

# JOURNAL

OF

**HIS MAJESTY'S COUNCIL**

OF

**NEWFOUNDLAND.**



SIXTH SESSION, FIRST GENERAL ASSEMBLY.

*His Excellency HENRY PRESCOTT, Esquire, Companion of the  
Most Honorable Military Order of the Bath,  
GOVERNOR.*



St. John's, Newfoundland.

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1836.

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SIXTH SESSION, FIRST GENERAL ASSEMBLY.

The Facsimile of HENRY PRASGOTT, Esquire, Companion of the

Most Honourable Military Order of the Bath.

GOVERNOR.



# JOURNAL.



*His Excellency HENRY PRESCOTT, Esquire, Companion of the  
Most Honorable Military Order of the Bath,*  
GOVERNOR.



## PROCLAMATION.

(L. S.)  
H. PRESCOTT. By His Excellency HENRY PRESCOTT, Esquire, Companion of the Most Honorable Military Order of the Bath, Governor, and Commander-in-Chief, in and over the Island of Newfoundland, and its Dependencies, &c., &c., &c.

Proclamation proroguing the General Assembly to the 7th Jan. 1836, then to meet for the dispatch of business

**W**HEREAS the General Assembly of this Island stands prorogued until Saturday the 31st day of October next: And whereas I think fit further to prorogue the said General Assembly until Thursday the Seventh day of January next, then to meet for the dispatch of business; of which all persons are required and commanded to take due notice and to govern themselves accordingly.

Given under my Hand and Seal at the Government House at St. John's, in the said Island, the 21st day of September, 1835, in the Sixth year of His Majesty's Reign.

*By His Excellency's Command,*

JAMES CROWDY.



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The Reverend HENRY PRESOTT, Esq., Companion of the

Most Honourable Military Order of the Bath,

GOVERNOR.



PROCLAMATION.

By the Reverend Henry Prescott, Esq., Companion of the Most Honourable Military Order of the Bath, Governor, and Commander in Chief, in and over the Island of New Brunswick, and the Dependencies thereof, do hereby give notice, that the

Reverend Henry Prescott, Esq., Companion of the Most Honourable Military Order of the Bath, Governor, and Commander in Chief, in and over the Island of New Brunswick, and the Dependencies thereof, do hereby give notice, that the

(A.2.)  
PRESOTT

WHEREAS the County Assembly of this Island stands prorogued until the 21st of October next: And whereas I think it better to prorogue the said County Assembly until the 21st day of January next, than to meet for the dispatch of business, and all persons are required and commanded to take due notice and to govern themselves accordingly.

Given under my hand and seal at the Government House at St. John's, in the said Island, the 21st day of September, 1855, in the 21st year of His Majesty's said Majesty's reign.

JAMES CROWDY



**NEWFOUNDLAND.**

SIXTH SESSION FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

THURSDAY, 7th JANUARY, 1836.

This being the day appointed for the meeting of the Legislature—

At half-past One of the Clock, p. m., the House met.

House meets:

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present,

“ “ WILLIAM SALL, *Commandant.*

“ “ JAMES SIMMS, *Attorney General.*

“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS,

“ “ JOHN B. BLAND.

Robert Haly, Esq. presented a Commission from His Excellency the Governor, appointing him Acting Gentleman Usher of the Black Rod, in the room of J. Templeman, Esq.— which was read by the Clerk.

Robert Haly, Esq. presents his Commission appointing him Usher of the Black Rod.

At Two of the Clock, p. m., His Excellency the Governor being seated on the Throne, the Honorable the Chief Justice commanded the Gentleman Usher of the Black Rod to inform the Members of the Assembly that it was His Excellency's pleasure that they do forthwith attend him in this House; who being come thereto, His Excellency was pleased to open the Session by a gracious Speech to both Houses.

His Excellency the Governor arrives at the Council Chamber.

The Assembly summoned to attend him.

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

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

*Mr. President and Honorable Gentlemen of the Council;*

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

His Excellency's Speech.

I have to announce to you that His Majesty has been graciously pleased to leave to their operation all the Acts of this Legislature passed in March, June and September, 1834, with two exceptions.

“ The Act for increasing the number of Representatives in the House of Assembly is suspended for the signification of His Majesty's pleasure. The questions raised by this Act are of so much importance that His Majesty is unwilling to pronounce any decision upon them until after some further experience shall have been obtained of the practical effects, whether beneficial or otherwise, of the representative system as at present in force, and so recently established in Newfoundland.”

Of the “ Act for declaring all property in Newfoundland Real Chattels,” the proviso at the end of the first Clause is deemed objectionable. I am consequently directed to “ recommend to you to pass an Act, in amendment of the present, for the repeal of this provision; and in the mean time His Majesty's decision will be suspended.”

The only Act of the last Session, upon which His Majesty's pleasure has been signified to me is that “ for limiting the duration of the Parliament of this Colony.” His Majesty has suspended his decision upon this Act also, in consequence of a peculiarity in its form; but it is



7th January, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

left to you to prepare a Bill "in the appropriate style, as the enactment of the Governor, Council and House of Assembly," to which I am empowered to assent on His Majesty's behalf.

I am authorized by His Majesty's Government to suggest the expediency of dating the commencement of the quadrennial period of the present House of Assembly from the close of this Session, so that its existence may be legally continued till 1840, should circumstances render unadvisable an earlier dissolution.

"If the Local Legislature shall be willing to leave in the hands of the Executive Government such a discretion, it will be satisfactory to His Majesty to learn that the proposed law has been framed in that manner." I am, however, expressly directed to inform you, that this is a matter entirely for your consideration; and let your determination respecting it be what it may, the Bill will not require a suspending Clause.

Extracts of the Despatches from His Majesty's Principal Secretary of State for the Colonies shall be prepared for you, that you may be fully acquainted with the objections made to the proviso of the second, and to the form of the last named Act.

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

It affords me much gratification to inform you that the Revenue has proved so productive as to enable me to call in the "Treasury Notes," all interest upon which accordingly ceased on the 19th day of December.

The estimate for the approaching financial year shall be laid before you without delay.

His Majesty's Government has decided that the Brig "Maria," hitherto attached to the service of this Island, shall no longer be supported by the Parent State; you will therefore resolve whether she shall be maintained in future by Colonial resources, or dismissed.

In the latter case I shall be compelled to forego my intended inspection of the Out-Ports in the ensuing summer, unless you think proper to provide some other similar means of conveyance.

I have been directed to defray the charge of keeping the "Government Buildings" in repair from the Rent Fund, when sufficient for that purpose. This item will consequently not appear upon the estimate for 1836.

I can assure you of my continued desire to practise the strictest economy in the public expenditure.

*Mr. President and Honorable Gentlemen of the Council;*

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

I am desirous of offering for your early and careful deliberation the important subject of the Magistracy and Police.

Although great good is derived from the exertions of Gentlemen in the Commission of the Peace, yet an entire abandonment of private pursuits, and an exclusive gratuitous devotion to public interests, cannot reasonably be expected.

You will reflect whether the number of Stipendiary Magistrates may be advantageously enlarged; and whether such Functionaries, aided by honorary services and supported by a sufficient Constabulary, would not prove most effectual in the maintenance of individual safety and general tranquillity. Prevention of crime is ever better than punishment; but when, as has very lately occurred in a small District of this Government, the processes of Justice are resisted—its Officers maltreated—and its mandates defied—it becomes my first duty to assert the supremacy and vindicate the dignity of the laws.

I request your attention to a dilemma in which I may find myself placed by the want of some retiring allowance for worn-out public servants.

When there is no alternative between retaining a man in a post for which age or infirmity has rendered him unfit, and consigning him for the remainder of his days to wretchedness and destitution, it is clear that the very principle of humanity is brought into operation against the public welfare.

Having pointed out what seems of highest consequence, inasmuch as without security of person and property there can be no happiness, I would next propose the encouragement of Education—some aid will be well bestowed on the different Associations for the promotion of



7th January, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

that benevolent purpose; and this I know, if given at all, will be given with perfect impartiality.

In connection with this subject I have further to observe that the foundation of a public seminary for the higher branches of learning, and useful and elegant accomplishments, would do honour to our society; and spare its wealthier and middle classes the painful necessity of parting from their Children at an age when parental care and supervision are supremely requisite.

I will cause to be laid before you copies of the Instructions under which Surveyors are marking out Roads, in pursuance of your votes and intentions; as also of such reports as have been, or shall be, made by them. From one of these Gentlemen I have received very gratifying accounts of the character of the soil on the line between St. John's and the Bay of Bulls.

The sum as yet allotted for this judicious preliminary survey will not be sufficient to cover the expense, but the Guardians of the public purse will feel with me the great advantage of a liberal appropriation of money to an object so essential as a ready communication between the scattered Settlements of this extensive Colony.

The Hospital at River Head in its present state is, I regret to say, rather a disgrace than a credit to the Community. I commend it to your protection and will joyfully resign any rights of Government therein provided you will convert it into a public institution. An additional wing should be built; and special care should likewise be taken for the separate accommodation of Lunatics—both in compassion to them, and in commiseration of other patients who now suffer extremely from the occasional turbulence of those unfortunate creatures.

We have of late been enduring a severe infliction of Small Pox, which has committed great ravages amongst the Inhabitants of St. John's and its vicinity. This evil has been aggravated by the unhappy prejudice existing against vaccination, a discovery which, duly appreciated and universally and properly applied, would, if it failed wholly to eradicate the disease, at least render it nearly innocuous—and might therefore well be ranked amid the greatest blessings of Providence.

It appears to me that an arrangement for the diffusion of Vaccination, and the free distribution of *lymph*, with printed directions and instructions for its use, might be united with the proposed establishment of a public Hospital.

You will perceive, by documents which shall be forwarded, that a portion of Land on "Church Hill" was granted by Government as a site for the construction of a Market Place. Several years having elapsed without any progress being made towards the accomplishment of that project, the lease of the property, which had been surrendered on a precise stipulation that it was to be so employed, is now reclaimed; and unless you combine this measure with that of a suitable structure for the accommodation of the Legislature in Session, the opportunity of so convenient a situation will be lost.

An accurate Census of our population is a *desideratum*. Provision should be made for its correct and periodical repetition, to facilitate which I would recommend its not being mixed up with other points of Statistics.

In my address at the commencement of the past year, I alluded to our difficulties and the financial crisis at which we had then arrived. We are now in a very different position—our debt is discharged—our coffers are well supplied.

The impost by which this change has been effected has not operated injuriously in any particular. There has been no diminution of imports, or enhancement of prices beyond the ordinary fluctuations of trade.

Should the Revenue be allowed to remain upon its present footing, with modifications resulting from further experience, the prudent application of such a surplus Fund to internal objects will produce improvements which, a few years since, could not have been contemplated. Industry will be excited by the constant demand for labour—Artisans and Mechanics will resort to us in greater numbers—and agriculture, the beneficial effects of which are already felt in the increased abundance and reduced cost of produce, will advance with accelerated rapidity.



7th, 11th & 14th January, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

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

The observations and propositions which I have addressed generally, being necessarily connected with, and dependent on, matters of financial detail, I shall in the event of their adoption by the Legislature, confidently rely upon your liberality for such supplies as may be requisite to give effect to any measures founded upon them.

Committee appointed to draft Address to the Governor in reply to his Speech.

Ordered, that the Honorable Messrs. Simms and Dunscomb be a Committee to draft an Address to His Excellency the Governor in answer to his Speech.

House adjourns.

On motion, made and seconded, the House adjourned until Monday next at Twelve of the Clock, at noon.

MONDAY, 11th JANUARY, 1836.

House meets.

The House met pursuant to adjournment.

**Present,**

Members present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

“ “ WILLIAM SALL, *Commandant.*

“ “ JAMES SIMMS, *Attorney General.*

“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ JOHN B. BLAND.

The Minutes of Thursday last were read.

Report of Committee appointed to draft an Address in answer to the Governor's Speech at the opening of the Session.

The Honorable the Attorney General, from the Committee appointed to draft an Address to His Excellency the Governor in answer to his Speech at the opening of the Session, reported a draft thereof.

Ordered, that the Report be received.

Address read first and second time:

The said draft was then read a first and second time, and—

Ordered, to be committed to-morrow.

House adjourns.

On motion, made and seconded, the House adjourned until Thursday next at One of the clock p. m.

THURSDAY, 14th JANUARY, 1836.

House meets.

The House met pursuant to adjournment.

**Present,**

Members present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

“ “ JAMES SIMMS, *Attorney General.*

“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS,

“ “ JOHN B. BLAND.

The Minutes of Monday last were read.

Address to the Governor in reply to His Excellency's Speech—Committed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Address to the Governor, in reply to His Excellency's Speech at the opening of the Session.

The Honorable Mr. Dunscomb in the Chair.

A Message being announced, the House formed.

Messages from the Governor with sundry Documents, viz:

Mr. Acting Colonial Secretary Templeman presented two Messages from His Excellency the Governor, with sundry Documents.

The Messages are as follows:

**H. PRESCOTT.**

The Governor transmits to the Council the following Documents, viz:

No. 1.

Order in Council approving of certain Acts:

Copy of an Order in Council conveying His Majesty's approval of certain Acts passed by the Legislature of this Colony.

See Appendix.



14th January, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

## No. 2.

Extract of a Despatch from the Secretary of State for the Colonies, relative to the "Act for declaring all property in Newfoundland Real Chattels."

Extract of a Despatch from the Secretary of State relative to the Real Chattels Act.

## No. 3.

Extract of a Despatch from the Secretary of State pointing out a technical objection to the form of the "Act for limiting the duration of the Parliaments of this Colony."

Extract of a Despatch from Secretary of State relative to the Quadrennial Bill:

## No. 4.

Copy of a Despatch from the Secretary of State in reply to an Address of the Council on the subject of certain forms used in their proceedings.

Despatch from Secretary of State in reply to an Address of the Council relative to certain forms used by them Land Surveyors' Instructions.

Government House,  
11th January, 1836.

## H. PRESCOTT.

The Governor transmits to the Council the following Documents connected with the subject of Roads—the state of the Hospital—and the Lease of a portion of the Land on "Church Hill," viz:—

Message from the Governor with sundry Documents.

## No. 1.

Copies of Instructions under which Surveyors are acting in laying out lines of Road.

## No. 2.

Copy of Mr. Sweetland's report of his Survey of the line of Road between Saint John's and the Bay of Bulls.

## No. 3.

Copy of Mr. Blackburn's report of his Survey of the line of Road between Holy-Rood and Placentia.

## No. 4.

Copy of correspondence with the Commissioners of Roads at Saint John's, representing the insufficiency of the vote for the rebuilding the "King's Bridge."

## No. 5.

Copy of correspondence with the Commissioners of Roads at Port-de-grave, relative to the insufficiency of the sum voted for the erection of Bridges in that District.

## No. 6.

Copy of Address of the Grand Jury at Saint John's, relative to the state of the Hospital at River Head, with reply thereto.

## No. 7.

Copy of the authority to grant the Land on "Church Hill" intended for the construction of a "Market Place," and of the application of the Lessees reclaiming the property.

Government House,  
14th January, 1836.

The Messages having been read by the Clerk—

The House again went into a Committee of the whole on the Address to the Governor.

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

The Chairman reported the Address with some Amendments.

Ordered, that the Report be received, and—

Ordered, that the Address be engrossed, and read a third time to-morrow.

On motion made and seconded, the House adjourned until Monday next at One of the clock, p. m.

Address to the Governor in reply to his Speech—

Committed:

Reported.

House adjourns.



18th, 20th &amp; 21st January, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

MONDAY, 18th JANUARY, 1836.

House meets. The House met pursuant to adjournment.

Present,

Members present. *The Honorable* HENRY JOHN BOULTON, *Chief Justice.*  
 “ “ JAMES SIMMS, *Attorney General.*  
 “ “ JOHN DUNSCOMB,  
 “ “ WILLIAM THOMAS,  
 “ “ JOHN B. BLAND.

The Minutes of Thursday last were read.

Address to the Governor in answer to his Speech—read 3rd time and passed. Pursuant to the order of the day, the Address to the Governor in reply to His Excellency's Speech at the opening of the Session, was read a third time and passed.

Committee appointed to wait on His Excellency to know when he would receive the Address. Ordered, that the Honorable Messrs. Simms and Thomas be a committee to wait upon the Governor to know when His Excellency will be pleased to receive this House with its Address.

On motion—sundry Documents read. On motion of the Honorable the Attorney General, sundry Documents enumerated in the Governor's Message of the 14th instant, were read by the Clerk.

House adjourns. On motion, made and seconded, the House adjourned until Wednesday next at One of the clock p. m.

WEDNESDAY, 20th JANUARY, 1836.

House meets. The House met pursuant to adjournment.

Present,

Members present. *The Honorable* HENRY JOHN BOULTON, *Chief Justice.*  
 “ “ JAMES SIMMS, *Attorney General.*  
 “ “ JOHN DUNSCOMB,  
 “ “ WILLIAM THOMAS.

The Minutes of Monday last were read.

Report of Committee appointed to wait on the Governor. The Honorable the Attorney General, from the Committee appointed to wait on the Governor to know when His Excellency would be pleased to receive this House with its Address, reported that His Excellency had been pleased to appoint Twelve o'Clock to-morrow for that purpose.

Member enters. The Honorable Mr. Bland enters.

House adjourns. On motion made and seconded, the House adjourned until half-past Eleven o'Clock, a. m., to-morrow.

THURSDAY, 21st JANUARY, 1836.

House meets. The House met pursuant to adjournment.

Present,

Members present. *The Honorable* HENRY JOHN BOULTON, *Chief Justice.*  
 “ “ JAMES SIMMS, *Attorney General.*  
 “ “ WILLIAM THOMAS,  
 “ “ JOHN B. BLAND.

The Minutes of Wednesday last were read.

The House proceeds to the Government House with its Address. At Twelve o'Clock the House proceeded to the Government House with their Address, in answer to His Excellency the Governor's Speech at the opening of the Session.

The Address is as follows:—

To His Excellency HENRY PRESCOTT, Esquire, Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in Chief, in and over the Island of Newfoundland, and its Dependencies, &c. &c. &c.



# //

7th January, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

MAY IT PLEASE YOUR EXCELLENCY,

WE, His Majesty's dutiful and loyal Subjects the Council of Newfoundland, in thanking your Excellency for your Speech at the opening of the present Session of the Legislature, beg leave to assure your Excellency that we will take into our serious consideration the modifications recommended by His Majesty to be made in those Acts of former Sessions to which your Excellency has informed us His Majesty has been pleased to withhold his assent.

Address.

We are fully sensible of the imperfect and inefficient state of the Magistracy and Police of the Island; and we are prepared earnestly to devote our attention and endeavours, in co-operation with the other branches of the Legislature, to improve and render more efficient so important a branch of the public Institutions of the Colony.

We also concur with your Excellency in the views which you have expressed of the advantages the public would derive by the adoption of some Legislative provisions for the promotion of general Education.

We are also sensible of the necessity that exists for the speedy completion of public Roads, in order to obtain the means of a practicable communication by land, between the principal Settlements of the Colony.

The permanent establishment of a Hospital, under Legislative provisions for its efficient support, is an object which the Legislature cannot, we conceive, in regard to their distressed and indigent fellow creatures, afflicted by accident or disease, longer defer, without involving a violation of the great laws of charity, humanity and justice.

We also concur with your Excellency that it is much to be desired that measures be adopted for obtaining periodically an accurate Census of the Population of the Colony.

We receive with great satisfaction, the assurances of your Excellency of the flourishing condition of the financial resources of the Colony, which has enabled your Excellency to discharge the debt created by the issue of Treasury Notes, an expedient to which we earnestly hope the Legislature will never again find occasion to resort.

While therefore we are assured by your Excellency that the Revenue holds forth the reasonable promise of a surplus fund, we entirely concur with the sentiments expressed by your Excellency, that such fund should be prudently applied to internal objects of improvement and public benefit to the Colony; and we consider that the Ground on "Church Hill," heretofore proposed as the site of a public Market, might be beneficially applied to that purpose, upon a plan embracing also the erection of a public Building now become absolutely indispensable for the uses of the Legislature, whose continuance in the occupation of the Court House is already felt as inconvenient and extremely detrimental to the Judicial and Magisterial Departments of the public service.

