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JOURNAL
OF THE
HOUSE OF ASSEMBLY
OF
NEWFOUNDLAND.

ANNO QUARTO REGIS GULIELMI IV.

THIRD SESSION OF THE FIRST GENERAL ASSEMBLY.

W. M. Carthy
1837.



—❖❖❖—
St. John's, Newfoundland.

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

—❖❖❖—
1834.



Proclamation.

(L. S.)
THOS. COCHRANE.

*By His Excellency Sir THOMAS JOHN COCHRANE,
Knight, Governor and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies, &c. &c. &c.*

WHEREAS the GENERAL ASSEMBLY of this Island, stands Prorogued to *Friday* the 1st day of *November* next :

I have therefore thought fit further to Prorogue the said GENERAL ASSEMBLY until *Friday* the 10th day of *January* next, then to meet for the despatch of business ; of which all persons concerned are desired to take notice and govern themselves accordingly.

Given under my hand and Seal, at the
Government House, at St. John's,
the 5th day of October, 1833, in
the Fourth Year of His Majesty's
Reign.

By His Excellency's Command,

JAMES CROWDY.
Secretary.



Proclamation.

(L. S.)
THOS. COCHRANE.

*By His Excellency Sir THOMAS JOHN COCHRANE,
Knight, Governor and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies, &c. &c. &c.*

WHEREAS it has become necessary further to Prorogue the GENERAL ASSEMBLY of this Island, which had been appointed by my Proclamation, bearing date the 5th day of *October* last, to meet for the despatch of public business on *Friday* the 10th day of *January* next :

I do, therefore further Prorogue the said GENERAL ASSEMBLY until *Wednesday* the 29th day of *January* next, then *to meet for the despatch of public business*; of which all persons concerned are desired to take notice and govern themselves accordingly.

Given under my hand and Seal, at the
Government House, at St. John's,
the 16th day of December, 1833,
in the Fourth Year of His Majesty's
Reign.

By His Excellency's Command,
JAMES CROWDY.

JOURNAL

AND

PROCEEDINGS

OF THE

House of Assembly of Newfoundland.

WEDNESDAY, 29th JANUARY, 1834.

THE House of Assembly having been prorogued by the several Proclamations of His Excellency the Governor, to this day—then to meet for the despatch of business, the following Members assembled at the Court House, agreeably to the Proclamation of His Excellency the Governor, bearing date the 16th day of December last, viz.:

Mr. KENT, Mr. KOUGH, Mr. PACK, Mr. POWER, Mr. COZENS, Mr. PETER BROWN, Mr. CARTER, Mr. HOYLES, Mr. BENNETT, Mr. MARTIN, Mr. SWEETMAN.

At one o'Clock, DAVID BUCHAN, Esquire, High Sheriff, one of the Commissioners appointed by His Excellency the Governor, attended and administered the usual Oaths prescribed by Law, to WILLIAM CARSON, Esquire, M. D., returned duly elected a Representative for the District of St. John's, in the room of WILLIAM THOMAS, Esquire, who has been appointed a Member of the Honorable the Legislative Council, whereby his Seat became vacant.

The said Commissioner also administered the Oaths prescribed by Law, to WILLIAM BICKFORD ROW, Esquire, returned duly elected a Representative for the District of Trinity Bay, in the room of JOHN BINGLEY GARLAND, Esquire, who has been appointed a Member of the Honorable the Legislative Council, whereby his Seat became vacant.

And the said WILLIAM CARSON, and WILLIAM BICKFORD ROW, thereupon severally took their Seats.

At two o'Clock, a Message was delivered from His Excellency the Governor, by JOSEPH TEMPLEMAN, Esquire, Usher of the Black Rod.

Members assemble.

Dr. Carson, Member for St. John's, sworn

W. B. Row, Esq. Member for Trinity, sworn.

Take their seats.

Message from the Governor.

MEMORIAL UNIVERSITY OF NEWFOUNDLAND LIBRARY

Gentlemen of the House of Assembly,

His Excellency the Governor commands your attendance immediately in the Council Room.

Members attend His Excellency in the Council Chamber.

Accordingly, the Members present, with the Clerk, went up to attend His Excellency in the Council Room; when the Honorable the Speaker of the Legislative Council said:—

Honorable Gentlemen of the Legislative Council, and Gentlemen of the House of Assembly,

I am commanded by His Excellency the Governor to inform you, that His Excellency does not think fit to declare the causes for which he has summoned this Colonial Parliament, until there be a Speaker of the House of Assembly:

Members directed to choose a Speaker.

It is, therefore, His Excellency's pleasure, that you, Gentlemen of the House of Assembly, do repair to the place where you are to sit, and there proceed to the choice of some proper person as your Speaker, and that you present such person whom you shall so choose here for His Excellency's approbation, in one hour from this time.

The Members then returned to the Assembly Room, and having taken their seats,

Mr. Bennett proposed as Speaker.

MR. MARTIN addressing himself to the Clerk, and seconded by Mr. CARTER, moved that Thomas Bennett, Esquire, Member for the District of Fogo, be chosen as Speaker.

Mr. Carson proposed as Speaker.

MR. PACK, also addressing himself to the Clerk, and seconded by Mr. PETER BROWN, moved that William Carson, Esquire, M. D., Member for the District of St. John's, be chosen as Speaker.

Whereupon,

Mr. Carson minutes exceptions to Mr. Hoyles, Mr. Cozens and Mr. Kough voting for Speaker.

MR. CARSON addressing the Clerk, directed him to note that he Mr. Carson, excepted to Mr. Hoyles, Member for Fortune Bay, voting in the election of a Speaker, as being disqualified by virtue of the Act of the Imperial Parliament, 6 Anne, cap. 17; also, that he excepted to Mr. Cozens, Member for Conception Bay, voting in the election of a Speaker, as being disqualified by virtue of the Act of the Imperial Parliament, 52 Geo. 3d, cap. 144; also, that he excepted to Mr. Kough, Member for St. John's, voting in the election of a Speaker, as being disqualified by virtue of the Act of the Imperial Parliament, 22d Geo. 3, cap. 45.

Mr. Peter Brown excepts to Mr. Martin's voting for Speaker.

MR. PETER BROWN also directed the Clerk to note, that he excepted to Mr. Martin, Member for St. Mary's Bay, voting in the election of a Speaker,—not being sufficiently qualified as a Householder;—which exceptions were minuted by the Clerk accordingly.

Thomas Bennett, Esq., chosen Speaker.

And the choice of the House having fallen on the said THOMAS BENNETT, he was taken out of his place and conducted to and placed in the chair by Mr. HOYLES; and, thereupon, Mr. Speaker Elect addressed the Members as follows:

Gentlemen,

Mr. Speaker addresses the House.

I beg to offer you my most sincere thanks for the honor you have conferred upon me by placing me in the highest elective situation in this Colony; and I assure you it shall be my unceasing duty to merit the confidence you have reposed in me, by a strict attention to the many duties of the important Office with which you have been pleased to invest me. I shall most anxiously guard the privileges of the House on all occasions, and I trust, by your assistance and support, those privileges will be at all times exercised, consistent with the prerogatives of the Crown, and the rights of the other Branches of the Legislature.

After which, a Message was delivered from His Excellency by the Usher of the Black Rod, commanding the attendance of the Members in the Council Chamber.

Message from His Excellency the Governor.

Accordingly.

Mr. Speaker Elect, with the House, went up to attend His Excellency in the Council Chamber, where Mr. Speaker Elect, was presented to His Excellency by Mr. Hoyles, Member for the District of Fortune Bay.

House attend his Excellency.

After which the President of the Legislative Council, addressing Mr. Speaker Elect, said.

Mr. BENNETT,

I am commanded by His Excellency the Governor to inform you, that His Excellency approves of the choice which the House of Assembly have made of you to be their Speaker.

Choice of Speaker approved of.

The House being returned, and Mr. Speaker having taken the Chair,

Mr. Speaker reported that the House had been in the Council Chamber, where His Excellency the Governor, had been pleased to approve of the choice the House had made of him to be their Speaker, and that he, Mr. Speaker, had spoken to the following effect :

Speaker reports.

May it please your Excellency,

The customary privileges of the Commons of Newfoundland having been already confirmed to the Members of the House of Assembly by your Excellency in their first Session, on their behalf, I have nothing to solicit. For myself, I shall indulge the hope, that the same disposition which has induced your Excellency to approve of the choice which the House have made of me to be their Speaker, will lead your Excellency to put the same favorable construction upon my conduct in discharging the duties of this important office.

Mr. Speaker also reported, that the President of the Legislative Council, by command of His Excellency, said

Mr. SPEAKER,

I am directed by his Excellency to assure you, that he will extend to you the same indulgence that was granted to your Predecessor in office.

After which, Mr. Speaker said His Excellency was pleased to make a Speech, of which Mr. Speaker said he had, to prevent mistakes, obtained a copy which he read to the House, as follows :

*Mr. President, and Gentlemen of His Majesty's Council,
Mr. Speaker, and Gentlemen of the House of Assembly,*

In calling you together to enable you to proceed with those measures for the advantage of the Colony which various circumstances interrupted at your last meeting, I much regret it is not in my power to offer you my congratulations on the success of your fisheries, nor on any considerable amelioration in the condition of the people.

Speech of His Excellency the Governor.

From every information I can obtain, the toils of the Fisherman have only in certain districts been rewarded by an adequate return ; and, in general, the season has not equalled his reasonable expectations ; and the Fishery of the Labrador, on which the livelihood of many depends, has approached to an entire failure.

It is no less painful to me to state that the bounty which Government so liberally extended, last spring, to the necessitous by the distribution of seed Potatoes, has, in consequence of the seed proving unfit for production, but very partially accomplished the object intended.

This two-fold visitation falling on those already great sufferers, has been severely felt ;—although I am happy to add, that only one occasion

His Excellency's Speech

has presented itself on which it has been absolutely necessary to afford relief.

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

I had, until very recently, indulged the hope that it would be in my power to announce to you that a considerable surplus fund, arising on the grant voted by the Imperial Parliament, would now be at your disposal to aid your Local revenue in meeting the necessary expenses of the Government ; but a decrease in the Imperial duties to the extent of more than £3,000 in the last nine months, as compared with the same period in 1832, has disappointed my well-grounded expectations. Anxious to relieve myself from all pecuniary responsibility, I shall cause an estimate of the probable expenses for the months of February and March, and another for the year commencing on the first April, to be laid before you on an early day, together with a statement of the funds at your disposal, to meet them ; and you will perceive by the latter that I have kept inviolate the produce of those duties raised by your own enactments.

To economize your finances, and meet what I have been given to understand to be your wishes, I have directed the Court House to be prepared for holding your Session ; and I feel fully assured that you will use your best endeavours to obviate any inconvenience to the other branches of the public service that may arise from this arrangement.

*Mr. President, and Gentlemen of His Majesty's Council,
Mr. Speaker, and Gentlemen of the House of Assembly,*

In selecting this season of the year for the period of your Session, I have been guided by what I understood would best consult your convenience—and particularly that of those Gentlemen who reside at a distance—in the full hope and expectation that you will give your undivided attention to those subjects of general and local interest which may come before you.

On the opening of your first Session I laid before you Memoranda of the state and condition of this Government—Judicial, Civil and Financial—and pointing out the various subjects on which early legislation was desirable ; and on referring to that document and the little that was then accomplished, arising out of circumstances over which you had no controul, there are few points in it upon which it does not become my duty again to press your attention.

An additional year has only pointed out, with increased force, the importance of an early revision both of your Judicature and Jurisprudence.

Recent events in this town of a tumultuary and discreditable description, have shewn the necessity for a small and well-appointed Militia, to aid the Civil Magistrate in suppressing lawless and illegal assemblages, and in defeating the mischievous in their designs upon the lives or properties of His Majesty's subjects, which is the more seriously called for in those situations where military assistance cannot be resorted to. And although in those places where a military force does exist, it is the bounden duty of the military, in common with all his Majesty's subjects, to obey the summons of the Civil Magistrate, yet it is essential that I should impress upon you that his Majesty's forces are not sent to the colonies, to perform Police duties, and that while they assist in protecting you from foreign foes, it is your province to guard against and bring to punishment your domestic enemies.

The Quarantine Act has, on the whole, answered the object of its enactment ; and although it is susceptible of improvement, too many other objects claim your attention to allow me to add its revision to your other duties.

The subject of Savings' Banks is one that merits your early attention. Every year convinces me more strongly that there is no country where

their institution will be attended with such beneficial effects to its inhabitants as your own.

Roads, Schools, Port Regulations, and the protection of the Woods and Forests continue, equally as before, subjects for your consideration.

Regulations of Police, connected with the convenience and comfort of this town, were enacted last year, but I regret to say they have entirely failed in their intended effect, and a due regard to the respectability of your Capital will, I have no doubt induce you to make its condition one of the objects of your deliberation.

In short, your utmost diligence and unremitting attention will be required, during the period you are in Session, to enable you to accomplish all that is essential for you to undertake, and that the happiness, welfare, and interests of your country claim from you; and in expressing my persuasion that your Councils will be guided by an anxious desire to secure those objects, I must add my assurance that you will ever find me ready sincerely and zealously to co-operate with you, in every measure which may ensure their attainment.

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

Ordered, that Mr. ROW, Mr. HOYLES, Mr. CARSON, Mr. KENT, and Mr. POWER, be a committee to draw up an Address of thanks in answer to his Excellency's speech.

Mr. PACK, seconded by Mr. CARSON, moved that it be

Resolved, that the rules, orders and laws of the Imperial House of Commons be adopted as the rules, orders, and laws of this House, so far as the same can possibly be applied to the circumstances of this colony.

Mr. BROWN moved that the words following be added to the Resolution by way of amendment, viz. ; " until this House shall frame and adopt a code of rules, laws, and regulations for its own guidance and government ;" which being seconded and put, passed in the affirmative.

Mr. HOYLES moved that all the words of the said resolution be struck out after the word " Resolved"—and instead thereof, that the words following be inserted, viz. " that this House do appoint a Committee of privileges and that such committee consist of the whole of the Members;" which being seconded and put, and the House dividing thereon, there appeared for the motion, five ; against it, seven.

For the motion—

- Mr. MARTIN,
- COZENS,
- KOUGH,
- HOYLES,
- Row.

Against the motion—

- Mr. CARSON,
- KENT,
- CARTER,
- POWER,
- SWEETMAN,
- P. BROWN,
- PACK.

So it passed in the negative.

The original Resolution, as amended, was then put, and passed in the affirmative, and is as follows, viz. :

Resolved, that the Rules, Orders and Laws of the Imperial House of Commons be adopted as the Rules, Orders, and Laws of this House, so far as the same can possibly be applied to the circumstances of this Colony, until this House shall frame and adopt a code of Rules, Laws, and Regulations, for its own guidance and government.

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

His Excellency's Speech

Committee to prepare an address in answer to the Governor's Speech.

Mr Pack moves the adoption of the Rules and Orders of the Imperial House of Commons.

Amendment moved and carried.

Amendment moved by Mr. Hoyles.

House divide.

Amendment negatived.

Original Resolution carried.

Motion for Rules and Orders of Supreme Court relative to the summoning of Juries.

Resolved, That this House require copies of all Rules and Orders made by the Judges of the Supreme Court as to the summoning and empanelling of Grand, Special, and Petit Juries, up to the period of the commencement of the last session of the Supreme Court. Also, copies of all Rules and Orders made by the Judges of the Supreme Court, as to the summoning and empanelling of Grand, Special, and Petit Juries, up to the period of the end of the last session of the Supreme Court.

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

Resolved, that the Speaker do transmit the above Resolution to His Excellency the Governor, through the Honorable the Colonial Secretary, and that the Speaker be instructed to ascertain through what channel motions for documents and papers shall, in future, be transmitted.

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

Mr. Speaker ordered to transmit said Resolution to the Governor through the Colonial Secretary.

THURSDAY, JANUARY 30th, 1834.

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

Resolved, That Mr. Speaker do give directions that the necessary arrangements for the convenience and comfort of the House, while in session, be made, and accommodation afforded for the admission of the Public.

The Clerk having reported to the House that certain papers and furniture belonging to the House were in the possession of and detained by Mrs. Mary Traverse;

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

Ordered, that the Sergeant-at-Arms do call upon the said Mary Traverse, and demand the said papers and furniture from her, and ascertain by what authority, and for what reasons, she has detained the same.

Then the House adjourned until Monday next, at eleven o'clock.

MONDAY, FEBRUARY 3, 1834.

THE Serjeant-at-Arms reported that, in obedience to the commands of the House, he had called on Mrs. Mary Traverse, and demanded from her the papers and furniture of the House in her possession; but that the said Mary Traverse refused to deliver up the same, which were detained by her, as she alleged, for arrears of Rent due her by the Government for the use of her house, for the accommodation of the Legislature.

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

Ordered, that the Sergeant-at-Arms do summon the the said Mary Traverse to attend forthwith at the Bar of the House.

Mr. Row reported from the Committee appointed to prepare an address in answer to the Speech of His Excellency the Governor, that the Committee had drawn up the draft of an address accordingly; and he delivered the same in at the Clerk's Table; and the said address was read a first time.

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

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

Mr. Speaker directed to cause arrangements for the accommodation of the House to be made.

Serjeant-at-Arms ordered to demand the property of the House from Mrs. Mary Traverse.

Serjeant-at-Arms reports his proceedings relative to Mrs. Mary Traverse

Mrs Mary Traverse ordered to appear at the bar of the House.

Mr. Row reports from committee to prepare address to His Excellency.

For second reading on Wednesday.

It having been signified to the House that Mary Traverse was in attendance in obedience to the order of the House, she was called to the bar, and having answered several questions propounded to her by Mr. Speaker, was ordered to retire, and withdrew accordingly.

Mrs. Traverse attends at the bar of the House.

Mr. PACK, seconded by Mr. MARTIN, moved that the House do come to the Resolution following, viz.:

It appearing to this House, from the examination of Mrs. Mary Traverse, that the property of this House in her possession has been detained by her for arrears of rent which she alleges to be due to her from the government, upon an agreement entered into with her by the Executive, for the use of her house for the accommodation of the Legislature during its last two Sessions: *Resolved*, therefore, that a Committee be appointed to wait on his Excellency the Governor, and acquaint his Excellency that the House are greatly inconvenienced for want of the books, papers, and furniture, belonging to this House, which are detained by the said Mary Traverse; and humbly request that his Excellency will cause the necessary measures to be taken for the delivery of the said documents and furniture to this House.

Resolution that an application be made to his Excellency for the property of the House in possession of Mrs Traverse

Which being put, passed in the affirmative.

Ordered, that Mr. PACK, Mr. MARTIN, and Mr. SWEETMAN, be a Committee for the above purpose.

Committee.

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

WEDNESDAY, FEBRUARY 5, 1834.

MR. SPEAKER reported to the House that he had received a letter from the Honorable Mr. Secretary Crowdy, transmitting, by command of His Excellency the Governor, certain rules and orders of the Supreme Court regulating the summoning and empannelling of Grand, Special and Petit Juries, in compliance with the resolution of the House, passed on the 29th ultimo. [See Appendix A.]

Rules regulating the summoning of Juries, laid before the House.

Ordered, that the said letter and documents do lie on the table, to be perused by the Members.

Mr. SPEAKER further reported, that in reply to his enquiry as to the channel through which motions and resolutions for papers, &c. should in future be transmitted, he had received from the Honorable Hr. Secretary Crowdy, a communication stating, that he was directed by his Excellency to acquaint him, Mr. Speaker, that his Excellency considered the mode pursued in England, and generally in the Colonies, should be adopted here, namely, that on a motion for papers, an address be voted praying his Excellency to give directions for their being furnished,—that two members should wait on his Excellency to ascertain when he can receive the address, and on the day appointed by his Excellency, that the committee wait on him therewith.

Mr. Speaker reports communication from his Excellency relative to mode of forwarding motions for papers, &c.

Mr. Speaker also reported, that during the recess, the Clerk of the House had received copies of the Laws and Journals of the several Houses of Assembly of Nova Scotia, New Brunswick, and Prince Edward's Island, during their last Sessions, which he laid on the table for the perusal of the members.

Copies of Journals of Assemblies of Nova Scotia, New Brunswick, and P.E. Island, laid on the table.

On motion of Mr. KENT,

The address of the House in answer to his Excellency's speech was read a second time.

Address read a second time.

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

Committed.

Ordered, that the said address be referred to a Committee of the whole House.

Resolved, that this House do now resolve itself into a committee of the whole House on the said address.

House in committee on the address.

And the House then resolved itself into a committee of the whole House on the said address accordingly.

Mr. SPEAKER left the Chair.

Mr. PACK took the Chair of the committee.

Mr. SPEAKER resumed the Chair.

Mr. PACK reported from the Committee that they had had under their consideration the said address to his Excellency, and had agreed to the same with certain amendments, which they had directed him to report to the House, whenever it shall be pleased to receive the same.

Motion that the report be received to-morrow.

Mr. KENT, seconded by Mr. CARSON, moved, that the Chairman do report the said Amendments to the House to-morrow ;—which being put, and the House dividing thereon, there appeared for the motion, five ; against it, six.

For the motion—

Mr. KENT
— CARSON
— POWER
— SWEETMAN
— PACK,

Against the motion—

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

Negated.

So it passed in the negative.

Ordered, that the said report be now received.

Report from committee.

Mr. PACK, Chairman of the Committee, then delivered the said address with the amendments in at the Clerk's table. And the said amendments having been read throughout a first and second time,

Motion that the amendment to the sixth paragraph be not agreed to.

Mr. SWEETMAN, seconded by Mr. PETER BROWN, moved, that the report of the committee, so far as related to the amendment made in the sixth paragraph of the address, be not agreed to ;—which being put, and the House dividing thereon, there appeared for the motion, six ; against it, six.

For the motion—

Mr. KENT
— PACK
— POWER
— PETER BROWN
— SWEETMAN
— CARSON

Against the motion—

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

Negated by casting vote of Speaker.

The House being equally divided, Mr. Speaker gave his casting vote against the motion, so it passed in the negative.

Amendments adopted.

The said amendments were then, upon the question severally put thereon, agreed to by the House.

On question for engrossing address, House divide.

On the motion that the address with the amendments be engrossed, the House divided, when there appeared in favor of the motion, six ; against it six.

For the motion—
 Mr. KENT
 — POWER
 — P. BROWN
 — PACK
 — SWEETMAN
 — CARSON

Against the motion—
 Mr. HOYLES
 — ROW
 — MARTIN
 — KOUGH
 — COZENS
 — CARTER.

And the House being equally divided,

Mr. Speaker gave his casting vote in favour of the question, so it passed in the affirmative.

Ordered, that the said address with the amendments be engrossed.

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

Resolved, that a committee be appointed to whom shall be referred all matters in any way touching or concerning the privileges of the House, and that such committee do consist of the whole House.

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

Speaker gives his casting vote in favor of the question.

Address ordered to be engrossed.

Committee of Privileges appointed, to consist of the whole of the House.

THURSDAY, FEBRUARY 6, 1834.

THE Address in answer to His Excellency's Speech being engrossed, was read by the Clerk, and is as follows :

Address of the House to his Excellency.

To His Excellency Sir Thomas John Cochrane, Knight, Governor and Commander-in-Chief in and over His Majesty's Island of Newfoundland, and its Dependencies, &c. &c. &c.

The Humble Address of the House of Representatives, in General Assembly.

May it please your Excellency,

We, the Representatives of His Majesty's loyal Subjects the Inhabitants of Newfoundland, in General Assembly convened, beg leave to thank your Excellency for your Excellency's Speech at the opening of this the third Session of the first General Assembly of Newfoundland.

The inadequate return of the Shore and Labrador Fishery, and the extensive failure of the potatoe crop, from the cause noticed by your Excellency, whereby the benevolent intentions of Government in distributing seed to the poor have been unhappily frustrated, are subjects upon which the House deeply sympathize with your Excellency ; but it is a source of much gratification to learn from your Excellency, that hitherto the pressure has been so little felt that only a single instance has occurred in which application has been made for relief.

We lament the deficiency that Your Excellency informs us has taken place in the Revenue arising from the Imperial Duties for the last nine months, as compared with the corresponding period of the year One thousand eight hundred and thirty two ;—and on receiving the Estimates which Your Excellency has promised to lay before us, we shall be prepared to adopt such measures as may be suitable for the occasion ; and we thank Your Excellency, for the assurance that the Duties raised by our own enactments have been kept inviolate.

We thank Your Excellency for the attention to economy and the ready acquiescence with our wishes which induced your Excellency to appropriate a portion of the Court-House for the holding of our Session.

To the various subjects referred to by Your Excellency in the Memoranda laid before us at the opening of the first Session of the Legisla-

Address to his Excellency

ture, we hope in the present Session to give that attention which their importance so seriously demands; and we especially concur with Your Excellency in the expediency of as early a revision of our Judicature and Jurisprudence as circumstances will permit.

In this ancient Colony whose Inhabitants have always been distinguished for loyalty to their Sovereign, for attachment to the British Constitution, and for respect and reverence to the Laws, we exceedingly lament that Your Excellency, in recommending the appointment of a Militia, should have had cause to believe that any military power was necessary to support the constitutional exercise of Civil Authority—or that any portion of the people of this Colony, however small, could be considered in the light of Domestic Enemies. We now assure Your Excellency that there is no power vested in us, that we shall not at all times, when necessary, promptly and zealously exercise to protect the public peace, and to maintain the supremacy of the Law.

The subjects of Savings' Banks, Roads, Schools, Port Regulations, the protection of Woods and Forests, and the Police of the Capital—all recommended by Your Excellency to our consideration—shall not fail to receive our early and serious attention, and we confidently hope that by diligent application and the exercise of a sound discretion, aided and cheered by the promised co-operation of Your Excellency, on which we shall at all times confidently rely, we may be enabled largely to contribute to the happiness, welfare, and interest of the Colony.

And thereupon,

Motion for recommitment of address.

Mr. KENT, seconded by Mr. PACK, moved that the Address be re-committed to a Committee of the whole House;—which being put, and the House dividing thereon, there appeared for the motion, five; against the motion, six.

For the motion—

Mr. POWER,
— SWEETMAN,
— KENT,
— PACK,
— CARSON.

Against the motion—

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

Negatived.

So it passed in the negative.

Motion for amending.

Mr. KENT then moved, seconded by Mr. SWEETMAN, that the words "had cause" in the sixth paragraph of the Address be struck out, and that the words "been induced" be inserted instead thereof;—which being put, and the House dividing thereon, there appeared for the motion, six; against it, six.

For the motion—

Mr. POWER,
— SWEETMAN,
— P. BROWN,
— KENT,
— PACK,
— CARSON.

Against the motion—

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

So Mr. Speaker gave his casting vote against the motion.

Mr. PACK, seconded by Mr. P. BROWN, moved, that the sixth paragraph of the said Address be expunged therefrom;—which being put, and the House dividing thereon, there appeared for the motion, six;—against it, six:

For the motion—

Mr. KENT,

Against the motion—

Mr. KOUGH,

Negatived by the casting vote of the Speaker.

Motion to expunge the sixth paragraph of the address.

— CARSON,
— P. BROWN,
— SWEETMAN,
— PACK,
— POWER.

— CARTER,
— COZENS,
— ROW,
— MARTIN,
— HOYLES.

So Mr. Speaker gave his casting vote against the motion.

Negated by casting vote of the Speaker.

Mr. CARTER, seconded by Mr. COZENS, then moved, that the Address, as engrossed, do pass;—which being put, and the House dividing thereon, there appeared for the motion, six; against it, six:

Motion that the address do pass.

For the motion—

Against the motion—

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

Mr. P. BROWN,
— CARSON,
— KENT,
— PACK,
— SWEETMAN,
— POWER.

House divide.

So Mr. Speaker gave his casting vote in favor of the motion.

Negated by casting vote of the Speaker.

Resolved, that the said Address be presented to His Excellency by the whole House, and that Mr. Martin and Mr. Carter be a Committee to wait on His Excellency, to know when he will be pleased to receive the same.

Address to be presented to his Excellency by the whole House.

Mr. P. BROWN, seconded by Mr. CARSON, moved that the House do come to a Resolution, as follows:

Resolved, that Mr. Speaker do issue his order to request Mr. Elson's attendance at the Bar of the House, to give evidence as to the eligibility of J. W. MARTIN, Esquire, Member for St. Mary's, to sit and vote as a Member of this House, and that Mr. Elson be requested to bring all documents, or copies of documents, having a bearing upon the question;—which being put from the Chair,

Motion that Mr. Elson attend at the Bar to give evidence as to the eligibility of J. W. Martin, Esq. to sit as a member.

Mr. CARSON, seconded by Mr. KENT, moved the following Resolution, by way of amendment:

A charge having been preferred by an Honorable Member of this House against the return of Mr. MARTIN, Member for St. Mary's, tending to disqualify him as a Member—*Resolved*, that Mr. MARTIN do not during the discussion on this question exercise the privilege of a Member;—which amendment being put, and the House dividing thereon, there appeared for the amendment, six; against it, six:

Amendment that Mr. Martin retire during the discussion.

For the amendment—
Mr. KENT,
— PACK,
— CARSON,
— SWEETMAN,
— P. BROWN,
— POWER.

Against the amendment—
Mr. CARTER,
— HOYLES,
— MARTIN,
— COZENS,
— KOUGH,
— ROW.

So Mr. Speaker gave his casting vote against the amendment.

Amendment negated by casting vote of Speaker.

The original resolution was then put, and the House dividing thereon, there appeared for the motion, six; against it six:

Original Resolution put.

For the motion—

Against the motion—

Mr. CARSON
— POWER
— P. BROWN
— KENT
— SWEETMAN
— PACK

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

House divide.

Resolution negatived by casting vote of the Speaker.

So Mr. Speaker gave his casting vote against the motion, and it passed in the negative.

Call of the House ordered

On motion of Mr. Carter, seconded by Mr. Power,
Ordered, that the House be called over to-morrow morning.
Then the House adjourned until to-morrow, at eleven of the clock.

FRIDAY, FEBRUARY 7, 1834.

House called over.

PURSUANT to the order of yesterday, the names of the different Members were called over, when the following Members answered to the same in their places :

Patrick Kough, M. P.	}	For the district of St. John's.
William Carson, M. P.		
Robert Pack, M. P.	}	For the district of Conception Bay.
Peter Brown, M. P.		
James Power, M. P.		
Charles Cozens, M. P.		
Thomas Bennett, M. P.,		for the district of Fogo.
William B. Row, M. P.,		for the district of Trinity Bay.
Robert Carter, M. P.,		for the district of Ferryland,
Roger F. Sweetman, M. P.,	}	For the district of Placentia & St. Mary's.
John Wills Martin, M. P.,		
Newman W. Hoyles, M. P.,		for the district of Fortune Bay.

ABSENT.

John Kent, M. P., for the district of St. John's,
William Hooper, M. P., for the district of Burin.
William Brown, M. P., for the district of Bonavista.

On motion of Mr. Peter Brown, seconded by Mr. Cozens.

Bills, not to be brought in after 10th March.

Resolved, that no Member have leave to introduce any bill into the House, during the present Session, after the tenth day of March next.

On motion of Mr. Kent, seconded by Mr. Pack,

Vote of thanks to the late Speaker.

Resolved unanimously, that the thanks of this House are due, and be presented to the Honorable John Bingley Garland, the late Speaker of of this House, for the able and impartial manner in which he discharged the duties of that important office.

Committee to present same.

Ordered, that Mr. Kent, Mr. Pack, Mr. P. Brown, Mr. Sweetman, and Mr. Carter, be a Committee to wait on the said Hon. John Bingley Garland, with the said vote of thanks.

Mr. Carson gives notice of motion for new Writ for Conception Bay.

Mr. Carson gave notice that on Monday next, he should move that the Speaker do issue his writ for the election of a Member to represent the district of Conception Bay, in the room of Charles Cozens, Esquire.

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

SATURDAY, FEBRUARY 8, 1834.

AT a quarter past eleven o'clock, Mr. Speaker took the chair, and there being only three members present, viz. Mr. Pack, Mr. Power, and Mr. Row, Mr. Speaker adjourned the House, for want of a quorum, until Monday, at eleven of the clock.

MONDAY, FEBRUARY 10, 1834.

MR. CARTER reported from the committee appointed to wait on his Excellency the Governor, to know his Excellency's pleasure when he would be attended by the House with their Address in answer to his Excellency's Speech, that the Committee had waited on his Excellency accordingly, and that his Excellency was pleased to name this day at twelve o'clock.

Report of Committee to know when his Excellency will receive the Address of the House.

The House then adjourned until one o'clock.

At one o'clock the House met pursuant to adjournment, when

Mr. SPEAKER reported, that the House had been in attendance on his Excellency, with the Address of the House in reply to his Excellency's Speech, to which his Excellency was pleased to make the following Reply :

Mr. Speaker reports the presentation of address to his Excellency.

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

I receive, with lively satisfaction, the assurances that a diligent application on your part will be directed to the various points I have brought under your notice, as well as the other subjects so interesting to the welfare of your constituents ; and I feel little doubt that guided by such a disposition, the present session will close with honor to yourselves and advantage to your country.

His Excellency's reply.

Mr. CARSON, seconded by Mr. KENT, moved that the House do come to the following Resolution, viz :

Mr. Carson moves that a new Writ for Conception Bay be issued.

Resolved, that Mr. SPEAKER do issue his writ for the election of a member to represent the district of Conception Bay, in the room of Charles Cozens, Esquire, a Bankrupt or Insolvent.

Mr. CARTER, seconded by Mr. MARTIN, moved that the following amendment, viz . that all the words of the said resolution, after the word " Resolved " be expunged, and instead thereof that the words following be inserted : " That the seat of the said Charles Cozens is not vacant by reason of the Act of the Imperial Parliament 52d George 3d, chapter 144 —as the House conceive that the said act does not in any manner extend to this Colony." Which being put, and the House dividing thereon, there appeared for the motion, seven ; against it, three ;

Mr. Carter moves an amendment.

For the amendment—	Against the amendment—
Mr. POWER	Mr. CARSON
— CARTER	— KENT
— ROW	— PACK.
— COZENS	
— MARTIN	
— HOYLES	
— KOUGH	

House divide.

So it passed in the affirmative.

Amendment carried.

The original Resolution, as amended, was then put, and carried.

Mr. KOUGH gave notice, that on Monday next, he should move for leave to introduce a bill for increasing the Representation of the Island.

Mr. Kough gives notice of Bill to increase the Representation.

Mr. PACK gave notice, that on Monday next, he should move for leave to introduce a bill to limit the duration of the General Assembly.

Mr. Pack gives notice of Bill to limit the duration of Parliament.

Mr. ROW gave notice, that, to-morrow, he should move for Returns of business transacted in the Labrador Court, and in the Northern and Southern Circuit Courts, respectively.

Mr. Row gives notice of motion for Returns of business in Circuit Courts.

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

TUESDAY, FEBRUARY 11, 1834.

Mr. Speaker lays before the House Letter from Secretary with Petitions from distressed Inhabitants of Placentia Bay.

MR. SPEAKER laid before the House a letter from the Hon. Mr. Secretary Crowdy, transmitting to him, by command of his Excellency the Governor, copies of three petitions from certain inhabitants of Placentia Bay, stating that by reason of the bad catch of Fish during the past season, and the almost entire failure of the potatoe crop, the said petitioners were reduced to a state of great distress, and were without the necessary clothing and provision to support them through the winter;—and praying for some relief.

Ordered, that the said letter and documents be taken into consideration on Friday next.

Mr. P. Brown reports from Committee to present vote of Thanks to the late Speaker.

Mr. P. BROWN reported from the Committee appointed to wait on the Hon. John Bingley Garland, the late Speaker of the House, with a copy of the Resolution of the House passed on Friday last, that the Committee had waited on Mr. Garland accordingly, with the same, and had received from him a reply, which the said Chairman delivered in at the Clerk's table where it was read, and is as follows:

Mr. Chairman and Gentlemen of the Committee,

Reply of the Hon. J. B. Garland to the Vote of Thanks.

To have been called to preside over the first General Assembly of this Island, while the honor and dignity which such event conferred on me were never lost sight of, a consideration of the responsibility which its acceptance involved, and of the ability and acquirements requisite for an able discharge of its functions, brought with it, to my mind, a moral consciousness that the qualifications of him on whom so distinguished a lot had fallen were inadequate to that post which had been assigned to him.

But anxious, even in any rank, to offer the aid of talents or experience, feeble as either might have been, to bring into action that political change which, from conviction, I had brought myself to conclude might eventually operate to the welfare of this Island in all its varied relations, I have, in the station from which I have lately been called away, endeavoured to discharge those functions with all the ability and impartiality which I could morally or physically exercise;—and if the consciousness of that imperfection was then great, I have now, however, a private satisfaction, superior to that which the personal honors attached to the situation might have more publicly conferred on me,—that of knowing, by the vote of the present Assembly, presented by yourselves, that my efforts, however inadequate to the good of the public cause, or imperfect in the minor points connected with my late office, have been indulgently dealt with; and that my intentions rather than my merit have been the subject of consideration.

To the Assembly as a Political Collective Body, my earnest thanks for this demonstration of its sentiments, I trust you will on my part as earnestly and respectfully deliver; and the honor which such a Resolution may throw over the aspect of my future life, be the lot of that life what it may, will only more powerfully excite *me* and mine to the exercise of any power which may conduce to the prosperity and welfare of an Island which I may almost consider my native land.

To the hon. Gentlemen of the Assembly individually, I have to say more than I can well express. As they were daily witnesses of my imperfections and failings, so they bore with them indulgently and supported me, when support and direction were too requisite. And as a last favour which their former President can prefer to you, Gentlemen, he would request that you would express to one and all of them, that their uniform and attentive consideration towards me in bearing with the asperities of my natural temper, no less than with the insufficiency of my

acquired qualifications when before them as their organ, will, while their respective names stand recorded in the cells of my memory, never fail to excite any other feelings than those of gratitude and friendship.

J. BINGLEY GARLAND.

Mr. Row, seconded by Mr. POWER, moved that it be

Resolved, that an address be presented to his Excellency the Governor, respectfully requesting that his Excellency will cause to be laid before the House, a return and detailed statement of all business transacted in the Labrador Court, and in the Northern and Southern Circuit Courts of the Island, respectively, since their first institution; which being put, passed in the affirmative.

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

Resolved, that a clause be inserted in the said address praying that his Excellency will cause to be laid before the House a return of all business transacted in the Supreme Court, the Central Circuit Court, and the Sessions Courts of the several districts of the Island, during the year One thousand Eight hundred and Thirty three.

On motion of Mr. BROWN, seconded by Mr. SWEETMAN,

Resolved, that a clause be also inserted in the said address praying that his Excellency will be pleased to direct that there be laid before the House, a return of all Poundage and Writ money received by the Sheriff of the Island, during the year One thousand Eight hundred and Thirty three.

Mr. Row then presented to the House the draft of an address in pursuance of the foregoing resolutions; and he read the same in his place, and afterwards delivered it in at the Clerk's table, where it was read, and is as follows:

*To His Excellency Sir Thomas John Cochrane,
Knight, Governor and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies, &c. &c. &c.*

May it please your Excellency,

The House of Assembly respectfully request that your Excellency will give directions that the following returns be laid before the House, viz:

A Return of the number of Writs issued by the Labrador Court, from its first institution, specifying the places at which, and the times when such writs were issued, and when, and where returnable; the amount to each place respectively of the sums sued for, and of the judgments thereon,—the number and amount of executions issued on such judgments, and the amount received on such executions.

Also, a similar return of the writs issued by the Northern and Southern Circuit Courts respectively.

A Return of all writs and processes issued from the Central Circuit Court, from the 1st day of January, 1833, to the 1st day of January, 1834; the amount of all judgments thereon, and of all executions issued on the same.

Also, a similar return of all writs and processes issued from the Supreme Court during the same period, and up to the termination of its last Session.

Also, a return of all writs, judgments and executions issued from the Sessions Courts for the Northern, Southern, and Central Districts of the Island respectively during the year 1833—with the amount of such writs judgments, and executions respectively,

Also, a return of the amount of writ and poundage money received by the Sheriff in the different Courts of the Island, from the 25th day of Jan-

Reply of the Hon. J. B. Garland to the Vote of Thanks.

Motion for an Address to His Excellency for Returns of business in the Labrador, Northern and Southern Circuit Courts.

Also for Returns of business in the Supreme, Central Circuit and Sessions Courts.

Also for a Return of Writ and Poundage money for the year 1833.

Mr. Row presents draft of Address for the above Returns.

Address read.

Address.

uary, 1833, to the 25th day of January, 1834—with the sums paid to the Deputy Sheriffs, and the Sheriffs' Bailiffs, out of the same.

Address adopted.

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

Resolved, that the said Address be adopted by the House.

Ordered, that the said Address be engrossed.

Committee to present the same.

Ordered, that Mr. ROW, Mr. PACK, and Mr. PETER BROWN, be a Committee to present the said address to his Excellency.

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

Resolution relative to the mode of presenting Addresses and Resolutions for Returns of Papers.

Resolved, in consequence of the limited number of the Members of this House, that, in future, when any resolution or address to his Excellency praying that papers or documents may be furnished to the House, is passed, Mr. Speaker do first transmit to his Excellency, through the Colonial Secretary, a copy of such resolution or address, and request that his Excellency will, through the Secretary, inform the House at what time his Excellency will be waited on by a Committee of the House, with such resolution or address, in order to receive his Excellency's answer to the same.

Message from His Excellency.

A message from his Excellency the Governor was delivered by the hon. Mr. Secretary Crowdy, who, being admitted within the bar, presented to the House the following documents; viz:

Mr. Secretary Crowdy lays before the House the Estimates for 1834—and Statements of the Revenue

An Estimate of the probable amount required for defraying those expenses (not already provided for) of the Island of Newfoundland, during the months of February and March, 1834.

An account of the produce of duties collected in this Island, under the Imperial Acts, from the 5th of January, 1833, to the 5th of January 1834.

Comparative statement of the Imperial duties in the nine months ending respectively 5th January, 1833, and 5th January, 1834.

Return of monies in the Colonial chest (received on account of duties collected under Act 4th William 4. cap. 1st.) on the 1st February 1834.

Return of monies in the Colonial chest (received on account of the Imperial duties) on the 1st of February, 1834.

An estimate of the probable amount required for the expenses of the Government, as at present constituted, for one year, commencing on the 1st of April, 1834.

And then the Messenger withdrew.

Ordered, that the said documents be printed.

Ordered to be Printed.

Then the House adjourned until Thursday, at eleven of the clock, tomorrow being Ash Wednesday.

THURSDAY, FEBRUARY 13, 1834.

Report of Committee to wait on His Excellency relative to the property of the House detained by Mrs. Traverse.

MR. PACK reported from the Committee appointed to wait on his Excellency the Governor, with a copy of the Resolution of the House relative to the property of the House detained by Mrs. Mary Traverse, that the Committee had waited on his Excellency accordingly, and that, in answer thereto, his Excellency was pleased to say he would give directions to the Attorney General to take the necessary steps, in order that the property of the House might be obtained as early as possible.

Petition of J. C. Nuttall presented and read.

A Petition of John C. Nuttall and others, inhabitants of the town of Harbor Grace, was presented by Mr. Power, and read, setting forth,

That the Petitioners feel they would not be discharging the duty they owe to themselves, as a community, whilst they neglected bringing before the House any matter having for its object the better security of property

or which might deeply involve the interest or general welfare of society. That it has long been a subject of much regret, whilst many other salutary regulations have been from time to time devised and adopted, that no endeavour has ever been made to establish in the said Town a public Magazine for the depositing of Gunpowder. Recent circumstances have clearly evinced, that so long as this highly necessary measure was overlooked, no precautionary regulations whatever against the spreading of fire can prove effectual. Urged by the foregoing considerations, the Petitioners humbly pray that an Act may be passed, directing that a Powder Magazine be built in some suitable place in the said Town of Harbor-Grace, in such manner as the House may determine. That further it is the general opinion of the Inhabitants that Gunpowder ought not to be kept in any Store, Outhouse, or dwelling, in the said Town; and that any person having more than seven pounds of powder on his premises, should be liable to pay such fine as the House might deem necessary.—Petitioners therefore humbly pray the House to take their case into consideration.

Petition of J. C. Nuttall presented and read.

A Petition of James Sharpe, of Harbor Grace, was presented by Mr. PETER BROWN, and read, setting forth that shortly after the destructive fire at Harbor-Grace, the Petitioner was employed by the Commissioners appointed to lay out a New Street and Fire Breaks in the said town, and attended them as Chainman while laying out the said street. That Petitioner was charged with the care of the said street and directed to prevent persons from building thereon, except under certain restrictions, and that he punctually obeyed the orders and directions given to him. That at the time the said Commissioners gave Petitioner the above orders, they stated, that they had no funds in their hands to remunerate him for his labor, or what casual expense he might be put to, but added, that Petitioner would be sure of being paid thereafter—whereupon Petitioner continued to act until other Commissioners were afterwards appointed, by whom he was employed on the same terms as by the former Commissioners. That in July last, the Petitioner, pursuant to order, attended and gave evidence at the Bar of the House respecting the line of the said streets, and also produced certain plans of the same. That the Members for the District of Conception Bay are well aware petitioner received no salary, and for eighteen years past has acted as a Peace Officer, Sheriffs' Bailiff, and latterly, as Assistant Land Surveyor, for which services he has received only the small fees attending on the said Offices, which were quite inadequate to maintain him respectably. That petitioner begs to lay before the House three accounts which he trusts the House will take into consideration and grant him such remuneration as may seem most fit to the House.

Petition of J. Sharpe presented and read.

On motion, *Resolved*, that the foregoing petitions be taken into consideration on Monday next.

Ordered, that the Petition be considered on Monday.

Mr. PACK gave notice that he should, to-morrow, move for leave to introduce a Bill to regulate the cutting of ice in the different Harbors of the Island.

Mr. Pack gives notice of Bill to regulate the cutting of Ice Channels.

Mr. KOUGH gave notice, that, on Saturday next, he should move that the House resolve itself into a Committee of the whole House, to take into consideration the General state of the Colony.

Mr. Kough gives notice of motion for Committee of the whole House on the state of the Colony.

Mr. KENT gave notice, that, on an early day, he should move that the House do come to a Resolution to the effect that the Colony cannot at present bear additional taxation.

Mr. Kent gives notice of motion relative to additional taxation

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

FRIDAY, FEBRUARY 14, 1834.

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

Resolution for Committee to prepare Address to his Excellency for Returns &c

Resolved, that in order to facilitate the progress of the public business, and to enable the House with some degree of accuracy to ascertain what services it will be necessary to provide for during the present year, and also, more clearly to understand what ways and means are at the disposal of the House, a select Committee be appointed to draw up an Address to His Excellency the Governor, praying that His Excellency will cause to be laid before the House detailed statements of the Revenue and expenditure of the Colony.

Committee.

Ordered, that Mr. CARSON, Mr. POWER, Mr. ROW, Mr. PACK, and Mr. CARTER, be a Committee for the above purpose.

Order of the day read.

On motion, the Order of the day was read, and thereupon,

Petitions from Placentia Bay read, and referred to Committee of supply.

The Petitions from the distressed Inhabitants of Placentia Bay were read and taken into consideration ;—

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

Resolved, that the said Petitions be referred to the Committee of Supply.

Time for receiving address fixed.

Mr. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy stating, by command of His Excellency, that His Excellency would be happy to receive the Committee of the House with the Address passed on Tuesday last, between the hours of twelve and one o'clock to-day.

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

Mr. Speaker directed to wait on his Excellency with a copy of the Resolution of Tuesday.

Resolved, that Mr. SPEAKER do wait on His Excellency the Governor, with a copy of the Resolution passed by the House on Tuesday last, concerning the future presentation of Addresses or Resolutions praying for the production of papers, and desire His Excellency's concurrence in the arrangement therein proposed.

Mr. Pack presents Bill to regulate the cutting of Ice Channels.

Mr. PACK, pursuant to notice, and leave granted, presented a bill to regulate the cutting of ice channels in the different Harbors of the Island, and the same was read a first time.

Second reading on Monday

Ordered, that the bill be read a second time, on Monday next.

Ordered, that the bill be printed.

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

SATURDAY, FEBRUARY 15, 1833.

Report of Committee to prepare Address for Returns of Revenue and expenditure.

MR. CARSON reported from the Committee appointed to prepare an address to his Excellency the Governor, praying that he would cause more detailed statements of the Revenue and expenditure of the Colony to be laid before the House, in pursuance of the Resolution of yesterday, that the Committee had prepared the draft of an address accordingly; and he read the same in his place, and afterwards delivered it in at the Clerk's table, where it was read, and is as follows :

*To His Excellency Sir Thomas John Cochrane,
Knight, Governor and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies, &c. &c. &c.*

Address read.

May it please your Excellency,

The House of Assembly beg leave to acquaint your Excellency, that in order as well to facilitate the progress of the public business as to enable the House to make an useful and satisfactory appropriation of the public monies of the Colony, much further information is requisite to elucidate more fully the nature and object of the services set forth in the estimate.

submitted to the House, and which are therein required to be provided for ;—The House of Assembly, therefore, respectfully request that your Excellency will cause to be laid before the House a more detailed statement of the several charges and services included under the following heads, viz :

Address

Contingencies.

CIVIL.

Printing—Stationery—Advertising—Binding—Contingent.

JUDICIAL

Civil and Criminal Prosecutions.

Circuit Judges.

Stationery and Printing.

Gaol Expenses.

Coroner.

Attorney General's Fees.

Extra Constables (during the sitting of the Courts.)

Paupers, Orphans, and Bastards.

Passages.

Roads, &c.

Incidentals.

Public Buildings.

Fuel and Light for ditto.

The House of Assembly further respectfully request that your Excellency will cause to be laid before them, a detailed statement of the amount received during the year 1833, arising from the Sale or Rents of the different Ships' Rooms and Beaches in this Island.

Also, a detailed statement of the amount received, during the same period, accruing from the Sale or Rents of the Crown Lands in this Island.

Also, a detailed statement of the amount of all License money received during the year 1833, and of the services to which the same has been applied.

Also, a detailed statement of all sums received by the Treasurer of the Colony, arising both from the Imperial and Colonial duties, and of the purposes to which the same have been applied.

A full and detailed statement of all monies received during the year 1833, whether arising from the Imperial duties—Parliamentary Grant—Sale and Rents of Ships' Rooms and Crown Lands—Fines and Forfeitures—the granting of Licences, or otherwise howsoever ; and of the manner and purposes, in and to which the same have been applied and expended.

A detailed statement of all appointments made pursuant to the act of the Imperial Parliament 5th Geo. 4th, cap. 67. specifying the dates of such appointments respectively—the annual amount of income of all persons appointed under the same, shewing whether the same be received from fees or how otherwise—the time such persons actually entered on the discharge of the duties of their offices—the period or periods during which they have been absent on leave—and by whom such leave was granted respectively.

A detailed statement of the number of Instruments in writing recorded by the Registrars of the Northern and Southern Districts of the Island, respectively, in each year since the first institution of the Circuit Courts—the times and places when and where, and the persons to whom, the same were respectively presented for registration, and the times when the same

Address.

were actually registered.

Address adopted.

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

Resolved, that the report of the Committee be received and adopted by the House.

Ordered that the address be engrossed.

Report of the Committee to present Address of Tuesday.

Mr. Row reported from the committee appointed to wait on his Excellency with the address of the House passed on Tuesday last, that the committee had attended his Excellency with the address accordingly, and that in reply thereto, his Excellency was pleased to say, that he would give directions that the documents required by the said Address should be laid before the House, with as little delay as possible,

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

House in Committee on the state of the Colony.

The House resolved itself into a Committee of the whole House, on the consideration of the general state of the Colony.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

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

Leave to sit again.

Ordered, that the committee have leave to sit again.

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

Motion for Committee to report on the state of the Finances.

Resolved, that a committee be prepared to draw up and submit to the House, Resolutions upon the subject of the state of Finances of the colony.

Committee.

Ordered, that Mr. KOUGH, Mr. CARSON, Mr. ROW, Mr. CARTER, Mr. Power, and Mr. Pack, be a committee for the above purpose.

On motion, the House adjourned for one hour.

The House met pursuant to adjournment.

Report of the Committee on the state of the Finances.

Mr. KOUGH reported from the committee appointed to prepare certain Resolutions touching the state of the Finances of the colony, that the committee had drawn up five resolutions accordingly; and he read the same in his place, and afterwards delivered them in at the Clerk's table, where they were read, and are as follow, viz :

Resolved, that owing to the deteriorated condition of the Fisheries—the interruptions which the trade has met with in Foreign Markets—the failure of the Potatoe crop, and other unusual causes, the revenue of the Colony is far below what it was last year, and what, under other circumstances, it might reasonably have been expected to amount to.

Resolved, that over and above defraying the necessary expenses of the Colony, the encouragement of the fisheries and agriculture—the opening and making of roads—the more equal and satisfactory administration of justice, and other objects of great importance, demand the early attention and consideration of the Legislature; and that for the attainment of these objects, a much larger amount of Revenue than that which is at present at the disposal of the House will be required.

Resolved, that under the present depressed state of the means of the Colony, arising from the failure of the Potatoe crop—the great deficiency in the amount of Fish taken at the Labrador in this, as compared with former years,—and the unprecedented falling off in the price of the staple commodities of the Colony in the Home and Foreign Markets, it would be highly unwise and impolitic greatly to increase the present taxation of the Colony;—and that, under existing circumstances, an early appli-

cation to the Parent Government should be made in aid of the funds of the Colony.

Resolved, that this Colony possesses powerful claims upon the bounty of the Mother Country from the circumstance that, for a period of many years, a large portion of the Revenue collected in this Island, from taxes paid by the Inhabitants of the Colony, and amounting in Eleven years to a sum of about £80,000, was remitted to and paid into the Treasury of the United Kingdom, and expended for purposes disconnected with the interests of this Island.

Resolved therefore, that it is expedient that an humble Address be prepared and forwarded to His Most Gracious Majesty, as speedily as possible, praying that he will recommend to the Parliament of the United Kingdom, to grant an annual sum in aid of the funds of the Colony.

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

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

Resolved, that a Committee be appointed to prepare an humble Address to His Majesty in accordance with the foregoing Resolutions.

Ordered, that the Committee who prepared the said Resolutions, be a Committee for that purpose.

Then the House adjourned until Monday, at eleven of the clock.

MONDAY, FEBRUARY 17, 1834.

ON motion, the Order of the day was read, and thereupon,

A Bill to regulate the cutting of channels in the ice in the different Harbours of the Island, was read a second time.

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

Resolved, that this House will to-morrow, consider the said Bill in Committee of the whole House.

Mr. KOUGH reported from the Committee appointed to draw up an Address to His Majesty on the subject of the Finances of the Colony, that the Committee had prepared the draft of an Address accordingly; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows, viz:

TO THE KING'S MOST EXCELLENT MAJESTY.

The Humble Address of the House of Representatives of the Island of Newfoundland, in General Assembly convened.

May it please Your Majesty,

We, the Representatives of Your Majesty's loving Subjects, the People of Newfoundland, beg leave most humbly to approach Your Majesty with sentiments of unshaken loyalty and affection towards Your Majesty's Person and Government.

Deeply regretting the necessity which compels us, at this time, to bring under Your Majesty's most gracious consideration the Public Affairs of this Island and the present distressed condition of its Finances; but confidently relying in that benignant interest in the welfare of your faithful subjects in all parts of Your Dominions which Your Majesty has so pre-eminently displayed, we feel assured that Your Majesty will bestow on this most humble Petition that gracious attention which the dutiful and

Report of the Committee on the state of the Finances.

Report Adopted.

Committee appointed to prepare an Address to His Majesty.

Ice Bill read 2nd time.

Committed.

Order of the day for to-morrow.

Report of the Committee to prepare an Address to His Majesty.

Address read.

Address read.

loyal attachment of the Inhabitants of this Colony to Your Majesty, and their affectionate regard for the Mother Country, induce them to expect.

