	30	2229	236			
Ferryland.....	7	664	43			
Placentia.....	18	1908	116			
Little Bay.....	34	4742	295			
<b>Total</b> -----	<b>888</b>	<b>105570</b>	<b>5993</b>	<b>20</b>	<b>2978</b>	<b>157</b>

### Recapitulation.

COUNTRIES.	BRITISH SHIPS.			FOREIGN SHIPS.		
	No.	Tons.	Men.	No.	Tons.	Men.
Great Britain.....	241	35726	2022			
Ireland.....	11	1547	80			
Jersey and Guernsey.....	19	2092	134			
Gibraltar.....	1	165	9			
British North America.....	290	24171	1351	1	150	11
British West Indies.....	59	6359	410			
Spain.....	40	5301	314	8	1266	75
Portugal.....	89	10287	640			
Madeira.....	1	57	3			
Azores.....	3	251	16			
Italy.....	2	261	16			
Germany.....	69	10971	573			
Prussia.....	1	255	9			
Hamburgh.....	11	1392	89			
Brazil.....	5	874	50			
St. Peter's.....	2	68	9			
United States.....	41	5171	235	11	1562	71
Foreign West Indies.....	3	622	33			
<b>Totals</b> -----	<b>888</b>	<b>105570</b>	<b>5993</b>	<b>20</b>	<b>2978</b>	<b>157</b>

# RULES AND ORDERS

OF THE

House of Assembly

OF

NEWFOUNDLAND.

---

**T**HAT Six Members, including the Speaker, shall form a Quorum.

I.

That when the House adjourns, the Members shall keep their seats until the Speaker leaves the Chair.

II.

That whenever an adjournment takes place for want of a Quorum, the hour at which such adjournment is made, and the names of the Members present, shall be inserted in the Journals; but no adjournment for want of a Quorum shall take place until the lapse of Thirty minutes after the hour at which the House was appointed to meet.

III.

That every day, immediately after the Speaker shall have taken the chair, the minutes of the preceding day shall be read by the Clerk, to the end that any mistake therein may be corrected by the House.

IV.

That during the reading of the minutes the doors shall be closed.

V.

That the Speaker shall preserve order and decorum, and decide questions of order, subject to an appeal to the House.

VI.

That the Speaker shall take the Chair when the Black Rod is at the door.

VII.

That the Speaker shall not take part in any debate, or vote, unless the House shall be equally divided, in which case he may give his reasons for so voting, standing uncovered.

VIII.

That when the Speaker is called upon to decide a point of order or practice, he shall state the rule applicable to the case.

IX.

That every Member, previous to his speaking to any question or motion, shall rise from his seat uncovered, and address himself to the Speaker.

X.

That when two or more Members rise at once, the Speaker shall name the Member who is first up, subject to appeal to the House.

XI.

That every Member who shall be present when a question is put, shall vote thereon, unless the House shall excuse him, or unless he be personally interested in the question, provided such interest is resolvable into a personal pecuniary profit, or such as is peculiar to the Member, and not in common with the interest of the subject at large, in which case he shall not vote.

XII.

## XIII.

When the Speaker is putting a question no Member shall walk out, or across the House, nor when a Member is speaking, shall any other Members hold discourse which may interrupt him, nor pass between him and the Chair

## XIV.

That a Member called to order shall sit down, unless permitted to explain, and all debate on the question of order, shall take place before the decision of the Speaker.

## XV.

That no Member shall speak beside the question in debate.

## XVI.

That any Member may of right require the question, or motion, in discussion, to be read for his information, at any time during the debate, but not so as to interrupt a Member speaking.

## XVII.

That no Member, other than the one proposing a question or motion (who shall be permitted a reply) shall speak more than once on the same, without leave of the House, except in explanation of a material part of his speech, which may have been misconceived, but then he is not to introduce new matter.

## XVIII.

That any Member may at any time desire the House to be cleared of strangers, and the Speaker shall immediately give directions to the Serjeant-at-Arms to do so without debate.

## XIX.

That all Messages from this House to the Legislative Council be sent by two Members, to be named by the Speaker, accompanied by the Serjeant-at-Arms.

## XX.

That when the House shall judge it necessary to request a conference with the Legislative Council, the reasons to be given by this House, upon the subject of the conference, shall be prepared and agreed to by the House, before the Messengers shall be appointed to make the said request.

## XXI.

That the Rules of the House shall be observed in Committee of the whole, so far as they may be applicable, except the Rule limiting the times of speaking.

## XXII.

That in forming a Committee of the whole House, before leaving the Chair, the Speaker shall appoint a Chairman to preside, subject to appeal to the House.

## XXIII.

That every Member who shall introduce a Bill, Petition, or motion upon any subject which may be referred to a Committee, shall be one of the Committee without being named by the House, except in cases of controverted Elections.

## XXIV.

That of the number of Members appointed to compose a Committee, such number thereof as shall be equal to a majority of the whole number chosen shall be a quorum competent to proceed to business.

## XXV.

That in a committee of the whole House, a motion that the Chairman leave the Chair, shall always be in order, and take precedence of every motion, and that when the motion is made on account of any question of order or privilege arising, the Speaker shall resume the Chair without discussion or vote of the committee.

## XXVI.

That in committee of the whole House, all motions relating to the matter under consideration shall be put in the order in which they are proposed.

## XXVII.

That the Yeas and Nays shall be taken and entered on the minutes at the request of any one Member.

## XXVIII.

That one day's notice shall be given of all motions for introducing new matter, other than matters of privilege and bringing up petitions.

## XXIX.

That a motion to adjourn shall always be in order.

## XXX.

That after a motion is read by the Speaker, it shall be deemed to be in the possession of the House, but may be withdrawn at any time before decision or amendment, with permission of the House.

## XXXI.

That a motion for commitment, until it is decided, shall preclude all amendment of the main question.

## XXXII.

That if any motion be made for any public aid, subsidy, duty or charge upon the people, the consideration and debate thereon shall not presently be entered upon, but adjourned till such further day as the House shall think fit to appoint, and shall be referred to a committee of the whole House, and their opinion reported before any resolution or vote of the House do pass thereupon.

## XXXIII.

That it is the right of every Member of this House to bring in a bill and pray that it may be read.

## XXXIV.

Bills are seldom opposed at the first reading, but are generally committed, upon motion, at the second reading, at which time the principle is usually debated.

## XXXV.

That no arguments against the principle of a bill shall be had or admitted in any committee of the whole House upon such bill.

## XXXVI.

That no bill shall be read twice on the same day ; that no committee of the whole House shall proceed on any bill on the same day in which the bill is committed, unless the House, upon motion shall see special cause for the same

## XXXVII.

That when a bill or petition is read in the House, the Clerk shall certify the readings and the time on the back thereof.

## XXXVIII.

That in a committee of the whole House, a Member may, at any time previous to a bill being passed entirely—that is to say, all the clauses, preamble, and title of the same,—move to have any particular clause thereof that may have been passed, re-considered.

## XXXIX.

That the allegations in every petition for a private bill, meant to originate in this House, shall be first referred to a select committee, and the matter thereof reported upon, before the introduction of any such bill.

## XL.

That when a private bill is brought from the other House, the principle of which is admitted, this House, by Message, may either request a communication of the evidence received in proof, the allegations, or matter whereon the bill is founded, or the committee of this House, to whom it may be referred, shall examine the said allegations, and on reporting the bill, state whether the same, or matter thereof, be founded, and whether the parties concerned in interest or property therein, have given their consents to the satisfaction of the committee.

## XLI.

That the foregoing be considered a standing instruction at all committees who shall meet upon private bills, and further, that they require all persons whose interest or property they shall consider to be affected thereby, to appear in person before them, to give their consent thereto ; and if they cannot personally attend they may send their consent in writing, which shall be proved to the satisfaction of the committee ; and that when any committee shall be appointed on a private bill, notice thereof shall be set up in the Lobby of this House twelve days before the meeting of the said committee.

## XLII.

That when any bill, originating in this House, has once passed through its final stage in this House, no new bill of the same matter and argument can afterwards be originated in

this House during the same Session.

### XLIII.

That when any Bill shall be brought down to this House from the Honorable the Legislative Council, or when any Bill sent up from this House to the Legislative Council shall be returned with amendments, such Bill so brought down, or the amendments, shall undergo the same readings and formal consideration, and the same shall be committed, and be subjected to the same order, form, and stages, as are observed upon Bills originating in this House.

### XLIV.

That every public Bill shall be introduced by a motion for leave, specifying the object of the Bill ; or by a motion to appoint a Committee to prepare and bring it in ; or by an order of the House on the report of a Committee ; and that every private Bill, after the present Session, shall be founded on a Petition, notice of the intention of the Petitioners having been inserted in the *Royal Gazette* for the period of one month previous to the meeting of the Legislature.

### XLV.

That all Petitions to be introduced, shall be brought in immediately after the minutes are read, and that such Petitions shall be read by the Clerk, after the third reading of any Bills that may stand for that purpose on the order of the day.

### XLVI.

That all orders of the day which, by reason of any adjournment, shall not have been proceeded upon, shall be considered as postponed, till the next day on which the House shall sit, and shall stand first on the order of the day after the third reading of Bills and Addresses, and reading of Petitions.

### XLVII.

That all accounts which shall in future be presented by any individual for work or labor done, or for articles furnished for the use of this House, shall be accompanied by satisfactory vouchers specifying that the charges therein contained are the usual charges, and the commonly received prices for such work and labour, or for such articles furnished.

### XLVIII.

Resolved, that the Sergeant at Arms, attending this House, shall be entitled to take and receive the following fees, Viz.

	£	s.	d
For taking a Member of the House into Custody.....	2	2	0
For taking a stranger into custody.....	1	1	0
For every day in custody.....	0	10	0
For bringing a Member of the House to the Bar to be reprimanded.....	1	1	0
Bringing any other person to the Bar to be reprimanded.....	0	10	0

### XLIX.

That no Rule adopted by this House shall be dispensed with, unless by consent of at least two thirds of the whole of the Representatives of the Colony.

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OF THE

## HOUSE OF ASSEMBLY

OF

### NEWFOUNDLAND.

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