The House having returned, the Honorable the Chief Justice reported that His Excellency had been pleased to receive the said Address, and to return an answer thereto—of which he had obtained a copy—in the following words:

The House returns:

*Mr. President  
and Honorable Gentlemen of the Council;*

Governor's reply to Address.

I receive this Address with great pleasure, and doubt not that your labours, during the present Session, will be highly beneficial to the Public.

On motion, made and seconded, the House adjourned until Thursday next at One of the clock, p. m.

House adjourns.

THURSDAY, 28th JANUARY, 1836.

The House met pursuant to adjournment.

House meets,

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present:

" " JAMES SIMMS, *Attorney General.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS,

" " JOHN B. BLAND.



28th January, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

The Minutes of Thursday last were read.

Motion for leave to bring in a Bill to repeal part of Judicature Act.

The Honorable the Chief Justice moved for leave to bring in a Bill to repeal part of an Act entitled "An Act for the better administration of Justice in Newfoundland, and for other purposes."

Leave granted.

Bill brought in and read first time.

The said Bill was then read a first time, and—

Ordered, to be read a second time to-morrow.

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

Ordered to be printed.

Ordered, that the Bill be printed.

Mr. Acting Colonial Secretary Templeman presented a Message from His Excellency the Governor, in the following words:—

#### H. PRESCOTT.

Message from Governor with sundry Documents.

The Governor transmits, for the consideration of the Council, the following Documents, having reference to the Magistracy, the Police, and the Finance of the Colony, viz:

##### No. 1.

Copies of presentments of various Grand Juries in the Southern District.

##### No. 2.

Copy of application from the Magistrates at Twillingate, for an allowance for a Constable at Fortune Harbour and Exploits Burnt Island.

##### No. 3.

Copy of Petition of Luke Collins, Gaoler at Placentia, for an increase of Salary.

##### No. 4.

Copy of Petition of the Inhabitants of Western Bay, representing the want of a Court of Sessions, and Police Establishment there.

##### No. 5.

Copy of a Petition from Mr. Skelton, a Magistrate at Trinity, praying for a Salary.

##### No. 6.

Copy of a Letter from the Magistrates at Twillingate representing the want of a Court House and Gaol there.

##### No. 7.

Copy of a Letter from the Magistrates at Port-de-Grave, to the like effect.

##### No. 8.

Copy of presentment of the Grand Jury at Harbor Grace of certain alterations required to be made in the Fence of the Gaol Yard.

##### No. 9.

Copy of Letter from the Deputy Sheriff of the Southern District, respecting repairs required on the Court House at Placentia.

##### No. 10.

Copy of Memorial from Assistant Judge Brenton, praying to be allowed to retire from his Office with such a pension as may be deemed adequate to his services.

##### No. 11.

Copy of Memorial from the Colonial Treasurer, praying an increase of Salary.

##### No. 12.

Copy of Letter from the Magistrates at Harbor Grace, stating that in consequence of the age and other infirmities of Mr. Matthew Stevenson, he was no longer capable of performing the duties of his Office.



28th January & 1st February, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

No. 13.

Copy of a Report from Commander Hope, of His Majesty's Sloop Racer, relative to the intrusion of French Fishermen on the Fisheries in Fortune Bay;

No. 14.

Copy of Letter from the Commissioners of Light Houses at Harbor Grace, representing the necessity of the sum of £1000 beyond the amount already voted by the Legislature, in order to render the Light an efficient one.

No. 15.

Copy of presentment of the Grand Jury at Harbor Grace of the necessity of a Lock-up-House at Carbonear.

No. 16.

Copy of Letter from the Magistrates at Twillingate relative to the case of a destitute blind man named Richards.

Government House,

28th January, 1836.

The following Documents were also laid before the Council, by direction of His Excellency, viz:—

Documents laid before the House by direction of the Governor.

Estimate of the charge of defraying the public expenditure of the Colony, in the year ending 31st March 1837—£8658 16s. 10d.

Financial Statement in explanation of the Expenditure under certain heads of Contingencies.

A Députation from the Assembly brought up a Bill entitled "An Act to limit the duration of the present and all future Houses of Assembly of this Colony," to which they requested the concurrence of this House.

Assembly limitation Bill brought up.

The said Bill was then read a first time, and—

Read 1st time.

Ordered, to be read a second time to-morrow.

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

The Commons House of Assembly request a Conference with His Majesty's Council on the subject of the safe custody and management of the Books lately purchased for the use of the Legislature.

Conference requested on subject of safe custody of Books.

THOMAS BENNETT,  
Speaker.

House of Assembly,

January 20th, 1836.

Ordered, that the request be acceded to, and that the Honorable Messrs. Thomas and Bland be Conferees on the part of this House to meet the Managers of the Assembly in the Committee-Room of the Council on Monday next at One of the clock, p. m.

Granted.

Conferees appointed.

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

Ordered, that Fifty Copies of the Index of the Laws of the Colony be procured by the Clerk for the use of this House.

Copies of Index of the Laws to be procured.

On motion, made and seconded, the House adjourned until Monday next at Twelve of the clock, noon.

House adjourns.

MONDAY, 1st FEBRUARY, 1836.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, Chief Justice,

Members present.

" " JAMES SIMMS, Attorney General.

" " JAMES M. SPEARMAN, Collector of the Customs.

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS,

" " JOHN B. BLAND.



1st Februry, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

The Minutes of Thursday last were read.

Bill to repeal part of  
Judicature Act, read 2d  
time—

Pursuant to the order of the day, the Bill to repeal part of an Act entitled "An Act for the better administration of Justice in Newfoundland, and for other purposes," was read a second time, and—

On motion of the Honorable the Chief Justice—

Committed—

The House went into a Committee of the whole on the said Bill.

The Honorable Mr. Spearman in the Chair.

After some time the House resumed.

Reported.

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

Ordered, that the Report be received.

At One of the Clock, p. m., the Committee appointed to meet the Managers from the Assembly, on the subject of the safe custody of the Books purchased for the use of the Legislature, went to the Conference—

Committee of Confer-  
ence respecting Libra-  
ry—report a Resolution  
of the Assembly.

And having returned, the Honorable Mr. Thomas reported that they had received from the Assembly's Conferees the following Resolution.

RESOLVED, That the Committee of Conference with His Majesty's Council be instructed to state to the Managers on the part of the Council, that the House of Assembly being desirous of making arrangements for the safe keeping and proper management of the Books lately purchased for the use of the Legislature, submit to the Council the propriety of appropriating one of the Rooms in this Building for that purpose, under such regulations as may be agreed upon by a joint Committee of the Council and House of Assembly.

THOMAS BENNETT,  
*Speaker.*

*House of Assembly,*

*20th January, 1836.*

Assembly limitation  
Bill read 2d time.

Pursuant to the order of the day, the Bill entitled "An Act to limit the duration of the present and all future Houses of Assembly of this Colony," was read a second time and—

Ordered, to be committed to-morrow.

Motion for leave to  
bring in a Bill to amend  
the administration of  
Justice—  
Granted—

The Honorable the Chief Justice moved for leave to bring in a Bill to amend the administration of Justice in this Island.

Leave granted.

Bill read 1st time.

The said Bill was then read a first time, and—

Ordered, to be read a second time to-morrow.

On motion, the Reso-  
lution of the Assembly  
respecting Library  
committed.

On motion of the Honorable Mr. Thomas, the House went into a Committee of the whole on the Resolution of the Assembly respecting the Library.

The Honorable Mr. Dunscomb in the Chair.

A Message being announced, the House formed.

Bill to regulate the  
office of Sheriff brought  
up.

A Deputation from the Assembly brought up a Bill entitled "An Act to regulate the Office of Sheriff, and for the annual appointment of Sheriffs in the several Judicial Districts of this Island," to which they requested the concurrence of this House—and then withdrew.

Resolution of Assem-  
bly respecting Library,  
Committed—

The House again went into a Committee of the whole on the Resolution of the Assembly respecting a Library.

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

Committee report a  
Resolution.

The Chairman reported a Resolution of the Committee which they recommended to be transmitted to the House of Assembly.

Ordered, that the Report be received and adopted.

The Resolution is in the following words:—

The Resolution.

RESOLVED, That it is the opinion of His Majesty's Council that a Book Case be provided and placed in the Committee-Room up Stairs, and that three Keys be provided to the Lock upon the same, one Key to be for the use of the President of the Council, another for the Speaker of the House of Assembly, and a third to be kept by the Librarian or such person in whose charge the Books may be placed.



1st &amp; 4th February 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

On motion of the Honorable the Attorney General, it was—	On motion, Conference on the above subject ordered.
Ordered, that a Conference be requested with the Assembly on the above subject.	
The Bill to regulate the Office of Sheriff was then read a first time, and—	Bill to regulate the Office of Sheriff, read 1st time.
Ordered, to be read a second time to-morrow.	
A Deputation from the Assembly brought up a Message acceding to the Conference requested.	Assembly accede to Conference requested.
The Honorable Mr. Thomas from the Conferees appointed to meet the Managers from the Assembly, reported that they had met the Managers and delivered to them the Resolution with which they had been entrusted.	Report of Committee of Conference.
On motion, made and seconded, the House adjourned until Thursday next at Twelve o'Clock noon.	House adjourns.
THURSDAY, 4th FEBRUARY, 1836.	
The House met pursuant to adjournment.	House meets.
Present,	
The Honorable HENRY JOHN BOULTON, Chief Justice.	Members present.
“ “ JAMES SIMMS, Attorney General.	
“ “ JAMES M. SPEARMAN, Collector of the Customs.	
“ “ JOHN DUNSCOMB,	
“ “ WILLIAM THOMAS,	
“ “ JOHN B. BLAND.	
The Minutes of Monday last were read.	
Pursuant to the order of the day, the Bill to amend the administration of Justice in this Island was read a second time, and—	Bill to amend administration of Justice, read 2nd time.
Ordered, to be committed to-morrow.	
Pursuant to the order of the day, the Bill entitled “An Act to regulate the Office of Sheriff, and for the annual appointment of Sheriffs in the several Judicial Districts of this Island,” was read a second time, and—	Bill to regulate the Office of Sheriff read 2nd time.
Ordered, to be committed to-morrow.	
A Deputation from the Assembly brought up a Bill entitled “An Act to authorize summary proceedings in the several Courts of Law in this Island, in certain cases,” for the concurrence of this House.	Summary proceedings Bill brought up.
Pursuant to the order of the day, the House went into a Committee of the whole, on the Bill to repeal part of an Act entitled “An Act for the better administration of Justice in Newfoundland, and for other purposes.”	Bill to repeal part of Judicature Act.
The Honorable the Collector in the Chair.	Committed—
A Message being announced, the House formed.	
A Deputation from the Assembly brought up a Bill entitled “An Act for the relief of sick and disabled Seamen, Fishermen, and other persons,” for the concurrence of this House.	Hospital Bill brought up.
The House again went into a Committee of the whole on the Bill to repeal part of an Act entitled “An Act for the better administration of Justice in Newfoundland, and for other purposes.”	Bill to repeal part of Judicature Act—
The Honorable the Collector in the Chair.	Committed—
After some time the House resumed.	
The Chairman reported the Bill with some Amendments.	Reported.
Ordered, that the Report be received, and—	
Ordered, that the Bill be engrossed and read a third time to-morrow.	
Pursuant to the order of the day the House went into a Committee of the whole on the Bill entitled “An Act to limit the duration of the present and all future Houses of Assembly in this Colony.”	Assembly limitation Bill—
The Honorable Mr. Thomas in the Chair.	



4th &amp; 5th February, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

After some time the House resumed.

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

Reported. Ordered, that the Report be received.

House adjourns. On motion made and seconded, the House adjourned until to-morrow at Twelve o'Clock,  
noon.

FRIDAY, 5th FEBRUARY, 1836.

House meets. The House met pursuant to adjournment.

Present.

Members present. *The Honorable* HENRY JOHN BOULTON, *Chief Justice.*  
 “ “ JAMES SIMMS, *Attorney General.*  
 “ “ JAMES M. SPEARMAN, *Collector of the Customs.*  
 “ “ WILLIAM THOMAS,  
 “ “ JOHN B. BLAND.

The Minutes of yesterday were read.

Member enters. The Honorable Mr. Dunscomb enters.

Bill to repeal part of Judicature Act read 3d time and passed. Pursuant to the order of the day, the Bill to repeal part of an Act entitled “An Act for the better administration of Justice in Newfoundland, and for other purposes,” was read a third time and passed.

Title. Ordered, that the Title of the Bill be “An Act for repealing the Twenty-fifth and Twenty-sixth Sections of an Act passed in the Fifth Year of the Reign of His late Majesty, entitled ‘An Act for the better administration of Justice in Newfoundland, and for other purposes,’ and to make further provision for the distribution of the Estates of Insolvent Debtors.”

Hospital Bill read 1st time. Two Bills brought up yesterday, the one entitled “An Act for the relief of sick and disabled Seamen, Fishermen, and other persons;”

Law Courts summary proceedings Bill read 1st time. And the other, “An Act to authorize summary proceedings in the several Courts of Law in this Island in certain cases”—

Were severally read a first time, and—

Ordered, to be read a second time to-morrow.

Assembly limitation Bill— Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled “An Act to limit the duration of the present and all future Houses of Assembly in this Colony.”

Committed— The Honorable Mr. Thomas in the Chair.

After some time the House resumed.

Reported. The Chairman reported the Bill with some Amendments, which are as follows:

1st Section, 4th line—Expunge the words “last day of the present Session of the General Assembly of this Colony,” and insert, in their stead, the words “first day of January One thousand eight hundred and thirty-eight.”

2nd Section, last line—Expunge the word “such.”

Ordered, that the Report be received, and—

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

Bill to amend the administration of Justice; Pursuant to the order of the day, the House went into a Committee of the whole on the Bill to amend the administration of Justice in this Island.

Committed— The Honorable Mr. Bland in the Chair.

After some time the House resumed.

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

Ordered, that the Report be received, and leave granted.

Bill to regulate the Office of Sheriff— Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled “An Act to regulate the Office of Sheriff, and for the annual appointment of Sheriffs in the several Judicial Districts of this Island.”



5th, 8th &amp; 10th February, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

The Honorable the Collector in the Chair. Committed—  
 After some time the House resumed.  
 The Chairman reported that it is the opinion of the Committee that the Bill should be Reported.  
 read on this day six months.  
 Ordered, that the Report be received and adopted.  
 On motion, made and seconded, the House adjourned until Monday next at One of the House adjourns.  
 clock, p. m.

MONDAY, 8th FEBRUARY, 1836.

The House met pursuant to adjournment. House meets.

Present,

The Honorable HENRY JOHN BOULTON, Chief Justice. Members present.  
 " " JAMES SIMMS, Attorney General.  
 " " JAMES M. SPEARMAN, Collector of the Customs.  
 " " JOHN DUNSCOMB,  
 " " WILLIAM THOMAS,  
 " " JOHN B. BLAND.

The Minutes of Friday last were read.

Pursuant to the order of the day, the Bill, as amended, entitled "An Act to limit the duration of the present and all future Houses of Assembly in this Colony," was read a third time and passed. Assembly Limitation Bill—  
 read 3rd time and passed.

Pursuant to the order of the day, the Bill entitled "An Act for the relief of sick and disabled Seamen, Fishermen and other Persons," was read a second time, and— Hospital Bill read 2nd time.

On motion, the House resolved itself into a Committee of the whole on the said Bill. Committed.

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

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

Ordered, that the Report be received, and that leave be granted.

A Deputation from the Assembly brought up a Bill entitled "An Act for granting to His Majesty the sum of Five Hundred Pounds to defray any necessary expenses that may be incurred in preventing the extension and spread of Small Pox," for the concurrence of this House. Small-Pox provision Bill—  
 Brought up—

The said Bill was then read a first time, and— Read 1st time.

Ordered, to be read a second time to-morrow.

On motion, made and seconded, the House adjourned until Wednesday next at Twelve of the Clock, noon. House adjourns.

WEDNESDAY, 10th FEBRUARY, 1836.

The House met pursuant to adjournment.

Present.

The Honorable HENRY JOHN BOULTON, Chief Justice. Members present.  
 " " JAMES SIMMS, Attorney General.  
 " " WILLIAM THOMAS,  
 " " JOHN B. BLAND.

The Minutes of Monday last were read.

The Honorable Messrs. Dunscomb and Spearman enter. Members enter.

Pursuant to the order of the day, the Bill entitled "An Act for granting to His Majesty the sum of Five Hundred Pounds to defray any necessary expenses that may be incurred in preventing the extension and spread of Small Pox," was read a second time. Small-Pox provision Bill—  
 Read 2nd time.

Ordered, that the 38th Standing Rule of the House, so far as it respects this Bill, be dispensed with. 38th Standing Rule dispensed with.

The Bill was then read a third time and passed. Bill read 3rd time and passed.



10th &amp; 15th February, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

Classical Academy Bill brought up.	A Deputation from the Assembly brought up a Bill entitled "An Act for establishing a Classical Academy at St. John's, in this Island," for the concurrence of this House.
Bill to amend the Administration of Justice—Committed.	Pursuant to the order of the day, the House went into a Committee of the whole on the Bill to amend the administration of Justice in this Island. The Honorable Mr. Bland in the Chair. After some time the House resumed. The Chairman reported progress, and asked leave to sit again on Monday next. Ordered, that the Report be received, and that leave be granted. Ordered, that the Bill be printed.
Reported:	
Classical Academy Bill read 1st time.	The Bill brought up from the Assembly for the establishment of a Classical Academy was read a first time, and— Ordered, to be read a second time to-morrow.
House adjourns.	On motion made and seconded, the House adjourned until Monday next.
MONDAY, 15th FEBRUARY, 1836.	
House meets.	The House met pursuant to adjournment.
Present,	
Members present.	<i>The Honorable</i> HENRY JOHN BOULTON, <i>Chief Justice.</i> " " JAMES SIMMS, <i>Attorney General.</i> " " JOHN DUNSCOMB, " " WILLIAM THOMAS, " " JOHN B. BLAND.
	The Minutes of Wednesday last were read.
Classical Academy Bill—Read 2nd time.	Pursuant to the order of the day, the Bill entitled "An Act for establishing a Classical Academy at St. John's, in this Island," was read a second time, and— Ordered, to be committed to-morrow.
Law Courts summary proceedings Bill—Read 2nd time.	Pursuant to the order of the day, the Bill entitled "An Act to authorize summary proceedings in the several Courts of Law in this Island, in certain cases," was read a second time, and— Ordered, to be committed to-morrow.
Hospital Bill—Committed.	Pursuant to the order of the day, the House went into a Committee of the whole, on the Bill entitled "An Act for the relief of sick and disabled Seamen, Fishermen and other Persons." The Honorable Mr. Dunscomb in the Chair. A Message being announced, the House formed. Mr. Acting Colonial Secretary Templeman presented a Message in the following words, from His Excellency the Governor:—
Message from the Governor with report from Commissioners of Roads.	H. PRESCOTT. The Governor lays before the Council the accompanying Copy of a Report from the Commissioners of Roads in the Central District, of their proceedings during the past season, pursuant to the Colonial Act (Cap. 13.) of last Session. <i>Government House,</i> <i>15th February, 1836.</i>
Hospital Bill—Committed.	The House again went into a Committee of the whole on the Hospital Bill. The Honorable Mr. Dunscomb in the Chair.
Members enters.	The Honorable the Collector enters. After some time the House resumed.
Reported.	The Chairman reported progress and asked leave to sit again to-morrow. Ordered, that the Report be received, and that leave be granted.
House adjourns.	On motion made, and seconded, the House adjourned until Monday next.



22nd February, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

MONDAY, 22d FEBRUARY, 1836.

The House met pursuant to adjournment.

House meets.

Present.

The Honorable HENRY JOHN BOULTON, Chief Justice.

Members present:

- “ “ JAMES SIMMS, Attorney General.
- “ “ JAMES M. SPEARMAN, Collector of the Customs.
- “ “ JOHN DUNSCOMB,
- “ “ WILLIAM THOMAS,
- “ “ JOHN B. BLAND.

The Minutes of Monday last were read.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled “An Act for the relief of sick and disabled Seamen, Fishermen and other Persons.”

Hospital Bill—  
Committed.

The Honorable Mr. Dunscomb in the Chair.

A Message being announced, the House formed.

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

Mr. PRESIDENT,

The House of Assembly concur in the arrangement proposed by His Majesty’s Council, for the safe custody and management of the Books purchased for the use of the Legislature as communicated to this House by means of the Conference held on the 1st of February; and are desirous that the said arrangement should be carried into effect, as speedily as possible, under the directions of the President of His Majesty’s Council and Speaker of the House of Assembly.

Message from the  
Assembly respecting  
Library.

THOMAS BENNETT,

Speaker.

House of Assembly,  
February 12, 1836.

The same Deputation brought up a Bill entitled “An Act to amend an Act passed in the Fourth Year of His Majesty’s Reign, entitled ‘An Act for Declaring all Landed Property in Newfoundland Real Chattels,’” for the concurrence of this House.

“Real Chattels Act”  
Amendment Bill—  
Brought up.

The House again went into a Committee of the whole on the Hospital Bill.

Hospital Bill—  
Committed.

The Honorable Mr. Dunscomb in the Chair.

A Message being announced the House formed.

A Deputation from the Assembly brought up a Bill entitled “An Act to provide for the annual appointment of a Sheriff in this Colony, and to regulate the fees of such Office,” for the concurrence of this House.

Sheriff’s Bill brought  
up.

The House again went into a Committee of the whole on the Hospital Bill.

Hospital Bill—  
Committed.

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

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

Reported.

Ordered, that the Report be received, and that leave be granted.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill to amend the administration of Justice in this Island.

Bill to amend the Ad-  
ministration of Justice  
Committed.

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

The Chairman reported the Bill with some Amendments.

Reported.

Ordered, that the Report be received, and—

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

The Honorable Mr. Spearman gave notice that at the next meeting of the Council he would move for leave to bring in a Bill to amend the 5th Wm. 4, Cap. 5, entitled “An Act to amend an Act, passed in the second Session of the Parliament of this Colony, entitled ‘An Act to Regulate the Making and Repairing of Roads and Highways in this Island.’”

Notice of motion to  
amend the Road Act.

The two Bills brought up this day from the Assembly were then read a first time, and—  
Ordered to be read a second time to-morrow.

Sheriff’s Bill and Real  
Chattels Amendment  
Bill—  
Read 1st time.  
House adjourns.

On motion made and seconded the House adjourned until Wednesday next.



24th February, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

WEDNESDAY, 24th FEBRUARY, 1836.

House meets.

The House met pursuant to adjournment.

Present.

Members present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*  
 “ “ JAMES SIMMS, *Attorney General.*  
 “ “ JAMES M. SPEARMAN, *Collector of the Customs.*  
 “ “ JOHN DUNSCOMB,  
 “ “ WILLIAM THOMAS,  
 “ “ JOHN B. BLAND.

The Minutes of Monday last were read.

Bill to amend the  
Administration of Jus-  
tice—  
Read 3rd time and pas-  
sed.

Pursuant to the order of the day, the Bill, as amended, to amend the administration of Justice in this Island, was read a third time and passed.

Title.

Ordered, that the title of the Bill be “An Act to alter and amend the Practice of the Supreme and Circuit Courts in this Island.”

Real Chattels Amend-  
ment Bill—  
Read 2nd time.

Pursuant to the order of the day, the Bill entitled “An Act to amend an Act passed in the Fourth Year of His Majesty’s Reign, entitled ‘An Act for declaring all Landed Property in Newfoundland Real Chattels,’” was read a second time, and—

Ordered to be committed to-morrow.

Sheriff’s Bill—  
Read 2nd time.

Pursuant to the order of the day, the Bill entitled “An Act to provide for the annual appointment of a Sheriff in this Colony, and to regulate the Fees of such Office,” was read a second time, and—

Ordered, to be committed to-morrow.

Law Courts summary  
proceedings Bill—  
Committed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled “An Act to authorize summary proceedings in the several Courts of Law in this Island, in certain cases.”

The Honorable Mr. Thomas in the Chair.

After some time the House resumed.

The Chairman reported that the Committee had rejected the Bill.

Reported.

Ordered, that the Report be received.

Classical Academy  
Bill—  
Committed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled “An Act for establishing a Classical Academy at Saint John’s, in this Island.”

The Honorable Mr. Spearman in the Chair.

A Message being announced, the House formed.

Mr. Acting Colonial Secretary Templeman presented a Message from His Excellency the Governor, in the following words :

**H. PRESCOTT.**

Message from the Go-  
vernor transmitting a  
report from Mr. Sweet-  
land, respecting a line  
of Road from St. John’s  
to Trepassey.

The Governor transmits to the Council the accompanying Copy of a report of the concluding part of Mr. Sweetland’s Survey of the line of Road from St. John’s to Trepassey.

For this service the sum of £125 has been awarded to Mr. Sweetland, out of which he has disbursed for necessary assistance, and in actual expenses, about £55; leaving the sum of £70, as a personal remuneration for the Survey, which appears to His Excellency to have been executed in a very creditable manner.

*Government House,*  
24th February, 1836.

Classical Academy  
Bill—  
Committed.

The House again went into a Committee of the whole on the Academy Bill.

The Honorable Mr. Spearman in the Chair.

After some time the House resumed.

The Chairman reported the Bill, with some amendments.

Reported.

Ordered, that the Report be received.

Ordered, that a Conference be requested with the Assembly on the subject of the Amendments to the Bill; and—

Conference ordered  
respecting it.  
Conferees appointed,  
who are to draft  
Instructions.

Ordered, that the Honorable Messieurs Simms and Thomas be the Conferees on the part of this House, and that they be a Committee to draft Instructions.

House adjourns.

On motion, made and seconded, the House adjourned until Monday next.



29th February, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

MONDAY, 29th FEBRUARY, 1836.

The House met pursuant to adjournment.

House meets:

Present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present.

" " JAMES SIMMS, *Attorney General.*

" " WILLIAM THOMAS.

The Minutes of Wednesday last were read.

The Honorable Mr. Simms, from the Committee appointed to draft Instructions to the Conferees on the Amendments made by the Council, in the Bill, entitled "An Act for Establishing a Classical Academy at St. John's, in this Island," reported a draft.

Committee appointed to draft instructions to Conferees on Classical Academy Bill report a draft.

Ordered, that the Report be received.

Report received.

The Instructions were then read a first and second time, and—

Read 1st &amp; 2nd time.

Ordered, to be committed to-morrow.

The Honorable Mr. Dunscomb enters.

Member enters.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act for the Relief of Sick and Disabled Seamen, Fishermen and other Persons."

Hospital Bill— Committed.

The Honorable Mr. Dunscomb in the Chair.

The Honorable the Collector enters.

Member enters.

After some time the House resumed.

The Chairman reported the Bill with some Amendments.

Bill reported.

Ordered, that the Report be received.

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

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

Ordered, that the Bill be printed.

To be printed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act to amend an Act passed in the Fourth Year of His Majesty's Reign, entitled 'An Act for declaring all Landed Property in Newfoundland Real Chattels.'"

Real Chattels Amendment Bill— Committed.

The Honorable the Attorney-General in the Chair.

A Message being announced, the House formed.

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

Mr. PRESIDENT,

The Commons House of Assembly concur in the Amendments made by His Majesty's Council, in the Bill entitled "An Act to limit the duration of the present and all future Houses of Assembly of this Colony."

Message from Assembly concurring in Amendment in Assembly limitation Bill.

THOMAS BENNETT,

*House of Assembly,**Speaker.*

February 26, 1836.

The House again went into a Committee of the whole on the Real Chattels Amendment Bill.

Real Chattels Amendment Bill— Committed.

The Honorable the Attorney-General in the Chair.

After some time the House resumed.

The Chairman reported the Bill with an Amendment, which is as follows:—

Reported, with an Amendment—

Between the words "Executor" and "shall," expunge the words "or Administrator."

Ordered, that the Report be received, and—

Ordered, that the Bill as amended do now pass.

and passed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act to provide for the annual appointment of a Sheriff in this Colony, and to regulate the Fees of such Office."

Sheriff's Bill— Committed.

The Honorable the Collector in the Chair.

A Message being announced the House formed.

Mr. Acting Colonial Secretary Templeman presented a Message from His Excellency the Governor, in the following words:



29th February, & 3rd March, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

Message from His Excellency the Governor, with audited accounts of the Colonial Revenue.

H. PRESCOTT.

The Governor transmits to the Council the accompanying account, (as audited in pursuance of the Act of the last Session, Cap. 1.) of the Colonial Revenue, for the year ending the 5th of January last.

*Government House,*  
29th February, 1836.

Sheriff's Bill—  
Committed.

The House again went into Committee on the Sheriff's Bill.

The Honorable the Collector in the Chair.

After some time the House resumed.

Reported.

The Chairman reported progress, and asked leave to sit again on this day three months.

Ordered, that the Report be received.

On motion made and seconded the House adjourned until Thursday next.

THURSDAY, 3rd MARCH, 1836.

House meets.

The House met pursuant to adjournment.

Present,

Members present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

“ “ JAMES SIMMS, *Attorney General.*

“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS.

The Minutes of Monday last were read.

Instructions to Conferees on Classical Academy Bill—  
Committed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Instructions to the Conferees on the Academy Bill.

The Honorable the Attorney-General in the Chair.

After some time the House resumed.

Reported.

The Chairman reported the Instructions, with some Amendments.

Ordered, that the Report be received.

The Instructions are in the following words:—

The Instructions.

The Council have requested this Conference with the House of Assembly on the subject of the Bill for establishing a Classical Academy at Saint John's, with the most earnest desire to render the Bill as efficacious as possible, in order to the complete achievement of its important purposes; embracing as the Bill does in the measures it proposes, the interests of the whole community, and in particular those of the middle orders of society.

The Council do not concur in the provisions of the second clause of the Bill, limiting the authority of the Trustees and Directors in their Office to the period of Two Years, because they consider that frequent elections of new Officers in such an Institution would be likely to produce changes in the system of management and discipline prejudicial to the improvement of the Scholars; and because it is obvious that the arrangements required in the selection of Masters, &c. must necessarily absorb a considerable portion of the first year; and the Trustees and Directors would not probably be enabled, within the remainder of their limited term, to judge by that experience which a fair trial alone can afford, of the effect and propriety of those rules which may, in the inception of the Institution, be established for its government.

This frequent change in the Direction would also render the appointment of the Masters so exceedingly precarious that the difficulty of procuring those of adequate attainments incident to the peculiar and very unusual provisions of this Bill, would be materially enhanced.

The Council seeing that by the provisions of the 5th Clause, Clergymen and Teachers of Religion, are excluded from being elected as Masters, and that by such exclusion the Institution will be deprived of the advantages to be attained by a selection of Masters among so large a section of the most learned and best educated portion of society, consider it the more requisite to ensure the selection of efficiently qualified Teachers, by requiring that the Masters shall be Graduates of some University or College in the United Kingdom, or in some one of the British possessions abroad, and the Council have introduced a provision to that effect.



3rd March, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

In the Sixth clause of the Bill, it is provided that there shall be three Masters appointed to the Academy, who shall severally be paid the Sums of £350, £250 and £250 per annum, in full for all services, exclusive of House-rent, Coals and Candle-light; and in order to pay which Salaries, and other expenses aforesaid, together with other charges incidental to the said Academy, the Sum only of Six Hundred Pounds is provided by the Bill.

The Council seeing so great a discrepancy in the provisions of this clause, wherein the ascertained expenses, exclusive of the contingencies (which must necessarily be considerable on the first establishment of the Institution,) exceed the provisions of the Bill by the Sum of £250, can refer the incompatibilities of such provisions alone, to a clerical oversight or omission; and have therefore supplied in the second line of the clause, such words as appear to them to have been accidentally omitted in the Bill, and which appear necessary in order to render the clause consistent and intelligible.

The Council have proposed, by an Amendment in the last clause of the Bill, to extend the term of its operation to Ten instead of Five Years, under a conviction that so short a period would not allow a reasonable prospect of placing the Institution on a successful footing, in the first instance, or afford time sufficient to mature or even develop the benefits which are sought to be obtained by its means, particularly when it is considered that the Institution can scarcely be brought into operation within a period much less than a year.

The Council are impressed with the belief that if the Bill be limited to Five Years, the difficulty of obtaining competently qualified Masters will be greatly increased, for it appears to them obvious that few persons of character and talent would be induced by Salaries so moderate to leave their native Country, and abandon their connexions, under the prospect of their appointment terminating at the end of Five Years.

Ordered, that the Instructions be engrossed and read a third time to-day.

Pursuant to the order of the day, the Bill, as amended, entitled "An Act for the relief of sick and disabled Seamen, Fishermen and other Persons," was read a third time, and passed.

Hospital Bill—  
Read 3rd time and passed, with—

The Amendments are in the following words:—

Expunge all the Sections of the Bill, and insert the following in their stead:—

Amendments.

Be it therefore enacted, by the Governor, Council, and Assembly of Newfoundland, that for the carrying into effect the objects and purposes of this Act, and for the constant and ordinary management and disposal of the Monies intended to be raised and collected hereby, there shall be elected, in manner and form hereinafter provided, a Board of Fifteen Directors in each of the several Electoral Districts of this Colony, as the same are divided in and by His Majesty's Royal Proclamation, Seven of whom shall form a quorum for the transaction of business.

II.—And be it further enacted, that for the purpose of electing such Directors in each respective District, it shall and may be lawful for the Owners and Masters of Vessels owned in the said several Districts, and in such District or Districts where there may not be thirty Registered Vessels, then for the Owners and Masters of all Vessels owned in each District, together with the Planters and Boat-Keepers residing therein, on the second Monday in May now next ensuing, upon ten days public notice being given by one or more of the Justices of the Peace in each District of the time and place of meeting, to meet and assemble respectively at the following places in their several Districts, and then and there for so many of such Persons as shall be present to elect from among themselves Directors for such Districts;— that is to say, Saint John's, in the District of Saint John's; Harbour-Grace, in the District of Conception Bay; Trinity, in the District of Trinity; Bonavista, in the District of Bonavista; Twillingate, in the District of Fogo; Ferryland, in the District of Ferryland; Placentia, in the District of Placentia and Saint Mary's; Burin, in the District of Burin; Harbour-Britain, in the District of Fortune Bay:—And the Persons who shall be elected by a majority of such Owners and Masters of Vessels, or other Persons as aforesaid lawfully present and voting at such meetings, shall be Directors for the purposes of this Act for the said several Districts for which they shall respectively be so elected: Provided always, that should no



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such election take place on the day aforesaid, it shall be lawful for any Justice of the Peace to appoint a subsequent day for that purpose.

III.—And be it further enacted, that the said Directors so elected in the several Districts of this Colony and its Dependencies, shall be and continue in such Office for the period of four years from the said second Mouday of May, when a new election of such Directors shall take place in manner and form aforesaid, and so thereafter at the end of every further period of four years.

IV.—And be it further enacted, that the Rates and Dues hereinafter authorized to be assessed, levied and collected in each District, together with all other Monies, Goods and Chattels, Lands and Tenements, which shall come into the hands or possession of the said several Boards of Directors, or be in any manner appropriated towards the endowment of, or to or for the use and purposes of, the several Hospitals to be founded under the provisions of this Act, shall be vested in the said Boards of Directors respectively, to and for the use, benefit, maintenance, and support of the said Hospitals.

V.—And be it further enacted, that each Board of Directors shall elect from among themselves a President and Vice President, and shall have power from time to time to appoint, and at their pleasure remove, a Treasurer and Secretary, with such other Officers as shall to them appear necessary, for managing the affairs and business of the said Boards, and shall also have power to provide proper Medical and other attendance upon the Sick who may from time to time be received into the said Hospitals, or who may be ordered to be relieved as Out-Patients.

VI.—And be it further enacted, that it shall and may be lawful for the said Boards of Directors, in their respective Districts, to make Rules and Regulations as to the mode and manner of receiving and disposing of the Rates and Dues hereby imposed, and of affording and granting relief to the Persons entitled to the benefit of this Act, for the management of the respective Hospitals, and also for the regulating of the times and manner of the Meetings of the said Directors in their several Districts, and other general purposes; Provided the same be not in any wise repugnant to this Act.

VII.—And be it further enacted, that it shall and may be lawful for the said Boards of Directors, in their several Districts, from time to time to appoint under them Collectors for the purposes of this Act, who are hereby authorized within their respective Districts to receive all Rates and Dues imposed under or by virtue of this Act; and such Collectors shall severally keep clear and distinct Books of Accounts of all Rates, Dues, and Sums of Money by them respectively received, together with the names of the Seamen, Fishermen, or other Persons, on account of whom the same may be received; and the said Collectors shall account for and pay all sums of Money so received by them at such times and in such manner as the respective Boards of Directors of each District shall require; and such Collectors shall severally be allowed for the due collection and payment of such Monies received by them, such compensation as such Boards of Directors shall respectively award and determine.

VIII.—And be it further enacted, that all Masters, Mates and Seamen above the age of Seventeen Years, belonging to all or any Ships or Vessels which are registered or owned or employed in the Coasting Trade or Fisheries of this Colony and its Dependencies, shall severally pay and contribute towards the purposes of this Act a sum at the rate of Six Pence per man per month in each year in which such Master, Mate, or Seaman, respectively, shall be employed; and each and every Master, Shareman, Sealer, and Servant, engaged in or about the Seal Fishery, shall pay for the aforesaid purposes the sum of Three Pence in the Pound on the full amount of his or their respective wages or shares arising from the Sealing Voyage in each year, after deducting his or their Berth Money; and each and every Fisherman, Shoreman, and other Person above the age of Seventeen Years, engaged in or about the Cod or other Fisheries of this Colony and its Dependencies, shall pay and contribute for the aforesaid purposes the sum of Two Shillings and Six Pence for each Fishing Season.

IX.—And be it further enacted, that the Master of each and every Ship or Vessel as aforesaid, and each and every Planter or other Person carrying on a Fishery in this Colony or its Dependencies, shall, and they are hereby respectively required to, retain and stop from time to time from and out of the respective wages or shares of each Seaman, Fisherman, Shoreman, Sealer, and Servant, as aforesaid, under the command or in the service and



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HENRY PRESCOTT, Esquire, C. B. Governor.

employ of such Master, Planter or other Person as aforesaid, all such respective Rates and Dues as aforesaid which shall be owing and payable by each respective Seaman, Fisherman, Sealer, Shoreman and Servant as aforesaid; and each and every such Master, and every such Planter or other Person carrying on a Fishery in this Colony or its Dependencies, shall keep a correct Muster-Roll of his respective Seamen, Fishermen, Sealers, Shoremen, and other Servants, and also a correct account of all such Rates and Dues stopped or retained by him or them as aforesaid; and when the same shall be so stopped, or retained, shall pay to the Collector of such Rates and Dues, for each respective District, (the same being lawfully demanded) the full amount of all such Monies, and deliver a correct account of the same, together with a true Copy of the Muster-Roll of all his or their Seamen, Fishermen, Sealers, Shoremen, or other Servants; such Account and Muster-Roll to be verified on oath before a Magistrate, if so required, by such Collector, or by the Board of Directors of the District; in default whereof each and every Master, Planter, and other Person offending herein, shall be liable to a penalty of treble the amount so retained, or which ought to have been so retained and stopped as aforesaid by him or them respectively; and if any Master, Planter, or other Person aforesaid, shall neglect or omit to stop or retain the Rate or Due of or payable by any Seaman, Fisherman, Sealer, Shoreman, or other Servant as aforesaid, in his employment or service, such respective Master, Planter, or other Person as aforesaid, shall, in every such case, pay the full amount of such respective Rate or Due.

X.—And be it further enacted, that all such Rates and Dues payable by or on account of any Seaman or other Person on board any Vessel engaged on a Foreign voyage, shall be paid on the arrival of such Vessel at her Port of Discharge in this Colony, and no such Vessel shall be entered inwards by the Officers of His Majesty's Customs until a Receipt for the due payment of such Rates and Dues, signed by the respective Collector thereof, shall have been produced, or the amount paid to such Officer of His Majesty's Customs; and all Rates and Dues payable by any Seaman or Sealer engaged in a Coasting or Sealing Voyage, shall be paid at the conclusion of each respective Voyage; and all Rates and Dues payable by each and every Fisherman, Shoreman, and other Servant as aforesaid, shall be paid at the conclusion of their respective current Fishing Voyages.

XI.—And be it further enacted, that if any of the Rates or Dues aforesaid, or any Sum or Sums of Money vested in the said Boards of Directors, or applicable for the purposes of this Act, shall happen to be due by, or in the hands of, any Person or Persons living or residing or carrying on Trade in this Colony who may become Bankrupt or be declared Insolvent, the full amount of the Monies, so respectively due or owed, shall be first paid out of the Estate and Effects of such Bankrupt or Insolvent before any other payment or dividend thereof shall be made.

XII.—And be it further enacted, that each and every Seaman, Fisherman, or other Person having paid Rates or Dues under this Act, and who may be afflicted with sickness, or may have incurred any severe bodily injury, shall, on application to the Board of Directors of the District in which he may then be, be entitled to such relief as the nature of his case may require; and the Board of Directors of such District shall be entitled to claim the expenses incurred for such sick or disabled Person from the Board of Directors of that District in which such Person paid the last yearly Dues.

XIII.—And be it further enacted, that each and every of the Collectors of Rates and Dues who may be appointed under this Act, shall, on the reasonable request of any Seaman, Fisherman, or other Person, from whom or in whose name any Rates or Dues may have been received, grant a Certificate, signed with the name of such Collector, of the payment of such Rates or Dues by, or in the name of, such Seaman, Fisherman, or other Person; and any Person who shall fraudulently obtain or alter or counterfeit any such Certificate, or cause or procure the same to be altered or counterfeited, shall be deprived of any benefit which such Persons would otherwise derive under this Act, and shall, on conviction, be imprisoned for a period not exceeding three months: Provided always, that no Person shall be entitled to demand a Certificate after the expiration of six months from the time when he shall have paid his Rates or Dues.



3rd &amp; 7th March, 1836.

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XIV.—And be it further enacted, that the Master of each and every Ship or Vessel arriving at any Port in this Colony, and not being registered or owned therein, shall, on his arrival at such Port, give Bond or Security in the Sum of Twenty Pounds, to the King's Most Excellent Majesty, that no Seaman brought to this Colony or its Dependencies by him, and discharged therein, shall become destitute and require relief within this Colony, as a Sick or Disabled Seaman, for the period of twelve months from such discharge; such bond to be taken by the Collector of the Customs at the Port of entry.

XV.—And be it further enacted, that all Actions and Suits touching or concerning the affairs of the said Hospitals, shall be brought by, or against, the several Boards of Directors, by the style of "The Directors of the Hospital" of each District respectively, without naming the individuals; and that all matters of Debt under Twenty Pounds shall be sued for, heard and determined in a summary way, before any one or more of His Majesty's Justices of the Peace, residing in the district where such Debt shall be due, and shall be levied by distress and sale of the party's goods, together with Costs of Suit; and that all penalties and forfeitures incurred under the provisions of this Act shall in like manner be sued for and recovered on the complaint of the Collector or other Officer named by each Board of Directors for that purpose; and that one half of such Penalties shall go to the Informer, and the other half be applied for the use of the Hospital of the District where such Penalty shall have been incurred.

XVI.—And be it further enacted, that each and every of the said Boards of Directors shall, on or before the first day of December in each year, transmit to the Governor of the Colony, to be laid before the Legislature, true and correct statements of the number of Persons paying Rates and Dues, and of all Monies by them the said Collectors respectively received under or by virtue of this Act, and of the appropriation of the same, according to the form in the Schedule to this Act annexed, marked A.

## A

*Return of the Persons paying Rates and Dues, with the amount thereof.*

(a) 530 Persons engaged in the Seal Fishery, paying Three Pence in the Pound on their Shares,	} £
230 Masters, Mates and Seamen belonging to 39 Registered Vessels, paying Six Pence per month on their Wages,	} £
175 Masters, Mates and Seamen belonging to 50 Vessels and Boats not Registered, but employed in the Coasting Trade,	} £
500 Fishermen, Shoremen, and Servants, engaged in the Cod and other Fisheries, paying Two Shillings and Six Pence per Season,	} £ 62 10 0
1444	Total, £

(a) 430 of these Men were also employed in the Cod Fishery, to be deducted.

1014 Men employed in the Fisheries and Merchant Service in the District of Trinity.

Instructions to Conferees on Academy Bill, Read 3rd time and passed.

A Message from the Assembly agreeing to the Conference requested.

House adjourns.

The Instructions to the Conferees on the subject matter of the Amendments made by the Council, in the Academy Bill, were then read a third time, and adopted.

A Deputation from the Assembly brought up a Message agreeing to the Conference requested on the above named Bill.

The Conferees went to the Conference, and having returned—

The Council adjourned until Monday next.

MONDAY, 7th MARCH, 1836.

House meets.

The House met pursuant to adjournment.

Present,

Members present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

“ “ JAMES SIMMS, *Attorney General.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS,

“ “ JOHN B. BLAND.



7th, 10th, 14th & 16th March, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

The Minutes of Thursday last were read.

A Deputation from the Assembly brought up a Bill entitled "An Act to authorize the raising by Loan a further Sum of Money for the completion of the Light House on Harbor-Grace Island," for the concurrence of this House.

Harbour-Grace Island  
(provision) Bill—  
Brought up—

The said Bill was read a first time, and—

Read 1st time.

Ordered, to be read a second time to-morrow.

On motion, made and seconded, the House adjourned until Thursday next.

House adjourns.

THURSDAY, 10th MARCH, 1836.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present.

" " JAMES SIMMS, *Attorney General.*

" " JAMES M. SPEARMAN, *Collector of the Customs.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS.

The Minutes of Monday last were read.

Ordered, that a Message be sent to the Assembly, requesting that the evidence produced to that House, previous to the passing of the Bill entitled "An Act to authorize the raising by loan of a further sum of Money for the completion of the Light House on Harbor-Grace Island," be furnished to this House.

Message ordered to be  
sent to the Assembly  
for evidence produced  
to that House respect-  
ing Harbour-Grace Is-  
land Light House Bill.

On motion made and seconded the House adjourned until Monday next.

House adjourns.

MONDAY, 14th MARCH, 1836.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present.

" " JAMES SIMMS, *Attorney General.*

" " JAMES M. SPEARMAN, *Collector of the Customs.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS.

The Minutes of Thursday last were read.

On motion, made and seconded, the House adjourned until Wednesday next.

House adjourns.

WEDNESDAY, 16th MARCH, 1836.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present.

" " JAMES SIMMS, *Attorney General.*

" " JAMES M. SPEARMAN, *Collector of the Customs.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS,

" " JOHN B. BLAND.

The Minutes of Monday last were read.

On motion, made and seconded, the House adjourned until Monday next.

House adjourns.



21st, 24th &amp; 28th March, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

MONDAY, 21st MARCH, 1836.

House meets. The House met pursuant to adjournment.

Present,

Members present. *The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS,

“ “ JOHN B. BLAND.

The Minutes of Wednesday last were read.

House adjourns.

On motion, made and seconded, the House adjourned until Thursday next.

THURSDAY, 24th MARCH, 1836.

At a quarter past twelve of the Clock, there were—

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

“ “ WILLIAM THOMAS.

House adjourned for want of a quorum.

The Honorable the Chief Justice declared the House adjourned until Monday next, for want of a Quorum.

MONDAY, 28th MARCH, 1836.

House meets.

The House met.

Present,

Members present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*“ “ JAMES SIMMS, *Attorney General.*“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS,

“ “ JOHN B. BLAND.

The Minutes of Monday and Thursday last were read.

Assembly request a Conference on the subject of the Classical Academy Bill.

A Deputation from the Assembly brought up a Message requesting a Conference on the subject of the last Conference on the Bill for establishing a Classical Academy at St. John's in this Island.

Request concurred in.

Ordered, that the request be concurred in, and—

Conferees appointed.

Ordered, that the Honorable Messieurs Simms and Thomas be the Conferees on the part of this House, to meet the Managers from the Assembly in the Committee Room of the Council to-day at half-past One o'Clock.

Message from Assembly agreeing to Amendments on Hospital Bill, with some Amendments.

A Deputation from the Assembly brought up a Message agreeing to the Amendments made by the Council in and upon the Bill entitled “An Act for the Relief of Sick and Disabled Seamen, Fishermen and other persons,” with some Amendments to which they requested the concurrence of the Council.

Amendments read 1st time.

The said Amendments were read a first time.

38th Rule dispensed with.

Ordered, that the 38th standing rule of the House so far as it respects these Amendments be dispensed with.

Amendments read 2nd time—

The Amendments were then read a second time, and—

Committed.

The House went into a Committee of the whole on the same.

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

Reported as concurred in.

The Chairman reported that the Committee concurred in the Amendments.

Ordered, that the Report be received.



28th March, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

The Amendments are in the following words :—

Amendments made by the Commons House of Assembly upon the Amendments made by His Majesty's Council in the Bill entitled "An Act for the relief of sick and disabled Seamen, Fishermen and other persons."

The Amendments.

In the Preamble of the Bill—Expunge the following words, "and of destitute Widows and Children of such Seamen, Fishermen, and other Persons."

Section 7th, line 4th—Between the words "Act" and "who," insert the words following, viz—"who shall enter into sufficient security, to the satisfaction of such Boards of Directors respectively, for all and every Sum and Sums of Money which shall come into their hands as such Collectors, and"

Add to this Section the following Proviso: "Provided always that such Collectors shall not be Members of the Boards of Directors for any of the said Districts."

Section 10th, lines 9th & 10th—Between the words "Customs" and "and," insert the following words—"or to such Persons as shall be appointed by them to receive the same."

Add to this Section the following Proviso: "Provided always that all Rates or Dues paid by any Master, Mate, Seaman, or Shareman, on board any Ship or Vessel upon her entry inwards at any Port in this Island, from any Foreign, Coasting, Sealing or Fishing Voyage, shall in all cases be accounted for and paid over to the Collector of Rates and Dues for the District in which such Ship or Vessel shall be owned."

Expunge the 11th and 14th sections.

Section 16—Strike out the words "and of the appropriation of the same," and in lieu thereof add to the section the following words—"and also a correct statement of the appropriation of the same."

Passed the House of Assembly, March 9th, 1836.

THOMAS BENNETT,

*Speaker.*

The Amendments were read a third time and passed.

Read 3rd time and passed.

The Honorable the Attorney-General, from the Conferees appointed to meet the Managers from the Assembly on the subject of the last Conference on the Bill for establishing a Classical Academy at Saint John's, in this Island, reported that they had met the said Managers and received from them their Instructions, which are in the following words :—

Report of Committee appointed to meet the Managers from the Assembly on the subject of the Bill for establishing a Classical Academy.

The Commons House of Assembly have requested this Conference with His Majesty's Council on the subject of the last Conference on the Bill sent up from the Assembly entitled "An Act for establishing a Classical Academy at Saint John's in this Island," for the purpose of acquainting His Majesty's Council that the Assembly do not concur in the Amendments which the Council propose to introduce into the said Bill.

Assembly's Instructions to their Conferees on the above subject.

That which provides that the Masters of the Academy shall be Graduates of some University or College in the United Kingdom or in some one of the British Possessions abroad, is of a character quite too exclusive for the Assembly to sanction; and is calculated to create religious distinctions, which in the Institution intended to be established, it is particularly desirable to avoid. The class of persons to which the Council would thus limit the choice of Teachers to conduct an Academy in which the young of all creeds are to be educated, is composed almost without exception of Members of the Church of England; and the Assembly by no means agree with the Council that it is necessary to have recourse to this exclusive class in order to obtain Masters of competent talents and acquirements for the purposes of the Academy.

The Amendment which the Council propose introducing in the Sixth Section of the Bill, and which would have the effect, in some measure, of diverting the application of the Monies voted by the Bill—and also the amendment proposed to be made in the last section, extending the duration of the Act from Five to Ten Years—the House of Assembly are



28th &amp; 30th March, 1836.

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precluded from entertaining, as they would otherwise sanction an interference on the part of the Council with their privileges, which they are desirous on all occasions to preserve inviolate.

*House of Assembly,*

March 28th, 1836.

THOMAS BENNETT,  
*Speaker.*

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

Classical Academy  
Bill—

Ordered, that the Bill entitled “An Act for establishing a Classical Academy at Saint John’s, in this Island,” be re-committed.

Re-committed.

The House accordingly went into a Committee of the whole on the said Bill.

The Honorable Mr. Spearman in the Chair.

After some time the House resumed.

Reported with—

The Chairman reported the Bill with some Amendments.

Ordered, that the Report be received.

The Amendments are in the following words:—

Amendments.

In the 5th Section of the Bill, 4th line—Expunge the word “three,” and insert the word “two” in its stead.

“ “ After the words “Provided always,” insert the words following—  
“That each of the said Masters so chosen and appointed shall be a Graduate of some University or College in the United Kingdom, or in some one of the British Possessions abroad, and.”

6th Section, 2nd line—Expunge all the words after the word “paid,” down to the word “from,” in the 11th line; also, in the 13th line, the words commencing “there shall,” and ending with “Heirs and Successors,” in the 14th line; and add, after the words “Six Hundred Pounds,” in the 15th line, the words following—“in such proportions as the Directors shall determine and agree upon.”

12th Section—Expunge the word “Five,” and insert “Ten” in its stead.

Ordered, that the Amendments be engrossed, and the Bill, as amended, read a third time on Wednesday next.

House adjourns.

On motion, made and seconded, the House adjourned until Wednesday next.

WEDNESDAY, 30th MARCH, 1836.

House meets.

The House met pursuant to adjournment.

Present.

Members present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

“ “ JAMES SIMMS, *Attorney General.*

“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS,

“ “ JOHN B. BLAND.

The Minutes of Monday last were read.

Classical Academy Bill  
Read 3rd time and  
passed.

Pursuant to the order of the day the Bill, as amended, entitled “An Act for establishing a Classical Academy at Saint John’s, in this Island,” was read a third time, and passed.

Member enters.

The Honorable the Commandant enters.

His Excellency the  
Governor comes to the  
Council Chamber.  
The Assembly summoned to attend him.

At One of the Clock, p. m., His Excellency the Governor having come to the Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was ordered to direct the immediate attendance of the Commons House of Assembly in this House; and they being come thereto—

His Excellency gives  
his assent to two Bills,  
viz.

His Excellency was pleased to assent to the following Bills, viz.:—

Small-Pox prevention  
(provision) Bill—and

“An Act for granting to His Majesty the sum of Five Hundred Pounds, to defray any necessary expenses that may be incurred in preventing the extension and spread of Small Pox;” and—

Hospital Bill.

“An Act for the relief of Sick and Disabled Seamen, Fishermen, and other Persons.”



5th &amp; 7th April, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

Then the House of Assembly retired, and His Excellency withdrew.  
On motion, made and seconded, the House adjourned until Tuesday next.

His Excellency withdraws.  
House adjourns.

TUESDAY, 5th APRIL, 1836.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present.

" " JAMES SIMMS, *Attorney General.*" " JAMES M. SPEARMAN, *Collector of the Customs.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS.

The Minutes of Wednesday last were read.

A Deputation from the Assembly brought up a Bill entitled "An Act for authorizing His Excellency the Governor to admit Persons to practise the Profession of the Law in the several Courts of this Island," for the concurrence of this House.

Bill to authorize the Governor to admit persons to practise in the Courts of Law—brought up.

The said Bill was then read a first time, and, on motion of the Honorable Mr. Spearman, seconded by the Honorable Mr. Thomas, it was—

Read 1st time.

Ordered, to be read again on this day six months.

A Deputation from the Assembly brought up two Bills for the concurrence of this House, entitled "An Act to continue an Act passed in the third year of His Majesty's Reign, entitled 'An Act for the regulation of Pilots and the Pilotage of Vessels at the Port of Saint John's;'" and "An Act for ascertaining the Census of this Colony, and other Statistical information;" which were severally read a first time, and—

Pilots Act continuation Bill—and, Census Bill brought up and read 1st time.

Ordered to be read a second time to-morrow.

On motion, made and seconded, the House adjourned until Thursday next.

House adjourns.

THURSDAY, 7th APRIL, 1836.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present.

" " JAMES SIMMS, *Attorney General.*" " JAMES M. SPEARMAN, *Collector of the Customs.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS.

" " JOHN B. BLAND.

The Minutes of Tuesday last were read.

Pursuant to the order of the day, the Bill entitled "An Act to continue an Act passed in the third year of His Majesty's Reign, entitled 'An Act for the regulation of Pilots and the Pilotage of Vessels at the Port of St. John's,'" was read a second time, and—

Pilots Act continuation Bill, read 2nd time.

Ordered to be committed to-morrow.

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

MR. PRESIDENT,

Message from Assembly transmitting a letter on the subject of the Harbor Grace Light House

In reply to the Message of His Majesty's Council transmitted to this House on the 28th day of March last, requesting the evidence produced to this House previous to the passing of the Act to authorize the raising by loan of a further sum of money for the completion of the Light House on Harbor-Grace Island, the House of Assembly transmit to His Majesty's Council the copy of a letter to the Executive from the Commissioners of the Light House abovementioned, laid before this House by His Excellency the Governor, setting forth the necessity of a further sum of money in order effectually to complete the said Light House.

THOMAS BENNETT,  
*Speaker.*

April 7th, 1836.



7th April, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

Census Bill read 2nd time.

Pursuant to the order of the day, the Bill entitled "An Act for ascertaining the Census of this Colony and other Statistical information, was read a second time, and—

38th standing rule dispensed with.

On motion, it was ordered, that the 38th Standing Rule of the House, so far as it respects this Bill, be dispensed with.

Census Bill committed.

The House then went into a Committee of the whole on the said Bill.

The Honorable Mr. Bland in the Chair.

A Message being announced, the House formed.

Two Messages from the Governor,

Mr. Acting Colonial Secretary Templeman presented two Messages from His Excellency the Governor, which are in the following words:—

—transmitting Mr. J. Green's report of survey of several lines of road, —and

H. PRESCOTT.

The Governor transmits to the Council the accompanying Report of portions of Mr. Joshua Green's Survey of the several lines of Road intended to be opened between various parts of Conception and Trinity Bays.

*Government-House,* }  
23d March, 1836. }

Copy of an Order in Council directing that certain Acts passed by the Legislature of this Colony be left to their operation.

H. PRESCOTT.

The Governor transmits to the Council the annexed copy of an Order of His Majesty in Council, bearing date the 28th October last, directing that certain Acts therein mentioned which had been passed by the Legislature of this Colony, should be left to their operation.

*Government-House,* }  
23d March, 1836. }

At the Court at St. James's, the 28th of October, 1835.

Order in Council.

PRESENT,

The King's Most Excellent Majesty.

Lord Chamberlain,

Earl of Minto,

Viscount Palmerston,

Viscount Melbourne,

Lord Holland,

Lord Glenelg,

Sir Alexander Johnston.

Whereas the Governor of His Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did, in the Months of April and May last, pass thirteen Acts, which have been transmitted, entitled as follows—Viz.

No. 47. "An Act for granting to His Majesty certain Duties on Articles imported into this Colony."

No. 48. "An Act to amend the law of Attachment, and to facilitate the recovery of Debts from absent or absconding Debtors."

No. 49. "An Act for preventing the taking and using of Caplin for Manure."

No. 50. "An Act for the protection of the breeding of Hares and Wild-fowl."

No. 51. "An Act to amend an Act passed in the Second Session of the Parliament of this Colony, entitled 'An Act to regulate the making and repairing of Roads and Highways in this Island.'"

No. 52. "An Act for raising a further sum of Money for completing the erection of a Light House on Cape Spear."

No. 53. "An Act for the establishment of a Light-House on Harbor-Grace Island."

No. 54. "An Act to amend an Act of the Parliament of this Colony, entitled 'An Act for the establishment and regulation of Fire Companies in the Town of St. John's.'"

No. 55. "An Act to prevent the unnecessary discharging of Guns and other Fire Arms in the Towns of Saint John's, Harbor-Grace, Carbonear, Port-de-Grave and Brigus, and the Suburbs thereof."

No. 56. "An Act to combine the Office of Clerk of the Central Circuit Court with the Office of Clerk of the Supreme Court, and to make provision for the Officer discharging the duties of the said Offices."



7th, 11th & 14th April, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

No. 57. "An Act to regulate the Streets of the Town of Carbonear."

No. 58. "An Act for granting to His Majesty certain Monies for defraying the expense of the Civil Establishment of this Colony during the year 1835, and for other purposes."

No. 59. "An Act to make provision for defraying the Contingent Expenses of the Legislature during the last and present Session."

And Whereas the said Acts have been referred to the Committee of the Lords of His Majesty's Most Honorable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Lords of the Committee have reported as their opinion to His Majesty that the said Acts should be left to their operation: His Majesty was therefore this day pleased, by and with the advice of His Privy Council, to approve the said Report: WHEREOF the Governor, Lieutenant Governor, or Commander-in-Chief of His Majesty's Island of Newfoundland for the time being, and all other Persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed) C. GREVILLE.

The House again went into a Committee of the whole on the Census Bill.

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

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

Ordered, that the Report be received, and that leave be granted.

Pursuant to the order of the day, the Bill entitled "An Act to authorize the raising by loan of a further sum of Money for the completion of the Light-House on Harbor-Grace Island," was read a second time, and—

Ordered, to be committed to-morrow.

On motion, made and seconded, the House adjourned until Monday next.

MONDAY, 11th APRIL, 1836.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, *Chief Justice*,

" " JAMES SIMMS, *Attorney General*.

" " JAMES M. SPEARMAN, *Collector of the Customs*.

" " JOHN B. BLAND.

The Minutes of Thursday last were read.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act to continue an Act passed in the third year of His Majesty's Reign, entitled 'An Act for the regulation of Pilots and the Pilotage of Vessels at the Port of Saint John's.'"

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered, that the Report be received, and—

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

On motion, made and seconded, the House adjourned until Thursday next.

THURSDAY, 14th APRIL, 1836.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, *Chief Justice*,

" " JAMES M. SPEARMAN, *Collector of the Customs*.

" " JOHN DUNSCOMB,

" " JOHN B. BLAND.

Census Bill in Committee.

—Reported.

Harbor-Grace Island Light-House Bill—read 2d time.

House adjourns.

House meets

Members present,

Pilots' Act continuation Bill committed;

—reported.

House adjourns.

House meets.

Members present.



14th April, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

The Minutes of Monday last were read.

Pilots' Act continuation  
Bill read 3d time and  
passed.

Pursuant to the order of the day, the Bill entitled "An Act to continue an Act passed in the third year of His Majesty's Reign, entitled 'An Act for the regulation of Pilots and the Pilotage of Vessels at the Port of Saint John's,'" was read a third time and passed.

Harbor-Grace Island  
Light-House Bill  
Committed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act to authorize the raising by loan of a further sum of Money for the completion of the Light-House on Harbor-Grace Island."

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

Chairman reports a  
resolution,

The Chairman reported a Resolution, which is in the following words :

—for an Address to the  
Governor on the subject  
of the Harbor-Grace  
Light-House.

Resolved, that it is the opinion of this Committee that an Address be presented to His Excellency the Governor, praying for an account of the Expenditure of the Money on the Harbor-Grace Light-House, with such other information as His Excellency may be able to afford with reference to the necessity of a further sum of Money being granted by the Legislature for the completion of the same.

Report adopted.

Ordered, that the Report be received and adopted, and—

Committee appointed  
to prepare the Address.

Ordered, that the Honorable Messieurs Spearman and Dunscomb be a Committee to prepare the Address.

Fishery Bill, and

A Deputation from the Assembly brought up a Bill for the concurrence of this House, entitled "An Act to provide for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants' Wages."

Education Bill—  
brought up, and—

A second Deputation from the Assembly brought up a Bill for the concurrence of this House, entitled "An Act for the encouragement of Education in this Colony."

read 1st time.

The above-named Bills were read a first time, and—

Ordered, to be read a second time to-morrow.

Taking of Caplin for  
Manure prohibition Act  
repeal Bill—  
brought up ;

A Deputation from the Assembly also brought up a Bill for the concurrence of this House, entitled "An Act to repeal an Act passed in the fifth year of the Reign of His present Majesty, entitled 'An Act for preventing the taking and using of Caplin for Manure.'"

read 1st time.

The Bill was read a first time, and—

Ordered, to be read a second time to-morrow.

Assembly to be request-  
ed to furnish informa-  
tion relative thereto.

It was also Ordered, that a Message be sent to the Assembly for any information they may be able to furnish this House as to the expediency of passing the above-named Bill.

Increase of Revenue  
Act continuation Bill  
brought up.

A Deputation from the Assembly also brought up a Bill for the concurrence of this House, entitled "An Act to continue an Act passed in the Fourth year of His Majesty's Reign, entitled 'An Act for the further increase of the Revenue.'"

Census Bill committed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act for ascertaining the Census of this Colony, and other Statistical information."

The Honorable Mr. Bland in the Chair.

After some time the House resume l.

Reported, with—

The Chairman reported the Bill, with some Amendments.

Ordered, that the Report be received.

The Amendments are in the following words :—

Amendments.

4th Section, 9th line—After the word "enter," insert the words "in the day-time."

6th Section, 10th line—After the word "answer," insert the words "on oath."

7th Section, 2nd line—Expunge the word "person," between the words "every" and "who," and insert in its stead the words "adult member of any family."

" 5th line—Between the words "appointed" and "shall," insert the words "to obtain the same as aforesaid."

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



15th April, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

The Honorable the Collector moved for leave to bring in a Bill to regulate the Printing and Publishing of Newspapers and other Papers in this Colony.

Leave granted.

The said Bill was accordingly brought in and read a first time, and—

Ordered to be read a second time, to-morrow.

On motion, made and seconded, the House adjourned until to-morrow.

Motion for leave to bring in a bill to regulate the printing of Newspapers, granted.

Bill brought in and read 1st time.

House adjourns.

FRIDAY, 15th APRIL, 1836.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Chief Justice.*

“ “ JAMES SIMMS, *Attorney General.*

“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS.

“ “ JOHN B. BLAND.

Members present:

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill entitled “An Act for ascertaining the Census of this Colony and other statistical information,” was read a third time and passed.

Census Bill read 3rd time and passed.

Pursuant to the order of the day the Bill entitled “An Act to provide for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants’ Wages,” was read a second time, and, on motion, it was—

Fishery Bill read 2nd time.

Ordered, that the 38th Standing Rule of the House be dispensed with so far as it respects this Bill.

38th Standing Rule of the House dispensed with.

The House then went into a Committee of the whole on the said Bill.

Fishery Bill in Committee.

The Honorable Mr. Thomas in the Chair.

A Message being announced the House formed.

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

MR. PRESIDENT,

In reply to the Message of His Majesty’s Council sent down to the House of Assembly yesterday, requesting to be furnished with any information they may have obtained with reference to the propriety of repealing the Act passed in the Fifth Year of the Reign of His present Majesty, entitled “An Act for preventing the taking and using of Caplin for Manure,” the House of Assembly transmit to His Majesty’s Council two Petitions from the Inhabitants of certain parts of Conception Bay, praying that the said Act may be repealed.

Message from the Assembly in reply to Council’s request for information on the subject of the taking of Caplin for manure prohibition repeal Bill.

THOMAS BENNETT,  
*Speaker.*

*House of Assembly,  
April 15, 1836.*

The House again went into Committee on the Fishery Bill.

Fishery Bill in Committee.

The Honorable Mr. Thomas in the Chair.

A Message being announced the House formed.

Mr. Acting Colonial Secretary Templeman presented a Message from His Excellency the Governor in the following words:—

H. PRESCOTT.

The Governor considers it proper to lay before the Council the accompanying Copy of a Despatch from the Secretary of State for the Colonies, relative to the Act of the Colonial Legislature, “for increasing the number of Representatives in the General Assembly.”

*Government-House,  
15th April, 1836.*

*Downing-Street, 29th September, 1835.*

SIR,

I have received your Despatch dated 8th August, No. 38, in which you solicit Instructions for your guidance in the event of a new Bill being passed by the Council and Assembly of

Message from the Governor, transmitting Copy of Despatch from the Secretary of State relative to the Act for increasing the number of representatives.



15th April, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

Newfoundland for establishing a new Electoral District, comprising the settlements between Bonne Bay, in Longitude 56, 25, and another Bay of the same name in Longitude 58.

The objection which you urge against the enactment of any such law is unanswerable.— It would, in appearance at least, and I apprehend in reality, be an infringement of the Treaty of Versailles of September, 1788. But even on the opposite supposition, such an Act would necessarily raise that question with the French Government in a form the most inconvenient and embarrassing; because the Act, once allowed by His Majesty, could not be annulled except by the consent of the House of Assembly, however conclusive might be the arguments urged by the Government of France against it, and because every popular feeling in Newfoundland would be opposed to such a repeal. As no practical inconvenience is felt by the existing Rule, which limits the elective franchise to persons not resident beyond the first of the two Bays, the mischiefs consequent upon the passing of such a Law would be gratuitously incurred. Of course, therefore, you will not give your assent to any such Law, if enacted.

I have, &amp;c.

(Signed) GLENELG.

Captain PRESCOTT, R. N.,  
&c. &c. &c.

Fishery Bill  
committed—

The House again went into Committee on the Fishery Bill.

The Honorable Mr. Thomas in the Chair.

After some time the House resumed.

reported:

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

Ordered, that the Report be received.

Education Bill read  
2nd time.

Pursuant to the order of the day, the Bill entitled "An Act for the encouragement of Education in this Colony," was read a second time, and—

Ordered to be committed to-morrow.

Taking of Caplin for  
Manure prohibition  
repeal Bill read 2nd  
time.

Pursuant to the order of the day, the Bill entitled "An Act to repeal an Act passed in the fifth year of His present Majesty, entitled 'An Act for preventing the taking and using of Caplin for Manure,'" was read a second time, and—

Ordered to be committed to-morrow.

Regulation of News-  
paper Bill read 2d time.

Pursuant to the order of the day, the Bill to regulate the Printing and Publishing of Newspapers and other Papers in this Colony, was read a second time, and—

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

38th Standing Rule of  
the House dispensed  
with.

Ordered, that the 38th Standing Rule of the House, so far as it respects this Bill, be dispensed with.

Bill committed ;

The House then went into a Committee of the whole on the said Bill.

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

reported as amended.

The Chairman reported the Bill with some Amendments.

Ordered, that the Report be received, and—

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

Report of Committee  
appointed to prepare  
an Address to the Go-  
vernor respecting the  
building of the Harbor-  
Grace Light House.

The Honorable Mr. Spearman, from the Committee appointed to prepare an Address to His Excellency the Governor for information respecting the building of the Harbor-Grace Light-House, reported an Address, which was read to the House, and is in the following words:—

To His Excellency HENRY PRESCOTT, Esquire, C. B., &c. &c.

The Address.

MAY IT PLEASE YOUR EXCELLENCY,—

We, His Majesty's dutiful and loyal subjects the Council of Newfoundland, respectfully request that Your Excellency will cause to be laid before this House an account of the appropriation and expenditure of the sum of One Thousand Pounds granted by the Act 5th Wm. 4, c. 7, for the erection of a Light House on Harbor-Grace Island; and also a Specification of the intended mode of expenditure of the further sum of One Thousand Pounds which the Commissioners, by their letter of the 5th January 1836, have represented to be requisite for the completion of the said Light House; together with any correspondence they may have entered into for the purpose of ascertaining the expense necessary to be incurred for



15th &amp; 16th April, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

the Lamp and other Machinery intended to be placed thereon; with a Specification of the description of the Light which they are desirous of obtaining.

Ordered, that the Report be received and adopted.

Ordered, that the Honorable Messieurs Spearman and Dunscomb be a Committee to wait on His Excellency the Governor to know when he will be pleased to receive the Address, and to present it.

Committee appointed to wait on His Excellency to know when he would receive the same and to present it.

The Bill brought up yesterday, entitled "An Act to continue an Act passed in the fourth year of His Majesty's Reign, entitled "An Act for the further increase of the Revenue,"" was read a first time, and—

Revenue continuation Act read 1st time.

Ordered to be read a second time to-morrow.

On motion, made and seconded, the House adjourned until to-morrow.

House adjourns.

SATURDAY, 16th APRIL, 1836.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present:

" " JAMES SIMMS, *Attorney General.*

" " JAMES M. SPEARMAN, *Collector of the Customs.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS.

" " JOHN B. BLAND.

The Minutes of yesterday were read.

A Deputation from the Assembly brought up a Message requesting a Conference on the subject of the amendment made by the Council in the Bill entitled "An Act to amend an Act passed in the fourth year of His Majesty's Reign, entitled 'An Act for declaring all Landed Property in Newfoundland Real Chattels.'" "

Message from Assembly requesting Conference on Real Chattels Act Amendment Bill.

Ordered, that the request be acceded to, and—

Granted.

Ordered, that the Honorable Messieurs Simms and Bland be the Conferees on the part of this House to meet the Managers from the Assembly in the Committee Room of the Council presently.

Conferees appointed.

Pursuant to the order of the day, the Bill to regulate the Printing and Publishing of Newspapers and other Papers in this Colony, was read a third time, and passed.

Regulation of Newspapers Bill, read 3rd time and passed.

On motion of the Honorable the Collector, seconded by the Honorable Mr. Thomas, it was—

Ordered, that the Title of the Bill be "An Act for preventing the mischiefs arising from the printing and publishing Books, Newspapers, and Papers of a like nature, by persons unknown, and to regulate the printing and publishing the same."

Title of the Bill.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act for the encouragement of Education in this Colony."

Education Bill in Committee.

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

Ordered, that the Report be received, and—

Reported.

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

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act to provide for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants' Wages."

Fishery Bill in Committee.

The Honorable Mr. Thomas in the Chair.

The House resumed on the Conferees going to the Conference.

Conferees go to the Conference.

The Conferees having returned, the Honorable the Attorney General reported that they had met the Managers from the Assembly, and received from them their Instructions, which are in the following words:—

Report of Conferees.



16th &amp; 18th April, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

Instructions to Assembly's Managers on Real Chattels Act Amendment Bill.

The House of Assembly have requested this Conference with His Majesty's Council on the subject of the Bill entitled "An Act to amend an Act passed in the fourth year of His Majesty's Reign, intituled 'An Act for declaring all Landed Property in Newfoundland Real Chattels,'" for the purpose of acquainting His Majesty's Council that they do not concur in the Amendment made by His Majesty's Council in the said Bill, because, as the reasons assigned for the objections stated in the Despatch of His Majesty's Principal Secretary of State for the Colonies (dated the 13th of April last) to the clause in the Act which the Bill in question proposes to amend, apply equally as well to the office of Administrator as of Executor, it is apprehended that if the Amendment proposed by His Majesty's Council be adopted, the objections will not be removed, and that His Majesty's sanction to the Bill will still be withheld.

THOMAS BENNETT,  
*Speaker.*

April 16th, 1836.

Fishery Bill in Committee.

The House again went into Committee on the Fishery Bill.

The Honorable Mr. Thomas in the Chair.

After some time the House resumed.

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

Reported.

Ordered, that the Report be received.

Taking of Caplin for Manure prohibition Act repeal Bill—Committed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act to repeal an Act passed in the fifth year of the Reign of His present Majesty, entitled 'An Act for preventing the taking and using of Caplin for Manure.'"

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had risen—and asked leave to sit again on this day six months.

Ordered, that the Report be received.

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

Assembly's Instructions to their Conferees on the Amendment on the Real Chattels Act Amendment Bill to be Committed.

Ordered, that the Instructions to the Assembly's Conferees on the Amendment of the Council on the Bill entitled "An Act to amend an Act passed in the fourth year of His Majesty's Reign, entitled 'An Act for declaring all Landed Property in Newfoundland Real Chattels,'" be referred to a Committee of the whole House on Monday next.

On motion, made and seconded, the House adjourned until Monday next.

House adjourns.

MONDAY, 18th APRIL, 1836.

House meets.

The House met pursuant to adjournment.

Present.

Members present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

" " JAMES SIMMS, *Attorney General.*

" " JAMES M. SPEARMAN, *Collector of the Customs.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS,

" " JOHN B. BLAND.

The Minutes of Saturday last were read.

Report of Committee appointed to wait on the Governor with Address respecting Harbor Grace Light House.

The Honorable Mr. Spearman, from the Committee appointed to wait on His Excellency the Governor with an Address from this House for information respecting the Harbor-Grace Island Light-House, reported that they had waited on His Excellency with the Address, to which he had been pleased to make the following reply:—

GENTLEMEN,

His Excellency's reply.

I will direct the Commissioners of the Harbor-Grace Light-House to supply the information requested by the Council in the Address which you have just presented.

Education Bill read 3rd time and passed.

Pursuant to the order of the day, the Bill entitled "An Act for the encouragement of Education in this Colony," was read a third time and passed.



18th &amp; 20th April, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act to provide for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants' Wages."

The Honorable Mr. Thomas in the Chair.

A Message being announced, the House formed.

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

MR. PRESIDENT,

The House of Assembly have passed the Amendments made by His Majesty's Council in the Bill entitled "An Act for ascertaining the Census of this Colony and other Statistical information."

THOMAS BENNETT,  
Speaker.

House of Assembly,  
April 16th, 1836.

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

MR. PRESIDENT,

The House of Assembly request that His Majesty's Council will furnish them with the amount of their Contingencies for the present Session of the Legislature.

THOMAS BENNETT,  
Speaker.

House of Assembly,  
April 18th, 1836.

Ordered, that the Honorable Messieurs Thomas and Bland be a Committee to report on the Contingencies of this House.

The House again went into Committee on the Fishery Bill.

The Honorable Mr. Thomas in the Chair.

After some time the House resumed.

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

Ordered, that the Report be received.

Pursuant to the order of the day, the House went into a Committee of the whole on the Assembly's Instructions to their Conferees on the Amendment made by the Council in the Bill entitled "An Act to amend an Act passed in the fourth year of His Majesty's Reign, entitled 'An Act for declaring all Landed Property in Newfoundland Real Chattels.'"

The Honorable Mr. Spearman in the Chair.

After some time the House resumed.

The Chairman reported that the Committee had agreed to a resolution, which they recommended to the adoption of the House.

The Resolution is in the following words:—

Resolved, that the Committee do now rise, and recommend to the House that we recede from our Amendment to the Bill entitled "An Act to amend an Act passed in the fourth year of His Majesty's reign, entitled 'An Act for declaring all Landed Property in Newfoundland Real Chattels.'"

Ordered, that the Report be received and adopted.

On motion, made and seconded, the House adjourned until Wednesday next.

WEDNESDAY, 20th APRIL, 1836.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, Chief Justice.

" " JAMES SIMMS, Attorney General,

" " JAMES M. SPEARMAN, Collector of the Customs.

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS,

" " JOHN B. BLAND.

Fishery Bill, in Committee.

Message from Assembly agreeing to Amendments on Census Bill.

Message from Assembly requesting amount of the Council's Contingencies.

Committee appointed to report on Contingencies.

Fishery Bill—Committed.

Reported.

Committee on Assembly's Instructions to their Conferees on Council's Amendments in Real Chattels Act Amendment Bill.

Report a resolution.

The resolution;

Resolution adopted.

House adjourns.

House meets.

Members present.



20th April, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

- The Minutes of Monday last were read.
- Report of Select Committee on Contingencies.** The Honorable Mr. Thomas, from the Select Committee appointed to report on the Contingencies of this House, reported as follows:—
- The Select Committee appointed to take into consideration the Contingencies of this Honorable House, beg leave to report that they have carefully examined the accounts of the Clerk and Usher of the Black Rod, the former amounting to £112 19 7 Sterling, and the latter to £7 11 11 Sterling, making together £120 11 6 Sterling, which they recommend to be paid.
- Your Committee further recommend that the Master in Chancery, the Clerk, the Usher of the Black Rod, and the Door-Keeper of this House, be placed in point of Emolument on a footing with the Solicitor, Clerk, Serjeant-at-Arms, and Door-Keeper of the House of Assembly.
- Report received.** Ordered, that the Report be received, and—
- Committed.** Ordered, that the said Report be committed to a Committee of the whole House. The House accordingly went into Committee. The Honorable Mr. Bland in the Chair. After some time the House resumed.
- Reported.** The Chairman reported that the Committee had adopted the Report. Ordered, that the Report be received. Whereupon a resolution was adopted, and a Message in the following words transmitted to the Assembly.
- Message to the Assembly transmitting a resolution on the subject of the Council's Contingencies.** MR. SPEAKER, His Majesty's Council acquaint the House of Assembly, that they have adopted the following Resolution upon the subject of their Contingencies during the last and present Sessions of the Legislature.
- Resolved,—That the Sum of One Hundred and Twelve Pounds Nineteen Shillings and Seven Pence Sterling, be paid to the Clerk to pay the Contingencies of his Office during the last and present Sessions of the Legislature, and that the Sum of Seven Pounds, Eleven Shillings and Eleven Pence Sterling, be paid to the Usher of the Black Rod, to defray the Contingencies of his Office, during the last and present Sessions of the Legislature; and that the Master in Chancery, the Clerk, the Usher of the Black Rod, and the Door-Keeper of this House, be placed in point of Emolument on a footing with the Solicitor, Clerk, Serjeant-at-Arms, and the Door-Keeper of the House of Assembly.
- Fishery Bill, in Committee.** Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act to provide for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants' Wages."
- The Honorable Mr. Thomas in the Chair. After some time the House resumed.
- Reported.** The Chairman reported progress, and asked leave to sit again to-morrow.
- Harbor-Grace Island Light-House Bill—Committed.** On Motion,—The House went into a Committee of the whole, on the Bill entitled "An Act to authorize the raising by loan of a further Sum of Money for the completion of the Light-House on Harbor-Grace Island."
- The Honorable Mr. Dunscomb in the Chair. After some time the House resumed.
- Reported with an Amendment.** The Chairman reported the Bill with an Amendment. Ordered, that the Report be received and adopted. The Amendment is in the following words:—
- The Amendment.** Insert at the end of the 1st Section—"Provided always, that no part of the said Sum of Money hereby authorized to be raised shall be raised or expended until a specification of the Work to be performed, and of the Machinery to be provided, shall have been laid before the Governor and Council, and the Estimate of the Expense thereof shall have been by them approved."
- Ordered, that the Amendment be engrossed, and the Bill, as amended, read a third time to-morrow.
- House adjourns.** On motion, made and seconded, the House adjourned until Friday next.



22nd &amp; 25th April, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

FRIDAY, 22nd APRIL, 1836.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present.

" " JAMES SIMMS, *Attorney General,*" " JAMES M. SPEARMAN, *Collector of the Customs.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS.

The Minutes of Wednesday last were read.

The Honorable Mr. Dunscomb gave notice that on Monday next he would move for leave to bring in a Bill to repeal so much of an Act entitled "An Act to regulate the standard of Weights and Measures in this Colony, and to provide for the Surveying of Lumber," as relates to Weights and Measures.

Notice of motion for leave to bring in a Bill to repeal part of the Act to regulate the Standard of Weights and Measures.

Pursuant to the order of the day, the Bill, as amended, entitled "An Act to authorize the raising by loan of a further sum of Money for the completion of the Light-House on Harbour-Grace Island," was read a third time and passed.

Harbour-Grace Island Light-House Bill, read 3rd time and passed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled "An Act to provide for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants' Wages."

Fishery Bill, committed.

*The Honorable* Mr. Thomas in the Chair.*The Honorable* Mr. Bland enters.

Member enters.

After some time the House resumed.

The Chairman reported the Bill with some Amendments.

Reported.

Ordered, that the Report be received.

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

Ordered, that the Honorable Messieurs Thomas and Bland be a Committee to draw up rules for the management of the Library.

Committee appointed to draw up rules for the management of the Library.

On motion, made and seconded, the House adjourned until Monday next.

House adjourns.

MONDAY, 25th APRIL, 1836.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present

" " JAMES SIMMS, *Attorney General.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS,

" " JOHN B. BLAND.

The Minutes of Friday last were read.

The Honorable Mr. Thomas, from the Committee appointed to draw up Rules on the subject of the Library, reported a resolution which is as follows:—

Select Committee appointed to draw up Rules on the subject of the Library, report a Resolution.

*Resolved,* That the following Rules be adopted for the management of the Library provided for the Legislature, and that the same be communicated to the Assembly for their concurrence:

That the Librarian be appointed by the President of the Council and Speaker of the Assembly, in whose care the Books shall be placed.

That the Librarian do prepare an alphabetical Catalogue of the Books, and index the same in the front leaves of a Diary to be kept on the Table for the reference of Members.

That none but Members shall be entitled to take any Books out of the Library, although the Officers of both Houses may have access thereto at all reasonable hours.



25th April, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

That the Librarian shall not deliver any Book to a Member until he shall have entered his name in the Diary, the day when taken, and the volume taken; and that only one Book at a time should be delivered to any Member to be used out of the House; nor shall a second be delivered until the former shall have been returned, and the day when it shall have been returned entered in the Diary.

No Member shall keep a Book longer than a Week at a time, nor shall he take any Book except for his own use; nor shall he lend the same to any other person. No Member who shall knowingly infringe the foregoing Rules, shall be permitted to take a Book out of the Library again for six months.

Any Member who shall lose, destroy, or materially injure any Book, shall, upon the decision of the President of the Council and Speaker of the Assembly, cause the injury to be immediately repaired, or the Book or set replaced; and the old Book shall remain in the Library for the use of the Legislature until it be so replaced with a new one.

The Librarian shall be in attendance, during the sitting of the Legislature, from eleven o'clock in the morning until one in the afternoon, and from thence until the adjournment of both Houses on each day.

Ordered, that the Report be received and adopted; and that it be communicated to the Assembly.

The Honorable Mr. Spearman enters.

On motion of the Honorable Mr. Thomas, the Bill entitled "An Act to provide for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants' Wages," was re-committed.

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

The Chairman reported the Bill with some Amendments, which are as follows:—

In the Title of the Bill—Expunge all the words after the word "Colony" and insert in their stead the words, "and to repeal part of an Act passed in the Fifth Year of the Reign of his late Majesty entitled 'An Act for the better Administration of Justice in Newfoundland and for other purposes,' and to make further provision for the distribution of the Estates of Insolvent Debtors."

Expunge the 7th Section.

8th Section, 14th line—Between the words "Gaol" and "and" insert the words "for any period not exceeding thirty days."

" " Expunge all the words after the words "Provided always," and insert in their stead the words "that nothing herein contained shall extend or be construed to extend to any Fisherman, Shoreman, or other Servant to whom any Spirits, Cordials or any other Liquors containing Spirits, shall during such his Employment or Hiring have been sold by his Master, Hirer or Employer, or by any other Person by his consent or procurement, nor unless such Master, Hirer or Employer shall use his best exertions to reclaim and bring back such Fisherman, Shoreman or other Servant to his duty so soon as his absence shall be discovered."

After the 8th Section, insert the following clauses:—

And be it further enacted, that it shall and may be lawful for any Master, Hirer or Employer, or for any person having the charge or command of any Fishing Vessel, Boat or Fishing Crew, to confine and restrain either on Board any such Fishing Vessel or Boat, or when employed on Land, in any convenient place on shore where such Fishing Crew shall be employed, any Fisherman, Shoreman or other Servant, who shall become intoxicated, until he shall be sober.

2.—And be it further enacted, that if any Inn-Keeper, Victualler, Ale-house-Keeper, or Tavern-Keeper, shall sell any Spirituous Liquor, Cordial or Liquor containing Spirits, to any Seaman, Shoreman, or other Servant or Labourer, who shall come to such Inn, Victualling-House, Ale-House or Tavern, Drunk or Intoxicated, or shall harbour or permit or suffer any

Resolution ordered to be communicated to the Assembly.

Member enters.

Fishery Bill re-committed.

Bill reported, with—Amendments.



25th April, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

Seaman, Fisherman, Shoreman or other Servant or Labourer, to remain or continue in such Inn, Victualling-House, Ale-House or Tavern, Drinking or Tippling therein, he shall forfeit his License, and shall not keep any such Inn, Victualling-House, Ale-House or Tavern, or sell any Spirituous Liquor, Cordials or Liquor containing Spirits, for the space of One Year next after his conviction for any such offence, and for a second offence shall be deemed and taken to be the keeper of a disorderly House.

3.—And be it further enacted, that all complaints, differences or disputes between Masters or Mistresses and Servants in the Fishery, hired for any certain period or for the voyage, and either upon Wages or Shares, shall and may, either on the complaint of the Master or Mistress, or of the Servant, be determined in a summary way by any Justice of the Peace near the place where the cause of dispute shall have arisen, which Justice shall examine on Oath any Witness or Witnesses touching such complaint, and upon proof of any misconduct or ill-treatment towards such Servant, shall make order for the payment of such Wages, as shall appear to be due to such Servant; and if he shall see fit shall also make order for the discharge of such Servant from his Service or Employment; or in case of any Misdemeanour, Miscarriage or Ill-behaviour on the part of the Servant, in such his Service or Employment, to punish the Offender either by abatement of the whole or any part of his Wages, and the discharge of such Servant from his Employment, or by fine or imprisonment for any period not exceeding two months, as to such Justice shall seem just and reasonable: Provided always, that no unpaid Magistrate residing within five miles of a Stipendiary Magistrate, shall hear any complaint under the provisions of this Act.

4.—And be it further enacted, that it shall not be lawful for any Master or Employer of any Seaman, Fisherman, Shoreman or other Servant or Labourer, to sell, dispose of in barter or payment for Wages due or to grow due to any such Seaman, Fisherman, Shoreman or other Servant or Labourer, any Rum, Brandy, Spirits, Cordials or other Liquor containing Spirits, nor shall any Rum, Brandy, Spirits, Cordials or other Liquor containing Spirits, be charged in any Seaman, Fisherman, Shoreman or other Servant or Labourer's Account, or be recoverable in any Court in this Island.

5.—And Whereas the several Laws heretofore in force in this Island, for the more effectually securing the payment of Fishermen and Seamen's Wages having been allowed to expire, it is but just and reasonable that so much of an Act passed in the Fifth Year of the Reign of His late Majesty entitled "An Act for the better Administration of Justice in Newfoundland, and for other purposes," as declares that Creditors for Current Supplies for the Fisheries, shall be considered as privileged Creditors upon the distribution of the Estates of Insolvent Debtors, should be repealed; to the end that the Merchant, Planter and Fisherman be all placed upon the same footing, and be equally left to their Common Law remedies for the recovery of their respective Debts, without any preference being given to the one over the other: Be it therefore enacted, that the Twenty-Fifth and Twenty-Sixth Sections of the said in part recited Act shall be and the same are hereby repealed, and that none of the parties aforesaid shall have any claim or preference the one over the other in obtaining payment of their respective Debts, any Law or Custom to the contrary thereof in any wise notwithstanding: Provided always, that in all cases of Insolvency which may take place before the First day of December, which will be in the Year of Our Lord One Thousand Eight Hundred and Thirty Seven, all Debts incurred subsequent to the First day of November last, for Supplies issued for the Fisheries, for Servants' Wages, Boat Hire, Bait Money and Fish-making, shall First be paid Twenty Shillings in the Pound out of the Estate and Effects of such Insolvent, before any Dividend be made thereof amongst any other Creditors.

6.—And be it further enacted, that as often as any person carrying on Trade in Newfoundland; or in any place or Territory within the Government thereof, shall die, and the Estate and Effects of such Person, shall not be sufficient to pay and satisfy all his or her just Debts, the Estate and Effects of such Person shall be distributed in like manner as the Estate and Effects of Persons declared Insolvent: Provided always, that nothing herein contained, shall be construed to affect the right of any Creditor having a Judgment or Special security for his or her Debts.



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7.—And be it further enacted, that no Dividend shall be declared upon any Debt subsisting prior to the First day of November last, until all Debts subsequently contracted, shall first have been paid Twenty Shillings in the Pound.

Expunge the 10th Section of the Bill.

In the 11th Section, 4th line—Expunge all the words after the word “Fishery.”

“ 12th Section, “ —Expunge the second line.

“ “ 8th line—Insert the word “pecuniary” before the word “fines.”

3th rule dispensed with—

Ordered, that the 38th Standing Rule of the House so far as it respects this Bill be dispensed with.

Bill read 3rd time and passed.

The Bill, as amended, was then read a third time and passed.

Mr. Acting Colonial Secretary Templeman, presented a Message from His Excellency the Governor, in the following words:—

Message from the Governor, with documents relative to the Harbour-Grace Island Light-House.

H. PRESCOTT.

The Governor lays before the Council the accompanying documents, relative to the Light House on Harbour Grace Island, as furnished by the Commissioners of the said Light House, in pursuance of an Address from the Council, dated the 15th instant.

*Government-House,*  
25th April, 1836.

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

Message from Assembly respecting number of Bills drafted by Master in Chancery.

MR. PRESIDENT,

The House of Assembly request that His Majesty's Council will acquaint this House of the number of Bills drafted by the Master in Chancery attending His Majesty's Council, for the use of the Members of His Majesty's Council during the present Session.

THOMAS BENNETT,  
*Speaker.*

*House of Assembly,*  
April 23rd, 1836.

Message committed.

Ordered, that the House resolve itself into a Committee of the whole on the said Message.

The House accordingly went into a Committee of the whole.

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

The Chairman asked leave to sit again to-morrow.

Leave granted.

House adjourns.

On motion made and seconded, the House adjourned until Wednesday next.

WEDNESDAY, 27th APRIL, 1836.

House meets.

The House met pursuant to adjournment.

Present,

Members present.

The Honorable HENRY JOHN BOULTON, *Chief Justice.*

“ “ JAMES SIMMS, *Attorney General.*

“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS.

“ “ JOHN B. BLAND.

The Minutes of Monday last were read.

Message from Assembly of 23rd instant Committed.

Pursuant to the order of the day, the House went into Committee on the Message from the Assembly of the 23rd instant, relative to the Master in Chancery.

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

Resolutions reported.

The Chairman reported that the Committee had agreed to two Resolutions, which they recommended to the adoption of the House.



27th &amp; 29th April, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

The Resolutions are as follows:—

Resolved, that it is one of the inherent privileges of this House, to determine what Duties its Officers shall perform, and the extent of those Duties.

Resolved, that the Message from the Assembly transmitted to this House on the 23rd of this instant Month of April, requesting that the House will acquaint them of the number of Bills drafted by the Master in Chancery attending this House for the use of its Members during the present Session, is an attempt to interfere with the internal conduct and management of the business of this House, and with the particular employment of its Officers, and is inconsistent with the usages of Parliament.

Ordered, that the Report be received and adopted, and that it be communicated to the Assembly.

Whereupon a Message was transmitted to the Assembly in the following words:—

Mr. SPEAKER,

His Majesty's Council acquaint the Assembly, with reference to their Message of the 23rd instant, that they have adopted the following Resolutions:—

Resolved, that it is one of the inherent privileges of this House, to determine what Duties its Officers shall perform, and the extent of those Duties.

Resolved, that the Message from the Assembly transmitted to this House on the 23rd of this instant Month of April, requesting that the House will acquaint them of the number of Bills drafted by the Master in Chancery attending this House, for the use of its Members, during the present Session, is an attempt to interfere with the internal conduct and management of the business of this House, and with the particular employment of its Officers, and is inconsistent with the usages of Parliament.

H. J. BOULTON.

Council Chamber,  
27th April, 1836.

On motion, made and seconded, the House adjourned until Friday next.

FRIDAY, 29th APRIL, 1836.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, Chief Justice.

“ “ JAMES SIMMS, Attorney General,

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS.

The Minutes of Wednesday last were read.

The Honorable Mr. Bland enters.

A Deputation from the Assembly brought up a Bill for the concurrence of this House entitled “An Act to prevent the encroachments of Aliens on the Fisheries of this Island, and for the further protection of the said Fisheries.”

A second Deputation from the Assembly brought up a Bill for the concurrence of this House entitled “An Act to authorize the erection of a Colonial House in the Town of Saint John's, and the raising by loan of a sum of Money for that purpose.”

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

MR. PRESIDENT,

The House of Assembly concur in the Amendment made by his Majesty's Council in and upon the Bill to authorize the raising by loan of a further Sum of Money for the completion of the Light-House on Harbour-Grace Island.

THOMAS BENNETT,  
Speaker.

House of Assembly,  
April 29th, 1836.

The Resolutions—

Adopted, and—  
Ordered to be commu-  
nicated to the Assem-  
bly.

Message to the Assem-  
bly transmitting resolu-  
tions on the subject of  
their Message of the  
23rd instant, respect-  
ing Master in Chan-  
cery.

House adjourns.

House meets.

Members present:

Member enters.

Protection of Fishery  
Bill—  
Brought up.

Colonial House Bill—  
Brought up.

Message from Assem-  
bly concurring in  
Amendment on Har-  
bor-Grace Island Light  
House Bill.



29th April, & 2nd May, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

Protection of Fishery Bill, read 1st time.	The Bill for the protection of the Fisheries, brought up this day, was read a first time, and it was—
38th rule dispensed with—	Ordered, that the 38th Standing Rule of the House so far as it respects this Bill be dispensed with.
Bill read 2nd time.	The said Bill was then read a second time.
Committed.	Ordered, that the House go into Committee on the same presently. The House accordingly went into a Committee of the whole. The Honorable Mr. Dunscomb in the Chair. After some time the House resumed.
Reported.	The Chairman reported progress and asked leave to sit again to-morrow. Ordered, that the Report be received.
Colonial House Bill, Read 1st time.	The Bill for the erection of a Colonial House brought up this day, was read a first time.
38th Rule dispensed with.	Ordered, that the 38th Standing Rule of the House so far as it respects this Bill be dispensed with.
Bill read 2nd time.	The said Bill was then read a second time.
Committed.	Ordered, that the House go into Committee on the same presently. The House accordingly went into a Committee of the whole. The Honorable Mr. Thomas in the Chair. After some time the House resumed.
Reported.	The Chairman reported progress and asked leave to sit again to-morrow. Ordered that the Report be received.
House adjourns.	On motion, made and seconded, the House adjourned until Monday next.

MONDAY, 2nd MAY, 1836.

House meets. The House met pursuant to adjournment.

Present,

Members present	<i>The Honorable</i> HENRY JOHN BOULTON, <i>Chief Justice.</i>
	“ “ JAMES SIMMS, <i>Attorney General.</i>
	“ “ JOHN DUNSCOMB,
	“ “ WILLIAM THOMAS,
	“ “ JOHN B. BLAND.

The Minutes of Friday last were read.

Protection of Fishery Bill committed. Pursuant to the order of the day, the House went into a Committee of the whole on the Bill entitled “An Act to prevent the encroachments of aliens on the Fisheries of this Island, and for the further protection of the said Fisheries.”

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

Reported with— The Chairman reported the Bill with some Amendments.

Ordered, that the Report be received.

Amendments. The Amendments are as follows:—

In the 4th Section, 18th line—Between the words “exchanged” and “to,” insert “or which may be found on Board any such Ship, Vessel, Boat, or other Craft, belonging to the Owners, Master, or Crew of such Ship, Vessel, Boat, or other Craft as aforesaid.”

In the 5th Section, 9th line—Between the words “Act” and “and,” insert “together with the Bait, Timber, Brushwood, and all other Goods, Chattels, Money and Effects, found on Board the same or recently removed therefrom to avoid seizure.”

The following Sections to be added to the Bill.

And be it further enacted, that upon an Affidavit being made before any of His Majesty's Justices of the Peace, or before a Commissioner of the Supreme Court, appointed by His Majesty's Chief Justice of the Island, to take Affidavits in the said Court, setting forth that any



2nd May, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

Alien or Stranger not residing in this Colony, has committed any Offence, which by the provisions of this Act is subjected to any Penalty imposed by this Act, it shall and may be lawful for any such Justice or Commissioner, as the case may be, to issue his Warrant for the apprehension of such Person, and to hold him to bail to appear at the next Term of the Supreme or Circuit Court, to answer for such Offence, and in default of Bail to commit him to Prison, there to remain until delivered by due course of Law.

And be it further enacted, that all Seizures made under this Act which shall upon the Oath of two competent sworn Appraisers be valued under Fifty Pounds, may be heard and determined in a summary way before any Court of Sessions of the Peace, in the District where the Seizure shall be made.

And be it further enacted, that if any Officer of His Majesty's Navy, or of His Majesty's Customs, Justice of the Peace, Constable, or other Peace Officer, or Person aiding or assisting them, or any of them, in the Seizure of any Ship, Vessel, Boat, Net, Seine, or other Fishing Craft, or Tackle, or of any Bait, Timber, Brushwood, Goods, Chattels, Money or Effects, or other thing whatsoever, shall be sued or prosecuted for any thing done under and by virtue of the powers and authority of this Act, he may plead the general issue, and give this Act and the special matter in evidence, and if in such suit the Plaintiff shall be nonsuited or judgment be given against him, the Defendant shall recover double costs; and in case any Information shall be commenced and brought to Trial on account of the Seizure of any Ship, Vessel, Boat, Net, Seine, Craft, Tackle, Bait, Timber, Brushwood, Goods, Chattels, Money or Effects whatsoever, as seized or forfeited under this Act, wherein Judgment shall be given for the Claimant, and it shall appear to the Court or Justices before whom the same shall be tried that there was a probable cause of Seizure, the Court or Justices shall certify on the Record, that there was a probable cause of seizing the same, and in such case the Defendant shall not be entitled to any costs whatsoever, nor shall the person who seized or those acting in his aid be liable to any action or prosecution on account of such Seizure; and in case any action or prosecution shall be commenced and brought to Trial against any Person whatsoever, on account of any such Seizure as aforesaid, and whether the cause of such Seizure shall have been heard and determined or not, if the Court before whom such Action shall be brought, shall certify as aforesaid that there was a probable cause for such Seizure, then the Plaintiffs (besides the Ship, Vessel, Boat, or other thing seized, or the value thereof, when the same shall not have been restored), shall not be entitled to more than One Shilling Damages, nor to any Costs of Suit.

Ordered, that the 38th Standing Rule of the House so far as it respects this Bill, be dispensed with—

38th Rule dispensed with—  
Bill read 3rd time and passed.

Whereupon the Bill, as amended, was read a third time and passed.

Pursuant to the order of the day, the House went into Committee of the whole on the Bill entitled "An Act to authorize the erection of a Colonial House in the Town of St. John's, and the raising by loan of a Sum of Money for that purpose."

Colonial House Bill, Committed,

The Honorable Mr. Thomas in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

Reported.

Ordered, that the Report be received, and—

Ordered, that the 38th Standing Rule of the House, so far as it respects this Bill, be dispensed with—

38th Rule dispensed with—

Whereupon, the Bill was read a third time and passed.

Bill read 3rd time and passed.

A Deputation from the Assembly brought up a Bill for the concurrence of this House entitled "An Act to continue an Act passed in the Fourth Year of His Majesty's Reign, entitled 'An Act for granting to His Majesty certain Duties on all Wines and on all Brandy, Rum, Gin, and other Spirituous Liquors, imported into this Island and its Dependencies.'"

Revenue Act continuation Bill—  
Brought up.

The same Deputation also brought up the following Message:—

MR. PRESIDENT,

The House of Assembly request a Conference with His Majesty's Council, on the subject of the Amendments made in the Bill for the better conducting of the Fisheries of this Colony,

Message from Assembly requesting Conference on Fishery Bill.



2nd May, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

and to regulate the payment of Current Supplies and Servants' Wages.

THOMAS BENNETT,  
*Speaker**House of Assembly,*  
*April 30, 1836.*

Request acceded to.

Ordered, that the Request be acceded to, and—

Conferees appointed.

Ordered, that the Honorable Messrs. Dunscomb and Thomas be the Conferees on the part of this House to meet the Managers from the Assembly in the Committee-Room of the Council presently.

Revenue Continuation  
Bill, read 1st time.  
38th Rule of the House  
dispensed with.

The Revenue Act continuation Bill, brought up this day, was read a first time.

Ordered, that the 38th Standing Rule of the House, so far as it respects this Bill, be dispensed with—

Bill read 2nd time.

The said Bill was then read a second time, and it was—

Ordered, to be committed presently.

Committed.

Whereupon the House went into a Committee of the whole upon the same.

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

Reported.

The Chairman reported the Bill without Amendment.

Ordered, that the Report be received.

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

The Conferees went to the Conference, and having returned—

conferees on Fishery  
Bill, report—

The Honorable Mr. Dunscomb reported that they had met the Managers from the Assembly and received from them their Instructions.

Ordered, that the Report be received.

The Instructions were then read by the Clerk, and are as follows:—

Instructions received  
from Assembly.

The House of Assembly have requested this Conference with His Majesty's Council, for the purpose of acquainting them that the Assembly do not concur in the Amendments made by His Majesty's Council in and upon the Bill for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants' Wages, for the following reasons :

First—In the Title of the Bill,—As the Assembly do not concur in the opinion that it would be expedient to repeal the 25th and 26th Sections of an Act passed in the Fifth Year of the Reign of His late Majesty intituled “An Act for the better Administration of Justice in Newfoundland and for other purposes,” and to make further provision for the distribution of the Estates of Insolvent Debtors,—they cannot agree to this Amendment.

Second—The Assembly cannot agree to expunge the 7th and 10th Sections of the Bill, as they feel persuaded that the Interests of the Trade and Fisheries will be best promoted and secured by assuring to the supplying Merchant, who shall have afforded to the Planter the necessary Supplies for carrying on the Fishery, and to the Fisherman and Shoreman who shall have caught and cured the Fish, the most certain means of receiving so much of the proceeds of the Fishing Voyage as will pay for those supplies had from such Merchant, and those Wages which shall be due to the Servant.

Third—The Assembly have no objection to the Amendment made in the fourteenth line of the 8th Section, by inserting the words “for any period not exceeding thirty days;” but they cannot concur in the Proviso proposed by His Majesty's Council, as it would in its operation prevent any Hirer or Employer from making good any charges of neglect of duty or disobedience of orders against any Servant to whom, at any time during the Season, such Hirer or Employer might have sold any “Spirits, Cordials, or any other Liquors containing Spirits.”

Fourth—The Assembly do not concur in the expediency of adopting the clause proposed by His Majesty's Council, “that it should be lawful for the Master of any Fishing Vessel, Boat, “or Crew, to confine and restrain either on Board such Fishing Vessel or Boat, or when “employed on Land in any convenient place on shore, where such Fishing Crew may be “employed, any Fisherman, Shoreman, or other Servant who shall become intoxicated, until



2nd &amp; 3rd May, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

"he shall be sober," as the Assembly are of opinion that it would be highly dangerous to commit such power to men who for many reasons might be induced to make a wrong and oppressive use of it.

Fifth—The Assembly do not concur in the fifth Amendment made by His Majesty's Council, which would prevent Tavern Keepers and others from selling Spirituous Liquors, or Cordials containing Spirits, to Seamen, Shoremen, or other Servants, as they are of opinion that such an enactment is not necessary, and that if passed into a Law, it would afford frequent opportunities for frivolous and vexatious complaints.

Sixth—The Assembly are unwilling to agree to the Sixth Amendment made by the Council, which would give such extensive powers to one Magistrate; as they are of opinion that in all cases where the Wages of Seamen, Fishermen, or Shoremen, shall become a question, they should possess the benefit of having their case heard and determined by at least two Magistrates, or in one of the Superior Courts.

Seventh—The Assembly do not concur in the Seventh Amendment made by the Council, by which it is proposed to repeal the 25th and 26th Sections of the Act 5th George 4th, Cap. 67, for the reasons stated in the second clause of these instructions, and because those Sections seem calculated to carry into effect, in cases of Insolvency, the general principle of priority of payment to the Servant and Current Supplier of the Planter; on the proper maintenance of which the Assembly consider that the prosperity of the Fisheries of this Colony mainly depend.

THOMAS BENNETT,  
Speaker.

House of Assembly,  
April 30th, 1836.

Ordered, that the House go into a Committee of the whole on the same to-morrow.  
On motion, made and seconded, the House adjourned until to-morrow.

House adjourns:

TUESDAY, 3rd MAY, 1836.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Chief Justice.*

Members present.

" " JAMES SIMMS, *Attorney General.*

" " JAMES M. SPEARMAN, *Collector of the Customs.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS.

The Minutes of yesterday were read.

On motion of the Honorable Mr. Thomas, the Bill entitled "An Act to continue an Act passed in the fourth year of His Majesty's Reign, entitled 'An Act for granting to His Majesty certain Duties on all Wines, and on all Brandy, Rum, Gin, and other Spirituous Liquors imported into this Island and its Dependencies.'" was re-committed.

Revenue Continuation Bill, recommitted.

The Honorable Mr. Dunscomb in the Chair.

A Message being announced the House formed.

A Deputation from the Assembly brought up a Bill for the concurrence of this House entitled "An Act for granting to His Majesty a Sum of Money for defraying the Expense of the Civil Government of this Colony, and for other purposes, for the Year of Our Lord One Thousand Eight Hundred and Thirty-Six."

Appropriation Bill—Brought up.

The House again went into Committee on the Revenue Act continuation Bill.

The Honorable Mr. Dunscomb in the Chair.

Revenue Continuation Bill—Committed.

After some time the House resumed.

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

Reported.

Ordered, that the Report be received.

The Bill brought up this day for granting to His Majesty a Sum of Money for defraying the Expenses of the Civil Government of this Colony, was read a first time.

Appropriation Bill—Read 1st time.



3rd May, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

38th Rule of the House dispensed with.	Ordered, that the 38th Standing Rule of the House so far as it respects this Bill be dispensed with.
Bill, read 2nd time.	The Bill was then read a second time, and it was— Ordered, that the House go into Committee on the said Bill presently.
Committed.	The House accordingly went into a Committee of the whole. The Honorable Mr. Dunscomb in the Chair. After some time the House resumed.
Reported without Amendment.	The Chairman reported the Bill without Amendment. Ordered, that the same be read a third time to-morrow.
Assembly's Instructions to their Conferees on the Amendments made by the Council in the Fishery Bill—Committed.	Pursuant to the order of the day, the House went into a Committee of the whole on the Instructions to the Assembly's Conferees on the Amendments made by the Council in the Bill for the better conducting of the Fisheries of this Colony and to regulate the payment of Current Supplies and Servants' Wages. The Honorable Mr. Spearman in the Chair. A Message being announced the House formed. A Deputation from the Assembly brought up the following Message:—
Message from Assembly transmitting resolutions in reply to the Council's Message of the 27th ultimo, respecting Master in Chancery.	<b>MR. PRESIDENT,</b> The House of Assembly acquaint His Majesty's Council, in reply to their Message of the 27th ult., that they have adopted the following Resolutions. Resolved,—That His Majesty's Council having in their Message of the 20th April, acquainted this House of their Resolution "that the Master in Chancery, the Clerk, the Usher of the Black Rod, and the Door-Keeper, be placed in point of Emolument on a footing with the Solicitor, Clerk, Serjeant-at-Arms, and Door-Keeper of the House of Assembly," and this House having resolved that the Solicitor attending this House should be paid for Bills drafted by him at the rate of three guineas each, which appears correspondent with the rate fixed by His Majesty's Council, under their Fiftieth Rule, to be paid to the Master-in-Chancery for the like Services in the Council, it therefore became necessary, in order to ascertain the amount of compensation to the Master-in-Chancery, that this House should be made acquainted with the number of Bills drawn by the Master-in-Chancery, and without which information the House cannot place the Master-in-Chancery in point of Emolument on a footing with the Solicitor attending this House. Resolved,—That this House disavow any wish or intention by their Message of the 23rd ultimo, to interfere with the internal conduct and management of the business of His Majesty's Council, or with the particular employment of its Officers.
	THOMAS BENNETT, <i>Speaker.</i>
	<i>House of Assembly,</i> <i>May 3, 1836.</i>
	On motion of the Honorable Mr. Spearman, it was— Ordered, that the House go into a Committee of the whole on the said Message to-morrow.
Assembly's Instructions to their Conferees on Fishery Bill—Committed.	The House again went into Committee on the Assembly's Instructions to their Conferees. The Honorable Mr. Spearman in the Chair. After some time the House resumed.
Reported. Council insist on certain of their Amendments and recede from others—	The Chairman reported that the Committee had taken the Instructions, and the Bill that accompanied them, into their consideration, and recommend that the House should insist on certain of their Amendments in the said Bill, and recede from some others.
Report agreed to.	Whereupon the Report was agreed to by the House, and it was— Ordered, that a Conference be requested with the Assembly on the subject of their Instructions to their Conferees.
Conference to be requested with the Assembly.	Ordered, that the Honorable Messrs. Spearman and Thomas be a Committee to draft Instructions to the Conferees and to manage the Conference on the part of this House.
Conferees appointed.	Ordered, that the order of the day, as respects the Revenue Act continuation Bill, be postponed, and that it stand upon the order of the day for to-morrow.
Order of the day postponed.	



4th May, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

On motion, made and seconded, the House adjourned until to-morrow.

House adjourns.

WEDNESDAY, 4th MAY, 1836.

The House met pursuant to adjournment.

House meets

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present.

“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS.

“ “ JOHN B. BLAND.

The Minutes of yesterday were read.

The Honorable Mr. Spearman from the Committee appointed to draft Instructions for the Conferees on the subject of the Assembly's Instructions to their Managers on the Amendments made by the Council on the Bill for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants' Wages," reported a draft.

Committee appointed to draft Instructions to Conferees on Fishery Bill—  
Report a draft.

Ordered, that the Report be received and adopted.

The Report is as follows:—

His Majesty's Council have had under their consideration the Instructions given by the House of Assembly to their Committee of Conference on the Amendments made in the Bill entitled 'An Act to provide for the better conducting of the Fisheries of this Colony, and to regulate the payment of Current Supplies and Servants' Wages,' and they acquaint that House, that they recede from their Amendment upon the 8th Section commencing with the words "Provided always," and ending with the words "shall be discovered," and also from their Amendments comprised in the first two additional clauses which they have inserted after the 8th Section; but that they insist upon their Amendment in the Title of the Bill, and upon expunging the 7th and 10th Sections—and that they also insist upon the third and fifth clauses inserted after the 8th Section.

Instructions to Conferees.

At this late period of the Session, the Council forbear entering into the discussion of the general merits of the provisions contained in the 7th and 10th Sections of the Bill as originally presented to the consideration of the Council, and which they have expunged; but, by assuring to the Fishing Servants the same priority of claim upon the Estates of Insolvents, which the 25th Section of the Judicature Act confers upon Creditors for Current Supplies, and by extending the period at which all distinction between one Creditor and another, as regards their priority of claim upon the Estates of Insolvents, shall cease, to the 1st December, 1837, the Council are of opinion they have shewn a desire to protect the public from what might otherwise be regarded as a sudden abrogation of existing rights.

If by the provisions of the 3rd clause inserted by the Council as an Amendment to the Bill, it were imperative upon Servants and Masters to refer their differences to a single Justice, the objection of the Assembly to this clause would be more apparent; but since there are many parts of this Colony, where trifling disputes may arise, and where not more than one Justice may be found, the benefits which the Council anticipate from this provision, would be much diminished by requiring the presence of two Justices instead of one. If the Assembly, however, upon further reflection, still desire that two Justices instead of one, should be clothed with the proposed authority, the Council will not oppose any Amendment in the clause which the Assembly may deem necessary to accomplish this end.

A Deputation from the Assembly brought up a Bill for the concurrence of this House, entitled "An Act for granting to His Majesty a Sum of Money to defray the Contingent Expenses of the Legislature during the present Sessions."

Contingency Appropriation Bill—  
Brought up.

A second Deputation from the Assembly brought up a Bill for the concurrence of this House, entitled "An Act to make perpetual an Act passed in the Fourth Year of His Majesty's Reign entitled 'An Act for the relief of Insolvent Debtors taken in Execution,'"

Insolvent Debtors' Act perpetual Bill—  
Brought up.

The same Deputation also brought up the following Message:—



4th May, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

Message from Assembly agreeing to regulation of Newspaper Bill, with some Amendments.

Mr. PRESIDENT,

The House of Assembly have passed the Bill sent down from His Majesty's Council, entitled "An Act for preventing the mischiefs arising from the printing and publishing Books, Newspapers and Papers of a like nature, by unknown persons, and to regulate the printing and publishing the same," with some Amendments, to which the concurrence of His Majesty's Council is requested.

THOMAS BENNETT,  
Speaker.

House of Assembly,  
May 3rd, 1836.

Contingency Appropriation Bill—  
Read 1st time.  
38th Rule of the House dispensed with—

The Bill brought up this day for defraying the Contingent Expenses of the Legislature was read a first time—

Ordered, that the 38th Standing Rule of the House so far as it respects this Bill be dispensed with.

Bill, read 2nd time, and Committed.

The Bill was then read a second time, and it was—

Ordered, that the House go into Committee on the same presently.

The House accordingly went into a Committee of the whole.

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

Ordered, that the Report be received.

The Bill was then read a third time and passed.

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

Reported.

Read 3rd time and passed.

Mr. PRESIDENT,

The House of Assembly accede to the Conference requested by His Majesty's Council on the Amendments made in the Bill for the better conducting of the Fisheries, and have appointed Managers to meet the Conferees on the part of the Council at the time and place appointed.

THOMAS BENNETT,  
Speaker.

House of Assembly,  
May 4th, 1836.

Conferees go to the Conference and return. Report of Conferees.

The Conferees went to the Conference, and having returned—

The Honorable Mr. Spearman reported that they had met the Managers from the Assembly and delivered to them their Instructions.

Pursuant to the order of the day, the Bill entitled "An Act for granting to His Majesty a Sum of Money for defraying the Expense of the Civil Government of this Colony, and for other purposes for the Year of Our Lord One Thousand Eight Hundred and Thirty-Six, was read a third time and passed.

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

Appropriation Bill—  
Read 3rd time and passed.

Mr. PRESIDENT,

The House of Assembly have agreed to the Amendments made by His Majesty's Council, in and upon the Bill entitled "An Act to prevent the Encroachments of Aliens on the Fisheries of this Island, and for the further protection of the said Fisheries," with an Amendment thereon, to which the concurrence of His Majesty's Council is requested.

THOMAS BENNETT,  
Speaker.

House of Assembly,  
May 4, 1836.

Amendment read 1st time.  
38th Rule of the House dispensed with.

The said Amendment was read a first time, and it was—

Ordered, that the 38th Standing Rule of the House, so far as it respects this Amendment, be dispensed with.

The Amendment was then read a second time.

Ordered, that the House go into Committee on the same presently.

The House accordingly went into a Committee of the whole.

The Honorable Mr. Dunscomb in the Chair.

After some time the House resumed.

Amendment read 2nd time.

Committed;



4th May 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

The Chairman reported the Amendment.	Reported.
Ordered, that the Report be received.	
The Amendment is in the following words :	
In the third Amendment, line 9th—Expunge the words “or Commissioner, as the case may be.”	Assembly's amendment on Council's amendments in protection of Fishery Bill—
Ordered, that the Amendment be concurred in.	concurréd in.
The Assembly's Amendments to the Bill for preventing the mischiefs arising from the printing and publishing of Books, Newspapers, and other Papers of a like nature, were read a first time.	Assembly's amendments to regulation of Newspaper Bill read 1st time.
Ordered, that the 38th Standing Rule of the House, so far as it respects these Amendments, be dispensed with.	38th rule of the House dispensed with.
The Amendments were then read a second time.	Amendments read 2nd time.
Ordered, that the House go into Committee on the same presently.	
The House accordingly went into a Committee of the whole.	Committed.
The Honorable Mr. Thomas in the Chair.	
After some time the House resumed.	
The Chairman reported the Amendments with an Amendment.	Reported—with an
Ordered, that the Report be received.	
The Amendment is as follows :—	
“Expunge the last Section of the Amendments.”	Amendment.
Ordered, that a Conference be requested with the Assembly, on the subject of the above-mentioned Amendment.	Conference ordered.
Ordered, that the Honorable Messrs. Spearman and Thomas be the Conferees on the part of this House, and that they be a Committee to draft Instructions.	Conferees appointed who are to draft Instructions.
Pursuant to the order of the day, the House went into a Committee of the whole on the Assembly's Message of the 3rd instant, relative to the Master-in-Chancery attendant on this House.	Assembly's Message relative to Master-in-Chancery—Committed.
The Honorable Mr. Bland in the Chair.	
After some time the House resumed.	
The Chairman reported progress and asked leave to sit again to-morrow.	Reported.
Ordered, that the Report be received.	
The Bill brought up this day, to perpetuate “An Act for the relief of Insolvent Debtors, taken in Execution,” was read a first time.	Insolvent Debtors' Act perpetual Bill, read 1st time.
Ordered, that the 38th Standing Rule of the House, so far as it respects this Bill, be dispensed with—	38th Rule of the House dispensed with.
The Bill was then read a second time.	Bill read 2nd time.
Ordered, that the House go into Committee on the same presently.	
The House accordingly went into a Committee of the whole.	Committed.
The Honorable Mr. Dunscomb in the Chair.	
After some time the House resumed.	
The Chairman reported the Bill without Amendment.	Reported.
Whereupon the Bill was read a third time and passed.	Read 3rd time and passed.
The Honorable Mr. Spearman from the Committee appointed to draw up Instructions to the Conferees on the subject matter of the Amendment made by this House, on the Amendments of the Assembly relative to the Bill regulating the Printing of Books, Newspapers and other Papers of a like nature—Reported a draft.	Committee appointed to draft Instructions to Conferees on Council's Amendment to regulation of Newspaper Bill—Report a draft.
Ordered, that the same be received and adopted.	Draft received and Adopted.
The Instructions are in the following words :	
His Majesty's Council have requested this Conference for the purpose of acquainting the Assembly that they have agreed to all the Amendments made by that House in and upon the Bill entitled “An Act for preventing the Mischiefs arising from the Printing and Publishing Books, Newspapers and Papers of a like nature, by Persons unknown, and to regulate the Printing and Publishing the same,” except the last adding a suspending clause to the Bill. To this Amendment the Council cannot assent.	Instructions to Conferees on Council's Amendment on Newspaper Bill.



4th &amp; 5th May, 1836.

SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

1st—Because it is unusual to add suspending clauses to Bills not establishing new principles in Legislation, nor trenching on the King's Royal Prerogative.

2nd—Because by adding a suspending clause to this Bill, the Legislature will express a doubt of the propriety of its passing it upon its own responsibility.

3rd—Because by adding a suspending clause to this Bill, the Legislature defer the operation of a measure which the Council consider to be of imperative importance to the peace and well-being of Society.

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

Message from Assembly acceding to Conference on regulation of Newspaper Bill.

MR. PRESIDENT,

The House of Assembly accede to the Conference requested by His Majesty's Council on the Bill to prevent the mischiefs arising from the printing and publishing Books, Newspapers, and Papers of a like nature, and to regulate the printing and publishing the same, and have appointed Managers to meet the Conferees on the part of the Council at the time and place appointed.

THOMAS BENNETT,  
*Speaker.*

*House of Assembly,  
May 4th, 1836.*

Conferees go to Conference :  
—their report.

The Conferees went to the Conference, and having returned—

The Honorable Mr. Spearman reported that they had met the Managers from the Assembly and delivered to them their Instructions.

House adjourns.

On motion, made and seconded, the House adjourned until to-morrow.

THURSDAY, 5th MAY, 1836.

House meets.

The House met pursuant to adjournment.

Present,

Members present.

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

“ “ JAMES SIMMS, *Attorney General.*

“ “ JAMES M. SPEARMAN, *Collector of the Customs.*

“ “ JOHN DUNSCOMB,

“ “ WILLIAM THOMAS,

“ “ JOHN B. BLAND.

The Minutes of yesterday were read.

Assembly's Message relative to Master in Chancery, committed.

Pursuant to the order of the day, the House went into a Committee of the whole on the Message of the Assembly of the 3rd inst. relative to the Master in Chancery attendant on this House.

The Honorable Mr. Bland in the Chair.

After some time the House resumed.

Chairman reports a Resolution.

The Chairman reported a Resolution.

Ordered, that the Report be received, and adopted.

The Resolution is as follows:—

The Resolution.

*Resolved*, that the Grant for the Master in Chancery attending this House, as expressed in the Bill sent up by the Assembly entitled “ An Act for granting to His Majesty a sum of Money to defray the Contingent Expenses of the Legislature during the present Sessions,” being equal in amount to that appropriated for the Solicitor to the Assembly, is in perfect accordance with the intentions of the Council, as expressed in their Resolution of the 20th April, communicated to that House.

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

Message from Assembly requesting Conference on regulation of Newspaper Bill.

MR. PRESIDENT,

The House of Assembly request a Conference with His Majesty's Council on the subject-matter of the last Conference on the Bill entitled “ An Act for preventing the mischiefs



5th May, 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

arising from the printing and publishing of Books, Newspapers, and Papers of a like nature, by unknown persons, and to regulate the printing and publishing the same."

House of Assembly,  
May 5th, 1836.

THOMAS BENNETT,  
Speaker.

Ordered, that the request be acceded to.

Ordered, that the Honorable Messieurs Spearman and Thomas be the Conferees on the part of this House. Conference acceded to.  
Conferees appointed.

The Conferees went to the Conference, and having returned—

The Honorable Mr. Spearman reported that they had met the Managers from the Assembly, and received from them their Instructions. Report of Conferees:

Ordered, that the Report be received.

The Instructions are in the following words:—

The House of Assembly have requested this Conference for the purpose of acquainting His Majesty's Council, with reference to the last Conference on the subject of the Amendments made by the House of Assembly in and upon the Bill entitled "An Act for preventing the mischiefs arising from the printing and publishing Books, Newspapers, and Papers of a like nature, by Persons unknown, and to regulate the printing and publishing the same," that the suspending clause was added to the Bill not from any doubt of the expediency of the Bill, or of the propriety of passing it on the responsibility of the Legislature, nor with any desire to defer its operation; but because it is the desire of the House of Assembly that the Law on this subject should as nearly as possible assimilate with that of England; and the Act from which the provisions of the Bill are for the most part extracted being understood to have undergone some Amendments in the last Session of Parliament, which by reason of the amending Act not having reached this Island are not precisely known, the addition of the suspending clause appeared to the House of Assembly as the most convenient method of attaining that object in case the alterations introduced by the amending Act should be found to be material: the House of Assembly therefore adhere to their Amendments. Assembly's Instructions to their conferees on regulation of Newspaper Bill:

THOMAS BENNETT,  
Speaker.

House of Assembly,  
May 5th, 1836.

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

Ordered, that the Bill entitled "An Act for preventing the mischiefs arising from the printing and publishing Books, Newspapers, and Papers of a like nature, by unknown Persons, and to regulate the printing and publishing the same," be re-committed. Regulation of Newspaper Bill.

The House accordingly went into a Committee of the whole. Re-committed.

The Honorable Mr. Thomas in the Chair.

After some time the House resumed.

The Chairman reported the Bill as amended by the Assembly. Reported.

Ordered, that the Report be received.

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

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

"An Act to continue certain Acts therein mentioned, concerning the Revenue of this Colony;" and the other— Revenue Continuation Bill,

"An Act to continue an Act passed in the third year of His Majesty's Reign, entitled 'An Act for the performance of Quarantine, and more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this Island.'" and  
Quarantine Continuation Bill—  
brought up.

The Revenue continuation Bill, brought up this day, was read a first time.

Ordered, that the 38th Standing Rule of the House so far as it respects this Bill be dispensed with. Revenue Continuation Bill read 1st time.  
38th Rule of the House dispensed with.

The Bill was then read a second time. Bill read 2nd time.

Ordered, that the same be Committed presently.

The House accordingly went into a Committee of the whole. Committed.

The Honorable Mr. Thomas in the Chair.



5th May, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

	After some time the House resumed.
Bill reported.	The Chairman reported the Bill without amendment. Ordered, that the Report be received.
Read 3rd time.	The Bill was then read a third time; and, on motion of the Honorable Mr. Spearman, seconded by the Honorable Mr. Thomas, it was— Ordered to be re-committed.
Re-committed.	The House accordingly went into a Committee of the whole on the said Bill. The Honorable Mr. Bland in the Chair. After some time the House resumed.
Reported.	The Chairman reported the Bill without Amendment. Ordered, that the Report be received.
Read 3rd time and passed. Quarantine Continuation Bill— read 1st time. 38th Rule of the House dispensed with.	Whereupon the Bill was read a third time and passed. The Quarantine Continuation Bill, brought up this day, was read a first time. Ordered, that the 38th Standing Rule of the House so far as it respects this Bill be dispensed with.
Bill read 2nd time.	The Bill was then read a second time. Ordered, that the House go into Committee on the same presently.
Committed.	The House accordingly went into a Committee of the whole. The Honorable Mr. Spearman in the Chair. After some time the House resumed.
Reported.	The Chairman reported the Bill without amendment. Ordered, that the Report be received.
Read 3rd time and passed. House adjourns.	Whereupon the Bill was read a third time and passed. On motion, made and seconded, the House adjourned until Seven o'clock this evening.
House meets.	At Seven of the Clock p. m., the House met pursuant to adjournment.
	<b>Present,</b>
Members present.	<i>The Honorable</i> HENRY JOHN BOULTON, <i>Chief Justice.</i> “ “ JAMES SIMMS, <i>Attorney General.</i> “ “ WILLIAM THOMAS, “ “ JOHN B. BLAND.
Road provision Bill— brought up.	A Deputation from the Assembly brought up a Bill for the concurrence of this House, entitled “An Act for granting to His Majesty a sum of Money for the making and repairing of Roads and Bridges in this Colony,” which was read a first time; and it was—
38th rule dispensed with.	Ordered, that the 38th Standing Rule of the House, so far as it respects this Bill, be dispensed with.
Bill read 2nd time.	The Bill was then read a second time. Ordered, that the House go into Committee on the same presently.
Committed.	The House accordingly went into a Committee of the whole. The Honorable Mr. Bland in the Chair. After some time the House resumed.
Reported.	The Chairman reported the Bill without Amendment. Ordered, that the Report be received.
Read 3d time and passed. House adjourns.	Whereupon the Bill was read a third time and passed. On motion, made and seconded, the House adjourned until to-morrow.



6th May 1836.

HENRY PRESCOTT, Esquire, C. B. Governor.

FRIDAY, 6th MAY, 1836.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Chief Justice.*

Members present.

" " JAMES SIMMS, *Attorney General.*

" " JOHN DUNSCOMB,

" " WILLIAM THOMAS,

" " JOHN B. BLAND.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill, as amended by the Assembly, entitled "An Act for preventing the Mischiefs arising from the Printing and Publishing Books, Newspapers and Papers of a like nature, by Persons unknown, and to regulate the Printing and Publishing the same," was read a third time and passed.

Regulation of Newspaper Bill read 3rd time and passed.

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

MR. PRESIDENT,

The House of Assembly acquaint His Majesty's Council, that they have had under their consideration the Message from His Majesty's Council of the 25th April relative to the management of the Library provided for the Legislature, and have agreed to the Rules adopted by His Majesty's Council for that purpose, with the following additional Rule, to which the concurrence of His Majesty's Council is requested:

Message from Assembly agreeing to Rules adopted by the Council for the management of the Library, with an additional Rule.

"That the Librarian be paid an annual salary of Fifteen Pounds."

THOMAS BENNETT,  
*Speaker.**House of Assembly,*  
*May 6th, 1836.*

Ordered, that the Rule be concurred in.

Rule concurred in.

Whereupon a Message was sent to the Assembly in the following words:

MR. SPEAKER,

His Majesty's Council acquaint the Assembly, with reference to their Message of this day relative to the management of the Library provided for the Legislature, that they concur in the additional Rule adopted by that House.

Message to the Assembly to that effect.

H. J. BOULTON.

*Council Chamber,*  
*6th May, 1836.*

At Three of the Clock, P. M., His Excellency the Governor having come to the Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was ordered to direct the immediate attendance of the House of Assembly at the Bar of this House; and they being come thereto, His Excellency was pleased to assent to the following Bills: Viz.—

His Excellency the Governor comes to the Council Chamber.

The Assembly summoned to attend him.

His Excellency gives his assent to sundry Bills—Viz:

An Act to limit the duration of the present and all future Houses of Assembly of this Colony.

Quadrennial Bill.

An Act to prevent the encroachments of Aliens on the Fisheries of this Island, and for the further protection of the said Fisheries.

Protection of Fishery Bill.

An Act for ascertaining the Census of this Colony, and other Statistical information.

Census Bill.

An Act for preventing the mischiefs arising from the printing and publishing Books, Newspapers, and Papers of a like nature, by Persons unknown, and to regulate the printing and publishing the same.

Regulation of Newspaper Bill.

An Act to amend an Act passed in the fourth year of His Majesty's Reign, entitled "An Act for declaring all Landed Property in Newfoundland Real Chattels."

Real Chattels Act Amendment Bill.



6th May, 1836.

## SIXTH SESSION, FIRST GENERAL ASSEMBLY, 6th WILLIAM IV.

Insolvent Debtors' Act perpetual Bill.	An Act to make perpetual an Act passed in the Fourth year of His Majesty's Reign entitled "An Act for the relief of Insolvent Debtors taken in Execution."
Pilots' Act continuation Bill.	An Act to continue an Act passed in the Third year of His Majesty's Reign, entitled "An Act for the regulation of Pilots, and the Pilotage of Vessels, at the Port of St. John's."
Quarantine Act continuation Bill.	An Act to continue an Act passed in the Third year of His Majesty's Reign, entitled "An Act to provide for the performance of Quarantine, and more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Island."
Revenue continuation Bill.	An Act to continue certain Acts therein mentioned, concerning the Revenue of this Colony.
Harbor-Grace Island Light-House provision Bill.	An Act to authorize the raising by loan of a further sum of Money for the completion of the Light-House on Harbor-Grace Island.
Colonial House Bill.	An Act to authorize the erection of a Colonial House in the Town of Saint John's, and the raising by Loan of a Sum of Money for that purpose.
Education Bill.	An Act for the Encouragement of Education in this Colony.
Road (provision) Bill.	An Act for granting to His Majesty a sum of Money for the making and repairing of Roads and Bridges in this Colony.
Contingency appropriation Bill.	An Act for granting to His Majesty a sum of Money to defray the Contingent Expenses of the Legislature during the present Sessions.
Appropriation Bill.	An Act for granting to His Majesty a sum of Money for defraying the Expense of the Civil Government of this Colony, and for other purposes, for the year of our Lord One Thousand Eight Hundred and Thirty-Six.

After which His Excellency was pleased to address the two Houses of the Legislature in the following words:—

His Excellency's  
Speech on Proroguing  
the Legislature.

*Mr. President, and Honorable Gentlemen of the Council;*

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

I am happy that the Public Service enables me to relieve you from the duties of a protracted Session.

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

I thank you for the Supplies, which shall be duly and economically administered.

As I have already informed you that, unless under circumstances of extreme urgency, I shall not again convene the present House of Assembly, I embrace this occasion of expressing my best wishes for your health and happiness. Whether you retire to private life, or are again returned as Representatives, you will naturally look back with pride and pleasure to having been members of the first Legislative Assembly of this Colony.

Your appropriation of funds for the encouragement of Education, and for facilitating our internal communication, especially entitles you to general gratitude, and merits the warmest approbation.

*Mr. President, and Honorable Gentlemen of the Council;*

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

It is with much regret that I find myself compelled to support the processes of Justice at Saint Mary's by the presence of a military force, about to be dispatched, and to be stationed there until its services shall no longer be required.

I hope that the Inhabitants of that place may have awakened from their delusion, and that they will not again attempt to oppose themselves to the Law. As I am myself strictly responsible for my conduct, and should be brought to a severe account for any act of injustice or oppression practised towards the humblest individual, so likewise am I bound to prevent others from judging in their own cause.



6th May 1836.

HENRY PRESCOTT, Esquire, C. B. *Governor.*

Prosecution is not to be confounded with persecution, nor is accusation synonymous with conviction.

It cannot be too generally inculcated here, that in every case, let the station, profession or faith of the accused be what it may, his innocence can be ascertained, or his guilt established, only by Judicial inquiry.

You will, I feel confident, promote the knowledge of this simple but important truth; and exert yourselves in your respective Districts to allay angry and sectarian feelings where such may exist, and to excite and cherish harmony and concord.

The Honorable the President of the Council then said, it is His Excellency the Governor's will and pleasure that this Legislature be Prorogued to Tuesday the First day of November next, to be then and here holden; and this Legislature stands Prorogued accordingly. The Legislature Prorogued.







## APPENDIX.

AT THE COURT AT ST. JAMES'S, the 13th of MAY, 1835.

Present,

THE KING'S MOST EXCELLENT MAJESTY,

*Lord President,*

*Viscount Howick,*

*Lord Privy Seal,*

*Lord Holland,*

*Lord Steward,*

*Lord Auckland,*

*Lord Chamberlain,*

*Lord Glenelg,*

*Marquis of Winchester,*

*Mr. Wm. Adam,*

*Earl of Albemarle,*

*Sir Wm. Fremantle,*

*Viscount Palmerston,*

*Mr. Poulett Thomson,*

*Viscount Melbourne,*

*Mr. Spring Rice.*

Whereas the Governor of His Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did, in the year 1834, pass Twenty-four Acts, which have been transmitted, entitled as follows—(Viz.)

“An Act for the further increase of the Revenue.”

“An Act to regulate the cutting of Channels in the Ice in the various Ports and Harbours of this Island.”

“An Act to prevent dangerous quantities of Gunpowder being kept within the Town of Harbor-Grace, and to provide for the safe storing of the same.”

“An Act for the Establishment of Light-Houses.”

“An Act to provide for the Banishment of Persons convicted of certain offences, and also to provide certain modes of punishment in divers criminal cases.”

“An Act to regulate the making and repairing of Roads and Highways in this Island.”

“An Act to provide for the maintenance of Bastard Children.”

“An Act to afford relief to Wives and Children deserted by their Husbands and Parents.”

“An Act to regulate the Standard of Weights and Measures in this Colony, and to provide for the Surveying of Lumber.”

“An Act for the Establishment of a Savings' Bank in Newfoundland.”

“An Act for the relief of Insolvent Debtors taken in Execution.”

“An Act to regulate the rate of Interest in this Island.”

“An Act for ascertaining the Damages to be paid upon protested Bills of Exchange.”

“An Act for registering the names of Persons entitled to vote at Elections.”

“An Act to regulate the Packing and Inspection of Pickled Fish for Exportation from this Island.”

“An Act to provide for the management of a certain public Wharf and Landing, in the Town of St. John's.”

“An Act to explain certain Acts passed for the Safe Keeping of Gunpowder and to remove doubts respecting the same.”

“An Act to repeal so much of an Act of the Imperial Parliament passed in the Fifth year of the Reign of His late Majesty King George the Fourth, entitled ‘An Act for the better administration of Justice in Newfoundland and for other purposes,’ as relates to the Institution of a Court of Civil Jurisdiction on the Coast of Labrador and the Islands adjacent thereto.”

“An Act for ascertaining the time of the commencement of the Acts of the Parliament of this Colony.”



## APPENDIX.

“An Act to incorporate the Saint John’s Mechanics’ Society.”

“An Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to practice in the Law, in the several Courts in this Island.”

“An Act to declare the Legality of the collection of certain Duties by the Collector of His Majesty’s Customs.”

—“An Act for appropriating the supplies granted to His Majesty during the present Session of the Colonial Parliament.”

“An Act for granting to His Majesty certain Monies for the service of the year of Our Lord One thousand eight hundred and thirty-four.”

And Whereas the said Acts have been referred to the Committee of the Lords of His Majesty’s Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Lords of the Committee have reported as their opinion to His Majesty that the said Acts should be left to their operation. His Majesty was therefore this day pleased, by and with the advice of His Privy Council, to approve the said Report—Whereof the Governor, Lieutenant Governor, or Commander-in-Chief of His Majesty’s Island of Newfoundland for the time being, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed)

WM. L. BATHURST.



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St. John's, Newfoundland.

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