In again expressing our fervent gratitude to that Sovereign to whose justice and liberality we are indebted for granting this ancient Colony those long sought-for institutions of freedom, without which it was impossible either morally or physically to improve the condition of a large and rapidly increasing population, or to place within their reach the resources of this valuable Island, we beg leave briefly to remind Your Majesty of a few of the acknowledged claims upon the favourable consideration of the Parent Government which this Island, from its great political importance, possesses; and, at the same time, most humbly to represent to Your Majesty, the present unusually depressed state of the means of the Colony.

Unlike others of Your Majesty's Colonial Territories, to which the policy of the Parent State was induced to extend that form of Government and those institutions which, while they gave to the inhabitants of those Colonies the full and sole command of their resources, and enabled them to project and mature, from their first settlement, plans of permanent improvement and prosperity, it has been, Sire, from the earliest history of this Colony, the withering policy of the Government of the Mother Country by every possible means to prevent the adoption of any measure which might tend to improve the condition of a large and increasing portion of Your Majesty's faithful subjects, who had made this Island their home.

Whilst during a long series of years the public charges of the Colony were trifling and insignificant, enormous sums of money accumulated in the Island by persons engaged in the prosecution of its Trade and Fisheries, were not only transferred to the Mother Country to swell her Capital and increase her Commerce, (thus withdrawing from the Island those fertilizing means which, under the policy invariably pursued towards the rest of Your Majesty's Colonies, would have made this one of the most flourishing of Your Majesty's Foreign Possessions), but during a small portion of that period—of not more than eleven years—it appears, from Parliamentary Returns, that a sum amounting to upwards of One Hundred and twenty thousand pounds, collected from duties paid by the resident Inhabitants upon articles imported into this Colony, was remitted directly to the Treasury of the United Kingdom.

It is, here, perhaps superfluous to mention the vast political and commercial importance of which this Island ever has been and still is to the Empire—the unlimited employment which its fisheries have given to her shipping both in peace and in war, thereby affording the most efficient nursery for seamen to man Your Majesty's Navy, and thus aiding more than any other cause in the support of that naval sway which we trust our beloved Empire will ever maintain—the great consumption of British Manufactures, and those necessary articles which the Colony is not yet enabled to produce,—and, lastly, the contiguity of it to Britain, which identifies the Interests of this Island with those of the Mother Country, and renders it improbable that it will ever be separated from the Parent State. We would, however, humbly beg leave to state, that whilst the Inhabitants of this Colony will yield to none of Your Majesty's Subjects in a desire to promote the general welfare of the Empire at the expense of their individual interest, they cannot but feel that the Treaties which have secured to our Foreign Rivals the exclusive right of taking and curing fish on the most valuable parts of the shores of the Island, have very greatly pressed upon the energies of the Country—particularly when it is borne in mind, that the bounties paid to our Foreign Competitors by their respective Governments, added to the poverty of those Countries which have hitherto been the great consumers of our staple commodities,

have deprived us of suitable markets.

But to the more enlightened and liberal policy of Your Majesty's Government, we confidently look for a remedy for those evils which are daily becoming more apparent; and in the full hope that those measures may be adopted which will operate for the advantage of this Colony, no less than for that of the Empire at large, we would most humbly crave leave to submit, more particularly, to Your Majesty's notice a few of the circumstances which have induced us to address Your Majesty on this occasion.

From the estimates laid before us by His Excellency the Governor of the Island at the commencement of our Session, it appears that the sum required to defray the charges of the Civil government during the present year,—including the salaries as well of the Officers of Your Majesty's Customs as of his Excellency the Governor, and every other Officer of the Civil and Judicial departments of the Government, together with Contingencies,—will amount to about Twenty seven Thousand Pounds; and although it shall be our earnest endeavour, in providing for the support of the Government, to enforce the strictest economy, consistent with a due regard for the public service, yet we are painfully sensible that the amount of our Revenue, arising from duties imposed on articles imported into the Colony, as well by Acts of the Imperial Parliament as of our own Legislature in its last Session, will be greatly inadequate for that purpose.

On a review of the public expenditure of the Colony for some years past, we lament to find that the charges of the Civil Government have enormously increased, while, at the same time, we also regret to observe, that by the Act of the second and third of Your Majesty, chapter seventy eight, which placed at our disposal the duties collected under Acts of the Imperial Parliament upon the importation of articles consumed in the Colony, the greatest portion of those duties—amounting in all to the sum of Ten Thousand Pounds—was reserved and placed entirely beyond our control, for the payment of fixed salaries to the Governor, Judges, and Attorney General, Colonial Secretary, and to the Officers of the Customs—thus actually leaving but a very small surplus at our disposal.—We also feel it to be a hardship that whilst we are called on to provide for the payment of a salary to the Surveyor General, and other officers concerned in the management of the Revenues, accruing to Your Majesty from the proceeds of the sale and Rents of the Crown Lands and Ships' Rooms in the Island, yet that the appropriation of these monies has not been placed at our disposal.

Independent, however, of the support of the Civil Government, we feel that a more equal and satisfactory administration of Justice in all parts of the Colony—the promotion of education—the encouragement of agriculture and the Fisheries—the internal improvement of the Island, and other objects of the deepest importance to the welfare of the Colony, demand our earliest care and attention; and that for the advancement of these objects a much larger amount of Revenue than that which is at present at our disposal will be required. But taking into consideration the present depressed state of the Trade of the Island—the deteriorated condition of the Fisheries, and, especially, the almost entire failure during the past Season of that branch of them carried on at the Labrador—the failure of the Potatoe Crop for the last two years,—and the unprecedented falling off in the price of the staple commodities of the Colony,—owing chiefly to the poverty and disturbed state of those countries which have hitherto afforded the best Markets,—together with the continued excessive duties levied on our staple commodities in those Markets, it would be highly unwise and impolitic, under existing circumstances, to overburthen the already weakened means of the Colony, by imposing additional tax-

Address read.

tion on its hardy and industrious inhabitants.

At the time Your Majesty was graciously pleased to grant us a Local Government, it was never contemplated by the inhabitants of the Colony, that they should be immediately charged with the payment of the salaries of the Governor, and those higher Officers of the Government, who, in almost all others of Your Majesty's Colonies where Local Governments have long existed, have been to the present time, with few exceptions, supported by grants from the Parliament of the United Kingdom. And when it is remembered that Great Britain has always hitherto extended to her Colonies that aid and protection which, in their early outset in legislation and self-government is so indispensably necessary; and that, in the instance of the neighbouring Colony of Nova Scotia, large sums of money, amounting, in all, to many hundred thousands of pounds, have been from time to time, even to the present period, granted in aid of its Civil Government and internal improvement,—whilst the charges to which the Mother Country has been subjected for the maintenance of the Civil Government of this Island have been incomparably less than those incurred for the smallest and most unimportant of Your Majesty's Possessions,—we cannot help feeling that this Colony possesses those strong and undeniable claims upon the favorable consideration of the Mother Country, which we are convinced will, on the part of Your Majesty's Government, meet with that attention which they merit.

Fully relying, therefore, on the justice and generosity of the Parent State, for that aid and assistance which we require to carry into operation those plans for ameliorating the condition of a Colony which has so pre-eminently contributed to the wealth and influence of the Empire in whose service it has been impoverished, and which is now reduced by unforeseen circumstances to a state of unwonted distress, we humbly implore that Your Majesty will grant such sum of money in aid of the funds of the Colony—to be placed under the controul of the Legislature, and for such period or periods, as to their wisdom may seem meet and agreeable.

— On motion of Mr. HOYLES, seconded by Mr KENT,

Address adopted.

Resolved, That this House do concur with the Committee in the said Address, and that the same be received and adopted by the House.

Engrossed.

Ordered, that the said Address be engrossed.

Committee also report Address to His Excellency.

The Chairman also reported, that the Committee had prepared the draft of an Address to His Excellency the Governor, on the subject of the said Address to His Majesty; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:—

*To His Excellency Sir Thomas John Cochrane,
Knight, Governor and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies, &c. &c. &c.*

May it please your Excellency,

Address read.

The House of Assembly have passed an Address to His Majesty, praying that he will be pleased to recommend to the Parliament of the United Kingdom, to grant a sum of money in aid of the funds of the Colony, which they respectfully beg Your Excellency will cause to be forwarded to England, to be laid at the foot of the Throne, by the first conveyance from this Island; and as a vessel is now lying in this Port ready to depart for England, they also respectfully request that Your Excellency will take advantage of her sailing, in order that no delay might take place.

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

Resolved, that this House do concur with the Committee in the said Address, and that the same be presented to His Excellency by Mr. Speaker and the whole House.

Mr. Speaker and whole House to wait on his Excellency with address.

Ordered, that the said Address be engrossed.

Ordered, that Mr. HOYLES and Mr. MARTIN, do wait on his Excellency to know his pleasure when he will be attended by the House with the said Address.

Committee to wait on his Excellency.

On motion, the order of the day was read, and thereupon

The petition of John C. Nuttall and others, inhabitants of the town of Harbor Grace was read and considered.

Petition of J. C. Nuttall considered.

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

Resolved, that Mr. POWER have leave to bring in a Bill to prevent dangerous quantities of Gunpowder being kept within the town of Harbor Grace, and to regulate the safe storing the same, pursuant to the prayer of the Petition of the inhabitants of the said town.

Leave given to M. Power to bring in a Gunpowder Bill for Harbor Grace.

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

Ordered, that the order of the day for taking into consideration the petition of James Sharp, be postponed.

Petition of J. Sharpe postponed till Monday.

Resolved. that this House will, on Monday next, take the same into consideration.

Mr. PACK, pursuant to leave granted, presented a bill to limit the duration of the present and all future Parliaments of this Colony; and the same was read a first time.

Mr. Pack presents a Bill to limit the duration of the Parliaments of this Colony.

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

Second reading on Saturday.

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

TUESDAY, FEBRUARY 18, 1834.

MR. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, acquainting him, for the information of the House, that his Excellency would receive a Committee of the House with the Address of the House passed on Saturday last, at half-past eleven of the clock this day.

Time for receiving Address fixed.

Ordered, that Mr. PACK, Mr. CARTER, and Mr. ROW, be a Committee to wait on his Excellency with the said Address.

Committee.

Mr. SPEAKER also laid before the House a Letter from the Honorable Mr. Secretary Crowdy, acquainting him, by command of His Excellency, in reply to the Resolution of the House of the 14th inst., that while His Excellency feels persuaded that the House of Assembly will concur in opinion with him, that it is extremely desirable all those usages of Parliament which long experience has shewn to be best adapted to maintain those relations between the several Bodies of the State essential to their well-being, should never, without some urgent reason, be departed from, nevertheless, as it appears that from the absence of some Members and indisposition of others, that an adherence to the custom of two Members waiting on His Excellency to ascertain His Excellency's pleasure on receiving an Address from the House, may interfere with the Public Business, which it is particularly desirable should be dispatched with all convenient speed,—His Excellency has much gratification in having it in his power to meet the wishes of the House of Assembly by acceding to the proposed arrangement contained in their Resolution, for the present Session.

Reply of his Excellency to the Resolution of the 14th inst. relative to the presentation of addresses, &c.

Mr. HOYLES reported from the Committee appointed to wait on His

House attend his Excellency with the address to His Majesty.

Excellency, to know his pleasure when he would be attended by the House with the Address to his Excellency on the subject of forwarding the Address of the House to his Majesty, that the Committee had waited on his Excellency accordingly, and that he had appointed this day, at eleven o'clock, for that purpose.

Adjourn.

Then the House adjourned until twelve o'clock.

At Twelve o'clock, the House met, pursuant to adjournment.

Mr. Speaker Reports.

Mr. SPEAKER reported that the House had been in attendance on his Excellency with the Address praying his Excellency to forward to England as speedily as possible, the Address of the House to his Majesty, and that in reply thereto his Excellency was pleased to say he would forward the same in compliance with the wishes of the House.

Bill to increase the number of Members, presented and read.

Mr. KOUGH, pursuant to notice, and leave given, presented a Bill for increasing the number of the Representatives of the Island in the General Assembly; and the same was read a first time.

Mr. PETER BROWN, seconded by Mr. KENT, moved—that the said Bill be read a second time this day six months;—which being put, and the House dividing thereon, there appeared for the motion, five; against it, six:

For the motion—

Mr. COZENS,
— POWER,
— KENT,
— PETER BROWN,
— PACK.

Against the motion—

Mr. CARSON,
— HOYLES,
— MARTIN,
— SWEETMAN,
— KOUGH,
— CARTER.

So it passed in the negative.

Second reading.

Ordered, that the Bill be read a second time, this day month.

Bill printed.

Ordered, that the Bill be printed.

Report of Committee to present address, praying for details.

Mr. PACK reported from the Committee appointed to wait on his Excellency with the Address of the House, praying for details and other Documents, that the Committee had waited on his Excellency accordingly, and that in reply his Excellency was pleased to say, that he would cause the various detailed accounts requested to be furnished to the House, except that of the Sale and Rents of Crown Lands and Ships' Rooms—and of the disposal of the Grant from Parliament. As to the first, his Excellency said that without instructions from his Majesty's Government he could not give the House an account thereof. With respect to the Grant from Parliament, his Excellency said that he had accounted with H. M.'s Treasury for the same;—and as he had taken upon himself to draw not only the amount of the Grant, but also the further sum of £3,000, his Excellency conceived that if the House demanded from him the particulars of the expenditure of the latter sum, his Excellency must furnish the account through the Treasurer of the Colony; and as his Excellency was charged in his own account for the said sum of £3000, over drawn, he should expect that that sum should be paid to him out of the Colonial Chest, to remit to his Majesty's Treasury, in order to meet his Excellency's drafts on it, in the event of the House requiring an account of it from his Excellency.

Mr. Carson gives notice of St. John's Police Bill.

Mr. CARSON gave notice, that on Saturday, the eighth day of March next, he should move for leave to introduce a Bill to regulate the Police of the Town of St. John's.

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

The House resolved itself into a Committee of the whole House on the

consideration of the Bill to regulate the cutting of Channels in the Ice in the various Ports and harbours of this Island.

House in committee on Ice Channels Bill.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had gone through the said Bill to regulate the cutting of channels in the ice, in the various harbors of the Island, and had made some amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Report.

Ordered, that the Report be now received.

And he read the Report in his place, and afterwards delivered it in with the Bill at the Clerk's Table, where the amendments were again read.

Read.

And the said Amendments having been read throughout a first and second time,—

Amendments read and concurred.

Resolved, that this House do concur with the Committee in the said Amendments.

Ordered, that the Bill with the Amendments be engrossed.

Ordered to be engrossed.

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

WEDNESDAY, FEBRUARY 19, 1834.

PRESENT :

MR. SPEAKER, Mr. CARSON, Mr. HOYLES, Mr. POWER.

And at twelve of the clock, Mr. SPEAKER adjourned the House for want of a Quorum.

House meet and adjourn for want of a quorum.

THURSDAY, FEBRUARY 20, 1834.

MR. SPEAKER laid before the House a Letter from the Honorable Mr. Secretary Crowdy, transmitting, by command of his Excellency, a copy of the opinion of the Attorney General relative to the property of the House detained by Mrs. Traverse.

Opinion of Attorney General relative to Mrs. Traverse's case, laid before the House.

Ordered, that the papers do lie on the Table to be perused by the Members.

An Engrossed Bill to regulate the cutting of channels in the Ice in the various ports and harbours of the Island, was read a third time.

Ice channels Bill read a third time.

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

Resolved, that this Bill do pass, and that the Title be "An Act to regulate the cutting of channels in the Ice, in the various ports and harbors of this Island."

Passed.

Title.

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

Sent to the Council.

Mr. POWER, pursuant to notice and leave granted, presented a Bill to prevent dangerous quantities of Gunpowder being kept within the Town of Carbonear, and the same was read a first time.

Bill for safe storing of Gunpowder at Carbonear presented and read.

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

2nd reading

A petition of Robert Ayles and others, inhabitants of the town of Carbonear, was presented by Mr. Pack, and read, setting forth;—that the

Petition of Robert Ayles and others presented and read.

Petition of Robert Ayles.

petitioners pray the House to pass an act for regulating the streets of the said town, as they consider it necessary that the streets should be fifty wide from John Buckingham's, Esquire, to Croker's Cove Beach, in all spaces not built upon ; and to be made that width in every case of Fire or removal of buildings of any description.—That the present waterside line of street should remain, and the street to be extended backward on the land. Fire breaks to be left in certain places, in case of Fire, before the ground be again built upon, and that Commissioners be appointed to carry the provisions of the act into effect.

To lie on Table.

Ordered, that the Petition do lie on the table.

Notice of bill to regulate the streets of Carbonear.

Mr. PACK gave notice that, on Monday next, he should move for leave to bring in a bill to regulate the streets of the town of Carbonear, pursuant to the prayer of the said petition.

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

Address to be presented to His Excellency to obtain the opinion of Attorney and Solicitor General on Act 3 & 4, William 4 C. 59.

Resolved, that a Committee be appointed to draw up an Address to his Excellency the Governor, praying that he will obtain the opinion of the Law Officers of the Crown upon the operation of the late act of the Imperial Parliament 3d & 4th William IV. cap. 59, upon the Revenue Act of this Colony, so far as to prevent the collection of the full amount of duties imposed by both Acts.

Committee to prepare address.

Ordered, that Mr. CARSON, Mr. ROW, Mr. KENT, and Mr. POWER do form the said Committee.

Report of the above committee.

Mr. CARSON reported from the Committee above named, that they had prepared the draft of an Address to his Excellency on the subject of the said Act of Parliament, which they had directed him to report to the House, whenever it shall be pleased to receive the same.

Received and read.

Ordered, that the report be now received.

And he read the draft of the said Address in his place, and afterwards delivered it in at the Clerk's table, where it was read throughout, and is as follows :

*To His Excellency Sir Thomas John Cochrane,
Knight, Governor and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies, &c. &c. &c.*

May it please your Excellency,

The House of Assembly beg leave respectfully to represent to your Excellency, that whereas doubts have arisen upon the construction of an act recently passed in the Imperial Parliament 3d & 4th William IV. cap. 59, and entitled "An act to regulate the trade of the British Possessions abroad," as to the legality of collecting the full amount of duties imposed as well by acts of the Imperial Parliament as by the act of the General Assembly of this Colony 4th William IV. cap. 1, upon Wines and Spirits imported into this Colony ;—and as it is of the utmost importance that such doubts should be set at rest, the House of Assembly beg leave to lay before your Excellency the following case, upon the application and construction of the said acts, and to request that your Excellency will, with as little delay as possible, obtain the opinion of the Law Officers of the Crown thereon.

CASE.

By the act of the Imperial Parliament 6th George IV. cap. 114, entitled "An act to regulate the Trade of the British Possessions abroad"—a duty of Sixpence sterling per gallon was imposed on all Spirits the Produce of the British Possessions in South America, or the West Indies, imported into Newfoundland from any British Possessions in America

or from the United Kingdom, and the produce of such duty was, by the said Act, directed to be paid into the hands of the Treasurer, or Receiver General, of the Colony, to be applied to such uses as should be directed by the Local Legislature of the Colony. By an Act of the Legislature of this Colony, 4th William IV. cap. 1st. (passed 22d July 1833) and 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" a further duty of Sixpence Sterling, a gallon, was imposed on all Spirits and Spirituous Liquors imported into this Colony, being the manufacture of the United Kingdom, or of any of His Majesty's Colonies or Possessions, over and above and in addition to the duty or duties *then* raised, levied and collected on the same, under and by virtue of the said Act of the Imperial Parliament or any other act or acts of the Imperial Parliament.

By a recent act of the Imperial Parliament 3d & 4th William IV. cap. 50, entitled "An act to repeal the several Laws relating to the Customs" the said act of the 6th George IV. cap. 114 was totally repealed from the first day of September 1833; but by another Act of the Imperial Parliament 3d & 4th William IV. cap. 59, which came into operation at the same time with the said act repealing the former act of the 6th George IV., a similar duty of sixpence sterling, per gallon, has been imposed on such spirits, as aforesaid, imported into the Colony, under certain provisions, as will appear on reference to the ninth and eleventh sections of the said Act.

It is, therefore, submitted, *First*,—Whether a duty of sixpence sterling per gallon, on the import of such spirits, as aforesaid, into Newfoundland, from British Possessions in America, being imposed and received at the Customs over and above sixpence per gallon duty, collected under the said Colonial act, has been legally imposed and exacted since the passing and commencement of the 3d & 4th William IV. cap. 59. *Second*—Whether, if such spirits be imported from the United Kingdom, such Imperial duty would be payable upon the importation thereof over and above such Colonial duty as aforesaid. *Third*—Whether, in the event of it being considered that a duty of sixpence sterling, per gallon, *only*, in full for *both* Imperial and Colonial duties can be levied on such Spirits, or that one of such duties is merged in the other, is such remaining duty of sixpence per gallon receivable as an *Imperial* duty, under the 3d & 4th William IV. cap. 59., or as a *Colonial* duty under the act of this Colony, 4th William IV. cap. 1st.

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

Resolved, that this House do concur with the Committee in the said address.

Ordered, that the address be engrossed.

Ordered, that Mr. CARSON and Mr. ROW be a Committee to present the same to his Excellency.

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

Resolved, that Mr. SWEETMAN have leave to be absent from the House, until the 18th day of March next, on his private business.

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

Ordered, that there be a call of the House on the 18th day of March next, and that Mr. Speaker do notify absent Members of the same.

Then the House adjourned until to-morrow, at 11 of the clock.

FRIDAY, FEBRUARY 21, 1834.

MR. SPEAKER reported that he had received a letter from the hon. Mr. Secretary Crowdy acquainting him that his Excellency had

Address concurred in.

To be engrossed.

Committee to present same.

Leave of absence for four weeks granted to Mr. Sweetman.

Order for call of the House on the 18th instant.

Time for receiving address fixed.

appointed half past eleven of the clock, this day, for receiving the committee of the House with the address passed in the House yesterday.

Report of Committee to present above address.

Accordingly the time being arrived, the Committee went up to attend his Excellency, and being returned, Mr. Carson reported that the committee had waited on his Excellency with the said address, and that in reply thereto his Excellency was pleased to say, that he should cause the case contained in the said address to be laid before the Attorney General, and should transmit his opinion thereon to the House, as soon as the same could be obtained.

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

Resolution that copy of the address to his Majesty be sent to the Council.

Resolved, that a copy of the address of this House to His Majesty praying that he will recommend to the Imperial Parliament to grant a sum of money in aid of the funds of the Colony, be transmitted to the hon. the Legislative Council, with a request that they will concur in and recommend the prayer of the said address to the favourable consideration of His Majesty's Government.

Committee to carry the same.

Ordered, that Mr. HOYLES and Mr. Row do communicate the said Resolution to the Legislative Council.

House adjourn.

Then the House adjourned until one o'clock.

At one o'clock, the House met pursuant to adjournment.

Message from His Excellency.

A Message from his Excellency the Governor.

The hon. Mr. Secretary Crowdy acquainted the House that he had a Message from his Excellency the Governor, signed by his Excellency, and being admitted within the bar he presented the same to the House.

And then he withdrew.

Message read.

And the said Message was read by Mr. Speaker, all the Members being uncovered, and is as follows :

“THOMAS COCHRANE.”

Government House, 21st February, 1834.

The Governor considers it desirable that the attention of the Legislature should be drawn to the Law relating to the Fisheries of this Island, which will expire on the 31st day of December next. This act is, in its present character, partly local, and partly bearing upon the Trade and Navigation of the Empire at large, it will, therefore, be very essential that the Council and Assembly should, before the Recess, consider the above act in all its relations, and communicate to the Governor, their sentiments upon any changes they may deem requisite in its detail, that his Majesty's Government may provide for those alterations in the new Bill it will be necessary to introduce into the Imperial Parliament during its present Session.

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

To be considered on Tuesday.

Resolved, that this House will, on Tuesday next, take the said Message into consideration.

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

SATURDAY, FEBRUARY 22, 1834.

ON motion, the order of the day was read, and thereupon,

Limitation of Parliament Bill read 2d time.

A Bill to limit the duration of the present and all future Assemblies of this Colony, was read a second time.

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

Ordered, that the Bill be committed to a Committee of the whole House.
A Bill to prevent dangerous quantities of Gunpowder being kept within the Town of Harbor Grace, was read a second time.

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

Ordered, that the Bill be referred to a Committee of the whole House.

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

Resolved, that this House do now resolve itself into a Committee of the whole House on the consideration of the said Bills.

And the House resolved itself into the said Committee, accordingly.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Ordered, that the Committee have leave to sit again.

The Chairman also reported that they had gone through the Bill to limit the duration of the present and all future Assemblies of this Colony, and had made certain amendments thereto, which they had directed him to report to the House, whenever it should be pleased to receive the same.

Ordered, that the report be now received.

The Chairman then delivered in the Bill with the amendments at the Clerk's Table, where the same were read throughout a first and second time, and upon the question put thereon were severally agreed to by the House.

Ordered, that the Bill with the Amendments be engrossed.

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

MONDAY, FEBRUARY 24, 1834.

AN Engrossed Bill to limit the duration of the present and all future Assemblies of this Island, was read a third time.

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

Resolved, that the Bill do pass, and that the title be "An Act to limit the duration of the present and all future Parliaments of this Colony."

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

Mr. COZENS gave notice that, on Wednesday next, he should move for leave to bring in a Bill to regulate the making and repairing of Highways in this Island.

Mr. PACK gave notice that, on Thursday, he should move for leave to bring in a Bill to establish Fire Companies in the Town of Carbonear.

Agreeably to the Order of the day, the Petition of James Sharpe was read and taken into consideration, and thereupon,

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

Resolved, that the said Petition be referred to a Select Committee to examine and report thereon.

Ordered, that Mr. KOUGH, Mr. PETER BROWN, Mr. ROW and Mr. POWER, do form such Committee.

Mr. PACK, pursuant to leave granted, presented a Bill to regulate the

Committed.

Harbor Grace Gunpowder Bill read 2d time.

Committed.

House in Committee on Bills.

Report.

Limitation of Parliaments Bill with Amendments.

Amendments agreed to.

Bill engrossed.

Limitation of Parliaments Bill read 3d time.

Passed.

Title.

Sent to Council.

Notice of Bill to repair Roads.

Notice of Bill to establish Fire Companies in Carbonear.

Petition of James Sharpe read, and referred to a Select Committee to report upon.

Committee.

Carbonear Street Bill read first time.

Streets of the Town of Carbonear, and the same was read a first time.

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

Mr. HOYLES gave notice that, on Monday next, he should move for leave to introduce a Bill to provide for the Establishment and Regulation of Hospitals throughout the Island.

A Petition of John Parsons of Harbor Grace, in the Northern District, was presented by Mr. KOUGH, and read, setting forth that the Petitioner is confined in Jail at Harbor Grace for a judgment debt which he is unable to satisfy, and praying to be released from custody.

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

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

TUESDAY, FEBRUARY 25, 1834.

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

The House resolved itself into a Committee of the whole House, on the consideration of such Bills as stood committed.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Ordered, that the Committee have leave to sit again.

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

Resolved, that an Address be presented to His Excellency the Governor thanking him for his Message of the 21st instant, relative to the Fishery Act.

Mr. Row then presented to the House the draft of an Address which he read in his place; and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

*To His Excellency Sir Thomas John Cochrane,
Knight, Governor and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies, &c. &c. &c.*

May it please your Excellency,

We, His Majesty's faithful Subjects the Commons of Newfoundland in Parliament assembled, beg leave to thank Your Excellency for Your Excellency's Message of the 21st instant; and we assure Your Excellency that we will pay due attention to the subjects therein submitted for our consideration.

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

Resolved, that the Address be adopted, and be presented to His Excellency by a Committee of the House;

Ordered, that Mr. Row and Mr. HOYLES do form a Committee for that purpose.

A Bill to regulate the Streets of the Town of Carbonear, was read a second time.

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

2d reading.

Notice of Bill to establish Hospitals.

Petition of J. Parsons presented and read.

House in Committee on Bills.

Report.

Motion for an Address of thanks to Governor, for his Message of the 21st inst.

Address read.

Adopted.

Committee to present same

Carbonear Street Bill read 2d time.

Ordered, that the said bill be committed to a Committee of the whole House. Committed.

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

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

Resolved, that the order of the day for taking into consideration the Message of his Excellency relative to the Fishery Act, be postponed until the 8th day of March.

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

WEDNESDAY, FEBRUARY 26, 1834.

MR. SPEAKER laid before the House a letter from the hon. Mr. Secretary Crowdy, transmitting, by command of His Excellency the Governor, the following Returns in compliance with the address of the House of the 11th instant, viz.:

Sundry Returns laid before the House.

A Return of all writs and processes issued from the Central Circuit Court, during the year 1833.

A Return of all writs, &c., issued from the Sessions Court of the Central District, during the year 1833.

A Return shewing the amount of writ and poundage money, received by the Sheriff during the year 1833, with the expenses of his office.

Also, in compliance with the address of the House of the 15th instant, the following detailed statements of the charges and services severally included in the estimates submitted to the House under the following heads, viz.:—Civil Contingencies—Judicial Contingencies—Paupers—Passages—Roads, &c.—Incidentals—Public Buildings—Fuel and Light for ditto.

Also a detailed statement of all appointments made pursuant to the act of the Imperial Parliament 5th George IV. cap. 67.

Mr. SPEAKER also laid before the House the following documents transmitted to him by the hon. Mr. Secretary Crowdy, by direction of his Excellency the Governor, viz.:

No. 1.—Report of Survey of Court House Buildings, dated 4th July 1833.

No. 2.—Estimate of the expenses of repairs with sketch of a proposed alteration in the entrance to the Court House.

No. 3.—Second report on Court House Buildings dated 20th February, 1834.

Ordered, that the said papers and documents do lie on the table to be perused by the Members.

[See Appendix B.]

Mr. COZENS, pursuant to notice and leave granted, presented a bill to regulate the making and repairing of Roads and Highways in this Island, and the same was read a first time. Road Bill read first time.

Ordered, that the bill be read a second time, on the 18th day of March next. Second reading.

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

The House resolved itself into a committee of the whole House on the consideration of the several bills which stood committed. House in committee on bills.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report of Harbor Grace
Gunpowder Bill, with
amendments.

Carbonear Street bill with
amendments.

Amendments concurred in.

Bills to be engrossed.

Notice of motion for com-
mittee on general state of
the Colony.

The Chairman reported from the Committee that they had gone through the bill to prevent dangerous quantities of Gunpowder being kept within the town of Harbor Grace, to which they had made several amendments;—also, that the committee had gone through the bill to regulate the streets of the town of Carbonear, to which they had made certain amendments—which amendments he was directed to report to the House whenever it should be pleased to receive the same.

Ordered, that the report be now received.

The Chairman then delivered in the said bills with their amendments at the Clerk's table, where the same were read throughout a first and second time, and upon the question put thereon, were severally agreed to by the House.

Ordered, that the bills with their amendments be engrossed.

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

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

THURSDAY, FEBRUARY 27th, 1834.

PRESENT :

MR. SPEAKER, Mr. PACK, Mr. KENT, Mr. POWER.

And at thirty five minutes past eleven o'clock Mr. Speaker adjourned the House for want of a Quorum.

FRIDAY, FEBRUARY 28th, 1834.

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

The House resolved itself into a Committee of the whole House on the consideration of the General state of the Colony.

Mr. SPEAKER left the Chair.

Mr. POWER took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

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

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

Resolved, that a Committee be appointed to investigate and examine the estimates and other financial documents laid before the House by his Excellency the Governor, and report thereon to the House, with power to send for persons and papers.

Ordered, that Mr. CARSON, Mr. KENT, Mr. ROW, Mr. CARTER, and Mr. HOYLES, do form such Committee.

Mr. SPEAKER laid before the House a letter from the hon. Mr. Secretary Crowdy, transmitting, by command of his Excellency, a copy of the opinion of his Majesty's Attorney General upon the case submitted by the House in their address of the 21st instant.

The said opinion was read by the Clerk and is as follows ;

House adjourned for want
of a Quorum.

House in Committee on
general state of the Colo-
ny.

Report.

Committee appointed to
examine and report upon
Estimates, &c.

Opinion of Attorney Ge-
neral on 3d & 4th William
IV. cap. 59, laid before the
House.

*Attorney General's Office,
28th February, 1834.*

Opinion of the Attorney
General.

SIR,—In obedience to the commands of his Excellency the Governor, signified to me by your letter of the 21st instant, that I would take into consideration a case submitted by the House of Assembly respecting the duty payable upon certain spirits importable into this Colony, under the provisions of the Imperial act of 3d and 4th William IV. cap. 59. and the Colonial act of the 4th Wiliam IV. cap. 1st., and report to his Excellency my opinions on the queries submitted therein with as little delay as possible,—I have taken the same into my consideration, and I beg leave most respectfully to report thereon as follows :

In answer to the first query, I beg to premise that the Acts of the Imperial Parliament of the 6th Geo. IV., cap. 114, and of the 7th and 8th Geo. IV., cap. 56 having been totally repealed by a statute of the Imperial Parliament 3d and 4th Wm. IV., cap. 50 (passed 28th August and in operation 1st September, 1833) passed and put into operation simultaneously with the Imperial Statute of the 3d and 4th Wm. IV., cap. 59, I am of opinion, that from and after the promulgation of the two latter statutes in this Colony, no duty on Spirits the produce of the British Possessions in South America, or the West Indies, imported from any such British Possessions, or from other British Possessions in America, or from the United Kingdom, could be lawfully demanded and levied by any other authority than that which is contained in the Colonial Act 4th Wm. IV., cap. 1st, (passed 22d July, 1833) and the Imperial Statute 3d and 4th Wm. IV., cap. 59. Under the Provisions of the Colonial Act a duty of sixpence, per gallon, on all such Spirits imported into Newfoundland as aforesaid, is made payable ; and under the Provisions of the Imperial Statute a like duty of sixpence, per gallon, is made payable upon the same articles so imported,—but nevertheless subject to the provisions and limitations contained in the eleventh Section of the Imperial Statute ; and by the operation of which limitations, I conceive, the *whole* duty payable upon such Spirits by virtue of both Acts, is restricted to the sum of sixpence per gallon. *Second query.*—The opinion I have already expressed upon the first query comprehends my answer to the second ; and I consider that *such Spirits*, imported from the United Kingdom, stand on the same footing of duty as though they were imported from British Possessions in the West Indies. *Third query.*—In answer to the third query, I am of opinion, that under the provisions of the eleventh section of the Imperial Statute of the 3d & 4th Wm. IV., cap. 59, the aforesaid *whole* duty of sixpence per gallon is *chargeable* under the Colonial Act ; but, that such duty following the words of the eleventh section of the Imperial Statute, must “be levied and recovered and received under the regulations and by the means and powers” of the Imperial Law ;—and that when it be so levied and received, the said Duty must, in pursuance of the directions prescribed by the thirteenth section of the Imperial Act, be paid to the Treasurer or Receiver General of the Colony, to abide the directions of the Local Legislature.

I have the honor to remain,

Sir,

Your most obedient humble Servant,

JAMES SIMMS.

To the Honorable JAMES CROWDY, Esq., }
Colonial Secretary. }

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

The House resolved itself into a Committee of the whole House, on the consideration of Ways and Means.

House in Committee on
Ways and Means.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

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

Resolution of committee.

Ordered, that the Committee have leave to sit again.

The Chairman also reported that the Committee had come to a Resolution which they had directed him to report to the House, and he read the same in his place and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

Read.

Resolved, that it is the opinion of this Committee that speedy measures should be adopted to secure the payment of the full amount of duties contemplated by the Act of the Legislature of this Colony 4 William IV., cap. 1st, and which it appears by the operation of a recent Act of the Imperial Parliament 3d and 4th William IV., cap. 59, cannot now be collected."

Concurred in.

Resolved, that this House do concur with the Committee in the said Resolution.

Committee to draft bill in pursuance of above Resolution.

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

Resolved, that a Committee be appointed to draft and report to this House a Bill or Bills in pursuance of the foregoing Resolution.

Committee.

Ordered, that Mr. KOUGH, Mr. CARSON, Mr. ROW, Mr. CARTER, and Mr. KENT, do form the said Committee.

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

SATURDAY, MARCH 1, 1834.

Harbor Grace Gunpowder bill read third time.

AN Engrossed Bill to prevent dangerous quantities of Gunpowder being kept within the town of Harbor Grace, was read a third time.

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

Bill passed.
Title.

Resolved, that the Bill do pass, and that the title thereof be "an Act to prevent dangerous quantities of Gunpowder being kept within the Town of Harbor Grace, and to provide for the safe storing thereof."

Sent to Council.

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

Carbonear Fire Companies Bill read 1st time.

Mr. PACK, pursuant to notice and leave granted, presented a Bill, to establish and regulate Fire companies in the Town of Carbonear, and the same was read a first time.

Second reading.

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

Notice of Standard of Weights and Measures bill.

Mr. CARTER gave notice that, on Saturday next, he should move for leave to bring in a Bill to establish a Standard of Weights and Measures throughout the Island.

The House adjourned until one o'clock.

The House met, pursuant to adjournment.

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

Special Messenger to notify W. Brown, Esq. of call of House for the 18th inst.

Resolved, that Mr. Speaker be authorised to despatch a Special Messenger to Bonavista, to convey to WILLIAM BROWN, Esq., Member for Bonavista Bay, a notification of a call of the House for the 18th instant.

Then the House adjourned until Monday, at eleven of the clock.

MONDAY, MARCH 3, 1834.

A Bill to establish and regulate Fire Companies in the Town of Carbonear, was read a second time.

Carbonear Fire Companies
Bill read 2d. time.

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

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

Committed.

Then the House adjourned for one hour.

The House met pursuant to adjournment.

Mr. PETER BROWN having stated in his place that he had received a letter from Michael Keefe, a Prisoner confined in the Gaol at Harbor-Grace, for debt, complaining of the want of proper diet and treatment in the said Gaol, moved that the House do come to a Resolution as follows:

Mr. P. Brown states complaint of Mr. Keefe a Prisoner for debt in Harbor Grace Jail.

Whereas complaints have been made to this House by Michael Keefe and John Parsons, Prisoners confined in the Gaol at Harbor-Grace for debt, of the want of proper dietry and treatment;—*Resolved*, therefore, that a Committee be appointed to wait on his Excellency the Governor and respectfully request that his Excellency will be pleased to cause an examination and investigation to be made into the mode in which Prisoners confined in the said Gaol for debt are treated and supported:—which being seconded by Mr. PACK, and put, passed in the affirmative.

Resolution for enquiry in. to dietry and treatment of Prisoners in Harbor Grace Gaol.

Ordered, that Mr. PETER BROWN, and Mr. PACK do form such Committee.

A Message from his Excellency the Governor, was delivered by the honorable Mr. Secretary Crowdy, who, being admitted within the Bar, presented to the House an Estimate of the sum required for defraying the expense of firing Fog Guns at the entrance of St. John's Harbor, during the year ending 31st March, 1835.

Message from Governor with Estimate of expense of firing fog guns.

And then the Messenger withdrew.

Ordered, that the said Estimate do lie on the Table to be perused by the Members.

A Petition of Thomas Beck and others, Inhabitants of the town of St. John's, was presented by Mr. KOUGH and read, setting forth, that the Petitioners have at a great expense erected a Landing Wharf and steps, in the public cove adjoining the premises occupied by Alexander M'Gregor & Co.—That great quantities of timber, scantling, stones and other articles, are landed in the said cove by persons making use of the said Landing Wharf and steps, whereby the same are greatly encumbered, and praying that an act may be passed to empower the said petitioners and those at whose expense the Wharf and steps were erected, to levy certain rates and dues for landing goods and articles thereon.

Petition of Thomas Beck and others presented and read.

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

Mr. PETER BROWN gave notice that, on Wednesday next, he should move for leave to introduce a bill to regulate the Police of Conception Bay.

Notice of Bill to regulate the Police of Conception Bay.

Mr. Row gave notice, that, on Wednesday next, he should move for leave to bring in a bill to repeal such parts of the Judicature act as authorizes the institution of a Court at the Labrador.

Notice of Bill to abolish the Labrador Court.

Mr. SPEAKER laid before the House a letter from the hon. Mr. Secretary Crowdy transmitting, by command of his Excellency, an extract of a letter from Thomas Danson, Esq., Chief Magistrate at Harbor Grace, relative to the condition of certain inhabitants of Conception Bay.

Sundry Returns and Documents laid before the House.

Also, a letter from the hon. Mr. Secretary Crowdy, transmitting, by command of his Excellency, a return of writs, &c. issued by the Northern Circuit Court from its first institution.

A Return of writs, &c. issued from the Sessions Court for the Northern District during the year 1833.

Also a return of the number and other particulars of Instruments, in writing, recorded by the Registrar of Deeds for the Northern District in each year since the institution of the Circuit Courts.

Ordered, that the said papers and documents do lie on the table to be perused by the Members.

[See Appendix C.]

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

TUESDAY, 4th MARCH, 1834.

MR. KOUGH reported from the Committee appointed to draft a bill in pursuance of the Resolution passed on Friday last, and presented a bill for securing the payment of the Revenue, and the same was read a first time.

Mr. CARSON, seconded by Mr. KENT, moved that it be

Resolved, that a copy of the Journals of the House be furnished to the Printer of the House daily, and that on the following morning, the Printer do hand a printed copy thereof to each member ;—

Which being put, passed in the Negative.

Mr. POWER, seconded by Mr. PETER BROWN, moved that it be

Resolved, that each day as soon as the Clerk shall have written up the Journal of the Proceedings of the House, he do transmit a copy thereof to his Excellency the Governor.

Mr. KENT, seconded by Mr. CARSON, moved that all the words of the said motion before the word "Resolved" be struck out, and, in lieu thereof, that the words following be inserted, viz :

That the Printer of the House be examined as to the expense and practicability of printing the Journals daily ;—

Which being put, and the House dividing thereon, there appeared for the Amendment, two ; against it, eight.

So it passed in the negative.

The original motion was then put and agreed to by the House, and is as follows ; viz. :

Resolved, that each day, as soon as the Clerk shall have written up the Journal of the Proceedings of the House, he do transmit a copy thereof to his Excellency the Governor.

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

Resolved, that the Printer of the House be ordered to attend at the Bar to give information as to the practicability and expense of furnishing each of the Members of the House, daily, with a printed copy of the Journal of the Proceedings of the House.

Mr. SPEAKER laid before the House a Letter from the Honorable Mr. Secretary Crowdy, acquainting him, for the information of the House, that his Excellency had appointed to-morrow, at eleven of the clock, for receiving a Committee of the House with the Resolution of yesterday.

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

WEDNESDAY, MARCH 5, 1834.

A Bill for the better securing the payment of the Revenue was read a second time.

Report of Committee to draft Revenue Bill. Presented and read first time.

Resolution that the printed Journals of the House be daily furnished to the Members.

Lost.

Motion to send copy of Journals to the Governor daily.

Amendment.

That the Printer be examined as to the expense of printing them.

Lost.

Original Resolution carried.

Printer ordered to attend at the bar to give information &c.

Time appointed for receiving committee with Resolution.

Second reading of Revenue Bill.

On motion of Mr. KOUGH, seconded by Mr. CARSON,
Ordered, that the said bill be committed to a Committee of the whole House.

Committed.

Resolved, that this House do now resolve itself into a Committee of the whole House, on the consideration of the said bill.

House in Committee on said Bill.

And the the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Bill reported with Amendments.

The said amendments were then read throughout a first and second time, and upon the question severally put thereon, were agreed to by the House.

Agreed to.

Ordered, that the bill with the amendments be engrossed.

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

For 3d reading to-morrow.

Mr. PETER BROWN gave notice that he should to-morrow, move for leave to introduce a bill for regulating the Police of Conception Bay, of which he had given notice for to-day.

Mr. P. Brown postpones notice of Conception Bay Police Bill.

Mr. KOUGH gave notice that, on Friday next, he should move for leave to bring in a bill in amendment of an act passed in the fourth year of his present 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."

Mr. Kough gives notice of Revenue Bill.

Mr. Row, pursuant to notice and leave granted, presented a bill for repealing such parts of an act of the Imperial Parliament passed in the fifth year of his late Majesty's Reign, entitled " An act for the better administration of justice in Newfoundland and for other purposes," as authorizes the institution of a Court of Civil Jurisdiction on the Coast of Labrador, and the Islands adjacent, and the same was read a first time.

Mr. Row presents Bill to abolish Labrador Court Read a 1st time.

Ordered, that the bill be read a second time to-morrow.

For 2d reading to-morrow

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

THURSDAY, MARCH 6, 1834.

THE Clerk acquainted the House that the Speaker was unwell and prevented by a domestic calamity from attending the House this day, whereupon, the House adjourned until to-morrow, at eleven of the clock.

Mr. Speaker unable to attend—House adjourn.

FRIDAY, MARCH 7, 1834.

AN engrossed Bill for the better securing the payment of the Revenue, was read a third time.

Bill for securing Revenue read 3d time.

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

Resolved, that the Bill be recommitted to a Committee of the whole House, for the purpose of reconsidering the thirteenth Section of the said Bill,

Recommitted.

Resolved, that this House do now resolve itself into a Committee of the whole House on the said Bill.

Accordingly,

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

The Chairman reported from the Committee that they had reconsidered the said Bill, and had directed him to report the same without any amendment ;—which Report the House agreed to.

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

Bill passed.

Resolved, that the Bill do pass, and that the Title thereof be “An Act for the further increase of the Revenue.”

Title.

Ordered, that Mr. KOUGH do carry the Bill up to the honorable the Legislative Council and desire their concurrence.

Sent to Council

Report of Committee on subject of Harbor Grace Gaol.

Mr. PETER BROWN reported from the Committee appointed to wait on his Excellency the Governor with the Resolution of the House relative to treatment of Prisoners for debt confined in the Gaol at Harbor Grace, that the Committee had waited on his Excellency accordingly, and that in reply his Excellency was pleased to say he would cause the necessary investigation to be made.—That his Excellency had also handed to the Committee a report from the Deputy Sheriff and Gaoler at Harbor Grace on the same subject, made in compliance with the commands of his Excellency, in consequence of a petition from one of the prisoners confined for debt in the said Gaol.

The said Report was read by the Clerk, and was ordered to lie on the Table.

[See Appendix D.]

Conception Bay Police Bill read first time.

Mr. PETER BROWN, pursuant to notice and leave granted, presented a Bill to regulate the Police of the District of Conception Bay ; and the same was read a first time.

2d reading.

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

Ordered, that the Bill be printed.

Labrador Court abolition Bill read 2d time.

A Bill to repeal such parts of the Judicature Act as authorise the establishment of a Court of Civil Judicature on the Coast of Labrador, was read a second time.

Committed

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

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

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

Notice of motion for Committee to draft License Bill.

Mr. KENT gave notice that he should, to-morrow, move that a Committee be appointed to draft a bill for regulating the granting of Licenses, and for repealing such parts of the act of the 5th George IV. cap. 67, as now regulate the granting of the same.

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

Committee appointed to draft Bill for securing duties on Wines and Spirits paid since passing of 3 & 4th William IV., cap. 59.

Resolved, that a select committee be appointed to draft a bill for securing certain duties paid upon the importation of Wines and Spirits into this Island, since the promulgation in this colony of the Act of the Imperial Parliament of the 3d & 4th William IV. cap. 59.

Ordered, that Mr. KOUGH, Mr. CARTER, Mr. KENT, Mr. HOYLES, and Mr. CARSON do form such Committee.

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

SATURDAY, MARCH 8, 1834.

MR. CARSON, pursuant to notice and leave granted, presented a bill to establish a Town Council and Police in the town of St. John's, and the same was read a first time.

Bill to establish a Town Council in St. John's read first time.

Ordered, that the bill be read a second time this day fortnight.

2d reading

Ordered, that the bill be printed.

Printed.

On motion of Mr. KENT, the Resolution of the House passed on the seventh day of February last, limiting the time for the introduction of bills during the present Session was read, and thereupon

Resolution of 7th February read.

Mr. P. BROWN, seconded by Mr. MARTIN, moved that it be

Resolved, that the said Resolution of this House passed on the seventh day of February last, was intended and is hereby declared to extend to the introduction into the House of private bills only.

Resolved to extend to Private Bills only.

Which being put passed in the affirmative.

On motion, the order of the day was read, and thereupon

The House resolved itself into a Committee of the whole House on the consideration of the bill to repeal such portions of the Judicature act (5th Geo. IV. cap. 67.) as authorize the institution of a Court of Civil Jurisdiction on the coast of Labrador and the Islands adjacent.

House in Committee on Labrador Court abolition Bill.

Mr. SPEAKER left the Chair.

Mr. MARTIN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Report.

Ordered, that the bill be engrossed.

Bill engrossed.

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

3d reading.

A Message from the Legislative Council, by Mr. Robinson, one of the Masters in Chancery.

Message from Council.

Mr. SPEAKER—The Legislative Council have agreed to the bill entitled "An act to regulate the Cutting of Channels in the Ice in the various Ports and Harbors of this Island," with amendments, to which amendments they desire the concurrence of the House of Assembly.

Ice Channels Bill agreed to with amendments.

And then the Messenger withdrew.

The amendments made to the said bill were then read a first time.

Amendments read first time.

Ordered, that the said amendments be read a second time, and considered on Tuesday next.

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

The House resolved itself into a Committee of the whole House on the consideration of the Message of his Excellency the Governor, relative to the Fishery act.

House in Committee on his Excellency's Message relative to the Fishery Act.

Mr. SPEAKER left the Chair.

Mr. P. BROWN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Report.

Ordered, that the said committee have leave to sit again on Wednesday next.

Notice of Bill to regulate the granting of Licenses.

Mr. KENT gave notice that he should move for leave, on an early day, to introduce a bill to regulate the granting of Licenses and to repeal such parts of the act of the 5th George IV., cap. 67, as now regulate granting of the same.

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

MONDAY, MARCH 10, 1834.

Labrador Court abolition Bill read 2d time.

AN engrossed Bill to repeal so much of the Judicature act as authorizes the institution of a Court of Civil Jurisdiction on the coast of Labrador and the Islands adjacent thereto, was read a third time.

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

Resolved, that the bill do pass, and that the title thereof be "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."

Ordered, that Mr. Row do carry the bill up to the hon. the Legislative Council and desire their concurrence.

Passed.

Title.

Sent to Council.

Establishment of Hospitals Bill presented and read.

Mr. HOYLES, pursuant to notice and leave granted, presented a bill for the establishment and regulation of Hospitals in this Colony; and the same was read a first time.

2d reading.

Ordered, that the bill be read a second time, on Monday, the twenty-fourth instant.

Printed.

Ordered, that the bill be printed.

Petition of P. Kelly and members of the Mechanic's Society presented and read

A petition of Patrick Kelly and others, inhabitants of the town of St. John's, and Members of the St. John's Mechanics' Society, was presented by Mr. KOUGH and read;—setting forth that the object of the members of the said institution is, (as far as their means will permit) to provide for such of their members as by sickness or misfortune may be rendered unable to work or to earn a subsistence for themselves, and also to provide for their decent interment after death—which objects would more fully appear on reference to their constitutional rules and laws, sanctioned by the Judges of the Supreme Court in the year 1827, a copy of which they beg leave to submit to the House:—and praying that the House would be pleased to enact a law, incorporating them as a society, and enabling them as a body to make such bye-laws as may from time to time be required—to receive grants of land—to make and take leases—to accept bequests and donations—to sell or transfer property—to sue and be sued, and to do and perform all such matters as usually pertain to such Societies.

Ordered, that the Petition do lie on the table.

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

Ordered, that Mr. KOUGH have leave to bring in a Bill to incorporate the said Society, in compliance with the prayer of the Petitioners.

Motion for leave to present Bill to incorporate Mechanics' Society.

Bill presented and read.

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

2d reading.

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

Bill to Regulate a public Wharf in the town of St John's presented and read

Mr. KOUGH, pursuant to notice and leave granted, presented a Bill to provide for the management and controul of a certain public wharf and cove in the Town of St. John's;—and the same was read a first time.

second reading.

Ordered, that the Bill be read a second time on this day fortnight.

Ordered, that the Bill be printed.

It being signified to the House that the Printer of the House was in attendance for the purpose of giving information as to the practicability and expense of printing the Journal of the proceedings of the House from day to day for the use of the Members, in compliance with the order of the House, he appeared at the Bar accordingly, and answered sundry questions propounded to him through the Chair;—and then he withdrew.

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

Printed

Printer examined at the Bar, as to the expense &c. of printing the journals.

TUESDAY, MARCH 11, 1834.

A GREEABLY to the Order of the day, the Amendments made by the Legislative Council to the Bill entitled “An act to regulate the cutting of channels in the Ice in the various Ports and Harbours of this Island” were read a second time, and taken into consideration, and thereupon

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

Resolved, that this House do agree to the said Amendments as proposed by the Legislative Council.

Ordered, that Mr. PACK do carry the Bill with the Amendments back to the Council, and acquaint them that this House have agreed to the same.

Mr. MARTIN gave notice, that, on Saturday next, he should move for leave to bring in a Bill to provide for the establishment and support of Light Houses.

Mr. KOUGH from the Committee appointed to draft a bill to secure certain duties in the hands of the Collector of His Majesty's Customs, reported that the Committee had prepared the draft of a bill accordingly, which he was ready to present to the House whenever it should be pleased to receive the same.

Ordered, that the said Committee do report to-morrow.

Mr. ROW gave notice, that, on Thursday next, he should move for leave for to bring in a bill to ascertain and declare the amount of damages to be paid upon protested Bills of Exchange.

Several Members having retired, and the House being counted there appeared present the following Members—Mr. SPEAKER, Mr. POWER, Mr. CARTER and Mr. KENT.

So at one o'clock, P. M., Mr. Speaker adjourned the House for want of a Quorum.

Amendments to Ice channels Bill read 2d time and considered.

Concurred in.

Sent to council.

Notice of Bill to establish Light Houses.

Report of Committee to draft Bill for securing duties.

Notice of Bill to fix damages on protested bills of exchange.

House adjourn for want of a quorum.

WEDNESDAY, MARCH 12, 1834.

MR. KOUGH reported from the Committee appointed to prepare the draft of a bill to secure certain duties in the hands of the Collector of His Majesty's Customs, and accordingly he presented to the House

A bill to declare the legality of the collection of certain duties by the Collector of his Majesty's Customs;—and the same was read a first time.

Ordered, that the bill be read a second time on Monday next.

A Message from his Excellency the Governor.

The hon. Mr. Secretary CROWDY acquainted the House that he had a Message from his Excellency the Governor, signed by his Excellency,

Bill to declare the Legality of the collection of certain duties presented and read.

Message from His Excellency the Governor on the subject of the reserved Salaries.

Message.

which he presented to the House; and the same was read by Mr. Speaker (all the Members being uncovered) and is as follows:

MESSAGE.

"THOS. COCHRANE."

The Governor acquaints the House of Assembly that his Majesty's Attorney General of this Island being of opinion that during the continuance of the Colonial act 4th Wm. IV. cap. 1st,—the duties on wines and spirits imposed by Imperial acts subsequently to the 18th Geo. III. cannot be collected, and as the principal source from whence the reserved Fund, created by the 2d & 3d Wm. IV. cap. 78 is thus cut off, and as it is quite evident that this occurrence has arisen from inadvertence in framing the 3d & 4th Wm. IV. cap. 59, his Excellency has no doubt the House of Assembly will see the propriety of anticipating his Majesty's Government by providing for the deficiency thus occasioned in the reserved fund in any Act which it may think proper to pass for the purpose of levying those duties which would otherwise be lost under the operation of the last mentioned act.

Ordered,—that the said Message do lie on the Table to be perused by the Members.

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

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

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

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

THURSDAY, MARCH 13, 1834.

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

Ordered, that the select Committee of the House appointed on the twenty-eighth day of February, for the purpose of examining and investigating the Estimates submitted to the House by his Excellency the Governor, do report progress on the twentieth instant.

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

The order of the day for the House in Committee to consider of the supply to be granted to his Majesty was read, and, thereupon, the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. PETER BROWN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Ordered, that the Committee have leave to sit again.

Mr. Row, pursuant to notice and leave granted, presented a Bill to ascertain the rate of damages to be paid upon protested Bills of Exchange;—and the same was read a first time.

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

Mr. CARTER gave notice, that he should, on Saturday next, move for leave to bring in a Bill to declare the time of the commencement of the Acts of the Parliament of this Colony, and for the speedy publication of the same.

Supply.

Order of the day for to-morrow.

Committee of Finance ordered to report on the 20th instant.

Order of the day.

House in Committee of Supply.

Report.

Mr. Row presents Bill to ascertain the rate of damages on protested Bills of Exchange.

Mr. Carter gives notice of Bill to declare the time of Commencement of Acts of Parliament.

The following written Message was brought down from the Legislative Council by Mr. Robinson, one of the Masters in Chancery:

Message from Council.

Mr. Speaker,

The Legislative Council desire a conference with the Commons' House of Assembly on the subject of the Bill sent up to this House entitled "An Act for the further increase of the Revenue," and have appointed the Honorable James Crowdy, and the Honorable John Bingley Garland, on the part of this House, who will be ready to meet a Committee on the part of the Commons House of Assembly, to-morrow, at three o'clock, P. M. in the Committee Room of the Legislative Council, for that purpose.

Request Conference on Revenue Bill.

H. J. BOULTON,
Speaker.

Legislative Council Chamber, }
March 13. }

And then the Messenger withdrew.

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

Resolved, that the request of the Legislative Council be acceded to, and that the conference be granted, as desired by that House.

Conference granted.

Ordered, that Mr. KOUGH, Mr. CARSON, Mr. ROW, and Mr. CARTER, be a Committee, on the part of this House, to meet the Committee of the Legislative Council at the time and place appointed.

Committee of Conference

Ordered, that Mr. KOUGH do communicate to the Legislative Council, that this House consent to the said Conference, and have appointed four Members as a Committee, on the part of this House, to meet the Committee of the Council at the time and place appointed.

Communicated to the Council by Mr. Kough.

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

FRIDAY, MARCH 14, 1834.

A Message from His Excellency the Governor.

Message from the Governor with copy of Letter from President of Benevolent Irish Society.

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

MESSAGE.

"THOS. COCHRANE."

The Governor transmits to the House of Assembly the copy of a Letter from the President of the Benevolent Irish Society, which he recommends to the early consideration of the House.

The copy of the Letter accompanying the said Message was read by the Clerk, and sets forth two Resolutions of the said Society placing the Sum of One Hundred Pounds at the disposal of the Committee of Charity for the relief of the poor, and prays His Excellency will advance, on the part of Government, a sum equal to that voted by the Society.

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

A Message from the Legislative Council by Mr. Robinson, one of the Masters in Chancery.

Message from Legislative Council.

Mr. Speaker,

The Legislative Council have passed a Bill entitled "An Act to remove doubts respecting the introduction of the Laws of England into Newfoundland" to which they desire the concurrence of the House of

Bill to remove doubts respecting the introduction of the Laws of England—and Bill to declare all lauded property Real Chatels sent down.

Bill to remove doubts, &c

Assembly. Also, a Bill entitled "An Act for declaring all landed property in Newfoundland Real Chattels"—to which they desire the concurrence of the House of Assembly.

The Master in Chancery also brought down the following written Message from the Legislative Council :

Mr. Speaker,

Harbor Grace Gunpowder Bill agreed to with amendments.

The Legislative Council have passed the Bill sent up to this House by the Commons' House of Assembly, entitled "An Act to prevent dangerous quantities of Gunpowder being kept within the Town of Harbour Grace and to provide for the safe storing of the same," with amendments, to which they request the concurrence of the Commons' House of Assembly.

H. J. BOULTON,
Speaker.

Legislative Council Chamber, }
March 13, 1834. }

And then the Messenger withdrew.

Ordered, that the said Bills and amendments do lie on the Table.

Conference on Revenue bill held.

The time appointed for holding the conference with the Legislative Council on the subject of the Bill for the further increase of the Revenue, being arrived, the names of the Managers were called over, and they went to the conference :

And being returned, Mr. KOUGH reported that the Managers had been at the conference, and he further reported as follows :

Report of Committee of Conference.

The Legislative Council have desired this conference upon the Bill sent up from the House of Assembly entitled "An act for the further increase of the Revenue" for the purpose of acquainting the House of Assembly, that while they fully concur with them in the general principles of the Bill, they are of opinion that parts of it require amendment, which it being inconsistent with Parliamentary usage that the Legislative Council should make in a Bill of this description, without the consent of the House of Assembly, they have desired this conference in order to explain the nature of the amendments they are desirous should be made, which they have thought they could not do in a more convenient manner than by embodying them in the instructions which they have deemed it proper to give to their conferees on this occasion.

Amendments proposed by the Legislative Council to be made in the Bill sent up from the Commons' House of Assembly entitled "An act for the further increase of the Revenue."

After the title, expunge the remainder of the bill and insert as follows: Whereas by an act passed in the Parliament of this Island, in the fourth year of the Reign of his present Majesty, 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," it is enacted, that certain duties therein mentioned shall be levied, collected and paid upon all Wines, and upon all Brandy, Gin, Rum and other Spirituous Liquors imported into Newfoundland, over and above certain other duties then raised, levied and collected by virtue of an act of the Imperial Parliament passed in the sixth year of the Reign of his late Majesty King George the Fourth, entitled "An act to regulate the trade of the British possessions abroad," which last mentioned act of his Majesty hath been repealed; and whereas by an act passed in the third & fourth years of the Reign of his present Majesty, entitled "An act to regulate the trade of the British possessions abroad," the same duties which were imposed by the said act passed in the sixth year of the Reign

of his late Majesty, are continued, and directed to be levied upon Wines and Spirituous Liquors imported into Newfoundland, provided that no greater proportion of the duties thereby imposed shall be charged upon any article which was then subject also to duty under any Colonial Law, than the amount, if any, by which the duty charged by that act should exceed such Colonial duty: and whereas it was the intention of the Colonial Legislature that the duties thereby imposed should be levied in addition to those charged upon the same articles by the said act of the Imperial Parliament then in force, but since repealed, which intention has been frustrated by the repeal of the said Imperial act, and the substitution of the last in part recited act with the said proviso in the place and stead thereof, and it is, therefore, deemed expedient again to impose the same additional duties, and to declare that the same shall be taken and levied over and above those now imposed by the said last in part recited act of the Imperial Parliament.

Be it therefore enacted by the Governor, Council and Assembly of Newfoundland, in Parliament assembled, and by the authority of the same, that in addition to the several duties now raised, levied, collected and paid unto his Majesty, under and by virtue of the said in part recited act of the Legislature of this Island, there shall be raised, levied, collected and paid unto his Majesty, so much and such part and proportion of the duties imposed upon the same articles by the said act of the Imperial Parliament passed in the third and fourth years of the Reign of his present Majesty, as are saved, excepted, or abated, by reason of the said hereinbefore in part recited proviso contained in the eleventh section of the said act: and that the full amount of the duties imposed by the said last mentioned act shall be raised levied, collected and paid, over and above, and in addition to, those imposed by the said act of the Legislature of this Island.

And be it further enacted, that the duties hereby imposed, and hereby directed to be levied and collected, shall be paid to the Collector of his Majesty's Customs, in this Island, and shall be levied, collected, recovered and received, or drawn back, in the same manner, and under the same penalties, and by the same means and powers by which and subject to which, the duties imposed by the said last mentioned Imperial act hereinbefore in part recited and entitled "An act to regulate the trade of the British possessions abroad," are and are directed to be levied, collected, and received, or drawn back, in like manner, and to all intents and purposes as if the same were herein particularly re-enacted and set forth.

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

Ordered, that the report of the said Committee of Conference and the said amendments proposed by the Legislative Council to be made in the Bill for the further increase of the Revenue, be taken into consideration on Monday next.

Ordered, that the report be printed.

Agreeably to the order of the day, a bill for ascertaining the rate of damages on protested Bills of Exchange, was read a second time.

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

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

A bill to incorporate the St. John's Mechanics' Society, was read a second time.

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

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

Report.

Report of Committee of Conference to be considered on Monday.

To be printed.

Bill to declare damages on protested Bills of Exchange read 2d time.

Committed.

Mechanics' Society Incorporation Bill read 2d time.

Committed.

Order of day for to-morrow.

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

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

SATURDAY, MARCH 15, 1834.

Amendments to Harbour-Grace Gunpowder Bill.

THE Amendments made by the Legislative Council to the Bill entitled "An act for preventing dangerous quantities of Gunpowder being kept within the Town of Harbour Grace, and to provide for the safe storing of the same" were read a first time, and are as follow—viz. :

Section 1st, line 6th—Insert "or within half a mile thereof."

Section 4th, line 22d—After the words "deposited or kept," insert "and the Owner or Master of the Ship, Boat, or other Vessel, wherein such Gunpowder shall be unlawfully deposited or kept."

Section 5th, line 9th—Between the words "barrel" and "for" strike out the words "four shillings" and substitute "three shillings and sixpence"—strike out the word "six" at the end of the line and substitute "two."

Section 5th, line 10th—Strike out the words "three pence" between the words "and" and "of," and substitute "one penny."

Section 5th, line 11th—Strike out the words "current money of this Island" between "lawful" and "and," and substitute "money of Great Britain."

Section 5th, line 14th—Strike out the words "three shillings current money of this Island" and substitute "two shillings and sixpence lawful money of Great Britain."

Section 7th, line 3d—After the word "built" insert the words "or provided."

Amendments considered,

The said amendments were then taken into consideration, and thereupon On motion of Mr. POWER, seconded by Mr. MARTIN,

Concurred in.

Resolved, that this House concur with the Legislative Council in the said amendments.

Sent to Council.

Ordered, that Mr. POWER do go up to the Legislative Council and acquaint them that this House have adopted the amendments made by the Legislative Council to the bill for preventing dangerous quantities of Gunpowder being kept within the town of Harbor Grace, and to provide for the safe storing of the same.

Bill to remove doubts, &c.

The bill sent down from the Legislative Council entitled "An act to remove doubts respecting the introduction of the Laws of England into Newfoundland," was read a first time.

and

Real Chattels Bill read 1st time.

The bill sent down from the Legislative Council entitled "An act for declaring all Landed Property in Newfoundland Real Chattels," was read a first time.

Second reading.

Ordered, that the said bills be read a second time on Thursday next.

Printed.

Ordered, that the bills be printed.

Bill to declare the time of the commencement of Acts of Parliament presented & read.

Mr. CARTER, pursuant to notice and leave granted, presented a bill to declare the time of the commencement of the acts of the Parliament of this Island, and for the speedy publication of the same; and the same was read a first time.

Second reading.

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

House in Committee on Bills.

The order of the day for the House in committee of the whole House

on the consideration of the Bill to incorporate the St. John's Mechanics' Society, and the Bill to declare the damages on protested Bills of Exchange, being read,

House in committee on bills.

The House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. MARTIN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair on question of Order.

The Chairman again took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Mr. Speaker takes the Chair on a question of order.

The Chairman reported from the Committee, that they had gone through the Bill to incorporate the St. John's Mechanics' Society, and had agreed to the same without any amendment. Also, that they had gone through the Bill to ascertain the damages on protested Bills of Exchange, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Report.

Mechanics Society Incorporation bill, agreed to without amendment.

Protested Bills of Exchange Bill, with an amendment.

Ordered, that the Report be now received.

The Chairman then delivered the said Bill with the amendment in at the Clerk's Table, and the amendment having been read a first and second time,

Resolved, that this House do concur with the Committee in the said amendment.

Amendment concurred in.

Ordered, that the said Bills so reported from the said Committee be engrossed.

Bills engrossed.

Ordered, that the said Bills be read a third time on Wednesday next.

3rd reading.

Mr. CARTER gave notice that, on Monday next, he should move that an Address be presented to His Excellency the Governor, on the subject of the Estimate for the months of February and March, 1834, submitted to the House by His Excellency.

Notice of motion for an address on the subject of the estimate for February and March, 1834.

Mr. Row gave notice that, on Tuesday next, he should move for leave to bring in a Bill for the relief of Insolvent Debtors in custody on final Process.

Notice of bill for relief of insolvent debtors in custody.

Also, for leave to bring in a Bill to regulate the curing of pickled Fish.

Notice of bill to regulate the curing of pickled Fish.

Also, for leave to bring in a Bill for registering the names of all persons qualified to vote at the election of Members to serve in the General Assembly of this Island.

Notice of bill to register names of voters.

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

Ordered, that the order of the day of the twelfth instant, for the House in committee on the Message of his Excellency the Governor on the subject of the act of the 5th George IV. cap. 51, relative to the Fisheries, and which was lost by the adjournment of that day, be revived.

Order of the day for the consideration of fishery act revived

Resolved, that this House will, on Wednesday, resolve itself into a committee of the whole House on the said Message.

and made order of the day for Wednesday.

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

Ordered, that the said committee be instructed to take into their consideration the act of 5th George IV. cap. 67, commonly called the Judicature act, concurrently with the act relating to the Fisheries.

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

Resolved, that a committee be appointed to examine into and report upon such laws as may be about to expire.

Committee to report on expiring laws.

Ordered, that Mr. Row, Mr. PACK, and Mr. POWER, do form the said committee.

Then the House adjourned until Monday, at eleven of the clock.

MONDAY, MARCH 17, 1834.

Order of the day read.

Mr. Row moves that a bill to declare the legality of the collection of certain duties, &c. be read a 2nd time this day six months.

House divide.

Motion lost.

Bill read 2d time.

Committed.

For consideration on Thursday.

Report of committee of Conference on Revenue bill read and considered.

Mr. Carson moves the rejection of the amendments proposed.

Mr. Row moves amendment, that the Council be informed, the House do not consent that the amendments should be made.

Amendment carried.

Resolution

Sent to Council

THE order of the day for the second reading of the bill to declare the legality of the collection of certain duties by the Collector of his Majesty's Customs, being read,

Mr. Row, seconded by Mr. PACK, moved that the bill be read a second time this day six months;—

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

For the motion—

Mr. PACK
— Row.

Against the motion—

Mr. KOUGH
— COZENS
— CARSON
— HOYLES
— MARTIN
— CARTER
— POWER.

So it passed in the negative.

The said bill was then read a second time.

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

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

Resolved, that this House will, on Thursday next, resolve itself into a committee of the whole House on the said Bill, and that it be the first item on the order of the day.

Agreeably to the order of the day, the report of the Committee of Conference with the Legislative Council on the subject of the Bill for the further increase of the Revenue, and the amendments submitted by the Legislative Council, were read a second time and taken into consideration, and thereupon,

Mr. CARSON, seconded by Mr. KOUGH, moved that it be

Resolved, that in accordance with the ancient privileges of the Commons House of Parliament, which are the privileges of this House, the House of Assembly cannot do otherwise than reject the amendments proposed by the Honorable the Legislative Council.

Mr. Row moved in amendment, seconded by Mr. PACK, that all the words of the said motion after the word "resolved" be struck out, and instead thereof the words following be substituted :—" That a Message be sent to the Legislative Council, acquainting them that this House do not consent that the amendments proposed by the Legislative Council should be made to the bill entitled ' An act for the further increase of the Revenue'—as contained in their instructions to the committee of Conference on the said bill ;"

Which, being put, passed in the affirmative.

The said Resolution as amended is as follows :

Resolved, that a Message be sent to the Legislative Council acquainting them, that this House do not consent that the amendments proposed by the Legislative Council should be made to the bill, entitled " An act for the further increase of the Revenue"—as contained in their instructions to the Committee of Conference on the said Bill.

Ordered, that Mr. KOUGH do carry the said Message up to the Legislative Council.

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

Resolved, that a committee be appointed to prepare an address to his Excellency the Governor, setting forth that this House have had under their consideration the estimate of the probable amount required for defraying those expenses (not already provided for) of the Island of Newfoundland, during the months of February and March 1834, but that the House do not conceive that they can with propriety be called on to make good the deficiency in the amount requisite for defraying the charges contained in the said estimate, as the House of Assembly fully understood from the reply of his Excellency to the address of the House passed on the fourth day of April last, and also from the Message of his Excellency to the House of the eighth day of July last, as well as from the Documents and Despatches from his Majesty's Principal Secretary of State for the Colonies, accompanying the said Message, that his Majesty's Government had taken upon themselves the providing of funds, sufficient for defraying the ordinary expenses of the Government of this Colony for the year ending the 31st day of March instant.

Resolution, that address be presented to his Excellency stating that the House do not consider they can be called on to defray any part of the ordinary expenses of the year ending 31st March 1834.

Ordered, that Mr. CARTER, Mr. PACK, Mr. ROW, and Mr. CARSON, do form a Committee accordingly.

Committee to prepare address.

Mr. SPEAKER laid before the House a Letter from the Honorable Mr. Secretary Crowdy, transmitting, by command of His Excellency, copies of Presentments made by the Grand Juries at Burin, Placentia, and Ferryland, on the subject of the repairs required to be made to the Court-Houses and Gaols at these places.

Presentments of Grand Juries of Burin, Placentia and Ferryland as to repair of Gaols &c. laid before the House.

The said Presentments were read by the Clerk and were ordered to lie on the Table.

[See Appendix E.]

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

TUESDAY, MARCH 18, 1834.

Mr. SPEAKER laid before the House several copies of the Rules and Regulations to be observed by the Members of the Legislative Council, transmitted to him by the Speaker of the Honorable the Legislative Council, for the perusal of the Members of the House.

Mr. Speaker lays before House Rules & Orders of Legislative Council.

The Order of the day for the second reading of the Bill for making and repairing Highways being read ;

Order of day for 2d reading of road Bill postponed

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

Ordered, that the said Order of the day be postponed.

Agreeably to the Order of the eighteenth day of February last, the House was called over, when the following Members answered to their names :—

House called over.

Mr. SPEAKER,
— KENT,
— KOUGH,
— PACK,
— POWER,
— COZENS
— PETER BROWN,

Mr. CARTER,
— MARTIN,
— SWEETMAN,
— HOYLES,
— CARSON,
— ROW.

Members present.

A Petition of Daniel M'Carthy of Harbor Grace, was presented by Mr. CARSON, and read, setting forth that the Petitioner was in July last afflicted with the loss of his reason and was committed to Gaol ;—that he subsequently recovered his reason but has since been detained in cus-

Petition of Daniel MCarthy presented and read.

Petition of Daniel M'Carthy.

tody, and has been ordered to be kept in close confinement for 12 months, by the direction of the Magistrates, notwithstanding an order of the Judge of the Northern Circuit Court for his liberation.—That the Petitioner has suffered great privation and distress, and praying the House to take his case into consideration and afford him some relief.

Referred to select Committee to report.

Ordered, that the said Petition be referred to Mr. PACK, Mr. POWER, Mr. PETER BROWN, and Mr. COZENS, to examine into and report thereon to the House.

Bill for increase of Representatives read 2d time.

Pursuant to the Order of the day, a Bill to increase the number of the Representatives to serve in the General Assembly was read a second time.

Committed.

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

For Monday next.

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

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

Mr Row postpones notice of Bills.

Mr. Row gave notice that, on Friday next, he should move for leave to introduce the Bills of which he had given notice for to-day.

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

WEDNESDAY, MARCH 19, 1834.

Bill to declare damages on Protested Bills read 3d time.

A GREEABLY to the Order of the day, an engrossed Bill for ascertaining the damages on protested Bills of Exchange was read a third time, and thereupon,

Amendments made at the Table.

Mr. Row, seconded by Mr. POWER, moved that the words "or refused payment" be inserted in the fifth line of the second section; and the words "or refusal" be inserted in the sixth line of the same section;—

Which being put, passed in the affirmative, and it was

Ordered, accordingly, and the said amendments were made at the Table of the House.

Bill passed.

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

Title.

Resolved, that the Bill do pass, and that the Title be "An Act concerning the damages on protested Bills of Exchange."

Sent to Council.

Ordered, that Mr. Row do carry the Bill to the Legislative Council and desire their concurrence.

Mechanics Society Incorporation Bill read 3d time.

Agreeably to the Order of the day, an engrossed Bill to incorporate the St. John's Mechanics' Society was read a third time.

Passed.

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

Title.

Resolved, that the Bill do pass and that the Title be "An Act to incorporate the St. John's Mechanics' Society."

Sent to Council.

Ordered, that Mr. KOUGH do carry the Bill to the Legislative Council and desire their concurrence.

Conception Bay Police Bill read 2d time.

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

Resolved, that the Bill to regulate the Police of the District of Conception Bay, be now read a second time.

And the said Bill was read a second time, accordingly.

Committed.

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

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

Order of the day for Wednesday next.

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

MR. PACK reported from the Committee appointed to prepare an Address to His Excellency the Governor, in pursuance of the Resolution of the House on Monday last, that the Committee had drawn up the draft of an Address accordingly. And he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

Report of Committee to prepare address to the Governor on the subject of the estimate.

*To His Excellency Sir Thomas John Cochrane,
Knight, Governor and Commander-in-Chief in
and over the Island of Newfoundland and its
Dependencies, &c. &c. &c.*

Address read.

May it please Your Excellency :

The House of Assembly respectfully beg leave to acquaint Your Excellency, that they have had under their consideration the Estimate of the probable amount required for defraying those expenses (not otherwise provided for) of the Island of Newfoundland for the months of February and March, 1834, amounting in all to Eight hundred and Seventy six pounds, fifteen shillings and three pence. Towards the payment of these expenses, it appears that there is now in the hands of the Colonial Treasurer the sum of Six hundred and fifty eight pounds, six shillings and ten pence, part of the duties arising from Acts of the Imperial Parliament, leaving a balance of only Two Hundred and eighteen pounds, eight shillings, and five pence, unprovided for.

Upon mature consideration of this subject, the House of Assembly conceive that they cannot, in justice, be called on to vote the balance required for the payment of the services contained in the said Estimate. At the time of the loss of the Revenue Bill in the first Session of the Assembly, the House, in bringing that matter under the notice of His Majesty's Government, prayed that provision might be made for the support of the Government of the Colony for the then current year.—The House further addressed Your Excellency on the same subject, on the fourth of April last, and in your reply thereto, Your Excellency undertook to continue to defray those charges which were necessary for the support of the Government of the Colony, until the pleasure of His Majesty's Government should be known.

From the Messages of Your Excellency presented to the House on the eighth day of July last, communicating the answer of His Majesty's Government on the subject of the loss of the Revenue Bill, and from the Documents and Despatches accompanying those Messages, it appeared that His Majesty's Government, in compliance with the prayer of the House, were about to request from the Imperial Parliament a Grant of the sum required for defraying the Civil Establishment of Newfoundland, from the 1st of April 1833, to the 31st of March 1834, equal to that granted for the year 1832. Relying, therefore, on this arrangement which has since taken place, the House assumed to themselves no controul whatever over the Civil Expenditure of the Colony, but left it, as in former years, entirely under the controul of the Executive ; and, as the services detailed in the Estimate in question are among the ordinary expenses of the Colony, the House are of opinion, that until the 31st day of March instant, those expenses should, as was intended, be borne by His Majesty's Government.

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

Resolved, that this House concur with the Committee in the said Address.

Resolved, that the Address be adopted and presented to His Excellency by a Committee of the House.

Adopted.

Committee to present same.

Ordered, that Mr. PACK, Mr. POWER, and Mr. ROW, be a Committee for that purpose.

Order of the day.

The Order of the day for the House in Committee of the whole House to take into consideration the Message of His Excellency the Governor on the subject of the Fishery Act, being read,

House in Committee on Fishery act.

The House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. PETER BROWN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair, the Black Rod being at the Door.

The Chairman resumed the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

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

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

Committee to sit again on Friday.

Resolved, that this House will, on Friday next, again resolve itself into the said Committee.

Mr. Speaker reports Message from the Council.

Mr. SPEAKER reported that the Master in Chancery had brought down from the Legislative Council, the following written Message :

Mr. Speaker,

The Legislative Council have passed the Bill entitled "An Act for the further increase of the Revenue" without any amendment.

H. J. BOULTON, *Speaker.*

Revenue bill passed.

Legislative Council, 19th March, 1834.

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

THURSDAY, MARCH 20, 1834.

Mr. Power presents petition of W. Dalton & others.

MR. POWER brought up the Petition of William Dalton and others. Inhabitants of the Town of Carbonar ; and the same was laid on the Table.

Order of the day.

The Order of the day for the House in Committee of the whole House to take into consideration the Bill to declare the legality of the collection of certain duties by the Collector of His Majesty's Customs being read,

House in Committee on Declaratory bill.

The House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. MARTIN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

The Chairman reported from the Committee that they had gone through the said Bill, and had agreed to the same without any amendment ; and thereupon

Motion that the report be not agreed to.

Mr. ROW, seconded by Mr. PACK, moved that the Report of the Committee be not agreed to ;—

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

House divide.

For the motion—

Mr. ROW,
— PETER BROWN
— SWEETMAN,
— PACK.

Against the motion—

Mr. KOUGH
— COZENS
— CARTER
— POWER,
— MARTIN
— CARSON
— HOYLES

So it passed in the negative.

The Report of the said Committee was then, upon the question put thereon, concurred in by the House, and it was

Ordered, that the Bill be engrossed.

The Order of the day for the Select Committee appointed to examine the Estimates submitted by His Excellency the Governor, to report their proceedings being read,

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

Ordered, that the said Order of the day be postponed.

Ordered, that the said Committee do report progress on Monday next.

Agreeably to the Order of the day, the Bill from the Honorable the Legislative Council, to remove doubts respecting the introduction of the Laws of England into Newfoundland, was read a second time.

The Bill from the Honorable the Legislative Council for declaring all landed property in Newfoundland Real Chattels, was also read a second time.

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

Ordered, that the said Bills be committed to a Committee of the whole House.

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

Mr. CARTER gave notice that, on Monday next, he should move for leave to introduce a bill concerning the registration of deeds.

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

FRIDAY, MARCH 21, 1834.

MR. Row, pursuant to notice and leave granted, presented a bill for regulating the packing and inspection of pickled fish for exportation from Newfoundland; and the same was read a first time.

Ordered, that the bill be read a second time to-morrow.

The order of the day for the House in committee of the whole House on the consideration of the Message of his Excellency the Governor, on the subject of the Fishery act being read,

The House resolved itself into the said committee accordingly.

Mr. SPEAKER left the Chair.

Mr. PETER BROWN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

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

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

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

SATURDAY, MARCH 22, 1834.

A Petition of Mrs. Mary Traverse was presented by Mr. Sweetman and read, setting forth, that the petitioner begs leave to bring

Negatived.

Report agreed to and bill ordered to be engrossed.

Order of day for finance Committee to report.

Postponed.

Ordered to report on Monday next.

Bill to remove doubts &c read 2d time.

Real Chattels bill read 2d time.

Committed

for Thursday next.

Mr. Carter gives notice of bill for registration of deeds

Bill to regulate the packing and inspection of pickled fish presented and read.

Second reading.

House in committee on the Fishery act.

Report.

To sit again on Monday

Petition of Mary Traverse presented and read.

Petition of Mary Traverse

under the notice of the House her claim for the hire or rent of her house for the accommodation of the Legislature in its first two sessions. That it was agreed between petitioner and the Executive that the claim of petitioner should be referred to arbitration, which agreement was not carried into effect, as it was insisted upon, as a previous condition, that the petitioner should, in the first place, surrender up the furniture, &c., belonging to the two branches of the Legislature, to which condition petitioner was then advised not to assent. That petitioner apprehending great inconvenience may arise to the public service of the Colony by any longer detention of the Books, Papers, &c., in her possession, and being unwilling to cause any such injury respectfully approaches the House with an expression of her readiness to submit her claims to arbitration in the usual way; and as soon as agreements for that purpose have been entered into, or any other guarantee of a similar nature shall have been afforded to her, securing the payment of such sum as may be awarded her, petitioner will deliver up all the public documents and papers in her possession without any further delay.

Ordered, that the petition do lie on the Table.

St. John's Police bill read 2d time.

Agreeably to the order of the day, a bill to establish a Town Council and Police in the town of St. John's, was read a second time.

Motion to commit.

Mr. CARSON, seconded by Mr. PACK, moved that the bill be committed to a committee of the whole House on Wednesday next.

Amendment for rejecting the bill.

Mr. KOUGH, seconded by Mr. POWER, moved, in amendment, that the bill be committed to a committee of the whole House this day six months;

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

Amendment lost.

So it passed in the negative.

Committed

Mr. HOYLES, seconded by Mr. PETER BROWN, moved, in amendment of the original motion, that the said bill be committed to a committee of the whole House, on Wednesday week next;—which being put, passed in the affirmative, and it was

for Wednesday week

Ordered, accordingly.

Bill to declare the commencement of acts of Parliament read 2d time

A bill to declare the time of the commencement of the acts of the Parliament of this Colony, and for the more speedy publication of the same, was read a second time.

Committed.

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

Pickled Fish bill read 2d time.

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

The bill to regulate the packing and inspection of pickled fish for exportation from Newfoundland, was read a second time.

Committed.

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

Printed.

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

Ordered, that the bill be printed.

Motion for address of thanks to Governor for his Messages.

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

Resolved, that an address be presented to his Excellency the Governor, thanking him for his Messages of the tenth and fourteenth days of March instant.

Address read.

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

*To His Excellency Sir THOMAS JOHN COCHRANE,
Knight, Governor, and Commander-in-Chief
in and over the Island of Newfoundland and its
Dependencies, &c. &c., &c.*

May it please Your Excellency,

We, his Majesty's dutiful and loyal subjects the Commons of New-

foundland, in Parliament assembled, beg leave to thank Your Excellency, for your Messages of the tenth and fourteenth days of March, inst., and to assure Your Excellency that we shall take the same into our early consideration.

Address.

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

Resolved, that the Address be adopted and be presented to His Excellency by a Committee of the House.

Address adopted.

Ordered, that Mr. HOYLES and Mr. MARTIN do form a Committee for that purpose.

Committee to present same.

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

MONDAY, MARCH 24, 1834.

MR. SPEAKER laid before the House a Letter from the Honorable Mr. Secretary Crowdy, acquainting him, for the information of the House, that His Excellency the Governor had appointed to-morrow, at 11 o'clock, for receiving a Committee of the House with the Address of the House passed on the nineteenth instant.

Time for receiving address fixed.

Mr. SPEAKER also laid before the House a Letter from the Honourable Mr. Secretary Crowdy, transmitting, by command of His Excellency the Governor, certain Documents received from the Magistrates at Harbor Grace, who were directed by His Excellency to make the investigation relative to the dietry and treatment of Prisoners confined for debt in the Gaol of Harbor Grace, in pursuance of the Resolution of the House of the third instant.

Documents laid before the House relative to the dietry and treatment of prisoners in the Harbour Grace Gaol

The said Documents were read by the Clerk and are as follows :

- No. 1.—Questions proposed by the Magistracy of Harbor Grace to Michael Keefe, a Debtor confined in His Majesty's Gaol there, with the answers of the said Michael Keefe thereto—the Deputy-Sheriff and Gaoler being present.
- No. 2.—Questions proposed to Mr. John Currie, His Majesty's Gaoler at Harbor Grace, relative to the charges preferred against him by Michael Keefe, one of the Prisoners under his care.
- No. 3.—Questions proposed by the Magistracy of Harbor Grace to John Parsons, a Debtor confined in His Majesty's Gaol there, with the answers of the said John Parsons thereto—the Deputy Sheriff and Gaoler being present.
- No. 4.—Regulations for the dietry of Prisoners from 1st January, 1829.—Diet given to Prisoners for debt in His Majesty's Gaol at Harbor Grace.
- No. 5.—Report of the Magistrates of Harbor Grace upon the state of His Majesty's Gaol there, and of the treatment of the Prisoners confined therein.

[See Appendix F.]

Ordered, that the said letter and documents do lie on the Table.

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

Resolved, that a committee be appointed to wait on his Excellency the Governor and acquaint him that a bill for the further increase of the Revenue hath passed the Legislative Council and House of Assembly, and respectfully request that his Excellency will be pleased to give his assent to the same as early as convenient.

Motion that a committee wait on his Excellency to acquaint him of the passing of the Revenue bill.

Ordered, that Mr. PACK and Mr. KOUGH do form a committee for the above purpose.

Committee.

Order of the day postponed.

The order of the day for the committee appointed to investigate the estimates to report progress, being read,

Mr. CARSON, seconded by Mr. CARTER, moved, that the said order of the day be postponed.

Ordered, that the said Committee do report progress on Wednesday next.

Notice of motion for committee of supply.

Mr. PETER BROWN gave notice, that, on Thursday next, he should move that the House do resolve itself into a Committee of the whole House, to consider of a supply to be granted to his Majesty.

Bill to establish Hospitals read a second time.

Agreeably to the Order of the day, a Bill for the establishment and regulation of Hospitals in this Colony was read a second time.

Motion to commit.

Mr. HOYLES, seconded by Mr. COZENS, moved that the Bill be committed to a Committee of the whole House on Monday, the 31st instant.

Amendment to reject the bill.

In amendment, Mr. KENT, seconded by Mr. PETER BROWN, moved that the further consideration of the Bill be deferred until this day six months ;—

Which being put, and the House dividing thereon, there appeared for the amendment, seven ; against it, five.

Amendment carried.

So it passed in the affirmative, and it was

Ordered, that the further consideration of the said Bill be deferred until this day six months.

Report of committee to wait on the Governor to request his assent to Revenue bill.

Mr. PACK, from the Committee appointed to wait on his Excellency the Governor, to request him to give his assent to the Revenue Bill, reported, that the Committee had waited on his Excellency accordingly, and that his Excellency was pleased to say he would give his assent to the said bill at three o'clock this day.

Order of day read.

The order of the day for the second reading of a bill to provide for the management of a certain public wharf in the town of St. John's, being read,

Motion to postpone order of the day lost.

Mr. CARSON, seconded by Mr. KENT, moved that the said order of the day be postponed.

Which being put, passed in the negative.

Beck's Cove Bill read 2nd time.

The said bill was then read a second time, and thereupon

Motion to reject the Bill.

Mr. CARSON, seconded by Mr. KENT, moved that the bill be committed to a committee of the whole House, this day six months ;—

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

Lost.

So it passed in the negative.

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

Bill committed.

Ordered, that the said bill be committed to a committee of the whole House on Thursday next.

House in committee on increase of Members Bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill to increase the number of the Representatives to serve in the General Assembly of this Island.

Mr. SPEAKER left the Chair.

Mr. COZENS took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

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

Ordered, that the said Committee have leave to sit again

A Message from the Legislative Council.

Message from Council.

Mr. Robinson, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message.

Mr. Speaker,

The Legislative Council have passed the Bill entitled "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" with an amendment.

Labrador Court Abolition Bill agreed to with an amendment.

Legislative Council Chamber, }
24th March, 1834. }

H. J. BOULTON, *Speaker.*

And then the Messenger withdrew.

The Amendment made by the Legislative Council to the said Bill was read a first time and is as follows:

Amendment read.

"Expunge the last Section."

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

Resolved, that this House do concur with the Legislative Council in the said Amendment.

Amendment concurred in.

Ordered, that Mr. Row do go up to the Legislative Council and acquaint them that this House have adopted the said Amendment.

Council informed thereof.

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

Message from the Governor.

Mr. Speaker,

His Excellency the Governor commands the attendance of this Honorable House immediately in the Council Chamber.

And then the Messenger withdrew.

Accordingly Mr. SPEAKER with the House went up to attend his Excellency in the Council Chamber.

House attend his Excellency in the Council Chamber.

And being returned, Mr. SPEAKER reported that the House had been in attendance on His Excellency the Governor in the Council Chamber, when His Excellency was pleased to give his assent to the Bill entitled

"An Act for the further increase of the Revenue.."

Revenue bill passed.

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

TUESDAY, MARCH 25, 1834.

MR. MARTIN, pursuant to notice and leave granted, presented a bill for the establishment and support of Light Houses; and the same was read a first time.

Mr. Martin presents bill to establish Light Houses. Read 1st time.

Ordered, that the bill be read a second time on Saturday next.

For 2d reading on Saturday.

Mr. PACK from the committee to present to his Excellency the address of the House passed on the nineteenth instant, reported that the committee had waited on his Excellency with the address accordingly, and that in reply thereto his Excellency was pleased to say he should take the same into his most serious consideration.

Mr. Pack reports from committee to wait on Governor with the address of the 19th instant.

Mr. Row, pursuant to notice and leave granted, presented a bill for the relief of insolvent debtors charged in execution; and the same was read a first time.

Mr. Row presents bill for relief of insolvent debtors. Read 1st time.

For 2d reading on Thursday.

Mr. CARTER presents bill for registration of deeds. Read 1st time.

For 2d reading on Saturday.

Printed.

Declaratory bill read 3d time.

Motion that it pass.

House divide.

Carried.

Title of the bill moved.

Mr. Row moves an amendment of the title.

Amendment lost.

Title.

Mr. Kough ordered to carry the bill to the Council.

Petition of R. Slade and others presented and read.

Ordered, that the bill be read a second time on Thursday next.

Mr. CARTER, pursuant to notice and leave granted, presented a bill relating to the registration of deeds ; and the same was read a first time.

Ordered, that the bill be read a second time on Saturday next.

Ordered, that the bill be printed.

An engrossed bill to declare the legality of the collection of certain duties by the Collector of his Majesty's Customs was read a third time.

Mr. KOUGH, seconded by Mr. MARTIN, moved that the bill do pass ; which being put, and the House dividing thereon, there appeared for the motion, seven ; against it, four.

For the motion—

Mr. CARTER
— COZENS
— MARTIN
— HOYLES
— CARSON
— POWER,
— KOUGH.

Against the motion—

Mr. PETER BROWN
— SWEETMAN,
— ROW,
— PACK.

So it passed in the affirmative.

Mr. KOUGH, seconded by Mr. POWER, moved that the bill be entitled—An act to declare the legality of of the collection of certain duties by the Collector of his Majesty's Customs.

Mr. Row, seconded by Mr. PACK, moved in amendment, that the bill be entitled An act to correct the mistakes of the Imperial Parliament, and to impose an Imperial duty by an ex post facto enactment ;—

Which being put, passed in the negative.

The question upon the original motion being put, passed in the affirmative, and it was

Resolved, that the title of the said bill be “ An act to declare the legality of the collection of certain duties by the Collector of his Majesty's Customs.”

Ordered, that Mr. KOUGH do carry the bill up to the hon. the Legislative Council and desire their concurrence.

A petition of Robert Slade and others, inhabitants of Twillingate, was presented by Mr. Row, and was received and read, setting forth, that the petitioners view with deep concern the increasing demoralization observable in the country, through the extensive use of spirituous liquor, owing to the facility with which the same can be obtained, since persons can vend it in quantities above a gallon without a License. To prevent this growing evil and its fatal consequences, the petitioners beg leave to recommend the enacting of a law to resist persons from selling spirituous liquors either in large or small quantities without the authority of a license—thus restraining the issuing of this destructive article to at least a smaller and more discreet number of channels. The petitioners also beg leave to bring under the notice of the House the bad state of the roads in the outports, and pray that a law may be passed obliging every householder under certain restrictions, to contribute a proportion of labour towards the repair of the public roads. The petitioners also beg the early attention of the House to the present inadequate mode of administering justice in their district, and they pray that a resident and competent magistracy possessing, under certain limitations, judicial authority may be granted to that remote and excluded part of the Colony.

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

A petition of Nicholas Codner and others, inhabitants of Torbay ; and a petition of William Noseworthy and others, inhabitants of Pouch Cove, were presented by Mr. Kough, and the same were received and read, setting forth, that the petitioners have long seen the necessity of some enactment of the Legislature to induce the inhabitants of this Island generally, and of towns and settlements in particular, to contribute their labour towards the making and repairing of roads in and through such towns and settlements. That the petitioners consider a law for that purpose would contribute very greatly towards the advancement and prosperity of such towns and settlements, and the small amount of labour thus to be contributed by individuals would be more lightly felt than the imposition of a more direct tax for the improvement of roads ;—and praying that a law for that purpose may be enacted.

To lie on Table.

Petitions of the Inhabitants of Torbay & Pouch Cove presented and read.

Ordered, that the petitions do lie on the table.

Mr. COZENS gave notice that he should, to-morrow, move the second reading of the bill for making and repairing roads.

To lie on the Table.

Notice of 2d reading of Road Bill.

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

Ordered, that the order of the day of yesterday for the House in committee of the whole House on the consideration of his Excellency's Message, relative to the Fishery Act, which was lost by the adjournment of the House, be revived.

Order of the day for the House in Committee on Fishery Act revived.

Resolved, that the House do now resolve itself into the said committee ; and the House resolved itself into the said committee accordingly.

House in Committee on Fishery Act.

Mr. SPEAKER left the Chair.

Mr. PETER BROWN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Report.

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

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

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

WEDNESDAY, MARCH 26, 1834.

A Petition of John Skelton and others, inhabitants of Bonavista Bay, was presented by Mr. Row, and the same was received and read, setting forth, that the inhabitants of the said Bay are in a deplorable state as regards the administration of Justice, the protection of property, and the comfort and security of individuals. That throughout the whole of the said Bay, in which there are numerous settlements, and several thousands of souls, there is not a single gaol or place of confinement for offenders—not an individual Magistrate,—no means whatever for the correction of offenders, or the protection of the peaceable and well-disposed, with the exception of a single Conservator of the Peace at Bonavista, who has no adequate means of enforcing the very limited powers with which he is invested. Consequently each well disposed and peaceable Member of Society is quite at the mercy of lawless and evil-minded persons, who, taking advantage of this lamentable state of things, work mischief and wrong with impunity, and that recent numerous outrages have been committed in the said Bay. The petitioners set forth a

Petition of John Skelton and other Inhabitants of Bonavista Bay presented and read.

Petition of John Skelton.

number of crimes and misdemeanours which are of recent occurrence, and state that the most daring thefts and robberies are committed with impunity, many not caring to discover the thieves since there is no redress to be had and much personal danger may be incurred :—The petitioners, therefore, humbly pray the House to take their case into consideration and to extend to them such assistance and protection as they need, and as the House may think fit.

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

Report of Committee to examine the Estimates &c

Mr CARSON reported from the Select Committee appointed to investigate and report upon the estimates laid before the House by his Excellency the Governor ; and he read the report in his place and afterwards delivered it in at the Clerk's table, where it was read, and is as follows :

Your Committee, in accordance with the powers delegated them, have examined with care the scale of the Estimate of the probable amount required for defraying the expenses of the Colony for the year commencing the 1st April, 1834, founded on the Establishment as existing in the Colony, presented to the House by His Excellency the Governor.

Your Committee will proceed with their observations in the same order in which the various items are placed on the Estimate. The first items which attracted the attention of the Committee are the Salaries to the Surveyor General of £300 per annum, and to a Chain-man of £20 per annum. As the amount of the Rent and Sales of the Crown Lands has not yet been given up to the Legislature, the committee conceive that the Colony cannot justly be called upon to provide the Salaries of the Surveyor General and Chainman.

Although the committee cannot help expressing a conviction that education is of the first importance, and demands the best attention of the House, yet they contemplate the three schools arranged under the Civil Department, of that character, which does not claim the peculiar patronage of a National Assembly.

The sum of £50, charged for making up the Fishery Returns, the committee are of opinion may in future be saved to the Colony.

JUDICIAL DEPARTMENT.

In this Department, the committee consider that the duties of Clerk of the Supreme and Central Circuit Courts should be performed by one person at a fixed salary, and that all fees taken by the respective clerks ought to be accounted for, and applied to the general purposes of the Island.

The committee beg to recommend as being in accordance with the practice now very generally adopted in the Mother Country, as a general principle, that all fees should be so accounted for, and not be appropriated to individual emolument.

The salaries and fees of the office of Sheriff are very considerable, exclusive of the additional advantages of a house with a supply of coals & candles. The committee recommend a revision of this appointment, particularly as, abstracting the duties not necessarily connected with the office, the labour and responsibility will be considerably diminished.

The Labrador Court may be expected to be done away with by the bill now in progress, which will effect a saving to the Colony of £1497 per annum.

The Court of Vice Admiralty being for general purposes of the Empire, ought not to be charged upon the Revenues of Newfoundland, and the committee recommend an early representation to his Majesty's Principal Secretary of State for the Colonies on this subject.

POLICE ESTABLISHMENT.

Report.

This being purely a municipal establishment, ought as far as practicable to be met by a municipal Revenue.

ECCLESIASTICAL DEPARTMENT.

The committee consider that all ecclesiastical salaries ought to be disallowed, on the just principle that all religious societies should support their own establishments.

PENSIONS.

Under this head there is a sum of £50 to a very infirm and aged officer of the Courts, and the sum of £30 to the widow of the late Attorney General ;—the latter, the committee submit, had no claims upon the colony.

Under the head of *Contingencies*, the committee consider that very considerable savings might be effected, and they recommend that the more important services should be performed by contract, in accordance with the practice now general in the various departments of the British service,—which practice the committee strongly recommend to the adoption of the House.

The large sums of money paid for civil and criminal prosecutions, as well as gaol expenses, of the last year, arose from an unusual increase of crime, which it is hoped will not again occur—the want of efficient Courts of Justice for the trial of criminals, causing an unusual accumulation of prisoners, and a proportionate increase of expense.

Of the sum of £1725 for the maintenance of paupers, orphans and bastards, and sick persons, a considerable portion may, under the application of judicious laws, in a great measure be saved to the general Revenue.

The charges for the conveyance of the Circuit Judges may be saved by the application of a sufficient sum for the improvement of roads.

The committee indulge the reasonable expectation that the two items of civil and criminal prosecutions and gaol expenses, amounting to £1429, may, in the ensuing year, be diminished at least one half ; and the Attorney General's fees, and the charge for extra constables may likewise be lessened.

The committee consider that many items under the head of Incidentals, Public Buildings, Fuel and Light, may be saved to the public.

As the salaries of the officers of the Customs are deducted from the gross receipts, the whole expense, of course, falls upon the colony—the committee, therefore, feel it their duty to notice that a saving might be made in the arrangement of that department, more particularly with relation to the office of Comptroller, which, in the other colonies, is understood to be done away with.

On a careful examination of the estimate laid before the House by his Excellency the Governor, the committee are pleased to have it in their power to state that it deems that a saving of nearly one third of the sum of £13541 18s. 5d. the amount of the estimate, may be effected without injury to the public service, and that many duties would under other arrangements be accomplished more in accordance with the public sentiment and the public claims.

That the expenses to be provided for in addition to the salaries formerly appropriated would not exceed £9000 for the necessary and usual demands of the colony—making the total to be provided for under the present understanding of reserved salaries (viz., Governor and other officers, £6550, and Custom House expenses, £3818 18s.)—in all £19336.

Report,	To meet these expenses there is in the Treasury	£ 1935
	Estimated old Duties	12668
	Estimated Colonial Duties	8000
		<hr/> £22603
	From which deduct reduced Estimate	19386
		<hr/> Leaving a balance of £3267 for such purposes as the Assembly may think necessary.

WILLIAM CARSON,
Chairman.

Committee Room, }
March 26, 1834. }

Petition of the Inhabitants of Carbonear presented & read.

A petition of Robert Ayles and others, inhabitants of Carbonear and its vicinity, was presented by Mr. PACK, and the same was received and read, setting forth—that the petitioners are desirous of the appointment of some efficient Police Establishment in the said town for the preservation and protection of the lives and property of the petitioners. The petitioners further set forth, and refer to various outrages and crimes which have recently taken place in the said town and state, that there is at present but one Magistrate for Carbonear who lives at a great distance from the populous part of the town, and but three constables—although the town contains a population of about four thousand persons. The petitioners pray that some pecuniary aid may be granted to them to enable them to build a jail and lock-up house, there being at present no place of security in which to confine delinquents when taken into custody.

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

House in Committee on the Conception Bay Police Bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill for the regulation of the Police of Conception Bay.

Mr. SPEAKER left the Chair.

Mr. SWEETMAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

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

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

Order of the day for Saturday.

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

The order of the day, for the House in committee of the whole House on the consideration of the Fishery and Judicature acts, being read,

Order of the day postponed.

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

Resolved, that this House will, to-morrow, resolve itself into the said Committee.

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

THURSDAY, MARCH 27, 1834.

Insolvent debtors relief bill read 2d time.

A GREEABLY to the Order of the day, a Bill for the relief of Insolvent Debtors taken in execution, was read a second time.

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

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

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

Agreeably to the Order of the day, the House resolved itself into a Committee of the whole House on the consideration of the Bill entitled "An Act for declaring all landed property in Newfoundland Real Chattels."

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee, that they had gone through the said Bill for declaring all landed property in Newfoundland Real Chattels, and had agreed to the same with certain amendments, which they had directed him to report to the House;—and he delivered the Bill with the amendments in at the Clerk's Table.

The amendments made by the Committee to the said Bill were then read throughout a first and second time, and, upon the question severally put thereon, were agreed to by the House.

Ordered, that the said amendments be engrossed.

A Message from His Excellency the Governor.

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

MESSAGE.

"THOS. COCHRANE."

The Governor acquaints the House of Assembly in reply to its Address of the 19th instant, that when his Excellency, at the close of the second Session, tacitly consented to continue to defray, as heretofore, the expenses of the Colony, it was from the knowledge that there were no funds, then, at the disposal of the Legislature, and that the intention of his Majesty's Government to apply to Parliament for a Grant in aid of the Colonial Funds, would not sanction drawing on the Imperial Treasury in anticipation of its consent;—his Excellency, at the same time, fully intended, on the meeting of the Colonial Legislature, to place at its disposal such Funds as might then remain unappropriated, as the most constitutional course to pursue, and the one which his Excellency considered would best meet the wishes of the Assembly,—and his Excellency had then every reason to believe that a considerable surplus Revenue would remain after providing for all expenses to the 1st of April next. A most unexpected decrease in the Revenue, and a large increase in the expenses attending the administration of justice, have disappointed his Excellency's hopes, and left the deficiency in the Colonial Revenue, alluded to by the House of Assembly.

His Excellency, ever ready to accede to the views and wishes of the House of Assembly, and to remove all difficulties which may tend to impede their labours for the public good, has given his serious consideration to the subject of its Address,—and as his Excellency does observe in the despatch of his Majesty's Secretary of State of the 4th of May, 1833, (a copy of which was transmitted to the House of Assembly) some expressions which countenance the impression the House of Assembly appears to have entertained as to the intentions of his Majesty's Government to provide for the ordinary expenditure of the Colony to the 1st of April next, his Excellency will take upon himself the responsibility of

Committed.

Made Order of the day for Saturday.

House in Committee on Real Chattels Bill.

Bill reported with amendments.

Amendments read and adopted.

Message from the Governor.

His Excellency consents to defray the ordinary expenses of the Government until the 1st of April

concurring in the sentiments expressed by the House of Assembly, and will continue to defray, until the 1st of April, the ordinary expenses of Government.

Government House, 26th March, 1834.

Ordered, that the said Message do lie on the Table.

Order of the day postponed

The Order of the day for the House in Committee of the whole House on the Fishery and Judicature Acts—and also, the Order of the day for the House in Committee of the whole House on the consideration of a Supply to be granted to his Majesty, being read :

Ordered, that the said Orders of the day be postponed until Saturday next.

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

Order of day for Saturday regulated.

Ordered, that the Committee of Supply do take precedence of the Committee on the Fishery and Judicature Acts, on the Order of the day for Saturday next.

To-morrow being Good Friday the House adjourned until Saturday next, at eleven of the clock.

SATURDAY, MARCH 29, 1834.

READ the Minutes of Thursday.

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

The House adjourned until Wednesday next, at eleven of the clock.

WEDNESDAY, APRIL 2, 1834.

Order of the day for consideration of St. John's Police bill read.

THE Order of the day for the House in Committee of the whole House on the consideration of the Bill to establish a Town Council and Police in the Town of St. John's, being read—

Motion to postpone the Order of the day.

Mr. CARSON, seconded by Mr. PETER BROWN, moved that the said Order of the day be postponed until this day week.

Amendment to discharge the Order of the day and postpone the same until this day six months.

In amendment, Mr. ROW, seconded by Mr. HOYLES, moved that the said Order of the day be discharged, and that the further consideration of the said Bill be postponed until this day six months ;—

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

House divide.

For the amendment—

Against the amendment—

Mr. CARTER

Mr. CARSON,

— ROW,

— PACK.

— HOYLES

— KENT,

— MARTIN

— PETER BROWN.

— KOUGH.

— COZENS

— SWEETMAN,

— POWER,

Amendment carried.

So it passed in the affirmative, and it was *Ordered*, accordingly.

Petition of the Inhabitants of St. John's presented & read.

A Petition of George Hutchings and others, Inhabitants of the Town of St. John's, was presented by Mr. KOUGH, and the same was received and read, setting forth, that the Petitioners have learnt with feelings of

the greatest alarm, that a Bill is in progress through the House for the purpose of creating a Corporation in the said Town, the provisions of which are calculated to place enormous powers in the hands of a few individuals who will be permitted to exercise the same in such way as to lay pecuniary burthens upon the Inhabitants without check or controul. That some regulations are necessary for such purposes as the abatement of nuisances—cleansing streets—establishing Watches and such like Your Petitioners do not deny ; but they humbly submit that such regulations should be of the most simple character, and might safely be vested in Commissioners appointed from time to time for that purpose as is done in other places. That another subject in the said Bill which increases the alarm of the Petitioners, is the total absence of any qualifications in the Persons to whom such extensive and highly responsible powers are to be delegated, and they sincerely trust that no such powers of taxation as those contemplated by the said Bill, will ever be entrusted in this Town to any other hands than those of the Colonial Legislature :—and praying that the Bill to establish a Town Council and Police in the Town of St. John's may not pass.

Ordered, that the Petition do lie on the Table.

The Engrossed Bill sent down from the Honorable the Legislative Council entitled, "An act for declaring all Landed Property in Newfoundland Real Chattels," as amended, was read a third time.

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

Resolved, that the said bill do pass.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council, and acquaint them that the House have passed the said bill to which they have made certain amendments, and desire their concurrence to the same.

A bill to regulate the making and repairing of roads and highways in this Island, was read a second time.

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

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

A bill for the establishment of Light Houses was read a second time.

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

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

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

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the several bills which stood committed.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the committee, that they had gone through the bill for the relief of insolvent debtors taken in execution, and had agreed to the same with an amendment, which they had directed him to report to the House ;—and he delivered the bill with the amendment in at the Clerk's table.

The Chairman also reported, that the committee had made some further progress in the business before them, and had directed him to move for leave to sit again, on the consideration of the same.

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

Petition of the inhabitants &c.

Ordered to lie on the Table.

Real Chattels Bill read 3d time.

Passed.

Ordered to be sent to the Council.

Road Bill read second time.

Committed, Light House bill read 2d time.

Committed.

Order of the day for Friday next.

House in committee on bills.

Report. Insolvent debtors bill with amendment.

Amendment read and adopted.

The amendment made by the committee to the said bill for the relief of insolvent debtors, was then read throughout a first and second time, and upon the question put thereon, was agreed to by the House.

Bill engrossed.

Ordered, that the bill with the amendment be engrossed.

Notice of Bill to regulate the Salmon Fisheries.

Mr. SWEETMAN gave notice, that he should move for leave, to-morrow, to bring in a bill to regulate the Salmon Fisheries in this Island and its Dependencies.

Notice of bill to register the names of voters.

Mr. Row gave notice, that he should move for leave, to-morrow, to bring in a bill to regulate the registration of voters at elections.

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

Orders of the day revived

Ordered, that the order of the day of Saturday last for the House in committee of the whole House on the consideration of the Fishery and Judicature acts ; and, also, the order of the day of the same day, for the House in committee of the whole on Supply, which were lost by the adjournment of that day, be revived.

Judicature act Order of day for to-morrow.

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

Supply Order of day for Friday.

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

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

THURSDAY, APRIL 3, 1834.

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

Motion for statement of monies collected under the Quarantine Act.

Resolved, that an address be presented to his Excellency the Governor, praying that he will cause to be laid before this Honorable House a statement of all monies collected under the Quarantine act, and of the appropriation of the same.

Committee to prepare an Address to His Excellency

Ordered, that Mr. KENT and Mr. P. BROWN be a committee to prepare an address in pursuance of the foregoing resolution.

Mr. Row presents Bill to register Voters at elections Read 1st time.

Mr. Row, pursuant to notice and leave granted, presented a bill to register the names of persons entitled to vote at elections of members to serve in the General Assembly of this Island, and the same was read a first time.

Mr. Row, seconded by Mr. KOUGH, moved, that the bill be read a second time on Thursday next.

Motion that the Bill be read a 2d time this day six months.

In amendment, Mr. KENT, seconded by Mr. CARSON, moved, that the bill be read a second time this day six months ;—

Which being put, and the House dividing thereon, there appeared for the amendment, five ; against it, seven—

For the amendment—

Against the amendment—

House divide.

Mr. CARSON
— P. BROWN
— KENT
— PACK
— POWER.

Mr. SWEETMAN
— ROW
— CARTER
— HOYLES
— MARTIN
— COZBNS
— KOUGH.

Amendment negatived,

So it passed in the negative.

The original motion, upon the question put thereon, then passed in the affirmative, and it was

Bill ordered for 2d reading on Thursday.

Ordered, that the bill be read a second time on Thursday next.

Ordered, that the Bill be printed.

Mr. KENT gave notice that he should move for a call of the House on this day fortnight.

Mr. SWEETMAN, pursuant to notice and leave granted, presented a Bill to regulate the Salmon Fisheries of this Island and its Dependencies ; and the same was read a first time.

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

Ordered, that the Bill be printed.

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

Ordered, that the House be called over on Saturday next

Agreeably to the Order of the day, the House resolved itself into a Committee of the whole House on the consideration of the Fishery and Judicature Acts.

Mr. SPEAKER left the Chair.

Mr. POWER took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Ordered, that the Committee have leave to sit again.

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

Mr. PETER BROWN reported from the Committee appointed to prepare an Address to his Excellency the Governor in pursuance of the Resolution of the House passed this day, that the Committee had prepared the draft of an Address accordingly. And he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows—Viz :

*To His Excellency Sir Thomas John Cochrane,
Knight, Governor and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies, &c. &c. &c.*

May it please Your Excellency,

The House of Assembly respectfully request that Your Excellency will be pleased to direct that there be laid before the House a Return of all Monies collected under the Act of the Legislature, passed in its first Session, to provide for the performance of Quarantine, as well as a statement of the application of the same monies.

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

Resolved, that the said address be adopted and presented to his Excellency by a committee of the House.

Ordered, that Mr. CARSON and Mr. P. BROWN, be a committee for that purpose.

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

FRIDAY, APRIL 4, 1834.

ON motion of Mr. POWER, seconded by Mr. KOUGH,
Ordered, that the petition of William Dalton and others, inhabitants of Carbonear, presented to the House on the 20th day of March last, be now read.

Printed.

Notice of motion for call of the House.

Mr. Sweetman presents bill to regulate Salmon Fisheries.

For 2d reading on Monday next.

Printed.

Order for call of the House on Saturday,

House in committee on Judicature act.

Report.

Order of day for to-morrow.

Report of committee to draft address relative to Quarantine receipts.

Address read.

Address adopted.

Committee to present the same.

Petition of W. Dalton and others read

Petition of Wm. Dalton &c

And the said petition was read accordingly, setting forth that the petitioners have read and maturely considered a certain bill before the House to regulate the making and repairing of roads and highways in this Island, and beg to state to the House, that they are of opinion the said bill if passed into a law would be both oppressive and unjust—unjust as regards its regulations, and oppressive at the present period while there exist such general depression of trade, and almost universal poverty and distress amongst the working classes, on whom the great burden contained in the said bill must necessarily fall. The petitioners further state, that at the time they petitioned the Parent Government for a Local Legislature for this Island, they were led to believe, and were persuaded into the belief by some of the honorable Members of the House, that the surplus revenue annually sent from this colony, and appropriated to the aggrandizement of other parts, would be retained in the Island to be applied to the general improvement of the country, and the amelioration of the condition of the people, by affording employment to the labouring classes in making and repairing roads, highways, &c., but the petitioners in viewing the statement put forth in the speech of his Excellency the Governor respecting the revenue, are now convinced of the fallacy and error of such belief and of the utter impossibility of its being realized.

The petitioners, therefore, fervently and humbly pray, that the said bill may not pass into law, and that the House may be pleased to consider any bill for the making of roads, an after consideration to other more important measures, better calculated to conduce to the more immediate wants of the people; and that the House will not pass a road act until such time as the Revenue can afford to be applied for that purpose, and the labouring classes be relieved from their present state of indigence and misery.

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

House in committee on road bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House, on the consideration of the bill for the making and repairing of highways, and the several other bills which stood committed.

Mr. SPEAKER left the Chair.

Mr. SWEETMAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

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

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

Committee to sit again to-morrow.

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

The order of the day for the House in committee of the whole House on the consideration of the Judicature act—and also the order of the day for the House in committee of the whole House on the consideration of a supply to be granted to his Majesty being read,

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

Order of the day postponed.

Ordered, that the said orders of the day be postponed until to-morrow.

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

SATURDAY, APRIL 5, 1834.

Time for receiving address fixed

MR. SPEAKER laid before the House a Letter from the Honorable Mr. Secretary Crowdy, acquainting Mr. Speaker, for the infor-

mation of the House, that his Excellency the Governor had appointed eleven o'clock, this day, for receiving a Committee of the House, with the Address passed on Thursday last.

Mr. Row gave notice, that, on Monday next, he should move for leave to bring in a Bill to provide for the maintenance of Bastard Children and Orphans.

Notice of bill to provide for bastards and orphans

An engrossed Bill for the relief of Insolvent Debtors taken in execution, was read a third time.

Insolvent debtors bill read 3d. time.

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

Resolved, that the Bill do pass and that the Title be "An act for the relief of Insolvent Debtors taken in execution."

Passed Title.

Ordered, that Mr. Row do carry the said Bill up to the Honorable Legislative Council, and desire their concurrence to the same.

Sent to Council.

Pursuant to Order, the House was called over, when it appeared that the following Members were absent:—WILLIAM BROWN, WILLIAM HOOPER.

House called over. Members absent.

Agreeably to the Order of the day, the House resolved itself into a Committee of the whole House on the consideration of the Message of his Excellency the Governor, relative to the Fishery act; and, also, upon the consideration of the present state of the Judicature.

House in committee on fishery and Judicature acts.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had made some progress in the business to them referred, and had agreed to certain Resolutions which they had directed him to report to the House, whenever it should be pleased to receive the same.

Report.

Ordered, that the Report be now received.

The Chairman then read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

Report read.

The Committee of the whole House to whom was referred the Message of his Excellency the Governor on the subject of the Fishery act, having taken the same into their consideration, have agreed to report, and do report as follows:

Report on Fishery Act

Resolved, that it is the opinion of this Committee, That the second section of the act of the Imperial Parliament, 5th Geo. 4th, cap. 51, commonly called the Fishery act, whereby aliens or strangers are forbidden to fish on the coasts, Bays, or Rivers of this Island, or of the coasts of Labrador, being matter of national policy, is not within the province of this House; but that it is necessary for the protection of the Fisheries that the same be re-enacted.

Resolved, that it is the opinion of this Committee, That as no doubt is now entertained as to the right of all his Majesty's subjects to fish on these coasts, and as those who land to cure their Fish must necessarily be subject to any Colonial Law with respect to cutting timber, &c., no re-enactment by the Imperial Parliament on the subject of the third section seems to be required.

Resolved, that it is the opinion of this Committee, That the provisions of the fourth section having been secured by the act lately passed to regulate the Trade of his Majesty's Possessions abroad, no further enactment on the subject of that section is at present necessary.

Resolved, that it is the opinion of this Committee, That with the 12th and 13th sections, as they relate to matters exclusively of National Policy

Report.

connected with treaties made by his Majesty with Foreign States, this House (notwithstanding the baneful effects of such treaties upon the interests of the Colony, so often complained of as ceding away the best part of our shores) presumes not to interfere; but would, nevertheless, most earnestly press upon the consideration of his Majesty's Government, the expediency of rescinding any orders or instructions whereby his Excellency the Governor or any other Officer may (in the terms of the act) be directed to move any Stages, Flakes, Train Vats, or other works whatever, erected by his Majesty's subjects, or, in any manner, to prevent that concurrent right of fishing which it is considered the treaties made by his Majesty do yet permit.

Resolved, that it is the opinion of this Committee, That the Fishing Ships' Rooms in the respective harbors of this Island, being so situate, as under proper management to be made of considerable value to the Colony as a permanent Fund for local purposes, it would be expedient to revive the 14th section; but it would be desirable that by a new enactment the Ships' Rooms therein mentioned should be placed at the disposal of the Colonial Legislature.

Resolved, that it is the opinion of this Committee, That the 15th section, giving power to his Majesty to grant waste and unoccupied Lands, should be re-enacted, with a clause giving authority to the Colonial Legislature to make general regulations respecting the disposal of such lands.

Resolved, that it is the opinion of this Committee, That all other parts of the said act being entirely of a local nature, this House will forthwith proceed to take the same into consideration, and make such provision, in relation thereto, as is consistent with the present condition of the colony.

Resolved, that it is the opinion of this Committee, That, in the event of any act of the Imperial Parliament being passed on any of these subjects, it would be desirable also to repeal so much of the act of the 49th Geo. 3rd, cap. 27, as was not repealed by the 5th Geo. 4th, cap. 67, except so much thereof as relates to the re-annexing part of the coast of Labrador to the Government of Newfoundland; and also that the act 1st Geo. 4th., cap. 51, (the Street act) should be repealed, in order that any improvement of the Metropolis which may, from time to time, be contemplated by the Colonial Legislature, may not be controlled thereby.

The Committee, on the further consideration of such other provisions of the said act as are regarded of a local character, have agreed to the Resolutions following:

Resolved, that it is the opinion of this Committee that the provisions of the *seventh*, *eighth* and *ninth* sections of the Fishery act, should be re-enacted—with exception of so much of the *eighth* section as relates to the proportion of advance to be made to any Fisherman or Seaman, and placing other servants employed in the Fishery on the same footing as Seamen and Fishermen.

Resolved, that it is the opinion of this Committee, that the *tenth* section of the said act should be re-enacted, but extending the same preference to other servants employed in the Fishery, as is therein given to the Seamen or Fishermen.

Resolved, that it is the opinion of this Committee, that the Law of Current Supply, both as it affects the Supplier's Lien, upon the voyage, and the preference in payment on Insolvent Estates, is inapplicable to the present condition of the Colony under the altered method of transacting business, and ought, after a limited period, to be abolished; that the too easy facilities afforded by it of obtaining credit upon the supposed faith of the voyage, have a tendency to demoralize society, by inducing habits of carelessness among the labouring classes, and by confounding the distinctions that ought to arise from character.

That it is the opinion of this Committee that the provisions of the *eleventh* section should be so altered as that a shorter absence of the servant should be deemed a desertion, so as to enable the Master to provide another in his stead; and that the consequences of desertion should be less penal.

In reference to the present state of the Judicature of the Colony, the Committee have agreed to the Resolutions following:

Resolved, that it is the opinion of this Committee, that it is expedient to alter and amend the Act of the Imperial Parliament 5 Geo. 4, cap. 67, entitled "An Act for the better administration of Justice in Newfoundland and for other purposes."

Resolved, that it is the opinion of this Committee, that the Circuit Courts under their present system of operation having been found, after an experience of eight years, to be insufficient and unsuited to the present state and condition of the Colony, ought to be revised.

Resolved, that it is the opinion of this Committee that Courts of General Sessions of the Peace should be established in every District of the Island, which should possess similar jurisdiction with Courts of Sessions of the Peace in England. That the Civil Jurisdiction of such Courts should extend to all causes of Servants' Wages, and to the trial of all other Civil matters, under a certain amount, (except the matter in dispute relate to the Title to any Lands or Tenements—Right of Fishery—or to the taking or demanding of any fee of Office). That there should be to each Court of Sessions an efficient President or Chief Magistrate, who should have an annual salary, and should have power to try such Civil Causes alone, when no other Magistrate appeared, and with or without a Jury, according to the desire of the parties. That such Presidents or Chief Magistrates should also be empowered to issue original process of the Supreme Court in their respective Districts, and to try by a Jury any Issues of fact which might be sent to them by the Supreme Court. That in all causes, above a certain amount, (except for wages) there should be an appeal to the Supreme Court, and that such President or Chief Magistrate should also be Registrar of Deeds for the District.

The Chairman also reported, that he was directed by the Committee to move for leave to sit again on the further consideration of the state of the Judicature

Ordered, that the Committee have leave to sit again, on Monday next.

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

Ordered, that the question of concurrence be now put upon the said resolutions.

And the same having been read throughout a first and second time and the question of concurrence being separately put thereon,

Resolved, that this House do concur with the Committee in the said Resolutions.

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

Ordered, that a copy of such of the above Resolutions as relate to the Message of His Excellency the Governor on the subject of the Fishery Act, be transmitted to the Honorable the Legislative Council, with a request that they will concur in the same.

Ordered, that Mr. ROW do communicate the said Message to the Honorable the Legislative Council.

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

Resolved, that a Committee be appointed to draft and report to the House a Bill or Bills in pursuance of the above Resolution, relative to the establishment of Courts of General Sessions of the Peace

Report.

Report on the Judicature act.

Leave to sit again.

Question of concurrence put.

House concur in the report of the committee.

Resolutions relative to Fishery act sent to council for concurrence.

Committee to draft bill to establish courts of sessions of the Peace.

Committee.

Ordered, that Mr. ROW, Mr. CARSON, Mr. PACK, Mr. CARTER, and Mr. KOUGH, do form a Committee for that purpose.

Then, on motion of Mr. POWER, seconded by Mr. COZENS,

The House adjourned until six o'clock, P. M.

At six o'clock, the House met pursuant to adjournment.

House in committee on bills

Agreeably to the Order of the day the House resolved itself into a Committee of the whole House, on the consideration of the several Bills which stood committed.

Mr. SPEAKER left the Chair.

Mr. POWER took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.
Road Bill with amendments.

The Chairman reported from the Committee that they had gone through the Bill to regulate the making and repairing of Roads and Highways in this Island, and had made certain amendments to the same, which they had directed him to report to the House. Also, that the Committee had gone through the Bill to ascertain the time of the commencement of the Acts of the Parliament of this Colony and for the speedy publication of the same, and had agreed to the said Bill without any amendment:—and that he was directed by the Committee to move for leave to sit again, on the consideration of the several Bills which stood committed.

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

Commencement of Acts of Parliament bill without amendment.

The amendments made by the Committee to the Bill to regulate the making and repairing of Roads and Highways, were then read throughout a first and second time, and upon the question put thereon, were agreed to by the House.

Amendments to road bill read and adopted.

Ordered, that the Bill with the amendments be engrossed.

Bill engrossed.

Ordered, that the Bill for ascertaining the time of the commencement of the Acts of the Parliament of this Colony, be engrossed.

Bill engrossed,

Registration of Deeds bill read 2d time.

A Bill relating to the registration of Deeds was read a second time.

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

Committed.

Ordered, that the Bill be committed to a Committee of the whole House

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

Order of the day postponed.

The Order of the day for the House in Committee of the whole House on the consideration of a Supply to be granted to His Majesty, being read,

Ordered, that the said Order of the day be postponed until Monday next.

Order of the day for Monday next.

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

Ordered, that the Bill to remove doubts relative to the introduction of the Law of England into this colony, and the Bill to regulate the inspection of pickled Fish, be taken into consideration in committee of the whole House on Monday next.

Then the House adjourned until Monday, at eleven of the clock.

MONDAY, APRIL 7, 1834.

Report of Committee to present address relative to Quarantine Receipts.

MR. CARSON reported from the committee appointed to wait on his Excellency the Governor with the Address of the House passed on Thursday last, requiring Returns of the monies collected under the Quarantine Act, that the committee had waited on his Excellency with

the Address accordingly, and, in reply thereto, that his Excellency was pleased to say, he would order the said Returns to be laid before the House with all convenient speed.

Salmon Fisheries bill read 2d time.

Agreeably to the Order of the day, a Bill to regulate the Salmon Fisheries of this colony and its dependencies, was read a second time.

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

Committed.

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

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

Time of adjournment.

Ordered, that this House, when it doth adjourn, do adjourn until seven o'clock this evening.

Mr. Speaker lays before the House a letter of Mr. Hooper, Member for Burin,

Mr. SPEAKER acquainted the House that he had received a Letter from William Hooper, Esq., Member for Burin, which he read to the House, acknowledging the receipt of Mr. Speaker's order to attend in the House on the 18th ult., and stating, for reasons set forth in the said Letter, his inability to comply with the Order of the House, and to be in attendance therein on the day appointed.

Bill to provide for bastards presented & read.

Mr. Row, pursuant to notice and leave granted, presented a Bill to provide for the maintenance of Bastards, and the same was read a first time.

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

On motion of Mr. P. BROWN, seconded by Mr. SWEETMAN,

House in committee on bills.

The House resolved itself into a committee of the whole House on the consideration of such Bills as stood committed.

Mr. SPEAKER left the Chair.

Mr. POWER took the Chair of the committee.

Mr. SPEAKER resumed the Chair, the Black Rod being at the door.

The Chairman again took the Chair of the committee.

Mr. SPEAKER resumed the Chair.

Report.

Mr. POWER, the Chairman of the committee, reported, that the committee had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

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

Mr. Speaker reports message from Council with bill to regulate the rate of interest ;

Mr. SPEAKER reported that the Master in Chancery had brought down from the Honorable the Legislative Council a Bill entitled " An Act to regulate the rate of Interest in this Island," to which the concurrence of this House was desired.

also,

Also, that the Master in Chancery had brought down from the Honorable the Legislative Council, the following written Messages:

*Legislative Council Chamber, }
7th April, 1834. }*

Mr. Speaker,

St. John's Mechanics' Society Incorporation bill without amendment.

The Legislative Council have passed the Bill entitled " An Act to incorporate the St. John's Mechanics' Society" without amendment.

H. J. BOULTON,
Speaker L. C.

also

Mr. Speaker,

Copy of address of Council to his Majesty.

The Legislative Council have taken into their consideration the Message sent up from the Commons' House of Assembly, transmitting the

copy of an Address from the Assembly to his Majesty, and to the prayer of which they requested the concurrence of the Legislative Council, and they have adopted an Address to his Majesty upon the same subject ; a copy of which is transmitted to the Commons' House of Assembly for their information.

H. J. BOULTON,
Speaker L. C.

Legislative Council, }
7th April, 1834. }

Rate of Interest Bill read
1st time.

The Bill sent down from the Honorable the Legislative Council, entitled "An Act to regulate the rate of Interest in this Island" was read a first time.

Ordered, that the Bill be read a second time.

Address of Council to the
King read.

The copy of the Address of the Honorable the Legislative Council to his Majesty was read by the Clerk, and is as follows ;—

TO THE KING'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign,—

We, Your Majesty's dutiful and loyal Subjects, the Legislative Council of Newfoundland, in Parliament assembled, in approaching Your Majesty with sentiments of the most affectionate regard for Your Majesty's Person and Government, beg leave respectfully to represent to Your Majesty the extremely embarrassed condition in which we find the Finances of the colony at the very outset of our first efforts towards Colonial Legislation, and to beseech Your Majesty to extend for some years at least, and until our resources can be more thoroughly developed and be better understood, that fostering care to the seafaring population of this Island, with which Your Illustrious Predecessors so long cherished our Sister Colonies, and more especially those on the neighbouring Continent which, notwithstanding the fertility of their soil, and the more genial character of their climate, were, nevertheless, in their early settlement unable to sustain the expenditure necessary for the due administration of their respective Governments.

It appears by the Returns laid before the Legislature by his Excellency the Governor, that the nett Revenue arising from the duties of Customs during the year One thousand eight hundred and thirty-three, under Acts of the Imperial Parliament, amounted to Eight thousand, eight hundred, and fifty pounds within a fraction, and that the like Revenue, derived under the Colonial Act passed on the twenty-second day of July last up to the first day of February in this year, being a period of six months, amounts to the sum of One thousand, nine hundred, and eighty five pounds, as the Revenue over which the Legislature have any controul, exclusive of a trifling sum received for Licenses to retail Spirituous Liquors, of which we have no precise return.

From this sum the Salaries of the Governor, the Chief Justice, and Assistant Judges, the Attorney-General, and Colonial Secretary, amounting to the sum of Six thousand, five hundred pounds are deducted, leaving a balance of four thousand, two hundred, and thirty-five pounds, to meet the other charges of the Colonial Government, which, according to the Estimate for the current year transmitted by the Governor, amounts to the sum of Thirteen thousand, five hundred, and fifty one pounds, eighteen shillings, and four pence, from which deduct the last mentioned sum of four thousand, two hundred and thirty-five pounds, and there will remain the sum of Nine thousand, three hundred, and six pounds unprovided for, and this, Your Majesty will perceive, without devoting any part of the Public Revenue to General Improvement.

It is true that some of the charges contained in the Estimate may, without detriment to the public service, in some measure be curtailed, if not altogether dispensed with by the abolition of the offices in which they are incurred ; but should any such savings be thus effected, other charges to the same extent will be required to defray the expense of any improved system which may be adopted in place of that which might be superseded, and, therefore, we are constrained to assure Your Majesty that we see no means of materially diminishing the amount required for the public service.

We are not disposed to draw any invidious comparisons between this and any other Colony which has been the object of Your Majesty's solicitude, but when we see Sierra Leone, in Africa, and the British Provinces in America, as opposite in their condition and usefulness as they are in local position, all enjoying either large Grants from Your Majesty's Imperial Parliament, or, upon their discontinuance, deriving considerable Revenues from the Territorial Possessions of the Crown, which from the rapid settlement, have become available within their limits, we hope we shall not be regarded as unmindful of the burthens already borne by the Parent State, when respectfully urging upon Your Majesty's consideration the necessity of affording this Colony that aid from the Imperial Treasury which our own resources are inadequate to supply without imposing duties upon the necessaries of life.

Those articles of general consumption which are generally called luxuries are already subjected to duties, which are quite as high as can be reasonably imposed with a view merely to the raising of a Revenue, and we do not think that either the necessaries of life or the marine supplies for the Fisheries could, with any advantage to British Interests be made the object of taxation—to say nothing of the hardship of imposing burthens on the laborious classes whose avocations are sufficiently perilous in their nature as well as hazardous in their results without adding to their privations by raising the price of those commodities which are as necessary to the support of their families as they are indispensable for the prosecution of their daily calling.

The relations between this Colony and the Parent State are of a peculiar nature and are induced from causes which do not affect the Policy of Your Majesty's Government with regard to any other of Your Majesty's Foreign Possessions.

Newfoundland is and must ever remain a mere fishing station, attached to whatever Country may be enabled, by its own power, to keep it from falling into the hands of any other ;—that it may always continue to be one of the numerous sources of National Wealth as well as maritime greatness of our Parent State, is the earnest desire of every inhabitant of the Island.

Agriculture can under no possible circumstances ever become more than an auxiliary to the Fishery. It can never subsist as an independent branch of National Industry, and the utmost limit to which it can be carried will never exceed a precarious growth of vegetables and grass, with occasionally some coarse grain to eke out a scanty supply of provender for the small stock of cattle which it may be necessary to keep during the winter. For bread and all other necessaries of life, the Inhabitants of Newfoundland will ever be dependent upon a foreign supply. It is therefore obvious that her population can never be reasonably expected to increase far beyond what the Fisheries will afford employment for.

But even these are not our own—all our fellow-subjects as well from Home as from the neighbouring Colonies are equally entitled with ourselves to come and fish upon our shores, and foreign nations have by

Address.

Treaty not only the right to fish in our waters, but France has the exclusive right along a most valuable part of our coast ;—thus the Inhabitants of this Colony are not only subjected to the competition of their fellow-subjects, but are actually excluded by Foreigners from competing with them on their own shores. Under these circumstances, we would humbly urge upon Your Majesty's gracious consideration, that it is not reasonable that the resident Fishermen and others engaged in the Trade of this Island dependent on their success, should be burthened with the whole expense of the Civil Government while they are not the sole objects of its protection.

In the neighbouring British Possessions, it is true, strangers are entitled to the protection of the Law equally with the settled Inhabitants, but the stranger lives in the Country, and whatever he expends whilst there, circulates through the various avenues of public wealth and adds to the general stock of national prosperity ; not so here—a ship arrives during the height of the Fishing Season, brings her own supplies, and without doing ought to the general good, participates equally in the harvest with those who reside in the Island. If one of their men, however, be killed in an affray our Courts are open for the prosecution of the offender, or should any civil right be invaded, they are equally ready to afford redress, and yet the people of Newfoundland are expected to pay the entire charge of that branch of the Public Service.

The greater the number of Emigrants that arrive in the neighbouring Provinces in any year, the more the resources of those Colonies are extended and the country is proportionably enriched ; but the greater the number who come here, the more there will be to share those gains which their presence tends in no degree to increase. In the Agricultural Colonies a few years of partial industry clears the husbandman's allotment of ground, and he is assured of an independence for his declining years, but the frequent ploughing of the boisterous ocean tends in no degree to smooth its billows or render the last adventure more secure than the first. The life of a Fisherman is one of toil, of danger and of uncertainty,—each year's exertions being quite independent on that which is past or on those which are to come. One gust of wind may founder a vessel built and fitted out by the savings of a whole life of patient industry. If the crop of the Agriculturist be occasionally blighted, he has still the farm to which he may look with assurance for a better return for his next year's labour ;—not so the seafaring man, if his bark be overset by the gale, he is thankful to escape with his life though bereaved of his all.

In addition to these natural difficulties with which the People of this Island have to contend there are others of a political nature which prove equally ruinous to their trade and prosperity.

In so important a light are the fisheries of Newfoundland held by the French Government as a nursery for Seamen, that they have not only been careful at every Treaty with England on the return of peace after their longest and most disastrous conflicts, to secure to themselves the exclusive right to catch and cure fish on extensive portions of our coast, but knowing that mere permission would not induce their subjects to risk either their lives or their property in such precarious and hazardous Trade, large bounties more than equal to the full value of the article to be reclaimed from the ocean are granted by that Government to those who will adventure in its prosecution. The gross amount of these bounties on Fish bestowed by the French Government on those engaged in the Trade, has in many years considerably exceeded One hundred and fifty thousand Pounds, Sterling, which, in truth, is a premium given to their People to become Seamen.

If it were not for these bounties, they could not come in competition with the Inhabitants of the Island, and their right to Fish on our coasts would fall into disuetude ;—but at present the British Fishermen of Newfoundland have to contend in the Foreign Market with the capital and enterprise of Foreigners, aided and supported by their Government and the public resources of their country.

We do not presume to offer an opinion upon the policy which the Parent State has found it necessary perhaps to pursue in her Foreign Relations, with regard to the Fisheries on the coast of Newfoundland, but we, nevertheless, feel that the whole of its disastrous consequences, falls exclusively upon the people who reside here, and, therefore, we would again humbly urge upon Your Majesty our earnest request that some portions of the expenses of the Civil Government of this Colony may be defrayed by the Imperial Treasury.

At this moment a prosecution is depending in our Courts for a murder alleged to have been committed on that part of the Island, which, from the exclusive right of the French to fish there, is called the French Shore ; and the Revenues of Newfoundland must pay the charge of conducting it to its final result ; and yet that part of our coast had better not be, so far as we are concerned, as it only furnishes means to our Rivals to oppose us in every market we enter.

If this Colony like most others had all the resources of the Country they inhabit at their own disposal, if we alone had the right of fishing on our own shores, we should have no occasion to ask assistance from the Mother Country ; but when we have merely the exclusive right to the cultivation of the soil which, from the inferiority, few will desire to participate in, we indulge a belief that Your Majesty will be graciously pleased to recommend the condition of this colony to the favourable consideration of Parliament.

H. J. BOULTON,
Speaker.

Legislative Council, }
27th March, 1834. }

Ordered, that the said copy of the address do lie on the table to be perused by the Members.

The order of the day for the House in committee of the whole House on the consideration of a Supply to be granted to his Majesty being read,

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

Ordered, that the said order of the day be postponed until Friday next.

Then, on motion, the House adjourned.

At seven o'clock P. M. the House met, pursuant to adjournment.

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

The House resolved itself into a committee of the whole House on the consideration of such bills as stood committed.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had made some progress in the business to them referred, and had gone through the bill to provide for the management of a certain public Wharf and Landing place in the town of St. John's, to which they had made certain amendments which he was directed to report to the House, and he delivered the bill with the amendments in at the Clerk's table.

Address

Order of the day for Supply read and postponed.

House adjourn.

House in Committee on Bills

Report.

Beck's Cove Bill with amendments.

The Chairman also reported that he was directed by the committee to move for leave to sit again, on the further consideration of such bills as stood committed.

Amendments read and adopted.

The amendments made by the committee to the said bill were then read throughout a first and second time, and, upon the question severally put thereon, were agreed to by the House.

Bill engrossed.

Ordered, that the bill with the amendments be engrossed.

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

TUESDAY, APRIL 8, 1834.

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

Committee to search Council's Journals for proceedings on Triennial Bill.

Resolved, that a committee be appointed to search the Journals of the Legislative Council to ascertain what proceedings have been had upon the bill sent up from this House entitled "An Act to limit the duration of the present and all future Parliaments of this Colony."

Ordered, that Mr. PACK and Mr. MARTIN do form a committee for that purpose.

Commencement of Acts of Parliament Bill read 3d time.

An engrossed bill for ascertaining the time of the commencement of the acts of the Parliament of this Colony, and for the speedy publication of the same, was read a third time.

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

House in Committee on Bills,

The House resolved itself into a Committee of the whole House on the consideration of such bills as stood committed.

Mr. SPEAKER left the Chair.

Mr. SWEETMAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

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

Ordered, that the Committee have leave to sit again.

House in Committee on Conception Bay Police Bill.

Agreeably to the order of the day, the House resolved itself into a Committee of the whole House on the consideration of the Bill to regulate the Police of the District of Conception Bay.

Mr. SPEAKER left the Chair.

Mr. SWEETMAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report progress.

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

Ordered, that the committee have leave to sit again accordingly.

Message from the Governor with Petition of Wm. Phipard.

A Message from his Excellency the Governor.

The Hon. Mr. Secretary CROWDY acquainted the House that he had a Message from his Excellency the Governor, signed by his Excellency, which he presented to the House; and the same was read by Mr. SPEAKER, (all the Members being uncovered) and is as follows:

MESSAGE.

"THOMAS COCHRANE."

The Governor transmits to the House of Assembly the accompanying petition from William Phipard, Chief Constable of the town of St.

John's, whose case he recommends to the favourable consideration of the House.

Government House,
7th April, 1834. }

The petition accompanying the said Message was then read by the Clerk.

Ordered, that the said Message and petition do lie on the Table.

Mr. Row reported from the committee appointed to prepare the draft of a bill for the establishment of Courts of Sessions of the Peace in this Island, in pursuance of the resolution of Saturday last, and he presented to the House a bill for that purpose, which was read a first time.

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

Ordered, that the bill be printed.

Mr. SWEETMAN, seconded by Mr. COZENS, moved that the House do come to the resolution following :

Whereas it appears to the House that the inhabitants of certain parts of Placentia Bay are in a state of the most pressing want, and immediate measures should be taken for their relief—*Resolved, therefore*, that a committee be appointed to wait on his Excellency the Governor and request that his Excellency will, without loss of time, cause provisions to be sent round to Barren Islands and Little Placentia in Placentia Bay, to be distributed among the inhabitants of these places, the expense of which as well as of the transportation thereof this House will guarantee, provided the same shall not amount to more than Two hundred Pounds.

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

So it passed in the negative.

Mr. Row, seconded by Mr. KOUGH, moved that it be the order of the day for to-morrow, for the House in committee of the whole House to take into consideration the bill for removing doubts respecting the introduction of the Laws of England into this Colony.

In amendment, Mr. PETER BROWN, seconded by Mr. SWEETMAN, moved that the House do adjourn for one month.

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

For the amendment
Mr. P. BROWN
— SWEETMAN.

Against the amendment
Mr. COZENS
— ROW
— PACK
— KOUGH
— CARTER
— MARTIN
— HOYLES
— POWER.

So it passed in the negative.

The original motion upon the question put thereon, then passed in the affirmative, and it was

Ordered accordingly.

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

WEDNESDAY, APRIL 9, 1834.

MR. SPEAKER acquainted the House that the Sergeant-at-Arms was unable, from a recent domestic calamity, to attend the House,

Petition read.

Bill to establish Courts of Session presented & read.

2d reading.

Printed.

Motion of Mr. Sweetman for Committee to wait on Governor for aid to the Poor of Placentia Bay, to be made good by the House.

Motion lost.

Motion of Mr. Row to consider Bill for removing doubts respecting the Law of England to-morrow.

Amendment of Mr. Peter Brown that the House adjourn for one month.

House divide.

Amendment lost.

Original motion carried.

Sergeant at Arms unable to attend.

and begged to be excused from attending in his place in the House this day.

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

Ordered, that Mr. SPEAKER do appoint some proper person to act as Sergeant-at-arms for the day during the absence of the Sergeant-at-arms.

And thereupon Mr. Speaker appointed Mr. John Canning, Principal Door Keeper, to act as Sergeant-at-arms accordingly.

Pursuant to the order of the day, a bill to provide for the maintenance of bastards was read a second time.

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

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

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of the bill to regulate the packing and inspection of Pickled Fish for exportation from Newfoundland.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the committee that they had gone through the said bill and had made certain amendments thereto, which he was directed to report to the House whenever it should please to receive the same.

Ordered, that the report be received to-morrow.

Mr. CARTER, pursuant to notice and leave granted, presented a Bill to regulate the Standard of Weights and Measures in this Island, and the same was read a first time.

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

Ordered, that the Bill be printed.

An engrossed Bill to regulate the making and repairing of Roads and Highways in this Island was read a third time.

Mr. KOUGH, seconded by Mr. CARTER, moved that the Bill be re-committed to a committee of the whole House for the purpose of re-considering the second section ;—

Which being put, passed in the negative.

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

Ordered, that the Bill do pass and that the Title be "An Act to regulate the making and repairing of Roads and Highways in this Island."

Ordered, that Mr. COZENS do carry the Bill to the Council and desire their concurrence.

Mr. CARTER gave notice that on Monday next he should move for leave to bring in a Bill to provide for the inspection of wet and dry provisions imported into this Island.

An engrossed Bill to provide for the management of a certain Public Wharf in the Town of St. John's was read a third time.

Mr. KOUGH, seconded by Mr. CARTER, moved that the word "four" in the eighth line of the second section be erased, and the word "two" substituted in its stead. Also that the word "four" in the twenty-fourth line of the same section be erased, and the word "six" be substituted in its stead ;—

Which being put passed in the affirmative, and the said alterations were made at the Table of the House.

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

Mr Speaker directed to appoint a Sergeant at Arms for the day.

Mr. Speaker appoints the Doorkeeper Sergeant at Arms.

Bastards Bill read 2d time.

Committed.

House in Committee on pickled Fish Bill.

Report.

Bill agreed to with amendments.

Bill to regulate the standard of Weights and Measures presented and read.

Second reading.

Printed

Road Bill read third time.

Motion to re-commit lost.

Bill passed.

Title.

Notice of Bill to provide for inspection of wet and dry provisions.

Beck's Cove Bill read 3d time.

Amendments made therein at the Table.

Ordered, that the Bill do pass and that the Title be "An Act to provide for the management of a certain public Wharf and Landing in the town of St. John's."

Bill passed.

Title.

Ordered, that Mr. KOUGH do carry the Bill to the Council and desire their concurrence.

Order of the day postponed.

The Order of the day for the House in committee of the whole House to take into consideration the Bill for removing doubts respecting the introduction of the Laws of England into Newfoundland, being read,

Ordered, that the said Order of the day be postponed until to-morrow. Then the House adjourned until to-morrow at twelve of the clock.

THURSDAY, APRIL 10, 1834.

A Petition from Thomas Fitzgibbon Moore was presented by Mr. Row and the same was received and read, setting forth that in obedience to the Order of the House, Petitioner proceeded on a journey from St. John's to King's Cove in Bonavista Bay, for the purpose of serving William Brown, Esquire, notice of a call of the House for the Eighteenth of March; and that the Petitioner was obliged to walk the whole distance—and praying the House to make him a reasonable compensation for his services.

Petition of T. F. Moore, presented and read.

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

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

Referred to Committee of Supply.

Agreeably to the Order of the day, a Bill to provide for the registration of persons entitled to vote at the Election of Members to serve in the General Assembly of this Island, was read a second time.

Registration of Voters Bill read second time.

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

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

Committed.

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

For consideration on Monday next.

Mr. HOYLES, the chairman of the committee of the whole House, to whom was referred the bill to provide for the packing and inspection of Pickled Fish for exportation from Newfoundland, reported according to order that the committee had gone through the bill, and had made certain amendments to the same, and he delivered the bill with the amendments in at the Clerk's table.

Report of Committee on pickled Fish Bill read

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

Adopted.

Ordered, that the Bill with the amendments be engrossed.

Bill engrossed.

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

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

Resolved, that a Committee be appointed to take into consideration the present distressed state of the Poor of St. John's, and to devise some means for their relief.

Committee to examine into the state of the poor of St John's.

Ordered, that Mr. KOUGH, Mr. CARSON, Mr. KENT, Mr. SWEETMAN, Mr. PACK and Mr. CARTER be a Committee for the above purpose.

Committee.

Pursuant to the Order of the day, the House resolved itself into a Committee of the whole House on the consideration of such Bills as stood committed.

House in Committee on Bills.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. **SPEAKER** resumed the Chair.

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

Ordered, that the Committee have leave to sit again.

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

FRIDAY, APRIL 11, 1834.

ON motion of Mr. **PACK**, seconded by Mr. **SWEETMAN**,

Ordered, that Mr. **MARTIN** have leave of absence for ten days, to attend to his private business.

Mr. **SPEAKER** laid before the House a Letter from the Honorable Mr. Secretary **CROWDY**, transmitting by command of his Excellency the Governor, a Return of the Receipt and Expenditure of all monies collected at the Port of St. John's under the Colonial Act of the 3d William 4th, cap. 1st, for the service of the Quarantine Department at the said Port agreeably to an Address of the House of the sixth instant.

The said Return was read by the Clerk.

[See Appendix.]

Ordered, that the said documents do lie on the Table to be perused by the Members.

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

Ordered, that Mr. **HOYLES** and Mr. **COZENS** be added to the committee appointed to enquire into the state of the Poor of St. Johns.

The Order of the day for the House in committee of the whole House on the consideration of a supply to be granted to his Majesty being read, The House resolved itself into the said committee accordingly.

Mr. **SPEAKER** left the Chair.

Mr. **HOYLES** took the Chair of the Committee.

Mr. **SPEAKER** resumed the Chair.

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

Ordered, that the Committee have leave to sit again.

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

Resolved, that an humble Address be presented to his Excellency the Governor, praying that he will cause to be laid before the House a Return of all Fees received by the Secretary of the Colony during the year ending the 1st of April, 1833—and of the service to which the same have been applied.

Ordered that Mr. **CARTER** and Mr. **PACK** be a committee to prepare the draft of an Address in pursuance of the above Resolution.

The Bill sent down from the Honorable the Legislative Council entitled "An Act to regulate the rate of Interest in this Island," was read a second time.

On motion of Mr. **ROW**, seconded by Mr. **CARTER**,

The House resolved itself into a Committee of the whole House on the consideration of such bills as stood committed.

Mr. **SPEAKER** left the Chair.

Mr. **HOYLES** took the Chair of the committee.

Report.

Progress.

Leave of absence granted to Mr. Martin.

Return of monies received under the Quarantine Act laid before the House.

Mr. Hoyles & Mr. Cozens added to the Poor Committee.

House in Committee of Supply.

Report.

Progress.

Motion for an address for a return of Secretary's fees.

Committee to draft address.

Rate of Interest Bill read second time.

House in Committee on Bills.

Mr. SPEAKER resumed the Chair.

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

Report.

Progress.

Ordered, that the committee have leave to sit again.

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

SATURDAY, APRIL 12, 1834.

MR. CARTER reported from the committee to prepare an address to his Excellency the Governor on the subject of the fees of the Colonial Secretary, in pursuance of the resolution of yesterday, that the committee had prepared the draft of an address accordingly; and he read the same in his place and afterwards delivered it in at the Clerk's Table where it was read and is as follows:

Report of committee to draft address relative to Secretary's fees.

To His Excellency Sir Thomas John Cochrane, Knight, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

Address read.

May it please Your Excellency,

The House of Assembly respectfully request that Your Excellency will be pleased to direct that there be laid before them a Return showing the amount of all fees received by the Secretary of the Colony during the year ending the 1st of April 1834—a detailed statement of the services for which the same were received, and of the services to which the same have been applied.

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

Resolved that the Address be adopted by the House.

Adopted.

Ordered, that the said Address be engrossed.

Engrossed.

Ordered, that Mr. CARTER and Mr. PACK be a Committee to present the same to his Excellency.

Committee to present.

Agreeably to the Order of the day an engrossed Bill to regulate the packing and inspection of pickled Fish for exportation was read a third time.

Pickled Fish Bill read third time.

Mr. Row, seconded by Mr. SWEETMAN, moved that the words "at the least" be inserted in the fourth line of the third section of the said Bill between the words "respectively" and "over;"—

Which being put passed in the affirmative.

And the said words were interlined in the third section of the Bill at the Table of the House accordingly.

Amenments made at the table of the House.

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

Ordered, that the Bill do pass and that the Title be "An Act to regulate the packing and inspection of pickled Fish for exportation from this Island."

Bill passed.

Title.

Ordered, that Mr. Row do carry the same up to the Honorable the Legislative Council and desire their concurrence.

Sent to Council

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

The House resolved itself into a Committee of the whole House on the consideration of such bills as stood committed.

House in Committee on Bills.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the committee.

Mr. SPEAKER resumed the Chair.

Report.
Bastards Bill agreed to
without amendment.

The Chairman reported from the Committee that they had gone through the Bill to provide for the maintenance of Bastards, and had agreed to the same without any amendment. Also that they had gone through the Bill to increase the number of Representatives to serve in the General Assembly and had made certain amendments to the same which they had directed him to report to the House; and he delivered the bills with the amendments in at the Clerk's Table. The Chairman also reported that he was directed to ask for leave to sit again on the further consideration of the several bills before the Committee.

Increase of Members bill
with amendments.

Ordered, that the Committee have leave to sit again.

Amendments read and
adopted

The amendments made to the bill for the increase of the number of Representatives, were then read throughout a first and second time, and upon the question severally put thereon were agreed to by the House.

Bills engrossed.

Ordered, that the bill with the amendments be engrossed.

Ordered, that the bill reported without amendments be engrossed.

House in Committee of
Supply.

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

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

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

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

Ordered, that the Committee have leave to sit again.

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

MONDAY, APRIL 14, 1834.

Time for receiving address
fixed

Mr. SPEAKER laid before the House a Letter from the Honorable Mr. Secretary CROWDY, acquainting him for the information of the House, that his Excellency would receive a Committee of the House with the Address passed on Saturday last, to-morrow morning at eleven o'clock.

Bastards bill read 3d time

An engrossed bill to provide for the maintenance of Bastards was read a third time.

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

Bill passed.
Title,

Ordered, that the bill do pass and that the Title be "An Act to provide for the maintenance of Bastard Children."

Sent to Council

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

Third reading of increase
of members bill, order of
day for to-morrow

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

Ordered, that the bill for the increase of the number of Representatives to serve in the General Assembly of this Island, be read a third time to-morrow.

Message from the Council
With Law Society bill.

Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council a bill entitled "An Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island"—to which the concurrence of the House was desired.

The Master in Chancery also brought down the following written Message :

Mr. Speaker,

The Legislative Council have passed the bill sent up from the Commons' House of Assembly entitled "An Act for ascertaining the damages upon protested Bills of Exchange"—with some amendments to which they request the concurrence of that House..

H. J. BOULTON, *Speaker.*

Legislative Council, }
14th April, 1834. }

And then the Messenger withdrew.

The Bill sent down from the Honorable the Legislative Council entitled "An Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island," was read a first time.

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

The amendments made by the Honorable the Legislative Council to the Bill entitled "An Act for ascertaining the damages upon protested Bills of Exchange" were read a first time and are as follows :

Section First.—Expunge the words between "Dependencies" in the fifth line, and the word "upon" in the eleventh line ; and also between the word "place" in the twelfth line, and the word "that" in the thirteenth line.

Expunge the word "ten" in the fourteenth line, and insert in the place thereof the word "five."

After the first clause insert the words "together with the costs of protesting the same."

Expunge the last clause.

Ordered, that the said amendments be read a second time.

The order of the day for the House in Committee of the whole House on the consideration of the Bill for registering the names of persons entitled to vote at Elections being read, The House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the committee that they had gone through the said bill to regulate the names of persons entitled to vote at elections and had made certain amendments to the same, which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's table.

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

Ordered, that the Bill with the amendments be engrossed.

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

Ordered, that the bill for removing doubts respecting the introduction of the Law of England into Newfoundland, be taken into consideration in committee of the whole House to-morrow.

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

TUESDAY, APRIL 15, 1834.

THE order of the day for the third reading of the bill to increase the number of the members of the Assembly, being read,

Protested bills of Exchange bill with amendments.

Law Society bill read 1st time

Amendments to protested bills of Exchange bill read first time

House in committee on Registration of Voters Bill

Report.
Progress.

Order of the day read.

Motion to postpone it.

Mr. CARSON, seconded by Mr. PACK, moved that the said bill be read a third time on Wednesday, the 23d instant.

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

House divide.

For the motion—

Mr. CARSON
— PACK.

Against the motion—

Mr. CARTER
— HOYLES
— MARTIN
— ROW
— WM. BROWN
— COZENS
— KOUGH.

Motion lost.

So it passed in the negative.

Increase of Members bill
read 3d time.

The said Bill was then read a third time.

Bill passed.
Title.

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

Ordered, that the bill do pass and that the title be "An act for increasing the number of Representatives to serve in the General Assembly of this Island."

Sent to Council.

Ordered, that Mr. KOUGH do carry the same up to the Honorable the Legislative Council and desire their concurrence.

Courts of Sessions bill read
2d time.

Agreeably to the order of the day, a bill to establish Courts of Sessions in this Island was read a second time.

Committed.

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

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

Order of day for Saturday

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

Report of committee to
wait on Governor with ad-
dress relative to Secreta-
ry's Fees.

Mr. CARTER, Chairman of the committee appointed to wait on his Excellency the Governor with the address of the House relative to the Fees of the Colonial Secretary, reported that the committee had presented the said address to his Excellency the Governor, and in reply thereto his Excellency said he would cause the Return required to be laid before the House. The Chairman further reported that he had been furnished by the Secretary with the Return in question, which he laid before the House.

The said petition was then read by the Clerk, and it was

Ordered, that the same do lie on the table to be perused by the Members.

Law Society bill read 2d
time.

The Bill sent down from the Honorable the Legislative Council entitled "An act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island," was read a second time.

Committed.

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

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

Order of the day for
Thursday

Resolved, that this House will, on Thursday next, resolve itself into a Committee of the whole House on the consideration of the said bill.

The amendments made by the Honorable the Legislative Council to the bill sent up from this House entitled "An Act for ascertaining the damages upon Protested Bills of Exchange," were read a second time, and taken into consideration, and thereupon

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

Resolved, that a committee be appointed to draw up reasons to be offered to the Honorable the Legislative Council, at a conference, for disagreeing to the amendments made to the said bill.

Committee appointed to
draw up reasons to be of-
fered at a conference for
disagreeing to them.

Ordered, that Mr. Row and Mr. PACK do form a committee for that purpose.

The order of the day for taking into consideration in committee of the whole House, the bill for removing doubts respecting the introduction of the Laws of England into Newfoundland, being read,

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

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

Several Members having retired, and the names of those present being taken down as follows :

Mr. SPEAKER, Mr. CARTER, Mr. PACK, Mr. Row, Mr. KOUGH.

Mr. SPEAKER adjourned the House at half-past three o'clock for want of a Quorum.

Committee.

Order of the day read and

Postponed,

House adjourned for want of a quorum.

WEDNESDAY, APRIL 16, 1834.

ON motion of Mr. KOUGH, seconded by Mr. HOYLES,

Ordered, that the House do, to-morrow, resolve itself into a committee of the whole House on the consideration of a supply to be granted to his Majesty.

An engrossed bill for the registration of persons entitled to vote at elections was read a third time, and thereupon

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

Ordered, that the bill be re-committed to a committee of the whole House for the purpose of re-considering the fifth section thereof.

On motion the House then resolved itself into a committee of the whole House on the said bill.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the committee that they had re-considered the fifth section of the said bill and had amended the same by striking out the latter part of the said section.

Resolved, that this House do concur with the committee in the said amendment.

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

Ordered, that the bill do pass, and that the title be "An Act for registering the names of all persons entitled to vote at elections."

Ordered, that Mr. Row do carry the same to the Council and desire their concurrence.

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

Resolved, that a committee be appointed to wait on his Excellency the Governor with a copy of the Petition of Mrs. Mary Traverse, and state to his Excellency that this House having had no controul over the funds of the Colony during the year, do not feel themselves called upon to entertain any claim for expenses incurred during that period.

Ordered, that Mr. SWEETMAN and Mr. MARTIN do form a committee for the above purpose.

Agreeably to the order of the day a bill to regulate the Standard of Weights and Measures in this Island, was read a second time.

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

Supply made order of the day for to-morrow.

Registration of Voters Bill read 3d time.

Bill re-committed.

House in Committee.

Report.

Amendment.

Adopted.

Bill passed.

Title.

Sent to Council.

Committee appointed to wait on Governor with Petition of Mary Traverse &c.

Committee.

Weights and Measures Bill read second time.

Committed.

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

A Message from the Legislative Council by Mr. ROBINSON, one of the Masters in Chancery.

Mr. Speaker,

Message from Council.
Bill for punishment of
Criminals sent down.

The Legislative Council have passed a Bill entitled "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"—to which they request the concurrence of the Commons' House of Assembly.

And then the Messenger withdrew.

Bill read first time.

The said Bill sent down from the Honorable the Legislative Council was then read a first time.

2d reading.

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

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

Order for call of the House

Ordered, that the House be called over to-morrow morning.

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

THURSDAY, APRIL 17, 1834.

House called over.

A GREEABLY to the Order of the day, the House was called over, when the names of the following Members, who were absent, were taken down as follows :—

Members present.

PETER BROWN, JAMES POWER, WILLIAM HOOPER.

Petition of Thomas Chan-
cey and others presented
and read.

A Petition of Thomas Chancey and others, Members of the Commercial Society of Carbonear, in Conception Bay, was presented by Mr. PACK, and read, setting forth, that the Petitioners are deeply engaged in the supplying Trade, and long experience and the general poverty of the Inhabitants prove the impracticability of abolishing that system in Conception Bay. That under the present system of Jurisprudence, debts under Ten pounds can only be recovered in the Circuit Court, and that the sittings of that Court are so contracted, and at periods of the year so inapplicable to the recovery of small debts, that, generally, when process can be obtained, no property can be found but such as a conscientious creditor would be unwilling to touch—that the expenses of the recovery of these debts are very distressing to both debtor and creditor, and that if some means could be devised by which small debts might be retained whenever found, until an accommodation could be effected between the Parties at issue, it would obviate much trouble and expense, and very much conduce to the ends of Justice. That such a means would materially benefit poor debtors and would prevent litigation :—and praying that some persons may be invested with proper authority for carrying into execution the plan proposed by the Petitioners.

Ordered, that the Petition do lie on the Table.

House in Committee of
Supply.

The Order of the day for the House in Committee of the whole House on the consideration of a Supply to be granted to his Majesty being read,

The House resolved itself into a Committee of the whole House accordingly.

Mr. SPEAKER left the Chair.

Mr. SWEETMAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had made some

progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Report
Progress.

Ordered, that the Committee have leave to sit again.

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

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

FRIDAY, APRIL 18, 1834.

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

Resolved, that an Address be presented to his Excellency the Governor, praying that his Excellency will cause to be laid before the House any information he may have received relative to the subject matter of the Petition of Daniel M'Carthy presented to the House.

Motion for an address to the Governor for information on the subject of D. M'Carthy's Petition.

Ordered, that Mr. PACK and Mr. MARTIN be a Committee to prepare an Address in pursuance of the foregoing Resolution.

Agreeably to the Order of the day, the Bill sent down from the Honorable the Legislative Council entitled "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" was read a second time.

Punishment Bill read 2d time.

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

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

Committed.

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

Pursuant to the Order of the day, the House resolved itself into a Committee of the whole House on the consideration of a Supply to be granted to his Majesty.

House in committee of Supply.

Mr. SPEAKER left the Chair.

Mr. SWEETMAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair the Black Rod being at the door.

The Chairman again took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Report.
Progress.

Ordered, that the Committee have leave to sit again.

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

Mr. SPEAKER reported that Mr. ROBINSON, one of the Masters in Chancery, had brought down from the Honorable the Legislative Council the following written Message:

Mr. Speaker reports Message from Council,

Mr. Speaker,

The Legislative Council request a conference with the Commons House of Assembly upon the subject matter of the amendments made by that House in and to the bill sent down from the Legislative Council entitled "An Act to declare all Landed Property in Newfoundland Real Chattels."—and have appointed the hon. Mr. Dunscomb, and the hon. Mr. Garland, as conferees on the part of this House, who will be ready to meet a committee on the part of the Commons' House of As-

requesting a conference on the Amendments made in the Real Chattels Bill.

sembly on Monday next, at twelve of the clock, noon, in the Committee Room of the Legislative Council for that purpose.

H. J. BOULTON, *Speaker*.

Legislative Council, }
Friday, April 18, 1834. }

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

Conference agreed to.

Resolved, that the request of the Honorable the Legislative Council be acceded to, and the Conference desired by that House be agreed to.

Committee of Managers.

Ordered, that Mr. Row, Mr. CARSON, Mr. CARTER, and Mr. PACK, be a Committee to manage the said conference on the part of this House.

Message to acquaint Council thereof.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the conference requested by that House.

Notice of motion for evening sittings.

Mr. KOUGH gave notice that, to-morrow, he should move that the House do resume its sittings in the evening.

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

SATURDAY, APRIL 19, 1834.

Order of the day read.

THE Order of the day for the House in Committee of the whole House on the consideration of the Bill to establish Courts of Session in this Island, being read,

Postponed until Wednesday.

Ordered, that the said Order of the day be postponed.

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

Order of the day read, and

The Order of the day for the House in committee of the whole House on the consideration of a supply to be granted to his Majesty being read,

Ordered, that the said Order of the day be postponed.

Postponed until Monday.

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

House in committee on Bills.

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

The House resolved itself into a committee of the whole House on the consideration of such Bills as stood committed.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Punishment bill reported with Amendments.

The Chairman reported from the committee that they had gone through the Bill sent down from the Honorable the Legislative Council entitled '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,' and had made some Amendments to the same: Also, that they had gone through the Bill sent down from the Honorable the Legislative Council entitled "An Act to incorporate a Law Society in Newfoundland, and to provide for the admission of Persons to practice in the Courts of Law in this Island" and had made some Amendments to the same: Also that they had gone through the Bill to regulate the Salmon Fisheries of this Island and its Dependencies, and had made an Amendment thereto—all which he was directed to report to the House; and he delivered the Bills with their amendments in at the Clerk's Table.

Law Society Bill reported with amendments.

Salmon fisheries Bill reported With Amendments.

The Chairman also reported from the committee that they had directed him to move for leave to sit again on the further consideration of the Bills before them.

Ordered, that the Committee have leave to sit again.

The Amendments made by the committee to the said Bills sent down from the Legislative Council were then read throughout a first and second time, and, upon the question put thereon, were agreed to by the House.

Amendments read and adopted.

Ordered, that the said Amendments be engrossed.

The Amendment made by the committee to the Bill to regulate the Salmon Fisheries was also read a first and second time, and upon the question put therein, was agreed to by the House.

Ordered, that the Bill with the Amendment be engrossed.

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

Ordered, that one hundred copies of the Bill for the regulation of the Salmon Fisheries, as amended, be printed for the use of the Members.

Salmon fisheries Bill printed.

Mr. PACK reported from the committee appointed to prepare an Address to his Excellency the Governor, on the subject of the Petition of Daniel M'Carthy, and he presented to the House the draft of an Address accordingly, which he read in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

Report of committee to prepare address relative to D. M'Carthy.

*To His Excellency Sir Thomas John Cochrane,
Knight, Governor, and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies, &c. &c. &c.*

Address read.

May it please Your Excellency,

The House of Assembly beg leave to lay before your Excellency a Petition recently presented to the House by Daniel M'Carthy of Harbor Grace, and respectfully request that your Excellency will be pleased to direct that the necessary investigation be made into the causes of complaint therein set forth, or should any information on the subject of the said Petition have been communicated to your Excellency that your Excellency will cause the same to be laid before the House.

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

Resolved, that the said Address be adopted by the House.

Address adopted.

Ordered, that the Address be engrossed.

Engrossed.

Ordered, that Mr. PACK and Mr. MARTIN be a Committee to present the same to his Excellency,

Committee to present same

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

Resolved, that a Committee be appointed to prepare an Address to his Excellency the Governor praying that his Excellency will communicate to this House any information he may have received from the Parent Government, on the subject of establishing Light Houses on the Coasts of this Island.

Motion for address to the Governor praying information relative to Light Houses.

Ordered, that Mr. MARTIN and Mr. HOYLES be a Committee for that purpose.

Committee to draft address.

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

MONDAY, APRIL 21, 1834.

A Message from his Excellency the Governor.

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

Message from the Governor with petition of Clerks in Secretary's office.

Message from Governor
&c.

MESSAGE

“THOS. COCHRANE”

The Governor transmits to the House of Assembly two Memorials he has received from the Clerks in the Secretaries Office soliciting an addition to their Salaries.

The length of time these Gentlemen have executed the important trusts confided to them, and the great increase of duties that devolve upon them in consequence of the recent change that has taken place in the constitution of the Colony, induce his Excellency to recommend their Petitions to the favorable consideration of the House.

Government House, }
19th April, 1834. }

The Petitions accompanying the said Message were read by the Clerk, and thereupon

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

Ordered, that the said Message and Petitions be referred to the Committee of Supply.

Petition read and referred
to committee of Supply.

Report of committee of
conference with Council
on amendments to Real
Chattels Bill.

Mr. Row from the Committee of Conference with the Honorable the Legislative Council, on the subject of the Amendments made by this House to the Bill sent down from the Legislative Council entitled “An Act to declare all Landed Property in Newfoundland Real chattels” reported as follows:

The Legislative Council has requested this Conference with the House of Assembly upon the amendments made to the Bill sent from the Legislative Council entitled “An Act to declare all landed property in Newfoundland Real Chattels” for the purpose of acquainting the Assembly that they cannot concur in the amendment made by the Assembly in the Preamble of the Bill, because the Council are not in possession of any Evidence upon which the allegation contained in the amendment can be supported, and as there may reasonably exist much difference of opinion upon the fact thereby asserted, the Council do not perceive the utility which can result from the introduction of a disputable allegation, and, more particularly, as it cannot affect the necessary construction of the enacting part of the Bill, which is clear and distinct without the aid of any extrinsic matter to lead to a correct interpretation of the meaning of the Legislature.

Ordered, that the said Report do lie on the Table.

Agreeably to the Order of the day, the House resolved itself into a committee of the whole House upon the consideration of a Supply to be granted to his Majesty.

Mr. SPEAKER left the Chair.

Mr. SWEETMAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

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

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

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

House in committee of
Supply

Report.
Progress.

TUESDAY, APRIL 22, 1834.

Messrs. Hoyles & Sweet-
man added to Committee
to present address relative
to D. M'Carthy.

ON motion, *Ordered*, that Mr. HOYLES and Mr. SWEETMAN be added to the Committee to present to his Excellency the Address of the House on the subject of the Petition of Daniel M'Carthy.

Mr. SPEAKER acquainted the House that he had been informed by the Honorable the Colonial Secretary, that his Excellency had fixed the hour of eleven o'clock, to-morrow morning, for receiving a Committee of the House with the above Address.

An engrossed Bill from the Honorable the Legislative Council entitled "An Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island" as amended, was read a third time.

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

Ordered, that the bill do pass.

Ordered, that Mr. Row do carry the said bill up to the Honorable the Legislative Council and acquaint them that this House have passed the said bill and have made certain amendments thereto, to which they desire the concurrence of the Legislative Council.

An engrossed bill from the Honorable the Legislative Council entitled "An Act to provide for the banishment of persons convicted of certain offences, and also to provide certain punishments in divers criminal cases," as amended, was read a third time.

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

Resolved, that the words "infamous or" be struck out of the third Section of the Bill in the last line but one.

And the said words were struck out of the Bill at the Table of the House, accordingly.

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

Ordered, that the Bill do pass.

Ordered, that Mr. Row do carry the Bill up to the Honorable the Legislative Council, and acquaint them that this House have passed the said Bill and have made certain amendments to the same, to which they request the concurrence of the Legislative Council.

Mr. Row from the Committee appointed to draw up reasons to be offered to the Legislative Council for disagreeing to the amendments made to the first Section of the Bill sent up from this House entitled "An Act for ascertaining the damages to be paid upon protested Bills of Exchange," reported, that the Committee had drawn certain reasons accordingly; and he read the Report in his place, and afterwards delivered it in at the Clerk's Table where it was read, and is as follows;

The House of Assembly cannot concur with the Legislative Council in the amendments made to the first section of the bill for the following reasons:

Bills of Exchange drawn on Europe are usually remitted by persons in business either to pay debts due or to purchase goods for the supply of their customers. The actual damages sustained by parties under such circumstances cannot always, perhaps, be accurately defined; but besides from the nature of the trade of this Island, which is involved in a course of settlement at particular periods of the year, such remittances are usually made when Exchanges are high, and the bills returned when Exchanges are low, the disappointment to the holders in not receiving their goods, the immediate losses of the profits of the goods, and the more remote, but not less certain, loss sustained by business diverging into other channels, must in general, in the opinion of the Assembly, much exceed ten per-cent.

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

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

Time fixed for receiving same.

Law Society Bill read a third time.

Bill passed

Sent to Council with amendments.

Punishment Bill read a third time.

Amendments made at the Table.

Bill passed.

Sent to Council with amendments.

Report of Committee to prepare reasons for disagreeing to amendments made in protested Bills of Exchange Bill.

Report adopted.

Conference to be desired
on said amendments.

On motion of Mr. Row, seconded by Mr. CARSON,
Resolved, that a Conference be requested with the Legislative Council on the subject of the said amendments.

Petition of H. P. Thomas
presented and read.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and request the said Conference.

A Petition of Henry Philips Thomas was presented to the House by Mr. Row, and the same was received and read, setting forth, that the Petitioner with a view to prove to the Legislature at how small expense Roads might be constructed in this Island, undertook to superintend the opening of a portion of the Road leading from St. John's towards St. Mary's Bay, and has completed the same to the extent of about twelve miles, and has also built thereon at convenient distances, for the use of Travelers frequenting the same, two substantial Tilts the whole of which has been accomplished for the sum of Fifty Pounds currency. That in consequence of the Road so cut by the Petitioner twelve miles through the woods, a Road is now open to the Public of thirty miles in that direction, reaching to within fourteen miles of Salmonier in St. Mary's Bay : and praying that the House will be pleased to direct such compensation to be made to him as shall appear just.

Referred to Committee of
Supply.

On motion of Mr. Row, seconded by Mr. SWEETMAN,
Ordered, that the said petition be referred to a committee of Supply.

Report of Committee of
conference on amendments
to Real Chattels Bill read
second time and considered.

The report of the committee of Conference with the Legislative Council on the subject of the amendments made to the bill entitled "An Act to declare all Landed Property in Newfoundland Real Chattels," was read a second time, and taken into consideration, and thereupon,

House recede from first
amendment.

On motion of Mr. Row, seconded by Mr. CARSON,
Resolved, that this House do recede from the amendment made in the preamble of the said bill.

Council acquainted there-
of.

Ordered, that a Message be sent to the Honorable the Legislative Council acquainting them that this House have receded from the said amendment.

House in committee of
supply

Ordered, that Mr. Row do communicate the said message to the Legislative Council.

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

Mr. SPEAKER left the Chair.

Mr. Speaker resumes the
chair.

Mr. SWEETMAN took the Chair of the Committee.

Message from Council.

Mr. SPEAKER resumed the Chair the Black Rod being at the door.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

Conference requested by
the House on amendments
to protested Bills of Ex-
change Bill agreed to by
Council.

The Legislative Council accedes to the request made by the Commons House of Assembly for a conference on the subject matter of the amendments made in and upon the Bill sent up from the House of Assembly entitled "An Act for ascertaining the damages upon protested Bills of Exchange" and have appointed two of its Members who will be ready to meet the Managers, on the part of the Commons House of Assembly, in the Committee Room of this House, at three of the clock, P. M., this day for that purpose.

H. J. BOULTON, *Speaker.*

Legislative Council,
April 22, 1834.

And then the Messenger withdrew.

Ordered, that Mr Row, Mr. CARSON, Mr. HOYLES and Mr. KENT, be a committee on the part of this House, to meet the committee of the Legislative Council at the time and place appointed.

Managers appointed

The Chairman again took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Report of committee of supply

Progress.

Ordered, that the Committee have leave to sit again.

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

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery brought down from the Honorable the Legislative Council the following written Messages :

Mr. Speaker,

The Legislative Council have passed the bill entitled "An Act to regulate the making and repairing of Roads and Highways in this Island" without amendment.

Road Bill passed by Council.

H. J. BOULTON, *Speaker.*

Legislative Council,
April 22, 1834.

Mr. Speaker,

The Legislative Council have passed the bill sent up from the Commons House of Assembly entitled "An Act for the relief of Insolvent Debtors taken in execution" with some amendments, to which they desire the concurrence of that House.

Insolvent debtors Relief Bill passed by Council with amendments.

H. J. BOULTON, *Speaker.*

Legislative Council,
April 22, 1834.

And then the Messenger withdrew.

The amendments made by the Legislative Council to the bill sent up from this House entitled "An Act for the relief of Insolvent Debtors taken in execution" were read a first time as follows :

Amendments made in Insolvent debtors Relief Bill read.

Page 1.—Expunge all the words between "Petition" in the ninth line and "Estate" in the sixteenth line, and insert instead thereof "to the Supreme Court in Term time or to the Chief Justice, or in his absence to the other Judges of the said Court in vacation—setting forth the cause or causes of his or their imprisonment and exhibiting a full and true account of his or their Real and Personal Estate, Rights and Credits."

— *Line 22.*—Insert the letter "s" after the word "Judge."

— *Line 17.*—Expunge the word "her."

— *Line 21.*—Expunge the words "and Seal."

— *Line 23.*—Expunge the words "up to" and instead thereof insert the word "before."

Page 2—Line 1.—Expunge the words between "other" in the first line, and "and" in the fifth line, and insert instead thereof "Judges at a day certain and not less than ten days after a notice of such application shall have been served upon the several Creditors of such Person or Persons personally or upon their Attorney in

“ Court, or left at his, her or their last place of abode and published
“ in the GAZETTE and in any local Paper published near the resi-
“ dence of such Debtor.”

Page 2—Line 21.—Expunge the word “and” and insert instead thereof
the word “or.”

— *Line 27.*—After the word “or” insert “in his absence for the
other Judges.”

Page 3—Line 3.—After “due” insert “or owing” and expunge the
remainder of the clause.

— *Line 16.*—After “Judge” insert the letter “s.”

— *Line 17.*—Expunge the words between “to” in the seventeenth
line and “District” in the nineteenth line, and insert
instead thereof “one or more commissioner or commis-
sioners.”

————— Insert after the first clause “And be it further enacted that
no female shall be charged in execution by Capias ad Satisfaciendum in
any Civil suit instituted in any Court of Law in this Island.”

And be it further enacted that this act shall continue for two years and
no longer.

2nd reading.

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

Notice of motion to sum-
mon the absent members.

Mr. CARTER gave notice, that to-morrow, he should move that Mes-
sengers be sent to summon the absent Members to attend to their du-
ties in this House.

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

WEDNESDAY, APRIL 23, 1834.

Report of Committee to
present address relative
to Daniel M'Carthy.

MR. HOYLES from the committee appointed to present to his Ex-
cellency the address of the House on the subject of the Petition
of Daniel M'Carthy, reported that the committee had presented the same
to his Excellency, and that, in reply thereto, the committee had been
furnished by the direction of his Excellency with a Report from the Ma-
gistrates at Harbor Grace on the subject of the said Petition, which he
presented to the House.

The said Report was read by the Clerk, and it was

Ordered, that the said Report do lie on the Table to be perused by the
Members.

House in committee of
Supply.

Agreeably to the Order of the day, the House resolved itself into a
committee of the whole House upon the consideration of a Supply to be
granted to his Majesty.

Mr. SPEAKER left the Chair.

Mr. SWEETMAN took the Chair of the Committee.

Mr. Speaker resumes the
chair.

Mr. SPEAKER resumed the Chair the Black Rod being at the door.

Message from Council.

A Message from the Legislative Council by Mr. ROBINSON, one of the
Masters in Chancery :

Mr. Speaker,

Bill to Establish Savings
Banks.

The Legislative Council have passed a Bill entitled “An Act for the
establishment of Savings' Banks in Newfoundland.” Also

Bill to amend the practice
of Supreme Court—and

A Bill entitled “An Act to amend the practice of the Supreme Court
of Newfoundland and for other purposes.” Also

A Bill entitled "An Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland entitled "An Act for the better Administration of Justice in Newfoundland and for other purposes" as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island" to which they request the concurrence of the Commons' House of Assembly.

Bill to establish Courts of Common Pleas sent down.

And then he withdrew.

The Chairman again took the chair of the committee.

Chairman resumes.

Mr. SPEAKER resumed the chair.

Report

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

Progress.

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

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

Mr. CARTER, seconded by Mr. SWEETMAN, moved, that it be resolved, that Mr. Speaker do order Mr. Cozens, Mr. Peter Brown, and Mr. Power, to attend to their duties in this House, and that for that purpose special Messengers be forthwith sent to summon those gentlemen: which being put passed in the negative.

Motion that Mr. Speaker order certain Members to attend in the House.

A Message from the Legislative Council.

Negatived.

Mr. Robinson, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message;

Message from the Council.

Mr. Speaker,

The Legislative Council request a Free Conference with the Commons House of Assembly on the subject matter of the amendments made by that House in and upon the bill entitled "an Act for ascertaining the damages upon protested Bills of Exchange" and have appointed the Honorable the Attorney General, and the Honorable W. Thomas to be a committee on the part of this House who will be ready to meet a committee on the part of the Commons House of Assembly on to-morrow, at twelve of the clock, P. M. in the committee room of this House, for that purpose.

Council request free conference on amendments to protested Bills of Exchange Bill.

H. J. BOULTON, *Speaker, L. C.*

Legislative Council,
23rd April, 1834.

And then the Messenger withdrew.

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

Resolved, that the conference be granted as requested by the Honorable the Legislative Council, and that a Message be sent to acquaint them thereof.

Conference agreed to.

Ordered, that Mr. Row do communicate the said Message to the Legislative Council.

Ordered, that the committee who managed the last conference do manage this conference.

Managers appointed.

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

THURSDAY, APRIL 24, 1834.

ON motion of Mr. SWEETMAN, seconded by Mr. KOUGH,

Clerk ordered to lay statement of Contingencies before the House.

Ordered, that the Clerk do lay upon the Table of the House a statement of all expenses incurred during the present Session of the Legislature, for repairs and alterations, stationery, and contingencies.

Savings Bank Bill read a first time.

An engrossed Bill sent down from the Honorable the Legislative Council entitled "An Act to establish a Savings' Bank in Newfoundland" was read a first time.

Referred to a select Committee to report whether the said Bill encroaches on the privileges of the House

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

Ordered, that the said Bill be referred to a Select Committee to examine the same and to report thereon to the House, whether the said Bill involves a breach of, or encroachment upon, the privileges of the Commons House of Assembly.

Bill from Council to amend practice of Supreme Court read a first time.

Ordered, that Mr. CARSON, Mr. KOUGH, and Mr. Row, do form a Committee for that purpose.

An engrossed Bill sent down from the Honorable the Legislative Council, entitled "An Act to amend the practice of the Supreme Court of Newfoundland, and for other purposes" was read a first time.

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

Printed.

Ordered, that the said Bill be printed,

Bill from Council to establish Courts of Common Pleas read a first time.

An engrossed Bill sent down from the Honorable the Legislative Council, entitled "An Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland entitled 'An Act for the better administration of Justice and for other purposes' as relate to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island" was read a first time.

Ordered, that the Bill be read a second time.

Free Conference held

The time appointed for holding the Free Conference with the Honorable the Legislative Council on the subject of the amendments made in the Bill entitled "An Act for ascertaining the damages to be paid upon protested Bills of Exchange" being arrived,

Report of Managers.

The names of the Managers were called over, and they went to the Conference.

And being returned, Mr. Row reported that the Managers had been at the Conference, and he stated the subject of the Conference to the House.

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

FRIDAY, APRIL 25, 1834.

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

Motion for an Address for grant to relieve the poor of St. John's.

Resolved, that an Address be presented to his Excellency the Governor praying that his Excellency will issue his Warrant to the Treasurer of the Colony in favor of the Honorable the Colonial Secretary for the sum of £250, Sterling, to be distributed by and under the direction of a Committee to be appointed for that purpose, for the immediate relief of the Poor in the Town and District of St. John's, and that this House will make good the said sum.

Committee to prepare Address.

Ordered, that Mr. KOUGH, Mr. CARSON, and Mr. Row, be a Committee to prepare the said Address.

Amendments made in Insolvent Debtors Relief Bill read a second time.

The amendments made by the Honorable the Legislative Council to the Bill entitled "An Act for the relief of Insolvent Debtors taken in execution" were read a second time.

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

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

Committed.

And, thereupon, the House resolved itself into a committee of the whole House on the consideration of the said amendments accordingly.

House in Committee thereon.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair to receive a Message.

The Chairman again took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had made some progress in the business to them referred, and had come to a Resolution thereupon which they had directed him to report to the House; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:

Report.

Resolved, that it is the opinion of this Committee that a conference should be asked with the Legislative Council on the subject matter of the said amendments.

Conference to be desired on said amendments.

The said Resolution having been read throughout a first and second time, was, upon the question put thereon, agreed to by the House.

Report adopted.

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

Resolved, that a select committee be appointed to draw up and report to the House reasons to be offered at a conference with the Legislative Council for not concurring in the said amendments.

Committee to prepare reasons to be offered at a Conference.

Ordered, that Mr. ROW and Mr. KENT do form a committee for that purpose.

Committee.

Mr. KOUGH reported from the committee appointed to prepare an address to his Excellency the Governor, in pursuance of the Resolution of this morning, and he presented to the House the draft of an address accordingly, which he read in his place, and he afterwards delivered it in at the Clerk's table, where it was read, and is as follows:

Report of Committee to prepare Address for grant in aid of the Poor of St. John's.

To His Excellency Sir Thomas John Cochrane, Knight, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

Address read

May it please Your Excellency,

We, His Majesty's faithful Commons of Newfoundland, in Parliament assembled, with a view to afford instant relief to the numerous persons suffering from the distress of poverty in the town and district of St. John's, respectfully request that your Excellency will be pleased to issue your Warrant to the Treasurer of the Colony, in favour of the Honorable the Colonial Secretary, for the sum of Two hundred and Fifty pounds, Sterling, to be applied and distributed by and under the direction and superintendance of a committee to be composed of the Honorable the Colonial Secretary, the Honorable the Attorney General, the Honorable the Speaker of the Assembly, the Colonial Treasurer, the Members for the district of St. John's, the President of the Commercial Society, the President of the Benevolent Irish Society, James Blaikie, Peter Weston Carter, and Robert Job, Esquires, for the immediate relief of the Poor in the town and district of St. John's, and which sum of money we shall make good during the present session of the Legislature.

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

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

and adopted.

Ordered, that the said address be engrossed.

Engrossed.

Committee to present same

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

Mr. Speaker reports Message from Council.

Mr. SPEAKER reported that Mr. Robinson, one of the Masters in Chancery, had brought down from the Honorable the Legislative Council the following written Messages :

Mr. Speaker,

Pickled Fish Bill passed by Council with amendments.

The Legislative Council have passed the Bill entitled "an Act to regulate the packing and inspection of pickled Fish for exportation from this Island" with some amendments, to which the concurrence of this House is requested.

H. J. BOULTON, *Speaker, L. C.*

Legislative Council,
24th April, 1834.

Mr. Speaker,

Bastard Bill passed by Council without amendment.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly entitled "an Act to provide for the maintenance of Bastard Children" without amendment.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
April 25, 1834.

Mr. Speaker,

Registration of Voters Bill passed by Council without amendment.

The Legislative Council have passed the Bill sent up from the Commons House of Assembly entitled "an Act for registering the names of all persons entitled to vote at Elections" without amendment.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
25th April, 1834.

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

Bill to remove doubts &c. made Order of day for to-morrow.

Ordered, that the Bill for removing doubts respecting the introduction of the Law of England into Newfoundland, be taken into consideration in Committee of the whole House to-morrow.

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

Rate of Interest Bill made Order of day for to-morrow.

Ordered, that the Bill to regulate the rate of Interest in this Island be taken into consideration in Committee of the whole House to-morrow.

Amendment made by Council in Pickled Fish Bill read.

The amendments made by the Honorable the Legislative Council to the Bill sent up from this House entitled "an Act to provide for the packing and inspection of pickled Fish for exportation from this Island" were read a first time, and taken into consideration, and are as follows ;

Section 7th—*line 3d.*—Expunge the word "largest."

Section 8th.—Add to this Section the words following "in which such Fish was caught, and if such date cannot be ascertained the Fish to be branded 'Old.'"

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

And adopted.

Resolved, that this House do concur with the Legislative Council in the said amendments.

Council acquainted thereof.

Ordered, that Mr. ROW do go up to the Honorable the Legislative Council and acquaint them that this House have concurred in the said amendments.

Message from Council.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

The Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the amendments made by that House on the Bill entitled "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" and have appointed the Honorable Messrs. THOMAS, and BLAND, on the part of this House, to meet the Managers from the Commons House of Assembly in the Committee Room of the Legislative Council, on Monday next, at two of the clock, P. M., for that purpose.

Conference requested on amendments made in Punishment Bill.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
25th April, 1834.

And then the Messenger withdrew.

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

Resolved, that the request of the Legislative Council be acceded to and the conference be granted as therein asked.

Conference agreed to.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the conference requested.

And Council acquainted thereof.

Ordered, that Mr. HOYLES, Mr. Row, Mr. PACK, and Mr. SWEETMAN, do manage the said conference on the part of this House.

Managers appointed.

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

SATURDAY, APRIL 26, 1834.

MR. KOUGH, from the committee to wait on his Excellency the Governor with the address of yesterday on the subject of a grant in aid of the Poor in the town and district of St. John's, reported that the committee had presented the said address to his Excellency accordingly, and in reply thereto, his Excellency was pleased to say he would take the same into his serious consideration.

Report of Committee to present Address for grant in aid of the Poor of St. John's

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

Ordered, that the bill from the Legislative Council for the establishment of Courts of Common Pleas in this Island, be read a second time, on Monday next.

Second reading of the Bill to establish Courts of Common Pleas made order of the day for Monday.

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

MONDAY, APRIL 28, 1834.

MR. Row, from the committee appointed to draw up reasons to be offered at a conference with the Honorable the Legislative Council on the subject of the amendments made in the bill sent up from this House entitled "an Act for the relief of Insolvent Debtors taken in execution," reported that the committee had drawn up certain reasons accordingly; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was read, and is as follows:

Report of Committee to draw up reasons for disagreeing to Council's Amendments to Insolvent Debtors Relief Bill.

The Commons House of Assembly cannot concur in the amendments made in the bill entitled "an Act for the relief of Insolvent Debtors taken in execution," for the following reasons:

Report of committee to draw up reasons, &c.

(Page 2—Line 1.)—The act 5th George IV. cap. 67. only requires that public notice to creditors shall be given in cases of Insolvency, but this amendment requires that personal notice shall be served on each individual creditor *and* public notice in certain Newspapers besides. The necessity of serving personal notices, particularly when the creditors are numerous, and when they reside at any considerable distance from the place of confinement, would probably often defeat the intention of this act, as it is believed that poor and honest Debtors would not possess the means of serving such notices ;—the intention of the act would therefore be better fulfilled by the substitution of the word “or” instead of “and” between the word “abode” and the word “published” in this amendment.

(Page 2—Line 21.)—The Judicature act above mentioned requires the appointment of Trustees in all cases of Insolvency, by which rule it is considered best to abide ; the amendment proposed would leave the course of proceeding uncertain and make it optional to the Court to appoint trustees *or* otherwise.

Report adopted.

Resolved, that this House do concur with the committee in the said Reasons.

Order of day for 2d reading of Courts of Common Pleas bill read.

The order of the day for the second reading of the bill from the Hon. the Legislative Council entitled “an Act to establish Courts of Common Pleas in Newfoundland and to repeal so much of an act passed in the Parliament of the United Kingdom of Great Britain and Ireland entitled “an Act for the better administration of Justice in Newfoundland and for other purposes” as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island,” being read,

Motion to reject the bill.

Mr. CARSON, seconded by Mr. SWEETMAN, moved that the said Bill be read a second time this day six months ;—

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

For the motion—

Mr. CARSON,
— SWEETMAN,
— KENT.

Against the motion—

Mr. HOOPER,
— ROW,
— W. BROWN,
— KOUGH,
— HOYLES,
— CARTER.

House divide.

So it passed in the negative.

Motion lost.

The said Bill was then read a second time, and thereupon

Bill read 2d time.

Motion for committing on Wednesday.

Mr. Row, seconded by Mr. CARTER, moved that the Bill be referred to a Committee of the whole House on Wednesday next.

Amendment to throw out the bill.

In amendment Mr. CARSON, seconded by Mr. KENT, moved that the Bill be committed to a Committee of the whole House this day six months ;—

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

For the motion—

Mr. CARSON
— KENT
— SWEETMAN
— PACK.

Against the motion—

Mr. HOOPER
— ROW
— W. BROWN
— CARTER
— HOYLES
— KOUGH.

House divide.

So it passed in the negative.

In amendment of the original motion, Mr. KENT, seconded by Mr. CARSON, moved that the Bill be committed to a Committee of the whole House this day fortnight ;—

Amendment of original motion that the Bill be committed this day fortnight,

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

House divide

For the amendment—

Mr. CARSON,
— KENT.
— SWEETMAN,
— PACK.

Against the amendment—

Mr. W. BROWN,
— HOOPER,
— KOUGH,
— ROW,
— HOYLES,
— CARTER.

So it passed in the negative.

Amendment lost

In amendment of the original motion Mr. PACK, seconded by Mr. SWEETMAN, moved that the said Bill be committed to a Committee of the whole House on this day week,—on which the House divided, when there appeared for the motion, five ; against it, five.

Amendment of original motion that the Bill be committed this day week.

For the amendment—

Mr. CARSON
— KENT
— SWEETMAN
— PACK.
— HOOPER

Against the amendment—

Mr. W. BROWN
— KOUGH.
— ROW
— HOYLES
— CARTER.

House divide.

So Mr. SPEAKER gave his casting vote against the amendment.

Amendment lost.

On the original motion the House divided when there appeared for it, five ; against it, five.

House divide on original motion.

For the motion—

Mr. CARTER,
— HOYLES,
— ROW,
— KOUGH,
— W. BROWN.

Against the motion—

Mr. SWEETMAN,
— KENT,
— HOOPER,
— PACK,
— CARSON.

Motion carried.

So Mr. SPEAKER gave his casting vote in favor of the motion and it was *Ordered*, that the said Bill be committed to a Committee of the whole House.

Motion carried.
Bill committed.

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

Made order of day for Wednesday.

Mr. Row from the Committee of Conference with the Honorable the Legislative Council on the subject of the amendments made in the Bill entitled “ 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,” reported as follows :

Report of Committee of Conference with Council on Amendments to Banishment Bill.

The Legislative Council have desired this Conference with the Commons House of Assembly, for the purpose of offering such reasons as have moved the Legislative Council to disagree with the Assembly in the Proviso sent up by that House by way of an amendment to a Bill entitled “ 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.”

The object of the Bill is to clothe the Courts exercising Criminal Jurisdiction in this Island, with a discretionary power either of banishing such offenders convicted before them as they shall deem deserving of such a punishment, or of sentencing them to hard labour under regulations best adapted to the present state of the Colony.

Report of Committee of
Conference &c.

All capital punishments, transportation, ordinary imprisonment, as well as those modes intended to be applied under the Provisions of this Bill are "corporal punishments," from which, by the Proviso added to the Bill by the Assembly, all females are to be exempted—which the Legislative Council cannot conceive the Assembly to intend.

The punishment of whipping, as applied to Females, the Legislative Council apprehend would not be resorted to, except in very extreme cases, by any Court of Justice:—the spirit of the age being opposed to such methods of personal chastisement as are inconsistent with female delicacy, and, therefore, they do not deem it necessary to provide against the introduction of a practice which they are fully sensible the wisdom and discretion of our criminal Courts will prevent them from resorting to.—If, however, the House of Assembly desire that any particular Legislative declaration should be made upon the subject, the Legislative Council will not object to a Proviso exempting Females from the punishment of whipping.

Ordered, that the said Report do lie on the Table.

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

Ordered, that the Bill for the establishment of Courts of Sessions of the Peace in this Island, be taken into consideration in Committee of the whole House on Wednesday next.

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

TUESDAY, APRIL 29, 1834.

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

Ordered, that the Bill for ascertaining the time of the commencement of the Acts of the Parliament of this Colony, and for the speedy publication of the same, be recommitted to a Committee of the whole House for the purpose of expunging the last Section.

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

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

Mr. SPEAKER left the Chair.

Mr. SWEETMAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had made some progress in the business to them referred, and had come to certain Resolutions thereupon, which they had directed him to report to the House whenever it shall be pleased to receive the same.

Ordered, that the said Report be received to-morrow.

The House resolved itself into a Committee of the whole House on the consideration of the several Bills which stood committed.

Mr. SPEAKER left the Chair.

Mr. HOOPER took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had gone through the Bill to regulate the rate of Interest in this Island, and had made certain amendments to the same which they had directed him to report to the House: Also, that they had gone through the Bill for ascertaining the time of the commencement of the Acts of the Parliament of this Colony and for the speedy publication of the same, and had made an

Commencement of Acts of
Parliament Bill recommitted.

House in committee of
Supply.

Report.

Ordered to be brought up
to-morrow.

House in Committee on
Bills.

Report.
Rate of Interest Bill with
amendments.

Commencement of Acts
of Parliament Bill with
amendment.

amendment thereto, which they had directed him to report to the House : Also, that they had gone through the Bill to remove doubts respecting the introduction of the Laws of England into Newfoundland, to which they had made certain amendments, which they had directed him to report to the House,—and he delivered the Bills with the amendments in at the Clerk's Table.

Bill to remove doubts respecting the Laws of England with amendments.

The CHAIRMAN also reported that he was directed by the committee to move for leave to sit again on the further consideration of the Bills committed.

Ordered, that the committee have leave to sit again,

The said amendments made in the said Bills respectively were then read throughout a first and second time and upon the question severally put thereon were agreed to by the House.

Amendments agreed to,

and

Ordered, that the Amendments made in the Bill to regulate the rate of Interest in this Island, and the Bill to remove doubts respecting the introduction of the Laws of England into Newfoundland, be engrossed.

Rate of Interest Bill,

Bill to remove doubts,

Ordered, that the Bill for ascertaining the time of the commencement of the Acts of the Parliament of this Colony, and for the speedy publication of the same, with the amendments, be engrossed.

Commencement of Acts Bill ordered to be engrossed.

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

Resolved, that a conference be requested with the Honorable the Legislative Council on the subject of the amendments made in the Bill sent up from this House, entituled "an Act for the relief of Insolvent Debtors taken in execution."

Conference requested on amendments to Insolvent Debtors Relief Bill.

Ordered, that Mr. Row do go up to the Legislative Council and request the said conference.

Then the House adjourned until to-morrow, at Ten o'clock.

WEDNESDAY, APRIL 30, 1834.

MR. SWEETMAN from the committee of the whole House on the consideration of a supply to be granted to his Majesty reported, according to order, the Resolutions of the committee, and he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows :

Report of Committee of Supply brought up.

- 1.—*Resolved*, that it is the opinion of this committee that a sum not exceeding two hundred pounds sterling be granted to his Majesty towards defraying the salary of the Clerk of the Council, from the first day of April, One thousand eight hundred and thirty four, to the thirty first day of March, One thousand eight hundred and thirty five, inclusive.
- 2.—*Resolved*, that it is the opinion of this committee that a sum not exceeding four hundred pounds, sterling, be granted to his Majesty towards defraying the salaries of two Clerks in the Office of the Secretary of the Colony, for the same period.
- 3.—*Resolved*, that it is the opinion of this committee that a sum not exceeding sixty pounds sterling, be granted to his Majesty towards defraying the salary of an Office Keeper in the Secretary's Office for the same period.
- 4.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding forty five pounds, Sterling, be granted to his Majesty towards defraying the salary of a Messenger in the Secretary's Office, for the same period.

Report of Committee. of
Supply brought up.

- 5.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding four hundred pounds, sterling, be granted to his Majesty towards defraying the salary of the Clerk of the Supreme Court, for the same period.
- 6.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding two hundred and fifty pounds, sterling, be granted to his Majesty towards defraying the salary of the Clerk of the Central Circuit Court, for the same period.
- 7.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding two hundred pounds, sterling, be granted to his Majesty towards defraying the salary of the Clerk of the Northern Circuit Court for the same period.
- 8.—*Resolved*, that it is the opinion of this committee that a sum not exceeding two hundred pounds, sterling, be granted to his Majesty towards defraying the salary of the clerk of the Southern Circuit Court, for the same period.
- 9.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding sixty pounds, sterling, be granted to his Majesty towards defraying the salary of the Crier of the Supreme Court and Tipstaff, for the same period.
- 10.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding five hundred and thirteen pounds, and five shillings, sterling, be granted to his Majesty, towards defraying the salary of the High Sheriff, for the same period.
- 11.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding thirty-six pounds, sterling, be granted to his Majesty, towards defraying the salary of the Gaoler of his Majesty's gaol at St. John's, for the same period.
- 12.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding one thousand pounds, thirteen shillings, and four pence, sterling, be granted to his Majesty, towards defraying the expense of the Police Establishment at St. John's, for the same period.
- 13.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding four hundred and thirty pounds, sterling, be granted to his Majesty towards defraying the salary of the Treasurer of the Colony, for the same period, in lieu of all other emoluments, and as a compensation for Office, Rent, and Stationary.
- 14.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding fifty pounds, sterling, be granted to his Majesty, towards defraying the pension granted by his Majesty to WILLIAM ARMSTRONG, late Marshall of the Supreme Court, for the same period.
- 15.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding five hundred pounds, be granted to his Majesty, towards defraying the expense of civil and judicial Printing—Stationary—Advertising—Binding and contingent expenses, for the same period.
- 16.—*Resolved*, that it is the opinion of this Committee that a sum not exceeding five hundred pounds, sterling, be granted to his Majesty, towards defraying the expense of civil and criminal Prosecutions, for the same period.
- 17.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding six hundred pounds, sterling, be granted to his Majesty, towards defraying the expenses of the several Gaols of the Island, for the same period.

- 18.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding one hundred and forty pounds, sterling, be granted to his Majesty towards defraying the expenses of the Coroners, in the different Districts of this Island, for the same period.
- 19.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding two hundred and fifty pounds, sterling, be granted to his Majesty, towards defraying the fees of the Attorney General, and in lieu thereof, for the same period.
- 20.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding one thousand, seven hundred, and twenty five pounds sterling, be granted to his Majesty, towards defraying the expenses of supporting and maintaining Paupers, Orphans, and Bastards, sick Paupers—of medical attendance, and of providing passages for indigent persons, for the whole Island, for the same period.
- 21.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding one hundred and fifty pounds, sterling, be granted to his Majesty, towards defraying the incidental expenses of the postages of the various departments—flags for public buildings—sweeping chiminies—expenses of removing snow from the roofs of Government Buildings, and the roads leading to them, and other unforeseen contingencies for the same period.
- 22.—*Resolved*, that it is the opinion of this Committee that a sum not exceeding three hundred and forty pounds sterling be granted to his Majesty towards defraying the expense of repairs to Government Buildings for the same period.
- 23.—*Resolved*, that it is the opinion of this Committee that a sum not exceeding two hundred and fifteen pounds sterling be granted to his Majesty towards defraying the expense of fuel and light for public buildings, (exclusive of the Surveyor General's office) for the same period.
- 24.—*Resolved*, that it is the opinion of this Committee that a sum not exceeding one thousand, two hundred and sixty two pounds sterling be granted to his Majesty towards defraying the Salaries of Magistrates, Gaolers and Constables in the Outports as also the expense of repairs to the Gaols of the Outports for the same period.
- 25.—*Resolved*, that it is the opinion of this committee that a sum not exceeding forty three pounds, six shillings and eight pence sterling be granted to his Majesty towards compensating Henry Phillips Thomas for certain services by him performed pursuant to the prayer of his Petition.
- 26.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding five hundred pounds sterling be granted to his Majesty for the purpose of opening, making and improving Reads in the Northern and Southern Districts of this Island, to be applied and expended under the direction of a Committee to be composed of the Members for the different Districts and of such competent persons as shall be appointed by his Excellency the Governor, in the following manner, that is to say— one hundred pounds on a Line of Road from Petty Harbour to Renew's by way of Bay Bulls—one hundred pounds on a Line of Road from Placentia towards St. John's—One hundred pounds on a Line of Road to connect Fortune Bay with Burin in Placentia Bay—One hundred pounds on a Line of Road from Conception Bay to Trinity Bay and One hundred pounds on a Line of Road from Trinity Bay to Bonavista Bay.
- 27.—*Resolved*, that it is the opinion of this Committee that a sum not

Report of Committee of
Supply brought up

exceeding Four hundred pounds, sterling, be granted to his Majesty towards the repairs of Roads and Bridges in the District of St. John's, whereof the sum of One hundred and fifty pounds shall be expended on the Road leading from St. John's to Topsail—the whole to be applied and expended under a Committee to be composed of the Members for the District and such other competent persons as shall be appointed by his Excellency the Governor.

28.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Fifty-six pounds thirteen shillings and four pence be granted to his Majesty to be applied and expended under the superintendance of Henry P. Thomas, Esquire, towards opening a Line of Road between St. John's and Salmonier in St. Mary's Bay.

29.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Eighteen pounds, sterling, be granted to his Majesty, towards compensating Thomas Fitzgibbon Moore for serving an Order of the House of Assembly on William Brown, Esquire, pursuant to the prayer of his Petition.

30.—*Resolved*, that it is the opinion of this committee, that the sum of One thousand and two hundred pounds, be granted to his Majesty, to be appropriated by his Excellency the Governor in the purchase of seed potatoes to be distributed among such poor and indigent persons in the various parts of this Island as may have land suitable for cultivation and no means of procuring seed.

31.—*Resolved*, that it is the opinion of this committee, that a sum not exceeding Ninety pounds sterling be granted to his Majesty, to be paid to Peter Weston Carter, Esquire, in addition to his salary as Police Magistrate for the present year.

Resolutions one to eleven
agreed to

The first to the eleventh of the said Resolutions, inclusive, being again read and the question of concurrence being separately put thereon, the same were agreed to by the House.

And the twelfth Resolution being again read,

Amendment moved upon
the 12th Resolution.

Mr. SWEETMAN, seconded by Mr. KENT, moved that all the words of the said Resolution after the word "exceeding" be struck out and instead thereof that the words following be inserted: "Nine hundred and forty pounds thirteen shillings and four pence sterling be granted to his Majesty, towards defraying the expense of the Police Establishment at St. John's, for the same period, and to be paid and applied in the following manner, that is to say, to the Chief Magistrate, three hundred pounds—to two Police Magistrates three hundred and twenty pounds, and to nine Police Constables three hundred and twenty pounds, thirteen shillings and four pence—

Which being put, passed in the affirmative.

Amendment adopted.

12 Resolution agreed to.

The said Resolution as amended was then put and agreed to by the House.

And the thirteenth Resolution being again read,

Amendment moved upon
the 13 Resolution.

Mr. SWEETMAN, seconded by Mr. KENT, moved that the words "Four hundred and thirty" in the said Resolution be expunged, and the words "three hundred and thirty" be substituted instead thereof:—which being put and the House dividing thereon, there appeared for the amendment, four; against it, five.

House divide

For the amendment—

Mr. SWEETMAN,
— KENT,
— W. BROWN,
— HOOPER.

Against the amendment—

Mr. PACK,
— ROW,
— HOYLES,
— CARTER,
— KOUGH.

So it passed in the negative.

The original Resolution was then upon the question put thereon, agreed to by the House.

The fourteenth to the nineteenth of the said Resolutions, inclusive, being again read, and the question of concurrence being separately put thereon the same were agreed to by the House.

And the twentieth Resolution being again read,

Mr. Row, seconded by Mr. PACK, moved that all the words of the said Resolution after the word "towards" be expunged, and instead thereof the words following be inserted—"the relief of the Poor of the Island generally:"—

Which being put passed in the affirmative.

The said Resolution as amended was then put and agreed to by the House

The twenty first to the twenty third of the said Resolutions being again read and the question of concurrence being separately put thereon, the same were agreed to by the House,

And the twenty-fourth Resolution being again read,

Mr. HOYLES, seconded by Mr. HOOPER, moved in amendment thereof, that all the words of the said Resolution after the word "exceeding" be expunged, and instead thereof the words following be inserted: "One hundred and forty pounds sterling be granted to his Majesty to be paid and applied as follows—that is to say—Thirty pounds for the salary of the Gaoler and Ten pounds for the salary of a Constable at Burin, and one hundred pounds for the repairs of the Court House at the same place:"—which being put and the House dividing thereon there appeared for the amendment, three; against it, six.

For the amendment—

- Mr. HOOPER,
- CARTER.
- HOYLES,

Against the amendment—

- Mr. PACK.
- SWEETMAN
- KOUGH,
- W. BROWN,
- KENT.
- Row.

So it passed in the negative.

In amendment of the original Resolution Mr. CARTER, seconded by Mr. HOYLES, moved that all the words thereof after the word "exceeding" be expunged, and the words following be substituted instead thereof: "One hundred and fifty pounds sterling be granted to his Majesty to be paid and applied as follows—that is to say—Thirty pounds for the salary of the Gaoler and Twenty pounds for the salary of a Constable at Ferryland, and One hundred pounds for the repairs of the Court House at the same place:"—which being put and the House dividing thereon, there appeared for the amendment, two; against it, seven.

For the amendment—

- Mr. CARTER
- HOYLES.

Against the amendment—

- Mr. KOUGH
- PACK
- HOOPER
- SWEETMAN
- Row
- W. BROWN
- KENT.

So it passed in the negative.

Amendment lost.

13 Resolution agreed to.

Resolutions 14 to 19 agreed to.

Amendment moved upon the 20 Resolution.

Amendment adopted

20 Resolution agreed to.

Resolutions 21 to 23 agreed to.

Amendment moved upon the 24 Resolution.

House divide

Amendment lost

Second amendment moved upon the 24 Resolution.

House divide.

Amendment lost.

24 Resolution agreed to.

The said original resolution was then put and agreed to by the House.

25 Resolution agreed to.

The twenty fifth resolution being again read, and the question of concurrence being put thereon, the same was agreed to by the House.

And the twenty sixth resolution being again read,

Amendment made upon the 26 Resolution and adopted

Mr. CARTER, seconded by Mr. SWEETMAN, moved that the words "Petty Harbor to Renew by way of Bay Bulls" in the said resolution, be expunged, and instead thereof the words following be inserted: "Renews towards St. John's."

Which being put, passed in the affirmative.

Resolution agreed to.

The said resolution as amended was then put and agreed to by the House.

27 Resolution agreed to.

The twenty-seventh resolution being again read and the question of concurrence being put thereon, the same was agreed to by the House.

And the twenty-eighth resolution being again read,

Amendment made upon the 28 Resolution and adopted.

Mr. SWEETMAN, seconded by Mr. KOUGH, moved that the words "to be applied and expended under the superintendance of Henry P. Thomas, Esquire," be expunged therefrom.

Which being put passed in the affirmative.

Resolution agreed to.

The said resolution as amended was then put and agreed to by the House.

Resolutions 29 to 31 agreed to.

And the twenty ninth to the thirty first of the said resolutions being again read and the question of concurrence being separately put thereon, the same were agreed to by the House, and

Resolved, that this House do concur with the committee in the said resolutions.

Committee to prepare bill of appropriation.

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

Resolved, that a committee be appointed to prepare and report to the House a bill in conformity with the said resolutions.

Ordered, that Mr. SWEETMAN, Mr. Row and Mr. KOUGH do form a committee for that purpose.

A Message from the Legislative Council.

Message from Council

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Messages:

Mr. Speaker,

Conference requested on amendments to Law Society Bill.

The Legislative Council request a conference with the Commons House of Assembly on the subject matter of the amendments made by that House in and upon the bill entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the law in the several Courts of this Island" and have appointed the Honorable the Attorney General, and the Honorable Mr. Thomas conferees on the part of this House to meet Managers from the Commons House of Assembly on Friday next at two of the clock, P. M. in the committee room of the Legislative Council for that purpose.

H. J. BOULTON, *Speaker L. C.*

Legislative Council

30th April, 1834.

Mr. Speaker,

Beck's Cove Bill passed by Council with amendments.

The Legislative Council have passed the Bill entitled "an Act for the management of a certain public Wharf and Landing in the town of St. John's" with some amendments, to which the concurrence of the Commons House of Assembly is requested.

H. J. BOULTON, *Speaker, L. C.*

Legislative Council, 30th April, 1834.

Mr. Speaker,

The Legislative Council have concurred in the amendments made by the Commons House of Assembly in and upon the bill entitled "an Act for declaring all Landed Property in Newfoundland Real Chattels" with an amendment, to which the concurrence of the House of Assembly is requested.

H. J. BOULTON, *Speaker, L. C.*

Legislative Council,
April 30, 1834.

And then he withdrew.

The amendments made by the Legislative Council to the bill entitled "an Act to provide for the management of a certain public Wharf and Landing in the town of St. John's" were read a first time and are as follow :

"Expunge the fifth and sixth sections."

"Expunge the words between "aforesaid" in the fourth line of the "seventh section, and "Act" in the sixth line of the same section."

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

The amendment made by the Legislative Council to the amendments made by this House to the bill entitled "an Act for declaring all Landed Property in Newfoundland Real Chattels" was read a first time and is as follows :

"Provided always that nothing herein contained shall extend to any right, title or claim to any lands, tenements or hereditaments derived by descent and reduced into possession before the passing of this act."

Ordered, that the said amendments be read a second time.

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

Resolved, that the conference asked by the Legislative Council to the subject of the amendments made in the bill entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island" be agreed to as requested by that House.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the said conference.

Ordered, that Mr. Row, Mr. CARTER, Mr. HOYLES and Mr. SWEETMAN be a committee to manage the said confereuce on the part of this House.

MR. SPEAKER laid before the House a letter from the Honorable Mr. Secretary Crowdy, transmitting certain information relative to the condition of the Poor in Placentia Bay.

A Message from the Legislative Council.

MR. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

The Legislative Council agree to the conference requested by the Commons House of Assembly on the subject matter of the amendments made in and upon the bill entitled "an Act for the relief of Insolvent Debtors taken in execution", and have appointed the Honorable Mr. Thomas and the Honorable Mr. Bland as conferees on the part of the Legislative Council who will be ready to meet Managers on the part of the Commons House of Assembly on Friday next at one of the clock P. M. in the

Amendments to Real Chattels Bill concurred in

Amendments to Becks Cove Bill read a first time

Second reading

Amendments to Real Chattels Bill read first time.

Conference agreed to.

Conferees named.

Letter relative to Poor in Placentia Bay laid before the House.

Message from Council.

Conference on the subject of the Insolvent Debtors relief Bill agreed to.

Committee Room of the Legislative Council for that purpose.

H. J. BOULTON, *Speaker L. C.*

Legislative Council

30th April, 1834.

And then he withdrew.

Conferees named.

Ordered, that Mr. CARTER, Mr. SWEETMAN, Mr. ROW and Mr. HOYLES be a committee to manage the said conference on the part of this House.

Commencement of Acts
Bill read a third time,

An engrossed bill for ascertaining the time of the commencement of the Acts of the Parliament of this Colony and for the speedy publication of the same was read a third time.

and

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

Passed.

Ordered, that the said bill do pass and that the title be "An Act for ascertaining the time of the commencement of the Acts of the Parliament of this Colony."

Sent to Council.

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

Order of the day postponed.

The order of the day for the House in committee of the whole House on the consideration of the Bill for the establishment of Courts of Sessions of the Peace—and also of the Bill sent down from the Legislative Council for the establishment of Courts of Common Pleas being read.

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

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

Resolved, that this House will on Friday next resolve itself into a Committee of the whole House on the consideration of the said Bills.

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

THURSDAY, MAY 1, 1834.

Report of select Committee
on the Savings Bank
Bill.

MR. CARSON from the committee to whom was referred the bill sent down from the honorable the Legislative Council entitled "an Act to establish a Savings Bank in Newfoundland" reported that the committee had examined the same and were of opinion that the said bill did not involve any breach of or encroachment upon the privileges of the House.

Report adopted.

Resolved, that the said Report be adopted by the House.

Bill read a second time
and

The said Bill for the establishment of a Savings Bank was then read a second time.

Committed

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

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

Rate of Interest Bill read
a third time, and

The Bill from the Honorable the Legislative Council entitled "An Act to regulate the rate of Interest in this Island" with the amendments made therein was read a third time.

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

Passed.

Ordered, that the said Bill do pass.

Sent to Council.

Ordered, that Mr. ROW, do carry the said Bill up to the Honorable the Legislative Council and acquaint them that this House have passed the said Bill with certain amendments to which the concurrence of that House is requested.

The amendment made by the Legislative Council to the amendments made by this House in the Bill entitled "An Act for declaring all landed property in Newfoundland Real Chattels" was read a second time.

Amendments in real Chattels Bill read a second time, and

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

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

Committed.

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

The House resolved itself into a committee of the whole House on the consideration of such Bills as stood committed.

House in Committee on Bills.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee, that they had gone through the Bill for the establishment of Light Houses and had made certain amendments to the same which they had directed him to report to the House;—and he delivered the Bill with the amendments in at the clerks table.

Light House Bill reported with amendments.

The Chairman also reported that he was directed to ask for leave to sit again on the further consideration of bills committed.

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

The amendments made to the said Bill were then read throughout a first and second time and, upon the question put thereon, were agreed to by the House.

Amendments adopted.

Ordered, that the said Bill with the amendments be engrossed.

Bill engrossed.

Ordered, that the said Bill as amended be printed.

Printed.

A Petition of Walter Walsh of Brigus by South was presented by Mr. CARTER and the same was received and read, setting forth that the Petitioner's whole property was consumed by Fire on the first day of April whereby he has been reduced to extreme indigence. That Petitioner after a life of laborious industry is now deprived of the articles and implements which enabled him to prosecute the Fishery and to maintain his Family—and praying for some relief from the House.

Petition of W Walsh presented and read

Ordered, that the said Petition do lie on the table.

The report of the committee of conference with the Honorable the Legislative Council on the subject of the amendments made in the Bill entitled 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" was read a second time and taken into consideration, and thereupon

Report of Conference on Punishment Bill read a second time.

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

Resolved, that a conference be requested with the Legislative Council on the subject of the said amendments.

Further Conference to be desired.

Resolved, that the committee appointed to manage the said conference be instructed to state to the conferees on the part of the Legislative Council that this House recedes from the said amendment and consents to substitute, instead thereof, a proviso exempting females from the punishment of whipping as proposed by the Legislative Council at the former conference.

Instructions.

Ordered, that Mr. KOUGH do go up to the Honorable the Legislative Council and request the said conference.

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

FRIDAY, MAY 2, 1834.

Amendments to Beck's
Cove Bill considered, and

THE amendments made by the Honorable the Legislative Council to the Bill sent up from this House entitled "an Act to provide for the management of a certain public Wharf and landing in the Town of St. John's" were read a second time and taken into consideration, and thereupon,

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

Concurred in.

Resolved, that this House concur with the Legislative Council in the said amendments.

Ordered, that Mr. KOUGH, do go up to the Honorable the Legislative Council and acquaint them that this House have concurred in the said amendments.

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

House in Committee on
amendment to real Chat-
tels Bill.

The House resolved itself into a committee of the whole House on the consideration of the amendment made by the Legislative Council to the amendments made by this House in the Bill entitled "an Act to declare all landed property in Newfoundland Real Chattels."

Mr. SPEAKER left the Chair,

Mr. HOYLES took the Chair of the committee,

Mr. SPEAKER resumed the Chair.

Report.
Amendment adopted.

The Chairman reported from the committee that they had gone through the said amendment and had agreed to the same.

Resolved, that the said Report be adopted by the House.

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

Conference on Insolvent
Debtors relief bill read

The hour for holding the Conference with the Legislative Council on the subject of the amendments made in the Bill entitled "an Act for the relief of Insolvent Debtors taken in execution" being arrived,

The names of the Managers were called over and they went to the Conference.

Report.

And being returned Mr. Row reported that the Managers had been at the Conference and had complied with the instructions of the House.

House in committee on
the Courts of Sessions Bill

The Order of the day for the House in Committee of the whole House on the consideration of the Bill to establish Courts of Sessions in this Island being read,

The House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the Committee.

Mr. SPEAKER resumed the chair.

Report.

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

Ordered, that the Committee have leave to sit again.

Report of Conference on
the Law Society Bill.

Mr. Row from the Committee of Conference with the Legislative Council on the subject of the amendments made in the Bill entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island" reported as follows:

"The Legislative Council have desired this conference with the House of Assembly upon the amendments made by that House to the Bill sent down from the Council entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attor-

Report.

nies to practise the Law in the several Courts of this Island” for the purpose of acquainting the Assembly that they do not concur in the two first amendments made by that House for the following reasons:—

First,—Because the introduction of the words proposed by the Assembly to be inserted between the words “persons” and “shall” in the second line of the seventh section would prove altogether superfluous; that clause now having the full operation that it would have if the words proposed in the amendment were to be introduced.

Secondly,—Because the Council consider the words proposed by the Assembly to be introduced at line sixth of the same section, obviously applying *exclusively to Natives* of this Island, would wear an invidious character by seeming to favour a particular and small number of His Majesty’s Subjects to the prejudice of the rest, and prove in effect a legislation for particular individuals.

And the Council are of opinion that by inserting at the ninth line between the words “England” and “provided” the words *Scotland, Ireland, or any of His Majesty’s Colonies*, as proposed by the Assembly, the Rule of admission to Barristers and Attornies would be placed upon as liberal a footing as could well consist with those provisions necessary to promote the due qualification and respectability of the Members of the legal profession.”

Ordered, that the said Report do lie on the Table.

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:

Mr. Speaker,

The Legislative Council have passed the Bill entitled “an Act to declare the legality of the collection of certain duties by the Collector of his Majesty’s Customs” without amendment.

Legality of Collection of Duties Bill passed by Council.

H. J. BOULTON, *Speaker*

Legislative Council

2d May, 1834.

And then he withdrew.

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

SATURDAY, MAY 3, 1834.

A Message from his Excellency the Governor.

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

Message from the Governor.

MESSAGE.

“THOS. COCHRANE.”

The Governor considers it due to the House of Assembly to transmit to them the copy of a Petition he has received from Doctor William Carson, one of the Representatives of the District of St. John’s, in which the House of Assembly will observe that the Petitioner states that the House of Assembly had passed a vote of two hundred pounds for the Medical Attendant on the Poor of St. John’s for the current year under an understanding of the House that the duties should be performed by the same individual who had formerly filled that office.

Transmitting copy of Dr. Wm Carson’s Petition.

Message from the Governor &c.

The due regard the House of Assembly have hitherto evinced for the just prerogatives of the Crown forbid the belief that they could entertain a desire to interfere in the appointment of its executive Officers, and the uniform respect the House have shewn towards his Excellency, fully assure him that had they desired to convey to him any expression of their wishes, or to inform him of their proceedings, they would not have deviated from the usual forms pursued on such occasions.

Government House, 3d May, 1834.

The copy of the Petition accompanying the said Message was read by the clerk, and it was

Ordered, that the said Documents do lie on the table to be perused by the Members.

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

The House resolved itself into a Committee of the whole House on the consideration of the bill, sent down from the Honorable the Legislative Council entitled "an Act to establish a Savings Bank in Newfoundland."

Mr. SPEAKER left the Chair,

Mr. HOYLES took the Chair of the committee,

Mr. SPEAKER resumed the Chair.

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

The said amendments were then read throughout a first and second time, and upon the question severally put thereon were agreed to by the House.

Ordered, that the said amendments be engrossed.

Mr. CARTER gave notice that on Monday next he should submit to the consideration of the House a Resolution touching the propriety and expediency of abolishing the Circuit Courts and of reducing the number of the Assistant Judges of the Supreme Court as at present constituted.

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

Ordered, that the Bill for the establishment of Light Houses be read a third time on Monday next.

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

Ordered, that the amendment made by the Council to the amendments made by this House on the Real Chattels Bill be read a third time on Monday.

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

MONDAY, MAY 5, 1834.

Light House Bill read a third time, and

recommitted.

House in Committee.

PURSUANT to the order of the day, an engrossed bill for the establishment of Light Houses was read a third time, and thereupon

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

Ordered, that the said bill be re-committed to a committee of the whole House-

Resolved, that this House do now resolve itself into a committee of the whole House on the said bill.

Accordingly the House resolved itself into the said committee.

Mr. SPEAKER left the chair.

Mr. SWEETMAN took the chair of the Committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said bill and had made some amendments therein, which they had directed him to report to the House whenever it shall be pleased to receive the same.

Report.

Ordered, that the report be now received.

And he read the report in his place and afterwards delivered it in with the bill at the Clerk's table.

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

Report adopted.

Ordered, that the bill as amended be engrossed.

Bill engrossed.

The Bill from the Honorable the Legislative Council entitled "an Act for the establishment of a Savings Bank in Newfoundland" was read a third time.

Savings Bank Bill read a third time,

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

Ordered, that the Bill do pass.

And passed with amendments.

Ordered, that Mr. HOYLES do carry the Bill back to the Legislative Council and acquaint them that this House have agreed to the same with certain amendments to which the concurrence of that House is desired.

Sent to Council.

The Order of the day for the third reading of the amendment made by the Legislative Council to the amendments made by this House to the Bill entitled "an Act to declare all landed property in Newfoundland Real Chattels" being read,

Order of the day read.

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

Resolved, that a conference be requested with the Legislative Council on the subject of the said amendment.

Further Conference to be asked on Real Chattels Bill.

Resolved, that the Committee appointed to manage the said conference on the part of this House be instructed to state to the Committee on the part of the Legislative Council that this House concur in the said amendment, but in order to protect any claims already preferred but not adjudicated upon, this House propose that the following words by way of amendment be inserted in the said Proviso between the words "possession" and "before"—viz. : "unless the person or persons in possession shall have had notice of the claim of the adverse party or parties."

Instructions to Conferees.

Ordered, that Mr. ROW do go up to the Honorable the Legislative Council and desire the said conference.

Mr. SWEETMAN reported from the select committee appointed to prepare a bill for appropriating the Supplies to be granted during the present Session of the Colonial Parliament, and he presented to the House the draft of a bill for that purpose, which was read a first time.

Appropriation bill presented and read a first

Ordered, that the said bill be now read a second time.

and second time.

And the same was read a second time accordingly.

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

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

Committed.

Resolved, that this House will, to-morrow, resolve itself into a committee of the whole House on the said bill, and that it do stand as the first item on the order of the day.

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

Conference on Punishment bill agreed to.

The Legislative Council consent to the conference requested by the Commons House of Assembly on the amendments made in and upon the bill entitled "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" and have appointed the Honorable Mr. Dunscomb and the Honorable Mr. Garland who will be ready to meet the Managers on the part of the Commons House of Assembly at two of the clock p. m. this day in the Committee Room of the Legislative Council for that purpose.

H. J. BOULTON, *Speaker, L. C.*

Legislative Council,

May 5, 1834.

And then he withdrew.

Conferees named.

Ordered, that Mr. ROW, Mr. PACK, Mr. CARTER and Mr. KENT be a Committee to manage the said conference on the part of this House.

And they went to the conference.

Report.

And being returned, Mr. Row reported that the Managers had been at the conference and had complied with the instructions of the House.

Supreme Court practice bill read a 2d time

The Bill from the Honorable the Legislative Council entitled "an Act to amend the practice of the Supreme Court" was read a second time.

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

Committed.

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

Resolved, that this House do now resolve itself into a committee of the whole House on the said bill.

House in Committee thereon.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

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

Message from Council.

A Message from the Legislative Council by Mr. Robinson, one of the Masters in Chancery.

Mr. Speaker,

Bill to relieve destitute Wives and Children sent down.

The Legislative Council have passed a bill entitled "an Act to afford relief to Wives and Children deserted by their husbands and parents" to which they desire the concurrence of the Commons House of Assembly.

And then he withdrew.

Bill read first time.

The said bill sent down from the Legislative Council was then read a first time.

Ordered, that the bill be read a second time to-morrow.

Pursuant to notice Mr. CARTER, seconded by Mr. SWEETMAN, moved that the House do come to the Resolutions following:

Resolved, that the Circuit Courts having been found after an experience of eight years to be unsuited to the wants and circumstances of

the people of this Island and wholly inadequate to the proper administration of Justice in the outports, while they have at the same time entailed a heavy expense upon the Colony, it is the opinion of this House that it is expedient the said Courts should be abolished.

Resolved, that it is the opinion of this House that the Supreme Court may with advantage to the Colony be constituted of a Chief Justice only, to preside therein, and that it is expedient that the offices of Assistant Judges of the Supreme Court should be abolished:—

Which being put, and the question being separately put thereon, the said Resolutions were adopted by the House.

The Report of the Committee of Conference with the Legislative Council on the subject of the amendments made by this House in the Bill to incorporate a Law Society in Newfoundland was read a second time and taken into consideration, and thereupon,

Mr. Row, seconded by Mr. CARTER, moved that this House do recede from the said amendments.

Mr. HOYLES moved in amendment, seconded by Mr. KENT, that this House do insist upon the said amendments:—which being put passed in the affirmative and

Resolved, accordingly.—

Ordered, that Mr. HOYLES, do go up to the Legislative Council and acquaint them that this House insist upon the amendments made by them in the said Bill.

Mr. Row, gave notice that he should move to-morrow that the House do proceed to take into consideration the Message of his Excellency the Governor presented to the House on Saturday last.

An engrossed Bill for the establishment of Light Houses, as amended, was read a third time.

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

Ordered, that the Bill do pass and that the Title be “an Act for the establishment of Light Houses.”

Ordered, that Mr. HOYLES do carry the said Bill up to the Honorable the Legislative Council and request their concurrence to the same.

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

TUESDAY, MAY 6, 1834.

PURSUANT to the Order of the day, the Bill sent down from the Legislative Council entitled “an Act to afford relief to Wives and Children deserted by their Husbands and Parents was read a second time.

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

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

The Order of the day for the House in Committee of the whole House on the consideration of the Bill for appropriating the Supplies granted during the present Session, being read

The House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair,

Mr. HOOPER took the Chair of the committee

Resolutions relative to the abolition of Circuit Courts and of Offices of Assistant Judges moved and adopted.

Report of Conference on Law Society Bill read and considered

Report of Conference on Law Society Bill read and considered

Motion to recede from amendments:—

Amendment to insist on them, adopted.

Governor's Message of Saturday Order of day for to-morrow.

Light House Bill read a third time,

and passed. Title.

Sent to Council.

Wives & Children Relief bill read second time, and

Committed.

House in committee on Appropriation Bill

Mr. SPEAKER resumed the Chair.

Report

The Chairman reported from the Committee that they had gone through the said Bill and had agreed to the same with certain amendments which he was directed to report to the House whenever it should be pleased to receive the same,

Amendments

Ordered, that the Report be now received.

Report adopted

And he read the Report in his place and delivered it in with the Bill at the Clerk's Table; and the said amendments, being read throughout a first and second time were, upon the question separately put thereon, agreed to by the House.

Bill engrossed

Ordered, that the said Bill with the amendments be engrossed.

3rd Reading

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

Notice of motion relative to Police Magistrates

Mr. SWEETMAN gave notice that he should, to-morrow, move that an Address be presented to his Excellency stating that the House consider two Police Magistrates sufficient for the District of St. John's, and praying his Excellency to release the present Chief Magistrate from the further discharge of his duties, and that this House will make provision for his retirement.

The Order of the day for the consideration of his Excellency's Message being read,

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

Order of day postponed

Ordered, that the said order of the day be postponed and that the said Message of his Excellency the Governor presented to the House on Saturday last be taken into consideration to-morrow.

Petition of St John's Chamber of Commerce presented and read

A Petition of the Chamber of Commerce of St. John's was presented by Mr. Row, and the same was received and read, setting forth that the Petitioners having received information that the encroachments of the French and American Fishermen on the British in Fortune Bay and other parts of the Island were annually increasing to the great detriment of the British Fishery, and that some instances have occurred lately where the French Fishermen not content as formerly in participating with British Subjects in taking Bait and Fish in those parts of the Island near St. Pierres from which they are restricted by Treaty have by force driven the British Fishermen from the ground on our own shores where shell fish Bait is most plentiful; and as it is well known to the Subjects of France that there is no Naval Force on this Station for the protection of our fisheries, all remonstrances on the part of the British are wholly disregarded and treated with contempt. The Petitioners therefore humbly pray that the House will apply to his Majesty's Government for a sufficient Naval Force to protect the British Fisheries of this Island and Labrador, from the encroachments of the Subjects of France and America so as to confine them to the limits and rights assigned to them by Treaties otherwise the Petitioners have reason to apprehend serious injury to the British Interests in those Fisheries,

A further Petition of the said Chamber of Commerce of St. John's was also presented by Mr. Row, and the same was received and read, setting forth that the Petitioners being deeply sensible of the depression under which the Trade and Fisheries of this Island labour from causes over which the Petitioners have no controul, and feeling how much the depression is occasioned by the operation of Treaties which the Parent Country has entered into with Foreign Powers as well as by the immense duties imposed by the Government of Spain on the importation of our produce into that Country—the duty indeed almost amounting to a prohibition—the Petitioners have deemed it expedient to address his Majesty's Principal Secretary of State for the Colonies on the subject

(a copy of which Address they crave leave to lay before the House) soliciting the interference of his Majesty's Government with the Government of Spain, in the hope that such intercession may have the effect of producing a result favourable to the Interests of this Colony. The Petitioners therefore humbly pray that the House will in its wisdom be pleased to assist the Petitioners in the furtherance of their object in such way as the House may deem meet.

The copy of the Memorial to the Right Honorable Secretary for the Colonies accompanying the said Petition was read by the clerk, and thereupon

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

Resolved, that an humble Address be presented to his most Gracious Majesty in furtherance of the prayers of the said Petitions, and that a select Committee be appointed to prepare the same.

Ordered, that Mr. Row, Mr. CARTER, Mr. PACK, and Mr. SWEETMAN, be a Committee for that purpose.

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

WEDNESDAY, MAY 7, 1834.

AN engrossed Bill to appropriate the Supplies granted during the present Session, was read a third time and thereupon,

Mr. KOUGH, seconded by Mr. KENT, moved that the said Bill be recommitted to a Committee of the whole House for the purpose of re-considering the sixth Section;—which being put, and the House dividing thereon, there appeared for the motion four; against it, six.

So it passed in the negative.

Mr. SWEETMAN, seconded by Mr. PACK, moved that the Bill do pass;—which being put, and the House dividing thereon, there appeared for the motion, six; against it, four.

So it passed in the affirmative, and

Ordered, that the said bill do pass and that the Title be "an Act to appropriate the Supplies granted during the present Session of the Colonial Parliament."

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

A Petition of the Stewards of the St. John's Charity School was presented by Mr. CARSON, and the same was received and read, setting forth that the Petitioners as guardians of the above named Institution entered on the duties of their Office in the prospect of procuring from the Government the sum of £120 currency in aid of the Salaries of the Master and Mistress of the School, and that in accordance with such expectation the Petitioners have entered into agreements with suitable persons to fill those situations. That Petitioners having perceived the long established allowance has not been included in the supply of monies for public service deem it their duty to apply to the House, and humbly pray that they will be pleased to grant the sum required to enable Petitioners to conduct the School as heretofore.

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

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

Petitions of St. John's Chamber of Commerce presented and read.

Motion for an address to the King on the subject of the Petitions

Committee to present same

Appropriation bill read 3d time.

Motion to re-commit.

Negatived

Bill passed.
Title.

Sent to Council

Petition of Stewards of St. John's Charity School presented and read.

Referred to Committee of Supply.

Motion relative to the St. John's Police Magistrates

Mr. SWEETMAN, seconded by Mr. PACK, moved that it be *Resolved*, that an address be presented to his Excellency the Governor respectfully representing to his Excellency that this House are of opinion that two Magistrates are sufficient for the proper discharge of the duties connected with the Police Establishment of St. John's, and that as the advanced age and infirmities of Mr. Broom, the present Chief Magistrate, render it desirable that he should be relieved from the duties of an Office he has so long and so faithfully filled, the House respectfully request that his Excellency would be pleased to release Mr. Broom from the further discharge of his duties and that this House will make an ample provision for his retirement :—which, being put,

Motion postponed.

Mr. Row, seconded by Mr. CARTER, moved that the consideration of the said resolution be postponed :—which, being put, passed in the affirmative, and

Ordered, accordingly.

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

Motion for an address to Governor to distribute money voted for the Poor

Resolved, that a committee be appointed to prepare an address to his Excellency stating that this House have granted a vote of £1725 for the relief of the poor in the different districts of the Island, and praying that his Excellency will be pleased immediately to issue such portion thereof as will relieve the pressing distress of the poor in the outports

Ordered, that Mr. PACK and Mr. SWEETMAN be a committee to prepare the said address.

Message from Council.

A Message from the Legislative Council.

Mr. Robinson, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

Conference on Real Chattels Bill agreed to,

The Legislative Council agree to the conference requested by the Commons House of Assembly on the subject matter of the amendments made in and upon the bill entitled "an Act to declare all Landed Property in Newfoundland Real Chattels" and have appointed the Honorable the Colonial Secretary and the Honorable Mr. Garland as Conferees on the part of this House who will be ready to meet Managers from the Assembly presently in the committee room of the Legislative Council for that purpose.

H. J. BOULTON, *Speaker, L. C.*

Legislative Council,

May 7, 1834.

And then he withdrew.

Conferees named.

Ordered, that Mr. Row, Mr. PACK, Mr. CARTER and Mr. SWEETMAN, be a committee to manage the said Conference on the part of this House

Conference held.

And their names being called over, they went to the conference, and being returned

Report.

Mr Row reported that the Managers had been at the conference and had complied with the instructions of the House.

Governor's Message relative to Dr. Carson's Petition considered.

Agreeably to the Order of the day the Message of his Excellency the Governor presented to the House on Saturday last together with the copy of the Petition accompanying the same were read and taken into consideration, and thereupon

Resolution moved thereon

Mr. Row, seconded by Mr. CARTER, moved that it be *Resolved*, that the statement made by Doctor William Carson, Member for the District of St. John's, in a Petition to his Excellency the Governor, a copy of which has been transmitted to this House, and wherein

he has asserted "that the Legislative Assembly had passed a vote of supply of two hundred pounds as before to the Medical Attendant for the current year under an understanding of the House that the duties should be performed by the same individual," is incorrect and unfounded in fact:—which being put,

Mr. KENT moved in amendment, seconded by Mr. SWEETMAN, that all the words of the said motion after the word "Resolved" be expunged and the following words be inserted instead thereof: "That this House does not deem it expedient to take cognizance of any assertions made to the Executive by any private individual":—which being put and the House dividing thereon, there appeared for the amendment, three; against it six.

Amendment moved.

For the amendment.

Mr. PACK.
— KENT.
— SWEETMAN.

Against the amendment.

Mr. HOOPER.
— CARTER.
— KOUGH.
— HOYLES.
— ROW.
— W. BROWN.

House divide.

So it passed in the negative.

Mr. SWEETMAN then moved, seconded by Mr. KENT, that the further consideration of the said Resolution be postponed until Friday next and that it do stand first on the Order of the day:—

Amendment lost.

Amendment to postpone the question on the original Resolution.

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

For the motion.

Mr. CARTER.
— SWEETMAN.
— KENT.
— HOOPER.
— PACK.
— HOYLES.

Against the motion.

Mr. KOUGH.
— W. BROWN.
— ROW.

House divide.

So it passed in the affirmative and Ordered, accordingly.

Amendment adopted.

A Message from the Legislative Council.

Message from Council.

Mr. Robinson, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:

Mr. Speaker,

The Legislative Council request a free conference on the subject of the amendments made in and upon the bill entitled "an Act for the relief of Insolvent Debtors taken in execution" and have appointed the Hon. the Attorney General and the Hon. Mr. Bland as conferees on the part of this House who will be ready to meet managers from the Commons House of Assembly on Tuesday next at two of the clock P. M. in the committee room of the Legislative Council for that purpose.

Conference requested on Insolvent Debtors relief Bill.

H. J. BOULTON, *Speaker, L. C.*

Legislative Council,
May 7, 1834.

And then he withdrew.

Mr. PACK reported from the committee appointed to prepare an address to his Excellency the Governor in pursuance of the resolution of the House of this day—and he presented to the House the draft of an address which he read in his place and afterwards delivered in at the Clerk's table where it was read and is as follows:

Address relative to the distribution of poor Money presented and read.

Address read.

*To His Excellency Sir Thomas John Cochrane, Knight,
Governor and Commander-in-Chief in and over the
Island of Newfoundland and its Dependencies,
&c. &c. &c.*

May it please Your Excellency,

The House of Assembly beg leave to acquaint your Excellency that they have granted to his Majesty for the support of the poor of the Island for the current year, the sum of £1725 to be distributed under the superintendance of committees in the different districts, to be appointed by your Excellency, in the following manner, that is to say, £650 to the district of St. John's, and the remainder to be distributed among the the other districts according to the number of their inhabitants as shewn by the census of the population taken in the years 1827 and 1828, which grant is contained in the bill appropriating the supplies voted this Session—already passed through the House :—And as the House have reason to believe that in various outports of the Island the most pressing distress and poverty prevail, and that it is of the utmost importance immediate relief should be afforded to the sufferers otherwise the most lamentable results may be dreaded, the House respectfully request that your Excellency will be pleased to issue your Warrant to the Treasurer of the Colony for such proportion of the said sum as shall be necessary for the immediate alleviation of the distress of the poor in the Outports, and that your Excellency will direct such relief to be distributed with as little delay as possible,—the amount of which Warrants the House of Assembly will make good.

Address adopted.

Resolved, that the said Address be adopted by the House.

Committee.

Ordered, that Mr. PACK, and Mr. SWEETMAN, be a Committee to present the same to his Excellency.

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

THURSDAY, MAY 8, 1834.

Time for receiving Ad-
dress fixed.

MRSPEAKER laid before the House a letter from the Honorable Mr. Secretary CROWDY, acquainting him, for the information of the House that his Excellency would receive a Committee of the House with the Address of yesterday at eleven o'clock to-morrow morning.

Contingent expenses &c.
laid upon the Table

The Clerk laid upon the Table of the House a list of the Officers and Servants of the House as also a statement of the Contingent Expenses for the present Session.

Referred to a select Com-
mittee to report,

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

Ordered, that the said Documents be referred to a Select Committee to examine the same and report thereon to the House; with all convenient speed.

Ordered, that Mr. SWEETMAN, Mr. PACK, and Mr. KOUGH, be a Committee for that purpose.

Petition of Michael Keefe
presented and read.

A Petition of Michael Keefe of Harbor Grace, Planter, was presented by Mr. PACK, and the same was received and read, setting forth that the Petitioner has been confined in gaol for debt since December last and that his health is impaired for want of air and exercise—that the Petitioner applied to the Deputy Sheriff for leave to walk about in the Gaol yard, but has not yet received any answer to his Petition : and praying that the House will enquire into his case and grant him such relief as it deserves.

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

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

Resolved, that the conference requested by the Legislative Council on the subject of the amendments made in the bill entitled "an Act for the relief of Insolvent Debtors taken in execution" be agreed to by the House.

Conference on Insolvent Debtors relief Bill agreed to.

Ordered, that Mr. Row, Mr. WILLIAM BROWN, Mr. HOYLES, and Mr. HOOPER be a committee to manage the said conference on the part of this House.

Conferees named.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the said conference.

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

The House resolved itself into a committee of the whole House on the consideration of the bill sent down from the Legislative Council entitled "an Act to afford relief to wives and children deserted by their husbands and parents."

House in Committee on destitute Wives and Children's relief Bill.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.
Bill agreed to.

Ordered, that the said report be adopted by the House.

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

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

Resolved, that a Committee be appointed to prepare and report to the House a Bill in conformity with the Resolutions of the House on the subject of the Supreme and Circuit Courts passed on Monday last.

Committee to prepare Bill in conformity with the Resolutions on the subject of the Supreme & Circuit Courts.

Ordered, that Mr. CARTER, Mr. HOOPER, and Mr. HOYLES, do compose the said Committee.

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

The House resolved itself into a Committee of the whole House on the consideration of the Bill to regulate the Standard of Weights and Measures.—

House in Committee on Weights and measures Bill

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the Committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had made some progress in the business to them referred and had directed him to ask for leave to sit again on the further consideration of the same.

Report.

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

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

FRIDAY, MAY 9, 1834.

A GREEABLY to the order of the day the engrossed Bill sent down from the Honorable the Legislative Council entitled "an Act to afford relief to Wives and Children deserted by their Husbands and Parents,"—was read a third time.

Wives and Children relief Bill read a third time, and

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

Ordered, that the Bill do pass.

passed.

Ordered, that Mr. SWEETMAN do carry the Bill up to the Honorable the Legislative Council and acquaint them that this House have concurred therein.

Pursuant to the order of the day, the adjourned debate on the subject of the Resolution moved by Mr. Row on Wednesday last in reference to the message of his Excellency the Governor, was resumed; and the said Resolution was read by Mr. SPEAKER.

Mr. CARSON—Member for St. John's—explained and then withdrew.

Mr. SWEETMAN, seconded by Mr. KENT, moved in amendment of the original motion, that the words "incorrect and unfounded in fact" be expunged therefrom and in lieu thereof the word "erroneous" be inserted:—

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

For the amendment—

Mr. PACK
— SWEETMAN
— KENT.

Against the amendment—

Mr. W. BROWN
— KOUGH
— ROW
— HOYLES
— HOOPER
— CARTER.

So it passed in the negative.

The original motion was then put and the House dividing thereon, there appeared for the motion, six; against it, two.

For the motion—

Mr. HOOPER
— CARTER
— W. BROWN
— HOYLES
— ROW
— KOUGH.

Against the motion—

Mr. PACK
— KENT.

So it passed in the affirmative, and is as follows:

Resolved, that the statement made by Dr. WILLIAM CARSON, Member for the District of St. John's, to his Excellency the Governor, a copy of which has been transmitted to this House, and wherein he has asserted that the Legislative Assembly had passed a vote of supply of Two hundred Pounds, as before, to the Medical Attendant for the current year, under an understanding of the House that the duties should be performed by the same individual, is incorrect and unfounded in fact.

Mr. Row, seconded by Mr. KOUGH, moved that it be

Resolved, that an address be presented to his Excellency the Governor, in reply to his Excellency's Message of the 3rd instant, stating to his Excellency, that the House have had under their consideration the Message of his Excellency transmitting to the House the copy of a petition of Dr. William Carson, dated the 1st May, 1834, wherein he has asserted that the Legislative Assembly had passed a vote of supply of Two hundred pounds, as before, to the Medical Attendant for the current year, under an understanding of the House that the duties should be performed by the same individual, and that this House assure his Excellency that the assertion contained in the said petition is incorrect and not founded in fact, as the House had come to no such understanding, nor made any such specific vote for a Medical Attendant at St. John's, and further, that this House view with great disapprobation the conduct of the said Dr. William Carson, in making such an assertion to his Excellency;—

Which being put, passed in the affirmative.

Debate on the Resolution relative to Dr. Carson's Petition resumed.

Amendments moved upon the original motion.

House divide.

Amendment lost.

Original Resolution put.

House divide.

Resolution adopted.

Resolution for an Address to the Governor in reply to his message relative to Dr. Carson's Petition.

Resolution adopted.

Ordered, that Mr. Row, and Mr. CARTER be a committee to prepare an address, in pursuance of the foregoing resolution.

Mr. Row, reported from the committee of conference with the Honorable the Legislative Council on the subject of the amendments made in the bill entitled "an Act for the relief of Insolvent Debtors taken in execution;" and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was read, and is as follows;

"The Legislative Council have desired this conference on the subject of the last conference concerning the bill entitled "an Act for the relief of Insolvent Debtors taken in execution" to acquaint the House of Assembly that the Legislative Council do insist upon the first amendment made by them to that bill (and which the House of Assembly do not concur in) for the following reasons:

The object of the bill being to afford relief to Debtors charged in execution, it is necessary while extending indulgence to them, that reasonable provision be made for the protection of the Creditor, and that due care be taken to inform him of the application of his debtor to the Court for his discharge, which the Legislative Council are of opinion a notice in the *Gazette* does not sufficiently ensure. By the amendment made by the Legislative Council the party applying to be discharged is required to cause all his creditors named in the Schedule to be individually notified of the debtor's intention, but to provide for any omission of the debtor in not stating the names of his creditors in such schedule, notice is required to be inserted in the *Gazette*, and also in any local newspaper where the debtor may reside. The object of inserting the notice in the *Gazette* is that the public may know where to find every notice of the kind if they desire to make enquiry, altho' the individual may not be in the habit of seeing the *Gazette*, and the debtor is also required to insert the notice in the paper published in his neighbourhood, if there be one, to afford a further chance to his creditors to be informed of his application.

There is no particular mode required for notifying the creditors individually, and, therefore, it will be open to the debtor to adopt any method he may find most convenient for obtaining that object, and which, generally speaking, there can be little difficulty in doing. The course thus prescribed is substantially the same as that adopted in the various acts passed in England for the relief of Insolvent Debtors, and the Legislative Council see no reason for deviating therefrom.

The Legislative Council will recede from the second amendment objected to by the House of Assembly at the last conference, upon condition that the following Proviso be added to the clause: "Provided always, that it shall be lawful for the said Courts to appoint Trustees of the estate and effects of debtors declared insolvent other than creditors of any such debtor or debtors if the Court shall deem it expedient so to do."

Ordered, that the report do lie on the table.

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

SATURDAY, MAY 10, 1834.

MR. Row, from the committee appointed to prepare an address to his Excellency the Governor in conformity to the resolution of yesterday, reported that the committee had drawn up the draft of an address accordingly—and he read the same in his place, and afterwards delivered it in at the Clerk's table, where it was read, and is as follows:

Committee to prepare address.

Report of Committee on the Insolvent Debtors relief Bill.

Address on the subject of Dr. Carson's Petition presented and read.

Address read.

*To His Excellency Sir Thomas John Cochrane, Knight,
Governor and Commander-in-Chief in and over the
Island of Newfoundland and its Dependencies,
&c. &c. &c.*

May it please Your Excellency,

The Commons House of Assembly having taken into consideration the Message of your Excellency of the third instant, transmitting to the House the copy of a petition of Dr. William Carson, Member for the district of St. John's, dated the first instant, respectfully beg leave to assure your Excellency that the assertion contained in the said petition of "the Legislative Assembly having passed a vote of supply, as before, to the Medical Attendant for the current year, under an understanding of the House that the duties should be performed by the same individual" is incorrect and unfounded in fact, as the House had come to no such understanding, nor made any specific vote for the Medical Attendant at St. John's; and the House further beg leave to assure your Excellency, that they view with great disapprobation the conduct of the said Dr. William Carson in making such an assertion to your Excellency.

Address adopted.

Resolved, that the said Address be adopted by the House.

Ordered, that the address be engrossed.

Ordered, that Mr. Row, and Mr. CARTER, be a Committee to present the same to his Excellency.

Report of Committee to present Address relative to the distribution of the Money for relief of the Poor.

Mr. PACK, from the committee appointed to present to his Excellency the Governor the address relative to the distribution of a part of the grant for the relief of the poor in the outports, reported, that the committee had waited on his Excellency with the said address, and in reply thereto, his Excellency was pleased to say he would take the same into his serious consideration.

Report of Committee to search Council's Journals relative to proceedings on the Bill to limit the duration of Parliament.

Mr. PACK, from the committee appointed to search the Journals of the Legislative Council as to what proceedings had taken place upon the bill to limit the duration of the Parliaments of this Island, reported, that the committee had searched the Journals of the Council accordingly, and found

"That on Tuesday, the 25th February, the bill was read a first time, and ordered for a second reading on Thursday following.—Thursday, 27th February, the Council met and adjourned for want of a quorum, and that the committee find no further traces of the said bill."

Ordered, that the report do lie on the Table.

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

Ordered, that Mr. PACK have leave to absent himself from this House for the remainder of the Session.

Leave of absence granted to Mr. Pack.

Notice of Motion for Committee of Supply.

Mr. SWEETMAN gave notice that, on Monday, he should move that the House do resolve itself into a committee of the whole House on the consideration of a supply to be granted to his Majesty.

Petition of M. Willoughby presented and read.

A Petition of Mark Willoughby, Superintendant of the affairs of the Newfoundland School Society, was received and read, setting forth, that since the year 1829, the Newfoundland School Society has established in the Colony thirty four schools, in which instruction has been given to upwards of six thousand Scholars, and which have been maintained by voluntary contributions collected in the Mother Country, aided by an annual Grant of One hundred and Sixteen Pounds currency from the Government. The Petitioner, observing in the appropriation of the public monies for the ensuing year that the usual grant has not been made to the Newfoundland School Society, feels it to be his duty to state to the House, that he has made agreements with the respective Teachers of the

Schools, as usual, having had no reason to doubt but that the same sum would be received from the Government. The Petitioner begs further to acquaint the House, that should the grant be withheld from the Society at a future period, instead of complying with many applications for additional Schools, it will be under the necessity of closing some already established in the out harbours, which were opened at the urgent requests of the respective Inhabitants who are generally too poor wholly to maintain a Master:—The Petitioner therefore prays the House will place at the disposal of the Society the sum it has hitherto received.

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

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

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

The House resolved itself into a Committee of the whole on the Bill to regulate the Standard of Weights and Measures.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the Committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had made some progress, and had directed him to ask for leave to sit again.

Ordered, that the Committee have leave to sit again.

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

MONDAY, MAY 12. 1834.

Mr. SPEAKER acquainted the House that he had received a letter from the Honorable Mr. Secretary CROWDY informing him that his Excellency would receive a Committee of the House with the Address passed on Saturday last, to-morrow morning, at eleven o'clock.

Mr. CARTER reported from the Committee appointed to prepare a Bill in pursuance of the Resolution of the House passed on Monday last, and be presented to the House the draft of a Bill to amend the Constitution of the Supreme Court, and the same was read a first time.

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

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

Resolved, that a Committee be appointed to prepare an Address to his Excellency the Governor stating, that the House have voted £1200 for the purpose of purchasing seed potatoes to be distributed among the poor in the different Districts of the Island, and praying that he will cause the same to be distributed as early as possible.

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

The House resolved itself into a Committee of the whole House on the consideration of the Bill to regulate the Standard of Weights and Measures.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the Committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had gone through the said Bill and had made several amendments to the same, which they had directed him to report to the House whenever it shall be pleased to receive the same.

Petition of Mr. Willoughby presented and read.

Referred to the Committee of Supply.

House in Committee on Weights and measures Bill

Report.

Time for receiving Address fixed.

Bill to amend the Constitution of the Supreme Court presented and read.

Second reading.

Motion for an Address to the Governor to distribute Vote for purchasing Potatoes.

House in Committee on Weights and Measures Bill.

Report.

Amendments

Ordered, that the Report be received at the next sitting of the House.

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council, the following written Message

Mr. Speaker,

Commencement of Acts Bill.

The Legislative Council have passed the bill entitled "an Act for ascertaining the time of the commencement of the acts of the Parliament of this Colony" without amendment.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
May 12, 1834.

Mr. Speaker,

Savings Bank Bill passed by Council.

The Legislative Council have passed the bill entitled "an Act for the establishment of a Savings' Bank in Newfoundland" with the amendments proposed by the Assembly.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
May 12, 1834.

And then he withdrew.

Then the House adjourned until eight o'clock, P. M.

The House met pursuant to adjournment.

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

House in committee on Registration of Deeds Bill

The House resolved itself into a Committee of the whole House on the consideration of the Bill relating to the Registration of Deeds.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

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

Report of Committee on Weights and Measures Bill.

Mr. HOOPER from the Committee of the whole House, to whom was referred the Bill to regulate the standard of Weights and Measures, reported, according to order, the amendments made by the committee in the said Bill. And he delivered the Bill with the amendments in at the Clerk's Table.

Report adopted.

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

Ordered, that the said bill as amended be engrossed.

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

TUESDAY, MAY 13, 1834.

Bill to amend the Constitution of the Supreme Court read a second time and committed.

A GREEABLY to the order of the day, a bill to amend the constitution of the Supreme Court was read a second time.

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

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

The report of the committee of conference with the Honorable the Legislative Council on the subject of the amendments made in the bill entitled "an Act for the relief of Insolvent Debtors taken in execution" was read a second time, and taken into consideration, and thereupon,

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

Resolved, that this House do recede from its disagreements to the said amendments made by the Honorable the Legislative Council, and do concur therein, as also to the Proviso proposed to be inserted in the said Bill by the Legislative Council at the last Conference.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them thereof accordingly.

Mr. HOYLES reported from the Committee appointed to prepare an Address to his Excellency the Governor, in pursuance of the Resolution of yesterday relative to the vote of £1200 for the purchase of Seed Potatoes, and he presented to the House the draft of an Address accordingly which was read by the Clerk, and is as follows :

*To His Excellency Sir Thomas John Cochrane, Knight,
Governor and Commander-in-Chief in and over the
Island of Newfoundland and its Dependencies,
&c. &c. &c.*

May it please Your Excellency,

The House of Assembly beg leave to acquaint your Excellency that they have granted to his Majesty the sum of £1200 for the purchase of seed potatoes, to be distributed among such poor and indigent persons in the different Districts of the Island as may have land fit for cultivation, and no means of procuring seed—to be distributed under the superintendance of Committees to be appointed by your Excellency,—in proportion to the number of Inhabitants, as shewn by the Census of the population taken in the years 1827 and 1828;—and as the season is so far advanced that the advantages to be derived from the distribution of such potatoes will be lost unless the same are sent to the different Districts without much loss of time—The House of Assembly, therefore, respectfully request that your Excellency will be pleased to issue your Warrant to the Treasurer of the Colony for the said sum of £1200, and cause the potatoes to be purchased therewith to be distributed with as little delay as possible.

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

Resolved, that the said Address be adopted by the House.

Ordered, that Mr. KOUGH and Mr. HOYLES be a committee to present the same to his Excellency.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message.

Mr. Speaker,

The Legislative Council request a free conference with the Commons House of Assembly on the Amendments made by that House in and to the Bill entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practise the Law in the various Courts of this Island" and have appointed the Honorable the Attorney General, and the Honorable Mr. Dunscomb, who will be ready to meet Managers from the Commons House of Assembly, in the Committee Room of the Legislative Council, for that purpose, on this day at three of the clock P. M.

H. J. BOULTON, *Speaker L. C.*

*Legislative Council,
May 13, 1834.*

Report of Conference on Insolvent Debtors relief Bill read.

Motion thereon.

Address on the subject of distributing the sum voted for purchasing potatoes presented and read.

Address adopted.

Message from Council.

Free Conference on Law Society Bill requested.

And then he withdrew.

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

Resolved, that the conference requested by the Honorable the Legislative Council be agreed to.

Ordered, that Mr. Row, Mr. HOYLES, Mr. HOOPER and Mr. KOUGH be a committee to manage the same on the part of this House.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the said conference.

On motion of Mr. KOUGH, seconded by Mr. HOOPER, the House resolved itself into a committee of the whole House on the consideration of the Bill sent down from the the Honorable the Legislative Council entitled "an Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland entitled 'an Act for the better administration of Justice in Newfoundland and for other purposes' as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island."

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the Committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had made some progress, and had directed him to ask for leave to sit again.

Ordered, that the Committee have leave to sit again.

A Message from the Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written Message.

Mr. Speaker,

The Legislative Council inform the Commons House of Assembly that the amount of the contingencies of this House, during the present Session of the Legislature, is Three hundred and ninety-eight pounds, three shillings, and four pence, sterling.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,

May 13, 1834.

And then he withdrew.

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

Resolved, that a Message be sent to the Legislative Council requesting a statement of the items composing the amount of the contingencies of that House.

Ordered, that Mr. SWEETMAN do communicate the said Message to the Honorable the Legislative Council,

Then the House adjourned until eight o'clock, P. M.

At eight o'clock, the House met pursuant to adjournment.

The House resolved itself into a Committee of the whole House on the consideration of the Bill for the establishment of Courts of Common Pleas.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Conference agreed to.

Conferees.

House in Committee on Court of Common Pleas Bill.

Report.

Message from Council with the Contingent expenses of the Council.

Statement of the Council's contingencies to be requested.

House in committee on the Court of common Pleas Bill.

Report.

Ordered, that the Committee have leave to sit again.
Then the House adjourned until to-morrow, at twelve of the clock.

WEDNESDAY, MAY 14, 1834.

AN Engrossed Bill to regulate the Standard of Weights and Measures was read a third time, and thereupon,

Weights [and Measures Bill read a third time, and

Mr. CARTER, seconded by Mr. SWEETMAN, moved, that the Bill be re-committed to a committee of the whole House for the purpose of adding another Section to the same :—which being put, passed in the affirmative.

recommitted.

The House then resolved itself into a Committee of the whole House on the consideration of the said Bill accordingly.

House in Committee thereon.

Mr. SPEAKER left the chair,

Mr. HOYLES took the chair of the Committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had reconsidered the said Bill, and had made an amendment thereto which they had directed him to report to the House ; and he delivered the Bill with the amendment in at the Clerk's Table.

Bill reported with amendment.

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

Report adopted.

Ordered, that the said amendment be engrossed.

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

Ordered, that the said Bill do pass, and that the title be “ an Act to regulate the Standard of Weights and Measures in this Colony, and to provide for the surveying of Lumber.”

Bill passed. Title.

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

Sent to Council.

A Message from the Legislative Council.

Message from Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

The Legislative Council request a conference with the Commons House of Assembly on the subject of the Message sent up yesterday from the Assembly respecting the contingencies of this House and have appointed the Honorable the Attorney General, and the Honorable Mr. Thomas, who will be ready to meet Managers from the Assembly, in the committee room of the Legislative Council, presently, for that purpose.

Request Conference on subject of Message relative to the Contingencies of Council.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
May 14, 1834.

And then he withdrew.

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

Resolved, that the Conference requested by the Legislative Council be agreed to.

Conference acceded to.

Ordered, that Mr. SWEETMAN, Mr. CARTER, Mr. Row, and Mr. HOYLES, be a committee to manage the same on the part of this House.

Conferees.

And their names being called over, they went to the conference.

Conference held.

And being returned, Mr. SWEETMAN reported as follows.

Report

The Legislative Council have desired this conference with the Commons House of Assembly upon the message sent up by them yesterday relating to the contingencies of the Legislative Council, with a sincere desire to preserve that good correspondence between the two Houses which is so essential to the Public interests of the Colony, but which any attempt on the part of the Assembly to interfere with the privileges of the Legislative Council necessarily tends to disturb; and to acquaint the Assembly that the Legislative Council regard the privilege of auditing their own contingent expenses to be one of such vital importance to their independence, as a co-ordinate Branch of the Legislature, that they cannot permit it to be called in question, or argued upon.

It is a Privilege which the higher House of Parliament have at all times exercised, and can never relinquish.

The Legislative Council are sensible of the haste with which the Assembly must have come to the Resolution ordering their Message to be sent to the Legislative Council, inasmuch as the amount of the Contingent charges incurred for the service of the Legislative Council were communicated to the Assembly but a short time before on the same morning, that the message relating to those charges was sent up, and the Legislative Council are therefore the less desirous of remarking upon the terms of the Message which they would otherwise be at a loss to account for.

Ordered, that the said Report do lie on the Table.

Time for receiving Address fixed.

Mr. SPEAKER acquainted the House that he had received a Letter from the Honorable Mr. Secretary CROWDY informing him that his Excellency would receive a committee of the House with the Address passed yesterday, to-morrow morning, at eleven o'clock.

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

Bill concerning Passengers arriving in this Island presented and read.

Ordered, that Mr. CARTER have leave to bring in a Bill relating to Passengers arriving in this Island from Great Britain and Ireland.

Accordingly, he presented to the House the draft of a Bill for that purpose, and the same was read a first time.

Second reading.

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

Then the House adjourned until seven o'clock P. M.

At seven o'clock the House met, pursuant to adjournment.

House in Committee on Courts of Common Pleas Bill.

The House resolved itself into a committee of the whole House on the consideration of the Bill to establish Courts of Common Pleas in Newfoundland.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

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

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

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

THURSDAY, MAY 15, 1834.

Passengers bill read 2nd time, and

PURSUANT to the Order of the day a bill relative to Passengers arriving from Great Britain and Ireland, was read a second time.

On motion of Mr. CARTER, seconded by Mr. Row,
Ordered, that the said bill be committed to a committee of the whole House.

committed.

The Report of the committee of conference with the Legislative Council on the subject of contingencies was read a second time.

Report of Conference on the subject of the Council's contingencies

On motion of Mr. SWEETMAN, seconded by Mr. CARTER,
Ordered, that the said Report be referred to a committee of the whole House.

committed.

Resolved, that this House do now resolve itself into the said committee.

House in committee thereon.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message.

Mr. Speaker,

The Legislative Council request a free conference with the Commons House of Assembly on the subject matter of the Bill for appropriating the supplies granted to his Majesty during the present Session of the Colonial Paaliament, and have appointed the Honorable Messrs. Thomas and Garland, as Conferees on the part of this House, who will be ready to meet Managers from the Assembly on that subject in the Committee-Room of the Legislative Council, presently.

Free Conference on the appropriation Bill requested.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
 May 15, 1834.

And then he withdrew.

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

Resolved, that the said Conference be agreed to, as requested by the Legislative Council.

Conference agreed to.

Ordered, that Mr. HOYLES, Mr. KOUGH, Mr. SWEETMAN, and Mr. Row, do manage the same on the part of this House.

Conferees.

Ordered, that Mr. Hoyles do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the said conference.

And the names of the Managers being called over, they went to the conference.

And being returned, Mr. HOYLES reported that the Managers had been at the conference and he stated the subject of the said conference to the House.

Conference held. Report.

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

Resolved, that this House do now resolve itself into a committee of the whole House on the subject of the said conference.

House in committee thereon.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The chairman reported from the committee that they had come to a resolution which they had directed him to report to the House; and he delivered the said resolution in at the Clerk's Table, where it was read, and is as follows:

Resolved, that it be recommended to the House to request a free conference with the Legislative Council on the subject of the last conference.

And the said resolution being read throughout a first and second time was, upon the question put thereon, agreed to by the House.

Ordered, that Mr. SWBETMAN do go up to the Honorable the Legislative Council and request the said conference.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:

Mr. Speaker,

The Legislative Council have passed the bill entitled "an Act for the establishment of Light Houses," with some amendments to which the concurrence of the Commons House of Assembly is requested.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,

May 15, 1834.

And then he withdrew.

The amendments made by the Legislative Council were then read a first time, and are as follows:

Page 2, line 10.—After the word "decked" insert the word "vessel."

—— *line 18.*—Expunge the words "said Commissioners" and insert in place thereof "Treasurer of this Island."

—— *line 19.*—Expunge the words "may and they are" and insert instead thereof "he is."

—— *line 20.*—Expunge the words "of money to be borrowed."

Page 3, line 5.—Expunge the word "proper."

—— Expunge the words between "necessary" in the 17th line, and "to" in the 20th line.

Page 4, line 24.—Expunge the words between "enacted" in the 24th line of the 3rd page, and "thenceforth" in the 2nd line of the 4th page, and insert in place thereof the words following—
"that when and so soon as the said Light House shall have
"been completed near Cape Spear as aforesaid, it shall and
"may be lawful for the Governor or person administering
"the Government of this Island for the time being, to issue
"a Proclamation under the Great Seal signifying that the
"same hath been so completed and that."

—— *line 5.*—Expunge the words "or going out of."

—— *line 11.*—Expunge the words "the additional" and insert the letter "a."

Page 5, line 8.—Expunge the word "cleared" and insert the word "entered."

—— Expunge the words between "Customs" in the 9th line and "and" in the 13th line.

—— *line 17.*—Expunge the word "Commissioners" and insert instead thereof "Treasurer."

Report.

Further Conference to be requested.

Message from Council.

Light House Bill passed by Council with amendments.

Amendments read.

Page 5, line 18.—Expunge the words “they are” and insert in place thereof “he is.”

— *line 20.*—Expunge the words “a certificate or certificates” and insert the words “one or more debenture or debentures.”

Page 6, line 1.—Expunge “Chairman” and insert in place thereof “said Treasurer.”

— *lines 2 & 3.*—Expunge the words “at least two of the said commissioners” and insert instead thereof “The Colonial Secretary”

— *line 4.*—Expunge the word “certificates” and insert the word “debentures.”

— *lines 5 & 6.*—Expunge the words after “issued.”

— *line 8.*—Expunge “certificate” and insert “debenture.”

— *line 10.*—Expunge “commissioners” and insert “Treasurer” in both places.

— *line 13.*—Expunge “certificate” and insert “debenture.”

— *line 14.*—Expunge “Loan certificate” and insert “debenture.”

— *line 18.*—Expunge “We” and insert “I.”

— *line 19.*—Expunge “Chairman and Commissioners of Light Houses appointed under the said act,” and insert “Treasurer of the Island of Newfoundland.”

— *line 21.*—Expunge the words “us me” and insert “me I.”

Page 7, line 3.—Expunge “We” and insert “I do.”

— *line 4.*—Expunge “us” and insert “me.”

— *line 6.*—Expunge “we” and insert “I do.”

— *line 8.*—Expunge “our” and insert “my.”

— *line 9.*—After “office” insert “at St. John’s.”

— *line 10.*—Expunge the word “our” and letter “s” after “hand” and insert instead of “our” “my.”

— *line 12.*—Expunge “commissioners” and insert “Colonial Secretary.”

— *Same line*—Expunge “Chairman” and insert “Treasurer.”

Ordered, that the said amendments be read a second time to-morrow. Then the House adjourned until to-morrow, at twelve of the clock.

Amendments read.

2d reading.

FRIDAY, MAY 16, 1834.

A GREEABLY to the Order of the day, the amendments made by the Legislative Council in the Bill entitled “an Act for the establishment of Light Houses” were read a second time and taken into consideration, and thereupon,

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

Resolved, that this House do concur in the said amendments.

Ordered, that Mr. HOYLES do go up to the Legislative Council and acquaint them that this House have agreed to the said amendments.

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

The House resolved itself into a committee of the whole House on the consideration of the Report of the committee of conference with the Legislative Council on the subject of the contingencies.

Amendments to Light House Bill read second time

and

agreed to.

House in Committee on Contingencies

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The chairman reported from the committee that they had made some progress in the business to them referred and had come to certain Resolutions thereon which they had directed him to report to the House whenever it shall be pleased to receive the same.

Ordered, that the Report be now received.

Report read.

And he read the Report in his place and afterwards delivered it in at the Clerk's Table where it was again read and is as follows:

Resolved, that it is the opinion of this committee that a conference be requested with the Legislative Council on the subject of the Message sent up on Tuesday last relative to the contingencies of the Legislative Council.

Resolved, that the committee appointed to manage the said conference on the part of this House be instructed to state to the conferees on the part of the Legislative Council—

Report

That the House of Assembly have requested this conference with the Legislative Council equally desirous with them of maintaining and continuing that good correspondence between the two Houses without which it would be impossible to transact the public business of the Legislature and which the House of Assembly are far from wishing to disturb.

The House of Assembly regret that the Legislative Council should have considered the Message sent up by them on Tuesday last on the subject of the contingencies of the Legislative Council as an attempt to interfere with the privileges of that House, for the Assembly assure the Legislative Council that their object in sending up the said Message was not for the purpose of enquiring into the details of the actual contingencies of the Upper House, nor to presume to meddle with its privilege in auditing the same (if such be the privilege of the Legislative Council which this House will not take upon itself to determine) but as there are attached to the Upper House several officers whose Salaries the House of Assembly cannot regard as ranking under the head of contingencies, the Assembly were desirous, in order to obviate unnecessary discussion upon voting a supply for the payment thereof, to ascertain merely the heads of the various contingencies of which the amount stated in the Message of the Legislative Council is composed.

On reference to the proceedings of the Legislatures of several of the neighbouring Colonies whose circumstances are analagous to those of this Island, the House of Assembly observe that it is the practice for the House of Assembly in those Colonies to vote separate and distinct sums for the payment of each branch of the contingencies, as well as the specific Salaries of the officers of the Legislative Council; and in desiring to pursue the same course the Assembly, as they seek not to introduce any novelty, cannot justly be suspected of attempting to invade the privileges of the Legislative Council as a co-ordinate Branch of the Legislature. It would therefore be a source of extreme regret to the House of Assembly if, from their desire to obtain more ample information as to the nature of the expenses connected with the Legislative Council, without wishing to interfere in the auditing of their actual contingencies, any misapprehension on the part of the Legislative Council as to the intentions of the Assembly should tend to interrupt that good understanding between the two Houses which it will at all times be the endeavour of the Assembly to cultivate.

Report adopted.

Resolved, that this House do concur with the committee in the said Resolutions.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and request the said conference.

Conference to be asked.

A Message from his Excellency the Governor.

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

Message from Governor, with copy of Despatch from the Secretary of state for the Colonies.

MESSAGE.

“THOS. COCHRANE”

The Governor transmits for the information of the House of Assembly the copy of a Despatch which he has received from the Right Honorable the Secretary of State for the Colonies.

Government House, }
16th May, 1834. }

The copy of the Despatch accompanying the said Message was read by the Clerk and is as follows:—

Downing Street, }
25th February, 1834. }

SIR,—With reference to the Acts passed by the Legislature of Newfoundland in their last Session, I have the honor to acquaint you that two of those Acts entitled respectively “an Act to prevent dangerous quantities of Gunpowder being kept within the Town of St. John’s” and “an Act to prevent dangerous quantities of Gunpowder being kept in the Town of Carbonear” have not yet received the Royal confirmation. It seems very desirable that Magazines and Storehouses belonging to the Ordnance Department should be excepted from the operation of these Acts, and as it may be doubted whether the Acts in their present shape could be construed so as to admit of that exception, I have to desire that you will convey to the Legislative Council and Assembly, by Message, his Majesty’s recommendation that a further Act be passed expressly declaring that Ordnance Storehouses and Magazines shall not be affected by the two Laws of last Session upon the custody of Gunpowder.

Despatch.

Relative to the Gunpowder Storing Acts and suggesting an amendment.

I have the honor to be, &c.

Governor

E. G. STANLEY.

Sir THOS. COCHRANE.

Ordered, that the said Message and despatch be taken into consideration to-morrow.

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

The House resolved itself into a committee of the whole House on the further consideration of the Bill for the establishment of Courts of Common Pleas.

House in committee on Courts of Common Pleas Bill.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

A Message from the Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written Message :

Message from Council.

Mr. Speaker,

Conference on Real Chattels Bill requested.

The Legislative Council request a conference with the Commons House of Assembly on the subject of the last conference respecting the amendment made to the amendment in the Bill entitled "an Act for declaring all Landed Property in Newfoundland Real Chattels" and have appointed the Honorable Mr. Garland and the Honorable Mr. Bland as conferees on the part of this House, who will be ready to meet the Managers from the Assembly in the committee room of the Legislative Council presently for that purpose.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,

May 16, 1834.

And then he withdrew.

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

Conference agreed to.

Resolved, that the said Conference be agreed to, as requested by the Legislative Council.

Conferees.

Ordered, that Mr. ROW, Mr. CARTER, Mr. SWEETMAN, Mr. KOUGH, do manage the said conference on the part of this House.

Ordered, that Mr. Row do go up to the Legislative Council and acquaint them that this House have agreed to the said conference.

Conference held.

And the names of the Managers being called over, they went to the conference.

And being returned, Mr. Row reported that the Managers had been at the conference, and he read the Report in his place and afterwards delivered it in at the Clerks Table where it was read, and is as follows :

Report.

The Legislative Council have requested this conference with the Commons House of Assembly on the subject of the last conference respecting the amendments made in and upon the Bill entitled "an Act for declaring all Landed Property in Newfoundland Real Chattels" for the purpose of acquainting the Assembly that the Legislative Council do not concur in the amendment proposed by the Assembly to be inserted in the Proviso added by the Legislative Council to the amendments on the said Bill.

Ordered, that the said Report do lie on the Table.

Message from Council.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

Free Conference on Appropriation bill agreed to.

The Legislative Council agree to the Free conference requested by the Commons House of Assembly on the subject of the last conference had upon the Bill entitled "an Act for appropriating the Supplies granted to his Majesty during the present Session of the Colonial Parliament" and have appointed Messrs. Thomas and Garland as Conferees on the part of this House, who will be ready to meet Managers from the Commons House of Assembly in the Committee Room of the Legislative Council for that purpose, presently.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,

May 16, 1834.

And then he withdrew.

Managers named

Ordered, that the Managers who managed the last conference on the said Bill do manage this conference.

And their names being called over they went to the conference.

Conference held.

And being returned, Mr. HOYLES reported that the Managers had been at the conference, and he stated the subject thereof to the House.

Report.

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

Resolved, that an Address be presented to his Excellency the Governor thanking him for his Message this day presented to the House, and assuring his Excellency that the House will take the same into its early consideration.

Address of thanks to his Excellency moved.

Ordered, that Mr. HOYLES and Mr. HOOPER be a committee to present the same to his Excellency.

Committee to present same.

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON one of the Masters in Chancery brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

The Legislative Council agree to the conference requested by the Commons House of Assembly on the subject of the Message sent up from the Assembly on Tuesday last, relative to the contingencies of the Legislative Council, and have appointed the Honorable the Attorney General, and the Honorable Mr. Thomas, as conferees on the part of this House, who will be ready to meet Managers from the Assembly presently, in the Committee Room of the Legislative Council for that purpose.

Conference on Contingencies agreed to.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
MAY 16, 1834.

And then he withdrew.

Ordered, that the Managers who managed the last conference on the subject of the said Message, do manage this conference.—

Confer ees named.

And they went to the conference.

Conference held.

And being returned, Mr. SWEETMAN reported that the Managers had been at the conference, and had complied with the instructions of the House.

Report.

Then the House adjourned until eight o'clock P. M.

At eight o'clock the House met pursuant to adjournment.

And there being only five members present, namely,

MR. SPEAKER, MR. ROW, MR. KOUGH, MR. CARTER, MR. HOYLES.

No Quorum.

MR. SPEAKER adjourned the House at nine o'clock P. M. for want of a Quorum.

House adjourned.

SATURDAY, MAY 17, 1834.

THE Report of the committee of conference with the Legislative Council on the subject of the amendments made in the bill entitled "an Act for declaring all Landed Property in Newfoundland Real Chattels" was read a second time and taken into consideration, and thereupon,

Report of Conference on Real Chattels Bill read.

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

Resolved, that a conference be requested with the Legislative Council on the subject of the report of the last committee of conference on the said bill.

Further Conference to be requested thereon.

Ordered, that Mr. Row do go up to the Hon. the Legislative Council and request the said conference.

Instructions to managers.

Ordered, that the committee appointed to manage the said conference on the part of this House be instructed to state to the conferees on the part of the Legislative Council that this House recedes from the last amendment proposed by them to be inserted in the Proviso added to the said bill by the Legislative Council.

Address to his Majesty on the subject of the Fisheries reported and read.

Mr. Row reported from the committee appointed to prepare an address to his Majesty on the subject of the Fisheries of this Island in pursuance of the resolution of the House of the 6th instant, and he presented to the House the draft of an address accordingly ; and he read the same in his place and afterwards delivered it in at the Clerk's table, where it was read, and is as follows ;—

TO THE KING'S MOST EXCELLENT MAJESTY.

Most gracious Sovereign,

Address.

We your Majesty's dutiful and loyal Subjects the Commons of your Majesty's Island of Newfoundland in Colonial Parliament assembled humbly beg leave to approach your Majesty with sentiments of unfeigned attachment to your Majesty's person and Government, to submit for the consideration of Your Majesty a detail of various circumstances which now press heavily upon the Trade and Fisheries of this Island.

We humbly represent to Your Majesty—

That previous to the Treaties at present subsisting with France and America Your Majesty's Subjects enjoyed the undisturbed possession and exclusive right of fishing on all parts of this Island, the North Coasts whereof had recently before then become more valuable on account of the Cod Fishery there commencing later than on the Southern Coasts, thus affording profitable employment to the Shipping and Men employed in the Seal Fishery—the latter being pursued in the spring of the Year and usually continuing until the Season was too far advanced to prosecute the Cod Fishery elsewhere with effect.

That in consequence of the right of Fishing on that part of the Coast granted by Treaty to the French and Americans Your Majesty's Subjects who would otherwise have fished there were obliged to resort to the Coasts of Labrador, where the Fish caught is of a very inferior quality and the catch much more precarious, insomuch that last year it was attended with an almost total failure, visiting with the deepest distress a great number of families whose hopes of relief from the Seal Fishery of the present season have unhappily been disappointed by its failure to a great extent.

That previous to the period of the Treaties alluded to Your Majesty's Subjects in this Island enjoyed the benefit of a considerable market in the Ports of Spain of which they have since been deprived by the municipal regulations of that Kingdom, whereby the duties on our Fish have been raised to a scale forbidding its use to all but those who can afford to purchase it as a luxury, and almost excluding it from the market.

That for several years after the making of the said Treaties, a Naval force was maintained on this station sufficient to protect the Fishermen in the enjoyment of those rights which yet remained to them, but Your Majesty's Ships having been gradually withdrawn, our Fisheries are left unprotected and subject to aggressions of rival Nations, who having acquired by Treaty a concurrent right to Fish on the most valuable part of our Shores, and being supported by a considerable Naval Establishment, have lately evinced a disposition to extend those rights

far beyond their legitimate limits ; and first claiming the exclusive right to that part of the Shore on which they were by treaty permitted to fish, have lately, in defiance of all remonstrances, frequented other parts to which no treaty entitled them, and knowing that Your Majesty's subjects were without Naval protection have not only disturbed them in their freedom of fishing, but have actually driven them away by superior force.

Address.

That under these and other discouragements, many of the most experienced fishermen have within the last six months left the Island, transferring their skill, activity and enterprize to the United States of America.

Under these circumstances we have presumed to approach Your Majesty, humbly to solicit Your Majesty's Royal intercession with her Catholic Majesty the Queen of Spain for a reduction of the duties on Fish imported into that Kingdom from this Island ; and for such Naval protection as will effectually maintain the rights of Your Majesty's subjects and protect them from the aggressions of Foreigners permitted to fish on our Shores.

Resolved, that the said Address be adopted by the House.

Address adopted.

Ordered, that the Address be engrossed.

Engrossed.

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

The House resolved itself into a committee of the whole House on the consideration of the bill relating to Passengers.

House in committee on Passengers bill

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had gone through the said bill and had made several amendments to the same which they had directed him to report to the House ; and he delivered the bill with the amendments in at the Clerk's table.

Bill reported with amendments

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

Report adopted

Ordered, that the bill as amended be engrossed.

Bill engrossed

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

Resolved, that this House do now resolve itself into a committee of the whole House on the consideration of the bill to establish Courts of Common Pleas in this Island.

House in committee on Courts of Common Pleas Bill.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the said bill and had directed him to ask for leave to sit again.

Report.

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

Then the House adjourned until eight o'clock P. M.

At eight o'clock the House met pursuant to adjournment.

The House resolved itself into a Committee of the whole House on the further consideration of the Bill to establish Courts of Common Pleas in this Island.

House in committee on courts of Common Pleas bill

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report,

The Chairman reported from the committee that they had gone through the said bill and had made several amendments to the same, which he was directed to report to the House whenever it shall be pleased to receive the same.

to be brought up on Monday.

Ordered, that the said Report be received on Monday next.

Passenger bill to be read a third time on Monday next.

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

Ordered, that the Bill relating to Passengers be read a third time on Monday next.

Then the House adjourned until Monday, at twelve o'clock.

MONDAY, MAY 19, 1834.

Passenger bill read 3rd time.

AN engrossed Bill relating to Passengers arriving in this island was read a third time.

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

Passed,

Ordered, that the said Bill do pass and that the title thereof be "an Act to regulate the introduction of Passengers in vessels arriving in this Colony."

Title

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

Sent to Council.

Address on the subject of the fisheries past.

The engrossed Address to his Majesty on the subject of the Fisheries was read a third time, and passed, and thereupon

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

Resolved, that the following Address be presented to his Excellency the Governor:—

Address to his Excellency to forward the same.

To His Excellency Sir Thomas John Cochrane, Knight, Governor & Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please Your Excellency,

The Commons House of Assembly having passed an Address to his Most Gracious Majesty praying for his Royal intercession with her Catholic Majesty the Queen of Spain, for a reduction of the duties on Newfoundland Fish imported into that Kingdom, and also praying for Naval protection to the Fisheries of this Island, respectfully request that Your Excellency will be pleased to transmit the same to his Majesty's principal Secretary of State for the Colonies, in order to its being laid at the foot of the Throne.

Committee to present same.

Ordered, that Mr. Row and Mr. CARTER be a Committee to present the said Address to his Excellency,

Report of Committee on Courts of common Pleas bill brought up.

Mr. HOYLES, the Chairman of the committee of the whole House to whom was referred the Bill for establishing Courts of Common Pleas in this Island, reported, according to Order, the amendments made by the committee in the said Bill; and he read the Report in his place and afterwards delivered the Bill with the amendments in at the Clerk's Table, and thereupon

Report Committed.

Mr. Row, seconded by Mr. KOUGH, moved that the said Bill be re-committed to a Committee of the whole House for the purpose of making a further amendment in the said Bill;—

Which, being put, passed in the affirmative.

Resolved, that this House do now resolve itself into the said Committee. And the House resolved itself into the said Committee accordingly.

House in Committee thereon.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported that the Committee had reconsidered the said Bill and amendments and had made a further addition to the same.

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

Ordered, that the amendments be engrossed.

Ordered, that the said bill be read a third time this day.

A Message from the Governor.

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

MESSAGE.

“ THOS. COCHRANE.”

The Governor transmits to the House of Assembly the copy of a Memorial he has received from Mr. BROOM the Chief Magistrate of St. John's who, from his great age, it is very desirable should be allowed to retire from public life.

The very long period Mr. BROOM has filled Judicial situations and the unremitting attention he has paid to the various duties which have devolved upon him, claim from his Excellency the strongest recommendation, that as the best portion of this faithful public servant's life has been devoted to the service of his country, so the Legislature will enable his Majesty to make such future provision for him as will render his few remaining years easy and comfortable.

Government House, }
17th May, 1834. }

The copy of the Memorial accompanying the said Message was read by the Clerk, and thereupon,

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

Ordered, that the said Message and Document be referred to the committee of Supply.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Messages :

Mr. Speaker,

The Legislative Council have passed the bill entitled “ an Act for the relief of Insolvent Debtors taken in execution” with an amendment to which the concurrence of the Commons House of Assembly is requested.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
May 19, 1834.

Mr. Speaker,

The Legislative Council have passed the bill entitled “ 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” —

Report.

Report adopted.

Message from Governor with memorial from John Broom Esq.

Referred to committee of Supply.

Message from Council.

Insolvent Debtors Relief Bill.

also

Punishment Bill passed by Council with amendments.

with an amendment to which the concurrence of the Commons House of Assembly is requested.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
MAY 19, 1834.

And then he withdrew.

The Amendments made by the Legislative Council in the said Bills, were then severally read throughout a first time.

Ordered, that the said amendments be read a second time to-morrow.

Agreeably to the Order of the day, the engrossed Bill sent down from the Legislative Council entitled "an Act to establish Courts of Common Pleas in Newfoundland and to repeal so much of an Act of the Parliament of the United Kingdom of Great Britain and Ireland entitled "an Act for the better administration of Justice in Newfoundland and for other purposes as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island" together with the amendments made therein, were read a third time.

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

Ordered, that the Bill as amended do pass.

Ordered, that Mr. Row do carry the same up to the Honorable the Legislative Council and acquaint them that this House have passed the said Bill and have made certain amendments therein to which their concurrence is requested.

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

The reports of the several committees of conference with the Legislative Council on the subject of the amendments made in the bill entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practice the Law in the various Courts of this Island" were read and taken into consideration, and thereupon

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

Resolved, that a free conference be requested with the Legislative Council on the subject of the said amendments.

Ordered, that the committee appointed to manage the said conference on the part of this House be instructed to state to the committee of the Legislative Council that this House recede from the amendments made by them in the said bill, and concur in the last amendment proposed by the Legislative Council.

Ordered, that Mr. Row do go up to the Hon. the Legislative Council and request the said free conference.—

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

TUESDAY, MAY 20, 1834.

A Petition of James Lake was presented to the House by Mr. HOYLES and the same was received and read setting forth, that the Petitioner is a Planter residing in Fortune Bay and that on the 2d of May instant he put into St. Peter's where he found eighteen men, the crew of a British Schooner, who had been picked up by a French Vessel. That at the request of the Governor of St. Peter's, the Petitioner took the said men on board his Vessel, conceiving it to be his duty to do so, and that the Government would pay him for such expenses as he might be

Amendments read.

Courts of Common Pleas
bill read 3d time.

Bill passed

Sent to Council

Reports of conferences on
Law Society bill read and
considered

Free conference to be re-
quested thereon

Instruction to conferees

Petition of J. Lake presen-
ted and read

put to, as had hitherto been customary; and that he accordingly provided for their support sundry provisions and necessaries fully amounting to Twenty pounds;—and praying the House to take his case into consideration.

Petition of J. Lake presented and read

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

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

Referred to committee of Supply

The amendment made by the Legislative Council to the Bill entitled “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” was read a second time and taken into consideration, and thereupon

Amendments made to punishment bill considered

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

Resolved, that this House do concur with the Legislative Council in the said amendment.

and adopted.

The amendment made by the Legislative Council in the Bill entitled “an Act for the relief of Insolvent Debtors taken in execution” was read a second time and taken into consideration, and thereupon

Amendment to Insolvent Debtors Relief Bill considered, and

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

Resolved, that this House do concur with the Legislative Council in the said amendment.

adopted.

Ordered, that Mr. Row do go up to the Legislative Council and acquaint them that this House have concurred in the amendments made by them in the said Bills respectively.

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

Resolved, that this House do now resolve itself into a committee of the whole House on the Bill relative to the Registration of Deeds.

House in committee on Registration of Deeds bill

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had gone through the said bill and had made several amendments therein, which they had directed him to report to the House; and thereupon,

Bill reported with amendments.

Mr. KOUGH moved, seconded by Mr. HOYLES,

That the said Bill be re-committed to a committee of the whole House for the purpose of adding another clause to the said Bill;—which being put it passed in the affirmative.

Motion to recommit.

carried.

Then the House resolved itself into a committee of the whole House on the said Bill accordingly.

House in Committee.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had reconsidered the same and made a further amendment therein; and he delivered the Bill with the amendments in at the Clerk’s Table.

Report.

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

Report adopted

Ordered, that the Bill with the amendments be engrossed.

Bill engrossed

Mr. SPEAKER acquainted the House that he had received a letter from the Honorable the Colonial Secretary acquainting him for the informa-

Time for receiving Address fixed

tion of the House that his Excellency would receive a committee of the House with the Address passed yesterday, to-morrow morning at eleven o'clock.

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

WEDNESDAY, MAY 21, 1834.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Messages :

Mr. Speaker,

The Legislative Council consent to the conference requested by the Commons House of Assembly on the subject of the Bill entitled "an Act to declare all Landed Property in Newfoundland Real Chattels" and have appointed the Honorable the Colonial Secretary and the Honorable Mr. Garland as conferees on the part of this House who will be ready to meet managers from the Assembly in the committee Room of the Legislative Council, presently, for that purpose.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
MAY 21, 1834.

Also,

Mr. Speaker,

The Legislative Council accede to the free conference on the subject matter of the amendments made to the bill entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practice the Law in the various Courts of this Island," and have appointed the Honorable the Attorney General and the Honorable Mr. Thomas as conferees on the part of this House who will be ready to meet Managers from the Assembly to day at two of the clock P. M. in the committee room of the Legislative Council for that purpose.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
May 21, 1834.

And then he withdrew.

Ordered, that Mr. ROW, Mr. HOYLES, Mr. KOUGH, and Mr. HOOPER do manage the said conferences on the part of this House.

And they went to the conferences, and being returned Mr. Row reported that the Managers had been at the said conferences and had complied with the instructions of the House.

Mr. CARTER, gave notice that to-morrow he should move for leave to bring in a bill to amend an Act passed in the last Session of the Legislature relating to nuisances.

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

Ordered, that the House be called over to-morrow.

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

THURSDAY, MAY 22, 1834.

PURSUANT to order, the House was called over and the following Members were absent—Viz.

Message from Council

Conferences agreed to on

Real Chattels Bill,

and

Law Society Bill,

Conferees named

Conferences held

Report.

Notice of Bill to amend Nuisance Act.

Call of House for to-morrow.

House called over.

John Wills Martin, Esq., Robert Pack, Esq., Peter Brown, Esq. James Power, Esq., Charles Cozens, Esq., and William Brown, Esq.

Members absent.

An engrossed bill concerning the Registration of Deeds was read a third time, and thereupon,

Registration Bill read a 3d time and recommitted,

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

Ordered, that the said bill bere-committed to a committee of the whole House.

Resolved, that this House do now resolve itself into a Committee of the whole House on the said bill.

And the House resolved itself into the said Committee accordingly.

House in Committee there on.

Mr. SPEAKER left the Chair.

Mr. HOYLES took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Report.

The Chairman reported from the committee that they had re-considered the said bill, and had made an amendment to the fifteenth section thereof, and he delivered the bill with the amendment in at the Clerk's table.

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

Report adopted.

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

Ordered, that the said Bill do pass and that the title thereof be "an Act concerning the registration of Deeds and to repeal so much of an act of the Imperial Parliament entitled 'an Act for the better administration of Justice in Newfoundland and for other purposes' as relates to the registration of Deeds."

Bill passed. Title.

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

Sent to Council.

Mr. CARTER, pursuant to notice and leave granted, presented a bill to amend an Act passed in last Session for the abatement of nuisances, and the same was read a first time

Bill to amend nuisance act presented and read.

Ordered, that the said bill be read a second time to-morrow.

2d reading.

Mr. SWEETMAN from the select committee upon Contingencies reported as follows.—

	£	s.	d.
John Shea, account for Printing bills during the Session	66	10	4
Ditto ditto Estimate for Printing & Binding Journals	69	6	8
Ditto ditto for Stationery	9	6	10
Henry Winton, for Stationery	13	10	4
William Freeman, Carpenter's Repairs	26	13	7
Thomas M'Grath, Smith's Repairs	2	7	2
Henry Parsons, for Sundries	5	0	0
Fuel and Light	19	1	4
John Cox, extra Door-keeper	15	0	0
Richard Perchard, House-keeper	10	0	0

Report of select Committee on Contingencies.

Sterling £236 16 3

The committee have found the above accounts generally correct— from several of the charges they have made some deductions, but they are of opinion that the sum above estimated for the printing and binding of the Journals will scarcely be adequate for that service.

R. F. SWEETMAN, Chairman.

May 21, 1834.

Report referred to committee of Supply.

On motion of Mr. SWEETMAN, seconded by Mr. CARTER,
Ordered, that the said Report and statement be referred to the committee of Supply

Message from Council.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

Amendments made in Law Society Bill passed by Council with a further amendment.

The Legislative Council have passed the amendments made by the Commons House of Assembly in and upon the bill entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies to practice the Law in the several Courts of this Island" with an amendment to which the concurrence of the House of Assembly is requested.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,

May 22, 1834.

And then he withdrew.

Amendment read

The said amendment was then read a first time and is as follows ;

After the amendment made by the Assembly, insert the words "or any of his Majesty's colonies."

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

Motion for call of the House and concerning the absence of Members.

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

Ordered, that the House be called over on Wednesday next, and that in the mean time no Member do leave Town without leave of the House ; also that Mr. Speaker do order the Members now absent to attend in their places in the House on the day abovementioned.

A Message from the Legislative Council.

Bill to explain the Acts concerning the safe storing of Gunpowder sent down from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council an " Act to explain certain acts passed for the safe keeping of Gunpowder, and to remove doubts respecting the same," to which the concurrence of this House was requested.

And then the Messenger withdrew.

Bill read first time:

The said bill sent down from the Legislative Council was then read a first time.

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

Ordered, that the said bill be now read a second time.

Read 2d time

And the same was read a second time accordingly.

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

and committed.

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

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

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

FRIDAY, MAY 23, 1834.

Amendment made in Law Society Bill considered.

A GREEABLY to the order of the day, the amendment made by the Legislative Council in and upon the amendments made by this House in the bill entitled "an Act to incorporate a Law Society in Newfoundland and to regulate the admission of Barristers and Attornies

to practice the Law in the various Courts of this Island," was read a second time and taken into consideration, and thereupon

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

Resolved, that this House do concur with the Legislative Council in the said amendment.

and adopted.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have concurred in the said amendment.

Pursuant to Order, a Bill in amendment of the Act relating to nuisances was read a second time.

Bill to amend Nuisance Act read 2d time, and

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

Ordered that the said Bill be committed to a Committee of the whole House.

committed.

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

Agreeably to the Order of the day, the House resolved itself into a committee of the whole House on the consideration of the Bill sent down from the Honorable the Legislative Council entitled "an Act to explain certain acts passed for the safekeeping of Gunpowder and to remove doubts respecting the same."

House in Committee on Bill to explain Gunpowder Storage Acts.

Mr. SPEAKER left the chair.

Mr. KOUGH took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

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

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

SATURDAY, MAY 24, 1834.

PURSUANT to the order of the day, the engrossed bill sent down from the Honorable the Legislative Council entitled "an Act to explain certain acts passed for the safekeeping of Gunpowder, and to remove doubts concerning the same," was read a third time.

Bill to explain the Acts for the safe storing of Gunpowder read a third time and

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

Ordered, that the said bill do pass.

Passed.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have passed the same.

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

MONDAY, MAY 26, 1834.

THE House met and adjourned for two hours.

At two o'clock, the House met pursuant to adjournment.

A Message from his Excellency the Governor.

Message from His Excellency the Governor.

The Honorable Mr. Secretary CROWDY acquainted the House that he had a Message from his Excellency the Governor, signed by his

Excellency, and he presented the same to the House; and the said Message was read by Mr. SPEAKER, (all the Members being uncovered) and is as follows :

MESSAGE

“ THOS. COCHRANE ”

The Governor acquaints the House of Assembly that his Majesty has been pleased, by an Order in Council, to direct that the undermentioned Acts, passed in the last Sessions of the Legislature of this Colony should be left to their operation:—

“ An Act to provide for the performance of Quarantine and more effectually to provide against the introduction of infectious and contagious diseases, and the spreading thereof in this Island.”

“ An Act for the establishment and regulation of Fire Companies in the Town of Saint John’s.”

“ An act to establish and regulate Fire Companies in the Town of Harbor Grace.”

“ An act to regulate the Streets of the Town of Harbor Grace.”

“ An act to declare the qualification and character of persons admitted to practice as Barristers and Attornies of the Supreme Court of this Island.”

“ An act for the regulation of Pilots, and the pilotage of vessels at the Port of St. John’s.”

“ An act for the more speedy abatement of nuisances.”

“ An act for opening a public Street and Fire Break in the Town of St. John’s.”

“ An act to repeal the Laws now in force concerning the celebration of Marriages, and to regulate the future celebration of Marriages in this Island.”

“ 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.”

“ An act to amend an act of the General Assembly entituled “ An act to regulate the streets of the town of Harbor Grace.”

“ An act to regulate the building of houses in Water Street, in the town of St. John’s.”

“ An act to amend the act of the General Assembly of this Island, passed in the third year of his present Majesty’s Reign entituled “ An act to establish and regulate Fire Companies in the town of Harbor Grace.”

“ An act to annex Broad Cove and other places therein named to the District of St. John’s.”

Government House,
May 26, 1834.

Ordered, that the said Message do lie on the table to be perused by the Members.

A Message from the Legislative Council.

The Master in Chancery brought down from the Honorable the Legislative Council the following written Messages :

Mr. Speaker,

The Legislative Council have passed the bill entituled “ an Act to increase the number of Representatives to serve in the Commons House of Assembly of this Island ” without amendments.

H. J. BOULTON, *Speaker L. C.*

Legislative Council,
MAY 26, 1834.

List of Acts approved of
by His Majesty in Council

Message from the Council

Increase of Representa-
tives bill passed by Council

Mr. Speaker,

The Legislative Council have passed the bill entitled "an Act to regulate the standard of Weights and Measures in this Colony, and to provide for the Surveying of Lumber" with some amendments, to which the concurrence of the Commons House of Assembly is requested.

Weights & Measures bill with amendments.

H. J. BOULTON, *Speaker, L. C.*

Legislative Council,
May 23, 1834.

And then he withdrew.

The amendments made by the Legislative Council in and to the said bill entitled "an Act to regulate the standard of Weights and Measures in this Colony, and to provide for the Surveying of Lumber" were read a first time.

Amendments read.

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

Ordered, that the said amendments be now read a second time.

And the same were read a second time accordingly.

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

Committed.

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

Resolved, that this House do now resolve itself into a committee of the whole House on the consideration of the Bill in amendment of the Act relating to Nuisances.

House in Committee on bill to amend Nuisance Act.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.

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

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

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

TUESDAY, MAY 27, 1834.

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

The House resolved itself into a committee of the whole House upon the consideration of the amendments made by the Legislative Council in the Bill entitled "an Act to regulate the Standard of Weights and Measures in this Colony and to provide for the surveying of Lumber."

House in Committee on Council's amendments to Weights & Measures bill.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to report that they were of the opinion that a Conference should be requested with the Legislative Council on the subject of the said amendments.

Report.

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

Conference to be requested with Council.

Committee to prepare instructions to managers.

Resolved, that a select committee be appointed to draw up and report to the House, reasons to be offered at a conference with the Legislative Council for not concurring in the amendments made in the said bill.

Ordered, that Mr. CARTER, Mr. Row, and Mr. KOUGH, do form the said committee.

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

Conference on Courts of Common Pleas Bill requested.

The Legislative Council request a conference with the Commons House of Assembly on the subject matter of the amendments made by the Assembly in and upon the bill entitled "an Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an act passed in the Parliament of the United Kingdom of Great Britain and Ireland entitled 'an Act for the better administration of Justice in Newfoundland and for other purposes' as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island" and have appointed the Honorable the Colonial Secretary, and the Honorable Mr. Thomas, as conferees, who will be ready to meet Managers from the Assembly in the committee room of the Legislative Council, presently, for that purpose.

H. J. BOULTON, *Speaker*.

Legislative Council,

May 27, 1834.

And then he withdrew.

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

Conference agreed to.

Resolved, that the said conference be agreed to as requested by the Legislative Council.

Managers.

Ordered, that Mr. Row, Mr. HOOPER, Mr. KOUGH, and Mr. CARTER, do manage the same on the part of this House.

Ordered, that Mr. CARTER do go up to the Legislative Council and acquaint them that this House have agreed to the said conference.

Conference held.

And the names of the Managers being called over, they went to the conference.

Report.

And being returned, Mr. Row reported that the Managers had been at the conference and he reported as follows:—

The Legislative Council have requested this conference with the Commons House of Assembly, for the purpose of acquainting the Assembly that they cannot concur in certain of the amendments made by that House in and upon the bill entitled "an Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, entitled, 'an Act for the better administration of Justice in Newfoundland and for other purposes' as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island," for the following reasons:—

A leading principle of the Bill, as sent down by the Legislative Council, was the separation of the Civil from the Criminal Jurisdiction of the inferior Courts of the Island, & vesting in a competent tribunal all civil jurisdiction, and the restoration of the Courts of General Sessions of the Peace to their proper and appropriate functions as Criminal Courts, of which for many years they have been deprived under circumstances which the Legislative Council presume were thought sufficient at the time, by those who recommended the restriction of their authority.

By the Judicature act 5 Geo. 4, cap. 67, power is given to the Courts of Sessions to take cognizance of debts not exceeding 40s., and to determine disputes concerning Seamen's wages, and certain other matters relating to the Fishery.—In suits of this description it is evident that the whole commercial population of the island must be interested, and, therefore, mercantile men could not with any propriety be placed in the commission of the peace, and yet in a colony like Newfoundland, it is equally evident that the Police of the colony must materially suffer by the exclusion of nine tenths of the property and intelligence of the community from any share in its local Magistracy.

To obviate an evil so apparent, the Legislative Council proposed to vest in Courts of Common Pleas, to be held in such places as might be thought necessary, a civil Jurisdiction, limited in its extent, tho' far greater than that heretofore exercised by the Sessions, whereby all objections would be removed to the merchant and other respectable men in business being placed in the ordinary commission of the Peace, a distinction most honorable in itself and conferring the power of doing essential service to the colony.

The first amendment however made by the Assembly, not only destroys this first principle of the bill as sent down by the Council, but the provisions subsequently adopted by the Assembly extending the Jurisdiction of the Sessions in St. John's, materially aggravates the evil sought to be redressed by the Legislative Council.

The Legislative Council are the more at a loss to discover upon what principle the Sessions in St. John's, in preference to any of the Outports, should be upheld in its civil Jurisdiction, when it is recollected that the objection to the Sessions taking cognizance of civil suits gains strength in proportion to the accumulation of civil business, as well as in proportion to the increase of commercial population, who are excluded from the Commission of the Peace, because it would be improper for them to try their own causes, while their services are much required as Magistrates for the purposes of Police in the Capital of the Island.

On the principle of economy, also, the Legislative Council cannot concur in upholding the Courts of Sessions as a civil Court, and instituting Courts of Common Pleas which necessarily creates expenses of two establishments where one will answer the purpose.—In St. John's, especially, the expense of the Court of Sessions is far greater than the circumstances of the colony require; there are at present three Magistrates, whose salaries in the aggregate amount to £770—including the additional grant of the Senior Magistrate,—with a Clerk of the Peace receiving considerable emolument from fees, and nine Constables, at salaries amounting to £324, who likewise receive fees for the performance of their duties.

These salaries may be yearly estimated at £1500, to which, if the salary of the Clerk of the Central Circuit Court, amounting to £250, be added, there will appear to be expended in the administration of Justice in the Inferior Courts of the Central District alone £1750; all which expense the amendments made by the House of Assembly tend to uphold, whereas if a court of Common Pleas be established in St. John's, and an efficient Bench of Magistrates be appointed, the charge upon the public Revenue need not exceed £600.

The Judge of the Court of Common Pleas at St. John's may be the Chairman of the Sessions, and may, generally, be in attendance at the Police Office, or room appointed for him to hold his Court in, where in the hearing of criminal matters, he may be assisted by such gentlemen in the commission of the Peace as can, from time to time, attend according to such rotation as they may arrange amongst themselves; but should it be thought inexpedient to trust at all to the services of the

gentlemen in the town, the establishment of the Inferior Court, for the trial of civil causes, will not prevent the payment of any additional Magistrate whose services may, upon experiment, be found necessary to assist the Judge of the Common Pleas in his criminal duties. There is also an invidious distinction drawn by the provisions introduced by the Assembly relative to the qualification of Judges—the Judges for the outports are to be Barristers, or, otherwise, they must be approved of by the Chief Justice as duly qualified, but no such provision is extended to the Magistrates of St. John's, although they, without any stipulated qualification would, under the contemplated arrangement, try many more causes in a year than most of the Judges, whose fitness for their office seems to have been so scrupulously required.

By a subsequent amendment, the Assembly propose (for the sake of economy it is presumed) to abolish the office of at least one of the Assistant Judges of the Supreme Court, and yet, so far from diminishing the number of the stipendiary Magistrates in St. John's, the Assembly have found it necessary as an act of justice, to vote an addition to the salary of one of the Justices. If one or two Judges might be dispensed with in the Supreme Court of this Island, surely as many Justices might be spared from the most Inferior, particularly where it is believed that the reason for increasing the salary of the Justice before mentioned, was for his having for a long time past, discharged the chief duties of that office, and, therefore, while the House of Assembly urge the dispensing with the services of some of the Judges of the highest Tribunal on the score of economy, they cannot refuse to concur with the Legislative Council in diminishing the number of the Police Magistrates, which, in the opinion of the Legislative Council, are quite disproportioned to the duties required, and to the other judicial establishments of the Colony.

If, after an economical application of the Revenue to the various departments of the public service, it should be found that the resources of the Island are not adequate to sustain the charges of the present number of Judges in the Supreme Court, the Legislative Council will cheerfully acquiesce with the Assembly in passing an act for repealing so much of the act of Judicature as requires the Supreme Court to be held by three Judges; but the Legislative Council feel that they would but ill discharge the important duties with which the constitution of this Island has invested them, did they not earnestly endeavour to press upon the House of Assembly their sense of the propriety of leaving inviolate the highest Tribunal of the Colony, until all other branches of the public service have been curtailed to the lowest point, consistent with the efficient discharge of their necessary duties.

The Legislative Council, after the most deliberate consideration which they have been enabled to give to the subject, are clearly of opinion that it is quite incompatible with a wholesome administration of justice, as well criminal as civil, that the present jurisdiction of the Sessions, in civil Suits, should be longer continued, and, therefore, they cannot concur in the first and subsequent amendments of the Bill which tend to uphold the civil jurisdiction of the Sessions in any particular.

In the present state of the Bar in this Colony, it is not probable that a sufficient number of Professional Gentlemen can be selected to fill the office of Judge in the several parts of the Island where it is contemplated to place them; and the Legislative Council are of opinion that it would be throwing a very invidious and disagreeable duty upon the Chief Justice, were he required to certify the fitness of any other person whom it might be desirable to appoint, and, therefore, the Legislative Council do not concur in the amendment respecting the qualification of the Judges, conceiving that the King's instructions upon the point, direct-

ing that no person be appointed a Judge without the advice and consent of the majority of the Council, to be a more convenient method of arriving at the same object, an amendment to which effect the Legislative Council will be ready to concur in.—The amendment requiring a Judge to reside at Fortune Bay, and Burin, must have arisen from inadvertence, as the Judge cannot reside in both places;—perhaps requiring him to reside at Burin would be the best arrangement.

The Legislative Council do not concur in the amendment expunging the third clause of the Bill, or in the amendments of the fourth—except in so far as the names of places for holding the Courts are altered.

The Legislative Council do not concur in expunging the fifth clause, because they are of opinion that it will be less expensive to, and more convenient for, parties to have the place of trial named in the first instance, than after Witnesses and Parties have come to the Court with an expectation of proceeding to trial, when after waiting some time, they may be required to attend again at some other Court.

The sixth clause the Legislative Council think had better not be expunged, although they are willing upon this point to concur with the Assembly, if, upon further consideration, they still adhere to their first determination.

The first amendment to the seventh clause the Legislative Council do not concur in, because the jurisdiction of the Inferior Courts would be thereby rendered far too extensive; neither do they concur in the last, because they consider it of the very first importance to repress credit sales of spirituous Liquors by retail.

By the 24th Geo. 2. C. 40. Sec. 12. the recovery at Law for the sale of Spirituous Liquors to a less amount than 20s. at one time is expressly prohibited.

The amendments to the 8th Section the Legislative Council do not concur in, with the exception of that which fixes a precise period instead of the doubtful expression of “the Season of the Fishery.”

The Legislative Council do not concur in the expunging the 10th, 11th, 12th, & 13th clauses, or in the clauses introduced in lieu thereof. The Legislative Council cannot concur in the amendment of the 15th clause, whereby the cause of action is substituted for the sum recovered, which latter ought to be a criterion, and not the cause of action, which, in many instances, is not a sum of money, but an injury, for which damages are sought to be recovered; and, moreover, where money is clearly the cause of action yet there may be a large sum claimed, although very little due, and, therefore, the Legislative Council conceive the provision relative to appeal was better as it stood before the amendment.—The object which the Legislative Council had in view in framing the Provision at the end of the 16th Section, was the prevention of vexatious suits, not intended to be urged, or, if prosecuted, which should be persevered in without any reasonable or probable cause, to harrass the Defendant, who, if successful, would be put to much trouble and expense, while the costs of the suit would be but a slight restraint upon a Plaintiff who might be vindictively inclined. In the higher Courts, the cost incident to the loss of a cause are generally a sufficient restraint upon Parties not to continue litigation hopelessly; in the lower Court, the costs are trifling, and consequently, litigious people may indulge their propensity with less expense, and to the great annoyance of their more peaceful neighbours.

The amendments in the 17th Section the Legislative Council cannot concur in,—the object of the Proviso which the Assembly have expunged, is to restrain the jurisdiction of the Inferior Courts, to the same

bounds in relation to the Defendant's set-off, which are set to the Plaintiff's right of action before the same tribunal.

In Courts exercising a summary jurisdiction, and in places where ignorant people often conduct and defend their own causes, it may frequently happen that after a suit has been heard in part, the Judge may see that it would tend to the ends of Justice to adjourn the final hearing until a future day, to enable a party to get evidence to meet some unexpected matter, and, therefore, the Legislative Council conceive that the Judge should be allowed to exercise his discretion in adjourning the final hearing to a future day, at any time before judgment,—consequently, they do not concur in the amendment to the 19th Section.

In the amendment to the 20th section the Legislative Council concur, although they are of opinion that the provision respecting the registration of deeds, would have more appropriately formed a part of the Registry bill sent up from the Assembly.

The Legislative Council do not concur in the amendment made to the 21st section, although they would have no objection to have the words "and Council" inserted after the word "Governor" in the second line of the said clause.

As the Legislative Council do not approve of the continuance of the civil jurisdiction in the Sessions, they of course do not concur in any of the latter clauses introduced by way of amendment relating to that Court.

Upon the subject of insolvencies being declared in the Inferior courts, the Legislative Council are of opinion that it will not be proper to entrust those tribunals with the authority contemplated by the amendment made by the Assembly, although they will have no objection to the introduction of a provision authorizing the Judge of the Court of Common Pleas to receive declarations of insolvency, and to examine the Insolvent, and to take any evidence relating thereto; and if such Judge shall be of opinion that the party alleged to be insolvent ought to be so declared, he shall certify the whole proceeding to the Supreme Court, who shall hear and determine the matter, and take such order for the settling the Estate and Effects of the party, as if he had been sued originally in the Supreme Court.

The Legislative Council do not concur in the clause restricting the appointment of the Judges, it being sufficiently general in its application to be a fit subject for a Public Act of the Legislature.

Ordered, that the said Report do lie on the Table.

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

WEDNESDAY, MAY 28, 1834.

PURSUANT to order the House was called over, and the following Members were absent. viz.

Charles Cozens, John Wills Martin, Roger F. Sweetman, William Brown, Esquires.

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

The Report of the committee of conference with the Legislative Council on the subject of the amendments made in the Bill sent down from the Honorable the Legislative Council entitled "an Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an Act passed in the Parliament of the United Kingdom of Great Britain

House called over.

Members absent.

Report of Conference on Amendments to Courts of Common Pleas Bill read, and

and Ireland entitled 'an Act for the better administration of Justice in Newfoundland and for other purposes' as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island" was read a second time.

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

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

Committed.

Resolved, that this House do now resolve itself into a committee of the whole House on the consideration of the said Report.

And the House resolved itself into the said committee accordingly.

House in Committee there on.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had come to a Resolution thereupon, which they had directed him to report to the House; and he read the Resolution in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:—

Report.

Resolved, that it is the opinion of this committee, that, in consideration of the protracted period of the Session and of the vast importance of the Bill to establish Local Courts, embracing objects of the deepest importance to the Interests of the Colony, the further consideration of the said Bill should be postponed until the next Session, and that a communication to that effect should be made to the Honorable the Legislative Council.

Resolution to postpone Common Pleas Bill until next Session.

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

Resolution adopted.

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

Resolved, that a conference be asked with the Legislative Council on the subject of the last conference respecting the amendments made in the said Bill to establish Courts of Common Pleas.

Conference to be requested.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and request the said conference.

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

THURSDAY, MAY 29, 1834.

MR. CARTER reported from the committee appointed to prepare instructions for the committee to be appointed to manage the conference with the Legislative Council on the subject of the amendments made in the Bill entitled "an Act to regulate the Standard of Weights and Measures in this Colony, and to provide for the surveying of Lumber," and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was read, and is as follows:—

Report of committee to prepare instructions to Conference on Weights and Measures Bill.

The Commons House of Assembly have requested this conference with the Legislative Council on the subject of the amendments made in the Bill entitled "an Act to regulate the standard of Weights and Measures in this colony and to provide for the surveying of Lumber" for the purpose of acquainting the Legislative Council that they do not concur in the amendments made in the said Bill by which it is proposed to make the Clerks of the Peace the Assayers of Weights and Measures.

As the Clerks of the Peace in the several Districts would, most probably, be Officers of those Courts in which in almost all instances the fines and penalties imposed by the act would be sued for, a temptation would thus be thrown in their way, oppressively to exercise an authority which would, in various ways, be productive of emolument to them; and to say the least, it would be throwing an unpleasant and invidious duty upon the Assayers—if Clerks of the Peace—which might ultimately be prejudicial to the interests of the public. In some of the Districts of the Island, moreover, it would be next to impossible for a Clerk of the Peace, within his jurisdiction, to discharge the duty required of him by the act; and the Assembly are, therefore, of opinion that it would be highly desirable that persons other than those filling the offices of Clerks of the Peace should be appointed Assayers of Weights and Measures.

The House of Assembly will concur in the amendment by which coals are excepted from the operation of the ninth section, and to the amendment following, regulating the size and dimensions of the hogshead in which coals are to be measured, provided the following words are added to the last mentioned amendment:—“and all coals sold in such measure as aforesaid shall be heaped to a height of sixteen inches above the edge or brim thereof.”

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

Instructions adopted.

Resolved, that this House do concur with the committee in the said Instructions.

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

Conference to be requested.

Resolved, that a conference be requested with the Legislative Council on the subject of the amendments made in the said Bill to regulate the Standard of Weights and Measures.

Ordered, that Mr. CARTER do go up to the Legislative Council and request the said conference.

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:

Mr. Speaker,

Conference on Courts of Common Pleas Bill agreed to.

The Legislative Council consent to the conference requested by the Commons' House of Assembly on the subject of the last conference relative to the amendments made by the Assembly in and to the Bill sent down from the Legislative Council, entitled, “an Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an act passed in the Parliament of the United Kingdom of Great Britain and Ireland, entitled ‘an act for the better administration of Justice in Newfoundland and for other purposes,’ as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island,” and have appointed the Honorable the Colonial Secretary, and the Honorable Mr. THOMAS, as Conferees, who will be ready to meet Managers from the Assembly, presently, in the committee Room of the Legislative Council for that purpose.

Legislative Council, }
29th May, 1834. }

H. J. BOULTON,
Speaker L. C.

And then he withdrew.

Conferees named.

Ordered, that Mr. Row, Mr. PACK, Mr. HOYLES, and Mr. CARSON, do manage the said conference on the part of this House.

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

Instructions.

Resolved, that the said Managers be instructed to state to the conferees on the part of the Legislative Council, that the House of Assembly have

desired this conference with the Legislative Council on the subject of the last conference respecting the amendments made in the Bill sent down from the Legislative Council, entitled "an act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an act passed in the Parliament of the United Kingdom of Great Britain and Ireland, entitled 'an act for the better administration of Justice in Newfoundland and for other purposes' as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island" for the purpose of acquainting the Legislative Council that as the Bill is one embracing objects of the deepest importance to the Colony, the Assembly are of opinion, considering the protracted period of the Session, and the great difference of sentiment upon the details of the measure which exists between the two Houses, there will not now be time to bring the same to a satisfactory conclusion, and the Assembly, therefore, recommend that the further consideration of the Bill should be postponed until the next Session of the Colonial Parliament.

And the names of the Managers being called over, they went to the Conference.

And being returned—

Mr. Row reported that the Managers had been at the conference, and had complied with the instructions of the House.

A Message from the Legislative Council.

Mr. ROBINSON brought down from the Legislative Council the following written Message:

Mr. Speaker,

The Legislative Council consent to the conference requested by the Commons House of Assembly on the subject of the amendments made in the Bill entitled "an Act to regulate the standard of Weights and Measures in this Colony and to provide for the surveying of Lumber," and have appointed the Honorable Messrs. Thomas, and Garland, as conferees, who will be ready to meet Managers from the Assembly in the Committee Room of the Legislative Council, presently, for that purpose.

H. J. BOULTON, *Speaker, L. C.*

Legislative Council,

May 29, 1834.

And then he withdrew.

Ordered, that Mr. CARTER, Mr. KOUGH, Mr. POWER, and Mr. PETER BROWN do manage the said conference on the part of this House.

And they went to the Conference.

And being returned, Mr. CARTER reported that the Managers had been at the conference, and had complied with the instructions of the House.

The order of the day for the House in committee of the whole House on the consideration of a supply to be granted to his Majesty, being read,

The House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Conference held.

Report.

Message from Council.

Conference on Weights and Measures bill agreed to.

Managers named.

Conference held.

Report.

House in committee of Supply.

Report.

Progress.

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

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

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

FRIDAY MAY 30, 1834.

House in Committee of Supply.

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

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

Progress.

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

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

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

Passenger bill passed by Council with amendments

The Legislative Council have passed the bill entitled "an Act to regulate the introduction of Passengers in vessels arriving in this Colony" with some amendments, to which the concurrence of the Commons House of Assembly is requested.

H. J. BOULTON, *Speaker*.

Legislative Council,

May 30, 1834.

And then he withdrew.

Amendments read.

The amendments made by the Legislative Council in and upon the said bill entitled "an Act to regulate the introduction of Passengers in vessels arriving in this colony," were read a first time, and are as follow :

Expunge the first section of the bill and the word "*further*" in the 2nd section, instead of which insert "*therefore*."

After the third section insert the words following :—" And if the Master or other Person having charge of such vessel shall permit or suffer any Passenger to be landed from on board any such vessel before such bond shall have been entered into as aforesaid, such vessel, together with her tackle, apparel and furniture, shall be forfeited to his Majesty, and the nett proceeds of the sale on such forfeitures shall be applied to the relief of the destitute and infirm poor of the place where such seizure shall be made ; Provided always, that such vessel with her tackle, apparel & furniture, shall and may be restored to the Master at any time, within sixty days after such seizure, upon such bond as is hereinbefore mentioned being given in relation to all such persons as shall have so landed without permission as aforesaid, and upon payment of all such costs and charges as the Collector may have been put to by reason of such seizure."

Section 4, line 2.—After the word "*shall*" insert the words "become destitute be found begging or."

Section 4 *line 3.*—Expunge “chargeable” and insert “burthensome.”
line 11.—After “become” insert “destitute or be found begging or become.”

— *same line.*—Expunge “chargeable” and insert “burthensome.”

Section 5. Expunge the words between “to” in the seventh line and “the said” in the tenth line and insert instead thereof “seize.”

— *line 12.*—After “and” insert “until.”—Expunge the words between “expenses” and “of” and insert instead thereof “attending.”

— *line 13.*—After “such” insert “seizure and”—after “shall” expunge the remainder of the section, and insert instead thereof “have been fully paid and satisfied.”

Expunge the sixth section of the bill.

Expunge the ninth section of the bill.

Schedule A, *line 5.*—After “Fourth” insert “by the Grace of God.”

— *line 6.*—After “King” insert “Defender of the Faith.”

— *line 18.*—After “become” insert “burthensome or.”

— *line 19.*—After “Public” insert “or other charitable.”

— *line 20.*—After “indigence” insert “or be found begging within this Island.”

At the end of the bill insert

“And be it further enacted that this act shall not come into operation before the first day of January now next ensuing.”

Ordered, that the said amendments be read a second time this day.

2d reading.

Mr. PETER BROWN, from the select committee to whom was referred the Petition of James Sharpe, reported that the committee had examined into the merits of the said petition, and of the amounts accompanying the same, and begged to recommend the prayer of the Petitioner to the favorable consideration of the House.

Report of select committee on Petition of J. Sharpe

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

Ordered, that the said Petition of James Sharpe and the Report thereon be referred to the committee of Supply

Referred to committee of Supply.

The petition of Walter Walsh was read a second time and taken into consideration, and thereupon,

Petition of W. Walsh considered.

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

Ordered, that the said petition be referred to Mr. CARTER, Mr. KOUGH and Mr. PACK, to examine and report thereon to the House.

Referred to select committee to report.

Mr. CARTER gave notice that he should, to-morrow, in committee of the whole House on Supply, submit a resolution for the payment of the expenses of the Members of the Commons House of Assenbly.

Notice of motion for payment of Members.

Pursuant to order, the amendments made by the Legislative Council in the bill entitled “an Act to regulate the introduction of Passengers in vessels arriving in this colony” were read a second time.

Amendments to Passenger Bill read second time, and

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

Committed.

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

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

SATURDAY, MAY 31, 1834.

THE order of the day for the House in committee of the whole House on the consideration of the amendments made in the bill entitled

House in Committee on amendments to Passenger Bill.

“An act to regulate the introduction of Passengers in vessels arriving in this Colony” being read,

The House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOOPER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

Progress.

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

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

Mr. CARTER, to whom was referred the petition of Walter Walsh, reported

Report of select committee on W. Walsh's Petition.

That the committee had enquired into the allegations contained in the said petition, and had examined the petitioner himself and found that his house and property had been destroyed by fire, which originated from accident as stated in his petition. The petitioner's family consists of two sons above the age of Twenty two years, and one daughter of the age of fourteen years.—That he had saved from the fire a boat which would carry twenty quintals of fish, with all her materials complete, and the hulls of two other boats—and the committee recommend that a small sum be granted to the Petitioner to aid him in rebuilding his house.

Ordered, that the said report do lie on the table.

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

Referred to Committee of Supply.

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

House in Committee of Supply.

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

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

Progress.

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

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

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

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

MONDAY, JUNE 2, 1834.

House in committee of Supply.

AGREEABLY to the Order of the day, the House resolved itself into a committee of the whole House on the consideration of a Supply to be granted to his Majesty.

Mr. SPEAKER left the chair.

Mr. POWER took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

Progress.

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

Ordered, that the said committee have leave to sit again

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

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Message from Council.

Mr. Speaker,

The Legislative Council request a conference with the Commons House of Assembly on the subject of the amendments made by them in and upon the Bill entituled "an Act to regulate the standard of Weights and Measures in this Colony and to provide for the surveying of Lumber," and have appointed the Honorable Messrs. Thomas, and Bland, as conferees, who will be ready to meet Managers from the Assembly at half past two o'clock, this day, in the Committee Room of the Legislative Council, for that purpose.

Conference *requested on Weights and Measures Bill

H. J. BOULTON, *Speaker, L. C.*

Legislative Council,

June 2, 1834.

And then he withdrew.

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

Resolved, that the said conference be agreed to as requested by the Legislative Council.

Conference agreed to.

Ordered, that Mr. CARTER, Mr. HOYLES, Mr. ROW & Mr. KOUGH, do manage the said conference on the part of this House.

Managers named.

Ordered, that Mr. CARTER do go up to the Legislative Council and acquaint them that this House have agreed to the said conference.

A Message from the Governor.

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

Message from his Excellency.

MESSAGE.

"THOS. COCHRANE."

The Governor considers it proper to call the attention of the House of Assembly, before its prorogation, to the state of the paupers and sick poor of the town of St. John's, with reference to the sum stated in the address of the House of the 7th ult., to have been assigned for their maintenance, as the Governor has reason to apprehend that it will not be equal to meet the demands that may be made upon it, and the House of Assembly will perceive that, assuming the sum proposed to be expended in Conception Bay as no more than equal to the wants of that district, the amount appropriated to St. John's, will fall far short of meeting the much greater demands upon it.

Relative to the poor of St John's.

Government House

June 2, 1834.

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

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

Referred to Committee of Supply.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Message from Council.

Mr. Speaker,

The Legislative Council request a conference with the Commons House of Assembly on the subject of the last conference respecting the Message

Conference requested on the subject of the Contingencies.

sent up by the Assembly relative to the contingencies of this House, and have appointed the Honorable the Attorney General and the Honorable Mr. Thomas as conferees who will be ready to meet Managers from the Commons House of Assembly, presently, in the Committee Room of the Legislative Council for that purpose.

Legislative Council, }
29th May, 1834. }

H. J. BOULTON,
Speaker L. C.

And then he withdrew.

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

Conference agreed to.

Resolved, that the conference be agreed to as requested by the Legislative Council.

Managers named,

Ordered, that Mr. ROW, Mr. HOYLES, Mr. KOUGH and Mr. CARSON, do manage the said conference on the part of this House.

Ordered, that Mr. CARTER do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the said conference.

Conference held

And the names of the Managers being called over, they went to the conference.

And being returned—

Report.

Mr. Row reported that the Managers had been at the conference, and he read their Report of the subject of the said conference in his place, and he afterwards delivered it in at the Clerk's Table, where it was read and is as follows :

The Legislative Council have requested this conference with the Commons House of Assembly upon the subject of the last conference on the subject of the Message sent up by the Assembly respecting the contingencies of the Legislative Council, for the purpose of expressing their entire satisfaction with the declaration on the part of the Assembly at the last conference that they had no desire to interfere with the privileges of the Legislative Council, and they can assure the Assembly that the same anxious desire to preserve a good correspondence between the two Houses which has at all times been felt by the Legislative Council will ever continue to guide their proceedings.

As the Legislative Council do not precisely comprehend the object which may have influenced the Assembly in alluding to certain Salaries supposed to be attached to the Officers of the Legislative Council or to the proceedings of the Legislatures of some neighbouring Colonies, the Legislative Council take this opportunity of stating their sentiments upon the points referred to that they may not appear to treat with inattention any topic which the Assembly have thought proper, however incidentally, to notice.

With reference to the Officers attached to their House, the Legislative Council perfectly concur with the Assembly in the opinion that they ought in common with the Officers of the Assembly to be remunerated for their services by Salaries ; but until proper Salaries shall have been fixed by an Act of the Legislature, the Legislative Council cannot regard any gratuity which they may have thought it proper to award to those Officers in any other light than a contingency, and it is quite clear that consistently with the ordinary meaning of terms no payment for an uncertain duty performed without any stipulation as to remuneration or length of service can be regarded in that light.

Had the Assembly proposed to place the Salaries of the Officers of the two Houses upon a permanent footing, and, with that view, been desirous of knowing what sums the Legislative Council had voted to their

Officers as temporary allowances for the present Session, the Legislative Council are at a loss to discover why the Assembly did not adopt the usual parliamentary method of searching their Journals for that purpose.

As the Legislative Council have no authentic information before them relative to the constitution of the Legislatures of the neighbouring Colonies, to which probably the Assembly allude, they do not intend to express any opinion upon the parliamentary character of their proceedings; but as the Legislative Council desire to follow the usages of the British Parliament in all their intercourse with other Branches of the Legislature, they do not see what useful end can be attained by examining into precedents elsewhere.

Ordered, that the said Report do lie on the Table.

The time for holding the conference with the Legislative Council on the subject of the amendments in the Bill entitled "an Act to regulate the Standard of Weights and Measures in this Colony and to provide for the surveying of Lumber," being arrived,

The names of the Managers were called over—

And they went to the conference.

And being returned Mr. CARTER reported that the Managers had been at the conference and he reported that,

The Legislative Council had desired this conference with the Commons House of Assembly for the purpose of acquainting the Assembly that they insist on their amendments to the Bill entitled "an Act to regulate the Standard of Weights and Measures in this Colony and to provide for the surveying of Lumber" which nominates the Clerks of the Peace to be Assayers of Weights and Measures in their respective Towns or Harbours.

That the Bill gives to the Assayers such extensive powers as should only be entrusted to Persons of known character and respectability, and in whose keeping the Standard Weights and Measures might with safety be reposed.—Such Persons could not be found to undertake so responsible a situation unconnected with any other place of emolument under Government, unless a remuneration were made beyond what the Revenues of the Island could afford, while a small additional salary to the Clerks of the Peace would compensate them for the extra duty here imposed on them.

That the second amendment made by the Legislative Council provides for the appointment of Assayers where no Clerks of the Peace reside.

Ordered, that the said Report do lie on the Table.

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

TUESDAY, JUNE 3, 1834.

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

Resolved, that this House do now resolve itself into a committee of the whole House on the consideration of the amendments made in the Bill entitled "an Act to regulate the standard of Weights and Measures in this colony and to provide for the surveying of Lumber."

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Conference on Weights and Measures Bill held.

Report.

House in Committee on amendments to Weights & Measures Bill.

Report.

The Chairman reported from the committee that they had gone through the said amendments and were of the opinion that a Free conference with the Legislative Council on the subject thereof should be requested.

Free Conference to be requested.

Resolved, that a Free conference on the subject of the said amendments be asked with the Legislative Council.

Ordered, that Mr. CARTER do go up to the Legislative Council and request the said Free conference.

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:—

Mr. Speaker,

Free Conference on Weights & Measures Bill agreed to.

The Legislative Council consent to the Free conference requested by the Commons House of Assembly on the subject of the amendment made in the Bill entitled "an Act to regulate the Standard of Weights and Measures in this Colony and to provide for the surveying of Lumber" and have appointed the Honorable the Colonial Secretary and the Hon. Mr. THOMAS as Conferees, who will be ready to meet Managers from the Assembly, presently, in the Committee Room of the Legislative Council for that purpose.

H. J. BOULTON, *Speaker.*

Legislative Council,

June 3, 1834.

And then he withdrew.

Managers named.

Ordered, that Mr. CARTER, Mr. KENT, Mr. KOUGH & Mr. HOYLES do manage the said free conference on the part of this House.

Conference held.

And they went to the conference.

And being returned,

Report.

Mr. CARTER reported that the Managers had been at the free conference, and he stated the subject thereof to the House.

A Message from the Legislative Council.

Message from Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Messages:

Mr. Speaker,

Appropriation Bill sent down with Amendments.

The Legislative Council have passed the bill entitled "an Act for appropriating the supplies granted to his Majesty during the present Session of the Colonial Parliament" with some amendments to which the concurrence of the House of Assembly is requested.

Legislative Council, }
June 3, 1834. }

H. J. BOULTON,
Speaker L. C.

Mr. Speaker,

Council recede from their amendments to Protested Bills of Exchange Bill—with a Proviso.

The Legislative Council will recede from their amendments to the bill entitled "an Act to ascertain the damages to be paid upon protested Bills of Exchange" provided the words "seven and a half" be substituted in place of "five" in the fourteenth line of the first page of the said bill.

H. J. BOULTON, *Speaker.*

Legislative Council,
June 3, 1834.

Mr. Speaker,

Amendments made in Rate of Interest Bill passed by Council with an amendment thereon.

The Legislative Council have passed the amendments made by the Commons House of Assembly to the bill sent down to them from this House entitled "an Act to regulate the rate of interest in this Island"

with an amendment to which the concurrence of the Assembly is requested.

H. J. BOULTON, *Speaker*.

Legislative Council

June 3, 1834.

And then he withdrew.

The amendments made in the bill entitled "an Act for appropriating the supplies granted to his Majesty during the present Session of the Colonial Parliament," were read a first time and are as follow :

Amendments to appropriation Bill read.

Expunge the preamble of the bill and insert as follows : " We His Majesty's dutiful and loyal subjects the Commons of his Majesty's Island of Newfoundland in Parliament assembled, having freely and voluntarily resolved to give and grant to his Majesty a supply to defray certain charges for the administration of justice and the support of the Civil Government of this Island, do humbly beseech your Excellency that it may be enacted, and."

In the last line but six of the first clause expunge the words between " pounds" and " as" in the next line, and insert instead thereof " to PETER WESTON CARTER, Esq., for his past services"

In the last line of the fourth clause expunge " House of Assembly" and insert instead thereof " Legislature."—In the same line expunge " for approval."

Ordered, that the said amendments be read a second time to-morrow.

Second reading.

The amendment made by the Legislative Council to the amendments made by this House to the Bill entitled " an Act to regulate the rate of interest in this island" was read a first time and is as follows :

Amendment upon the amendments to Rate of Interest Bill read.

At the end of the said amendments, insert " and be it further enacted that no claim for interest exceeding six per centum per annum shall be recoverable against any Insolvent estate in this Island."

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

Resolved, that this House do concur with the Legislative Council in the said amendment.

and adopted.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House have concurred in the said amendment.

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

Resolved, that a select committee be appointed to prepare instructions to Managers upon a further conference to be asked with the Legislative Council relative to their contingencies.

Committee to prepare Instructions to Managers on a further Conference on Contingencies.

Ordered, that Mr. Row, Mr. HOYLES, and Mr. CARTER do compose the said committee.

Then the House adjourned until to-morrow, at one o'clock.

WEDNESDAY, JUNE 4, 1834.

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

The House resolved itself into a committee of the whole House on the amendments made in the bill entitled " an Act regulate the introduction of Passengers in vessels arriving in this Colony."

House in Committee on amendments to Passenger Bill.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Progress.

And the Chairman reported from the committee that they had made some progress in the business to them referred.

Amendments to Appropriation Bill read a second time and considered.

The amendments made by the Legislative Council in the bill entitled "an Act for appropriating the supplies granted to his Majesty during the present Session of the Colonial Parliament" were read a second time and taken into consideration, and thereupon

Motion thereon.

Mr. CARTER, seconded by Mr. HOYLES, moved that the House do come to the following resolution:—

Whereas it appears that the amendments made by the Legislative Council in the said bill are amendments merely of formal parts thereof and such as were agreed upon at the free conference held with the Legislative Council upon the said bill, Resolved, therefore, that this House do concur with the Legislative Council in the said amendments, but that the same shall not be drawn into a precedent in any manner prejudicial to the privileges of this House,—

Which being put, passed in the affirmative.

Ordered, that Mr. HOYLES do go up to the Honorable the Legislative Council and acquaint them that this House have concurred in the said amendments.

Message from Council.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:

Mr. Speaker,

Council recede from their amendments to Weights & measures Bill.

The Legislative Council recede from their amendments on the Bill entitled "an Act to regulate the standard of Weights and Measures in this Colony and to provide for the surveying of Lumber," as far as they relate to the appointment of Clerks of the Peace in the several districts of the Island to be Assayers of Weights and Measures,

Legislative Council,

H. J. BOULTON, *Speaker.*

June 4, 1834.

And then he withdrew.

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

Council's amendments to Protested Bills of Exchange Bill read.

Ordered, that the Message of the Legislative Council relative to the amendments made by them in the Bill entitled "an Act for ascertaining the damages to be paid upon Protested Bills of Exchange" be now read.—

And the same was read accordingly.

Resolved, that this House do now resolve itself into a committee of the whole House upon the said Bill and Message.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. KOUGH took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

The Chairman reported from the committee that they had made some progress in the business to them referred, and had come to a Resolution thereupon which they had directed him to report to the House; and he read the same in his place and afterwards delivered it in at the Clerk's Table where it was read and is as follows:—

Resolved, that it is the opinion of this committee that the amendment to the said Bill, proposed by the Legislative Council in the said message should be made therein.

Amendment adopted.

And the said Resolution being read throughout a first and second time was upon the question put thereon agreed to by the House.

Ordered, that Mr. Row do go up to the Honorable the Legislative Council and acquaint them that this House do concur with them in the said amendment.

Council acquainted thereof.

Mr. Row, from the select committee appointed to prepare instructions to Managers upon a further conference with the Legislative Council upon the subject of the last conference relative to the contingencies of the Legislative Council, reported that the Committee had prepared the said instructions accordingly; and he read the same in his place and afterwards delivered them in at the Clerk's Table where they were read and are as follow:—

Report of Committee to prepare Instructions to Managers on a further Conference on Contingencies.

The House of Assembly request this conference with the Honorable the Legislative Council on the subject of the last conference on the Message sent up by the House of Assembly respecting the contingencies of the Legislative Council in the same spirit of conciliation as marked their first conference on the subject, for the purpose of acquainting the Legislative Council that they cannot concur in the view thereof taken by them.

It is a matter of sincere regret to the House of Assembly to find that the Legislative Council do not comprehend their object in alluding to the salaries supposed to be attached to the officers of the Legislative Council; because the House of Assembly considered that in their former conference such salaries, if any, were not (as the Legislative Council appear to suppose) incidentally, but directly and distinctly referred to as not being regarded by the House of Assembly in the light of contingencies: and it is not without surprise that the House of Assembly notice the assurance of the Legislative Council that they concur with the House of Assembly in the opinion, that the officers of the Legislative Council ought, in common with those of the Assembly, to be remunerated by salaries, because as the Legislative Council had not deemed it proper to impart to the House of Assembly whether any sums in the nature of salaries had been included in their vote of contingencies, so neither does it appear by the Journals of the House of Assembly that in their communications with the Legislative Council they have expressed such opinion or at all mentioned the officers of the House of Assembly.

If it be admitted that certain officers are necessary for despatching the business of either branch of the Legislature, they will doubtless be as necessary one year as another. Their offices, therefore, will partake of a permanent and not of a contingent character, and the pay of the persons employed in them whether designated salary, or known by any other appellation is in this light, clearly distinguishable from those incidental expenses which, being of uncertain occurrence, are properly denominated contingencies. It seems indeed to have been admitted by the Legislative Council, that the contingent character can only be supported where the compensation is for the performance of "an uncertain duty," which in the opinion of the House of Assembly the regular employment of a permanent office cannot fairly be considered.

The House of Assembly are equally desirous with the Legislative Council of looking generally to the British Parliament for their mode and forms of procedure; but of the numerous and important distinctions which necessarily grow out of the dissimilarity of the circumstances of a small colony and an extensive Kingdom, not the least prominent are those between the Colonial Councils and the British House of Lords; and it must be obvious that although the analogy is and ought to be maintained, the laws and usages of Parliament must necessarily be subject to modification according to the exigencies of the case. Upon this principle which is expressly recognised by his Majesty's Principal Secretary of State for the Colonies in his instructions for establishing the Legislative Govern-

ment of this Island, it may often have happened that the neighbouring colonies on whose constitutions, although the Legislative Council have no authentic information concerning them, the constitution of this Island was undoubtedly modelled, questions have been from time to time satisfactorily adjusted which it would not be unwise to refer to, and for which no precedent on either side might perhaps be found on the Journals of the British Parliament.

The House of Assembly, in offering these observations for the consideration of the Legislative Council, do not assume what the Legislative Council have not thought it proper to impart to them, that any part of the gross amount of contingencies as communicated to the House of Assembly is for the salaries of officers or for any compensation to them in the nature of salaries. Yet as the Legislative Council must now fully comprehend the object of the House of Assembly to be, without in the slightest degree trenching upon the privileges of the Legislative Council, to distinguish between those payments if any attached to the offices of a permanent character and those uncertain expenses which are undoubtedly contingent, the House of Assembly are induced to hope that the Legislative Council will not object to furnish the information requested by the House of Assembly as explained in the first conference requested by them.

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

Instructions adopted.

Resolved, that this House do concur with the committee in the said Instructions.

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

Conference to be requested.

Resolved, that a further conference be requested with the Legislative Council on the subject of the last conference respecting the contingencies of the Legislative Council.

Ordered, that Mr. Row do request the said conference.

Message from Council.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:—

Mr. Speaker,

Conference on contingencies agreed to by Council.

The Legislative Council consent to the conference requested by the Commons House of Assembly on the subject of the last conference respecting the Message sent up relating to the contingencies of this House, and have appointed the Honorable the Attorney General and the Honorable Mr. Thomas as Conferees, who will be ready to meet Managers, presently, in the Committee Room of the Legislative Council for that purpose.

Legislative Council, }
June 4, 1834. }

H. J. BOULTON,
Speaker L. C.

And then he withdrew.

Managers named.

Ordered, that Mr. CARTER, Mr. KENT, Mr. KOUGH and Mr. Row do manage the said conference on the part of this House.

Conference held.

And their names being called over they went to the conference.

And being returned,

Report.

Mr. Row reported that the Managers had been at the conference, and had complied with the instructions of the House.

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

House in Committee on amendments to Weights & Measures Bill.

Resolved, that this House do now resolve itself into a committee of the whole House on the consideration of the amendments made in the Bill entitled "an Act to regulate the standard of Weights and Measures in this colony and to provide for the surveying of Lumber."

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. KENT took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the committee that they had gone through the said amendments and had agreed to the same, with an amendment thereon, which they had directed him to report to the House; and he read the same in his place and afterwards delivered it in at the Clerk's Table.

Report.

Additional amendment.

And the said amendment being read throughout a first and second time was upon the question put thereon agreed to by the House.

Report adopted.

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

Resolved, that a Message be sent to the Honorable the Legislative Council to acquaint them that this House have agreed to the said amendments made by them in the said Bill, with an amendment thereon to which the concurrence of the Legislative Council is requested.

Council to be made acquainted therewith.

Ordered, that Mr. CARTER do communicate the said Message to the Legislative Council.

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

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

House in Committee of Supply.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

Report.
Progress.

Ordered, that the said committee have leave to sit again

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

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

THURSDAY, JUNE 5, 1834.

ON motion of Mr. HOYLES, seconded by Mr. KOUGH,

Resolved, that the Bill sent down from the Legislative Council entitled "an Act to remove doubts respecting the introduction of the Law of England into Newfoundland" be now read a third time as amended.

Bill to remove doubts read a third time.

And the same was read a third time accordingly.

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

Ordered, that the said Bill do pass.

Bill passed with amendments, and

Ordered, that Mr. HOYLES do carry the Bill back to the Legislative Council and acquaint them that this House have passed the same and have made some amendments therein to which their concurrence is requested.

Sent to Council.

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

House in committee of Supply.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.
Progress.

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

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

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

Select committee to report further contingencies of the present session.

Resolved, that a select committee be appointed to enquire into and report upon the further contingencies of the House during the present Session.

Ordered, that Mr. CARTER, Mr. KENT and Mr. KOUGH, do compose the said committee.

Message from Council.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message :

Mr. Speaker,

Amendments to Weights & Measures Bill passed by Council

The Legislative Council have passed the amendment made by the Commons House of Assembly to the amendments made by this House on the Bill entitled "an Act to regulate the standard of Weights and Measures in this Colony and to provide for the surveying of Lumber."

Legislative Council,

H. J. BOULTON, *Speaker.*

June 5, 1834.

And then he withdrew.

Report of Select committee on further contingencies

Mr. CARTER from the select committee appointed to enquire into such other contingent expenses of the House for the present year as have not already been provided for reported that the committee had enquired into the same and begged to report as follows :—

That since the last report upon the Contingencies of the House, certain expenses had been incurred for a Seal for the House, for Stationery and for sundries,—to defray which and also to provide for Stationery and such other expenses as might be incurred during the recess the committee recommended that the sum of £12 be granted to the Clerk of the House. The committee also recommended that the further sum of £50 be granted to the Clerk to remunerate him for extra services and to enable him to defray the expense of copying clerks necessarily employed by him during this protracted Session.

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

Ordered, that the said Report be referred to the Committee of Supply.

Referred to committee of supply
House in committee of Supply

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

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report

The Chairman reported from the committee that they had come to several Resolutions which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered, that the Report be now received.

And he read the said Resolutions in his place and afterwards delivered them in at the Clerk's Table where they were again read and are as follow :—

1st.—*Resolved*, that it is the opinion of this committee that the long and faithful services of Mr. Broom, chief Magistrate of St. John's, having been rendered, before the establishment of the Legislative Government

of this Colony, and during a period in which the whole Revenue of the Island was transmitted to the Imperial Treasury, the Pension to which his long services undoubtedly entitle him on his retirement from office, ought to be borne by the Parent Government; and that an Address should be presented to his Excellency the Governor acquainting him that the House of Assembly have voted the Salary of Mr. Broom for the present year and respectfully requesting that his Excellency would be pleased to recommend to his Majesty's Government that Mr. Broom be permitted to retire from office with a suitable pension from the Government of the Mother Country.

2nd.—*Resolved*, that it is the opinion of this committee that the claim preferred by Mr. Phipard, Chief Constable of St. John's, should be subject to the same rule as that adopted in the case of the Chief Magistrate and for the same reasons, and that in the address to be presented to his Excellency it be respectfully requested that his Excellency would be pleased also to recommend a suitable pension for Mr. Phipard.

3rd.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £400 sterling be granted to his Majesty towards defraying the expense of the conveyance of the Judges on their Circuits during the present year.

4th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £250 sterling be granted to his Majesty, in addition to the sum already voted, towards defraying the expense of the support and relief of the poor and infirm of the District of St. John's for the present year.

5th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £100 sterling be granted to his Majesty towards defraying the salary of the Clerk of the House of Assembly for the present Session.

6th.—*Resolved* that it is the opinion of this committee that a sum not exceeding £107 2s. sterling be granted to his Majesty towards compensating the Solicitor attending the House of Assembly for his services in drafting Bills during the present Session.

7th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £50 sterling be granted to his Majesty towards defraying the salary of the Sergeant-at-Arms of the House of Assembly for the present Session.

8th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £35 be granted to his Majesty towards defraying the salary of the Doorkeeper of the House of Assembly for the present Session.

9th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £25 be granted to his Majesty towards defraying the salary of the Messenger of the House of Assembly for the present Session.

10th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £298 16s. 3d. sterling be granted to his Majesty towards defraying the contingent expenses of the House of Assembly for the present Session.

11th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £128 3s. 6d. sterling be granted to his Majesty towards defraying the contingent expenses of the Legislative Council for the present Session.

12th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £100 sterling be granted to his Majesty towards defraying the expense of Books for the use of the Legislature.

13th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £20 sterling be granted to his Majesty towards compensating James Lake for conveying several shipwrecked seamen from St. Peter's to St. John's, and for provisions for the support of the same.

14th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £20 sterling be granted to his Majesty towards aiding Walter Walsh whose house and property have been consumed by fire, in rebuilding his house.

15th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £8 sterling be granted to his Majesty towards compensating James Keefe for services performed by him in obedience to an order of the House of Assembly.

16th.—*Resolved*, that it is the opinion of this committee that a sum not exceeding £250 sterling be granted to his Majesty to provide for any casual or contingent expenses which may arise during the present year.

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

Mr. HOYLES, seconded by Mr. KOUGH, moved for leave to bring in a Bill to provide for certain contingent expenses and other charges for the present year ;—

Which being put, passed in the affirmative.

And he presented to the House, accordingly, a Bill to provide for certain contingent expenses and other charges for the service of the present year, and the same was read a first time.

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

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

FRIDAY, JUNE 6, 1834.

PURSUANT to the Order of the day, the Bill to provide for the payment of certain contingent expenses and other charges for the service of the present year, was read a second time.

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

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

Resolved, that this House do now resolve itself into a Committee of the whole House on the said Bill.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

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

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

Ordered, that the said Bill with the amendments be engrossed, and read a third time this day.

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

Ordered, that the amendments made in the said Bill by the Committee of the whole House to whom the same was referred, be entered on the Journals ; and the same are as follow :—

Report of the committee of Supply adopted.

Bill to provide for contingencies presented and read.

Second reading

Bill for payment of contingencies read a second time, and

Committed.

House in Committee thereon.

Report.

Amendments.

Report adopted.

Bill engrossed.

Amendments entered on the Journals.

Page 1, line 15.—Between the words “*that is to say*” in the 15th line and “*The Clerk of the House of Assembly*” in the 16th line insert the words following :

“The Clerk of the Legislative Council for his services during the present Session, One hundred pounds.”

“The Gentleman Usher of the Black Rod for his services during the present Session, Fifty pounds.

“The Doorkeeper of the Legislative Council for his services during the present Session, Thirty five pounds.”

Page 2.—Between the 10th and 11 lines insert the words following :
 “To the Clerk of the Legislative Council to defray the contingent expenses of the Legislative Council during the present Session, Two hundred and thirteen pounds, three shillings and sixpence.”

Page 3, line 16.—Expunge the words “Two hundred and fifty” in this line and insert instead thereof “Five hundred.”

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

Resolved, that a select committee be appointed to prepare an address to his Excellency the Governor in reply to his Messages relative to Mr. Broom and Mr. Phipard, and in pursuance of the first and second resolutions reported from the Committee of Supply yesterday.

Committee to prepare address relative to Mr. Broom & Mr. Phipard.

Ordered, that Mr. Row, Mr. HOYLES, and Mr. KOUGH do form the said committee.

Committee.

Agreeably to the Order of the day, the engrossed Bill to provide for the payment of certain contingent expenses and other charges for the service of the present year was read a third time.

Bill to provide for payment of contingencies read a third time.

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

Ordered, that the Bill do pass and that the Title be “an Act to provide for the payment of certain expenses incurred for the service of the year One thousand eight hundred and thirty-four.”

Bill passed. Title.

Ordered, that Mr. HOYLES do carry the said Bill up to the Legislative Council and request their concurrence.

Sent to Council.

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

SATURDAY, JUNE 7, 1834.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:—

Message from Council.

Mr. Speaker,

The Legislative Council request a conference with the Commons House of Assembly on the subject of the Bill entituled “an Act to provide for the payment of certain expenses for the service of the year 1834,” and have appointed the Honorable the Colonial Secretary and the Honorable Mr. Thomas as conferees, who will be ready to meet Managers from the Assembly, presently, in the committee room of the Legislative Council for that purpose.

Conference requested on Bill for payment of contingencies.

Legislative Council,
 June 7, 1834.

H. J. BOULTON, *Speaker.*

And then he withdrew.

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

Resolved, that the Conference be granted as requested by the Legislative Council.

Conference agreed to.

Managers named.

Ordered, that Mr. HOYLES, Mr. KENT, Mr. CARSON and Mr. ROW do manage the said conference on the part of this House.

Ordered, that Mr. HOYLES do go up to the Honorable the Legislative Council and acquaint them that this House have agreed to the said conference.

Conference held.

And the names of the Managers being called over they went to the conference.

And being returned,

Report.

Mr. HOYLES reported that the Managers had been at the conference, and he read the Report of the subject of the said conference in his place and afterwards delivered it in at the Clerk's Table where it was read and is as follows:—

The Legislative Council have requested this conference with the Commons House of Assembly on the subject of the Bill entituled "an Act to provide for the payment of certain expenses for the service of the year 1834" for the purpose of acquainting the Assembly that they do not concur in that part of the first Section of the Bill whereby the sum of One Hundred Pounds is proposed to be granted to the Speaker of the Assembly to be applied for the purchase of Books for the use of the Legislature; for while the Legislative Council approve of the end sought to be obtained by the Assembly they do not agree with them in the propriety of the means proposed, as they are of opinion that the Books being intended for the joint use of both Branches of the Legislature the Grant should be made to the Speaker of the Legislative Council conjointly with the Speaker of the House of Assembly.

The Legislative Council do not concur in that part of the same Section whereby the sum of £20 is proposed to be granted to Walter Walsh, a sufferer by fire, to aid him in rebuilding his house, for although the Legislative Council on the authority of the House of Assembly are willing to believe that that individual may be in distress and deserving of assistance, yet they are sensible that the allowing the sum in question under such circumstances would, independently of its unparliamentary character, furnish an inconvenient and dangerous precedent, and one which, in justice, would entitle every person similarly situated to a like relief.

The Legislative Council feel the less reluctance in opposing this vote as by the provision proposed to be made by the Legislature, the Executive will be enabled to extend to the Individual in question that relief which the circumstances of his case may require.

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

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

Resolved, that this House do now resolve itself into a committee of the whole House thereupon.

And the House resolved itself into the said committee accordingly.

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had made some progress in the business to them referred and were of opinion that a conference should be requested with the Legislative Council on the subject of the last conference.

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

Report committed.

House in committee thereon.

Report.

Resolved, that a select committee be appointed to prepare instructions to the committee to be appointed to manage such conference.

Committee to prepare Instructions to Managers.

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

Mr. Row, from the committee appointed to prepare an address to his Excellency the Governor in reply to his Messages relative to Mr. Broom and Mr. Phipard, reported that the committee had prepared the draft of an address accordingly; and he read the same in his place and afterwards delivered it in at the Clerk's table where it was read and is as follows:

Report of Select Committee to prepare Address relative to Messrs. Broom and Phipard.

To His Excellency Sir Thomas John Cochrane, Knight, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

Address read, and

May it please Your Excellency,

We his Majesty's dutiful and loyal subjects the Commons of Newfoundland, in Parliament assembled, beg leave to acquaint your Excellency that we have taken into consideration the Messages of your Excellency respectively dated the 7th of April and the 17th of May, transmitting to us the Petitions of Mr. Broom, Chief Magistrate, and of Mr. Phipard, Chief Constable at St. John's.

As the long and faithful services of Mr. Broom were rendered before the establishment of the Legislative Government of this Colony, and during a period in which the revenue of the Island was transmitted to the Imperial Treasury, the Pension to which his long services undoubtedly entitle him on his retirement from office we are of the opinion ought to be borne by the Parent Government:—The claims of Mr. Phipard, we think must be viewed in the same light as those of Mr. Broom.

We beg further to acquaint your Excellency that we have voted the salary of Mr. Broom for the present year, and we respectfully request that your Excellency will be pleased to recommend to his Majesty's Government to make a suitable provision for Mr. Broom and Mr. Phipard on their retirement from office.

adopted.

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

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

Committee to present same.

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

MONDAY, JUNE 9, 1834.

MR. SPEAKER informed the House that he had received a communication from the Honorable the Colonial Secretary acquainting him that his Excellency the Governor would receive a committee of the House with the address passed on Saturday last, to-morrow at a quarter before ten o'clock.

Time for receiving Address fixed.

Mr. Row, from the committee appointed to prepare instructions to Managers at a conference to be asked with the Legislative Council on the subject of the last conference relative to the bill entitled "an Act to provide for the payment of certain expenses for the Service of the year 1834", reported that the committee had prepared instructions accordingly, and he read the same in his place and afterwards delivered them in at the Clerk's table where they were read and are as follow:

Report of Select Committee to prepare instructions to Managers at a conference on Contingencies bill

The Commons House of Assembly have requested this conference with the Legislative Council on the subject of the last conference for the pur-

pose of acquainting the Legislative Council that they do not concur in the objections made by the Legislative Council to the bill entitled "an Act to provide for the payment of certain expenses for the service of the year 1834" because they desire to preserve unimpaired their right of granting such supplies for the public service as they may deem necessary and of limiting and appointing the application thereof.

With reference to that part of the said bill by which the sum of £20 is proposed to be granted to Walter Walsh, the House of Assembly do not perceive in it any thing of an unparliamentary character as alleged by the Legislative Council nor are they aware of any other funds out of which any allowance could properly be made to the individual in question without a misappropriation of some other monies granted by this House.

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

Resolved, that this House do concur with the committee in the said Instructions.

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

Resolved, that a conference be requested with the Legislative Council on the subject of the last conference.

Ordered, that Mr. ROW do go up to the Honorable the Legislative Council and request the said conference.

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

Resolved, that the clerk of this House do transmit a copy of the Journal of the proceedings of this House during the present Session, together with a copy of the Laws passed therein, to the respective clerks of the Houses of Assembly of Upper and Lower Canada, Nova Scotia, New Brunswick, Prince Edward Island and Jamaica, and solicit an interchange of Laws and Journals.

A Message from the Legislative Council,

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:—

Mr. Speaker,

The Legislative Council consent to the conference requested by the Commons House of Assembly on the subject of the last conference on the Bill entitled "an Act to provide for the payment of certain expenses for the service of the year 1834, and have appointed the Honorable the Colonial Secretary and the Honorable Mr. Thomas, as conferees, who will be ready to meet Managers from the Assembly, presently, in the Committee Room of the Legislative Council.

*Legislative Council, }
June 9, 1834. }*

H. J. BOULTON,
Speaker L. C.

And then he withdrew.

Ordered, that Mr. ROW, Mr. KENT, Mr. CARSON and Mr. KOUGH do manage the said conference on the part of this House.

And they went to the conference.

And being returned—

Mr. ROW reported that the Managers had been at the conference and had complied with the Instructions of the House.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:—

Mr. Speaker,

The Legislative Council have passed the Bill sent up from the Com-

Instructions adopted.

Conference requested.

Copies of Laws and Journals to be sent to Upper and Lower Canada, New Brunswick, P. E. Island and Jamaica,

Message from Council.

Conference on Bill for payment of contingencies agreed to.

Managers named.

Conference held.

Report.

Message from Council.

mons House of Assembly entitled "an Act for the payment of certain expenses for the service of the year 1834," with some amendments to which the concurrence of that House is requested.

Bill for payment of contingencies passed with amendments.

Legislative Council,
June 9, 1834.

H. J. BOULTON, *Speaker.*

And then he withdrew.

The amendments made in the said Bill were then read a first time.

Amendments read.

Ordered, that the said amendments be read a second time to-morrow.

Second reading.

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

TUESDAY, JUNE 10, 1834.

THE order of the day for the second reading of the amendments made by the Legislative Council in the Bill entitled "an Act to provide for the payment of certain expenses for the service of the year One thousand eight hundred and thirty four" being read,

Order of day read.

Mr. SPEAKER informed the House that the said amendments made by the Legislative Council in the said Bill were such that the House could not, consistently with its privileges, do otherwise than reject them, and thereupon,

House reject amended Bill for payment of contingencies.

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

Resolved, *nemine contradicente*, that this House cannot further proceed with the consideration of the said amendments.

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

Ordered, that Mr. Row have leave to bring in a Bill for granting to his Majesty certain monies for the service of the present year.

Accordingly he presented to the House a Bill for granting to his Majesty certain monies for the service of the year One thousand eight hundred and thirty four, and the same was read a first time.

Bill for granting certain monies for the service of the year 1834 presented and read a first time.

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

Ordered, that the said Bill be now read a second time.

And the same was read a second time accordingly.

Read a second time.

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

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

Committed.

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

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

WEDNESDAY, JUNE 11, 1834.

THE order of the day for the House in committee of the whole House on the consideration of the Bill for granting to his Majesty certain monies for the service of the year 1834, being read,

Order of the day read.

The House resolved itself into the said committee accordingly.

House in committee there on

Mr. SPEAKER left the chair.

Mr. HOYLES took the chair of the committee.

Mr. SPEAKER resumed the chair.

Report.

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

Report adopted.

Resolved, that this House do concur with the committee in the said report.

Bill for granting monies for the service of the year 1834 read a third time, and

On motion of Mr. HOYLES, seconded by Mr. KOUGH,
Ordered, that the said Bill be now read a third time,
And the same was read a third time accordingly.

Passed.

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

Title.

Resolved, that the Bill do pass, and that the Title be "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."

Sent to Council.

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

Message from Council.

A Message from the Legislative Council.

Mr. ROBINSON, one of the Masters in Chancery, brought down from the Honorable the Legislative Council the following written Message:—

Mr. Speaker,

Bill for granting certain monies for the service of 1834 passed by Council.

The Legislative Council have passed the Bill entituled "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" without amendment.

Legislative Council }
June 11, 1834. }

H. J. BOULTON, *Speaker.*

And then he withdrew.

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

THURSDAY, JUNE 12, 1834.

Message from the Governor.

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

Mr. Speaker and Gentlemen of the House of Assembly—

His Excellency waiting the attendance of the House.

His Excellency the Governor commands your attendance immediately in the Council Chamber.

Accordingly, Mr. SPEAKER with the Members present attended His Excellency in the Council Chamber, when His Excellency was pleased to assent to the following bills: viz.—

"An act to regulate the cutting of Channels in the ice, in the various ports and harbours in 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 increasing the number of Representatives to serve in the General Assembly of this Island.”

“ 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 for declaring all Landed Property in Newfoundland Real Chattels.

“ An act to explain certain acts passed for the safekeeping 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.”

“ An act to incorporate the St. John's Mechanics' Society.”

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

“ An act to declare the legality of the collection of certain duties by the Collector of His Majesty's Customs.”

Mr. SPEAKER then addressed his Excellency as follows:—

May it please Your Excellency,

In the name of His Majesty's faithful Commons of Newfoundland I beg leave to present to your Excellency several bills of Supply for the services of the current year, and respectfully crave your Excellency's assent to the same.

His Excellency was thereupon pleased to give his assent to the said bills which are entitled as follows:—

“ An act for appropriating the Supplies to be 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 then His Excellency was pleased to address the following Speech to both Houses;—

Honorable Gentlemen, and Gentlemen:

Although the present, strictly speaking, is the third Session of the Colonial Parliament; yet, from the various impediments which interrupted your former deliberations, as well as the natural embarrassments attend-

ing the first introduction of so important a change in the constitution as that which has taken place, your labours could not be considered effectively to begin until the period of my last calling you together.

I have therefore been the more anxious to remove every impediment to your giving entire time and attention to the important duties that devolved on you; and although the public service has been put to some inconvenience by the length to which the Session has been protracted, and I fear not less to the private interests of some of your members, yet I would not bring it to a close until I had been given to understand that no further matters were under your consideration.

During the nineteen weeks that you have been in deliberation some well-advised and important acts have been the result of your labours; yet it is much to be regretted that no measure has been presented for my acceptance on the two most important subjects that could come before you—the jurisprudence and judicature of the country.

The uncertainty as to the laws applicable to this Island, and the diversity of opinion in those who administered them, as to what portion of the laws of the Parent State (particularly of the Criminal Law) was operative in this country, has been a theme of long and constant animadversion; and the impunity with which perpetrators of the most atrocious crimes have, in consequence, escaped the just reward of their deeds, rendered it most desirable that some enactment should have removed all doubts upon the subject.

If the laws have been ill defined, the administration of them under the existing Judicatory Act, is equally open to complaint. For several years there has been no difference of opinion as to the Act 5th George IV., cap. 67; commonly called the Judicatory Act, having failed to attain the great object of legislation—that of bringing justice home, and with moderate expense, to the poor man's door; and it is therefore to be lamented that one of the great objects which a local legislature was sought for and obtained, has yet to be accomplished.

I have given my assent to the abolition of the Labrador Court, from feeling that the advantage derived from it was not commensurate with the expense; at the same time, I am not prepared to say how far it is advisable that justice should not in any shape reach those shores. The conclusion of the Fishery in the autumn may probably bring with it further information on the subject to guide your proceedings in legislating for that portion of the government.

Gentlemen of the House of Assembly:

I thank you for the supply you have granted for the public service, which shall be dispensed with every frugality consistent with the efficient performance of the services for which it is intended.

Honorable Gentlemen, and Gentlemen:

The Road Bill which has now been enacted is well calculated to attain the object it has in view; and I have no doubt will be very beneficial to the different districts of the Island. I understand, however, that undue means have been taken to render it unpopular, and excite a feeling against it. It is always to be regretted when individual opinion sets itself up in opposition to the councils of those whose particular duty it is to provide for the welfare of the community, and who from the attention they must have given the subject and the discussion it must have undergone, are most likely to form a just and unbiassed decision upon it; and it will be for you, Gentlemen, to avail yourselves of every opportunity to remove any misapprehension that may exist, and to point out the advantages proposed in this measure.

Of the various Bills presented for my assent, there is no one to which I have given it with more satisfaction than to that which proposes the establishment of Savings' Banks—an institution which has in other countries tended greatly to the improvement of the condition of the lower orders of society, and which is peculiarly adapted to the state of the inhabitants of this Island, whose earnings, when industrious, exceed, in the year, that of most other countries—but which being received in large payments, is too often improvidently spent, from the individual not knowing where he can deposit it with confidence, and withdraw it at pleasure. That inducement to dissipate no longer exists—the labourer can now secure his hard-earned gains with perfect facility, and still maintain an entire control over them without expense or trouble. I trust, gentlemen, that in visiting the different districts in which you reside, you will avail yourselves of every opportunity to impress upon the lower orders the advantages that are now placed within their reach; explain to them the nature of the institution and the opening that is afforded them of making a provision for the time of sickness or old age, and thus remove from their minds any misconceptions that may exist on their part, or which may have been instilled into them by others; for it is possible there may be those—although I trust few in number—who may be inclined from interested motives to counteract the beneficent intentions of the Legislature; and who have not reflected that a partial and trifling loss from no longer being the holders of the poor man's earnings, will be far outweighed by the advantages to be derived from the increased industry and frugality which may be hoped to result from this institution—and who have yet to be convinced that that which ensures the happiness and well being of the community at large, can never be permanently hostile to individual prosperity.

After which, the Honorable the Speaker of the Legislative Council said,

Honorable Gentlemen and Gentlemen :

It is His Excellency the Governor's will and pleasure that this General Assembly be prorogued until Wednesday, the first day of October next ; and this General Assembly is accordingly prorogued until Wednesday, the first day of October next, then here to be holden.

EDWARD M. ARCHIBALD,

Clerk of the General Assembly.

END OF THE THIRD SESSION.

APPENDIX

TO THE

JOURNAL

OF THE

THIRD SESSION OF THE

HOUSE OF ASSEMBLY

1834.

[NOTE.—It was thought advisable after several of the Sheets of the Journal had been Printed, to deviate from the original arrangement of the documents intended for the Appendix; they will, therefore, be found nearly in the order laid down in the Index, and not agreeably with the Notes of Reference in the first pages of the Journal.]

APPENDIX

TO THE

MEMORANDUM



OF THE

UNITED STATES DEPARTMENT OF THE INTERIOR

FILE

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ESTIMATE

Of the probable amount required for defraying those expenses (not already provided for) of the Island of Newfoundland, during the two months of February and March, 1834.

.....£876 15 3

SALARIES.

				£	s.	d.
Magistrates and Police Constables (St. John's)	.....	.....	.....	166	15	7
Chainman to Surveyor-General	.....	.....	.....	3	6	8
Crier of the Courts and Tipstaff	.....	.....	.....	10	0	0
Office Keeper and Messenger (Secretary's Office)	.....	.....	.....	17	10	0
Lay Readers (five in number)	.....	.....	.....	10	16	8
Catholic Bishop's allowance	.....	.....	.....	12	10	0

£220 18 11

CONTINGENCIES.

CIVIL DEPARTMENT.

Printing—Stationery—Advertising—Binding—Contingent				25	3	4
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JUDICIAL DEPARTMENT.

Gaol Expenses				128	6	8
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MISCELLANEOUS.

Support of Orphans, Paupers, Bastards, and Sick				233	6	4
Medical Attendance and Medicines	33	6	8
Repairs of Public Buildings	.....	.....	.....	66	13	4
Fuel and Light for ditto	.....	.....	.....	20	6	8
Coroner	.....	.....	.....	20	0	0

£527 3 0

Total Expense for two months, exclusive of Outports..... £748 1 11

N. B.—The note in the *Estimate for the year* referring to the Outports Expenditure and to the License Money collected there, applies also to this Estimate.

OUTPORTS EXPENDITURE.

OUT-PORTS.	GAOLERS.	CONSTABLES.	TOTAL.
	£ s. d.	£ s. d.	£ s. d.
Burin - - - - -	3 6 8	1 13 4	5 0 0
Placentia - - - - -	3 6 8	1 13 4	5 0 0
Ferryland - - - - -	3 6 8	1 13 4	5 0 0
Trinity - - - - -	3 6 8	4 3 4	7 10 0
Bonavista - - - - -	—	4 3 4	4 3 4
Greenspond - - - - -	—	2 10 0	2 10 0
Twillingate and Fogo - - - - -	—	5 16 8	5 16 8
Trepassey and St. Mary's - - - - -	—	3 6 8	3 6 8
Fortune Bay - - - - -	—	3 6 8	3 6 8
Bay Bulls - - - - -	—	1 13 4	1 13 4
Port-de-Grave - - - - -	—	1 13 4	1 13 4
Harbour-Grace and Carbonear - - - - -	5 0 0	19 13 4	24 13 4
Magistrates at ditto - - - - -	—	—	56 0 0
Clerk of the Peace ditto - - - - -	—	—	3 0 0

Total Outports Expenditure for two months £128 13 4

RECAPITULATION.

Salaries, &c. at St. John's.....			£748	1	11
„ „ Outports			128	13	4
Total estimated expense for two months			£876	15	3

APPENDIX.

ESTIMATE

Of the probable amount required for defraying the Expenses of the Island of Newfoundland, for the year commencing the 1st April, 1834, founded on the Establishment as at present existing in the Colony £13,541 18 4

SALARIES.

CIVIL DEPARTMENT.

	£	s.	d.	Sterling.
Clerk of the Council	200	0	0	
2 Clerks in Secretary's Office	400	0	0	
Office-Keeper of ditto £60 and Messenger £45	105	0	0	
Surveyor General	300	0	0	
Chainman to ditto	20	0	0	
School of Industry, St. John's	104	0	0	
Newfoundland School Society	100	0	0	
School in Conception Bay	25	0	0	
Making up Fishery Returns	50	0	0	
				£1304 0 0

JUDICIAL DEPARTMENT.

Clerk of the Supreme Court	400	0	0	
3 Clerks of Circuit Courts—Central	£250			
(a) { Northern	200			
{ Southern	200			
	650	0	0	
Crier of Supreme and Central Courts and Tipstaff	60	0	0	
High Sheriff	513	5	0	
Gaoier (St. John's)	36	0	0	
Labrador Court—Judge - - - - -	£700			
Clerk - - - - -	200			
Sheriff - - - - -	150			
2 Constables - - - - -	52			
	1102	0	0	
Judge of the Vice Admiralty Court	500	0	0	
				3261 5 0

POLICE ESTABLISHMENT.

Chief Magistrate	£360			
2 Police Magistrates	320			
	680	0	0	
9 Police Constables	320	13	4	
				1000 13 4

ECCLESIASTICAL DEPARTMENT.

5 Lay Readers, each £13	65	0	0	
Catholic Bishop's Allowance	75	0	0	
				140 0 0

PENSIONS.

William Armstrong	50	0	0	
Mrs. Westcote	30	0	0	
				80 0 0

Total Salaries £5785 18 4

CONTINGENCIES.

CIVIL.

Printing—Stationery—Advertising—Binding—Contingent	187	0	0	
Carried forward - - - - -				£187 0 0

(a) These Salaries to be £250 if not made up by Fees to that amount.

APPENDIX.

CONTINGENCIES—Continued.

					Brought forward.....	£187	0	0
JUDICIAL.								
Civil and Criminal Prosecutions	.....	.....	.....	.....	605	0	0	
Circuit Judges	.....	.....	.....	.....	658	0	0	
Labrador Court	.....	.....	.....	.....	395	0	0	
Stationery and Printing	.....	.....	.....	.....	370	0	0	
Gaol Expenses	.....	.....	.....	.....	824	0	0	
Coroner	.....	.....	.....	.....	140	0	0	
Attorney General's Fees	.....	.....	.....	.....	250	0	0	
Extra Constables (during the sitting of Courts)	.....	.....	.....	.....	120	0	0	
								3362 0 0
=====								
(a) Paupers, Orphans, and Bastards	.....	.....	.....	.....	896	0	0	
(a) Sick Paupers	.....	.....	.....	.....	569	0	0	
Medical attendance and Medicines	.....	.....	.....	.....	200	0	0	
Passages	.....	.....	.....	.....	60	0	0	
								1725 0 0
Roads, &c.	.....	.....	.....	.....	500	0	0	
Incidentals	.....	.....	.....	.....	150	0	0	
(b) Public Buildings	.....	.....	.....	.....	140	0	0	
(c) Fuel and Light for ditto	.....	.....	.....	.....	230	0	0	
								1220 0 0
								Total Contingencies - - - - - £6494 0 0

OUTPORTS EXPENDITURE. (d)

OUT-PORTS.	GAOLERS.	CONSTABLES.		Repairs of Gaol.	Total Expense.			
		No.	Allowance.		£	s.	d.	
Burin - - - - -	£ 20	1	£ 10	110	140	0	0	
Placentia - - - - -	20	1	10	200	230	0	0	
Ferryland - - - - -	20	1	10	100	130	0	0	
Trinity - - - - -	20	2	25	20	65	0	0	
Bonavista - - - - -	—	2	25	—	25	0	0	
Greenspond - - - - -	—	1	15	—	15	0	0	
Twillingate and Fogo - - - - -	—	3	35	—	35	0	0	
Trepassey and St. Mary's - - - - -	—	2	20	—	20	0	0	
Fortune Bay - - - - -	—	2	20	—	20	0	0	
Bay Bulls - - - - -	—	1	10	—	10	0	0	
Port-de-Grave - - - - -	—	1	10	—	10	0	0	
Harbour-Grace and Carbonear - - - - -	30	5	118	60	208	0	0	
Magistrates at ditto - - - - -	—	—	—	—	336	0	0	
Clerk of the Peace ditto - - - - -	—	—	—	—	18	0	0	
								Total Out-Ports Expenditure.....£1262 0 0

RECAPITULATION.

Total of Salaries	.....	.....	.....	£5785	18	4
Contingencies	.....	.....	.....	6495	0	0
Out-Ports Expenditure	.....	.....	.....	1262	0	0
Total Estimated Expense (for 1834)	.....	.....	.....	£13,542	18	4

(a) The Expense attending the Sick and Paupers is annually increasing.
 (b) This does not include the Court-House Buildings in St. John's, of the Repairs and Alterations necessary to which an Estimate will shortly be furnished.
 (c) This charge includes all the Public Buildings in St. John's, with the exception of the Government-House, which received an allowance from the Treasury in England until October last, from which period it has been stopped.
 (d) The Expenses attending the Police Establishments in the Out Ports has hitherto, with the exception of Harbour Grace, been defrayed from the License Money collected in each respectively. But latterly persons have refused to take out Licenses, and unless this be remedied these Expenses will fall on the General Fund.
 The License Fund at Harbour-Grace was never sufficient to meet the whole Expense of the Magistracy, &c., the deficiency in each year having been paid by the Treasury. As in that District the License Money is also falling off, the annual burthen on the General Fund will be proportionally increased.

APPENDIX.

A DETAILED STATEMENT

Of the several Items of the Public Expenditure of

NEWFOUNDLAND,

Comprehended under the following heads in the Estimate for the Year ending 31st March, 1835, agreeably to the Resolution of the Hon. the HOUSE OF ASSEMBLY, dated 15th February, 1834.

CIVIL CONTINGENCIES.

	£	s.	d.
Printing, Binding, and Advertising, (Secretary's Office)	62	16	9
Stationery for ditto	50	0	0
Ditto and Advertising for Surveyor-General's Office	28	3	4
Gate-keeper	26	0	0
Cleaning Offices, Emptying Privies, and any unforeseen Contingencies	20	0	0
	<hr/>		
	£187	0	1

JUDICIAL CONTINGENCIES.

Civil and Criminal Prosecutions—VIZ.

Prosecuting Officers on the Circuits	184	17	7
Expenses of Summoning Juries (in all the Courts)	137	17	0
Witnesses	180	0	0
Clerk of the Peace	53	14	0
Constables extra Expenses	17	14	5
	<hr/>		
	£574	3	0

CIRCUIT JUDGES—VIZ.

Hire of Vessels	450	0	0
Table Money (20s. per diem)	156	0	0
Constables going the Circuits	52	0	0
	<hr/>		
	£658	0	0

N. B.—The Circuits in the last year were much extended and the expenses proportionably increased.—This amount is accordingly considerably more than would have been shewn by the average of any three years, not including 1833.

STATIONERY AND PRINTING—VIZ.

Paid for Stationery for the several Courts	146	9	11
Printing and Blank Forms	79	16	10
	<hr/>		
	£226	6	9

N. B.—The difference between this amount and that estimated for is made up by the expense of Printing the Acts of the Legislature.

GAOL EXPENSES—VIZ.

Dietry*	345	16	3
Fees on Commitments	48	7	3
Clothing	60	9	10
Medical Attendance and Medicine	40	0	0
Wages of a Servant	20	0	0
Sweeping Chimnies—Cleaning and Purifying—Brushes, Utensils, &c.	84	7	11
	<hr/>		
	£642	15	7

The remaining amount is for the Expenses of the Gaols in the Outports 181 4 5

£824 0 0

* The Gaoler is allowed 9½d. per diem for each Prisoner before Conviction, and 6d. after.

CORONERS—

Fees on Inquests £1 1s. 0d. each.—Travelling Expenses according to the distance.—Minimum Allowance 10s. 6d.—Jurors 12s.—Constables 5s. each Inquest.

N. B.—The Services of a Medical Gentleman to open bodies and give evidence, being frequently required, a fee of from £1 1s. 0d. to £3 3s. 0d., according to the circumstances, is then paid and charged by the Coroner in his account.

APPENDIX.

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NEWFOUNDLAND,

Comprehended under the following heads in the Estimate for the Year ending 31st March, 1835, agreeably to the Resolution of the Hon. the HOUSE OF ASSEMBLY, dated 15th February, 1834.

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Witnesses	180	0	0
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APPENDIX.

JUDICIAL CONTINGENCIES—Continued.

CORONERS—

Estimated Expense at St. John's	60	0	0
" " at Conception Bay and other places	.....	.....	.....	80	0	0
				<hr/>		
					140	0 0

Extra Constables attending the Courts at St. John's, during their Session—Viz.

Estimated number of Days of Courts sitting—90.						
1 Chief Constable at 7s. 6d. per day	.....	.....	.....	33	15	0
4 Petty ditto at 5s. each	.....	.....	.....	90	0	0
				<hr/>		
					123	15 0

ATTORNEY-GENERAL'S FEES—

N. B.—These fees in 1831 amounted to £743 9s. 6d., of which he is allowed to receive }
£250, the sum here charged.

PAUPERS, ORPHANS, BASTARDS, AND SICK—

The Monthly Abstracts for the last Six Months of 1833 are sent herewith. The estimated }
amount includes an allowance of £30 for disbursing this Expenditure and making up the }
Monthly Abstracts.

PASSAGES—

Expenses in 1830	.....	.....	.....	£333		
" " 1831	.....	.....	.....	60		
" " 1832	.....	.....	.....	207		
				<hr/>		
					600	0 0

N. B.—A number of Persons who had been shipwrecked on the coast of this Island, aug- }
mented this expense in 1830 and 1832. The amount expended in 1831 has been assumed }
for the Estimate.

ROADS, &c.	500	0 0
------------	-------	-------	-------	-------	-----	-----

It is estimated that this amount will be required during the present year, to keep in re- }
pair the existing Roads, Bridges, and Fences.

INCIDENTALS—

Postages of the various Departments—Flags for Public Buildings—Sweeping Chimnies }
—Expenses of removing Snow from the Roofs of Government Buildings and the Roads to }
them—and other unforeseen contingencies.

EXPENSES OF REPAIRS AND PRESERVATION OF PUBLIC BUILDINGS	.....	340	5	4
<i>(A detailed Estimate sent herewith—See APPENDIX.)</i>				

FUEL AND LIGHT—

Court-house Buildings	.....	165	0	0
Secretary's Offices	.....	50	0	0
Surveyor General's Office	.....	15	0	0
				<hr/>	
				230	0 0

APPENDIX.

PORT OF ST. JOHN'S, NEWFOUNDLAND.

An Account of the Produce of Duties collected in this Island under the Imperial Acts, from the 5th January, 1833, to the 5th January, 1834.

Duties received by Acts passed prior to the 18th Geo. 3. cap. 12	2002	0	4½
Ditto by Acts passed subsequent to ditto	10,665	19	9½
	12,668	0	1¾
Deduct for Salaries and Incidents - - - - -	3,818	1	2
Nett Produce - - - - -	8,849	18	11¾

(Signed) GEORGE J. HAYWARD, *Acting Collector.*
 GEORGE BAYLY, *Comptroller.*

Return of Monies in the Colonial Chest (received on account of the Imperial Duties) on the 1st day of February, 1834.

Six Hundred and Fifty-eight Pounds, Six Shillings, and Tenpence, Sterling	658	6	10
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NEWMAN W. HOYLES, *Colonial Treasurer.*

Return of Monies in the Colonial Chest (received on account of Duties collected under Act 4, Wm. 4, Cap. 1,) on the 1st day of February, 1834.

One Thousand Nine Hundred and Thirty-five Pounds, Nine Shillings, and One Penny, Sterling....	1,935	9	1
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NEWMAN W. HOYLES, *Colonial Treasurer.*

PORT OF ST. JOHN'S, NEWFOUNDLAND.

Comparative Statement of Duties collected in Newfoundland.

	From 5th April 1832 to 5th January 1833	From 5th April 1833 to 5th January 1834
Duties received under Acts passed prior to the 18th Geo. 3	2091 9 1	1887 15 0
Ditto under Acts passed subsequent to ditto	12,800 19 10	9926 1 5¾
	14,892 8 11	11,813 16 5¾

(Signed) GEORGE J. HAYWARD, *Acting Collector.*
 GEORGE BAYLY, *Comptroller.*

ESTIMATE

Of the Sum required for defraying the Expense of firing Fog Guns, in the year ending 31st of March, 1835, founded on an average of the Expense incurred by His Majesty's Government on that account during the *three* years ending 31st December, 1832.

£150.

One Hundred and Fifty Pounds, Sterling.

APPENDIX.

Newfoundland.

A Return of all Writs and Processes issued from the Supreme Court, from the 1st day of January, 1833, to the 1st day of January, 1834, and up to the termination of the last Session: and also the amount of all Judgments thereon, and of all Executions issued on the same.

Courts.	Total No. of Writs.	Total amount of the same.	No.	Amount of Judgments.	No.	Amount of Executions.	No. of writs settled out of Court.
Supreme Court	122	7622 1 6	57	2136 7 1	21*	469 17 11	28
Central Circuit Court . . .	66	1602 4 5	}	<i>Vide Returns from those Courts respectively.</i>			
Northern Circuit Court . .	11	673 7 6					
Southern Circuit Court . .	6	126 0 0					
	205	£10023 13 5					

No. of Writs standing over—37.

No. of Rules, Processes and Orders issued and made on the Equity side of the Court by the Judges in chambers for the above period—in all, 44

* The reason why the return of the number and amount of Civil Suits in the Supreme Court during this year (1833) appears to be much smaller than usual is that there was but one Term of the Court held during the year, which commenced on the 30th of December, and in which the extraordinary number and importance of the criminal trials occupied so much of the attention of the Court that but little time was left for the despatching of Civil business.

On the 20th of March, in this year, Mr. Tucker left the Island and there was no Chief Justice in the Colony until the 23d of April following, when the Attorney General was appointed and acted as Chief Justice until the arrival of Mr. Boulton.—In January of this year (1833) also Assistant Judge Des Barres left the Island and was absent on leave until the August following, during which time Judge Carter acted in his stead.

E. M. ARCHIBALD,
Chief Clerk & Regr. Supreme Court.

A Return of all Writs and Processes issued from the Central Circuit Court, from the 1st day of January, 1833, to the 1st day of January, 1834, and up to the termination of the last Session; and, also, the amount of all Judgments thereon, and of all Executions issued on the same.

No.	Total amount.	No. and amount of Judgments.		No. and amount of Executions.	
		No.	Amount	No.	Amount
432.	£7117 4 8	321	£4737 18 7	163	£2459 16 11

Number and amount of Writs issued by the Supreme Court, and made returnable in the Central Circuit Court, 1833.

No.	Total amount.	No. and amount of Judgments.		No. and amount of Executions.	
		No.	Amount	No.	Amount
64	£1610 5 8	22	£856 2 4	} These are included in the above returns.	

Number of Cases in Equity during the same period—in all 27.

St. John's, Newfoundland,
22d February 1834.

JAMES BLAIKIE,
Clerk Central Circuit Court.

RETURN

OF THE NUMBER OF WRITS ISSUED,

The Number of Civil Actions and Criminal Informations and Prosecutions

IN THE

Honorable the Northern Circuit Court of Newfoundland,

UNDER THE 5TH GEO. IV. CAP. 67.

COMMENCING 2ND JANUARY, 1826, AND ENDING 28TH FEBRUARY, 1834

Year	No. of Writs sued out.	Amount sued for.			No. of actions tried.	Amount of Judgments.			No. of Criml. Trials.	No. persons tried	No. of appeals.	Executions.			Remarks.			
												No.	Amount.	Amount Recovered.				
1826	359	6285	2	1	307	4430	0	11	38	38	2	120	1272	8	8	956	11	8
1827	176	5981	8	11 ^{3/4}	154	3992	18	4 ^{3/4}	10	14	—	99	2036	5	8 ^{3/4}	797	8	9
1828	281	4776	18	3 ^{1/4}	210	3482	18	8 ^{1/4}	12	12	—	107	1581	9	0	1401	9	0
1829	348	7611	5	7 ^{1/2}	249	3958	19	9 ^{3/4}	13	7	—	145	2026	19	7	935	8	11
1830	343	9842	7	6 ^{1/2}	269	8593	13	3 ^{1/2}	5	10	—	172	4192	19	3	1799	11	10 ^{1/4}
1831	325	12890	1	4	255	9113	15	11	17	35	6	121	2784	13	5	485	16	8
1832	286	4284	0	6	247	6791	13	8	10	21	1	175	1629	1	10	951	18	6
1833	373	7387	12	4	274	3271	6	10	14	37	—	217	1849	14	3	844	4	11
Total	2491	59058	16	8	1965	43635	7	6^{1/4}	119	174	9	1156	17373	11	8^{3/4}	7375	1	6^{1/4}

The difference between the number of Writs sued out and the number of actions tried is to be accounted for by the cases marked "settled or withdrawn" (and which are not herein included) but as the frequent and numerous motions, hearings, & re-hearings before the Court do not appear in the present Return; the fairest criterion to go by, is the number of Writs sued out as upon an average that amount will be found to constitute the business before the Court.—Writs issued at St. John's are not herein included.

APPENDIX.

JOHN STARK,

CLERK AND REGISTRAR,
Northern Circuit Court.

Court House, Harbor Grace, }
Newfoundland }
28th February, 1834.

APPENDIX.

A RETURN of all the Writs issued by the Honorable the Southern Circuit Court of Newfoundland under 5th Geo. 4, chap. 67, commencing 2d. January 1826, and ending 6th March, 1834.

Where issued.	No.	Amount of Sums sued for	Amount of Judgments.	Executions.					
				No.	Amount thereof.			Amount levied thereon.	
		£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.		
Harbor Briton 1826 to 1833.	11	153 16 5	83 19 9	3	51 15 9	51 15 9			
Grand Bank 9th Aug. 1833.	1	2 0 0	2 0 0	..	.. .. ..	.. .. ..
Burin 1826 to 1833.....	205	4111 9 11	2051 17 8	46	794 14 11	469 0 2			
Barren Island 1832 to 1833.	4	47 10 10	.. .. ..	..	.. .. ..	.. .. ..
Placentia 1826 to 1833.....	114	1925 2 3	957 12 7	25	392 6 10	174 16 9			
St. Mary's 1828 to 1833....	37	664 8 0	405 8 0	..	.. .. ..	.. .. ..
Ferryland 1826 to 1834....	229	2928 12 10	1807 13 2	53	878 1 1½	284 11 10½			
Total	601	9833 6 3	5308 11 2	127	2116 18 7½	980 4 6½			

Court House, Ferryland, }
6th March, 1834. }

B. G. GARRETT, