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

PROCLAMATION

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

*His Excellency KER BAILLIE HAMILTON, Esq., Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c.*



THIRD SESSION OF THE FIFTH GENERAL ASSEMBLY.

St. John's, Newfoundland.

E. D. SHEA, PRINTER.

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1854

JOURNAL

OF THE

HOUSE OF ASSEMBLY

OF



PROCLAMATION.

By His Excellency KER BAILLIE HAMILTON, Esquire,  
K. B. HAMILTON. Governor and Commander-in-Chief in and over the  
(L. S.,) Island of Newfoundland and its Depeudencies.

**W**HEREAS the General Assembly of this Island stands Prorogued until Wednesday, the Ninth day of August instant : And whereas I think fit further to Prorogue the said General Assembly until Monday, the Ninth day of October next ensuing : I do therefore, by this my Proclamation, further Prorogue the said General Assembly until Monday, the Ninth day of October next ; and of which all persons concerned are required and commanded to take due notice and govern themselves accordingly.

Given under my Hand and Seal at the Government House, at St. John's, in the aforesaid Island, the Eighth day of August, One Thousand Eight Hundred and Fifty-four, and in the Eighteenth Year of Her Majesty's Reign.

By His Excellency's Command,

JAMES CROWDY,

Secretary.





## PROCLAMATION.

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K. B. HAMILTON.  
(L. S.)

*By His Excellency* KER BAILLIE HAMILTON, *Esquire,*  
*Governor and Commander-in-Chief in and over the*  
*Island of Newfoundland and its Dependencies.*

**W**HEREAS the General Assembly of this Island stands Prorogued until Monday, the Ninth day of October next: And whereas I think fit further to Prorogue the said General Assembly until Tuesday, the Tenth day of October next ensuing; I do therefore, by this my Proclamation, further Prorogue the said General Assembly until Tuesday, the Tenth day of October next: *then to meet for the despatch of business*; and of which all persons concerned are required and commanded to take due notice and govern themselves accordingly.

Given under my hand and Seal at the Government House, at St. John's, in the aforesaid Island, the Twenty-fifth day of September, One Thousand Eight Hundred and Fifty-four, and in the Eighteenth Year of Her Majesty's Reign.

*By His Excellency's Command,*

JAMES CROWDY,

*Secretary.*

# JOURNAL

OF THE

## HOUSE OF ASSEMBLY

OF

### NEW FOUNDLAND

PROBATION ACT, 1911

By His Excellency Sir HAMILTON HAMILTON, K.C.M.G.,  
Governor and Commander-in-Chief in and over the  
Province of Newfoundland.

WHEREAS the General Assembly of this Island stands adjourned until Monday, the  
Ninth day of October next; and whereas I think it proper to adjourn the said  
General Assembly until Tuesday, the Tenth day of October next, ending, by  
this my Proclamation, that I adjourn the said General Assembly until Tuesday, the Tenth  
day of October next; and to give the members of the said Assembly and of all persons  
concerned and required and commanded to take due notice and govern themselves accordingly.

Given under my hand and seal of the Government House,  
St. John's, in the Province of Newfoundland, this Tenth day of September, One Thousand Eight Hundred  
and Eleven, the fourth year of the reign of His Majesty King George the Fifth.



By His Excellency Sir HAMILTON HAMILTON, K.C.M.G.,  
Governor and Commander-in-Chief in and over the  
Province of Newfoundland.

JAMES CROWDY,





# JOURNAL

## AND PROCEEDINGS OF THE THIRD SESSION OF THE FIFTH GENERAL ASSEMBLY OF NEWFOUNDLAND.

TUESDAY, 10TH OCTOBER, 1854.

THE General Assembly, having by several Proclamations of His Excellency the Governor, hereto prefixed, been Prorogued until this day, then to meet for the despatch of business, the members thereof met in the Assembly Room.

General Assembly meets for despatch of business.

### *A Message from His Excellency the Governor.*

At Two o'clock, a message from His Excellency the Governor was delivered by F. W. Rennie, Esq., the Gentleman Usher of the Black Rod, commanding the immediate attendance of Mr. Speaker and the House in the Council Chamber.

Message from the Governor commanding attendance of the House.

Accordingly Mr. Speaker and the House attended His Excellency the Governor in the Council Chamber, and being returned,

Mr. SPEAKER informed the House that when in attendance on His Excellency the Governor, His Excellency had been pleased to make a Speech to both Branches of the Legislature, of which Mr. Speaker said, for the sake of accuracy, he had obtained a copy, and which he read to the House as follows :—

*Mr. President and Gentlemen of Her Majesty's Council :—*

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

The circumstances under which the last session terminated having resulted in reference by both Branches of the Legislature to Her Majesty's Government, who have expressed their views upon the matter brought under their consideration, in Despatches from her Majesty's Secretary of State, copies of which I will cause to be laid before you, I have in compliance with the instructions conveyed to me, called you together at this

Speech of the Governor opening the session.



period of the year—inconveniently though I fear it may be as regards the general business of the country—for the purpose of settling the preliminary conditions to the introduction of the system of Responsible Government, and of remedying the inconveniences arising from the circumstances of the last Session having closed without the usual Bill of Supply.

The suggestions and recommendations contained in the Despatches of Her Majesty's Secretary of State leave me little to add beyond the expression of a hope that in the apparently only remaining point at issue between the two Houses, namely, the settlement of the details of the Representation Bill, the discussion of whatever may be proposed will be conducted in a spirit of moderation on all sides; and that such a Bill may be perfected as will be fair, and, I trust, acceptable to all parties.

I have to acquaint you that a Treaty for the reciprocal free interchange of certain staple products of the United States and the British American Colonies was signed at Washington, on the 6th June last, between the Government of Great Britain and that of the United States; and has since been ratified by the two governments. The admission of Newfoundland to a participation in this Treaty is conditional on certain preliminary arrangements, and the action of the Legislatures as well as of the United Kingdom and United States, as of this colony.

I shall cause to be laid before you copies of a Despatch addressed to me by Sir George Grey on this subject; but in the absence of an authentic copy of the Treaty, and of the suggestions from the Governor General of Canada which the Secretary of State has informed me that I shall receive for my guidance in proposing any measure for securing to this colony the advantages derivable from the Treaty, I am not, at present, in a position to invite your further attention to this matter.

During the recess my attention has been directed to the defective sanitary state of St. John's. While we gratefully acknowledge the distinguishing mercy shewn to us by Divine Providence in exempting us from such visitations of sickness as have devastated other countries both of the old and new world, we are warned that even in this climate of extraordinary salubrity we cannot neglect with impunity certain general sanitary laws. I will cause to be laid before you a Report prepared by a competent person with a view to a system of drainage of St. John's, and specifying that part which, being immediately indispensable, I directed to be performed. I recommend this subject to your consideration, and that provision be made for giving effect to such measures for the preservation of the public health as may be approved of by the Board of Health.

Although I regret to say the Fishery during the past season has, to a great extent, failed on some parts of the coasts of the Island, I trust that the general Fishery will, on the whole, be found to have been not below



an average one. On the other hand, I have to congratulate you on the very great diminution of the potato disease compared with its ravages in past years.

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

I will transmit to you a statement of the Revenue up to the present period of the year. I will also direct to be laid before you the Estimates for the present year, and rely on your making the necessary provision for the public service, and for the additional expenditure incurred in carrying out measures to protect the public health.

On motion of Mr. WARREN, seconded by Mr. MARCH,

That a Select Committee be appointed to prepare an Address of Thanks in reply to the gracious Speech with which His Excellency has been pleased to open the present Session of the Legislature.

*Ordered,*—That Mr. Warren, Mr. March, Mr. Hoyles, Mr. Hanrahan, and Mr. Emerson, do form such Committee.

Select Committee to prepare Address of Thanks.

Mr. SPEAKER presented to the House a letter from Joseph Hume, Esq., M.P., in reply to the Address of the Assembly of last session, soliciting his aid in procuring Responsible Government for this colony, which he read to the House as follows :—

*Bryanstone Square, 19th August, 1854.*

To the Hon. JOHN KENT,

*Speaker of the Assembly of Newfoundland.*

SIR,—This will be delivered by Mr. Little, who, with Mr. Emerson, have been active to carry out the wishes of the Assembly and of the people of Newfoundland ; and they will show, by the copies of the correspondence what has been done and why they return without having the Petition from the Assembly presented to the House of Commons.

Letter from Joseph Hume, Esq., M.P.

I found in His Grace the Duke of Newcastle, and in Sir George Grey, great regret that the Governor and Council had not met the House of Assembly to settle, as in the other Provinces, Responsible Government. They regretted, as I do, the necessity of having recourse to the strong means of stopping the Supplies; and assured me that the Despatch by the first packet should enjoin the carrying out of the Duke's intention.

With that knowledge, and the assurance that measures would be taken to place Newfoundland in the same situation as the other Provinces of British America, I determined not to present the Petition to the House of Commons.



I know that that course has given satisfaction ; and I trust that I shall soon learn that you approve of what I have done, and that the changes requisite to be made, have all been made to the satisfaction of the people of Newfoundland.

I cannot allow Mr. Little and Mr. Emerson to return without assuring you of their devotion to fulfil your wishes, and of the zeal and ability they have manifested in the delicate proceedings they have had to conduct here.

I trust that the same moderation in your proceedings with the Governor and Council will secure that mutual good feeling which must exist in every Responsible Government.

As long as my services can be useful to the Province, I shall, with pleasure, afford every assistance in my power to promote peace and good feeling—the harbingers of prosperity in every country.

I remain, Sir,

your obedient servant,

JOSEPH HUME.

Motion for Committee on reporting.

Mr. HOGSETT gave notice that on to-morrow he would move the appointment of a Select Committee on the subject of reporting the Debates of the House during the present session.

Notice for Representation Bill ; and for resolution in reference to portrait of Joseph Hume, Esq., M. P.

Mr. LITTLE gave notice that on to-morrow he would move for a Bill to increase the number of Representatives in the General Assembly ; also that on to-morrow he would move that the lithographic likeness of Joseph Hume, Esq., M. P., brought from England by the Delegates, be placed in a conspicuous part of the Legislative Hall, as a mark of the gratitude of the people of Newfoundland for his distinguished services in advocating the rights of this colony to self-government.

Then the House adjourned till to-morrow at Two of the clock.

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WEDNESDAY, 11th OCTOBER, 1854.

Address of Thanks read 1st time.

Mr. WARREN, from the Select Committee appointed to prepare an Address of Thanks in reply to the Speech, with which His Excellency has been pleased to open the present Session of the Legislature, presented



a draft thereof, which he handed in at the Clerk's Table, where the same was read a first time.

*Ordered*,—That the Address be read a second time to-morrow.

Time of second reading.

Mr. LITTLE, pursuant to notice and leave granted, presented a Bill to increase the present number of Representatives in the General Assembly of this island, and the same was read a first time.

Representation Bill read 1st time.

*Ordered*,—That the Bill be read a second time to-morrow.

Time of second reading.

On motion of Mr. LITTLE, seconded by Mr. EMERSON,

*Resolved*,—That the lithographic likeness of Joseph Hume, Esq., M.P., procured by the Delegates of the Assembly, be placed in a conspicuous part of this Legislative Hall, to be chosen by the Speaker, as a mark of the gratitude of the people of Newfoundland, for the distinguished services of Mr. Hume in advocating their rights to self-government.

Resolution in reference to portrait of Joseph Hume, Esq., M. P.

Mr. LITTLE, on the part of the Delegates appointed in the last session of the Legislature to proceed to London for the purpose of advocating the claims of this colony to Responsible Government, presented the Report, which he handed in at the Clerk's Table, where the same was read as follows :—

The House of Assembly having honoured us with the appointment of Delegates to represent their views to the Imperial Government, on the right of the people of this Colony to the enjoyment of self-government—on the obstructive policy of Her Majesty's Council in resisting its introduction, and the proceedings of the Assembly on the Duke of Newcastle's Despatch—we beg to submit the following Report of our proceedings, in discharge of the high and responsible trust reposed in us.

Delegates' Report.

Mr. LITTLE having arrived in London on the 20th July, immediately applied to that able and faithful friend of Colonial Reform, Joseph Hume, Esq., M. P., for an interview, which was promptly granted on the same day. Mr. Hume having been in possession of the past history of the misgovernment of this Colony furnished by the Delegates of the Assembly last year, Mr. Little now laid before him an accurate detail of the proceedings of the Assembly upon the Despatch of His Grace the Duke of Newcastle to the Governor, dated February last, in compliance with the principal conditions thereof; and having satisfied Mr. Hume that the Bill adopted by the Assembly to increase the number of members in the Assembly, was a fair and reasonable measure, he described the conduct of the Council thereon, and the necessity which they had thrown on the Assembly of stopping the Supplies. Mr. Hume quite approved of the course pursued by the Assembly, declaring that he saw no other one open



to them, under the circumstances, as the Council had evinced an obstinacy and overbearing tone which evinced anything but a sincere desire to settle the preliminaries for a change of government; that he would cheerfully continue to sustain the right of the people of Newfoundland to self-government; and, if necessary, present the petition of the Assembly to the House of Commons, which was entrusted to him by the Resolution of the Assembly, and now delivered to him with other documents by Mr. Little; that he would, however, first adopt such steps, in a conciliatory spirit towards the Imperial authorities, as would probably be effectual, and obviate the necessity for presenting the Petition;—that the friendly intentions of the Duke of Newcastle, in favor of the extension of constitutional freedom to the Colony, remained unchanged;—and that he had no doubt Sir George Grey, the newly appointed Secretary of State for the colonies, would realize those just intentions. Having obtained full information on the present state of our affairs, he made arrangements to obtain an interview for the Delegates with the Secretary of State, and kindly offered to accompany them upon the occasion.

On the following day, (the 21st) Mr. Little waited upon Frederick Peel, Esq., M.P., Under Secretary of State for the Colonial Department at his residence [in White Hall Gardens, who received him very affably and entered frankly into a lengthy and interesting discussion upon the conduct of the Assembly and the Council in relation to the conditions mentioned in the Duke of Newcastle's Despatch. After hearing attentively a statement of what the Assembly had done to comply with them, he stated that he regretted to learn, from information previously received, the extent to which sectarian differences appeared to have gone into the proceedings on the Representation Bill;—that he considered the Bill, as amended by the Assembly, a fair and reasonable measure;—that he conceived it ought to have been assented to by the Council, and had he been a member of that body he would have assented to it; that the Governor might, with propriety, have acted as a mediator between the Assembly and the Council, as requested by the former; and that according to his views, there could be no danger of any undue sectarian ascendancy under that Bill, as, if parties wished to act, and the Electors voted on denominational grounds, the result would be 16 Protestants and 14 Catholics; or, if Burin returned a Catholic, 15 and 15 would be the result of the Parliamentary elections; but he trusted, that experience would show the folly of adopting any exclusively denominational standard of qualification for candidates, and that men would not be accepted or rejected simply on account of their religious belief. Mr. Little stated that it should be clearly understood, that the Council forced on the Assembly the consideration of the denominational element in adjusting the Representation Bill; that the Assembly did not desire, and would not sanction, any undue Sectarian ascendancy in the hands of any party,—that the only fear the Council's party had on this head was, that their individual interest would suffer if the



existing sectarian and family compact ascendancy, which they sustained in the Government of the Colony, were broken down, and the portals of office thrown open to men of meritorious character and ability, in whom the people reposed confidence, irrespective of sectarianism;—not but reference should be had to the rights of all denominations entitled to participate in power and patronage, and that it should be divided among them as fairly and equally as might be practicable and consistent with the public service. It was evident, however, that the Council made use of the sectarian element to cover their real objects, and that their great anxiety was to secure the extension of mercantile influence over the electors, and thereby continue to rule the country.

With reference to the condition to provide retiring allowances for the outgoing officials, he thought the Assembly had acted liberally, except in the case of Mr. Archibald, the Attorney General; and although he did not conceive that there was any principle involved in the difference on the allowance to be made to him; yet concessions should be made in political life, or there would be great difficulty experienced in most positions in getting on; he felt that the Assembly would not be wrong in giving way on that point. Mr. Little replied that there was no desire on the part of the Assembly to underrate the services or claims of any of the out-going officials; that they were allowed a higher scale of retirements than had been adopted in any of the other Colonies, and that if the Attorney-General's were the only point of difference, that might have been settled in the Colony, if he were reasonable in his expectations; but his conduct in the Council as the admitted leader of the most obstructive party at the board, did not place him in a favourable position before the people, or entitle him to any special favor from the Assembly. After a lengthy and satisfactory discussion on other points, Mr. Little left with Mr. Peel the duplicate of the address of the Assembly to the Secretary of State on the subject of the Delegation, with other documents bearing thereon, and requested him to have the kindness to inform Sir George Grey of his desire to obtain an interview with him for the Delegates at an early day. He kindly promised compliance, and stated that he would be happy to see Mr. Little and Mr. Emerson again if they should desire it.

Mr. Little then addressed a letter [marked No. 1 in the annexed correspondence] to Mr. Peel, with a duplicate of letter No. 2, for Sir George Grey; this was done before Mr. Emerson's arrival in London, as time was of much importance at the juncture of affairs, and as the Delegates of the Council, and Mr. Hoyles, who it was understood pretended to represent some party or interest in Newfoundland, had been pressing their views on the Secretary of State. They were, no doubt, anxious to have the first story with the Minister: and it was, therefore, desirable at once to counteract any erroneous impressions they may have attempted to make.



Sir George Grey having named the 27th July for an interview with the Delegates, Mr. Hume was so kind as to attend with them, (Mr. Emerson having arrived on the 25th July,) at the Colonial Office at 4 o'clock P.M., on the former day, for the purpose of laying the whole case before the Secretary of State. Sir George received the deputation very courteously; and Mr. Hume having intimated to him that Mr. Little was prepared to enter into a detail of the proceedings of the Assembly and the Council, since the receipt of the Duke of Newcastle's despatch by the Governor of Newfoundland in March last; that it was to be greatly regretted that the Governor of the Colony did not act with firmness towards his Council, for had he done so in an impartial manner, it was quite evident, from the moderate and just conduct of the Assembly, matters might have been arranged without obliging the Assembly to stop the supplies, and appeal again to the Imperial Government for justice; but he would reserve his further remarks for the present.

Mr. Little then proceeded to lay before Sir George Grey his statement—He referred to the measures adopted by the Assembly since 1846 on the subject of Responsible Government,—to the constitution of the present Government and the general desire of the inhabitants for a fundamental change,—the opposition given by the Council to send home delegates from both branches last year,—arising doubtless from fear of an exposure of the abuses perpetrated under the present system, and a conscious weakness of their position—to the proceedings of the delegates of the Assembly last year,—to the assurances of the Duke of Newcastle of his desire to place Newfoundland upon a footing of equality, as to Responsible Government, with Prince Edward Island and the other neighbouring Provinces,—to the four conditions on which the noble Duke had granted Responsible Government to Newfoundland, as stated in his despatch of February last to the Governor, and the compliance of the Assembly with three of them—to the differences which existed between the Governor and Assembly in relation to the allowance provided for the Attorney General, and with the Council on the Representation Bill,—to the sectarian standard forced on the consideration of the Assembly by the Council in reference to that measure, and the attempts of the latter to increase the political power of a few Mercantile Houses to the detriment of the popular party and the progress of the Colony—to the large concessions made by the Assembly to conciliate the Council, and, if possible, settle the preliminaries of the change without further troubling the Imperial authorities—to the absence of a corresponding spirit on the part of the Council, as shown by the fact that they had not made one substantial concession in the Representation Bill: on the contrary, the terms they claimed were more unreasonable than they contended for at any previous period,—to the appeal made by the Assembly to the Governor, to act as a mediator to induce the Council to come to an arrangement with the Assembly, and his refusal to interpose,—to the circumstances connected with



the address presented to the Governor, and his manner of treating it,—to the stoppage of Supplies, which was an inevitable step, and the determination of the Assembly not to grant any to support the present system,—to their guarantee of an indemnity to the Governor for the necessary outlay for the support of the poor,—to the misrepresentation by the Council of the Acts of the Assembly, and particularly in reference to the vote of indemnity for the relief of the Poor. That, in fact, the Assembly had done all that was in their power to comply with the conditions stated by His Grace, with the exception of the fourth, and as there was no such condition as the payment of members by assessment in force in any other British colony, the people of Newfoundland were unwilling to submit to it, and the Assembly therefore considered that the Imperial Government would not attempt to enforce it. He also referred to the financial affairs of the colony, which he said were in a deplorable state ; and it required no small amount of economy and judgment to place them upon a safe and desirable footing ;—and he concluded, by repeating the prayer of the address of the Assembly, for the immediate dissolution of the Council, as they only obstructed the contemplated change, and the preliminaries to its introduction might now be considered as settled by the Assembly, for whatever they might do as to Mr. Archibald's retirement on the suggestion of Sir George, they were determined, at any risk, to adhere to their Representative Bill, and not to make any further concessions therein.

Sir George Grey deprecated the idea of attempting to divide the colony, or any part of it, into Electoral Districts, not so much by a reference to population, as to denominational distinctions, and expressed a hope that the difficulties which were anticipated on the score of sectarianism in the working of the new system, would not be experienced ;—that there was so little to differ upon, as to the retiring allowance of the Attorney General, and allow him a retirement upon that basis, which would be less than if the retirement were calculated upon his official income as Attorney-General, but more than the sum allowed by the Assembly. With reference to the Representation Bill, he was sorry and surprised that it had not been adjusted in the colony—the points of difference were now so few between the Assembly and the Council upon it, that he was convinced there would be an arrangement effected upon them through the intervention of the Governor, whom he would instruct to act as an arbitrator or mediator, for the purpose of effecting a settlement. As he had little doubt under the instructions which would be sent out of any further difficulty being experienced on this head, he did not think it would be necessary at present to resort to the extreme step of dissolving the Council to secure the passing of the Bill, while he refused to sanction the application which had been made for Parliamentary interference with the constitution which the Duke of Newcastle intended to confer on the Island, or the enactment of any Imperial Statute or Revenue Bill, as sought by a petition from some



Commercial men in the island, which would infringe upon those rights which have been impliedly, if not expressly, guaranteed to Newfoundland under the general rule adopted towards all the British North American Colonies for their better Government, he meant the rule of abstaining from any acts of legislation upon purely local affairs, which properly formed matter of local concern, and should therefore be disposed of by, and according to the opinions and judgment of, those to be affected by them, the only interference that he could, therefore, advise, until the conditions were arranged for the general change, would be the *modification of the Council, if it should be found, contrary to his anticipations, that they did not come to an arrangement with the Assembly on the Representation Bill.* He much regretted the necessity of stopping the Supplies, and hoped the Assembly would not be again placed in such a position as to deem a repetition or continuance of such an extreme course necessary.

The Delegates here stated, that it was their duty and desire to be candid on this point ; and they did not hesitate to say, that as the anticipations expressed by the Delegates last year to the Duke of Newcastle, and also, by the Assembly, both before, upon, and since the receipt of His Grace's Despatch, as to the improbability of the Council agreeing on a fair Representation Bill, had been realized ; so had any promises which the Delegates had made to the Duke, as well as their anticipations of the stoppage of supplies, as a consequence of the continued obstructive conduct of the Council—Yes, remarked Mr. Hume, that is quite true, and for his part, he saw no other course open to the Assembly than that which they adopted, to vindicate the rights of the people and demonstrate their entire want of confidence in the present Council, and the system which they have fought so hard to uphold. That the Assembly, as well as himself, regretted the necessity they were under of taking so extreme a step, but who is to blame for its serious consequences ? Not certainly the Assembly, but the Council, and the Governor who refused to interpose, and who acted more as a partizan of his Council than as an impartial ruler between the contending parties. He was convinced, as the Delegates were, if the Governor had acted upon the address of the Assembly, with firmness and discretion, his Council would, under the circumstances then existing, and the position of parties in the Council at that time, have been brought to terms, and the country would have been saved from any loss or inconvenience which may result from the present unfortunate state of things. With reference to the support of the Poor, he thought the Assembly had acted with much consideration ; and he put it to Sir George Grey, to say, what was to be expected from the Executive party when they permitted their Solicitor General to speak for two hours against time in the Assembly to prevent the passing of an address to the Governor, authorising a continued outlay for the support of the poor, the lunatics, and the completion of the Lunatic Asylum, and then to attribute to the misconduct of the Assembly



the absence of any legal provision for that part of the public service; surely, he continued, such things cannot be sustained or tolerated in any person connected with the Government. Sir George Grey appeared to be much surprised at this description of the conduct of the Executive party and their organ in the Assembly, and expressed a hope that in future extremes would be avoided on both sides.

The Delegates stated that the measures of the Assembly were an evidence of their moderation; and, in continuation of the observations they were making when Mr. Hume introduced his appropriate remarks, they felt themselves bound to inform Sir George Grey, that whatever might be the consequences, the Assembly would not surrender *one jot more of the people's rights* to subserve the caprice or policy of the Council; and if the question of self-government were not settled satisfactorily without delay, the people would not submit to any further taxation for the support of the present corrupt and arbitrary system,—that Sir George Grey was at liberty, if a radical change did not soon take place in the Government, to take away the sham Representative Government with which the Colony was burthened, and introduce whatever form he pleased in its stead, provided he undertook to relieve the people from all taxation and supported the public institutions and necessary public improvements in the Colony, which would cost the Imperial Government about £200,000 a-year. No, replied Sir George Grey, I shall not advise the adoption of any such policy with the Colony. It is the desire of the Government that Newfoundland should stand upon an equality with the neighbouring Colonies—Reforms are not effected in a day even in England—we only gain them by degrees, and you must have a little patience and all will be right by and by. Doubtless, they replied, our affairs will be ultimately right, but while the contending parties have been discussing abstract points, or having settled these, have come to a dead-lock on details, the operative population are quitting the country, the middle classes are following in their footsteps, and with the exception of the mercantile body, who are realising fortunes, the whole Colony going to ruin.—This is plain language, Sir George, remarked Mr. Hume, but there is nothing like speaking out plainly upon such an occasion as the present, and I have no doubt that it will not be lost on the present government. Had such language been attended to many years ago, when I appealed to the Secretary of State for the colonies on behalf of Canada, the outbreak of 1837 would not have taken place, and all the reforms which have since been made in that fine country would have been matured long ago, and we should not have to deplore a sacrifice of blood and treasure to uphold bad Government and family compacts.

After a lengthened discussion on several other points taken up by Mr. Emerson, the Secretary of State informed the delegates that he should



fully consider the matters submitted ; and if they desired any further interview, he would be happy to see them.

He said that he required a little time for consideration, as he was not then prepared to express conclusively the opinion of the Government upon the points submitted. In the meantime, however, he would remark in reference to the Representation Bill, that he could not sanction the principle introduced to secure the representation of a minority in Burin. It was contrary to the practice of the Mother Country and the neighbouring colonies, and without expressing any more definite opinion on the general principle, he did not see anything to justify its adoption in the District of Burin. As to the cutting off a portion of Trinity District to add to Bonavista, he could see no necessity for that, and therefore follows, gentlemen, remarked Mr. Hume, that as there is only about 100 less Electors in Placentia and St. Mary's District than in Bonavista, that the former is entitled to a third member, with such an expression of Sir George's opinions, I should have no objection to show Mr. Hume the Despatch which I shall write to the Governor on the subject and inform you of its substance. He then requested the delegates to reduce the matters they had brought under his notice to writing, and furnish him with a statement of them. They felt that decision and candour were more than ever necessary in their movements, as Sir George appeared to be undecided in his intended line of action, and they availed of the opportunity thus afforded to place their views clearly before him ; and expressed in the copy of their letters No. 3 and No. 4 in the annexed correspondence.

Perceiving by the reported Parliamentary debates, in the *London Times* of the 1st August, that Sir John Pakington had stated on the previous day, in his place in Parliament, on asking a question as to the intentions of the Government with reference to the affairs of Newfoundland, that he understood the Assembly had rejected the conditions on which the Duke of Newcastle had granted Responsible Government to the colony, we deemed it necessary to bring the misrepresentation of the proceedings of the Assembly under the notice of the Government, through Mr. Hume, as will appear by our letter No. 5 to him, and his, No. 6, to Sir George Grey, in the correspondence annexed. It was gratifying to perceive that Sir George Grey denied in Parliament the matter alleged by Sir John Pakington, as to the course taken by the Assembly, and stated that they had complied with the principal conditions mentioned in the noble Duke's Despatch, though a difference arose between the Assembly and the Council on a few matters of detail which he conceived would be easily adjusted.

Mr. Hume intimated to the delegates that, as the Duke of Newcastle was much interested in the welfare of Newfoundland, and anxious to see



the principles of self-government infused into its constitution, as he had assured him frequently before our arrival in London, as well as since, we determined, at Mr. Hume's suggestion, to address his Grace on the subject of our affairs. This step was deemed the more advisable as Sir George would, as he stated, carry out the Duke's intentions. We, therefore, on the 1st August, addressed a letter, No. 7, to his Grace, with a copy of letter No. 4, and of the last resolutions of the Assembly on the state of the Colony; and on the following day we were gratified to receive the satisfactory reply (No. 7) from the noble Duke, by which it will be seen that he fully recognises "the great concessions made by the Assembly in a conciliatory spirit," and takes a fair and impartial view of their proceedings, with a clear assurance "that the close of this unfortunate contest is near at hand;" a conclusion which he subsequently repeated to Mr. Hume in unmistakable terms.

Upon the receipt of the Duke's Despatch, we sent a copy of it to Mr. Hume, with letter No. 9, requesting him to remind Sir George Grey of our anxiety for a final decision, and pointing out the practical details which should be adopted to put an end to the existing differences and organize a new Government:—first, by an immediate dissolution of the Council; secondly, an absolute concession of Responsible Government; the appointment of two separate Councils; the Legislative Council to consist of not more than fifteen members, and the Executive nine; the members of the latter to hold seats, some in the Assembly, and the rest in the Legislative Council, and to include all the heads of the principal departments;—and thirdly, the new Government should be directed to pass the Pension and Representation Bills; and that the General Elections should take place this autumn.

As Mr. Hume was about to place these views before Sir George Grey we deemed it advisable to address letter No. 10 to him, for the purpose of briefly reiterating the three points of dispute in the Representation Bill—the admission frankly made by the Duke of Newcastle of the "great concessions" made by the Assembly in a "conciliatory spirit," and the determination of the Assembly to make no further concession in the measure—that the Assembly applied to the Imperial Government, not simply to obtain the expression of its opinion on their measures, but also for the immediate concession of Responsible Government—that we conceived that it would be useless to give the Council another chance to come to an agreement upon it;—and unless Sir George Grey should satisfy him as to the propriety of the course he was disposed to adopt, that we would bring the affairs of the Colony before Parliament; and we should solicit the influential co-operation of certain liberal Members of Parliament.

On the 9th August, we, in company with Mr. Hume, were favoured by the Secretary of State with another lengthy interview; at his instance Sir



George having delayed writing his despatch to the Governor of the colony until he should more fully know our opinions. We showed by a reference to the past acts of the Council, as well as their conduct on the Representation Bill, why they ought to be dissolved, why they have fomented sectarian discord, and involved the Governor in their obstructive policy; that they ruined Sir Gaspard LeMarchant's administration, and prevented him, and other Governors before him, from exercising an independent and impartial opinion; and as they have been so far successful in their machinations with Mr. Hamilton, they would doubtless endeavour to persuade him to continue to identify himself with their party, for the *ostensible* purpose of justifying his previous policy in the eyes of the Imperial Government, but for the real object of securing his co-operation to obstruct the progress of reform in the colony, prolong their tenure of power, not caring anything about the consequent obloquy which they would bring on him as they had on his predecessor, nor the wide-spread discontent and the consequences which would inevitably flow from a continuance of their influence in the government of the colony. No consequence who the Governor might be, under the present system, if he followed their advice his administration would be unpopular and impracticable; while the marked success attending Sir Alexander Bannerman—certainly a Governor of rare abilities and long parliamentary experience—in the government of the smaller colony of P. E. Island, as well as that of Sir Gaspard LeMarchant, who had failed to give satisfaction in Newfoundland, but has experienced no difficulty in the government of Nova Scotia—proved beyond doubt not only the adaptation, but absolute superiority of the responsible system over any other. Although our Council are confident that the day of their dissolution cannot be very far distant, and the official members have had retiring allowances provided for them, they will hold on to full pay as long as possible; the non-official would lend their influence to the official members of the Council, and put themselves in the fore ground to stave off the change; all indulging too in the vain hope that some fortunate circumstance might happen in the chapter of accidents, to restore their advocate Sir John Pakington to power, when, as they vainly imagine, they would obtain a renewal of their reign of misrule. That as Sir Geo. Grey would not venture to disapprove of the conduct of the Assembly, and only took exception to the retirement named for the Attorney General, there could be no hesitation in complying with the demand of the Assembly. There is no doubt that secret misrepresentations of the grossest character had been made to the Secretary, which in justice ought to have been shown to us, that we might have had an opportunity of exposing their fallacy—that whatever the Council's delegates might say to the contrary, more competent and as respectable citizens as any in the present Executive would be found to work out the new system. But they said there was a fear of Catholic ascendancy; there was no danger of that, if, as they stated, a majority of the colonists be Protestants, with the power



given to them under the Representation Bill of the Assembly then, if they wished to use it, of returning 16 out of the 30 members, and the certainty, judging from the past, that in the districts where Catholics are a majority, several liberal Protestant members will be returned who would not, of course, sanction anything like Catholic ascendancy. But this cry is the strongest evidence of the expedients to which the Council resort to cover their retreat. They certainly measure their neighbour's corn by their own bushel; and as they only allow *one* solitary Catholic to sit at their Council, and only deign to give one-fifth of the patronage of the Government to persons of the Catholic religion—and this from their spirit of exclusiveness and intolerance towards nearly one-half of the population—they would contort the recognition of the right of that half to perfect equality and fair play into an undue ascendancy. The Catholics seek no undue ascendancy, and would not have the power to carry on any Government based on so pernicious and objectionable a principle.

Sir George Grey remarked, that even admitting, for the sake of argument, we were quite correct in reference to the past conduct of the Council, it should not be forgotten they had something at stake besides their opinion; and he could not suppose, if the Representation Bill were referred back to them, that an arrangement would not be effected. He meant plainly to state, that he would instruct the Governor that a modification of the Council should take place, if they could not be brought to agree with the Assembly—it would be fair, therefore, to that Body to let them know their true position, and not impose so heavy a penalty on them, as that which would result from their immediate dissolution.

There is certainly one point which strikes me, said Mr. Hume; if the Council be dissolved now, as they and the Governor are identified in all their recent transactions, that would necessarily lead to his recall; and while I am decidedly of opinion that the conduct of the Governor and Council merits such treatment, it may be that delicacy or prudence would point to the adoption of the course suggested by Sir George, that they may have a fair trial; and if either of them fail to realize the expectations of Sir George, certainly there would be no alternative left to the Imperial Government but to appoint other men to do the work and carry out the intentions of the Government. For my part, however, continued Mr. Hume, I have no delicacy or hesitation in supporting the demand of the Assembly for a dissolution of the Council at once.

Well, remarked the delegates, if, Sir George, you are so confident of success in your experiment, we must say, while we are inclined to protest against it, we shall give it full consideration. It certainly may be successful, if the Governor acts with energy and determination; if he judges for himself and shapes his own policy by a reference to the intentions of the Imperial Government, as expressed by the Duke of Newcastle and



yourself. A regard for his own position, under this new responsibility which is thrown on his shoulders, to act as mediator or arbitrator, and a decided expression of the opinion of the Government, would not only influence and fortify him in shaking off the trammels in which the Council have held him, but enable him to control them. It is, therefore, desirable that four points should be clearly expressed to him as the first has been to us ; viz., first, that the Bill of the Assembly is a fair measure—secondly, that the Legislature should be convened without delay to test the experiment—thirdly, that in case a reorganization of the Council be necessary, it shall be made upon the advice of a majority of the Assembly by the Governor ; and fourthly, that General Elections shall take place in the autumn of this year. As to the first point, replied Sir George, all I can say to you is to offer a general opinion of the fairness of the Bill ; I have not sufficient local knowledge to pronounce upon all its details ; but the instructions to the Governor will be such, that I shall have no reason to anticipate any further difficulty on this subject ; the second point is new, and I shall consider it ; there are certainly advantages in it, as I presume supplies and other necessary measures would be passed upon the present difference being adjusted. (Certainly, we replied—but not otherwise :) the third point would be a matter of course if the necessity should arise ; and as to the fourth, that is very reasonable, as it is desirable to put an end to the present contest and place the Government of the Colony upon a permanent and satisfactory footing. If matters should not turn out as I anticipate, you can appeal to me again, but shall not have occasion to come across the Atlantic again on this subject. If, remarked Mr. Hume, the official Members of the Council should give any further opposition to the wishes of the Government, the Assembly would be justified in withholding their retirements.

Having considered the views expressed by Sir George Grey, we then determined to follow our original instructions—that is, not to accept them as a compliance therewith ; to maintain the right of the people to call for the immediate introduction of Self-Government ; and although we regarded the course he had resolved on pursuing, as a decided triumph to the liberal party, it did not satisfy us because it was not final. We therefore addressed letter No. 15 to Mr. Hume, which more fully expressed the position which we conceived it advisable to take under the circumstances.

On the following day (the 17th August) Mr. Hume addressed letter No. 10 to Sir George Grey, enclosing a copy of ours (No. 15) of the previous day to him. It will be seen by these communications that neither he nor we used language that could be misunderstood. We felt that the subject and the occasion alike demanded the unequivocal expression of our convictions, as to the consequences which would result from further delay, nor has any exception been taken by Sir George Grey to our frankness. Doubtless the Assembly will not hesitate to realize, not only



every assurance which we made to the Minister, as to their legislation on the matters in dispute, and, if necessary, resort to every constitutional means to vindicate the rights of our fellow-colonists to self government.

Before we received an answer to those communications, we addressed a more specific note (No. 17) to Mr. Hume, for his decision on the propriety of presenting the petition of the Assembly to the House of Commons; in the meantime he had seen the Duke of Newcastle and Sir Geo. Grey, and held communications on the affairs of the colony, not only with them, but also with other influential members of the Government; and the result was of so favourable a character as to justify him in advising us to return to the colony without any apprehension as to the success of the course resolved on by Sir George Grey—that he had placed matters in such a train that a failure could not be anticipated. After a full explanation from him, on the matters on which he founded his advice—some of which were of a private and confidential nature—we determined to acquiesce in his decision as expressed in his letter No. 18, dated 11th August—and rely on the expressed determination of the British government to render constitutional justice in Newfoundland.

On the 15th August we were favoured by Frederick Peel, Esq., Under Secretary of State, with a very satisfactory interview at his residence. He repeated the opinion which he had expressed to Mr. Little as to the Representation Bill of the Assembly—discussed many details as to the organization of the new government under the system about to be introduced—declared in answer to a question put by us, that, as a draft of the Representation Bill had been sent home by the Governor, and fully considered by the Government, there would be no necessity whatever for a suspending clause to it. After all that had been said on the Bill on all sides, he remarked, the Governor cannot for a moment imagine under his instructions and the despatches which he will receive, that such a clause would be necessary. The object in directing the Legislature to be convened at an early day, we stated, would be frustrated if such a clause were necessary. The Bill once passed, the General Elections may take place in the coming autumn, which could not be, if any mistake occurred on this head. There is no danger of that, he replied: it is too clear a matter to require a moment's consideration; and it is a point on which the Governor cannot err, as he will know the anxiety of the Government to have the matter settled without further reference to the Colonial office. The financial condition of the colony was then discussed; and Mr. Peel stated his opinion, that if Responsible Government were necessary for no other purposes in Newfoundland, its establishment was desirable for the improvement of its financial affairs and the mode of expending and appropriating public monies. There were several other important points touched upon, and after receiving such assurances from him as to the course to be taken by the Governor, we took our leave of him, perfectly satisfied, not only with the manly avowal of the only true



principles of Colonial Government, but of the sincere determination of the Government to carry out the Duke of Newcastle's despatch.

On the 17th August, we addressed Sir George Grey, by letter No. 20, enclosing copies of our communications with Mr. Hume, informing him of our determination to accept his terms and return to our homes, in the hope that his assurances would be realized, and requesting copies of the extraordinary and, we might almost say, unexampled documents addressed to him by the delegates of the Council and Mr. Hoyles. Having been made acquainted with the contents of these novel and almost fabulous productions, we conceived that common justice demanded their publication in the colony, that the people might see to what [unscrupulous lengths the leaders of the obstructive party have gone to frustrate their hopes of political freedom, and blast the character of a large portion of the population. —It will be seen by letter No. 24, from Herman Merivale, Esq., Under Secretary of State, that Sir George Grey was of opinion that to furnish us with copies of the correspondence of the Council's delegates might only lead to further discussion, tending to no practical benefit; and with respect to Mr. Hoyles' letter, "that he did not address Sir George Grey, in any public capacity, nor was he understood by Sir George Grey to be the authorised representative of any party in the colony"—hence, we were enabled to do no more in this respect than obtain a perusal of these documents, which we trust their authors may have the courage to publish in the Colony. They will give some idea of the character of the misrepresentations which have been heretofore made by the Council's party to the Imperial Government, to prejudice the minds of the Imperial authorities and make them believe that Newfoundland is totally unfit for self-government.

On the 26th August, we received a note, No. 23, from Arthur Blackwood, Esq., informing us that it was the wish of Sir Grey Grey, that we should peruse the despatch which was addressed by the present mail to the Governor of Newfoundland, on the subject of Responsible Government. On the 28th we waited on Mr. Merivale for that purpose, and having read the despatch and discussed its terms, we submitted to Mr. Merivale a legal point with reference to the re-organization of the Legislative Council upon the change taking place under the Royal Instructions to the Governor, and he expressed his concurrence in the view we took thereon.

Mr Bright, the talented and energetic member for Manchester, told us that Mr. Hoyles had been with him, and that he was disgusted with the sectarian statement of the affairs of the Colony given by Mr. Hoyles; that Mr. Hoyles had said, if the Assembly had their way, the Catholics would oppress the Protestants; to which Mr. Bright replied, that he did not agree in that conclusion at all; but rather thought the oppression would come from the other side, if they had undue power; that the 15



and 14 arrangement was ridiculous. We found him, as the delegates did last year, a manly advocate of Colonial freedom. He read our documents, and asked if he could do anything for our cause, only to give him notice of our desire, and he would co-operate with Mr. Hume in obtaining justice for the colony. The able and indefatigable Mr. Cobden having read our statements also, freely consented to lend his very influential and practical support in connexion with Mr. Hume and Mr. Bright. And, among several other members, on whom we relied for support, we should mention that Mr. Lucas, alike remarkable for his zeal and his talent, had fully informed himself on the abuses of the local Government, and was prepared to expose them to the House of Commons if the affairs of the colony came before Parliament.

It must be gratifying to the Assembly and the public, as it has been to us, that our Delegation has been so successful.

The general despatch, which his Excellency has received, corroborates this view conclusively ; and, that the only interference which the Secretary of State will advise Her Majesty to adopt with our institutions, is to recommend the modification of the Council if they should not harmonise with the Assembly for the introduction of the new system.

Such is an outline of the proceedings adopted by us to carry out the resolutions of the Assembly and other objects of our mission. If we have not attained the end which the Assembly sought in the direct way prayed for, we conceive that we have put in the power of the Assembly the means of attaining it in another way.

The responsibility will rest with His Excellency to carry out the intentions of the Home Government. The Assembly have clearly done their part on the Representation Bill, consistently with the interests of the popular party, and the rights of all parties, and it is clear that no further concession can be made by them on that subject.

The arrangement of the points of difference will, therefore, have to be made really between the Governor and Council ; and we only think it proper to state, that we have assured the Secretary of State, notwithstanding any opposition which the Assembly have experienced from his Excellency, there would be no hesitation in giving him a fair trial and the most cordial support in any measure which he may adopt to carry out the liberal intentions of the Right Honorable Secretary of State, and his noble predecessor in the Colonial Department, so as to enable His Excellency to bring the new system into operation, and conduct the affairs of the Colony effectively and harmoniously.

Before concluding this Report, we conceive that we should be highly ungrateful and censurable, if we did not avail of this opportunity of record-



ing our sense of the deep and lasting obligations due by the people of Newfoundland to the veteran reformer, Joseph Hume, for his noble and energetic exertions in their behalf, without whose effective co-operation we should have been comparatively powerless, except in the innate strength of our cause ; but to his great exertions, and the liberal and sound colonial policy of the present ministry, must we attribute our success. As a token of regard for his disinterested exertions, we have procured for the Assembly a lithographic copy of his likeness, taken from the original recently presented to him for his distinguished public services by Lord John Russell, and several other members of the present Ministry, including a large number of the members of the House of Commons.

All which we most respectfully submit.

PHILIP F. LITTLE,

GEO. H. EMERSON.

St. John's, Newfoundland, }  
30th September, 1854. }



(No. 1.)

Mr. LITTLE's *Letter to* FREDERICK PEEL, Esq., *Under Secretary of State.*

DEAR SIR,--I have the honor to transmit the accompanying documents to you, and to request that you will be pleased to lay them, with those which I left with you on yesterday, before the Right Honorable Sir GEORGE GREY, after you shall have perused them, and to retain the duplicates of the printed documents for your own information.

May I take the liberty of asking your special consideration of their details, and I am satisfied you will perceive in them a full justification for the course adopted by the Assembly, and that no other was open for their adoption consistently with the maintenance of their integrity, and their obligations to their constituents.

They considered that, if they granted supplies to a government in which the public have no faith, it would have been construed into a vote of confidence, and have tended to stultify all their previous proceedings and pledges to effect a change of system. They regretted the necessity they were under of again appealing to the Imperial Government for the rights of the colonists, but they had no other alternative, as the Governor refused to interpose.

Presuming that the Government can have no further difficulty now in deciding upon the claims of Newfoundland to be immediately placed upon a footing of constitutional equality, as to Responsible Government, with my native Island of Prince Edward, I shall hope that I am not asking too much in soliciting the exercise of your influence to secure the decision of Her Majesty's Government, as soon as may be consistent, with the convenience of Sir GEORGE Grey and yourself.

I fully expect the arrival of my colleague, Mr. EMERSON, by Monday next; and I hold a written authority from Mr. PARSONS, the other Delegate, expressing his concurrence in such steps as we may adopt, consistently with the Resolutions of the Assembly, to accomplish the object of our delegation.

I have the honor to be,

Dear Sir,

Your most humble and very obedient servant,

F. Peel, Esq., &c. &c.

P. F. LITTLE.



(No. 2.)

*Mr. LITTLE'S Letter to the Right Honorable Sir GEORGE GREY, Secretary of State.*

TAVISTOCK HOTEL, COVENT GARDEN, London,

22d July, 1854.

SIR,—Having requested the honor of an interview with you, on behalf of the Delegates appointed by the Assembly of Newfoundland to represent their views on the subject of Responsible Government, I deem it my duty, in the absence of my colleague who has not yet arrived in London, to place before you a brief outline of the present state of the question, while I take the liberty of soliciting your particular attention to the accompanying documents and those which I have already transmitted for your consideration.

According to the despatch of His Grace the Duke of Newcastle, dated the 24th February last, the principles of Responsible Government were to be put in operation in Newfoundland upon the performance by the Legislature of the four following conditions, viz. :—

First, that retiring allowances should be provided for such officials as were subject to removal upon the adoption of the new system, according to the rule pursued in Nova Scotia and Prince Edward Island.

Secondly, that a law should be passed to increase the number of members in the Assembly from 15 to 30.

Thirdly, that the Election expenses should be paid by the Candidates.

Fourthly, that the allowance usually granted to members to meet their expenses during their attendance in the Assembly should be defrayed by direct assessment on their constituents; some of these conditions were deemed by His Grace “essential to justice, and others necessary to the proper working of the new system.”

You will perceive by the address of the Assembly to His Grace the Duke of Newcastle, a duplicate of which I have had the honour to transmit to you, and which I should state was adopted before they were advised of your appointment, that all of these conditions on which the Council insisted have been complied with on the part of the Assembly, and if they have not become the law of the Island, I venture to affirm, the fault does not rest with them, for they have honestly and earnestly endeavoured to carry them out, waiving anything approaching to extreme opinions, for the purpose of effecting a compromise on the points in dispute.

As the most conclusive evidence of the anxiety of the Assembly to meet the Council fairly, I would refer not only to their general measures



on the subject in question, but also to an address adopted by them to His Excellency the Governor, soliciting his mediation with the Council in their Executive capacity on the Representation Bill, in accordance with his previous tender of co-operation to carry out the conditions mentioned in the despatch, after the Assembly had vainly used every reasonable means in their power to conciliate the Council, having made several substantial concessions in the details of that measure by subdividing the Districts of St. John's and Conception Bay—by conceding two members more to the mercantile and conservative districts of Trinity and Bonavista than they had on any former occasion felt themselves justified in granting, and by imposing the Election expenses on Candidates. His Excellency sent a written message, through Mr. Secretary Crowdy, to the Speaker of the Assembly, declining to receive the address, as he considered it unconstitutional for them to make such a request, or for him to interfere. I may not use the exact language of the message, as it was privately withdrawn, and at His Excellency's request returned to him by the Speaker after it had been received and opened by the latter, but before it was formally communicated to the House. Such, however, was the purport of His Excellency's subsequent reply to the deputation who presented the address.

As to the first condition, I would respectfully refer you to the accompanying copy of the Report of the Select Committee [marked A.] adopted by the Assembly on the subject of the retiring allowances. Looking at the financial condition of the colony, and the manner in which the retiring officials have been treated in the neighbouring colonies of Nova Scotia and Prince Edward Island, the Assembly were persuaded that they had gone as far as justice and a regard to the public interest required—although His Excellency suggested a higher scale than the Assembly adopted, yet by his message, (B) he admits inferentially, the reasonable character of the allowances provided by them, with the exception of the case of Mr. Attorney General Archibald, for whom he claimed a retirement not only for the period he held the office of Attorney General, but also for the time he was clerk of the Supreme and Circuit Courts of the Island—being about 14 years—an office which is not affected in any way by the contemplated change of government, which is not of a political nature in any of the colonies, and which he voluntarily abandoned for the office of Attorney General, after resolutions affirming the principles of Responsible Government, as applicable to Newfoundland, had passed the Amalgamated Legislature. In his case the Assembly were inclined to act as liberally as the circumstances would permit, and they offered him the full amount provided by the Governor himself for an office of six years standing and under 12 years, £140, being one-fifth of his salary, while they felt that it would be wrong to extend the compensation to any special service not coming within the rule prescribed by the Duke of Newcastle, and followed in the colonies named by His Grace.



As regards the Bill for the increase of the Representatives of the people, I would also respectfully refer you to the accompanying copy of the Bill [C.], and the reasons of the Assembly (D. and E.) to prove the fairness of the measure in every point of view. The assumed anxiety of the Council to balance the representation solely by a reference to sectarian distinctions is an utter fallacy ; and the Assembly have always repudiated the attempts of the Council to foist such a standard upon the public as the sole basis of representation, while they have invariably desired that equal justice should be done to all denominations in the distribution of members. That the Council have made use of the sectarian hue, which they have managed to impart to the question, as a cloak to conceal their real object, being the peculiar interests of themselves and their mercantile allies, can be seen by the least impartial consideration of the facts and figures contained in the reasons of the Assembly, upon their conferences with the Council.

At present the island is divided into 9 districts. In six of these there are Protestant majorities of electors capable of returning nine of the fifteen members who represent the colony, if they were influenced by the test of the Council. The Assembly have always been willing to duplicate the representation without disturbing the existing electoral districts, which would give a result of eighteen Protestants to twelve Catholics by the same mode of action ; but the Council have always opposed that proposition and contended for a sub-division of the districts. Their motives are apparent, from the facts that the electors have not acted on the sectarian test ; that in the district of Conception Bay, for the sub-division of which they have so long contended, and which the Assembly have at length granted, there are, 16,446 Protestants and 11,580 Catholics (according to the census of 1845), giving a majority of 4,866 Protestant inhabitants, or about 800 Electors—that they have also contended for, and obtained the consent of the Assembly, to sub-divide the district of St. John's, where the Catholic majority of electors is so large, that if they were influenced by the Council's test, they would return all the members for the district of their own persuasion, contrary to their invariable course ;—that after the Assembly had consented to give a third member to the mercantile district of Trinity, the Council, in their amendments on the Representation Bill, cut off a portion of this district, and added it to the conservative, though not so *mercantile*, district of Bonavista ; that they have also attempted to provide in the district of Burin for the representation of the minority, by allowing each elector the power of giving two votes to one candidate or dividing them, to secure, as they alleged, an aggregate result of fifteen Protestants and fourteen Catholics—while they refused to accept the proposal of the Assembly to add a third member to Bonavista, which would be sixteen to fourteen in the distribution of members, viewed in the sectarian light, although they proposed a measure in the session of 1843 by which they then stated that a fair return of 13 to 13 would be the re-



sult; that in a measure of the present Acting Solicitor General, in the Assembly of 1850, he proposed for the liberal district of St. Mary's and Placentia, which has been lately rapidly freeing its trade from the control of the merchants of St. John's, four members, and only two to Trinity and two to Bonavista, while the Assembly have allowed three to each of the latter, and only require three for St. Mary's and Placentia, to which the Council would only allow two. In order to arrive at a correct conclusion on this singular array of facts, it is necessary to inquire into the constitution of that Body who could be guilty of such contradictions and resort to such expedients as I have pointed out. It is a combination of Irresponsible Salaried officials and their mercantile friends, who have always united in opposition to all popular reforms in the Colony. The Mercantile Body, though few in number, first opposed the granting of a representative form of government to the colony; defeated in their opposition they then obtained the control of the Government, not as the elected of the people but as the Irresponsible Nominees of the Crown. As they have so long, and so fatal to the progress of the Colony, to the increase and independence of its population and the developement of its vast resources, monopolized its trade, they naturally desire the power to continue this state of affairs, so conducive to their individual aggrandizement; that after being a few years engaged in its trade, they retire from the country to some other land with handsome fortunes, handing their business over to clerks or agents who assume the position and in time follow the example of their employers.

It is, therefore, no matter of surprise that the Council so constructed, and influenced by such objects, should have opposed Free Trade with the United States, the introduction of Responsible Government, and the passing of any measure of Representation that would have the effect of obliging them to relinquish their ill-used authority, or submit to the Constitutional checks secured by Responsible Rule. But to attempt to cover their intentions with the assumed garb of Religion is, I do not hesitate to assert, without wishing by any means to wound their pious sensibilities, little more than mere hypocrisy.

Having, I trust, fully shown that the Bill of the Assembly was a fair measure and ought to have been accepted by the Council, it is only necessary that I should state that the Assembly complied with the third condition; and as to the fourth, I presume that as in Canada, Nova Scotia, New Brunswick and Prince Edward Island, the people think fit to pay the expenses of members during their Parliamentary attendance out of the general Revenue, and no precedent is to be found to the contrary even in the United States,—Newfoundland should not form an exception to the general rule adopted in the neighbouring colonies.



In conclusion, I beg most respectfully to say that, as the Assembly anticipated, it was utterly hopeless to expect any arrangement with the Council on the Representation Bill, and the prolonged agitation of the matters in difference can lead to no beneficial results to the colony; all that they ask is that you adopt the same course reference to that body as was found necessary to adopt under similar circumstances in Nova Scotia and Prince Edward Island. They want no other rights or privileges for the people than Her Majesty's Government have granted to the far less important and less populous Island of Prince Edward. Had the Imperial Government waited for the concurrence of the Council in the neighbouring colonies under the old system of Colonial Government, before they granted them the constitutional management of their own affairs, no reform would have taken place in them to this day, and the consequences would have been a subject of common regret to the parent Government, as well as to the colonies.

As a British Colonist I am happy to find that such a line of policy is the reverse of that liberal and enlightened state of Colonial administration which experience has justified the Imperial Government in adopting. The people of Newfoundland, therefore, appeal with confidence to you to place them upon a footing of equality with their fellow-subjects in Nova Scotia and Prince Edward Island—that they may participate in the blessings of that wise and prudent system of Colonial Government, for the judicious extension of which Her Majesty's present Ministry have been so peculiarly distinguished, and under which all the British North American Provinces in the enjoyment of its invigorating influences are flourishing and contented, while Newfoundland, the oldest of the sisterhood,—is bowed down under accumulated afflictions, and oppressed with a combination of adverse circumstances, which nothing will so much tend to correct as a total change in its Government.

I have the honor to be,

Sir,

Your very humble and most obedient servant,

P. F. LITTLE.

The Right Honourable Sir George Grey, Secretary of State.

[No. 3.]

DELEGATES' LETTER TO SIR GEORGE GREY.

TAVISTOCK HOTEL, COVENT GARDEN,  
31st July, 1854.

SIR,—In compliance with your request, we have the honor to inclose the accompanying letter containing the substance of our remarks at the interview with which you were pleased to favor us.



Reposing the same confidence in your judgment and impartiality, as the Assembly did in the Duke of Newcastle, we are confident that, upon a perusal of the documents submitted on both sides, your decision will be in favor of the Assembly. Experience has shewn that, in the conflicts which have taken place between the Councils and the popular Branches in all the other British North American Provinces, on the question of self-Government, the Imperial Government have decided in favor of the latter, notwithstanding all the intrigues and secret misrepresentations that were made use of to mislead the judgment of the Imperial authorities.

The Assembly of Newfoundland have always felt that the rights of the Colonists have been more endangered by similar expedients, than they possibly could have been by any open attempts that can be made to crush them.

If the principles of self-Government have been conceded to the Colony against the opinion and desire of the Council we would respectfully submit that the Assembly are thereby justified in their belief, especially from what has since transpired, that the Government cannot consistently stop short in their work of reform, but regarding the Assembly as the organ of public opinion in the Colony—expressing the well-understood wishes of the people,—carry their proceedings out in the same direction to their practical and logical conclusion, otherwise the concession would be only nominal and tend to impart an impetus to renewed political agitation and spread general discontent among the Colonists.

The necessity for a prompt and final decision, we are persuaded, must be apparent to you. Procrastination is the aim of the Executive party ; they have nothing to lose by delay, but the public service must suffer, while the officials are sure of their full salaries being ultimately paid no consequence how they may prolong the contest.

Permit us respectfully to remind you of Mr. Hume's remark to you, that it was as a mere matter of form he presented the petition of the Assembly to the House of Commons last year ; and relying on the assurances of the Duke of Newcastle, who kindly presented a counterpart of it to the House of Lords, he refrained from taking any action whatever on it ; and the Delegates returned to the Colony, under the promise that, as soon after the rising of Parliament as leisure should permit, the affairs submitted for the consideration of the Government would be finally arranged. Mr. Hume now holds another petition from the Assembly to the House of Commons, and he hopes that there may not be any necessity for even presenting it, conceiving that reason, justice, and the moderation displayed by the Assembly will justify the expediency of placing Newfoundland upon a footing of equality as to self-Government with Prince Edward Island, without any further delay.



Soliciting your indulgence for what may appear to be importunity in our manner of urging the rights of the people whom we represent, may we take the liberty of requesting copies of any documents which may have been, or shall be received from the Delegates of the Council on the subject in controversy, that we may have an opportunity of answering them, while

We have the honor to be,

Sir,

Your most humble and very obedient servants,

P. F. LITTLE,

GEO. H. EMERSON,

To the Right Hon. Sir George Grey,

&c. &c. &c.

(No. 4.)

STATEMENT OF CASE BY THE DELEGATES TO THE SECRETARY OF STATE.

TAVISTOCK HOTEL, COVENT GARDEN, LONDON.

28th July, 1854.

SIR,

1. We have the honor to tender our acknowledgments to you for the interview with which we were favoured, in company with Mr. Hume, by you on yesterday, and for the frankness with which you discussed the various matters, which we, as the delegates of the House of Assembly of Newfoundland, deemed it our duty, in accordance with their resolutions on Responsible Government, to submit for your consideration. In accordance with your request, we have much pleasure in thus formally submitting the substance of our verbal remarks upon that occasion.

2. In the first place, the House of Assembly had every reason to expect, from the assurances of his Grace the Duke of Newcastle to Mr. Hume and their delegates, that Newfoundland should participate fully in that reformed system of government which had been granted to the neighbouring colonies; especially as His Grace fairly stated, the Imperial Government had no interest in upholding any but a good system of colonial government. The Assembly hoped that they would not again be reduced to the necessity of seeking the concurrence of the Council in passing a Bill for the increase of members in the popular branch, as they had failed in their efforts for several years past to induce the Council to consent



to a fair Bill on this subject. Nor did they expect that the passing of such a Bill by the Council would have been made a condition precedent to the surrender of their political position in the government of the colony, or to the introduction of that responsible system which they had most strenuously opposed.

3. The conditions mentioned in the despatch of His Grace, dated 24th February last, were, first, that retiring allowances should be provided for the officials who were subject to removal upon the introduction of the new system of government; secondly, that a law should be passed by the local Legislature for increasing the number of members in the Assembly from fifteen to thirty--not by the duplication of the present representation, but by a sub-division of the present electoral districts; thirdly, that the election expenses, now defrayed out of the Colonial Treasury, should be paid in future by the candidates; and, fourthly, that the allowances usually granted to members to meet their expenses during their parliamentary attendance, should be defrayed by direct assessment on their constituents. It was evident to the Assembly that all these conditions, but one, were specified, not in deference to the opinion of the Assembly, but of the Local Executive, and that His Grace put some of them forward in connexion with the concession of the principles of self-government, with the view of conciliating both parties and inducing them to compromise their differences. The result shows how useless it was to hope for a favorable issue from bodies so differently constituted, and having such diverse objects in view as the Assembly and Council of Newfoundland have always had.

4. But, as the Assembly reposed the most implicit confidence in the intentions of His Grace, they sincerely determined to adopt all the means in their power to comply, as far as practicable, and consistently with the rights confided to their guardianship, with the conditions mentioned in his despatch. In carrying out this intention, they acted in a spirit of unusual liberality towards the outgoing salaried officials, and of compromise towards the Council, and made several substantial concessions to them, in some of the most important details of the Representation Bill; while we defy them to point out, in their amendments, a single real concession to the views of the Assembly, (except on the question of Election expenses, which the Assembly assimilated to those allowed in Nova Scotia)--to prove the existence of a corresponding spirit on their part, or that they were actuated by a sincere desire to arrive at a just and reasonable settlement with the Assembly.

5. As to the first condition, that has been fully complied with by the Assembly; and no objection has been made to the retiring allowances which have provided for the outgoing officials entitled thereto, except in the case of Mr. Attorney-General Archibald, who claims a pension, not



only on account of the loss of the office of Attorney-General, but for his period of service in the office of Chief Clerk and Registrar of the Supreme and Central Circuit Courts ; an office which he voluntarily relinquished for his present position, and which cannot be in any way affected by the contemplated change. Besides, resolutions affirming the principles of Responsible Government were passed by the Amalgamated Assembly, before he became Attorney-General. Under these circumstances, the Assembly felt that they could only regard the office to be affected by the change, in awarding him a pension, as compensation for its loss ; and accordingly, allowed him one-fifth of the official income thereof as a retirement. Mr. Johnston had been Attorney-General in Nova Scotia for eight years, when Responsible Government was introduced into that province, and he received no retirement. The amount allowed by the Assembly to Mr. Archibald exceeds that given by the Legislature of Prince Edward Island, upon the change in its Government, to its Attorney-General, although the latter was in that office for nearly twenty-five years, while Mr. Archibald has held his office not quite eight years.

6. It is, therefore, evident that he has no claim of right to additional allowance ; and it would only be with the view of all other differences being now satisfactorily disposed of, that we should feel ourselves authorised to pledge the Assembly to increase his allowance, in accordance with your suggestion ; for it would be manifestly unfair, that they should be called upon generously to reward him for his continued hostility to the rights of the people.

7. As to the second condition, we feel we can fearlessly refer to the Bill, as originally passed by the Assembly, to prove the fairness of the measure in every point of view. Before entering into its details, we should state, that they and the whole liberal party in the colony have for many years contended against the adoption of the sectarian standard, which the Council have endeavoured to make the *ostensible* basis of a new Representation Bill. The Island is at present divided into *nine* Electoral Districts ; *six* of them having decided Protestant majorities of Electors, able to return *nine* members of the *fifteen*, who constitute the Assembly, if they acted on the test of the Council. The Assembly have always been willing, and passed Bills which were rejected by the Council, to duplicate the representation, without disturbing the existing Electoral Districts, which would give a result, if the mode of action which the Council would force upon the country were adopted, of *eighteen* Protestant members to *twelve* Catholics. But the Council have opposed this proposition, and contended for the subdivision of the Electoral Districts, so that the party should be divided, and mercantile and official influence should triumph under a close borough system.

8. The Bill passed by the Assembly provided for the return of *twenty-nine* members ; and to meet the views of the Council, two of the largest



districts, in population, were divided: St. John's, the capital of the Island, where a large majority of the Electors are Catholics—which is territorially small though more populous than any other district, except Conception Bay—was divided into *two*; and Conception Bay district, where there is a majority of about 800 Protestant Electors, was divided into *five* divisions. A new district was also created, called La Poile—a mere mercantile nomination borough, having about 300 Electors, and adjoining another similar borough, called Fortune Bay where there has never been a contested election, and which is at present represented by the acting Solicitor-General, who, we understood, took his Election Writ in his pocket last year to that district, and brought back his own return. The number of Electoral Districts was thus increased from *nine* to *fifteen*: and in the distribution of members regard was had, as far as practicable, to population, and to the present relative adjustment of members, which was, however, deviated from in three important particulars; in *trebling* the representation of Trinity, a mercantile and conservative district, in only giving *one* member in addition to the present number to the liberal district of St. Mary's and Placentia, and reducing the chances of the liberal party by *one* in Conception Bay; while the representation of all the other districts, except one where the population was small, was doubled.

9. The Bill was then sent to the Council, and they made several amendments on it: by taking away the third member from the liberal district of St. Mary's and Placentia, where mercantile influence is powerless; by adding a third member to the conservative district of Bonavista, which is considerably under mercantile influence; by taking off a portion about five or six miles of the adjoining mercantile district of Trinity, and adding it to Bonavista district, to neutralize the liberal votes in the present Bonavista district, and thereby secure a complete triumph to the mercantile and official party there; by introducing the novel principle of representing a minority in one district, (Burin) for the alleged object of securing a return of fifteen Protestant and fourteen Catholic members; and by introducing an enormous scale of election expenses, to be paid by Candidates, which would have had the effect of throwing the representation into the hands of a few capitalists and officials.

10. The Bill, thus altered, was returned to the Assembly, and for the purpose of satisfying the Council, though against their sense of justice to the popular party, the third member added by the Council to the district of Bonavista, was agreed to by the Assembly; the third member taken away by the Council from the populous district of St. Mary's and Placentia, was restored; the clause introduced by the Council to secure, as they alleged, a member to the Catholic minority in Burin, but which would have had the effect of permanently establishing sectarian feuds,



and prove the existence of an anomalous state of society in Newfoundland, different from that which really exists—was disagreed to, as well as that cutting off a portion of the district of Trinity; and a scale of election expenses, similar to that in force in Nova Scotia, was substituted for that proposed by the Council.

11. The Assembly conceived that the Bill, thus amended, was open to no objection from the mercantile or official party—for while it gave thirty members, the exact number prescribed by the Duke of Newcastle, the distribution of them, even by the Council's sectarian test, gave to nine districts, with Protestant majorities in each, the power, if they wished to exercise it, of returning sixteen members out of the thirty. But the Council refused to agree to the amendments of the Assembly, or to recede from their amendments.

12. The points of difference between the Assembly and the Council are, therefore, not merely one, as the latter erroneously state, in their late address, but three, viz:—first—shall the liberal district of Placentia and St. Mary's have a third member, or no increase on its present representation? Secondly—shall the more independent portion of the Electors of Bonavista be overpowered by the mercantile dependents from that portion of the district of Trinity, sought to be added to the former, while the boundaries of no other district have been disturbed? And, thirdly—shall the untried principle of representing minorities be adopted in the district of Burin, to serve the double policy of the Council and their mercantile friends?

13. To adduce additional evidence of the anxiety of the Assembly to come to an agreement with the Council, the former proposed, rather than accede to the amendments of the Council, to abandon their own Bill altogether, and adopt a measure introduced by the present acting Solicitor General in 1850, with a slight modification; that the division of any other districts, besides St. John's and Conception Bay, should be made only on a requisition to the Governor by two-fifths of the Electors of any district requiring such subdivision. That measure proposed *four* members for St. Mary's and Placentia district, for which the Assembly, in their last Bill, only claimed *three*, and to which the Council would only give *two*; *two* to Bonavista, to which the Assembly allowed *three*; and *two* to Trinity, to which the Assembly also allowed *three*. The Council refused to comply with this offer. The Assembly appealed to the Governor, to use his mediation. He refused to interfere. Four months and a-half were chiefly spent on the measure. The representatives of the people did their utmost to effect an arrangement, according to the desire of the Duke of Newcastle; and failing to effect it, they determined to appeal again to the Imperial Government for a change of system, as they found, from long experience, that it was impossible for them to work with the Council.



14. As to the fourth condition, it is only necessary, we presume, that we should state that neither in Canada, Nova Scotia, New Brunswick, nor Prince Edward Island, are the members of the Assembly paid by direct assessment on their constituents, but out of the General Revenue; and there does not appear to be any reason why a different course should be adopted in Newfoundland. The address of the Council, which we regret to perceive, displays a total disregard of facts, to which it is our duty respectfully to direct your attention,—states that it was “from a regard to the privileges of the House of Assembly, the Council did not insert a provision for preventing members receiving pay from the public chest—a statement singularly at variance with their imposition of election expenses on candidates, in the insertion of which provision in the Bill sent up from the Assembly, the privileges of the Assembly were as much involved as they could have been on the other question, and evinces a regard for those privileges, which is both novel and unexpected, especially in the face of their repeated violations thereof, in altering Education, Road, and other Money Bills of the Assembly, session after session. It would, however, have been more frank on the part of the Council, to have stated the fact, that every member of the Assembly, with the exception of the Solicitor General, was opposed to that condition, and would have resisted its adoption, in any shape, if the attempt had been made to insert it.

15. The assumed dignity with which the Council charge the Assembly, “with having cast unworthy and unwarranted imputations” on them, they consider sufficient evidence of the existence of such imputations, without on their part deigning to particularize, or answer any of them; while they also assume that their character justifies their passing them, if they have been made, without observation. Now we are perfectly satisfied, that the conduct of both branches of the Legislature, on the Representation Bill and on all their other measures bearing on the difference between them, shall be judged not by the mere professions of either party, but by the intrinsic merit of their actions.

16. They state, that by taking one member from St. Mary's and Placentia, with a population of 6,743 in (1845), and now nearly 10,000,—leaving it only *two*,—being no increase in its present representation, and allowing three to Bonavista, with a population of 7,227 (in 1845), “secured the object equally desired by both branches, without in any degree affecting the fair principle of representation as regards population.” Now the proportion of the population for each member of thirty, would be about 3,200. To give three members to 7,227, and only two to 6,473, while the district of LaPoile like Fortune Bay, a mere mercantile nomination borough, was to have had one member for 2,180, and Fortune Bay one for 2,920, are facts not at all consistent with the unqualified



statement of the Council. How this unjust mode of action could secure the object of the Assembly, we are at a loss to understand. This is like their gratuitous libel on the peaceable character of the Electors of Burin—certainly in accordance with the acts of a body who acknowledge no responsibility to the public for their conduct; and as they are not obliged to justify themselves in any constitutional manner, they conceive that they may with impunity continue to misrepresent the people, as they have hitherto done.

17. They also state that “because the amendments of the Council do not suit the views of eight or nine members of the Assembly, the Council shall be put aside or reconstructed, so as to be the mere instrument of the Assembly, is too extravagant to require observation.” This assumption strikes at the root of Responsible Government, and is quite in keeping with many others of a similar character made by the Council, to justify their acts and conceal their weakness. It is not alone for this reason, but because they have by their general mismanagement of the affairs of the Colony, forfeited, if they ever possessed, the confidence of the people, that they must submit to the consequences of their conduct, and the action of public opinion. It is evident from this view of their position, that they are resolved to retain their salaries and power as long as they can, and that they will not sanction the passing of any measure of representation that will deprive them of either.

18. As a consequence of the refusal of the Assembly to grant supplies they state that act “will leave a vast number of aged, infirm, and widowed paupers without legal provision, and will also leave the youth of the colony utterly destitute of means of education.” . . . . “Such conduct proclaims the unfitness of its authors for being the depositories of legislative powers.” The Assembly were assured that they could not, consistently with their pledges to their constituents, and the rights and integrity of the popular branch, vote supplies for the support of a system of government which they had frequently declared had lost all public confidence, without compromising their honour, and stultifying their previous resolutions; which would have aroused public indignation, and brought on the Assembly a share of that odium which attaches to the conduct of the Council, whose unfitness to govern the colony has been too clearly demonstrated to require any other proof than that which their address affords. The Assembly regretted the necessity imposed on them by the Council of taking such a step; it was taken upon calm and due deliberation, and from a sense of honor, as well as a knowledge of their constitutional rights; and they were prepared to assume all the responsibilities consequent upon their determination.

19. But at the opening of the last Session, the Assembly gave a guarantee to His Excellency in reply to his opening speech, that they would



indemnify him for his past extra expenditure for the relief of the poor, and also for any future outlay that might be necessary for that purpose. His Excellency acted upon this assurance for several months; and to remove any doubt on this head, and prevent any difficulty occurring to the Government thereon, the liberal party, on the last day of the Session of the Assembly, moved an address to His Excellency, authorising a continuance of any necessary expenditure for the relief of the poor, the support of the lunatic paupers, and an outlay of about £750, for the completion of the new Lunatic Asylum, so as to render it fit for the immediate reception of the lunatic paupers. This address was strongly opposed by Mr. Hoyles, the acting Solicitor-General, who spoke for nearly two hours against it to prevent its passing, until the Governor summoned the attendance of the Assembly before him, for the purpose of proroguing the Legislature; and he thus succeeded in defeating it, though standing in a minority.

20. Now, we must suppose that the Solicitor General acted thus according to instructions from the Government, as the usual notice had been given in the Assembly of the address, and a copy of the previous day's proceedings, containing the notice, had been sent to the Governor, according to the practice of the House. Then, for the Council, under these circumstances, to state, that through the misconduct of the Assembly no provision has been made for this branch of the public service, is not only untrue in fact, but the conduct of their organ in the Assembly reflects great discredit upon them, for resorting to such an expedient to make out a case against the Assembly. The Assembly were actuated by a desire to meet, as far as they consistently could, the more pressing demands on the Executive; and the claims of the poor were, in their opinion, of such a character as to justify them in making an exception in their favor. Besides passing the Revenue Bill for the current year, they also passed a Loan Bill, to enable the Government to raise £6,000, to meet past and accruing liabilities.

21. As regards the Education Bill, the Assembly have been so often subjected to the dictation of the Council, in attempting to pass a measure on this subject, and the Council having, in the Session of 1853, informed the Assembly, by a written message, of their expectation that the Assembly would pass one in accordance with their views, having refused at that time to pass the Act of 1853 for more than one year, the Assembly, therefore, resolved not to subject themselves to a renewal of a controversy on this question, as it was likely to result in no practical good. This was an influential motive on the part of the Assembly for their conduct on this subject; and the manner in which the Council had acted on the Education Bill in the previous Sessions, partly induced the adoption of the general resolution not to vote any supplies.



22. The assumption of the Council, that a majority of the Assembly represent a minority of the people, is too transparent to require any further remark, than that, in the course pursued by the Assembly on the points wherein they have differed with the Council, they are sustained by all the liberal and enlightened men in the Colony, by every disinterested observer outside of the Government circle, and on the general principles at stake, by no less than three or four distinct houses of Assembly.

23. As for the community of interest which the Council state exists between certain members of their body, and the operative and other classes, they have taken a singular mode of giving effect to such a notion. It is notorious, that they have resorted to every expedient to rivet the chains in which they, and others like them, have bound the operative population. That only a few years since, they secretly obtained, through the Imperial Government, the repeal of the Fisherman's Charter, which, since the time of the benevolent Sir Hugh Palliser, had secured them in the payment of their hard-earned wages, out of the proceeds of their voyage, and now, if the voyage should fall short of the amount of the outfits given to the Planter, with their most enormous overcharges, the unfortunate fisherman is deprived of his wages and thrown on the Government to be supported as a pauper. That this same disinterested body have rejected several Bills sent up by the Assembly, to secure the poor fishermen in the payment of their wages, out of their voyage, in case of the insolvency of the Planter; and from the monopolising spirit of these few St. John's merchants, the shopkeepers and tradesmen of St. John's are scarcely able to maintain their business, and many of them have, therefore, like vast numbers of our oppressed fishermen, been obliged to leave the country, for the purpose of improving their condition. Let us not be understood as including in the mercantile official party, all the gentlemen engaged in the trade of Newfoundland. There are some honourable exceptions—high-minded men, who have declared that the Representation Bill of the Assembly was a fair and reasonable measure, and that Newfoundland is as well entitled to Responsible Government as any of the neighbouring colonies.

24. In conclusion, permit us to state, that it will be perfectly useless for the Imperial Government to send us back to the Colony, to tell the people that their representatives must again submit to a renewal of their efforts to appease the Council on the Representation Bill; especially if the latter should succeed in inducing the Governor to acquiesce in their desire to postpone the concession of Responsible Government until they come to an agreement with the Assembly, which they have assailed in the most unmeasured terms in their Address; and it should be remembered, that, however desirable an increase of Representatives may be to work out the details of the new system, such a measure is not necessary before its introduction.

We have the honor to be, Sir,

Your most humble and very obedient servants,

P. F. LITTLE,

GEO. H. EMERSON.

To the Right Hon. Sir George Grey,

&c.

&c.

&c.



(No. 5.)

DELEGATES' LETTER TO JOSEPH HUME, ESQ.

TAVISTOCK HOTEL, COVENT GARDEN, LONDON.

1st August, 1854.

DEAR SIR,—We beg to draw your attention to a statement reported in to-day's *Times*, as having been made by Sir John Pakington in his place in Parliament last evening, upon putting a question to the Right Hon. Sir George Grey, in reference to the affairs of Newfoundland, to the effect that the Legislature of Newfoundland had rejected the conditions on which Responsible Government was granted by the despatch of the Duke of Newcastle.

Now, as Sir John is the acknowledged agent of the Executive party, we feel that we have good cause to complain of this misrepresentation, at least, of the conduct of the Assembly in relation to those conditions. They have done their utmost to comply with them as far as practicable. The failure to comply with them rests, therefore, with the Council, who we presume, have been misled in this matter by their Delegates, or some of their colleagues connected with the local Executive.

We have the honor to remain, &c.,

P. F. LITTLE,

GEO. H. EMERSON.

Joseph Hume, Esq., &c., &c., &c.,

[No. 6.]

LETTER FROM JOSEPH HUME, ESQ., TO SIR GEORGE GREY.

BRYANSTON SQUARE.

1st August, 1854.

MY DEAR SIR GEORGE,

From the question put to you last night by Sir John Pakington, I fear that the Delegates from the Council have been making erroneous representations, calculated to widen and not to heal the breach that remains between the Council and the Assembly.

The difference is so trifling that I hope you will exercise your power in settling it, and you cannot be wrong in deciding to place the people of Newfoundland (as promised by the Duke of Newcastle) on the same footing as the Provinces of Nova Scotia, Prince Edward Island, &c., &c.



The people of Newfoundland want nothing more, and I really cannot think that the Delegates here can be satisfied with less.

My anxiety to see all the differences healed will, I hope, excuse,

Yours sincerely,

JOSEPH HUME.

The Right Hon. Sir George Grey, Bart, M. P.

P. S.—I will call, or see you in the House, on Thursday, by which time I hope to learn that all has been adjusted. J. H.

(No. 7.)

THE DELEGATES' LETTER TO HIS GRACE THE DUKE  
OF NEWCASTLE.

TAVISTOCK HOTEL, COVENT GARDEN.

*August 1st. 1854.*

MY LORD DUKE,—We have the honor to inform you, that we have been requested by Mr. Hume to enclose for your perusal the accompanying letter, containing a report of our statements to Sir George Grey, as to what the Assembly of Newfoundland have done in compliance with the conditions mentioned in your Despatch of 24th February last, and of the exact position of the differences between them and the Council.

We trust that Your Grace will perceive in the proceedings of the Assembly a display of no ordinary degree of moderation, and an anxious desire to preserve that just opinion which you formed of them, when you resolved, in compliance with their address, to place Newfoundland upon a footing of equality with her sister colonies as to the enjoyment of Responsible Government.

In their anxiety to carry out your wishes, and if possible, conciliate the Council on the Representation Bill, in the opinion of many of their friends, they have gone too far in their concessions; their advances, however, have not been met, for as they fully anticipated, nothing would satisfy the Council but an absolute surrender of the rights of the people into their hands.

Under these circumstances, we feel that as the delegates of the Assembly, it is our duty to inform you of these facts as bearing upon an important act of your Colonial administration. You gave the Council the best possible chance of obtaining reasonable terms for their party in connection with the contemplated change of Government. They have gained much by the opportunity thus afforded. Nor are the Assembly disposed to re-



tract any of their concessions, but they cannot make any further concession, nor would it be just to require them to submit to any further sacrifice of the people's rights and what is due to their own honor.

May we, therefore, so far intrude upon your friendly disposition and your spirit of fair play, as to interpose on behalf of the people of Newfoundland, that your expressed intentions to the Delegates last year may not be frustrated, and that Responsible Government may at once be put into operation, upon the understanding that one of the first acts of the New Government should be to pass a Representation Bill similar to that agreed to by the Assembly last session.

In thus intruding upon you, we most frankly apologise for the adoption of what we conceive to be an irregular mode of proceeding; but we feel that in thus following the advice of a mutual friend anxious that justice shall be done, with your friendly disposition, you will not misconstrue our motives, nor fail to do that, as one of the most exalted of Her Majesty's ministers, which we are confident you would not have hesitated doing as the head of the Colonial Department.

We beg to inform your Grace, that we have a petition from the House of Assembly to the House of Lords, but we hope there may not be any necessity to solicit your Grace to honor the Assembly by presenting it.

We have the honor to be, my Lord Duke,

Your most humble and devoted servants,

P. F. LITTLE,

GEO. H. EMERSON.

To His Grace the Duke of Newcastle, &c., &c., &c.

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(No. 8.)

### THE DUKE OF NEWCASTLE'S REPLY.

DOWNING STREET.

2nd August, 1854.

GENTLEMEN,—I am obliged to you for sending me a copy of your letter to Sir George Grey, and for informing me of the present position of your difference in Newfoundland upon the subject of Responsible Government.



I have carefully perused your letter and its inclosures, and I am glad to express the great satisfaction with which I learn that the Assembly departed from the determination to adhere to its extreme demands, which I was apprehensive they meant to make upon the receipt of my despatch to the Governor in March last.

Great concessions in a conciliatory spirit seem to have been made, and the points of difference between you and the Council are now so few and so small, that I feel very confident that the close of this unfortunate contest is now near at hand.

I come to this conclusion the more hopefully, in consequence of the conversation which I have this day had with Sir George Grey,—in whose hands I am sure you will leave the settlement with safety and without apprehension.

Sincerely hoping that prosperity and *concord*, free from all religious differences, may be in store for the colony of Newfoundland,

I am, Gentlemen,

Your very obedient Servant,

NEWCASTLE.

P. F. Little, Esq., and Geo. H. Emerson, Esq.

(No. 9.)

THE DELEGATES' LETTER TO JOSEPH HUME, Esq.

TAVISTOCK HOTEL, COVENT GARDEN,

3rd August, 1854.

DEAR SIR,—We have the honor to enclose for your information, a copy of a letter which we have just received from the Duke of Newcastle, in reply to our communication to His Grace, and also a copy of your letter to Sir George Grey.

Judging from the just and impartial views of the Duke of Newcastle, we think that Sir George Grey can have no hesitation in deciding at once to comply with the address of the Assembly, by issuing instructions to the Governor, first, dissolving the Council; secondly, conceding Responsible Government to Newfoundland as it is in force and understood in Prince Edward Island, and authorising the immediate appointment of two separate Councils—the Legislative Council to consist of not more than fifteen members, and the Executive Council not more than nine; the



latter to be selected from both branches of the Legislature, including the heads of the principal departments; and thirdly, directing the new government, upon its organization, to pass a Pension Bill, securing the retiring allowances to the outgoing officials; a Representation Bill similar to that adopted by the Assembly last session, and such other measures as the exigencies of the Government may render expedient. The Assembly are bound by their resolutions of the 5th June last, to pass these Bills, and we do not hesitate to say, that they will honourably discharge their obligation.

To enable the new government to pass these measures without delay and dissolve the Assembly, so as to have the general elections for the Island in the coming autumn, it is necessary that Sir George should decide as soon as possible.

If you will be so kind as to place those views before him, you will add to the many favors you have conferred upon the people, whose rights you have so ably and disinterestedly advocated.

With sentiments of gratitude, we beg to say, that one of us will take the liberty of calling on you to-morrow morning, to ascertain the result of your interview with Sir George Grey, while we have the honor to remain,

Your most faithful and obedient servants,

P. F. LITTLE,

G. H. EMERSON.

Joseph Hume, Esq., M. P. &c., &c.,

(No. 10.)

DELEGATES' LETTER TO JOSEPH HUME, ESQ.

TAVISTOCK HOTEL, COVENT GARDEN, LONDON.

5th August, 1854.

DEAR SIR,—We beg to remind you that the three points of difference between the Assembly and Council of Newfoundland on the Representation Bill are, first—shall a portion of the mercantile district of Trinity be cut off and added to the district of Bonavista, to neutralize the liberal votes in the latter, and secure the return of three mercantile members for that district? Secondly, shall the only member added to the representation of the populous district of St. Mary's and Placentia, be taken away—territorially one of the most—if not *the* most extensive district in the Island—while the representation of nearly all the other districts—



many of these being smaller in size and population—has been doubled, and in two districts trebled, one of which contains only 100 more electors? And thirdly,—shall the principle of representing minorities, by allowing each voter to give two votes to one Candidate, be adopted in the district of Burin, while no such principle is sought to be applied to any other District?

The Assembly, so far as they are concerned, have decided these questions in the negative; and having as the Duke of Newcastle, in his letter to us of the 2nd inst., correctly states, “made great concessions in a conciliatory spirit,” they have resolved to make no further concessions on this subject, nor could they surrender their position on any of those points, without sacrificing the rights of the people.

On the 8th June last, the Assembly resolved to appeal to the Imperial Government, not simply to obtain the expression of its opinion on their measures, but to concede the immediate application of Responsible Government, with the understanding that on the formation of a new Council, a measure of Representation similar to that recently adopted by the Assembly, be passed and brought into operation without delay. While, however, we are grateful for the expression of the just opinion formed by His Grace on the conduct of the Assembly, and satisfied to adopt his suggestion “to leave the settlement with safety and without apprehension” to Sir George Grey, we should not feel justified in transferring it to the Governor and his Council. Such an experiment, we are confident, would only result in prolonging the conflict, as the Council would return to the consideration of the subject with feelings of triumph arising from the inevitable conclusion, that their obstructive policy having been so far successful, they were in the right and would be justified in maintaining their position.

Looking to their past conduct and the desire of the Council for such a contingency, the Assembly, as late as the 8th June, declared their opinion, that notwithstanding the concession of the principles of Responsible Government, “the present Council will leave no means untried to stay the introduction of the change.”

If, under these circumstances, Sir George Grey should imagine that the Council of Newfoundland, if unfortunately for the colony they should be continued in power, may, in their future proceedings, form an exception, either to their past history, or to the character common to all such bodies aptly described by Mr. Peel, on yesterday, in the House of Commons, on the discussion of the Canada Bill, as “obstructive” to Legislation; then, we must say, with great deference, that we know of nothing in this case to justify the exception, or the adoption of a different policy in Newfoundland from that which has been successfully pursued in Canada and Prince Edward Island in relation to their obstructive Councils.



If, therefore, Sir George Grey should not satisfy you as to the propriety of the course he may be disposed to adopt, you will oblige us by showing him this letter, and informing him of the reluctance we have evinced to adopt any step in relation to our affairs that should not meet the approval of the Duke of Newcastle and himself. In such case our duty obliges us to repeat our request, that you will be so kind as to present the petition of the Assembly to the House of Commons, and move for the despatches mentioned in a former note. As soon as you shall inform us of the necessity we shall see Mr. Bright, and we have already arranged to meet other members, who, like him, have tendered their co-operation to obtain equal justice for Newfoundland.

Your's most respectfully,

P. F. LITTLE,

GEO. H. EMERSON.

Joseph Hume, Esq., &c., M. P., &c., &c.,

(No. 11.)

#### THE DELEGATES' LETTER TO RICHARD COBDEN, Esq. M. P.

Messrs. Little and Emerson, the Delegates from the Assembly of Newfoundland, present their compliments to Mr. Cobden, and have the honor of enclosing the accompanying documents, to which they would respectfully call his attention. They consider that Colony as well entitled to the possession of self-government as any of the neighbouring Provinces, and they therefore solicit the influential co-operation of Mr. Cobden, in whom the colonists repose the utmost confidence, to obtain equal justice for the oldest and worst governed of Her Majesty's British North American possessions.

Mr. Hume is in possession of the petition of the Assembly of Newfoundland to the House of Commons, praying for the immediate introduction of Responsible Government; as soon as he may determine on the course to be adopted in relation to it, the Delegates will inform Mr. Cobden thereof.

Tavistock Hotel,  
5th Aug., 1854.



## LETTER FROM FREDERICK PEEL ESQ., TO MR. LITTLE.

DOWNING STREET,

9th August, 1854.

SIR,—I am directed by Secretary Sir George Grey, to transmit to you copy of a letter which has been addressed to him by Messrs. Archibald and Row, and of the answer which he has caused to be made thereto; and which you will consider as conveying a similar permission to yourself and Mr. Emerson with that granted to those gentlemen.

I am, Sir,

Your obedient servant,

FREDERICK PEEL.

P. F. Little, Esq.

(No. 13.)

LETTER FROM HON. E. M. ARCHIBALD TO SIR  
GEORGE GREY.

(COPY)

3, TANFIELD COURT, TEMPLE,

28th July, 1854.

SIR,—Mr. Row and myself, who have been named by the Governor of Newfoundland as Delegates to furnish information in reference to the state of the Colony; and more especially in reference to the measures preliminary to the introduction of Responsible Government, considering that it will be more convenient that in any statement we may submit, we should confine our observations to the points which have been raised, or allegations made by the Delegates of the Assembly—respectfully request for this purpose, that we may be put in possession of, or be furnished with, a copy of any representation which may have been laid before Her Majesty's Government by the Delegates of the Assembly.

We have, &amp;c.,

(Signed)

E. M. ARCHIBALD.

The Right Hon. Sir George Grey, Bart, M. P.

&amp;c., &amp;c., &amp;c.



(No. 14.)

**LETTER FROM FREDERICK PEEL ESQ. TO THE HON**

**E. M. ARCHIBALD.**

**DOWNING STREET,**

*9th August, 1854.*

SIR,—I am directed by Secretary Sir George Grey, to state in reply to your letter of the 28th ultimo, requesting on behalf of yourself and Mr. Row to be placed in possession of any representation which may have been made to Her Majesty's Government by the Delegates of the Assembly, that Sir George Grey has already, since his interviews with the Delegates of both parties, addressed to the Governor of Newfoundland, a despatch embodying his views on the points in dispute. He is not aware, therefore, that any object is to be attained by a prolongation of the controversy, but he considers it just to both parties that each should be aware of the arguments which may have been used by the other, and you are therefore at liberty to read, on application to this Department, such letters as have been received from Mr. Little and Mr. Emerson.

Copy of your letter and this answer have been sent to these gentlemen,

I am, &c.,

(Signed)

**FREDERICK PEEL.**

**E. M. Archibald, Esq.**

(No. 15.)

**THE DELEGATES' LETTER TO JOSEPH HUME, ESQ**

**TAVISTOCK HOTEL, COVENT GARDEN, LONDON.**

*9th August, 1854.*

DEAR SIR,—We have the honor to inform you of our opinion on the course which Sir George Grey intimated to us, to-day, it is his intention to pursue upon the application of the House of Assembly of Newfoundland for the immediate introduction of Responsible Government into that colony.

In declining to comply with the request of the Assembly, to dissolve the Council without any further delay, and referring back the Representation Bill to the local Legislature, with the view of making the Governor a mediator between both branches, so as to effect an arrangement on its details, he seemed at first to forget that upon the conditions mentioned in



the Duke of Newcastle's despatch being complied with, the Council should be forthwith dissolved, otherwise there would be no practical concession of the new system.

The course adopted in Canada, Prince Edward Island, and all the neighbouring colonies upon the introduction of Responsible Government, was to dissolve the old obstructive Councils and organise new bodies in accordance with public opinion, in their stead. Upon a little reflection, Sir George admitted that the same course should be adopted in Newfoundland upon the conditions being complied with. It is desirable that there should be no mistake on this point; for if the Council are to retain power after the conditions shall have been fulfilled, and General Elections should take place under their administration, there would be a plain in justice to the Assembly and the people in such a step. This is the view generally entertained in the Colony as to the purport of the Duke's Despatch.

There is a more serious aspect of our affairs, to which we deem it necessary to call your attention and that of the British Government. Believing in the injustice and inutility of obliging the Assembly to renew their abortive efforts to come to an arrangement with the obstructive Council, on the Representation Bill—a majority of whose members do not care for any mediation that might have the effect of depriving them of their position in the Government, or what becomes of the Colony or the people, so that they can carry out their own selfish policy—we have therefore to enter our protest against the adoption of such a measure. If the Assembly is to be regarded as the organ of public opinion in advocating the principles of Responsible Government, and the Council are admitted to be wrong in originally resisting and still continuing their opposition in its introduction, we are at a loss to know why the Government have hesitated to apply the same impartial mode of reasoning to the details of a measure, which has been deemed necessary for the better working of the new system. As, however, the Government have resolved to try the experiment, we think it fair that they should fully understand the determination of the Assembly, that the responsibility may rest in the proper quarter, for the consequences which may result from this line of action.

The Governor is a decided partizan of his Council; and all the Government patronage which he has at his disposal, he has bestowed on their favorites. When the Assembly sought his mediation on the Representation Bill last Session, he insulted them by declaring their address unconstitutional, then refusing to receive it, and afterwards on retracting that resolution, positively declaring to interpose. He has come into collision with the Assembly on other occasions, instigated by the Council, and the Assembly have denounced his conduct in reference to their proceedings on two distinct subjects, and at two separate periods,



one of them being in reference to the Representation Bill. Is it reasonable then, we would ask, to make him an umpire between his own Council, to which he is so allied, and the Assembly, which he has thus opposed? Besides, we think it only frank to state, that the Assembly have resolved *not to recede one jot* from their late Representation Bill, as they have already conceded too much, for the purchase of peace and the settlement of the question in dispute. The question then remains to be solved by the Imperial Government, as to which party shall give way.

If, however, the Government have resolved upon the expedient with a sincere desire for a settlement, we would suggest the propriety of its efficacy being at once tested, by calling the Legislature together forthwith, and using their influence with the Council to pass the Representation Bill of the Assembly. If *that* be adopted, the Assembly would not hesitate to pass a Supply Bill, and other necessary measures for the benefit of the public service. But until the people are in the full enjoyment of their Constitutional rights, the Assembly have resolved to vote *no supplies*, and they will not hesitate to *throw out the Revenue Bill* next year, if the question of self-government should not be satisfactorily settled in the meantime. Hence the necessity for an early call of the Legislature. The liberal Representatives of the people are pledged to the Constituencies to follow this line of action. Their past conduct shows that they have sufficient spirit to maintain the people's rights. The time for half measures with the colonies, we hoped, had passed away; and we trust that the people of Newfoundland will find a justification before the British Public for refusing to support (if matters should unfortunately be driven to such an extreme) as pure an engine of oppression and misrepresentation, as can be devised under the form of an irresponsible Colonial Government.

Thanking you for your great kindness and valued services to obtain equal justice—long withheld and still denied to Newfoundland—and requesting your opinion on the propriety of presenting the Petition of the Assembly to the House of Commons,

We have the honor to be,

Dear Sir,

Your very obedient and faithful servants,

P. F. LITTLE,

GEO. H. EMERSON.

Joseph Hume, Esq., &c., &c.,



[No. 16.]

**LETTER FROM JOSEPH HUME, Esq., TO SIR GEORGE GREY.**

BRYANSTONE SQUARE

10th August, 1854.

MY DEAR SIR,—On my return here, I found a letter from Messrs. Little and Emerson, dictated evidently from the conversation that passed with you yesterday afternoon.

I have read their letter with care, and I am obliged to agree with them.

The party in the Council who has acted so inconsistently seems utterly regardless of the demands of the population of 120,000 souls.

Both Protestants and Catholics desire Responsible Government, and the Despatch of the Duke of Newcastle concedes it.

To give an idea of the reckless manner in which the party is acting, I mention that Mr. Hoyles, the Solicitor General, one of the public officers, has come to this country as the pretended representative of the Protestant interest; whereas, he is the paid agent of a few of the merchants who, in a hole and corner meeting, in private, subscribed to pay him and his expenses.

Surely such a proceeding shows the *animus* of the Governor, who permits his Solicitor General so to act, and I have no hopes of any change such as has taken place in Canada, Nova Scotia, and Prince Edward Island, to meet the Assembly and bring matters to a settlement.

I hope these facts may have the same effect on your mind, as they have made on mine, and then you cannot hesitate as to the course to be taken.

In the letter, however, now sent to you, there are the means pointed out, of your bringing the dispute to an early settlement, viz., your directing the Assembly to be called together in the end of the next month, for the renewal of the negotiations between the Council and the Assembly.

I partake strongly in the belief that the members of the Council care little about the desire of the population, and that they will, if countenanced by the Governor, hold on to the last extremity.

I am anxious to avoid that, and venture to suggest the early meeting of the Assembly to bring matters to the test, and to put an end as speedily as possible to the present unseemly state of affairs there.



The letter of Mr. Archibald, of the 28th July to you, stating that he and Mr. Row have been sent by the Governor as delegates, marks, in my opinion, the intention of the Governor and his Council; if you shall send these Delegates back without decidedly making up your mind and telling them what it is. But I must conclude, and remain,

Your's sincerely,

JOSEPH HUME.

The Right Hon. Sir George Grey, Bart, M. P.

&c., &c., &c.

[No. 17.]

THE DELEGATES' LETTER TO JOSEPH HUME, Esq.,

TAVISTOCK HOTEL, COVENT GARDEN.

August 11th, 1854.

DEAR SIR,—Having been hitherto guided by your advice in our proceedings, the time has now come to request your decision on the propriety of presenting the petition of the House of Assembly entrusted to you, to the House of Commons, and your advice as to our future measures, and whilst we shall be entirely directed by you in carrying out the resolutions of the Assembly, we must assure you that the people of Newfoundland will be dissatisfied and disappointed if we return without obtaining the favourable determination of Her Majesty's Government.

With sentiments of gratitude, we have the honor to remain,

Your's most respectfully,

P. F. LITTLE,

GEO. H. EMERSON.

Joseph Hume, Esq., M. P. &c., &c.,

(No. 18.)

LETTER FROM JOSEPH HUME, Esq., TO THE DELEGATES.

BRYANSTONE SQUARE.

11th August, 1854.

GENTLEMEN,—I have received your letter of this date, and am well aware of the anxiety you must have as to the course to be adopted, when only a few hours remain of the present session.



I have seen the despatch prepared by Sir George Grey to the Governor of Newfoundland, and I have conversed fully with him on the subject. I have the conviction that Sir George will give the requisite orders for establishing Responsible Government as speedily as the forms which he considers requisite will admit.

To present the petition entrusted to me by the House of Assembly to the House of Commons, would be to throw doubts on the intentions of the British Government, as to their sincerity in placing Newfoundland on the same footing as Nova Scotia, Prince Edward Island, and other British Colonies.

I assure you that I have no such doubts as to the future, and I therefore advise that the petition should not be presented, and that you should return to the Colony in the perfect confidence that Sir George Grey will carry out the despatch of the Duke of Newcastle, and that he will not allow the Governor and Council any longer to oppose and protract the establishment of Responsible Government, but that he will, by the modifying of the Council, do as has been done in all the other British North American Provinces.

This is my deliberate advice, and it rests with you to act, in your very responsible situation, with the knowledge you have of what passed at the Colonial Office.

I remain, your's sincerely,

[J. HUME.]

(No. 19.)

### THE DELEGATES' LETTER TO JOSEPH HUME, ESQ.

TAVISTOCK HOTEL, COVENT GARDEN, LONDON.

12th August, 1854.

DEAR SIR,—We have the honor to acknowledge the receipt of your favor of the 11th instant, and in reply we beg to inform you that we shall follow your advice, and upon the assurance of the Duke of Newcastle and Sir George Grey, to place Newfoundland upon a footing of equality with the neighbouring colonies, by the immediate introduction of Responsible Government.

We regret that there should have been any hesitation, on the part of Sir George Grey, to adopt the only practical course open to him, by dissolving the Council according to the practice pursued in all the other Colo-



nies with their Executive Councils, upon the concession of Responsible Government to them.

If, however, Sir George thinks fit to refer the Representation Bill again to the Council, in the hope that they will pass it,—of course we mean the Bill of the Assembly—we feel confident that he will be disappointed. Being convinced that the Council, in pursuing their obstructive policy, will hold on to the last; if any good can come from this experiment, it can only be by the Government giving positive orders to the Governor to the following effect, viz. :

1. That the Representation Bill passed by the Assembly, is a fair measure, and has met the approval of the Secretary of State. If this opinion should not be clearly expressed, the whole of the details would be reopened and all the old ground will have to be gone over again without any rational prospect of effecting a settlement.

The justice of the Bill in every respect, and the Resolution of the Assembly, not to depart from it, not only justify but require the expression of that opinion by the Government.

2. If the Council should not sanction the Bill, the Secretary of State should instruct the Governor forthwith to organize the Council “according to the well understood wishes of the people, as expressed by their Representatives.”

3. That two separate Councils should then be formed, and Responsible Government put into immediate operation as in Prince Edward Island and Nova Scotia, which is all that the Assembly ask, and which the Duke of Newcastle promised.

Such are the suggestions which we deem it incumbent on us to offer upon the determination of Sir George Grey, and we need only add that a compliance with them on his part will go far to satisfy the people of Newfoundland of his desire to meet their views and place the Government of the Colony upon a safe, just, and permanent footing.

Awaiting the final, and we trust satisfactory, determination of Her Majesty's Government,

We have the honor to remain,

Dear Sir,

Your very grateful and obedient servants,

P. F. LITTLE,

G. H. EMERSON.

Joseph Hume, Esq., &c., M. P., &c., &c.,



(No. 20.)

## THE DELEGATES' LETTER TO SIR GEORGE GREY.

TAVISTOCK HOTEL, COVENT GARDEN,

17th August, 1854.

SIR,—We have the honor to enclose for your information, copies of certain communications which have passed between Mr. Hume and us on the subject of our Delegation.

Being anxious that no further appeal should be rendered necessary from the Assembly of Newfoundland to the Imperial Government, on the pending difficulties with the Council, and believing in the sincerity of the assurances which we have received from you and the Duke of Newcastle, as well as from Mr. Hume and Mr. Peel, that it is the sole desire of Her Majesty's Government to render equal constitutional justice to this colony; before quitting England, we would respectfully refer you to the suggestion contained in your letters to Mr. Hume, of the 5th, 9th, and 12th August, and those which we have since made to Mr. Peel, as to the most practical means of effecting that desirable object.

Having read Messrs. Row and Archibald's letter of the 9th of August, to you at the Colonial Office yesterday, we deem it our duty to request a copy of it; and also of Mr. Hoyles's letter to you, of the 12th July last, which Mr. Blackwood did not consider himself authorised to permit us to peruse, but with the general contents of which we have been otherwise made acquainted.

While Mr. Hoyles, though the acting Solicitor General, and one of the Executive party, cannot be regarded as the authorised Delegate of the people, or any party in the colony, except his few mercantile friends, who subscribed to pay his expenses, and those who privately nominated him, and while both of these communications bear their own condemnation on their face, yet we should desire an opportunity of placing before you a clear and minute refutation of their wilful misrepresentations and our drawn conclusions, which we cannot satisfactorily do without copies of them. If you should not deem it expedient to comply with this request, we beg to solicit the favor of your transmitting such copies to the Governor, with instructions to lay them before the Assembly, together with the communications we have had the honor of addressing to you.

This would be a simple yet important act of justice to the people of Newfoundland. While they have been confident that the Imperial Government has been unfortunately too often misled by such misrepresentations, they have been denied the opportunity of exposing them, from the



secret and confidential manner in which it is understood they have been made. Nor should they be surprised at the policy heretofore adopted by the Imperial Government, on the information supplied by such extraordinary productions.

In charity, however, we conclude, that as we conceive these are the last, they are therefore, the most unscrupulous efforts to retain power in the hands of that party whose leaders have by such means gone far to alienate the affections of the colonists from the Crown.

We should not wish the frankness of our language to be misconstrued into mere personal recrimination. Standing upon the broad and solid principles of truth and justice, we feel that we can afford to pass unnoticed the insulting remarks contained in these documents, in relation to the members of the Assembly and the liberal party in Newfoundland. But no consideration of unmerited forbearance would have justified us, in the eyes of our constituents, in passing entirely without observation the misstatements of Mr. Hoyles and the Delegates of the Council.

Thanking you for the consideration you have given to the important subject of our mission,

We have the honor to be,

Sir,

Your most humble and obedient servants,

P. F. LITTLE,

GEO. H. EMERSON.

The Right Hon. Sir George Grey, Bart, M. P.

&c., &c., &c.

(No. 21.)

LETTER FROM JOSEPH HUME, Esq., TO MR. LITTLE:

BRYANSTONE SQUARE.

18th August, 1854.

MY DEAR SIR,—I have left a letter for the Speaker of your Assembly, which I request you will take charge of, and if you should not have left London on Thursday next, I shall be here at 10 a.m., to take leave before going to Scotland.



In the meantime, you will be pleased to learn that the Duke told me last night, that he had read the letters I sent him, with attention, and that he was pleased with the conduct of the Assembly.

He greatly regretted the conduct of the Governor and Council, in not meeting the Assembly ; but he hoped that all would be settled on the receipt of Sir George Grey's Despatch.

Wishing you a speedy and pleasant passage, I remain,

Your's sincerely,

JOSEPH HUME.

P. F. Little, Esq.

[No. 22.]

LETTER FROM JOSEPH HUME, Esq., TO THE HON. THE SPEAKER  
OF THE ASSEMBLY OF NEWFOUNDLAND.

BRYANSTON SQUARE.

19th August, 1854.

SIR,—This will be delivered by Mr. Little, who with Mr. Emerson, have been active to carry out the wishes of the Assembly and of the people of Newfoundland ; and they will show by the copies of the correspondence, what has been done, and why they return without having the petition of the Assembly presented to the House of Commons.

I found in His Grace the Duke of Newcastle and in Sir George Grey, great regret that the Governor and Council had not met the House of Assembly to settle, as in the other Provinces, Responsible Government. They regretted, as I do, the necessity of having recourse to the strong measure of stopping the Supplies, and assured me that the Despatch by the first packet should enjoin the carrying out of the Duke's intention.

With the knowledge and the assurances, that measures would be taken to place Newfoundland in the same situation as the other Provinces of British America, I determined not to present the petition to the House of Commons.

I know that that course has given satisfaction, and I trust that I shall soon learn that you approve of what I have done, and that the changes requisite to be made, have all been made to the satisfaction of the people of Newfoundland.



I cannot allow Mr. Little and Mr. Emerson to return, without assuring you of their devotion to fulfil your wishes, and of the zeal and ability they have manifested in the delicate proceedings they have had to conduct here.

I trust that the same moderation in your proceedings with the Governor and Council, will secure that mutual good feeling which must exist in every Responsible Government.

As long as my services can be useful to the Province, I shall with pleasure afford every assistance in my power to promote peace and good feeling, the harbingers of prosperity in every country.

I remain, Sir,

Your obedient servant,

J. HUME.

To the Hon. John Kent,

Speaker of the Assembly of Newfoundland.

(No. 23.)

LETTER FROM ARTHUR BLACKWOOD, Esq. TO MR. LITTLE.

COLONIAL OFFICE.

DEAR SIR,—Sir George has intimated his <sup>words</sup> that with you and Mr. Emerson should peruse the despatch which he addressed by the last mail to the Governor of Newfoundland, on the subject of Responsible Government. Mr. Merivale will therefore be happy to show you the Despatch, if you will take the trouble to call on him here on any day except Saturday, from 2 to 5 p. m., giving him notice before hand which day you select.

I am, Dear Sir,

Your's very truly,

ARTHUR BLACKWOOD.

P. F. Little, Esq.



No. 24.

## LETTER FROM HERMAN MERIVALE, ESQ., UNDER SECRETARY OF STATE, TO THE DELEGATES.

DOWNING STREET,

31st August, 1854.

GENTLEMEN,—I am directed by Secretary Sir George Grey to acknowledge your letter of the 17th of this month, enclosing copies of certain communications which have passed between Mr. Hume and yourselves, on the subject of your delegation.

2. With reference to your request for a copy of Messrs. Archibald and Row's letter of the 9th August, I am to state, that as Sir George Grey afforded to the representatives of each party the opportunity of reading what has been addressed to him by the other, and has dispatched instructions to the Governor as to the course which he is to take on the points disputed in the last session between the Legislative Council and the Assembly he does not think that any advantage could arise from his complying with an application which might only lead to further discussions tending to no practical benefit.

3. With respect to Mr. Hoyles's letter (of which you also apply to be furnished with a copy) I am to state, that Sir George Grey has never received this letter in manuscript; a printed copy only has been placed in his hands, and he presumes that you will not have any difficulty in obtaining one; but I am to add, that Mr. Hoyles did not address Sir George Grey in any public capacity, nor was he understood by Sir George Grey to be the authorized representative of any party in the colony.

I have the honor to be,

Gentlemen,

Your most obedient servant,

HERMAN MERIVALE.

P. F. Little, Esq.,

and

G. H. Emerson, Esq.,

No. 25.

## MR. LITTLE'S LETTER TO ARTHUR BLACKWOOD, Esq.

TAVISTOCK HOTEL, COVENT GARDEN.

26th August, 1854.

DEAR SIR,—I have the honor to acknowledge the receipt of your polite note of the 24th instant, which I found at my Hotel, on my return this evening.



Mr. Emerson unites with me in requesting you to have the kindness to tender our acknowledgment to Sir George Grey, for his consideration in intimating a wish that we should peruse the Despatch which he had addressed by the last mail to the Governor of Newfoundland on the subject of Responsible Government, and that we shall be happy to comply with his desire on Monday next.

I am, Dear Sir,

Your's very truly,

P. F. LITTLE.

Arthur Blackwood Esq.. &c.

*Ordered*,—That the Report do lie upon the Table.

On Table.

Mr. HOYLES gave notice that on to-morrow he would move for leave to bring in a Bill to Incorporate a Joint Stock Banking Company.

Notice for Bank Incorporation Bill.

Mr. WARREN gave notice that on to-morrow he would move the suspension of the Rules of the House in reference to the Address of Thanks, in reply to His Excellency the Governor's Speech, at the opening of the Session.

Notice for suspension of Rules of the House.

Mr. HOGSETT gave notice that on to-morrow he would move that a vote of Thanks be given to the Delegates to London for their able advocacy of the claims of this colony to Responsible Government.

Notice for vote of Thanks to Delegates.

Then the House adjourned till to-morrow at Two of the clock.

THURSDAY, 12TH OCTOBER, 1854.

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

Address of Thanks read 2nd time.

*Ordered*,—That the Rules of the House be suspended in reference to the said Address.

Rules suspended.

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

*Resolved*,—That the House do now resolve itself into a Committee of the Whole upon the said Address.



Committed.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Reported with an amendment.

The Chairman reported from the Committee, that they had considered the Address to them referred, and had passed the same with an amendment, which they had directed him to report to the House; and he handed the Address, as amended, in at the Clerk's Table, when the same was read as follows:—

Address to Governor.

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

MAY IT PLEASE YOUR EXCELLENCY,—

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

The Imperial Government having determined to introduce Responsible Government into this colony, in accordance with the reiterated demands of the people and the necessities of the country, it is satisfactory to find that the conduct of the Assembly, in reference to the preliminary conditions, has met the approval of the Imperial Authorities in such a manner as to lead us to anticipate that no further difficulty will be experienced in effecting that desirable change. The only point in the measures of the Assembly, to which any exception has been taken, being the retiring allowance of the Attorney General, is susceptible of easy adjustment; and while we shall willingly re-consider that matter, with the view of meeting their suggestions, we should hope that the Representation Bill, the only remaining preliminary, as adopted by the Assembly in its last session, may, without any further opposition or procrastination, become the law of the land. It contains several substantial concessions to the opinions of Her Majesty's Council, and looking to the fairness of its details, and the result of the late appeal of both branches to the Secretary of State for the colonies, we deem it almost needless to add, that a regard for the interests of the people and the beneficial working of the new system entirely prevent our making any further concessions in relation to that measure. We, therefore, hope that Her Majesty's Council may at length see the propriety of meeting the Assembly in a conciliatory spirit, and by terminating the differences on this measure, enable Your Excellency to give effect to the liberal intentions of Her Majesty's Government.



These being the only measures, for the settlement of which this session has been wisely called at this unusual period of the year, under the instructions of the Secretary of State, that an end may be put as speedily as possible to the present unfortunate state of affairs, we beg to assure Your Excellency that as soon as they shall be adjusted, we shall not hesitate to pass the usual Bill of Supply, and such other Bills as the welfare of the country and the brief period which we expect to be in session, may warrant.

We are gratified to learn that a Treaty for the establishment of Reciprocal Free Trade in certain staple products, between the United States and the British North American Colonies, has been passed and ratified by the Government of Great Britain and the United States, and that Newfoundland has been included in its arrangements.

We are fully alive to the great advantages which this colony must derive from a participation in that measure; and we anticipate no difficulty in adjusting our Tariff of Duties so as to avail of its terms, as soon as circumstances shall permit.

We cordially acknowledge the correctness of Your Excellency's suggestions in reference to the draining and sewerage of St. John's; and we shall give due consideration to any Report which Your Excellency may be pleased to furnish thereon, with the view of adopting any measures for the improvement of the sanitary condition of this town.

We reciprocate Your Excellency's congratulations on the subject of our Fishery during the past season which though only partially successful in some localities will, on the whole, we have reason to believe, amount to an average; and it is no less a subject of thankfulness to Divine Providence, that the Potato disease has been far less extensive than in past years.

In certain localities, however, relief will have to be provided for the support of the really destitute; and we beg to assure Your Excellency, that we shall not only indemnify you for any past expenditure, but also for any future outlay that may be necessary for this branch of the public service.

*Ordered*,—That the Address as amended, be read a third time.

And the Address was read a third time accordingly.

Read 3rd time.

On motion of Mr. LITTLE, seconded by Mr. PARSONS,

*Resolved*,—That the Address do pass, and be presented to His Excellency by Mr. Speaker and the whole House.

Passed.



Notice of Address to Governor for Despatches.

Mr. LITTLE gave notice that on to-morrow he will move an Address to the Governor respectfully requesting that he will be pleased to cause to be laid before this House copies of the Despatches received by him on the subject of Responsible Government from the Secretary of State for the colonies, referred to in His Excellency's opening Speech.

Then the House adjourned till to-morrow at Two of the clock.

FRIDAY, 13th OCTOBER, 1854.

Time of receiving Address of Thanks.

Mr. SPEAKER informed the House that he had received a communication from Mr. Secretary Crowdy, stating that His Excellency the Governor would receive Mr. Speaker, and the House with the Address of Thanks, in reply to His Excellency's Speech at the opening of the session to-morrow at two o'clock.

Representation Bill read 2nd time.

Pursuant to order of the day, the Bill to Increase the present number of Representatives in the General Assembly of this Island, was read a second time.

On motion of Mr. LITTLE, seconded by Mr. PARSONS,

Time of committal.

*Resolved*,—That on to-morrow he will move the House into a committee of the whole upon the said Bill.

On motion of Mr. LITTLE, (pursuant to notice) seconded by Mr. HOGSETT,

*Resolved*,—That the following Address be presented to His Excellency the Governor:—

Address to Governor.

*To His Excellency KER BAILLIE HAMILTON, Esq.,  
Governor and Commander-in-Chief in and over  
the Island of Newfoundland and its Depend-  
encies, &c.*

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully beg leave to request that Your Excellency will be pleased to cause copies of the Despatches received by Your Excellency on the subject of Responsible Government from the Se-



cretary of State for the colonies, and referred to in Your Excellency's opening Speech, to be laid before this House.

*Ordered*,—That the Address be engrossed, and presented to His Excellency the Governor, by Mr. LITTLE and Mr. HOGSETT.

Committee to present.

On motion of Mr. HOGSETT, seconded by Mr. WINNER,

*Resolved*,—That a Select Committee be appointed to report upon the present inefficient mode of publishing and reporting the debates of this House, with power to make such arrangements as may appear to them necessary for the reporting and publishing the debates for the present Session.

Select Committee on publishing and reporting debates.

*Ordered*,—That Mr. HOGSETT, Mr. WARREN, Mr. LITTLE, Mr. HANRAHAN and Mr. MARCH, do form such committee.

Committee appointed.

Then the House adjourned till to-morrow at half-past One of the clock.

SATURDAY, 14th OCTOBER, 1854.

It being the hour appointed by His Excellency the Governor to receive the House, with the Address of Thanks in reply to His Excellency the Governor's Speech, at the opening of the session, Mr. Speaker and the House went up to Government House ; and being returned,

Mr. Speaker and the House wait on the Governor with Address of Thanks.

Mr. SPEAKER informed the House, that when in attendance on His Excellency the Governor, he had presented the Address of Thanks to His Excellency the Governor, and that His Excellency had been pleased to make a reply as follows :—

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

In replying to this Address, I will confine myself to thanking you for the assurance it contains, that you will pass such Bills as the welfare of the country may warrant, and that you will indemnify me for any past expenditure for the support of the Poor ; and also for any future outlay that may be necessary for this branch of the public service.

Reply of His Excellency the Governor to Address of Thanks.

Mr. LITTLE, from the deputation to present the Address, requesting that His Excellency would be pleased to cause to be laid before the House copies of Despatches from the Secretary of State for the colonies, on the



subject of Responsible Government, reported that His Excellency had handed him the Despatches asked for.

Despatches from His Excellency the Governor,

The said Despatches were read by the Clerk, and are as follows :—

*(For which see Appendix.)*

On Table,

*Ordered,*—That the said Despatches do lie upon the Table.

Then the House adjourned till Monday next at Two of the clock.

MONDAY, 16TH OCTOBER, 1854.

Committee of the whole on Bill to increase the present number of Representatives in the General Assembly.

Pursuant to order of the day, the House resolved itself into a Committee of the Whole upon the Bill to increase the present number of Representatives in the General Assembly of this Island.

Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had passed the Bill to them referred without amendment, and he handed the Bill in at the Clerk's Table.]

Time of 3rd reading.

*Ordered,*—That the Bill be engrossed, and read a third time to-morrow. Then the House adjourned till to-morrow at Two of the clock.

TUESDAY, 17TH OCTOBER, 1854.

Petitions from J. Osborne and M. Joyce.

Mr. LITTLE presented Petitions from John Osborne, and Matthew Joyce, of Saint John's, which were severally received and read,—Praying for the appointment of Outer Door-keepers to the House of Assembly.



*Ordered*,—That the said Petitions do lie upon the Table.

On Table.

Mr. SHEA presented a Petition from Joseph Walsh, of St. John's, which was received and read, of the same tenor as the foregoing.

Petition from Joseph Walsh

*Ordered*.—That the said Petition do lie upon the Table.

On Table.

Mr. LITTLE presented a Petition from the Secretary of the Board of Health, which was received and read,—Praying that the House would institute an examination into the state of the dwellings of the Poor of Saint John's, with regard to their sanitary condition, with a view to the adoption of measures for improving the same.

Petition from the Secretary of Board of Health.

He also presented a Petition from Henry H. Stabb, M.D., Physician, Superintendent of the Hospital for mental diseases, which was received and read setting forth—the want of accommodation in the Lunatic Asylum for patients, and praying that a sum of money may be granted to enable the second wing, contemplated in the original plans, to be added to the building.

Petition from H. H. Stab'

*Ordered*,—That the said Petitions do lie upon the Table.

On Table.

Mr. LITTLE, as Delegate from the Assembly to proceed to Washington, to advocate the claims of this colony to Reciprocal Free Trade with the United States, presented the Report, which he handed in at the Clerk's Table where the same was read.

Report of delegate to Washington.

*(For which see Appendix.)*

*Ordered*,—That that the said Report do lie upon the Table.

On Table.

Pursuant to order of the day, the Bill to increase the present number of Representatives in the General Assembly, as engrossed, was read a third time.

Increase Bill read 3rd time.

On motion of Mr. LITTLE, seconded by Mr. HOGSETT,

*Resolved*,—That the Bill pass, and be entitled “An Act to increase the present number of Representatives in the General Assembly of this Island and to regulate the Representation thereof.”

Passed and titled,

*Ordered*,—That Mr. Little, Mr. Hogsett, Mr. Winsor, Mr. Hanrahan and Mr. Emerson do take the Bill to Her Majesty's Council, and desire their concurrence.

Committee to present.

Mr. LITTLE, by command of His Excellency the Governor, presented to the House a Message from His Excellency the Governor, signed by His Excellency.

The said Message was read by the Speaker, all the members being uncovered, and is as follows :—



Message from His Excellency the Governor.

**KER B. HAMILTON.**

The Governor, adverting to that part of his Speech on opening the session, which refers to the sanitary condition of St. John's, recommends in the present emergency, which calls for immediate action, that the Legislature should authorise him to incur such expenditure as may be essential for guarding the public health both in St. John's and the outports.

Government House, }  
17th October, 1854. }

K. B. H.

On Table.

*Ordered*,—That the said Message do lie upon the Table.

Notice of Address to Governor.

Mr. LITTLE gave notice that on to-morrow he would move an Address to His Excellency the Governor, in reply to His Excellency's Message of to-day, authorising such expenditure as may be essential for guarding the public health, both in St. John's and the outports:

Documents from His Excellency the Governor.

He also, by command of His Excellency the Governor, presented to the House the following documents:—

Copy of Despatch to His Excellency the Governor, from the Secretary of State for the colonies, accompanying copy of a Despatch from the Secretary of State to the Governor-General of Canada, on the subject of the Treaty for Trade between the United States and the British North American colonies.

Report from J. P. Neville, to His Excellency the Governor, on the subject of improving the sanitary state of St. John's, by sewerage and drainage.

*(For which see Appendix.)*

On Table.

*Ordered*,—That the said Despatches do lie upon the Table.

On motion of Mr. HOGSETT, seconded by Mr. HANRAHAN,

Vote of Thanks to Delegates.

*Resolved*,—That the thanks of this House are hereby given to PHILIP F. LITTLE, and GEORGE HENRY EMERSON, Esqrs., Delegates appointed by this House in the last session of the Legislature, to proceed to England for the purpose of laying before the Imperial Government the claims of this colony to Self-government, for the integrity, ability, and discretion, displayed by them in discharging the arduous and important trust connected with their mission and the welfare of Newfoundland.

Then the House adjourned till to-morrow at Two of the clock.



WEDNESDAY, 18th OCTOBER, 1854.

At a quarter before Four o'clock the names of members present being taken down as follows:—Mr. Winser and Mr. Little,

Mr. SPEAKER adjourned the House for want of a quorum.

House adjourned for want of a quorum.

THURSDAY, 19th OCTOBER, 1854.

On motion of Mr. LITTLE, seconded by Mr. PARSONS, pursuant to notice,

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

To His Excellency KER BAILLIE HAMILTON, Esq.,  
Governor and Commander-in-Chief in and over  
the Island of Newfoundland and its Depend-  
encies, &c.

Address to Governor.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully authorise Your Excellency, in compliance with Your Excellency's Message of the 17th instant, to incur such expenditure as may be essential for guarding the public health, both in St. John's and the Outports, and this House will indemnify Your Excellency therefor.

Ordered,—That the Address be engrossed, and presented to His Excellency the Governor, by Mr. LITTLE and Mr. PARSONS.

Committee to present.

Then the House adjourned till Monday next at Two of the clock.

MONDAY, 24th OCTOBER, 1854.

At half-past Three o'clock, Mr. Winser and Mr. Little being the only members present,

Mr. SPEAKER adjourned the House for want of a quorum.

House adjourned for want of a quorum.



TUESDAY, 25TH OCTOBER, 1854.

At half-past Two o'clock, Mr. Winsor being the only member present,

House adjourned for want  
of a quorum.

Mr. SPEAKER adjourned the House for want of a quorum.

SATURDAY, 28TH OCTOBER, 1854.

Mr. SPEAKER laid before the House the following Documents, transmitted through Mr. Secretary Crowdy, by command of His Excellency the Governor :—

Documents from His Ex-  
cellency the Governor.

Estimate of the Civil Expenditure of the island for 1854.

Comparative Statement of Duties collected for the quarters ended 10th October, 1852, 1853, and 1854.

(For which see Appendix.)

On Table.

Ordered,—That the said Documents do lie upon the Table.

Then the House adjourned till Monday next at Two of the clock.

MONDAY, 30TH OCTOBER, 1854.

The Clerk to Her Majesty's Council, in the absence of the Master-in-Chancery, brought down the following Message :—

Message from H.M. Council: Mr. SPEAKER,—

Her Majesty's Council request a conference with the House of Assembly on the subject of certain Amendments made by the Council in the Bill entitled "An Act to increase the present number of Representatives



in the General Assembly of this island and to regulate the Representation thereof," and have appointed conferees to meet the managers on the part of the Assembly in the Committee Room of the Council presently.

E. M. ARCHIBALD,

*Presiding Member.*

Council Chamber, }  
30th October, 1854. }

And then the Messenger withdrew.

*Ordered*,—That the said Message do lie upon the Table.

On Table.

On motion of Mr. LITTLE, seconded by Mr. EMERSON,

*Resolved*,—That the following Message be sent to Her Majesty's Council ;—

Mr. PRESIDENT,—

The House of Assembly respectfully decline complying with the request of Her Majesty's Council for a conference on the subject of the amendments made by the Council in and upon the Bill sent up from this House, for the concurrence of Her Majesty's Council, entitled " An Act to increase the number of members in the House of Assembly, and provide for the representation thereof," for the following reasons: first, because even waiving the irregularity of the demand at this stage of the proceedings, the Bill, as passed by the Assembly, has always formed the subject of prolonged agitation, and several fruitless conferences between both branches; secondly, because the Bill so passed is a just and fair measure to all classes, denominations and interests, in this Island, and particularly in reference to the principle of population in its general bearing; thirdly, because it contains several substantial concessions to the views of the Council, in trebling the present representation of the Districts of Trinity and Bonavista, in subdividing St. John's, and imposing election expenses on Candidates; while an increase of only fifty per cent on its present Representation was given to the District of St. Mary's and Placentia, and that of every other District was doubled, where population would permit, except in Conception Bay, where the liberal interest surrendered one member, while no concession whatever has been made to the views of the Assembly, or the interests of the liberal party; fourthly, because that Bill has been submitted by both branches to the Imperial Government for their decision; and while the fairness of the measure, and the conduct of the Assembly thereon have received the approval of the Imperial Authorities, the amendment of the Council in reference to the district of Barin, made last session, has been expressly condemned; fifthly, because the recent Despatch of the Secretary of State, on the subject of the existing differences,

Message to H.M. Council.



requires mutual concessions in reference to the only two unsettled preliminaries to the introduction of Responsible Government, one being the passing of this Bill, and the other the adjustment of the Attorney-General's Retiring Allowance; and this House, contrary to what it conceived to be strictly just, but for the purpose of terminating this unfortunate contest, having expressed its willingness to abandon its previous resolution on the allowance to be granted to the Attorney General, and meet the views of the Secretary of State thereon, therefore conceives that it has a right to expect, under all the circumstances, in a spirit of mutual concession, the assent of the Council to the Representation Bill, so sanctioned and passed; and lastly, besides the foregoing reasons, it is evident that no practical result can come from a renewal of exciting conflicts on this vexed question, as nothing new can be advanced on either side, and any proposal to take away the only member allowed to the District of St. Mary's and Placentia, over its present representation, and thus comparatively disfranchise the liberal electors of that district could not be entertained under any circumstances by this House; and this House, having agreed to the proposal of the Council, made last session, to add a third member to the representation of Bonavista, in the hope of conciliating the Council and settling the measure, has now no desire to retract that concession, and is resolved to adhere to its resolution not to recede in any respect from the said Bill.

Committee to present.

*Ordered*,—That Mr. Little and Mr. Emerson do take the Message to Her Majesty's Council.

Then the House adjourned till to-morrow at Two of the clock.

THURSDAY, 2ND NOVEMBER, 1854.

The Master-in-Chancery to Her Majesty's Council brought down the following Message:—

MR. SPEAKER,—

Message from H.M. Council

Her Majesty's Council acquaint the House of Assembly that they have passed the Bill entitled "An Act to increase the present number of Representatives in the General Assembly of this Island and to regulate the



Representation thereof" with some Amendments, to which they request the concurrence of the House of Assembly.

The Council desire at the same time to state to the House of Assembly the reasons which have guided them in adopting the Amendments which the Council have introduced into the Bill.

Desirous as they are to act in accordance with the spirit of the Despatch from Her Majesty's Secretary of State, the Council are willing to make such concession, and to exercise such forbearance as may be reasonably expected from them, and which the Despatch recommends for the guidance of both branches of the Legislature; and they have consequently adopted the Bill of the House of Assembly with only such amendments as, in the judgment of the Council, recognise the principle of population more fully and more perfectly than does the Bill of the Assembly.

These Amendments are simply the withdrawal of one member from each of the Districts of Bonavista, and Placentia and St. Mary:—the effect of this would be (as shown in the Table appended hereto) to equalize, as far as may be, the number of Representatives in regard to population, while the discrepancy which exists in the Bill, in giving a larger relative number of Members to a District with a smaller population than one not so fully represented, would be avoided.

The Council offer this free explanation of the motives which have guided them in their consideration of the measure which is now before them, and they cannot but entertain the hope that the concessions they have made to effect a settlement of a question, the prolonged agitation of which cannot be beneficial to the public, and which it is desirable to terminate, will be acceded to by the House of Assembly.

*Amendments of the Council arranged according to Population returns.*

No.	District.	Inhabitants.	Members.
1	Conception Bay	28,026	7.
2	St. John's	25,199	6.
3	Trinity	8, 01	3.
4	Bonavista	7,227	2.
5	Twillingate and Fogo	6,744	2.
6	Placentia and St. Mary's	6,473	2.
7	Ferryland	4,581	2.
8	Burin	4,358	2.
9	Fortune Bay	2,920	1.
10	La Poile	2,180	1.
			—
			28.

Council Chamber, }  
2d November, 1854. }

E. M. ARCHIBALD,  
Presiding Member.



And then the Messenger withdrew.

On Table.

*Ordered*,—That the said Message do lie upon the Table.

The Amendments made by Her Majesty's Council in and upon the Bill entitled "An Act to increase the present number of Representatives in the General Assembly of this Island and to regulate the Representation thereof" were read a first time, and are as follow:—

Amendments of H.M. Council on increase of Representatives' Bill.

In the first Section of the Bill, expunge the word "thirty" and insert "twenty-eight" in lieu thereof.

————— 11th and 51st lines—expunge the word "three" in each of these lines respectively, and insert the word "two" instead thereof.

On motion of Mr. LITTLE, seconded by Mr. EMERSON,

*Resolved*,—That the following Message be sent to Her Majesty's Council;—

Message to H.M. Council.

Mr. PRESIDENT,—

The House of Assembly respectfully inform Her Majesty's Council that having considered the reasons of the Council for the Amendments made made by them in the Bill entitled "An Act to increase the number of Representatives in the General Assembly of this island and to regulate the representation thereof," they have disagreed to the said Amendments for the reasons heretofore commnicated by them to the Council.

Committee to present.

*Ordered*,—That Mr. Little and Mr. Emerson do take the Message to Her Majesty's Council.

Then the House adjourned till to-morrow at Two of the clock.

FRIDAY, 3RD NOVEMBER, 1854.

Petition complaining of the present mail service between this and Halifax.

Mr. SHEA presented a Petition from James S. Clift and others, merchants of St. John's, which was received and read, setting forth,—The serious injury they sustain from the inefficient mode in which the mails are conveyed between this and Halifax, and praying that the House will adopt measures to remedy the evil.

On Table.

*Ordered*,—That the said Petition do lie upon the Table.



Mr. SHEA gave notice that on to-morrow he would move for the appointment of a Select Committee to inquire into the statements set forth in the foregoing Petition, and to make a report thereon.

Notice for committee respecting the foregoing Petition.

Then the House adjourned till Monday next at Two of the clock.

MONDAY, 6TH NOVEMBER, 1854.

Mr. LITTLE, by command of His Excellency the Governor, presented to the House a written Message from His Excellency the Governor, signed by His Excellency.

The said Message was read by the Speaker, all the members being uncovered, and is as follows :—

I requested Instructions from Her Majesty's Government with reference to the necessity of a suspending clause being added to the Representation Bill, and expected instructions on the subject by the last mail.

Message from His Excellency the Governor.

My Despatch has been acknowledged by the Secretary of State, but the matter is still under the consideration of Her Majesty's Government.

Under these circumstances therefore I am precluded from assenting to a Representation Bill which does not contain a suspending clause—at least to any Bill which may be passed before the arrival of the next mail.

K.B.H.

*Ordered*,—That that the said Message do lie upon the Table.

On Table.

Mr. LITTLE gave notice that on to-morrow he would move an Address to His Excellency the Governor, in reply to His Excellency's Message of this day.

Notice of Address to Governor.

On motion of Mr. SHEA, seconded by Mr. HOGSETT,

*Resolved*,—That a Select Committee be appointed to take into consideration the present mode of carrying out the mail service, and to make a report thereon to the House.



*Ordered*,—That Mr. Shea, Mr. Hogsett, Mr. Little, Mr. Hoyles, and Mr. Warren, do form such Committee.

Then the House adjourned till to-morrow at Two of the clock.

WEDNESDAY, 8TH NOVEMBER, 1854.

On motion of Mr. LITTLE, (pursuant to notice) seconded by Mr. SHEA,

*Resolved*,—That the following Address be presented to His Excellency the Governor in reply to His Excellency's Message on the subject of the Representation Bill.

Address to Governor.

To His Excellency KER BAILLIE HAMILTON, *Esq.*,  
Governor and Commander-in-Chief in and over  
the Island of Newfoundland and its Depend-  
encies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully inform Your Excellency, in reply to Your Excellency's message of yesterday, stating your objection to assent to the Representation Bill without a suspending clause, that in their opinion, such a clause is unnecessary, in this instance, under the Royal Instructions for the following reasons, which are submitted for Your Excellency's consideration ; first, because a draft of the Bill has been already transmitted to the Secretary of State for the colonies, for the information and decision of the Imperial Government, whose pleasure has been expressed thereon ; secondly, because this Bill has been referred back to the local Legislature for settlement, and the present extraordinary session has been called at this inconvenient and unusual period of the year, under the Instructions of the Imperial Government, in their anxiety to expedite the final adjustment of this and the other, preliminary to the introduction of Responsible Government,—thirdly, because although Her Majesty's Attorney General, was fully aware of the objection, yet neither he nor any of Your Excellency's other confidential advisers took exception to the Bill for the absence of such a clause, but clearly shewed, by their treatment of the measure in the Council, that it was not necessary ; for while they amended the Bill in other respects, they did not attempt to attach any suspending clause to it ; on the contrary, the Assembly were clearly given to understand if this House assented to the amendments of the



Council, the Bill as amended, would have been passed without any difficulty being even mentioned on this head.

Under these circumstances this House trust that Your Excellency will, upon further consideration see the propriety of assenting to the Bill, without a suspending clause, should it be passed by the Council.

*Ordered*,—That the Address be engrossed, and presented to His Excellency the Governor, by Mr. LITTLE and Mr. SHEA.

Committee to present.

Then the House adjourned till to-morrow at Two of the clock.

FRIDAY, 10TH NOVEMBER, 1854.

Mr. HANRAHAN gave notice that on to-morrow he would move for leave to bring in a Bill for the encouragement of Education :

Notice for Education Bill.

Also, that he would move the suspension of the Rules of the House in reference thereto.

Suspension of Rules.

Mr. SHEA gave notice that on to-morrow he would move that a Supply be granted to Her Majesty :

Notice for Supply to Her Majesty.

Also, that he will move the suspension of the rules of the House to enable the House to go into Committee of the Whole on Supply :

Suspension of Rules.

Also, that on to-morrow he will move for leave to introduce a Bill to provide for the retiring allowances of Officers of this Government.

Notice for Retiring Allowances Bill.

Mr. HOGSETT gave notice that on to-morrow he would move for the appointment of a Select Committee on Contingencies.

Notice for Committee on Contingencies.

Mr. SHEA, (in the absence of Mr. HOYLES,) gave notice that on to-morrow he would move for leave to bring in a Bill to incorporate the Union Bank.

Notice for Union Bank Incorporation Bill.

Mr. HOGSETT gave notice that on to-morrow he will move an Address to His Excellency the Governor, with reference to the action of the Government on the address, passed last session, upon the subject of the conduct of His Honor Judge DesBarres, on the Southern Circuit, in the fall of 1852 and 1853.

Notice for Address in reference to conduct of Judge DesBarres.



Notice of Address to Governor, for Returns,

Mr. WINSER gave notice that on to-morrow, or as early a day as possible, he will move an Address to the Governor most respectfully requesting him to cause the following returns to be laid before the House:—

A Statement of the whole expenditure on account of the poor in the year 1853, for, and in each Electoral District separately, distinguishing the amount paid in cash from the amount paid in provisions, and the names of all persons to whom each particular was entrusted, with the details of the distribution thereof, for, and in every district; also, the same particular statement for the first six months in the year 1854.

A particular statement of the expenditure in relief of the labouring Poor in the year 1853, (exclusive of the Road Acts, 14 Vic., and 16, Vic.,) in each Electoral District separately, distinguishing the amount paid in cash from the amount paid in provisions, and the names of the persons entrusted with the payment thereof, and a detailed account of the names of the persons employed, and the prices charged them for each article paid in provisions, and the amount given per day for their labor, if employed by the day; if by contract, a copy of the contract; also, the same particular statement for the first six months of the year 1854.

A detailed statement of the sum of £600 charged in the Treasurer's account, for employing the labouring poor of St. John's from the Re-building Act fund, stating the name of, and the sum paid to each person in cash, and at what rate per day, and the time and place and date of such work; if done by contract, the copy of the contracts, and if paid in provisions, the price charged for each article, and the name or names of the persons by whom it was delivered or paid in cash.

A detailed statement of the sum of £150 charged in the Treasurer's account for the breakwater at Bonavista.

A detailed statement of the sum of £291 0s. 4d., charged in the Treasurer's account, as paid in carrying out the provisions of the Land Act.

A statement in detail of the sum of £600 charged in the Treasurer's account as paid for Potatoe seed and Grain, stating the amount in each Electoral District, the persons names entrusted with the delivery, and the names of the recipients thereof.

A Statement of all sums of money received at the Market House, and Government Wharf, since their completion, with a particular statement of its application.

A Statement of all sums expended to repair and improve Government House during the years 1851, '52, '53, and '54, to the month of October, 1854.



A Statement in detail of £490 8s., sent to Outports, on the responsibility of His Excellency the Governor, in the year 1852, and not yet accounted for. See the report of the Commissioners of Audit of the 14th June, 1853.

A Statement in detail of the expenditure of the amount of £2385 2s. 6d., found in different Warrants, from No. 150 to No. 275 inclusive, paid in 1853, on the Governor's responsibility, or without the sanction of law, stating the amount for each Electoral District separately.

Then the House adjourned till to-morrow at Two of the clock.

SATURDAY, 11TH NOVEMBER, 1854.

Mr. HOYLES presented a Petition from Wm. Gallop and others, inhabitants of Fortune Bay, Placentia Bay, and settlements in the Southern District of the island, which was received and read,—Praying that the line of road constructed by the London, New York, and Newfoundland Electric Telegraph Company may for the future be used as the mail route instead of having the service conducted as at present, they being of opinion that it will not only be more satisfactory to the public, but likewise a saving of expense to the colony.

Petition from Fortune and Placentia Bays for alteration in the mail route.

Mr. BEMISTER presented a Petition from James Seaton, one of the Official Reporters of the House of Assembly, which was received and read, praying that compensation may be made him for his services in reporting the debates of last session, during the illness of the second Reporter; and also that he may be remunerated for reporting and publishing the debates during the first week of the present session.

Petition from James Seaton for compensation.

Mr. BENNING presented a Petition from Wm. Butler of Burin, which was received and read,—Praying that compensation may be made him for the loss sustained by him in building a substantial suspension Bridge over Tides brook.

Petition from Wm. Butler for compensation.

Ordered.—That the said Petitions do lie upon the Table.

On Table.

Mr. HANRAHAN, pursuant to notice and leave granted, presented a Bill for the encouragement of Education, and the same was read a first time.

Education Bill read 1st time.



- On motion of Mr. HANRAHAN, seconded by Mr. SHEA,  
*Resolved*,—That the Rules of the House be suspended in reference to the said Bill.
- Ordered*,—That the Bill be now read a second time.
- And the Bill was read a second time accordingly.
- Ordered*,—That the House do now resolve itself into a Committee of the Whole upon the said Bill.
- And the House resolved itself into the said Committee accordingly.
- Mr. SPEAKER left the Chair.
- Mr. BEMISTER took the Chair of the Committee.
- Mr. SPEAKER resumed the Chair.
- The Chairman reported from the Committee that they had considered Bill to them referred, and had passed the same with an amendment, which they had directed him to report to the House, and he handed the Bill and 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.
- Ordered*,—That the Bill as amended, be engrossed, and read a third time on Wednesday next.
- Mr. SHEA, pursuant to notice and leave granted, presented a Bill to provide for the Retiring Allowances of certain Officers of Government, and the same was read a first time.
- Ordered*,—That the said Bill be read a second time on Monday next.
- On motion of Mr. SHEA, (pursuant to notice) seconded by Mr. LITTLE,  
*Resolved*,—That a Supply be granted to Her Majesty.
- On motion of Mr. SHEA, (pursuant to notice) seconded by Mr. LITTLE,  
 That the Rules of the House be suspended in reference to the Supply granted to Her Majesty.
- Ordered*,—That the House do now resolve itself into a Committee of the Whole upon Supply.
- And the House resolved itself into the said Committee accordingly.
- Mr. SPEAKER left the Chair.
- Mr. HANRAHAN took the Chair of the Committee.
- Mr. SPEAKER resumed the Chair.

Rules suspended.

Read 2nd time.

Committed.

Reported with amendment.

Amendment affirmed.

Time of 3rd reading.

Retiring allowance Bill read 1st time.

Time of second reading.

Supply granted to Her Majesty.

Rules suspended.

Committee of Supply;



The Chairman reported from the Committee that they had made some progress in the business to them referred, and had instructed him to ask leave to sit again on the further consideration thereof.

Progress reported.

*Ordered*,—That the Committee have leave to sit again on Monday next.

Mr. SHEA, (in the absence of Mr. Hoyles) on leave granted, presented a Bill to Incorporate the Union Bank of Newfoundland, and the same was read a first time.

Union Bank Incorporation Bill read 1st time.

*Ordered*,—That the Bill be read a second time on Monday next.

Time of second reading.

On motion of Mr. HOGSETT, (pursuant to notice) seconded by Mr. LITTLE,

*Resolved*,—That the following Address be presented to His Excellency the Governor—

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

Address in reference to conduct of Judge DesBarres.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully beg leave to request that Your Excellency will be pleased to inform the House what action has been taken by the Government of this colony on the Address passed by this House in its last session, to Your Excellency, in reference to the conduct of the Hon. Judge DesBarres, on the Southern Circuit of this colony, in the falls of the years 1852 and 1853.

*Ordered*,—That the Address be engrossed, and presented to His Excellency the Governor by Mr. Hogsett and Mr. Little.

On motion of Mr. HOGSETT, pursuant to notice, seconded by Mr. HANRAHAN,

*Resolved*,—That a Select Committee be appointed to inquire into the Contingencies of the last and present sessions of the Legislature.

*Ordered*,—That Mr. Hogsett, Mr. Hanrahan, Mr. Shea, Mr. Little and Mr. Talbot, do form such Committee.

Committee appointed.

On motion of Mr. WINSER, seconded by Mr. LITTLE,

*Resolved*,—That the following Address be presented to His Excellency the Governor:—



Address to Governor, for  
Returns.

*To His Excellency* KER BAILLIE HAMILTON, *Esq.*,  
*Governor and Commander-in-Chief in and over*  
*the Island of Newfoundland and its Depend-*  
*encies, &c.*

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully beg leave to request that Your Excellency will be pleased to cause the following Returns to be laid before the House :—

A Statement of the whole expenditure on account of the poor in the year 1853, for, and in each Electoral District separately, distinguishing the amount paid in cash from the amount paid in provisions, and the names of all persons to whom each particular was entrusted, with the details of the distribution thereof, for, and in every district; also, the same particular statement for the first six months in the year 1854.

A particular statement of the expenditure in relief of the labouring Poor in the year 1853, (exclusive of the Road Acts, 14 Vic., and 16, Vic.,) in each Electoral District separately, distinguishing the amount paid in cash from the amount paid in provisions, and the names of the persons entrusted with the payment thereof, and a detailed account of the names of the persons employed, and the prices charged them for each article paid in provisions, and the amount given per day for their labor, if employed by the day; if by contract, a copy of the contract; also, the same particular statement for the first six months of the year 1854.

A detailed statement of the sum of £600 charged in the Treasurer's account, for employing the labouring poor of St. John's from the Re-building Act fund, stating the name of, and the sum paid to each person in cash, and at what rate per day, and the time and place and date of such work; if done by contract, the copy of the contracts, and if paid in provisions, the price charged for each article, and the name or names of the persons by whom it was delivered or paid in cash.

A detailed statement of the sum of £150 charged in the Treasurer's account for the breakwater at Bonavista.

A detailed statement of the sum of £291 0s. 4d., charged in the Treasurer's account, as paid in carrying out the provisions of the Land Act.

A statement in detail of the sum of £600 charged in the Treasurer's account as paid for Potatoe seed and Grain, stating the amount in each Electoral District, the persons names entrusted with the delivery, and the names of the recipients thereof.



A Statement of all sums of money received at the Market House, and Government Wharf, since their completion, with a particular statement of its application.

A Statement of all sums expended to repair and improve Government House during the years 1851, '52, '53, and '54, to the month of October, 1854.

A Statement in detail of £490 8s., sent to Outports, on the responsibility of His Excellency the Governor, in the year 1852, and not yet accounted for. See the report of the Commissioners of Audit of the 14th June, 1853.

A Statement in detail of the expenditure of the amount of £2385 2s. 6d., found in different Warrants, from No. 150 to No. 275 inclusive, paid in 1853, on the Governor's responsibility, or without the sanction of law, stating the amount for each Electoral District separately.

*Ordered*,—That the Address be engrossed, and presented to His Excellency the Governor, by Mr. Hogsett and Mr Little.

Committee to present.

Mr. SHEA presented a petition from George James Hogsett of Saint John's, which was received and read, setting forth,—That since 1853 he has reported the proceedings of the Supreme and Central Circuit Courts, and praying that an amount may be awarded him in consideration of his services.

Petition from G.J.Hogsett.

Mr. SHEA also presented a petition from Joseph Woods of St. John's, which was received and read, praying that the annual grant for publishing the Newfoundland Almanac may be made him.

Petition from J. Woods.

*Ordered*.—That the said Petitions do lie upon the Table.

On Table.

Then the House adjourned till Monday next at Two of the clock.

MONDAY, 13TH NOVEMBER, 1854.

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

*Resolved*,—That the Rules of the House be suspended in reference to all measures before the House.



Union Bank Bill read 2nd time.

Pursuant to order of the day, the Bill to incorporate the Union Bank of Newfoundland was read a second time.

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

*Resolved*,—That the House do now resolve itself into a Committee of the Whole upon the said Bill.

Committee on Union Bank Bill.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. BEMISTER took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Bill passed.

The Chairman reported from the Committee that they had passed the Bill to them referred without amendment, and he handed the Bill in at the Clerk's Table.

*Ordered*—That the Bill be engrossed and read a third time this day,

Read third time.

And the Bill was read a third time accordingly.

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

Passed and titled.

*Resolved*,—That the Bill pass, and be entitled "An Act to Incorporate the Union Bank of Newfoundland."

*Ordered*,—That Mr. Hoyles, and Mr. Shea, do take the Bill to Her Majesty's Council and desire their concurrence.

Supply.

Pursuant to order of the day, the House resolved itself into a Committee of the Whole upon the further consideration of Supply.

Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Progress reported.

The Chairman reported from the Committee that they had made some progress in the business to them referred, and had instructed him to advise to sit again on the further consideration thereof to-morrow.

*Ordered*,—That the Committee have leave to sit again to-morrow.

Notice of Address to Governor.

Mr. LITTLE gave notice that on to-morrow, he will move an Address to the Governor on the subject of the salary and absence of Aaron Hogsett, Esqr :

Notice for suspension of Rules.

Also, that on to-morrow, he will move the suspension of the Rules in reference to all business that may be brought before the House.



Mr. BEMISTER gave notice that on to-morrow he will move an Address to His Excellency the Governor, praying His Excellency to take into consideration the petitions of James Colman, proprietor of the Trinity Packet, and James Collins, proprietor of the Placentia Bay Packet.

Notice of Address to Governor.

Then the House adjourned till to-morrow at Two of the clock.

TUESDAY, 14TH NOVEMBER, 1854.

On motion of Mr. LITTLE, seconded by Mr. SHEA,

*Resolved*,—That the Rules of the House be suspended in reference to all business that may be brought before the House during the remainder of this session.

Pursuant to order of the day, the House resolved itself into a Committee of the Whole upon the further consideration of Supply.

Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee, that they had considered the business to them referred, and had come to certain Resolutions thereon which they had directed him to report to the House; and he handed the Resolutions in at the Clerk's Table, where the same were read as follows:—

*Resolved*,—That it is the opinion of this Committee that there be granted to Her Majesty, Her Heirs and successors, the sum of Ten Thousand and Six Pounds, to defray the salaries of the undermentioned officers:—

Resolutions reported.

The Clerk of the Executive Council, Two Hundred Pounds.

Two Clerks in the Secretary's Office, Four Hundred Pounds.

An Office-keeper to the Secretary's Office, Sixty Pounds.

A Messenger at the Secretary's Office, Sixty Pounds.



The Colonial Treasurer, Five Hundred Pounds.

The Clerk in the Treasurer's Office, One Hundred and Fifty Pounds, *Provided* that the Treasurer shall pay into the Treasury any amount or salary he may receive as Cashier of the Savings' Bank.

The Chief Clerk and Registrar of the Supreme and Central Circuit Courts, Three Hundred and Fifty Pounds, together with Fifty Pounds to defray the salary of a Clerk Assistant ; also Twenty Pounds for the purchase of printed forms ; *Provided*, that all fees and perquisites received, or that shall be received in or by virtue of the said office, or in any way connected therewith, shall be accounted for, and paid over half-yearly to the Colonial Treasurer.

The Clerk of the Northern Circuit Court, Two Hundred Pounds.

The Clerk of the Southern Circuit Court, Two Hundred Pounds.

The Crier and Tipstaff of the Supreme Court, Sixty Pounds.

The Crier and Tipstaff of the Northern Circuit Court at Harbor Grace, Twenty Pounds.

Three Police Magistrates for St. John's, Nine Hundred Pounds.

The Police Inspector at St. John's, Sixty Pounds.

The High Constable at St. John's, Eighty Pounds.

Ten Police Constables for St. John's, Four Hundred and Fifty Pounds.

The Gaoler for St. John's, One Hundred and Fifty Pounds, in lieu of fees, which are to be accounted for and paid over to the Colonial Treasurer.

The Gaol Surgeon of St. John's, Forty Pounds.

The Hospital Surgeon for St. John's, One Hundred and Fifty Pounds.

The District Surgeon for St. John's, One Hundred and Fifty Pounds, and Fifty Pounds for procuring and supplying medicines.

The Physician of the Lunatic Asylum at St. John's, Two Hundred Pounds.

The Gaol Surgeon at Harbor Grace, Thirty Pounds.

The Gate-keeper at Government House, Twenty-six Pounds.



The Attorney-General, in lieu of all fees of office, Two Hundred and Fifty Pounds.

The Solicitor-General, in lieu of all fees of office, including all charges and fees for any person prosecuting for the Crown on the Northern Circuit, Two Hundred Pounds.

*Resolved*,—That it is the opinion of this Committee that the sum of One Thousand nine hundred and Sixty-five Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the salaries of the undermentioned Outport Magistrates, as follows ;—

A Magistrate for Brigus and Port-de-Grave, One Hundred and Fifty Pounds.

A Magistrate at Harbor Grace, Two Hundred Pounds.

A Magistrate at Carbonear, One Hundred and Fifty Pounds.

A Magistrate at Trinity, One Hundred and Fifty Pounds.

A Magistrate at Bonavista, One Hundred and Fifty Pounds.

A Magistrate for Twillingate and Fogo, One Hundred and Thirty Pounds.

A Magistrate at Bay Bulls, One Hundred Pounds.

A Magistrate at Ferryland, One Hundred Pounds.

A Magistrate at St. Mary's, One Hundred and Thirty Pounds.

A Magistrate at Placentia, One Hundred and Thirty Pounds.

A Magistrate at Burin, One Hundred and Fifty Pounds.

A Magistrate at Harbor Briton, One Hundred Pounds.

A Magistrate at Grand Bank, One Hundred and Thirty Pounds.

A Magistrate at Old Perlican, One Hundred and Thirty Pounds.

*Resolved*,—That it is the opinion of this Committee that the sum of Nine Hundred and Sixty-six Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the salaries of the undermentioned Outport Constables, as follows—

One Constable at Petty Harbor, Twenty Pounds.

One Constable at Torbay, Twenty Pounds.

One Constable at Portugal Cove, Twenty Pounds.



- One Constable at South Shore, Twelve Pounds.
- One Constable at Harbor Main, Twelve Pounds.
- One Constable at Cat's Cove, Twelve Pounds.
- Two Constables at Brigus and Port-de-Grave, Fifty Pounds.
- One Constable at Bay Roberts, Twelve Pounds.
- Three Constables at Harbor Grace, One Hundred Pounds.
- Three Constables at Carbonear, Seventy-five Pounds.
- One Constable at Bay-de-Verd, Twelve Pounds.
- One Constable at Western Bay, Twelve Pounds.
- One Constable at Hant's Harbor, Twelve Pounds.
- One Constable at Perlican, Twelve Pounds.
- One Constable at Heart's Content, Twelve Pounds.
- One Constable at New Harbor, Twelve Pounds.
- Two Constables at Trinity, Thirty-seven Pounds.
- One Constable at Catalina, Twenty-five Pounds.
- One Constable at Bonavista, Twenty-five Pounds.
- One Constable at Tickle Cove, Twelve Pounds.
- One Constable at King's Cove, Twelve Pounds.
- One Constable at Salvage, Twelve Pounds.
- One Constable at Greenspond, Twelve Pounds.
- Three Constables at Twillingate and Fogo, Forty-nine Pounds.
- One Constable at Exploits Bay, Twelve Pounds.
- One Constable at Bay Bulls, Twenty-five Pounds.
- One Constable at Witless Bay, Twelve Pounds.
- One Constable at Toad's Cove, Twelve Pounds.
- One Constable at Brigus, South, Twelve Pounds.
- One Constable at Cape Broyle, Twelve Pounds.
- One Constable at Caplin Bay, Twelve Pounds.



- One Constable at Ferryland, Twenty-five Pounds.
- One Constable at Aquaforte, Twelve Pounds.
- One Constable at Fermeuse, Twelve Pounds.
- One Constable at Renew's, Twelve Pounds.
- One Constable at Trepassey, Twelve Pounds.
- One Constable at Placentia, Twenty-five Pounds.
- One Constable at Little Placentia, Twelve Pounds.
- One Constable at Saint Mary's, Twenty-five Pounds.
- One Constable at Oderin, Twelve Pounds.
- One Constable at Merasheen, Twelve Pounds.
- One Constable at Burin, Twenty-five Pounds.
- One Constable at St. Lawrence, Twelve Pounds.
- One Constable at Lamaline, Twelve Pounds.
- One Constable at Grand Bank, Twelve Pounds.
- One Constable at Jersey Harbor, Twelve Pounds.
- One Constable at Harbor Briton, Twelve Pounds.
- One Constable at Hermitage Bay, Twelve Pounds.
- One Constable at Burgeo Islands, Twelve Pounds.
- One Constable at Spaniard's Bay, Twelve Pounds.

*Resolved*,—That it is the opinion of this Committee that there be granted to Her Majesty, Her Heirs and successors, the sum of Five Hundred and Eighty-five Pounds towards defraying the Salaries of the under-mentioned Outport Clerks of the Peace, as follows:—

A Clerk of the Peace for Brigus and Port-de-Grave, Sixty Pounds.

A Clerk of the Peace at Harbour Grace, One Hundred and Fifty Pounds.

A Clerk of the Peace at Carbonear, Sixty Pounds.

A Clerk of the Peace at Trinity, Sixty Pounds.

A Clerk of the Peace at Bonavista, Forty-five Pounds.



A Clerk of the Peace for Twillingate and Fogo, Forty-five Pounds.

A Clerk of the Peace at Ferryland, Sixty Pounds.

A Clerk of the Peace at Placentia, Thirty-five Pounds.

A Clerk of the Peace at Harbor Briton, Thirty-five Pounds.

A Clerk of the Peace at Burin, Thirty-five Pounds.

*Provided* that all Fees of Office received by the said respective Clerks of the Peace shall be accounted for by them and paid over half-yearly to the Colonial Treasurer.

*Resolved*,—That it is the opinion of this Committee that there be granted to Her Majesty, Her Heirs or Successors, the sum of Two Hundred and Ten Pounds towards defraying the salaries of the undermentioned Outport Gaolers, as follows:—

A Gaoler at Harbor Grace, Ninety Pounds; *Provided* that all Fees of Office received by him shall be accounted for and paid over to the Colonial Treasurer.

A Gaoler at Trinity, Twenty-five Pounds.

A Gaoler at Bonavista, Ten Pounds.

A Gaoler and Constable at Twillingate and Fogo, Ten Pounds.

A Gaoler at Ferryland, Twenty-five Pounds.

A Gaoler at Placentia, Twenty-five Pounds.

A Gaoler at Burin, Twenty-five Pounds.

*Resolved*,—That it is the opinion of this Committee that the sum of Two Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the ordinary expenses of Court Houses and Gaols.

*Resolved*,—That it is the opinion of this Committee that the sum of Six Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of Gaols.

*Resolved*,—That it is the opinion of this Committee that the sum of Five Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of Printing and Stationery.

*Resolved*,—That it is the opinion of this Committee that the sum of Three Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of Crown Prosecutions.



*Resolved*,—That it is the opinion of this Committee that the sum of Two Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of Coroners.

*Resolved*,—That it is the opinion of this Committee that the sum of Four Hundred and fifty Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of Fuel and Light for Public Buildings.

*Resolved*,—That it is the opinion of this Committee that the sum of One Hundred and Twenty Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of Postages and other incidental expenses.

*Resolved*,—That it is the opinion of this Committee that the sum of Six Thousand Pounds be granted to Her Majesty, Her Heirs or Successors, towards the Relief of the Poor.

*Resolved*,—That it is the opinion of this Committee that the sum of One Thousand Two Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of Lunatic Paupers.

*Resolved*,—That it is the opinion of this Committee that the sum of One Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards the relief of Shipwrecked Sealing Crews.

*Resolved*,—That it is the opinion of this Committee that the sum of One Hundred and Forty-three Pounds, Six Shillings, and Eight Pence, be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of lighting Saint John's with Gas.

*Resolved*,—That it is the opinion of this Committee that the sum of Thirty-six Pounds and Ten Shillings be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of the Men stationed at Fort Amherst.

*Resolved*,—That it is the opinion of this Committee that the sum of Fifty Pounds be granted to Her Majesty, Her Heirs or Successors, towards payment of Duties on Wines imported or purchased for the use of the Military.

*Resolved*,—That it is the opinion of this Committee that the sum of Sixty Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the Salary of the Keeper of the Colonial Building.

*Resolved*,—That it is the opinion of this Committee that the sum of Fifty Pounds be granted to Her Majesty, Her Heirs or Successors, to-



wards defraying the Annual Allowance to the Widow of the late James Blaikie, Esquire.

*Resolved*,—That it is the opinion of this Committee that the sum of Forty Pounds, be granted to Her Majesty, Her Heirs or Successors, to Matthew Stevenson, as Pension.

*Resolved*,—That it is the opinion of this Committee that the sum of Ten Pounds be granted to Her Majesty, Her Heirs or Successors, to Robert Connell, as gratuity for past services.

*Resolved*,—That it is the opinion of this Committee that the sum of Ten Pounds be granted to Her Majesty, Her Heirs or Successors, to Robert Smith, Constable, Greenspond.

*Resolved*,—That it is the opinion of this Committee that the sum of Three Hundred and Two Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the allowances of the following Ferry-men :—

To a Ferryman at Manuals, Ten Pounds.

To a Ferryman at Great Placentia, Twenty-five Pounds.

To a Ferryman at Little St. Lawrence, Ten Pounds.

To a Ferryman at Salmonier, Twenty-five Pounds.

To a Ferryman between Burin and Spoon Cove, Twenty Pounds.

To a Ferryman at Biscry Bay, Fifteen Pounds.

To a Ferryman at Portugal Cove, Twenty-five Pounds.

To a Ferryman at Holyrood, Thirty Pounds ;—that is to say, for a Boat to be stationed near Crawley's on the South side and a Boat near Haley's on the north side of the Harbour, Fifteen Pounds each.

To a Ferryman at Aquafort, Fifteen Pounds.

To a Ferryman at Trinity, Twenty-five Pounds.

To a Ferryman at Malbay, Twelve Pounds.

To a Ferryman at John's Pond, North Harbour and Salmonier, Thirty Pounds.

To a Ferryman between Belle Isle and Topsail, Twenty Pounds.

To a Ferryman between Harbour Grace and Thomas Fitzgerald's on the South side of the Harbour Twenty-five Pounds.



To a Ferryman at Mortier Bay, Fifteen Pounds.

*Resolved*,—That it is the opinion of this Committee that there be granted to Her Majesty, Her Heirs and successors, the sum of Five Hundred Pounds to defray Unforeseen Contingencies.

*Resolved*,—That it is the opinion of this Committee that the sum of Twenty-five Pounds, be granted to Her Majesty, Her Heirs or Successors, towards the support of the Dorcas Society at Carbonear.

*Resolved*,—That it is the opinion of this Committee that the sum of Twenty-five Pounds be granted to Her Majesty, Her Heirs or Successors, towards the support of the Dorcas Society at Harbor Grace.

*Resolved*,—That it is the opinion of this Committee that the sum of One Hundred and fifty Pounds be granted to Her Majesty, Her Heirs or Successors, towards the support of the Agricultural Society : *Provided* that the sum of One Hundred Pounds, part of the said sum, shall be expended for that purpose in the Outports of this Island.

*Resolved*,—That it is the opinion of this Committee that the sum of Sixty Pounds be granted to Her Majesty, Her Heirs or Successors, to George J. Hogsett, Esq., for reporting and publishing the Law Reports.

*Resolved*,—That it is the opinion of this Committee that the sum of Sixty Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of the Phoenix Volunteer Fire Company of St. John's.

*Resolved*,—That it is the opinion of this Committee that the sum of Twenty-five Pounds be granted to Her Majesty, Her Heirs or Successors, to Joseph Woods, towards defraying the expenses of Publishing an Almanac.

*Resolved*,—That it is the opinion of this Committee that the sum of Twenty-five Pounds, be granted to Her Majesty, Her Heirs or Successors, to the Harbor Grace Gas Light Company, towards defraying the expenses of Lighting Twelve Gas Lamps in that Town.

*Resolved*,—That it is the opinion of this Committee that the sum of One Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards defraying the expenses of the Night Watch in St. John's.

*Resolved*,—That it is the opinion of this Committee that the sum of One Hundred and Twenty-one Pounds, Five Shillings, be granted to Her Majesty, Her Heirs or Successors, to James Tobin to reimburse him for salaries paid to Police Constables and Clerk of the Peace at St. George's Bay.



*Resolved*,—That it is the opinion of this Committee that the sum of Fifty Pounds be granted to Her Majesty, Her Heirs or Successors, towards the support of the Dorcas Society, St. John's.

*Resolved*,—That it is the opinion of this Committee that the sum of One Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards the support of the Factory, St. John's.

*Resolved*,—That it is the opinion of this Committee that the sum of Fifty Pounds be granted to Her Majesty, Her Heirs or Successors, towards the support of the Industrial Department of the Orphan Asylum School at St. John's.

*Resolved*,—That it is the opinion of this Committee that the sum of Thirty-five Pounds be granted to Her Majesty, Her Heirs or Successors, towards keeping and supporting the Half-way House on the Salmonier Road.

*Resolved*,—That it is the opinion of this Committee that the sum of Four Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards the Relief of Outport Permanent Poor.

*Resolved*,—That it is the opinion of this Committee that the sum of Twenty-five Pounds be granted to Her Majesty, Her Heirs or Successors, to Donald Bethune, Sub-Collector at Carbonear, in addition to his annual Salary.

*Resolved*,—That it is the opinion of this Committee that the sum of Twenty-five Pounds be granted to Her Majesty, Her Heirs or Successors, to James Winter, Sub-Collector at Fogo, in addition to his annual Salary.

*Resolved*,—That it is the opinion of this Committee that the sum of Twenty-five Pounds be granted to Her Majesty, Her Heirs or Successors, to Lorenzo Moore, Sub-Collector at Greenspond, in addition to his annual Salary.

*Resolved*,—That it is the opinion of this Committee that the sum of One Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, to defray the salary of a District Surgeon for Conception Bay.

*Resolved*,—That it is the opinion of this Committee that the sum of Eight Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, towards the completion of the Lunatic Asylum.

*Resolved*,—That it is the opinion of this Committee that the sum of Forty Pounds be granted to Her Majesty, Her Heirs or Successors, towards the completion of the Commercial School at Burin.



*Resolved*,—That it is the opinion of this Committee that the sum of One Hundred Pounds be granted to Her Majesty, Her Heirs or Successors, for the Wesleyan Training School in St. John's.

*Resolved*,—That it is the opinion of this Committee that the sum of Thirty Pounds be granted to Her Majesty, Her Heirs or Successors, as compensation to John Churchill, schoolmaster at Burin, for arrears of salary due to him.

*Resolved*,—That it is the opinion of this Committee that the sum of Fifty Pounds be granted to Her Majesty, Her Heirs or Successors, towards the drainage and sewerage of the grounds about the Colonial Building.

*Ordered*,—That the said Resolutions be adopted.

Mr. SHEA gave notice that on to-morrow he would move for leave to bring in a Bill of Appropriation in accordance with the foregoing Resolutions.

*A Message from Her Majesty's Council.*

The Master-in-Chancery to Her Majesty's Council brought down the following Message:—

Mr. SPEAKER,—

Her Majesty's Council acquaint the House of Assembly that they recede from the Amendments made by them on the Bill entitled "An Act to increase the present number of Representatives in the General Assembly of this island, and to regulate the Representation thereof."

ROBERT LAW,

*President.*

Council Chamber, }  
14th Nov., 1854. }

And then the Messenger withdrew.

*Ordered*,—That the said Message do lie upon the Table.

Then the House adjourned till to-morrow at Two of the clock.

Adopted.

Message from H.M. Council

On Table.



WEDNESDAY, 15TH NOVEMBER, 1854.

Education Bill read 3rd time.

Pursuant to order of the day, the Bill for the Encouragement of Education was read a third time, as engrossed.

On motion of Mr. HANRAHAN, seconded by Mr. MARCH,

Passed and titled.

*Resolved*,—That the Bill pass, and be entitled "An Act for the Encouragement of Education."

*Ordered*,—That Mr. Hanrahan and Mr. March do take the Bill to Her Majesty's Council.

On motion of Mr. HOGSETT, seconded by Mr. HANRAHAN.

Message to H.M.Council.

*Resolved*,—That a Message be sent to Her Majesty's Council requesting that they will furnish this House with the amount of their Contingencies for the present Session.

*Ordered*,—That Mr. Hogsett and Mr. Hanrahan do take the Message to Her Majesty's Council.

Retiring Allowance Bill read 2nd time.

Pursuant to order of the day, the Bill to provide for the Retiring Allowances of certain Officials of Government, was read a second time.

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

*Resolved*,—That the House do resolve itself into a Committee of the Whole upon the said Bill presently.

On motion of Mr. LITTLE, seconded by Mr. WINSER,

*Resolved*,—That the following Address be presented to His Excellency the Governor—

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

MAY IT PLEASE YOUR EXCELLENCY,—

Address to Governor.

The House of Assembly respectfully inform Your Excellency that they cordially sanction the arrangement heretofore existing between the Executive and Aaron Hogsett, Esq., Clerk of the Peace for the Central District of this Island, permitting that gentleman to reside out of this colony, during the continuance of his impaired condition of health, and



to draw from the public Treasury the sum of £200 stg., out of the salary attached to that Office ; Mr. Lilly, the efficient acting Clerk of the Peace for the time being, receiving the remainder of the said salary. This House would deeply regret the disturbance of that arrangement, and most earnestly hope that Your Excellency will offer no objection to it after this unequivocal expression of the wishes of the House on behalf of an old and faithful public servant, whose long services to this colony peculiarly entitle him to the especial consideration of the government.

*Ordered*,—That the Address be engrossed, and presented to His Excellency the Governor by Mr. Little and Mr. Winsler.

Committee to present.

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

*Resolved*,—That the House do resolve itself into a Committee of the Whole upon the further consideration of Supply.

And the House resolved itself into the said Committee accordingly.

Supply.

Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had considered the business to them referred, and had come to certain Resolutions thereon which they had directed him to report to the House, and he handed the Resolutions in at the Clerk's Table, where the same were read as follows :

Progress reported.

*Resolved*,—That it is the opinion of this Committee that the sum of Twenty-five Pounds be granted to Her Majesty, Her Heirs or Successors, to defray the expenses of a Registry of the Electors in the Electoral District of Burgeo and LaPoile—*Provided* always that it shall not be necessary for the purpose of any Elections that may be held in the said District, or any other Electoral Districts in this colony, within one year from the passing of this Act to take or revise the Registry of the Electors of any of the said Districts, and the Registry of the Votes thereof last taken shall be used at any election that may occur within the said period, so far as the same can be made available, but nothing herein contained shall be construed to disqualify any Electors otherwise qualified, whose names shall not appear on the Registry of Voters, from exercising their Elective Franchise.

*Resolved*,—That the balance remaining on hand of the sum of Four Hundred Pounds granted to the Directors of the St. John's Hospital in the year 1853, be made applicable and expended for the general purposes of that institution.



*Resolved*,—Whereas the sum of Ten Thousand Pounds may be required to be appropriated to the services aforesaid at a time when, in consequence of the application of previous appropriations, the whole of such sum may not be in the hands of the Colonial Treasurer, and unappropriated, and it is therefore expedient to provide against any inconvenience that might be occasioned to the public service by the happening of such contingency: That it shall be lawful for the Treasurer of this colony to raise by loan the whole or any part of the said Ten Thousand Pounds in the manner and by the means and powers mentioned and prescribed in and by an Act passed by the General Assembly of this island, in the seventeenth year of the reign of Her Majesty the Queen, entitled “An Act to raise by loan a sum of money for the general purposes of the colony;” and that such some of money so to be raised on loan as aforesaid, with interest thereon, shall be chargeable upon and repaid out of the public funds of this colony at a period of not less than fifteen, or more than twenty years, from the time of the borrowing thereof.

Adopted.

*Ordered*,—That the said Resolutions be adopted.

Mr. WINSER, from the Select Committee appointed to Audit the Public Accounts, presented the Report, which he handed in at the Clerk's Table, where the same was read as follows:—

Report of Committee of Audit,

The Committee of Audit, in making a partial report to your Honorable House, have again to complain of the Executive, as the returns asked for in the year 1852, of monies expended on the responsibility of the Governor and Council in the Outports, have not, even to this time, November, 1854, been accounted for,

From Conception Bay to the amount of	£132	2	2
“ Trinity Bay	“	20	9 7
“ Fogo	“	144	12 10
“ Bonavista	“	102	3 3
“ Burin	“	8	7 3
“ Fortune Bay	“	62	13 1

The Treasurer's accounts for the year ending the 10th of January 1854, are perfectly satisfactory, the receipts for the year being £63,739 8 8

And the expenditure “ 68,739 8 4

Leaving a balance against the Colony of 4,999 19 8

The expenditure on account of the Poor is £8,500 0 0

Permanent Poor in the Outports 405 13 4

This statement under Roads and Bridges:

For St. John's District £1716 12 9

“ Conception Bay, ditto 1918 0 11



For Trinity Bay District	£637	9	2
“ Bonavista Bay “	482	5	2
“ Fogo “	61	12	0
“ Fortune Bay “	179	17	8
“ Burin District “	153	3	4
“ Ferryland “	335	1	7
“ Holyrood to Salmonier	189	6	8
“ Placentia to Rocky River	613	2	10
“ Salmonier to Placentia	30	17	5
“ “ “ Rocky River	79	6	3
“ “ “ St. Mary's	159	6	6
“ Placentia “ Distress	76	13	10
Ship Harbour Road	381	7	0
St. John's Streets	1279	13	9
For employment of Poor on Roads	1221	17	0
From Rebuilding Act fund for ditto	600	0	0
The Treasurer's statement on the Postal Act Receipts	309	8	2
Expenditure	1964	8	8
His statement on the Crown Land Act, Receipts	721	1	7
Expenditure	1256	4	10
Receipts of Light dues	2437	10	3
Expenditure	2615	12	0

From the want of returns on account of the Poor expenditure in the different parts, which was about to be moved for, the Committee beg to say that they are not prepared to make a full report at present.

The accounts received from the Central Road Board are very unsatisfactory, as the sum of £1459 12 9 paid to Matthew Walbank at sundry times for the purpose of employing and paying the labouring Poor, has been accounted for only to amount of £774 16, and even that imperfectly.

The sum paid as Contingencies to the Road staff for St. John's, for the year of 1853 is £536 5 5  
And in the year of 1852 693 10 0

Considerably above what the Acts of 14th and 16th Victoria would warrant.

There is a considerable difference in the statements of the expenditure on Roads and Bridges as shewn in the following Comparative Statement :

Names of Districts	Expenditure by the Treasurer.	Expenditure by the Supervisor.	Expenditure by the Audit, P. W.
St. Johns	£4883 4 2	3114 16 8	4653 4 9
Conception Bay	1918 0 11	1792 19 3	1893 4 11
Trinity Bay	637 9 2	612 7 8	686 17 2
Bonavista	482 5 2	395 19 8	506 6 6
Ferryland	335 1 7	177 18 10	339 12 11
Placentia & St. Mary's.	689 16 8	616 17 0	921 12 11
Fortune Bay	179 17 8	140 11 8	383 12 10
Burin	153 3 4	87 9 2	78 2 1
Fogo	61 12 0	96 5 4	49 3 10
	£9340 10 8	7035 5 3	9611 17 9



Mr. Douglas's statement for St. John's is, currency £3145 0 0  
 The whole amount of the Road warrants 1853, 9520 9 8

The following are Grants and Expenditures—

Under the head of Coroners, Grant	£200.	Expenditure	£270	12	10
“ Circuit Court	“ 400.	“	412	16	7
“ Fuel and Light	450.	“	553	16	6
“ Interest paid on Public debt			6094	5	0
“ Lunatic Paupers Grant	1200.	Expended	1417	11	4
“ New York Exhibition	“ 300.	“	300	0	0
“ Printing & Stationery	“ 500.	“	552	7	0
“ Potatoes seed & Grain	“ 600.	“	600	0	0
“ Unforeseen Contingencies	500.	“	167	15	2

Annexed hereto is a summary statement of the Poor accounts for the year 1853.

All of which is respectfully submitted for the consideration of your Honourable House.

PETER WINSER, *Chairman.*

ROBERT J. PARSONS.

A. SHEA.

#### SUMMARY STATEMENT OF POOR ACCOUNTS FOR 1853.

Returns.

No. 1—Outports		£5114	2	1
“ 2—Permanent Poor St. John's		1769	15	2
“ 3—Hospital account signed by Thomas Glen		602	0	0
“ 4—Shed expenses, details not signed		408	15	3
Issues of Meal as per weekly accounts		724	4	8
“ Oatmeal	“	252	7	0
“ Molasses	“	175	1	10
“ Sugar	“	54	16	1½
“ Tea	“	178	11	2
“ Bread	“	87	5	4
“ Rice	“	2	16	6
“ Beef	“	170	19	6
“ Wine	“	38	2	7
“ 5—Casual Poor		427	12	0
“ 6—Poor at Lodgings		145	11	2
“ 7—Funeral Expenses		63	15	4







Read 2nd time,

*Ordered*,—That the Bill be now read a second time.

And the Bill was read a second time accordingly.

Committed.

*Ordered*,—That the Bill be now committed to the Whole House.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Reported with Amendments.

The Chairman reported from the Committee that they had considered the Bill to them referred ; and had passed the same with some Amendments which they had directed him to report to the House, and he handed the Bill and 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.

Engrossed and read 3rd time.

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

Committee on Retiring Allowances Bill.

Pursuant to order of the day, the House resolved into a Committee of the Whole, upon the Bill to provide for the Retiring Allowances of certain Officials of Her Majesty's Government.

Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Reported with Amendments.

The Chairman reported that they had considered the Bill to them referred and had passed the same with some Amendments which they had directed him to report to the House, and he handed the Bill and Amendments in at the Clerk's 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.

*Ordered*,—That the Bill be engrossed and read a third time this day.

Read 3rd time.

And the Bill was read a third time accordingly.

On motion of Mr. LITTLE, seconded by Mr. SHEA,

Passed and titled.

*Resolved*,—That the Bill pass, and be entitled "An Act to provide for the Retiring Allowances of certain Public Officers of the Government of this colony."



*Ordered*,—That Mr. LITTLE and Mr. SHEA do take the Bill to Her Majesty's Council and desire their concurrence.

Sent to H.M. Council.

Mr. LITTLE, by command of His Excellency the Governor, presented to the House a copy of a Despatch from the Right Hon. the Secretary of State for the colonies, in reply to His Excellency's Despatch on the subject of a suspending clause being required to be added to the Representation Bill :—

Despatch from the Secretary of State for the colonies.

(No. 13.)

(COPY.)

DOWNING STREET,  
24th October, 1854.

SIR,—I have received your Despatch of the 19th Sept, No. 120, enquiring whether, if the Council and Assembly of Newfoundland agree upon the details, you may assent to a Bill for increasing the number of Representatives of the General Assembly without a clause suspending it for the Royal assent.

I regret that the interval between the arrival of your Despatch and the first outward Mail did not allow of answering your Despatch as promptly as you wished that I should do.

I have now to state, that provided the Bill, which you expect will be passed, appears to you in other respects unobjectionable, you are at liberty, under the peculiar circumstances of the case, to assent at once to it, although containing such a provision that as to which your enquiry refers.

I have, &c.

(Signed) G. GREY.

GOVERNOR HAMILTON,  
&c., &c., &c.

*Ordered*,—That the said Despatch do lie upon the Table.

On Table.

Then the House adjourned till to-morrow at two of the clock.

FRIDAY, NOVEMBER 17TH, 1854.

Pursuant to order of the day, the Bill to provide for the Civil Expenditure of the Island was read a second time, as engrossed.

Bill to provide for Civil Expenditure read 2nd time.



On motion of Mr. SHEA, seconded by Mr. HANRAHAN,

Passed and titled.

*Resolved*,—That the Bill pass, and be entitled “An Act for granting to Her Majesty a sum of money to defray the Civil Expenditure of the Island for the year ending 31st December, 1854.”

Committee to present.

*Ordered*,—That Mr. Shea and Mr. Hanrahan do take the Bill to Her Majesty’s Council and desire their concurrence.

*A Message from Her Majesty’s Council.*

The Master-in-Chancery to Her Majesty’s Council brought down the following Message :—

Message from H.M.Council

Mr. SPEAKER,—

Her Majesty’s Council acquaint the House of Assembly that they have passed the Bill sent up for the concurrence of this House, entitled “An Act to Incorporate the Union Bank of Newfoundland” without amendment.

ROBERT LAW,

*President.*

Council Chamber,  
17th Nov., 1854.

And then the Messenger withdrew.

On Table.

*Ordered*,—That the said Message do lie upon the Table.

*A Message from Her Majesty’s Council.*

The Master-in-Chancery to Her Majesty’s Council brought down the following Message :

Message from H.M.Council

Mr. SPEAKER,—

Her Majesty’s Council acquaint the House of Assembly that they have passed a Bill entitled “An Act to Incorporate sundry persons by the name of the Newfoundland Provident Society,” to which they request the concurrence of the House of Assembly.

ROBERT LAW,

*President.*

Council Chamber, }  
Nov. 17th, 1854. }

And then the Messenger withdrew.

*Ordered*,—That the said Message do lie upon the Table.



The Bill entitled "An Act to Incorporate sundry persons by the name of the Newfoundland Provident Society," was read a first time.

Provident Society Incorporation Bill read 1st time.

On motion of Mr. LITTLE, seconded by Mr. HOGSETT,

*Resolved*,—That the said Bill be read this day six months.

Resolution to be read 2nd time in 6 months.

Mr. HOGSETT gave notice that on to-morrow he would move an Address to the Governor respectfully requesting that His Excellency will be pleased to lay before the House the information asked for, in reference to the conduct of the Hon. Judge DesBarres, in the Address to His Excellency, of the 11th instant.

Notice of Address to Governor.

SATURDAY, 18TH NOVEMBER, 1854.

On motion of Mr. HOGSETT, seconded by Mr. WINSER,

*Resolved*,—That the following Address be presented to His Excellency the Governor—

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

MAY IT PLEASE YOUR EXCELLENCY,—

Address to Governor.

The House of Assembly respectfully request that Your Excellency will be pleased to lay before this House the information asked for by the Assembly in their Address of the 11th instant to Your Excellency, in reference to the conduct of the Hon. Mr. Justice DesBarres, on the Southern Circuits in the years 1852 and 1853.

*Ordered*,—That the Address be engrossed and presented to His Excellency the Governor by Mr. Hogsett and Mr. Winsler.

Committee to present.

On motion of Mr. SHEA, seconded by Mr. LITTLE,

*Resolved*,—That the House do now resolve itself into a Committee of the Whole, upon the consideration of the question of Free Trade between this country and the United States.

Committee on Free Trade.



Mr. SPEAKER left the Chair.

Mr. WARREN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Resolutions reported.

The Chairman reported from the Committee that they had considered the business to them referred ; and had come to certain Resolutions thereon which they had directed him to report to the House, and he handed the Resolutions in at the Clerk's Table where the same was read as follows :—

*Resolved*,—That a Treaty has been concluded between Her Majesty's Government and that of the United States, for the establishment of Reciprocal Free Trade between those States and the British North American Provinces, and which, though not embracing the abolition of the Fishing Bounties, is yet calculated to promote the interests of the people of the colony, and ought to be accepted.

*Resolved*,—That the adoption of the Treaty on the part of this colony will make necessary a thorough revision of our fiscal arrangements ; and the House being now in session for the special object of arranging the preliminaries to the introduction of Responsible Government, the limited time at our disposal renders us unable to perfect the details required for the adjustment of a new Tariff.

*Resolved*,—That this being the only reason why the Treaty is not promptly adopted by the colony, we deem it right to make the explanation, lest the opinion and intentions of the country should be open to misconception abroad, where our actual position and views are not understood.

*Resolved*,—That we can entertain no doubt that the measures necessary to the acceptance of the Treaty will be amongst the first acts of the House in its usual session in January next.

*Resolved*,—That a copy of the said Resolutions be transmitted to His Excellency the Governor, with a request that he will be pleased to forward the same to the British Minister at Washington for his information.

Adopted.

*Ordered*,—That the said Resolutions be adopted.

On motion of Mr. SHEA, seconded by Mr. LITTLE,

*Resolved*,—That the following Address be presented to His Excellency the Governor.



*To His Excellency KER BAILLIE HAMILTON, Esq.,  
Governor and Commander-in-Chief in and over  
the Island of Newfoundland and its Depend-  
encies, &c.*

MAY IT PLEASE YOUR EXCELLENCY,

The House of Assembly beg leave to inform Your Excellency that they have passed the accompanying Resolutions on the subject of Reciprocal Free Trade between this colony and the United States of America, which they respectfully request Your Excellency will be pleased to transmit to the Secretary of State for the colonies, and to the British Minister at Washington for their information.

Address to Governor.

*Ordered,*—That the Address be engrossed, and presented to His Excellency by Mr. SHEA and Mr. LITTLE.

Deputation to present.

Then the House adjourned till Monday next at two of the clock.

MONDAY, NOVEMBER 20TH, 1854.

*A Message from Her Majesty's Council.*

The Master-in-Chancery to Her Majesty's Council brought down the following Message :

Mr. SPEAKER,—

Her Majesty's Council acquaint the House of Assembly that they have passed the Bill sent up to them from the House of Assembly entitled "An Act for the encouragement of Education," without amendment.

Message from H.M. Council.

ROBERT LAW,

*President.*

Council Chamber,  
20th Nov., 1854.

And then the Messenger withdrew.

*Ordered,*—That the said Message do lie upon the Table.

On Table.

On motion of Mr. EMERSON, seconded by Mr. HANRAHAN,



*Resolved*,—That the following Address be presented to His Excellency the Governor:—

*To His Excellency KER BAILLIE HAMILTON, Esq.,  
Governor and Commander-in-Chief in and over  
the island of Newfoundland and its Depend-  
encies, &c.*

MAY IT PLEASE YOUR EXCELLENCY,—

Address to Governor

The House of Assembly respectfully request Your Excellency will be pleased to cause to be forwarded to Hugh A. Emerson, Solicitor-General, the half of the annual salary granted to that officer.

Deputation to present

*Ordered*,—That the Address be engrossed, and presented to His Excellency the Governor by Mr. Little and Mr. Emerson.

On motion of Mr. LITTLE, seconded by Mr. EMERSON,

*Resolved*,—That the following Address be presented to His Excellency the Governor:—

*To His Excellency KER BAILLIE HAMILTON, Esq.,  
Governor and Commander-in-Chief in and over  
the Island of Newfoundland and its Depend-  
encies, &c.*

MAY IT PLEASE YOUR EXCELLENCY,

Address to Governor

The House of Assembly respectfully request that Your Excellency will be pleased to furnish this House with a copy of Your Excellency's Despatch of the 19th September last, No. 120, to the Right Hon. the Secretary of State for the colonies, requesting permission to consent to the Representation Bill without a suspending clause.

Deputation to present.

*Ordered*,—That the Address be engrossed, and presented to His Excellency by Mr. SHEA and Mr. LITTLE.

Notice for Committee on  
state of the colony

Mr. LITTLE gave notice that on an early day he will move the House into a Committee of the Whole upon the state of the colony, to take into consideration certain matters relative to the forthcoming General Election for this Island, and to the Government of this colony; the House having disposed of the business for which this session has been convened according to His Excellency's opening speech, for the purpose of settling the preliminary conditions to the introduction of the system of Responsible Government and of remedying the inconvenience arising from the circumstance of the last session having closed without the usual Bill of Supply.



*A Message from Her Majesty's Council.*

The Master-in-Chancery to Her Majesty's Council brought down the following Message:—

Her Majesty's Council acquaint the House of Assembly that the amount of Contingencies of the Council, during the past and present sessions of the Legislature, is as follows:—

Contingencies of the Clerk's Office, including amount for

printing and binding Journals	.....	.....	£511	4	11
Ditto Usher of Black Rod	.....	.....	78	2	2
Clerk of the Legislative Council for last session	.....	.....	150	0	0
Clerk of the Legislative Council for present session	.....	.....	150	0	0
Usher of Black Rod, for last session	.....	.....	100	0	0
Usher of Black Rod, for present session	.....	.....	100	0	0
Master-in-Chancery, for last session	.....	.....	125	0	0
Master-in-Chancery, for present session	.....	.....	125	0	0
Doorkeeper, for last session	.....	.....	45	0	0
Doorkeeper, for present session	.....	.....	45	0	0
Assistant-Doorkeeper, for last session	.....	.....	20	0	0
Assistant-Doorkeeper, for present session	.....	.....	20	0	0
Reporter, for last session	.....	.....	50	0	0
Reporter, for present session	.....	.....	50	0	0
Publisher of Reports and Proceedings, for last session	.....	.....	50	0	0
Additional Allowance	.....	.....	30	0	0
Publisher for present session	.....	.....	50	0	0
Expenses of Delegations from H. M. Council	.....	.....	350	0	0
			£2049	7	1

Council Chamber,  
20th Nov., 1854.

ROBERT LAW, *President.*

And then the Messenger withdrew.



On Table.

*Ordered*,—That the said Message do lie upon the Table.

Then the House adjourned till to-morrow at Two of the clock.

TUESDAY, NOVEMBER 21ST, 1854.

Mr. HOGSETT, from the Select Committee appointed to inquire into the Contingencies of the past and present sessions of the Legislature, presented the Report, which he handed in at the Clerk's Table, where the same was read as follows :—

The Select Committee appointed by Your Honorable House to inquire into the Contingencies of the past and present sessions of the Legislature, beg leave to report that they have attended to the duty to them referred, and recommend that there be paid :—

*Past Session :*

To the Speaker of the Assembly for his services,	£20	0	0
To the Clerk, for his services, and for indexing and superintending the printing of the Journals	200	0	0
Ditto for transmitting copies of the Journals to the Colonial office	25	0	0
To the Clerk Assistant	100	0	0
Solicitor	150	0	0
Sergeant-at-Arms	100	0	0
Doorkeeper	45	0	0
Messenger	40	0	0
Under Doorkeeper	35	0	0
The widow of the late Peter Sexton, late Outer Doorkeeper, for his services	15	0	0
The Assistant Doorkeeper, Messenger and Attendant	15	0	0
The Assistant Messenger and Fireman	15	0	0
The Under Messenger	10	0	0
The Librarian of the Legislature	50	0	0
Reporting and Publishing the Debates and Proceedings :—			
To James Seaton, Reporting	£100		
Publishing	75		
	—	175	0 0
To Thomas Talbot, Reporting		125	0 0

Report of Select Committee on Contingencies.



To 14 Members of the Assembly, (the Speaker not included,) the sum of £798, being £42 each, for 4 members resident in St. John's, and £63 each, for the outport members not resident in St. John's, for their attendance during the session.	£798	0	0
To the Proprietor of the <i>Patriot</i> press, for Printing Bills and Miscellaneous papers during the session	268	14	7
To the Proprietor of the <i>Newfoundlander</i> Newspaper, balance for printing Journals and Appendix of the House of Assembly, for the session of 1853	336	1	8
For printing Journals of this session	372	2	6
To the Clerk of the House of Assembly, to defray the Contingent expenses of his office, pursuant to the Report of the Select Committee of the Assembly on Contingencies.	288	15	6
To the Sergeant-at-Arms, to defray the contingent expenses of his office	68	18	6
To the Chairman of the Committee of Audit, for his services during the session	50	0	0
To the Chairman of the Committee of Supply	50	0	0
To John Bemister, Esq., for auditing the Collector's accounts in 1853	20	0	0
To the Clerk of the House of Assembly, to defray the expenses of Delegates to the Imperial Government in 1853	300	0	0
To T. McConnan, Stationery	69	14	10
J. J. Graham, Stationery	37	6	11
St. John's and Carbonear Telegraph Company	37	16	0
Henry Winton, binding Journals 1853	36	10	6
N. Gill, Coals	80	2	11
W. T. Parsons	30	6	8
W. Freeman	39	2	7
<i>Present Session:</i>			
To the Speaker of the Assembly, for his services	£200	0	0
The Clerk, for his services, and for indexing and superintending the printing of the Journals	200	0	0
Ditto for transmitting copies of the Journals to the Colonial Office	25	0	0
The Clerk Assistant	100	0	0
The Solicitor	150	0	0
The Sergeant-at-Arms	100	0	0
The Doorkeeper	45	0	0
The Messenger	40	0	0
The Under Doorkeeper	35	0	0
The Assistant Doorkeeper, Messenger and Attendant	15	0	0



The Under Messenger	£10	0	0
The Assistant Messenger and Fireman	15	0	0
Reporting and publishing debates and proceedings—			
To James Seaton, reporting and publishing debates for the first week	25	0	0
Thomas Talbot, reporting for the session	100	0	0
E. D. Shea, publishing debates	25	0	0
J. Woods, publishing ditto	25	0	0
To 14 members of the House of Assembly [the Speaker not included] the sum of £798, being £42 each, for 4 members resident in St. John's, and £63 each for the outport members not resident in St. John's for their attendance during the session	798	0	0
To the proprietor of the <i>Patriot</i> press, for printing Bills and Miscellaneous papers during the session	235	15	7
To the proprietor of the <i>Newfoundlander</i> newspaper, for printing the Journals of this session	40	0	0
To the Clerk of the House of Assembly, to defray the contingent expenses of his office, pursuant to the Report of the Select Committee of the Assembly on Contingencies	157	5	3
To the Sergeant-at-Arms, to defray the contingent expenses of his office	41	7	10
To the Chairman of Audit, for his services during the session	50	0	0
To the Chairman of the Committee of Supply	50	0	0
To R. Holden, jr., for copying documents connected with Delegations to the Imperial Government and United States	50	0	0
To J. R. Mullings, for Custom House Returns	15	0	0
To J. Hayward, ditto	15	0	0
To N. Gill, coals	62	17	10
To the Clerk of the House of Assembly to defray the expenses of Delegations to the Imperial Government and Canada	375	0	0



This amount to defray the Contingencies of Her Majesty's Council, per Message 20th November, £2049 7s. 1d :

Contingencies of the Clerk's Office, including amount for			
printing and binding Journals	.....	£511	4 11
Ditto Usher of Black Rod	.....	78	2 2
Clerk of the Legislative Council for last session	.....	150	0 0
Clerk of the Legislative Council for present session	.....	150	0 0
Usher of Black Rod, for last session	.....	100	0 0
Usher of Black Rod, for present session	.....	100	0 0
Master-in-Chancery, for last session	.....	125	0 0
Master-in-Chancery, for present session	.....	125	0 0
Doorkeeper, for last session	.....	45	0 0
Doorkeeper, for present session	.....	45	0 0
Assistant-Doorkeeper, for last session	.....	20	0 0
Assistant-Doorkeeper, for present session	.....	20	0 0
Reporter, for last session	.....	50	0 0
Reporter, for present session	.....	50	0 0
Publisher of Reports and Proceedings, for last session	.....	50	0 0
Additional Allowance	.....	30	0 0
Publisher for present session	.....	50	0 0
Expenses of Delegations from H. M. Council	.....	350	0 0

Ordered,—That the said Report be adopted.

Adopted.

Ordered,—That a Select Committee be appointed to draft Bills in accordance with the foregoing Report.

Ordered,—That Mr. Hogsett and Mr. Hanrahan do form such Committee.

Mr. HOGSETT, from the Select Committee appointed to bring in Bills in accordance with the Report of the Select Committee on Contingencies, presented a Bill to defray the Contingent Expenses of the Legislature for

Contingency Bills read 1st and 2nd time.



the past session ; and a Bill to defray the Contingent Expenses of the present session, which were severally read a first and second time.

*Ordered,*—That the Bill be now committed to the whole House.

Committed:

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Reported without amendment.

The Chairman reported from the Committee that they had passed the Bills to them referred without Amendment, and he handed the Bills in at the Clerk's Table.

*Ordered,*—That the Bills be engrossed, and severally read a third time this day.

And the said Bills were severally read a third time accordingly.

*Ordered,*—That the said several Bills do pass, and that the first be entitled " An Act to provide for the Contingent Expenses of the past session of the Legislature ;" and the second be entitled " An Act to provide for the Contingent Expenses of the present session of the Legislature."

Sent to H.M. Council:

*Ordered,*—That Mr. Hogsett and Mr. Hayward do take the Bills to Her Majesty's Council and desire their concurrence.

Then the House adjourned till to-morrow at two of the clock.

WEDNESDAY, NOVEMBER 22ND, 1854.

Reply of His Excellency to Address in reference to Free Trade resolutions,

Mr. SHEA, from the Select Committee appointed to present the Address to His Excellency the Governor requesting that His Excellency would be pleased to forward the Resolutions adopted by the House on the subject of Free Trade with the United States to the Secretary of State for the colonies, and the British Minister at Washington, reported that His Excellency had been pleased to say he would comply with the request of the House.



Mr. HOGSETT, from the Select Committee appointed to present the Address praying that His Excellency would be pleased to inform the House what action has been taken on the Address of last session in reference to the conduct of Judge DesBarres on the circuits of 1852 and '53, reported that His Excellency had handed him the following reply:—

Reply of His Excellency to Address in reference to Mr. Justice DesBarres.

I have considered the Report of the Committee of the House of Assembly upon the charges preferred against Mr. Justice DesBarres, and the evidence taken before that Committee in support of such charges.

It does not appear from the Report that Judge DesBarres was present at, or was summoned, or invited to attend the investigation before the Assembly. The proceedings, therefore, were carried on in his absence, and must be deemed *ex parte* as regards him; but preliminary with reference to their sufficiency as to the inducement to a more formal investigation.

The public administration of justice appears to have been frustrated in the Southern District, although provision was made by the Legislature to enable the Court to discharge its functions, a *prima facie* case has been made out against the Judge; but, on the other hand, having regard to the known hazards and difficulties of a voyage along this coast at that season of the year, and to the ground upon which the question is placed by the evidence of the pilot to whom the care of the vessel was confided, it is impossible to avoid the conclusion that the effect of the evidence is, to a great extent, neutralized. Taking into consideration these circumstances, and the age, and not ill-founded apprehensions of danger entertained by Judge DesBarres, I did not think it expedient to institute proceedings against the Judge.

Mr. LITTLE, from the deputation to present the Address requesting that His Excellency will be pleased to consent to the continuance of the arrangement under which Aaron Hogsett, Esq., Clerk of the Peace, receives his salary, reported that His Excellency had handed him the following Reply:—

Reply of His Excellency to the Address in reference to Aaron Hogsett, Esq.

The instructions I have received on this subject are contained in the accompanying Despatch from the Secretary of State; also in the copy of a letter from the Under Secretary of State to Messrs. Little and Emerson, which has been transmitted for my guidance, and in which Her Majesty's Government have signified their consent to a retiring pension being provided for Mr. Hogsett.

I willingly concur in this proposition, and recommend that a retiring pension, commensurate with the length of the period of Mr. Hogsett's services, but not exceeding one half of his present salary, should be granted to him by an act for that purpose.

(For Documents referred to, see Appendix.)



On Table.

Reply of the Governor to the Address requesting copy of Despatch to the Secretary of State on the subject of the Representation Bill.

*Ordered*,—That the said Documents do lie upon the Table.

Mr. LITTLE, from the deputation to present the Address requesting His Excellency to cause to be laid before the House a copy of His Despatch to the Secretary of State for the colonies, in reference to a suspending clause being required to be added to the Representation Bill, reported that His Excellency had handed him the Despatch asked for.

The said Despatch was read by the Clerk as follows:—

Government House,  
St. John's, Newfoundland, }  
19th September, 1854. }

SIR,—Intending to summon an early session of the Legislature for the purpose, and pursuant to the instructions contained in your Despatch, No. 8 of the 14th August, I have to request the further directions of Her Majesty's Government as to my assenting to a Bill for increasing the number of Representatives, without a clause suspending it for the Royal Assent.

2. Should the Council and Assembly, as I trust they may, agree upon the details of such a measure within the first fortnight of the session, and it be necessary to transmit the Bill to England for Her Majesty's approval, and then returned to me, it will then, I fear, be too late to hold the Elections this year, or indeed before the month of May; and, in such case, the principal object for which the session will have been held, at considerable public expense and inconvenience, will be defeated.

3. Although it is not probable that any Bill that may now be passed will substantially vary from the Bill of last session, which has already been under the consideration of Her Majesty's Government, yet I should hardly feel myself justified in assenting to it without a suspending clause; and under these circumstances, I think it advisable that I should be instructed to assent to the Bill, when passed, should there be nothing of an extraordinary nature in it, in order to obviate the inconvenience that will result from the delay in obtaining the Royal Assent, should circumstances permit the holding of the Elections this autumn—of which I cannot, as yet, form a definite judgment.

4. A reply to this communication, if dispatched by the first mail after its receipt, will reach me by the 31st of October.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed) KER B. HAMILTON.

The Right Hon. Sir George Grey, Bart., &c., &c.



*Ordered*,—That the said Despatch do lie upon the Table.

On Table.

Mr. WINSER, from the deputation to present the Addresss requesting that His Excellency would be pleased to cause certain Returns connected with the expenditure for the Poor, and for the road service, to be laid before the House, reported that His Excellency had been pleased to say he would comply with the request of the House.

Reply of His Excellency to the Address in reference to returns required.

*A Message from Her Majesty's Council.*

The Master-in-Chancery to Her Majesty's Council brought down the following Message :—

Mr. SPEAKER,—

Her Majesty's Council request permission from the House of Assēmbly to insert in the Retirement Bill a pension of £100 a year each for the Treasurer, and Collector of the Revenue, or such other provision as the House of Assembly may deem more fitting.

Message from H. M. Council.

Her Majesty's Council, in making this request, are influenced by the consideration that, putting aside any question of right, a provision to this extent for these officers, in the event of their vacating their offices, will be generally regarded as a just and grateful appreciation of their services.

ROBERT LAW, *President.*

Council Chamber,  
22nd Nov., 1854.

And then the Messenger withdrew.

*Ordered*,—That the said Message do lie upon the Table.

On Table.

Mr. LITTLE moved, seconded by Mr. EMERSON,

That the following Message be sent to Her Majesty's Council :—

Mr. PRESIDENT,—

The House of Assembly inform Her Majesty's Council that having already considered the matters referred to in the Message of Her Majesty's Council, on the subject of providing retiring allowances for the Collector and Treasurer, they cannot therefore entertain any further proposition on that subject.

Message to H.M. Council.

And the question being put thereon, the House divided, when there appeared,



Division,

For the Motion, 7.

Against the Motion, 4.

Mr. Little

Mr. Hoyles

“ Emerson

“ March

“ Winsor

“ Warren

“ Hanrahan

“ Hayward.

“ Benning

“ Talbot

“ Hogsett.

So it passed in the negative, and

Ordered accordingly.

Message affirmed.

Ordered,—That Mr. Little and Mr. Emerson do take the Message to Her Majesty's Council.

A Message from Her Majesty's Council.

The Master-in-Chancery to Her Majesty's Council brought down the following Message :

Mr. SPEAKER,—

Message from H. M. Council.

Her Majesty's Council have passed the Bill sent up to them from the House of Assembly entitled “ An Act for granting to Her Majesty a sum of money for defraying the expenses of the Civil Government of this colony for the year ending the 31st day of December, 1854, and for other purposes” with an amendment, to which they concur in the name of the Assembly.

ROBERT LAW,

President.

Council Chamber, }  
Nov. 22nd, 1854. }

And then the Messenger withdrew.

Supply Bill amended by H.M. Council.

The Amendment made by Her Majesty's Council upon the Bill sent up from the Assembly entitled “ An Act for granting to Her Majesty a sum of money for defraying the Civil Expenditure of this colony for the year ending the 31st day of December, 1854,” was read a first time and is as follows :—

Expunge the proviso at the end of the first section of the Bill.

Amendment rejected.

Mr. SPEAKER informed the House that the Amendment made by the Council upon the above Bill interfered with the privileges of this House, and could not be further entertained.

On motion of Mr. LITTLE, seconded by Mr. WINNER,



*Resolved*,—That the House do now resolve itself into a Committee of the Whole upon the state of the colony.

Committee on the state of the colony.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. BENNING took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had considered the business to them referred, and had passed an Address to His Excellency the Governor, which, together with the division in committee on motion for its adoption, they had directed him to report to the House, and he handed the Address in at the Clerk's Table, where the same was read as follows:—

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

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully intimate to Your Excellency that the present special session of the Legislature having been convened for the purpose, stated in Your Excellency's opening Speech "of settling the preliminary conditions to the introduction of the system of Responsible Government, and of remedying the inconveniences arising from the circumstance of the last session having closed without the usual Bill of Supply;" and the said matters having been disposed of, so far as this House was concerned, it is the desire of this House, and of the people generally, that Your Excellency will be pleased to close the session at an early day, that the General Elections for the Island may be held with as little delay as possible, with a view of introducing the new system of government, and thereby enable the Legislature to adopt such measures as may be necessary to avail of the Reciprocity Treaty for the establishment of Free Trade with the United States, and as the interests of the country may require. The practicability of holding the General Elections before the close of the present session is quite evident, while the great injustice to the electors and the clear loss to the country which would result from postponing them until the spring, are matters to which we would solicit Your Excellency's grave consideration. The House would further remark, that they passed the Supply Bill only upon the understanding that effect should be given, without any further delay to the intentions of the Imperial Government in reference to the immediate introduction of Responsible Government, an object which Your Excellency evidently had in view in requesting au-

Address on the subject of a General Election.



thority from the Imperial Government to assent to the Representation Bill without a suspending clause.

Division in Committee:—

*For the Address, 8.*

*Against the Address, 3.*

Division,

Mr. Speaker

Mr. Hoyles

“ Little

“ March

“ Talbot

“ Warren.

“ Hanrahan

“ Hogsett

“ Shea

“ Winsor

“ Hayward.

Engrossed and Committee to present.

*Ordered*,—That the Address be engrossed, and presented to His Excellency the Governor by Mr. Little and Mr. Hogsett.

Registration Suspension Bill read 1st and 2nd. time.

Mr. LITTLE, on leave granted, presented a Bill to suspend for one year certain parts of the Registration Act, which was read a first and second time.

Committed,

*Ordered*,—That the House do now resolve itself into a Committee of the Whole upon the said Bill, and the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. HOGSETT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Reported without amendment.

The Chairman reported from the Committee that they had passed the Bill to them referred without Amendment; and he handed the Bill in at the Clerk's Table.

*Ordered*,—That the Bill be engrossed, and read a third time this day.

Read 3rd time.

And the Bill was read a third time accordingly.

Passed and titled.

*Ordered*,—That the Bill pass and be entitled “ An Act to suspend for one year certain parts of an Act to amend an Act passed in the 13th year of the Reign of Her Majesty, entitled ‘ An Act to amend an Act passed in the 4th year of the Reign of His late Majesty entitled ‘ An Act to provide for registering the names of persons entitled to vote at Elections.’ ”

*Ordered*,—That Mr. Little and Mr. Hogsett do take the Bill to Her Majesty's Council and desire their concurrence.



Mr. HAYWARD gave notice that on to-morrow he will move an address to the Governor, requesting that he will cause to be expended a sum of money to encourage the Newfoundland Steam Packet Company in continuing the travel by steamboat between the different ports in Conception Bay.

Notice for Address to the Governor for grant to Conception Bay, Steam Packet Company.

Then the House adjourned till to-morrow at two of the clock.

THURSDAY, 23RD NOVEMBER, 1854.

Mr. HAYWARD presented a petition from John Munn and others, Directors of the Newfoundland Steam Packet Company, setting forth the advantages that result from the establishment of Steam communication in Conception Bay, and praying that the House would grant a sum of money to encourage the undertaking.

Petition from Directors of Steam Packet Company.

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

Mr. LITTLE, from the deputation appointed to present the address to His Excellency in reference to holding the Elections, reported that His Excellency had handed him the following reply :—

The proposition contained in this address is one on which the Royal Instructions require that I should act with the advice and the consent of Her Majesty's Council, and I feel assured that the Council will advise the Elections being held at the earliest practicable period.

Reply of the Governor to Address in reference to General Elections.

It is necessary I should observe that I was not a party to the understanding upon which it is said the Supply Bill was passed, and I do not recognise any legitimate connexion between the passing of that Bill and the question of the period of holding the Elections.

Then the House adjourned till to-morrow at two of the o'clock.

FRIDAY, 24TH NOVEMBER, 1854.

A Message from Her Majesty's Council.

The Master-in-Chancery to Her Majesty's Council brought down the following Message :

Notice for Committee on the State of the Colony.



Mr. SPEAKER,—

Her Majesty's Council acquaint the House of Assembly that they have passed the Bill sent up from the Assembly entitled "An Act to provide for the Retiring Allowances to certain Public Officers of the Government of this colony"—without Amendment.

ROBERT LAW,

*President.*

Council Chamber, }  
Nov. 23rd, 1854. }

And then the Messenger withdrew.

*Ordered*,—That the said Message do lie upon the Table.

Mr. LITTLE presented to the House a letter from Mr. Secretary Crowdy addressed to Mr. Shea and himself, which he handed in at the Clerk's Table, where the same was read as follows :—

SECRETARY'S OFFICE, }  
24th November, 1854. }

GENTLEMEN,

Referring to the Governor's reply to the Address of the House of Assembly (No. 12) which you presented to him yesterday, I am now directed by His Excellency to transmit to you the enclosed memorandum for the information of the House.

I have the honor to be,

Gentlemen,

Your most obedient servant,

JAMES CROWDY.

P. F. Little, and A. Shea, Esquires, M. H. A.

I have brought under the consideration of Her Majesty's Council the question of the period at which the Elections should be held, and have been advised by the Council that the hindrances to the Elections being held before the month of May are insuperable, and that the Elections should accordingly take place in the **first week of that month.**

K. B. H.

Mr. LITTLE gave notice that on to-morrow he will move this House into a Committee of the Whole on the state of the Colony, to consider the conduct of the Government against the liberties of the people of this

Retiring Allowances Bill  
passed H. M. Council.

Reply of the Governor to  
Address in reference to  
holding Elections.

Notice for Committee on the  
state of the colony.



colony in their determination to postpone the General Election until the month of May next, and address the Imperial Government for the immediate removal of Ker Baillie Hamilton Esq. from the government of this Island, for his misgovernment of this colony and for his partisanship with his Council in their united opposition to this Assembly and the best interests of this Country.

Then the House adjourned till to-morrow at two of the clock.

SATURDAY, 25TH NOVEMBER, 1854.

On motion of Mr. LITTLE, seconded by Mr. SHEA.

Resolved,—That the House do now resolve itself into a Committee of the Whole upon the state of the colony.

Committee on state of the colony.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. BENNING took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had considered the business to them referred, and had made some progress therein, and had instructed him to ask leave to sit again on the further consideration thereof.

Progress reported.

Ordered,—That the Committee have leave to sit again on Monday next.

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

Resolved,—That a Select Committee be appointed to take evidence as to the most favorable period of the year for holding a General Election.

Select Committee on Election.



*Ordered*,—That Messrs. Shea, Hanrahan, Talbot and Warren, do form such a Committee.

Then the House adjourned till Monday next at Two of the clock.

MONDAY, 27<sup>TH</sup> NOVEMBER, 1854.

Committee on state of the colony.

Pursuant to order of the day, the House resolved itself into a Committee of the Whole upon the further consideration of the state of the Colony.

Mr. SPEAKER left the Chair.

Mr. BENNING took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Resolutions reported:

The Chairman reported from the Committee that they had considered the business to them referred, and had come to certain Resolutions thereon which they had directed him to report to the House, and he handed the Resolutions in at the Clerk's table, where the same were read as follows:—

*Resolved*,—That the present session of the Legislature was expressly summoned by instructions from Her Majesty's Government for the purpose of arranging the preliminaries to the introduction of Responsible Government, and passing a Bill of Supply.

*Resolved*,—That the House opened on the 10th of October, and the most important precedent to the change of government, viz., the Representation Bill was passed by the House and sent to Her Majesty's Council on the 17th day of the same month.

*Resolved*,—That the same Bill was returned from the Council on the 2nd November so amended as to induce all parties in the House to concur in its rejection.

*Resolved*,—That Her Majesty's Council did, on the 14th November, assent to the Bill in the shape in which it was originally passed by the Assembly, this being in principle and in all its details, the same Bill to which that Body refused their assent in June last; thereby producing a collision with the popular Branch which led to an appeal to Her Majesty's Govern-



ment, and to the loss of the Supplies for the public service.

*Resolved*,—That His Excellency K. B. Hamilton in a communication to the Rt. Hon. Sir G. Grey, under date 19th September last, urged the necessity of prompt permission being given by H. M. Government, to dispense with a reserving clause in the Representation Bill, alleging that the want of such authority would render it impossible to give immediate effect to the measure, and that thus the object of the extraordinary session would be defeated and the Elections be delayed until next spring.

*Resolved*,—That no imitation of any other difficulty was made by His Excellency to the immediate holding of the Elections under the new Bill, and the House accordingly proceeded to transact the other business embraced in the objects for which they were called together.

*Resolved*,—That after the passing of the Representation Bill by the Council, and the receipt of the authority from Her Majesty's Government, asked for in His Excellency's letter of 19th September, the House necessarily conclude, by reference to the terms of His Excellency's letter, that he was in a position to give immediate effect to the Act in question.

*Resolved*,—That on the 22nd day of November, Members of the House became accidentally aware that the Government did not contemplate the holding of the Elections this fall—an intention since formally communicated in reply to an Address from the House.

*Resolved*,—That this decision of His Excellency wilfully defeats the principal object for which the Session was held at considerable inconvenience and expense, and is at variance with his views contained in his letter to Sir George Grey, and with all his communications to the House up to the time of this disclosure.

*Resolved*,—That the alleged reasons for postponing the Elections are the lateness of the season and the want of a revision of the Registration of voters.

*Resolved*,—That in 1842 a General Election was held on the 20th December, and that no inconvenience was experienced in effecting it, and that it could therefore be held again at the same period.

*Resolved*,—That even though the plea of the late season were valid, it is attributable to His Excellency's advisers who spent 28 days, in determining on the Representation Bill, on which there was only one point of controversy, and thereby created an assumed difficulty of which they now avail for defeating the views of the country with regard to the approaching change.

*Resolved*,—That the revision of the Registration of voters was the duty of the Executive and should have been performed in due course, and that



the Act gives the following discretionary power which might have been used in the present case " Provided that should it be found necessary or expedient, to hold an Election or Elections at any period of the year, when, by reason of the times limited in the said recited Act for serving notices and holding Courts of Revision, the provisions of the said Act cannot be carried into effect, the Registry of the said Voters shall be taken and revised as nearly as may be according to the provisions of the said recited Act, but with such alterations in the manner of taking and revising the same as may be found necessary."

*Resolved*,—That the new District of Burgeo and La Poile not being provided for in the Registration Act, a special provision was made in the Supply Bill to meet this case; and seeing the neglect of the Government, with regard to the general revision of the registration, and then believing it to have been the result, not of design, but of accident, the House inserted a clause in the Supply Bill, whereby the revision was to be dispensed with for the next Election, and leaving the fair alternative to all parties of making the last revised list of voters applicable for the purposes of this Election.

*Resolved*,—That the Council objected to this provision in the Supply Bill, on a point of form, and the House then passed a Bill to carry out the same object.

*Resolved*,—That this Bill was rejected by His Excellency's Advisers; and the House having exhausted every expedient to carry out the intentions of Her Majesty's Government, and the avowed object of His Excellency the Governor, looking to the manner in which the business was protracted by the Council, and to the late period at which the new difficulties are suggested, feel constrained to the belief that they have been deceived and misled by His Excellency, who has therefore forfeited the confidence of the House.

*Resolved*,—That His Excellency having caused or permitted the defeat of that which in his letter of 19th Sept., he declared to be the principal object of the present Session, has now announced his intention of causing the Elections to be held in May next.

*Resolved*,—That this course is adopted in deference to the views of the present Council, who, defeated in their obstruction to the concession of Responsible Government, would now endeavour to thwart its legitimate operation.

*Resolved*,—That in the month of May the great bulk of our fishing population are peculiarly subject to Mercantile influence, that being the period when the issues of supplies on credit are made.



*Resolved*,—That from the 1st March to the 1st November, our fishing population are actively engaged either in the Seal and Herring fishery, or in preparing for and carrying on the Cod Fishery, and that an Election held between these periods would be partial and unjust, and would practically disfranchise a great proportion of the industry of the colony.

*Resolved*,—That we most distinctly and emphatically protest against the proposal of His Excellency to hold the Elections in the month of May, and in deciding on this course, His Excellency has lent himself to the designs of a defeated party, in violation of the views of the great majority of the House and the wishes and desires of the general public.

*Resolved*,—That regarding the conduct of the Governor and Council as disclosed in the foregoing Resolutions, this House cannot consent to send up another Bill of Supply to Her Majesty's Council.

*Resolved*,—That on the Governor's assent being given to the Representation Bill, the existence of the present Assembly will terminate, and the country will be without a Legislature until after the General Elections shall have been held.

*Resolved*,—That the population of the country are in a state of severe suffering and privation, urgently demanding the most vigorous efforts of the Legislature for the amelioration of their condition.

*Resolved*,—That in the establishment of Free Trade with the United States, under the Treaty lately concluded, the hopeful expectations of the people were centred, and that the measures necessary to give effect to that Treaty are now indefinitely postponed by the proceedings of the Executive in reference to the Elections.

*Resolved*,—That as the Revenue Bill expires on the 27th of May, this most important measure is imperilled by the conduct of the Governor and Council.

*Resolved*,—That notwithstanding the avowed hostility of His Excellency to the policy of the majority of the Assembly ever since his assumption of the Government, we were willing to enter with him on the change of system, and give him a fair trial in the spirit of Sir George Grey's Despatch. But His Excellency, having made it apparent by his conduct in the present session, that his sympathy with the obstructive party is paramount, and that so repugnant are his feelings to constitutional popular demands, that to defeat these he has shown himself ready to violate the compact with H. M. Government as contained in his letter aforesaid.

*Resolved*,—Therefore that it is necessary for the peace, welfare, and good government of the colony, that His Excellency and his advisers should forthwith be removed from the administration of its affairs, and that



an Address, embodying these Resolutions, be prepared and transmitted to Her Majesty's Secretary of State and both Houses of Parliament.

On motion that the Report be adopted,

Mr. HOYLES moved in amendment, seconded by Mr. WARREN,

That the Report be not received, but that the Report of the Committee be to the following effect :—

Amendment.

*Resolved*,—That the holding of a General Election during the present winter would be a gross act of injustice to the Protestant majority of the population, inasmuch as at this time of the year great numbers of the electors of the extern districts have long since retired to their winter habitations whence they could not be brought to vote; and as from the extreme difficulty and danger, if not impossibility, not merely of canvassing but even of communicating with the districts of Twillingate and Burgeo, at this season of the year these Protestant districts returning three members out of the thirty of which the new Assembly is to be composed, would, in all probability, be wholly unrepresented in the ensuing session; and that the intention of His Excellency, as signified by him not to hold the Elections until May next, meets with our unqualified approval.

And the question being put thereon, the House divided, when there appeared,

*For the Amendment, 3.*

*Against the Amendment, 10.*

Division:

Mr. Hoyles

Mr. Little

“ Warren

“ Hogsett

“ March.

“ Shea

“ Benning

“ Emerson

“ Parsons

“ Winser

“ Talbot

“ Hayward

“ Hanrahan.

So it passed in the negative.

And the question on the original motion being then put, it passed in the affirmative, and

Resolutions adopted,

*Ordered* accordingly.

Address to Secretary of State

Mr. LITTLE, in accordance with the foregoing Resolutions, presented the draft of an Address to the Secretary of State for the colonies, which he read in his place, and then handed in at the Clerk's Table, where it was again read as follows :—



TO THE RIGHT HONORABLE SIR GEORGE GREY, BARONET, HER MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR THE COLONIAL DEPARTMENT, &c., &c., &c.

The Petition of Her Majesty's faithful Commons of Newfoundland, in Legislative Session convened, respectfully sheweth,—that the Duke of Newcastle, Her Majesty's late Colonial Secretary of State for the colonies, having determined to establish Responsible Government in this old and loyal colony, in accordance with the repeated demands of the people and the growing interests of the country, His Grace annexed certain conditions to the concession thereof—the principal of which were the passing of a Bill to increase the number of Members in the Assembly, and the making of provision for the retiring Officials, upon the introduction of the new system. In the adjustment of these conditions a conflict arose last session between the Governor and his Council on the one hand, and this House on the other, which resulted in an appeal to the Imperial Government, a suspension of legislation, and a refusal to grant Supplies. The Imperial Government having approved of the conduct of this House as to the Representation Bill, you were pleased to instruct His Excellency Ker Baillie Hamilton, Esq., the Governor of this Island, to summon the present session of the Legislature for the express purpose of arranging the differences existing on the preliminaries to the granting of Responsible Government, with a view to its immediate introduction, and remedying the inconveniences arising from withholding the usual Bill of Supply. This session commenced on the 10th October last, and the most important precedent to the change of government, viz:—the Representation Bill, was passed by this House and sent to Her Majesty's Council on the 17th day of the same month for their concurrence. That this Bill was returned from the Council on the 2nd day of November, so amended as to induce both parties in this House to concur in rejecting the Amendments. The Council at length receded from their Amendments, and on the 14th day of November assented to the Bill in the shape in which it was originally passed by the Assembly, this being in principle and in all its details identical with the Bill to which that body refused their assent in June last, and thereby produced the collision with the popular branch which led to the appeal to Her Majesty's Government and to the loss of the Supplies for the public service.

That His Excellency the Governor, in a communication to you under date 19th September last, urged the necessity of prompt permission being given by Her Majesty's Government to dispense with a reserving clause in the Representation Bill, alleging that the want of such authority would render it impossible to give immediate effect to the measure, and that thus the object of the extraordinary session would be defeated



by delaying the holding of the Elections until next May. No intimation of any other difficulty was made by His Excellency to the immediate holding of the Elections under the new Bill as soon as it should become law, and the House accordingly proceeded to transact the other business embraced in the objects for which this session was convened. After the passing of the Representation Bill by the Council, and the receipt of the authority from you asked for in His Excellency's letter of 19th September, this House necessarily concluded, by reference to the terms of His Excellency's letter, that he was in a position to give immediate effect to the Act in question. On the 22nd day of November, members of this House, however, became accidentally aware that the Governor did not contemplate the holding of the Elections this fall—a determination since formally communicated by His Excellency in reply to an Address from this House, declaring their opinion not only on the absolute necessity, but also on the evident practicability of holding the Elections this fall and pointing out the loss to the country and the injustice to the Electors which would result from a postponement until the spring.

That the decision of His Excellency wilfully defeats the avowed object for which this session has been held at considerable inconvenience and expense, and is at variance with his views contained in his said letter to you, and with all his communications to this House up to the time of this disclosure. The alleged reasons for postponing the Elections are—the lateness of the season, and a want of a revision of the Registration of Voters. In the year 1842 General Elections were held on the 20th December, and no inconvenience was experienced in holding them. Since that time the facilities of communication through the country have been much increased, and there is now no physical obstacle or any other fair reason why they should not be held at a corresponding period this year. Whatever pretext the lateness of the season may afford, is attributable to His Excellency's advisers, who spent 28 days in determining on the Representation Bill, on which there was only one point of controversy, and thereby created an assumed difficulty of which His Excellency, with their advice, now avails to defeat the views of the country with regard to the approaching change.

That the revision of the Registration of Voters was the duty of the Executive and should have been performed in due course, and the Amended Registration Act (13 Vic., cap. 14) gives the following discretionary power, which might have been used in the present case, viz., "Provided that should it be found necessary or expedient to hold an Election or Elections at any period of the year when by reason of the times limited in the said recited Act for serving notices and holding Courts of Revision, the provisions of the said Act cannot be carried into effect, the Registry of the said Voters shall be taken and revised as nearly as may be according to



the provisions of the said recited Act, but with such alterations in the manner of taking and revising the same as may be found necessary." The new district of Burgeo and LaPoile not being provided for in the Registration Act, a special provision was made in the Supply Bill to meet this case; and seeing the neglect of the government with regard to the general revision of the registration, and believing it thus to have been the result, not of design, but of accident, the House inserted a clause in the Supply Bill whereby the revision was to be dispensed with for one year for the purposes of the next Elections, and leaving the fair alternative to all parties of making the last revised list of voters applicable for the purposes of the Elections held within that period. The Council objected to this provision in the Supply Bill, on technical grounds, and the House then passed a separate Bill with as little delay as possible, to carry out the same object. This Bill was rejected by His Excellency's advisers; and the House having exhausted every expedient to carry out the intentions of Her Majesty's Government, and the avowed object of His Excellency, looking to the manner in which the business was designedly protracted by the Council, and to the late period at which the new difficulties are suggested, feel constrained to the belief that they have been deceived and misled by His Excellency, who has therefore forfeited the confidence of the House.

His Excellency having caused or permitted the defeat of that which in his letter of Sept., he declared to be the principal object of the present Session, has now announced his intention of causing the Elections to be held in May next. This course is adopted in deference to the views of the present Council, who, defeated in their obstruction to the concession of Responsible Government, would now endeavour to thwart its legitimate operation. The great bulk of our fishing population are peculiarly subject to Mercantile influence in the month of May, when supplies are issued to them on credit. From the 1st of March to the 1st of November, our fishery population are actively engaged either in the seal and herring fisheries, or are preparing for and carrying out the cod fishery, and that an Election held between these periods would be partial and unjust, and would practically disfranchise a great proportion of the industry of the colony. This House therefore most distinctly and emphatically protest against the proposal of His Excellency to hold the Elections in the month of May; and in deciding on this course, His Excellency has lent himself to the designs of a defeated party, in violation of the views of the great majority of the House and the wishes and designs of the general public.

Having regard to the conduct of the Governor and Council, as disclosed by the foregoing facts, and to the duty which this House owe to the public, this House has been constrained to the resolution not to send up another Bill of Supply to Her Majesty's Council.



That on the Governor's assent being given to the Representation Bill, the existence of the present Assembly will terminate ; and the country will be without a Legislature until after General Elections shall have been held. The operative population of the country are in a state of severe suffering and privation, owing to a partial failure of their ordinary pursuit last season and other causes urgently demanding the most vigorous efforts of the Legislature for the amelioration of their condition. That in the establishment of Free Trade with the United States under the Treaty lately concluded, the hopeful expectations of the people were centred, and that the measures necessary to give effect to that Treaty are now indefinitely postponed by the proceedings of the Executive in reference to the Elections; and as a further consequence, the Revenue Bill, which expires on the 27th May next, is imperilled by the conduct of the Governor and Council, a subject of vast importance in the financial embarrassment of the government.

That notwithstanding the avowed hostility of His Excellency to the policy of the majority of the Assembly, we were willing to enter with him on the change of system and give him a fair trial in the spirit of your Despatch. The utmost forbearance and the most conciliatory conduct have been manifested to him by the Assembly since the receipt of that Despatch. But His Excellency having made it apparent by his conduct that his sympathy with the obstructive party is paramount to the country and the crown ; and that so repugnant are his feelings to constitutional and popular demands, that to defeat these, he has shown himself ready to violate the compact with Her Majesty's Government as contained in his said letter—to discard the rights of the Electors and come into direct collision with this House, after having received the clearest expression of their opinions on the impropriety and injustice of the course which he he was about to adopt.

Therefore convinced that it is necessary to the peace, welfare, and good government of the colony, that His Excellency and his advisers should forthwith be removed from the administration of its affairs, this House appeals with confidence to you for that purpose, and that the new system of government may be inaugurated without any further delay (the conditions stipulated by the Duke of Newcastle, having been fulfilled by this House) under the auspices of a practical and partial Governor, who shall reflect the honor of the Crown and conciliate the affections of the people by the adoption of a constitutional and straightforward policy, divested of all sectarian antipathies and partizan predilections.



*Ordered*,—That the Address be adopted and engrossed.

*Ordered*,—That Addresses similar to the foregoing, *mutatis mutandis*, be forwarded to both Houses of the Imperial Parliament.

On motion of Mr. LITTLE, seconded by Mr. SHEA,

*Resolved*,—That the following Address be presented to His Excellency the Governor:—

To His Excellency KER BAILLIE HAMILTON, Esq.,  
Governor and Commander-in-Chief in and over  
the Island of Newfoundland and its Dependencies,  
&c., &c.

Address to Governor.

MAY IT PLEASE YOUR EXCELLENCY,

The House of Assembly beg to inform Your Excellency that they have passed the accompanying Resolutions and Address, which they respectfully request Your Excellency will be pleased to forward to the Right Hon. the Secretary of State for the colonies.

*Ordered*,—That the Address be engrossed and presented to His Excellency the Governor by Mr. Little and Mr. Shea.

Engrossed and Committee to present.

Mr. SHEA, from the Select Committee appointed to inquire into the mode of carrying out the Mail Service between St. John's and Halifax, presented the Report which he handed in at the Clerk's Table, where the same was read as follows:—

The Select Committee appointed to inquire into the manner in which the Packet Service is carried out between St. John's and Halifax, beg to report, that they have taken the evidence of several gentlemen on the subject whose testimony they beg to annex;—

Report of Committee on the mode of Mail conveyance between this port and Halifax.

The Committee think the facts set forth in the evidence demand that the attention of the Home Government be directed to the subject with a view to the correction of the evils complained of.

A. SHEA, Chairman  
P. F. LITTLE,  
G. J. HOGSETT.

*Ordered*,—That the said Report do lie upon the Table.

[For evidence accompanying, see *Appendix*.]

House adjourned.

Then the House adjourned till to-morrow at two of the clock.

TUESDAY, 28<sup>TH</sup> NOVEMBER, 1854.

The House met pursuant to adjournment, and adjourned till to-morrow at Eleven of the clock.



WEDNESDAY, 29TH NOVEMBER, 1854.

On motion of Mr. SHEA, seconded by Mr. HOGSETT.

Resolution appointing P. F. Little Delegate.

*Resolved*,—That Philip F. Little, Esq., member for the district of St. John's, having the full confidence of this House, be appointed a Delegate to proceed to England to justify to the Imperial Government the views and desires of the House, as embodied in the Resolution on the State of the colonies adopted by the House on the 27th instant.

On motion of Mr. SHEA, seconded by Mr. HOGSETT,

*Resolved*,—That the following Address be transmitted to Her Majesty's Principal Secretary of State for the colonies:—

TO THE RIGHT HON. SIR GEORGE GREY, &c., &c.

Address to Secretary of State.

The House of Assembly of Newfoundland, having on the 27th instant, adopted an Address to you in reference to the affairs of the colony, now have to acquaint you that they have appointed Philip F. Little, Esq., a member of their Body, to proceed to England to justify to Her Majesty's Government the statements and views embodied in the Address in question.

Adopted and Engrossed.

*Ordered* that the Address be adopted and engrossed.

On motion of Mr. SHEA, seconded by Mr. HOGSETT.

*Resolved*,—That the following Address be presented to His Excellency the Governor;—

Address to Governor.

To His Excellency K<sup>ER</sup> BAILLIE HAMILTON, Esq  
Governor and Commander-in-Chief in and over  
the Island of Newfoundland and its Depend-  
encies, &c.

MAY IT PLEASE YOUR EXCELLENCY—

The House of Assembly beg to request Your Excellency will transmit the accompanying Address by the present Mail to Her Majesty's Principal Secretary of State for the colonies.

Engrossed and Committee to present.

*Ordered*,—That the Address be engrossed, and presented to His Excellency by Mr. Shea and Mr. Hogsett.

On motion of Mr. SHEA, seconded by Mr. WINSER,

Resolution of Thanks to Joseph Hume, Esq., M. P.

*Resolved*,—That the thanks of this House are due and are hereby given to Joseph Hume, Esq., M. P., for the valuable services he has already rendered to the colony in furthering the efforts of the people's Representatives to obtain a constitutional system of government, and that he be requested to continue his efficient aid in promoting the desires of this House, as embodied in an Address to Her Majesty's Government and both Houses of Parliament adopted on the 27th instant.



Mr. HOGSETT, from the deputation to present the Address to His Excellency the Governor, requesting His Excellency to forward the Addresses to the Secretary of State, of 27th and 29th inst., reported that His Excellency had handed him the following reply.

Reply of the Governor to Address requesting him to forward Address to the Secretary of State.

I will, of course, forward this Address and the Resolutions to the Secretary of State.

Having observed in them the statement that the Revenue Act, which will expire on the 28th of May next, is imperilled, I must remind you that its safety is within the power of the Assembly. On my part, I will concur in any such measure for prolonging the existence of that Act, as will place its safety beyond a doubt.

On motion of Mr. HOGSETT, seconded by Mr. WINSER,

*Resolved*,—That the following Address be presented to His Excellency the Governor:—

Message from Mr. Secretary.

*To His Excellency KER BAILLIE HAMILTON, Esq., Governor and Commander-in-Chief in and over the island of Newfoundland and its Dependencies, &c.*

Address to Governor.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly beg respectfully to inform Your Excellency that they have passed the accompanying Resolutions, which they request Your Excellency will be pleased to forward to the Right Hon. the Secretary of State for the colonies, by the present mail.

*Resolved*,—Whereas during the time this House was in Committee of the Whole on the state of the colony, on the Resolutions in reference to the conduct of His Excellency the Governor refusing to hold the Elections this fall, a communication was made to His Excellency by Mr. Shea and Mr. Hayward, two members of this House, that the steamer *Ellen Gisborne* was available for the purpose of facilitating the carrying out of the Elections this fall in the Districts of Fogo, and of Burgeo and LaPoile, and His Excellency declined to avail thereof, although offered an indemnity, on behalf of the House, for the employment of that vessel.

Resolutions in reference to His Excellency the Governor not holding Elections this fall.

*Resolved*,—That the House is thereby further confirmed in the conviction that the conduct of His Excellency, in postponing the Elections, was premeditated, especially looking to the peculiar mildness of the season, up to the present time (29th November), and the total absence of frost or snow or any other obstacle to impede the communication with all the outports.

*Ordered*,—That the Address be engrossed, and presented to His Excellency by Mr. HOGSETT and Mr. WINSER.

Engrossed and Committee to present.



Then the House adjourned till to-morrow at two of the clock.

THURSDAY, 30TH NOVEMBER, 1854.

Mr. SPEAKER informed the House that he had received the following communication from Mr. Secretary Crowdy:—

Message from Mr. Secretary Crowdy.

SECRETARY'S OFFICE,  
30th November, 1854. }

SIR,—I am directed by the Governor to request that the Bills which have passed the two other branches of the Legislature, may be immediately sent to me, with a view to their examination before receiving His Excellency's assent.

I have the honor to be, Sir,

Your most obedient servant,

JAMES CROWDY,

The Hon. the Speaker of the House of Assembly.

Mr. SPEAKER informed the House that having received the foregoing communication during the adjournment of the House, he had instructed the Clerk to transmit the following reply thereto:—

Reply thereto.

HOUSE OF ASSEMBLY,  
30th November, 1854. }

SIR,—I am instructed by the Speaker to say, in reply to your communication of to-day, stating that you are directed by the Governor to request that the Bills which have passed the two other branches of the Legislature may be immediately sent to you with a view to their examination before receiving His Excellency's assent, that as he, the Speaker, is the servant of the House, he will immediately submit the communication to that Hon. Body for their consideration.

I have the honor to be, Sir,

Your most obedient servant,

JOHN STUART,  
Clerk of the House of Assembly.



On motion of Mr. LITTLE, seconded by Mr. SHEA,

*Resolved*,—That the following Address be transmitted to His Excellency the Governor:—

To His Excellency KER BAILLIE HAMILTON, *Esq.*, Address to Governor.  
 Governor and Commander-in-Chief in and over  
 the Island of Newfoundland and its Depend-  
 encies, &c.

MAY IT PLEASE YOUR EXCELLENCY,

The House of Assembly respectfully beg leave to inform Your Excellency, in reply to the communication of Mr. Secretary Crowdy, of this day, requesting that the Bills which have passed the two other branches of the Legislature may be immediately sent to him, with a view to their examination before receiving His Excellency's assent, that the engrossed Bills now in their possession will at once be sent to Your Excellency.

The Bill to provide for the Retiring Allowances being in possession of Her Majesty's Council, the Assembly are not prepared to send up that Bill until it has been returned by the Council.

*Ordered*,—That the Address be engrossed, and presented to His Excellency the Governor by Mr. Little and Mr. Shea.

Engrossed and Committee to present.

On motion of Mr. LITTLE, seconded by Mr. SHEA,

*Resolved*,—That a Message be sent to Her Majesty's Council requesting the Council to send down the Bill to provide for the Retiring Official Allowances, in order that the said Bill may be transmitted to His Excellency, in accordance with the request contained in Mr. Secretary Crowdy's communication of this day.

Message to H.M. Council.

Mr. SPEAKER informed the House that he had received a communication from Mr. Secretary Crowdy stating that it was the intention of His Excellency the Governor to prorogue the present session of the Legislature this day at 4 o'clock.

Message from Mr. Secretary Crowdy.

On motion of Mr. SHEA, seconded by Mr. HOGSETT,

*Resolved*,—That the following Address be presented to His Excellency the Governor:—



To His Excellency KER BAILLIE HAMILTON, Esquire,  
Governor and Commander-in-Chief in and over the  
Island of Newfoundland and its Dependencies, &c.  
&c, &c

Address to Governor.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly beg respectfully to inform Your Excellency that they have passed the accompanying Resolutions, which they beg leave to transmit for the information of Your Excellency.

*Resolved*,—That the House was fully justified in declaring that His Excellency, in refusing to hold the Elections this fall, imperilled the Revenue Bill, which expires on the 27th May next.

*Resolved*,—That the next Revenue Bill to be passed by the House must be adapted to the requirements of the Treaty for the establishment of Free Trade with the United States; and His Excellency, in his opening speech having informed the House that he had not the necessary instructions to enable them to legislate on the subject, the question has not occupied our attention on this account, independent of our unwillingness to trust Legislation on the question of Free Trade to a hostile Council.

*Resolved*,—That in view of the present collision between the House and the Executive Government, the Assembly are of opinion that all Legislative proceedings be suspended until the issue of the appeal which has now been made to the Government, and that the House accordingly do adjourn to the 10th January next.

Engrossed and Committee  
to present.

*Ordered*,—That the Address be engrossed, and presented to His Excellency by Mr. Shea and Mr. Hogsett.

On motion of Mr. SHEA, seconded by Mr. HOGSETT,

*Resolved*,—That the House do now adjourn till the 10th day of January next.

Then the House adjourned till the 10th day of January next.





**PROCLAMATION.**

By His Excellency KER BAILLIE HAMILTON, Esq.,  
 Governor and Commander-in-Chief in and over  
 the island of Newfoundland and its Depend-  
 encies, &c.

KER B. HAMILTON.  
 (L.S)

To all to whom these Presents shall come, Greeting :—

WHEREAS at and during the Session of the General Assembly of this Island, now being holden at St. John's, the several Bills respectively entitled as follows, (that is to say) " An Act to increase the present number of Representatives in the General Assembly of this Island, and to regulate the representation thereof ;"—Also " An Act to provide for the Retiring Allowances of certain Public Officers of the Government of this colony ;"—Also " An Act for the encouragement of Education ;"—Also " An Act to Incorporate the Union Bank of Newfoundland ;" were passed by the Council and House of Assembly of the said Island : And whereas I, the said Governor, having afterwards seen and considered the said several Bills, so passed and entitled as aforesaid, did on the thirtieth day of November last past, subscribe my name and give my assent to the same Bills respectively : Now therefore, I do by this my Proclamation publish and make known to all Her Majesty's loving subjects in this Island, and all others whom it may concern, that I the said Governor did, on the said thirtieth day of November last past subscribe my name, and did assent to the said several Acts aforesaid.

GIVEN under my hand and the Great Seal of Newfoundland, at the Government House, at St. John's in the said Island, this fourth day of December, Anno-Domini, One Thousand, Eight Hundred and Fifty-four, and in the Eighteenth Year of Her Majesty's Reign.

By His Excellency's Command,

JAMES CROWDY,

Secretary.





**PROCLAMATION.**

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

**K. B. HAMILTON.**  
(L. S.)

**W**HEREAS we have thought fit to DISSOLVE the GENERAL ASSEMBLY of Our Island of Newfoundland: Know Ye that We do, for this purpose, publish this Our Royal Proclamation; and do by these Presents DISSOLVE the said GENERAL ASSEMBLY. And we do hereby discharge the Members of Our Council and of the House of Assembly of the said Island from further attendance in the said GENERAL ASSEMBLY.

In Testimony whereof We have caused these Our Letters to be made Patent under the Great Seal of Our said Island.

WITNESS Our Trusty and well beloved KER BAILLIE HAMILTON, Esquire, Our Governor and Commander-in-Chief in and over Our said Island and its Dependencies, at St. John's, in Our said Island, this Fifth Day of December, Anno Domini, 1854, and in the Eighteenth Year of Our Reign.

By His Excellency's Command,

**JAMES CROWDY,**

*Secretary.*

**JOHN STUART, Clerk.**

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**END OF THE THIRD SESSION OF THE FIFTH GENERAL ASSEMBLY.**

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# APPENDIX.

## Estimates and Public Accounts:

### ESTIMATE

OF THE CHARGE OF DEFRAYING THE PUBLIC EXPENDITURE OF THE ISLAND OF NEWFOUNDLAND  
FOR THE YEAR ENDING 31st DECEMBER, 1854.

**£20,707 3s. 4d.**

### PROPOSED DISTRIBUTION OF THE ABOVE SUM:—

Salary of the Private Secretary .....	£200	0	0
Clerk of the Council .....	200	0	0
Two Clerks in the Secretary's Office .....	400	0	0
Office Keeper ditto .....	60	0	0
Messenger ditto .....	60	0	0
Colonial Treasurer .....	500	0	0
Clerk in Treasurer's Office .....	150	0	0
Clerk of the Supreme and Central Circuit Courts—including allow- ance for Assistant Clerk, and for purchase of printed forms .....	420	0	0
Clerk of Northern Circuit Court .....	200	0	0
Ditto Southern ditto .....	200	0	0
Crier and Tipstaff Supreme Court .....	60	0	0
Ditto Harbor Grace .....	20	0	0
Three Police Magistrates, St. John's .....	900	0	0
*Police Inspector .....	60	0	0
High Constable ... ..	80	0	0
Ten Police Constables .....	450	0	0
Gaoler .....	150	0	0
Gaol Surgeon, St. John's .....	40	0	0
Hospital Surgeon, ditto .....	150	0	0
District Surgeon (including Medicine, &c.) .....	200	0	0
Ditto, Conception Bay .....	100	0	0
Gaol Surgeon, Harbor Grace .....	30	0	0
Physician Lunatic Asylum .....	200	0	0
Gate Keeper, Government House Lodge .....	26	0	0
House Keeper, Colonial Building ... ..	60	0	0
Attorney-General's Fees ... ..	250	0	0
Solicitor General's Fees ... ..	200	0	0
Stipendiary Magistrates, &c., in the Outports, as per Detailed Statement an- nexed .....	3791	0	0

\*With an addition of £40 a year from the Grant for the relief of the Poor, for services to the Commissioners.



MISCELLANEOUS.

Ordinary Repairs of Court Houses and Gaols	.....	.....	£200	0	0
Gaol expenses	.....	.....	600	0	0
Printing and Stationery ...	.....	.....	500	0	0
Crown Prosecutions	.....	.....	300	0	0
Coroners	.....	.....	200	0	0
Fuel and Light	.....	.....	450	0	0
Postages and Incidentals...	.....	.....	120	0	0
Circuits of the Judges.....	.....	.....	400	0	0
Relief of the Poor	.....	.....	6000	0	0
Outport permanent Poor...	.....	.....	400	0	0
Lunatic Paupers	.....	.....	1200	0	0
Shipwrecked Sealing Crews	.....	.....	100	0	0
Men stationed at Fort Amherst	.....	.....	36	0	0
Duties on Wines for Military Mess	.....	.....	50	0	0
*Gas Light Company—St. John's	.....	.....	71	13	4
“ “ — Harbor Grace	.....	.....	25	0	0
Unforeseen Contingencies	.....	.....	500	0	0

PENSIONS AND GRATUITIES.

Mrs. Blaikie	.....	.....	£50	0	0
Matthew Stevenson	.....	.....	40	0	0
Robert Connell	.....	.....	10	0	0
Robert Smith	.....	.....	10	0	0
			110	0	0

ALLOWANCES TO FERRYMEN †

At Manuels	.....	.....	£10	0	0
“ Great Placentia	.....	.....	25	0	0
“ Little St Lawrence	.....	.....	10	0	0
“ Salmonier	.....	.....	25	0	0
“ Burin and Spoon Cove	.....	.....	20	0	0
“ Biscay Bay	.....	.....	15	0	0
“ Portugal Cove	.....	.....	25	0	0
“ North and South side Holyrood, £15 each	.....	.....	30	0	0
“ Aquafort	.....	.....	15	0	0
“ Trinity	.....	.....	25	0	0
“ Malbay	.....	.....	12	0	0
“ John's Pond, North Harbor, and Salmonier	.....	.....	30	0	0
“ Belle Isle and Topsail	.....	.....	20	0	0
“ Harbor Grace and South Side	.....	.....	25	0	0
			£287	0	0
Total	.....	.....	£20,707	3	4

\* As a considerable portion of the year for which these Grants are required has expired, the Service is estimated for the 30th June, but it will be omitted in future Estimates.

† It is suggested that such Ferries as are absolutely required, should in future be provided for in the Road Bill.

The Estimate for clearing snow from the streets of St. John's is omitted—as is also that for “ Carrying out the Crown Lands' Act” a considerable portion of the sum already granted on this latter account being unexpended.



APPENDIX:

Estimates and Public Accounts

DETAIL

of Salaries and Allowances to Stipendiary Magistrates, Constables, Clerks of the Peace, and Gaolers in the undermentioned Outports for the Year 1854.

OUTPORTS.	Magistrates.	Clerks of Peace.	CONSTABLES		Gaolers.	Total.
			No.	Salary.		
Petty Harbor .....			1	20		20
Torbay .....			1	20		20
Portugal Cove.....			1	20		20
South Shore .....			1	12		12
Harbor Main .....			1	12		12
Cat's Cove .....			1	12		12
Brigus and Port de Grave .....	£150	60	2	50		260
Bay Roberts .....			1	12		12
Harbor Grace .....	165	150	1	50	90	670
Ditto .....	165	60	2	50		
Carbonear .....	150		3	75		285
Bay de Verds .....			1	12		12
Western Bay .....			1	12		12
Hants Harbor.....			1	12		12
Perlican .....	130		1	12		142
Hearts Content .....			1	12		12
New Harbor .....			1	12		12
Trinity .....	150	60	2	37	25	272
Catalina .....			1	25		25
Bonavista .....	150	45	1	25	10	230
Tickle Cove .....			1	12		12
King's Cove .....			1	12		12
Salvage .....			1	12		12
Greenspond .....			1	12		12
Twillingate and Fogo .....	130	45	3	49	10	234
Exploits Bay .....			1	12		12
Bay Bulls .....	100		1	25		125
Witless Bay .....			1	12		12
Toads Cove .....			1	12		12
Brigus, south .....			1	12		12
Cape Broyle .....			1	12		12
Caplin Bay .....			1	12		12
Ferryland .....	100	60	1	25	25	210
Aquaforte .....			1	12		12
Fermeuse .....			1	12		12
Renewse .....			1	12		12
Trepassey .....			1	12		12
St. Mary's .....	130		1	25		155
Carried forward...£	1,520	480	45	784	160	294



APPENDIX.

Public Accounts.

DETAIL—CONTINUED

OUTPORTS.				Magistrates.	Clerks of Peace.	CONSTABLES.		Gaolers.	Total.
						No.	Salary.		
Brought forward.....				£1520	480	45	784	160	2944
Placentia .....				130	35	1	25	25	215
Little Placentia ...						1	12		12
Oderin .....						1	12		12
Merasheen .....						1	12		12
Burin .....				150	35	1	25	25	235
St. Lawrence .....						1	12		12
Lamaline .....						1	12		12
Grand Bank .....				130		1	12		142
Jersey Harbor.....						1	12		12
Harbor Briton.....				100	35	1	12		147
Burgeo Islands ...						1	12		12
Hermitage Bay ...						1	12		12
Spaniards Bay.....						1	12		12
				£2,030	585	58	966	210	3791

RECAPITULATION.

15 Magistrates .....	£2,030
10 Clerks of the Peace .....	585
7 Gaolers .....	210
58 Constables .....	966
	<u>£3791</u>



Customs Returns.

COMPARATIVE STATEMENT OF DUTIES COLLECTED IN THE ISLAND OF NEWFOUNDLAND FOR THE THREE QUARTERS ENDED 10TH OCTOBER, 1852, 1853 AND 1854.

Saint John's.....	£42180	10	11	£52676	7	5	£45469	15	11
Outports .....	6742	0	7	7326	2	3	7888	19	8
	45922	11	0	60002	9	8	53358	15	7
Deduct Drawbacks, Over-Entries, &c. ....	3673	0	6	1112	8	2	1396	18	1
	£45244	11	0	£58890	1	6	£51961	17	6

JOHN KENT,  
Collector.

CUSTOM HOUSE, ST. JOHN'S, }  
23rd October, 1854. }

Despatches from the Secretary of State for the Colonies.

DOWNING STREET, }  
July 6th, 1854. }

SIR,—I have to acknowledge your Despatches of the numbers and dates specified in the margin, reporting the prorogation of the Legislature to the 14th August, and transmitting an Address from the House of Assembly.

I cannot but feel great regret and disappointment, at the termination of the session without any progress having been made in the settlement of the question of Responsible Government, on the terms indicated by the Duke of Newcastle in his Despatch of 24th February last; but it is a source of still greater regret, that the chief obstacle to this settlement appears to arise from the mutual jealousy of the members of the Religious denominations into which the community is divided. It is deeply to be lamented that religious differences should stand in the way of general co-operation for the promotion of measures conducive to the common interest of all: and it should be the constant endeavour of the local Government to mitigate these hostile feelings, and, as far as possible, to prevent merely political questions from being mixed up with religious disputes.

These misfortunes are rendered more serious by the refusal of the Assembly to grant the supplies requisite for the public service. But I cannot hold out to you any expectation of Parliamentary interference on this, or any ground, in the present political affairs of the colony.



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**Despatches from the Secretary of State for the Colonies.**


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As members have been deputed both by the Council and Assembly to represent to Her Majesty's Government the respective views of the two branches of the Legislature, it is unnecessary for me, while expecting their arrival, to enter more into details.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. GREY.

GOVERNOR HAMILTON,

&c., &c., &c.

DOWNING STREET,  
14th August, 1854. }

Sir,—Adverting to my Despatch of the 6th ultimo, in answer to yours of the 14th June, forwarding addresses from the Council and Assembly of Newfoundland, on the subject of Responsible Government, I have now to inform you that I have attentively considered the substance of those addresses, and have also had the advantage of personal communication with the gentlemen who have been deputed to visit me on the part of both those Legislative Bodies.

2. Her Majesty's Government cannot but greatly regret the state of political feeling which these addresses represent. The language in which each of the contending parties has thought proper to characterize the acts of the other, is much to be lamented; and still more, the step which the Assembly has taken—assuming the hopelessness of any satisfactory adjustment; namely, that of subjecting the Island to the serious inconvenience which must result from their withholding the usual Bill of Supply.

3. It is especially to be regretted that these feelings should have been exhibited when there is so very little of substantial difference between the two parties. The conditional concession of Responsible Government made by Her Majesty's Government meets with opposition from no party. The terms of that concession were framed by the Duke of Newcastle, after full consideration of what had been urged on both sides; nor is any objection taken to the more important of these terms; which, for my own part, I regard as reasonable, and calculated to meet the exigencies of the case in a satisfactory manner. The subsisting quarrel turns almost wholly on matters of detail—questions as to the mode of carrying out the general views entertained by Her Majesty's Government; and I cannot but believe that mutual concession and forbearance, even after all that has passed, may find a way to dispose of them.

4. I shall, therefore, continue to hope for a peaceful solution of these disputes, and that the Council and Assembly may be brought to act together in the promotion of their common interests, irrespectively of those religious differences on the political bearing of which a stress has been laid, which I trust, is very exaggerated; and I entertain no doubt that you will feel it to be your peculiar duty to exercise all the influence you may possess, as an impartial arbitrator, in soothing irritated feelings and reconciling discordant views.

5. But whatever may be your success, I can only refer to my former Despatch as expressing my conviction that Parliamentary interference is not to be expected. It is not from any feeling of indifference, or any want of sympathy with the trouble which these political differences have brought on the community of Newfoundland, that Her Majesty's Govern-



**Despatches from the Secretary of State for the Colonies.**

ment must continue distinctly to decline making any application to Parliament for such interference; it is from consistent adherence to established policy, and from a conviction that if Parliament were to interfere, it would only be to the ultimate aggravation of existing differences. The only measure which Her Majesty's Government have in their own power is, that of advising Her Majesty to remodel the Council in such a manner as to make it act harmoniously with the Assembly; a measure to which they would resort with regret, and of which they at present cannot admit the necessity.

6. To apply the foregoing observations more in detail to the points at issue,—the principal dispute brought before me relates to the projected Electoral divisions—both parties being agreed on their expediency, and differing only on a narrow question of detail, supposed to affect the balance of parties in the Island. On this question I feel myself incompetent, in the absence of minute local knowledge, to express any opinion, further than by saying that undue importance seems to me to have been attached to it. I must admit, however, that the exceptional provision introduced by the Council into the Bill, as to the mode of voting in the district of Burin, appears to me open to considerable objection. Without entering into any question as to the general expediency of such a mode of voting, there would be a great anomaly in enforcing or allowing it in one district exclusively.

7. With regard to allowances to retiring officers, the scale suggested by yourself appears to meet with general acquiescence; the only debated question regards the amount to be allotted to Mr. Archibald—a question which forms the particular subject of your despatch, No. 108 of the 26th June last, hereby acknowledged. I cannot concur in the view that this gentleman is entitled to a pension calculated only on the period of his service as Attorney General, exclusive of his previous service in the colony. But I think that a satisfactory arrangement may be arrived at by calculating it on the whole length of his services to the colony, in whatever capacity, but not according to the amount of his annual income during the eight years of his tenure of the office of Attorney General, but the annual average of his income from public funds during the whole of his service in the Colony.

8. With regard to the condition embodied in paragraph 9 of the Duke of Newcastle's despatch of 21st February last, requiring that payment of members of Assembly for their expenses and attendance should be made, not by the Colonial Treasury, but by local assessment, I have to state that although I concur in the expediency of the measure itself, it is not one which I consider indispensable; and as it has not been insisted on in other North American colonies, I am not prepared, if the other conditions are complied with, to press for a fulfilment of this one, against the deliberate opinions of the Assembly.

9. It will be desirable, with a view to the settlement of this question, that the Legislature should be called together at an early period. The circumstances indeed under which the last Session terminated, would, in any case, render it inconvenient that a long interval should be allowed to elapse before another session is held.

10. In order that you may be fully aware of all that has passed in this country, I transmit to you copies of the representations in writing which have been made to me by the delegates of both parties; and of the answers which I have caused to be returned to them.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed)

G. GREY.

GOVERNOR HAMILTON, &c., &c., &c.



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**Despatches from the Secretary of State for the Colonies.**


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DOWNING STREET,  
30th August, 1854. }

SIR,—I transmit to you a copy of a Despatch which I addressed by the mail of the 25th instant to the Governor General, on the subject of the recently ratified Commercial Treaty with the United States.

Her Majesty's Government sincerely trust that the common advantages which this Treaty will secure to Her Majesty's subjects in North America will be fully appreciated by the inhabitants of Newfoundland, and that its Legislature will readily acquiesce in passing any Bill which may be requisite for giving effect to its provisions within the Colony. In proposing any measure for this purpose, you will be guided by the suggestions which you may receive from the Governor General, in accordance with the last paragraph of my despatch to Lord Elgin.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed) G. GREY.

GOVERNOR HAMILTON, &c., &c.

(COPY)

DOWNING STREET,  
24th August, 1854. }

MY LORD,—The despatch which you will have received from Lord Clarendon by the last mail will have apprised you of the fact, that intelligence of the ratification by the American Government of the Treaty, in the negotiation of which with the United States you have been recently concerned, has been received here, and I lose no time in congratulating your Lordship on this auspicious result of the endeavour which you, and the advisers of your Canadian government, have so long used for achieving this great object, and of the negotiation with which your Lordship was recently charged.

As yet, however, in consequence of the short time which has elapsed since the ratification of the Treaty, I have not received from yourself any official account of these transactions, nor have Her Majesty's Government been made aware of the contents of the Act passed by Congress for the purpose of ratifying the Treaty.

I feel, therefore, that any instructions which I may address to you, must be imperfect, and their execution contingent on circumstances of which I am not yet fully informed. But as the Canadian Legislature is to meet early next month, I do not think it right to postpone on this account any communication to you on this important subject. Assuming, therefore, that the Act of Congress is in conformity with the terms of the Treaty, and that it embraces all the Provinces, I proceed to convey to you the views entertained by Her Majesty's Government as to the Legislative measures required to carry into full execution the purposes of the Treaty:—



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**Despatches from the Secretary of State for the Colonies.**


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Article V. runs as follows:—"The present Treaty shall take effect as soon as the laws required to carry it into operation shall have been passed by the Imperial Parliament of Great Britain, and by the Provincial Parliaments of those of the British North American Colonies which are affected by this Treaty, on the one hand, and the Congress of the United States on the other."

This Article is, of course, not to be understood as if the assent of the Provincial Legislatures, or even of the Imperial Legislature, were necessary in order to enable the Crown to execute a valid and binding Treaty with a Foreign Country. This is, in all countries, a prerogative of the Sovereign Power; and in England the Sovereign Power *quoad hoc* is vested in the Crown.

But the concurrence of the Legislatures may, nevertheless be required to abrogate existing Laws, which may be, in any respect inconsistent with the intended Treaty; and it is in this sense that I conceive the provision of Article V is properly to be understood. The Parliament of the United Kingdom will be applied to, for instance, to repeal various provisions of the statute 59, Geo. III. c. 38, passed in consequence of the Convention of 1818 between Great Britain and the United States; and possibly other existing Acts of Parliament may present impediments which it will require such authority to remove.

The Imperial Parliament has, further, legal power to overrule any provisions of Colonial Law which may be in opposition to the Treaty: but it is scarcely necessary to say that to enforce that power would be contrary to the principles on which the Government and Legislature of this country have long acted towards the inhabitants of Her Majesty's Colonial Dominions. It will, therefore, be advisable to apply, in addition, to the several Colonial Legislatures, as has been assumed by your Lordship, in framing the Treaty.

The purposes for which such application must be made, and the extent of their repealing or enabling provisions required, must be better known to the Colonial authorities than to Her Majesty's Government. They would appear, however, chiefly to relate to the following subjects. The admission of American fishermen to the Colonial Fisheries within Article I, for which purpose certain Acts of the Legislatures of Nova Scotia, New Brunswick, and Prince Edward Island would require repeal: and the admission of American produce duty free, under Article III.

For these purposes (to which your own better judgment and that of the Authorities of the several colonies may perhaps add others) it is not proposed that Imperial Legislation should be resorted to, but that they should be provided for by the several Provincial Legislatures, as specified in the Treaty. I entertain no doubt that they will readily concur in passing the Acts necessary for this purpose.

I shall send a copy of these Instructions to the Lieutenant Governors of the other North American Provinces by the next mail; but they will be directed only to act in conformity with any suggestions which they may receive from Your Lordship, and I have to request that you will communicate with them on the subject.

I have, &c.,

(Signed)

G. GREY.

Governor, the Right Honble,

The Earl of ELGIN & KINCARDINE, K. G. &c., &c., &c.



## Miscellaneous.

COPY OF REPORT FROM J. P. NEVILL, FSQ., TO HIS EXCELLENCY THE GOVERNOR, ON THE SUBJECT OF IMPROVING THE SANITARY STATE OF ST. JOHN'S, BY SEWERAGE AND DRAINAGE.

ST. JOHN'S, NEWFOUNDLAND, }  
11th October, 1854. }

TO HIS EXCELLENCY THE GOVERNOR, &c., &c., &c.

SIR,—I have the honor to inform Your Excellency, that in accordance with your directions I have inspected the Town with a view to a thorough system of Drainage.

The caution to avoid any scheme involving great expense has a paralysing influence when the total absence of any sanitary provisions is borne in mind—no drains—no pavements—numerous small houses without back ledges—no places for the deposit of filth and ordure excepting the surface of unpaved alleys, and a total want of privies; the absence of all these things renders a considerable outlay necessary, particularly when it is remembered that the whole area of the Town is in the same lamentable condition.

Fortunately, the site of the Town is divided into numerous natural areas of drainage by the short spurs [running North and South] of the main ridge [East and West] on which the place is situated, and this formation permits, or rather requires a sectional system of drainage. By this I mean that any one portion can be drained independently of another, for each has a separate outfall to the harbour.

After these preliminary remarks, I will suggest the outlines of a complete system. The head of the whole is the Military Road. In this, with numerous ramifications of small drains, the highest waters should be collected. Increasing in bulk as they fall, they should be collected into a main drain in each of the principal streets having a Southerly direction. One in Cochrane Street would be used for an area averaging 800 feet in width (400 on each side). The King's Road, Prescott Street, [drainage Tarahan's Town,] the Cathedral Hill, Adelaide Street, [by the drain now making,] Queen Street, Flower Hill Firebreak, and other Streets towards River Head [at present requiring small attention,] have their natural drainage areas independent of each other and to be dealt with as I have described.

The mouths of these drains in the harbour, at the coves, and under wharves, will themselves ultimately be a nuisance of no small magnitude. These places are the centres of industry, and as such any effluvia there arising will be doubly pernicious. As long as drains empty themselves at those places the evil must exist, for no engineering skill can prevent the pollution of the neighbouring water. These things all point out that the drainage of St. John's will not be complete without a main drain the entire length of Water Street, to receive the contents of all the other drains and discharge the whole into the harbour at the point least likely to be injurious. This drain, from its size and consequent expense, cannot of course be contemplated for immediate construction, and it is the least essential part of the system.

The most immediately indispensable drains, are :—

1. Prescott Street main, discharging in Hunter's Cove, to drain Tarahan's Town.
2. Flower Hill Fire-break main, to drain the locality in the neighbourhood of Apple-tree-well, Hutching's Lane, &c., to take the place of a ditch now existing under numerous houses.



## Miscellaneous.

3. Cochrane Street main, from Gower Street to the harbour, to take the water now running in an open ditch [between houses] from the marsh on the South-side of the Military Road.

4. Magotty Cove—a short covered drain, and the water-course deepened and straightened.

Although my directions referred only to drainage, I trust Your Excellency will permit me the liberty of making a few suggestions which do not strictly belong to that department, although intimately connected with it, and essential to the health of the Town.

It would be of the greatest service to have pavements laid simultaneous with the construction of drains, to prevent the degrading action of the surface water about the drain gratings, which on gravel only, soon causes the anomaly of these openings being higher than the surrounding surface. Pavements are essential to prevent that absorption of liquid refuse which would take place on a softer surface, to furnish material for pernicious vapours.

But the most important of all is a system of scavenging, and I cannot but think that this may be made self-supporting, as the matter collected from houses, built, as the majority in St. John's are, without privies, would be of the most valuable description for manure.

These works cannot be made of the greatest possible good without legislative enactments requiring proprietors to construct branch drains from their properties.

I have not alluded in any way to the water supply, deficient as it is for domestic purposes, because I think a sufficient power exists for flushing the drains in the contents of the numerous natural water courses which are now the chief and very poisonous drains.

I trust Your Excellency will accept this simply as an introductory Report. Shortly I shall be in a position to furnish the full details of the whole scheme accompanied with an estimate of its probable cost.

In conclusion may I be permitted to suggest that the healthiness of some crowded localities might be much improved by opening streets through them. For instance, a street through Tarahan's Town, running North and South out of the Queen's Road into Gower Street; and the maintenance of the space recently cleared by fire in the neighbourhood of Queen Street, would be a great good.

I have the honor to be,

Your Excellency's

Most obedient servant,

(Signed) J. P. NEVILL.



APPENDIX.

Miscellaneous.

DOCUMENTS IN REFERENCE TO AARON HOGSETT, ESQ.

(COPY)

DOWNING STREET,  
29th August, 1854. }

SIR,—I transmit to you, copy of a further correspondence which has taken place, respecting the case of Mr. Hogsett, between this Department and Messrs. Little and Emerson, and wish you to communicate the contents to your Executive Council for their consideration, and in order that a decision may be taken on it with as little delay as possible.

I have the honor to be, Sir,

Your most obedient humble servant,

[Signed]

G. GREY.

GOVERNOR HAMILTON,  
&c., &c., &c., Newfoundland.

TAVISTOCK HOTEL,  
London, 17th August, 1854. }

SIR,—We have the honor to inform you that we have received a note from Mr. Hogsett, Clerk of the Peace for the District of St. John's, Newfoundland, intimating your desire that he should return to the Colony, otherwise he should not receive any part of his salary from the Government during his absence.

It was well understood in the Colony that he came to this side of the Atlantic to spend the remainder of his declining days on half-pay, having been upwards of forty years in the public service, and his constitution was so shattered as to render him unable to discharge the duties of his office any longer. With the concurrence of the local Executive and the Assembly, an acting officer has discharged the duties of the office, and no inconvenience whatever has been experienced by the public or any individual from this arrangement, and no complaint has been made of it.

Now, we would venture to appeal to your feelings of commiseration on behalf of Mr. Hogsett, who has an aged wife and two daughters to support—one of them being a destitute widow of a minister of the Church of England, having to maintain one or two children by a second husband, who is also dead. Mr. Hogsett has no means to rely upon but his half pay allowed to him by the colony; and his health is in such a precarious state that he cannot attempt to cross the Atlantic without endangering his life.

Under these circumstances, we cannot see what object can be secured by ordering him out to a colony, where he did no official business for some years before he left it. We cannot for



## Miscellaneous.

a moment imagine that you would do an act of such apparent harshness of your own accord, or at the instance of any one in or out of the colony, if you were fully aware of the circumstances.

If he should be unfortunately sent out to Newfoundland, and die on the passage, we do not hesitate to say that very unpleasant inferences will be drawn against the Local Executive, and the acting officer, who is a brother-in-law of Mr. Noad, the Surveyor General of the Island, while Mr. Hogsett's son is a Liberal member in the Assembly.

Confiding in your kindly feelings, and apologising for interfering in a matter of so delicate a character,

We have the honor to be, Sir,

Your most humble

And very obedient servants,

P. F. LITTLE.

G. H. EMERSON.

DOWNING STREET,  
29th August, 1854.

GENTLEMEN,—In answer to your letter of the 17th of this month respecting Mr. Hogsett, I am directed to express Secretary Sir George Grey's full appreciation of the unfortunate case of that gentleman, whose interests you have so warmly advocated. But he does not consider that he would be justified in dealing with the public funds of the people of Newfoundland, by allowing a public officer, by his own authority, to continue to draw half salary in this country without the prospect of returning to his duties. Any indulgence of this nature [and Sir George Grey is far from denying that such indulgence would in this case be generously and rightly afforded] must proceed from the Assembly which has the control over those funds, and not from himself. It will give Sir George Grey, therefore, much satisfaction to hear, that the Governor has thought himself warranted in proposing to the Assembly the grant of a Retiring Pension to Mr. Hogsett. But unless the initiative is thus taken in the colony, he cannot feel justified in allowing what must probably be (according to your own statement) an indefinite leave of absence on half salary.

2. Sir George Grey will, however, permit Mr. Hogsett to remain in this country although without half-salary, until a fair time has been allowed to enable the proper authorities in Newfoundland to adopt this course if they think proper. He has sent a copy of this correspondence to the Governor and Mr. Hogsett.

I am, Gentlemen,

Your obedient servant,

HERMAN MERIVALE.



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 Miscellaneous.
 

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 REPORT OF P. F. LITTLE, ESQ., M. H. A., DELEGATE ON FREE TRADE  
 WITH THE UNITED STATES.

On my arrival in Halifax, I found a Telegraph message from Lord Elgin, the Governor-General of Canada, requiring the Delegates from Newfoundland and Nova Scotia to proceed to Quebec to meet His Lordship on the projected Treaty between Great Britain and the United States for the establishment of Reciprocal Free Trade between the latter country and the British North American Colonies, and I proceeded accordingly.

On Monday, the 26th June 1854, as the appointed Delegate of the House of Assembly of Newfoundland, I waited upon the Governor-General, in company with the Hon. William Young, Delegate from the government of Nova Scotia, the Hon. Messrs. Chandler, and Partelow, Delegates from the government of New Brunswick, and the Hon. E. M. Archibald, Delegate from the Executive of Newfoundland. His Lordship stated that he was particularly pleased to see the Delegates from Newfoundland, as he was left in much doubt and had much difficulty in dealing with the interests of the colony in negotiating the Treaty which he had arranged with the United States Government on the subjects of Reciprocal Free Trade, and a mutual participation in the Fisheries of the British North American colonies and certain ports of the United States. That he was very anxious to have consulted with Delegates from all these colonies, on his return from England, before he proceeded to Washington to negotiate; but through some mistake, his letters to the Governor of Nova Scotia, were not so construed. He had, however, made himself well acquainted with the details of the matters confided to him, and time being of much importance in bringing the negotiation to a close, he went to Washington with that view, taking with him Mr. Hincks, Inspector General of Canada, and Mr. Chandler, the Delegate from New Brunswick. He therefore trusted that the Delegates from Newfoundland and Nova Scotia would be satisfied that he intended no want of deference to the wishes or opinions of the people or of the Governments of these colonies in taking the course which, in his judgment, he deemed most conducive to their interests. His Lordship then read the project of the Treaty to us, which, after a fortnight's negotiation, he had concluded on behalf of Great Britain and the British North American colonies, with Mr. Secretary Marcy, on behalf of the United States; and commented on each article as he proceeded. His Lordship did not deem it usual to publish such a Treaty until the ratification had been exchanged; he could not then furnish the delegates with a copy of it, but I have since obtained one, and it is as follows:—

**THE FISHERY AND RECIPROCITY TREATY.**


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A Treaty extending the right of fishing, and regulating the commerce and navigation between Her Britannic Majesty's possessions in North America and the United States, concluded in the city of Washington on the 5th day of June, Anno Domini 1854, between the United States of America, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland.

The government of the United States, being equally desirous with Her Majesty the Queen of Great Britain, to avoid further misunderstanding between their respective citizens and subjects in regard to the extent of the right of fishing on the coasts of British North America secured to each by Article A. of a convention between the United States and Great Britain, signed at London, on the 20th day of October, 1818, and being also desirous to regulate the commerce and navigation between their respective territories and people, and more especially



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 Miscellaneous.
 

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between Her Majesty's possessions in North America, and the United States, in such a manner as to render the same reciprocally beneficial and satisfactory, have respectively named plenipotentiaries to confer and agree thereon—that is to say, the President of the United States of America, William L. Marcey, Secretary of State of the States, and Her Majesty, the Queen of Great Britain and Ireland, James, Earl of Elgin and Kincardine Lord Bruce and Elgin, a Peer of the United Kingdom, Knight of the most ancient and most noble Order of the Thistle, and Governor General in and over all Her Britannic Majesty's Provinces on the Continent of North America, and in and over the Island of Prince Edward, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles :—

ARTICLE I.—It is agreed by the high contracting parties, that in addition to the liberty secured to the United States fishermen by the above mentioned convention of 1818, of taking, curing and drying fish on certain coasts of the British North American colonies therein defined, the inhabitants of the United States, shall have in common with the subjects of her Britannic Majesty, the liberty to take fish of every kind except shell fish, on the sea coasts and shores, and in the bays, harbors and creeks of Canada, New Brunswick, Nova Scotia, Prince Edward Island, and of the several Islands thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the coasts and shores of these colonies and the Islands thereto, and upon the Magdalen Islands, for the purpose of drying their nets and curing their fish—provided that in so doing they do not interfere with the rights of private property, or with British fishermen, in the peaceable use of any part of the said coast in their occupancy for the same purpose. It is understood that the above mentioned liberty applies solely to the sea-fishery, and that salmon and shad-fisheries, and all fisheries in rivers and mouths of rivers are hereby reserved exclusively for British Fishermen. And it is further agreed, that in order to prevent or settle any disputes as to the places to which the reservation of exclusive right to British Fishermen, contained in this article, and that of fishermen of the United States, contained in the next succeeding article, apply, that to each of the high contracting parties, on the application of either to the other shall, within six months thereafter, appoint a Commissioner.

The said Commissioners, before proceeding to any business, shall make and subscribe a solemn declaration, that they will impartially and carefully decide, to the best of their judgment, and according to justice and equity, without fear, favor or affection to their own country, upon all such places as are intended to be reserved and excluded from the common liberty of fishing under this and the next succeeding article, and such declaration shall be entered on the record of their proceedings.

The Commissioners shall name some third person to act as arbitrator or umpire in any cause or causes on which they may themselves differ in opinion. If they should not be able to agree upon the name of such person, they shall each name a person, and it shall be determined by lot which of the two persons so named shall be arbitrator or umpire in cases of difference or disagreement between the Commissioners.

The person so to be chosen to be arbitrator or umpire shall, before proceeding to act as such in any case, make and subscribe a solemn declaration, in a form similar to that which shall already have been made and subscribed by the Commissioners, which shall be entered on the record of their proceedings.

In the event of the death, absence, or incapacity of either of the Commissioners or the arbitrator, or umpire, or of their or his omitting, declining or ceasing to act as such Commis-



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sioner, arbitrator, or umpire, another and different person shall be appointed or named, as aforesaid, to act as such Commissioner, arbitrator, or umpire, in the place and stead of the person so originally appointed or named as aforesaid, and shall make and subscribe such declaration as aforesaid.

Such Commissioners shall proceed to examine the coasts of the North American Provinces and of the United States embraced within the provisions of the first and second article of this Treaty, and shall designate the places reserved by the said articles from the common right of fishing therein. The decision of the Commissioners, and of the arbitrator or umpire, shall be given in writing in each case, and shall be signed by them respectively. The high contracting parties hereby solemnly engage to consider the decision of the Commissioners jointly, or of the arbitrator or umpire, as the case may be, as absolutely final and conclusive in each case decided upon by them or him respectively.

ART 2.—It is agreed by the high contracting parties that British subjects shall have, in common with the citizens of the United States, the liberty to take fish of every kind except shell-fish, on the eastern sea-coasts and shores of the United States north of the thirty-sixth parallel of north latitude, and on the shores of the several islands thereto adjacent, and in the bays, harbors and creeks of the said sea, the coasts and shores of the United States and of the said island, without being restricted to any distance from the shores, with permission to land upon the said coasts and shores of the United States and of the islands aforesaid, for the purpose of drying their nets, and curing their fish, provided that in so doing they do not interfere with the rights of property, or with the fishermen of the United States, in the peaceable use of any part of the said coast in their occupancy for the same purpose.

It is understood that the above mentioned liberty applies solely to the sea fishery, and that salmon and shad fisheries and all fisheries in the rivers and mouths of rivers are hereby reserved exclusively for fishermen of the United States.

ART. 3.—It is agreed that the articles enumerated in the schedule hereunto annexed, being the growth and produce of the aforesaid British Colonies or of the United States, shall be admitted into such country respectively free of duty.

#### S C H E D U L E

Grain, flour, and breadstuffs of all kinds; animals of all kinds; fresh, smoked and salted meats, cotton, wool, seeds and vegetables; undried fruits; fish of all kinds; products of fish and all creatures living in the water; poultry, eggs; hides, furs, skins, or tails undressed; stone or marble in its crude or undressed state; slate; butter, cheese, tallow; lard, horns, manures, ores of metals of all kinds; coal; tar, pitch, turpentine, ashes; timber and lumber of all kinds, round, hewed, and sawed, manufactured in whole or in part; firewood; plants, shrubs, and trees; pelts, wool; fish oil; rice, broom-corn and bark; gypsum, ground or unground; hewn or wrought or unwrought burr or grindstones; dye-stuffs; flax, hemp, and tow, unmanufactured; unmanufactured tobacco; rags.

ART. 4.—It is agreed that the citizens and inhabitants of the United States, shall have the right to navigate the river St. Lawrence and the Canals in Canada, used as the means of communicating between the great Lakes and the Atlantic Ocean, with their vessels, boats, and crafts, as fully as the subjects of her Britannic Majesty, subject only to the same tolls and other assessments as now or may hereafter be exacted of Her Majesty's said subjects, it being understood, however, that the British Government retains the right of suspending this privilege on giving due notice thereof to the Government of the United States,



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It is further agreed, that if at any time the British Government should exercise the said reserved right, the government of the United States shall have the right of suspending, if it thinks fit, the operation of Article 3 of the present Treaty, in so far as the Province of Canada is affected thereby, for so long as the suspension of the free navigation of the river St. Lawrence or the Canals may continue.

It is further agreed that British subjects shall have the right freely to navigate Lake Michigan with their vessels, boats, and crafts, so long as the privilege of navigating the river St. Lawrence, secured to Americans by the above clause of the present article, shall continue; and the Government of the United States further engage to urge upon the State Governments to secure to the subjects of Her Britannic Majesty the use of the several Canals on terms of equality with the inhabitants of the United States.

It is further agreed, that no export duty, or other duty, shall be levied on lumber, or timber of any kind cut on that portion of the American territory in the state of Main, watered by the river St. John and its tributaries, and floated down that river to the sea, when the same is shipped to the United States from the Province of New Brunswick.

ART. 5. The present Treaty shall take effect as soon as the laws required to carry it into operation shall have been passed by the Imperial Parliament of Great Britain and the Provincial Parliaments of those of the British North American Colonies which are affected by this Treaty, on the one hand, and by the Congress of the United States on the other; such assent having been given, the Treaty shall remain in force for ten years from the date at which it may come into operation:—and further until the expiration of twelve months after either of the high contracting parties shall give notice to the other of its wish to terminate the same, each of the high contracting parties being at liberty to give such notice to the other, at the end of the said term of ten years, or at any time afterwards.

It is clearly understood, however, that this stipulation is not intended to affect the reservation made by Article 4. of the present Treaty, with regard to the right of temporarily suspending the operation of Articles 3. and 4. thereof.

ART. 6.—And it is hereby further agreed, that the provisions and stipulations of the foregoing Articles shall extend to the Island of Newfoundland, so far as they are applicable to that colony. But if the Imperial Parliament, the Provincial Parliament of Newfoundland, or the Congress of the United States, shall not embrace in their laws, enacted for carrying this Treaty into effect, the colony of Newfoundland, then this Article shall be of no effect; but the omission to make provision by law to give it effect, by either of the Legislative Bodies aforesaid, shall not in any way impair the remaining Articles of this Treaty.

ART. 7.—The present Treaty shall be duly ratified, and the mutual exchange of ratifications shall take place in Washington, within six months from the date thereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Treaty, and have hereunto affixed our Seals.

Done in triplicate, at Washington, the 5th day of June, Anno Domini, One Thousand Eight Hundred and Fifty Four.

W. L. MARCY, [L. S.]

ELGIN & KINCARDINE [L. S.]



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His Lordship stated that he had contended for the Registry of British Colonial Vessels in the United States, but he found that if he insisted on such a stipulation, he should only have endangered the whole measure, as Congress would not, he was assured, sanction it at present. He had no doubt, however, from the increased carrying trade which the free admission of coals into the United States, and the general operation of the Treaty would be found to secure to British Colonial Vessels, that no inconvenience or loss would be felt on this head by the Colonists, and when the Americans should find, as they would very soon, that the Colonial Vessels could be built, and consequently sailed, cheaper than American Vessels, which would give the Colonial shipping the command of the inter-Colonial carrying trade and the carrying trade with the United States, they would gladly relinquish that restriction and permit the colonists to participate fully in the American coasting trade which would of course secure the registry of British Vessels in the United States.

With reference to the abolition of the American bounties, he found it unwise and useless to urge their abandonment. They were a mere matter of internal state policy, and would fall as a matter of course when the produce of the British Fisheries should be admitted into American markets duty free, for it would then be impossible for the American Government to prevent fraud in the introduction of British fish for American caught fish for the purpose of obtaining the bounties.

This being evident, he did not press this question upon the consideration of the American Government.

As to the retention of an *ad valorem* duty in Newfoundland he found great difficulty in dealing with that subject, as he had with the question of admitting, Newfoundland into the Treaty. When he left England he anticipated no difficulty in relation to that colony in the general arrangements applicable to the other colonies, but two days before he left Washington, he received despatches from London in reference to Newfoundland, which considerably embarrassed him. He had, however, made the best terms he could effect for the colony, and it was possible that Congress might make an exception in favor of its retention of an *ad valorem* duty for mere purposes of revenue, but the insertion of such a clause would have been at variance with the general bearing of the Treaty, and he had therefore to take the matter as it now stood.

As to the passing of laws by the respective colonies in accordance with the terms of the Treaty, there was no time defined for that, but it was worthy of consideration whether such a course would be desirable upon the Treaty being sanctioned by the American Senate; or if Congress rose without embodying it into a law, whether it would be expedient to pass conditional acts in the colonies to come into force upon the Proclamation of the Governor to follow the passing of a similar law of Congress. These were points on which he would wish to have the views of the Delegates.

The Delegates entered fully into a frank discussion of all the stipulations of the Treaty, and having expressed their satisfaction with their general bearing without their undertaking to bind the Governments they respectively represented, promised to consider the matters submitted to them. His Lordship stated that it gave him much pleasure to find that his efforts to benefit the colonies had proved successful, and that he would be happy to have a further interview with the Delegates on the following day at two o'clock, to receive any further suggestions which they might be pleased to make.



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I waited upon His Lordship on the following day with the other Delegates, and having stated that the retention of the bounties by the Americans would be unfavourably received by the people of Newfoundland, and that I should wish to understand clearly if it was probable that Congress would make an exception in favor of this colony, to permit it to impose for the mere purposes of revenue an *ad valorem* duty of five per cent. on imports, His Lordship stated that he had no reason to fear the effects of the bounty on our fishermen, as they would always command counterbalancing advantages over the Americans; but as to the retention of the duty, he did not feel himself justified in holding out any hopes to that effect.

Such is the Treaty, and it will be for the Legislature to determine on availing of its terms if they wish to participate in its advantages. It has since been ratified by the Imperial and American Governments, and has been or will be accepted by Canada, Nova Scotia, New Brunswick, and Prince Edward Island without opposition. Although it does not contain a provision which the Assembly desired for the abolition of the American bounties, and the retention of a certain amount of duty, it secures for the colony in every other respect all the advantages for which the Assembly successfully contended, and I have no hesitation in saying, that it is owing solely to the exertions of the Assembly and its Delegates to America and England last year that Newfoundland has been included in the Treaty. It will, therefore, remain for the Assembly to adapt its Revenue Bill to meet its terms, if the produce of our fisheries is to be admitted into the markets of the Union upon equal terms with similar produce of the neighbouring colonies.

All which is respectfully submitted.

P. F. LITTLE.

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 EVIDENCE TAKEN BEFORE THE SELECT COMMITTEE TO INQUIRE INTO THE MODE OF CARRYING OUT THE MAIL SERVICE, BETWEEN ST. JOHN'S AND HALIFAX.

The Select Committee appointed to inquire into the manner in which the Packet Service is carried out between St. John's and Halifax, beg to report, that they have taken the evidence of several gentlemen on the subject whose testimony they beg to annex:—

The Committee think the facts set forth in the evidence demand that the attention of the Home Government be directed to the subject with a view to the correction of the evils complained of.

A. SHEA, *Chairman.*

P. F. LITTLE,

G. J. HOGSETT.

COMMITTEE ROOM, }  
 Nov. 24th, 1854. }



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 Miscellaneous.
 

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**NICHOLAS MUDGE, Esq., Merchant.**

I was a passenger in the *Merlin* from St. John's to Halifax, in September last. It was then generally stated on board that the ship's boilers were in a very defective state and she could not be pressed in consequence. After being in the States for some time, I returned to Halifax with a view of taking passage for St. John's on the 12th October, and my business arrangements were made accordingly. On my arrival in Halifax, I called at Messrs. Cunard's office and inquired respecting the steamer for St. John's. I was told there was no steam conveyance, the *Merlin* being unfit in consequence of her boilers being worn out, and the *Ospray* having a short time previously been chartered to bring wrecked goods from St. John's to Philadelphia. On the following morning, Friday 13th, I called again and inquired as to their intentions respecting a conveyance. The reply was, there was none, that a sailing vessel had been offered and that if I called again I should get an answer. I called next day (Saturday) and was then told the Brigantine *Orion* was engaged to take the mails, but this vessel did not leave Halifax until Monday the 16th, four days after the regular period for the transmission of the mails. Three gentlemen from the States who accompanied me to Halifax on their way to St. John's on business, returned home on finding that the usual conveyance by steam was not available, and I was compelled to remain seventeen days in Halifax, as the *Orion* was unfit for passengers; I waited for the next Boat. The mails from Boston arrived on Friday morning 27th October. The *Ospray* did not arrive from Philadelphia until Monday morning 30th and left for St. John's with the Mails at 3 o'clock that evening, nearly four days behind the time when they should have been sent.

NICHOLAS MUDGE.

**JAMES B. WOOD, Esq., Merchant.**

I arrived in Halifax from Canada on Wednesday the 11th October. I went to take passage for St. John's at Cunard's office that evening. I was told nothing could be done and was asked to call in the morning. The *Merlin* was then lying at the wharf, declared to be unfit for service. I called as desired on Thursday morning, and was then told that no arrangement would be made until after the sailing of the *Alps* then at the wharf, embarking troops for England. On the following morning (Friday) I called again—saw Mr. Cunard who told me to call at one or two o'clock—that he had been offered a vessel, but had not seen her—I called accordingly, but found that nothing had been done, and in the course of the evening I learned that the *Orion* had been chartered. It was not until Saturday night (14th) that this vessel was ballasted and she remained in port until Monday morning; she then went to sea and returned in the course of the day and finally sailed on Tuesday. It was a matter of common notoriety both in St. John's and in Halifax during the whole of the past summer, that the *Merlin's* boilers were unsafe and should have been renewed some time ago. The breaking down of this vessel was therefore a matter which had long been foreseen.

JAMES B. WOOD.

**EUGENIUS HARVEY, Esq., Merchant.**

I am doing a large business with Canada and the States and my business arrangements are based on the transmission of the mails by steamers at regular periods. The recent derange-



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ment of the mail service from the cause referred to by Messrs. Mudge and Wood, whose statements I have heard—has been attended with serious inconvenience to me, and I believe to all concerned in the trade more or less. The trade has suffered on many occasions from similar causes, and must continue to suffer from time to time while the service is carried out as now with so little regard to the interests of this place. If the grant now paid for the service were given to the colony, I have no doubt an efficient arrangement might be made for the conveyance of the mails by steam, and the evils be obviated of which the public have several time had cause to complain during the past few years.

E. HARVEY.

PETER G. TESSIER, Esq., Merchant,

I am connected in business with the United States and Canada, and I consider the present arrangements for the conveyance of the mails between this place and Halifax, a very inefficient one, often causing great inconvenience and serious loss to the trade. When I speak of the inefficient character of the present system, I refer specially to the fact well known during the past summer, that for many months past the boilers of the *Merlin* have been unfit for the work she had to perform, and that she was permitted to continue in the service notwithstanding her very defective state. I refer also to the permission given to the Contractor to employ sailing vessels in case of accident happening to the steamer—a permission which probably influenced the continuance of the *Merlin* long after she was unfit for the service. On a late occasion the mails were received by a sailing vessel, the *Merlin* having at last broken down, which mails left Boston on Wednesday, 11th of October, arrived at Halifax on the 12th and should have been here by steamer on the 16th. I have heard that this sailing vessel was not despatched from Halifax until the 16th, whereas she should have been ready on the 13th. This mail did not arrive here until the 24th. Return mails were made up on the 26th, this being the day on which in the usual course they were due and would have been received in Boston. The only way in which the present arrangement can be made efficient, is to restore the clause in the original contract by which a reserve boat was provided, but which clause has since been withdrawn.

I concur in the opinion expressed by Mr. Harvey, that if the Home Government could be induced to grant to the colony the amount already paid for that service it would be well and efficiently performed.

P. G. TESSIER.

JOHN M'GREGOR, Esq., Merchant,

I consider the mail service as at present carried out, (the contractors having power to lay on a sailing vessel, apparently when they please) a serious injury to the trade of the colony. The only way to remedy the evil is to have a reserve steamer in case of accident. It was a subject of common remark during the whole season, that the boilers of the *Merlin* were nearly worn out and incapable of bearing the ordinary pressure.



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Under these circumstances the vessel should have been laid up for repair some months ago. The breakdown which has since taken place was long expected if they persisted her in keeping her employed. The employment of a sailing vessel to take the *Merlin's* place has caused considerable derangement in the trade, particularly at the present time when the excited state of the flour and grain markets renders systematic communication on which the trade had been relying, a matter of much consequence. If efficient steamboats be employed, I think the arrangements are good in other respects.

J. MAC GREGOR.

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W. L. ANTHONY, Esq., Merchant,—

I consider the mail service between this and Halifax to be inefficiently performed on account of the several occasions on which sailing vessels have been employed to carry the mails. The steamer *Merlin* has been reported during the last six months, to be unfit for service owing to the defective condition of her boilers; and had there been an efficient carrying out of the service, this vessel would have been laid up for repairs some months ago. The boilers of this vessel, having at length become wholly unfit, and her employment no longer possible, she was laid up at Halifax, to go to England, it is said, under canvass.

The substitution of sailing vessels for steam communication causes an evil of a very aggravated form, in the disappointment occasioned to commercial operations. Were people not led to believe in regularity of communication, under ordinary circumstances, expecting the mails to be conveyed by steam, they would have opportunities of making different arrangements. I consider it would, of the two evils, be better to have no steam communication whatever, than to have it so irregularly, as has been the case with this colony. I have little doubt, that if the subsidy paid by the British government for this service, now so indifferently carried out, were paid to the colony instead, the direct communication between St. John's and Halifax might be kept up with great satisfaction to all.

Public rumour asserts, and I believe it, that the present contractor is utterly indifferent to the annoyances the trade may suffer, or how much inconvenience may arise from the want of suitable conveyances for our mails and passengers to and from Halifax, because this colony did not, as was expected, a few years since, vote an additional sum of money from its own resources, for the service, besides the one paid by the Home Government.

W. L. ANTHONY.

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WILLIAM BOYD, Esq., Merchant,—

I participate in the general dissatisfaction which exists in the community regarding the mail packet service. The *Merlin* was spoken of during the whole of the past season as unfit for employment. Very serious mercantile inconvenience has resulted from the late breakdown



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of that vessel and the employment of a sailing vessel, and these evils we shall continue to be exposed to, unless a reserve steamer be kept in Halifax to serve in case of need.

WILLIAM BOYD.

THOMAS R. SMITH, Esq., Merchant,—

The irregularity with which letters are transmitted by the present mail conveyance causes great inconvenience and loss to the Trade. Competent judges thought the *Merlin* should have been taken off the line some months ago, owing to the very defective condition of her boilers. The breakdown appears the necessary and dreaded consequence of her continued employment. If the amount now paid for the conveyance of the mails were offered to competition, it would procure the efficient carrying out of this service. The vessels required for this service should not be permitted to engage in any casual employment.

THOS. R. SMITH.

PATRICK TASKER, Esq., Merchant,—

The feeling of dissatisfaction is general with regard to the carrying out of the mail service between Halifax and this port—particularly in consequence of the occasional employment of sailing vessels which causes great uncertainty in the operations of Trade. In Trade arrangements, such as orders for Insurance and Bill transactions, serious consequences must almost necessarily result from a deviation in the regular transmission of the mails. I see no remedy for these evils but in the restoration of the clause in the original contract by which the contractor was obliged to keep a reserve steamer in case of accident. I know as a matter of fact that the *Merlin* was unfit for service for months before her recent breakdown, arising from the defective condition of her boilers, &c., and as this fact was well known to the contractor, he was not warranted in employing the *Ospray* for mercantile purposes, and would not have done so had he cared to carry out the spirit and intention of his contract.

PATRICK TASKER.

EWEN STABB Esq., Merchant,—

I have heard Mr. Tasker's evidence, and concur generally therein. The community were naturally much annoyed when on a recent occasion, they saw the *Ospray* steamer, which was usually employed in the mail service, arrive here to take away wrecked goods, while the mails were being conveyed in a sailing vessel which took eight days to get here. The communication with Sydney which is a part of the mail contract was entirely suspended by this circumstance. The employment of sailing vessels has often taken place during the last few years.

EWEN STABB.



Miscellaneous.

ROBERT PROWSE, Esq, Merchant,—

I concur in the evidence of Mr. Tasker and Mr. Stabb, and have further to state that in the continued employment of the *Merlin* during the past season, there was manifested a great disregard of life—the vessel having been notoriously inefficient in the condition of her boilers and machinery, and would be unable to get off a lee-shore in an ordinary gale. From the well-known defective condition of this vessel it is a matter of great surprise that the authorities whose province it is to see to the efficiency of the vessel on the line, should have allowed her to be continued in the service.

ROBERT PROWSE.

WM. BARNES, Esq., Merchant,—

I concur in the testimony of Messrs. Tasker, Stabb and Prowse. If the mail service be not carried out better than of late it has been, I think it would be better to abolish it, as then the mercantile community would not be led astray by relying on a systematic communication which has so often failed. If the grant of £4150 sterling, now given by the British Government for this service were handed over to the colony, I have no doubt that an arrangement could be made for the satisfactory transmission of the mails by steam. From the experience of the past, I think the control of the service, as far as regards this colony should be with the local government, and not with the admiral, who appears to have no interest beyond the regular transmission of the Bermuda mails. The *Merlin* was employed long after she was unfit, owing to her defective machinery, and such cases have before occurred, though these vessels are subject to the admiral's approval. The mail before the last was twelve days in reaching this place from the time of its arrival at Halifax, and this mail contained many orders for insurance on cargoes from the States, which cargoes might have been lost before the arrival of the said orders,—the run from the United States having been repeatedly made here in six days by sailing vessels. The trade with the States is very large, and the regular transmission of correspondence is therefore matter of much importance.

WILLIAM BARNES.

EWEN STARR, Esq, Merchant,—

I have heard Mr. Tasker's evidence, and concur generally therein. The community were naturally much annoyed when on a recent occasion they saw the *Osprey* steamer, which was usually employed in the mail service, arrive here to take away wrecked goods, while the mails were being conveyed in sailing vessels which took eight days to get here. The communication with Sydney which is a part of the mail contract was entirely suspended by this circumstance. The employment of sailing vessels has often taken place during the last few years.

EWEN STARR.



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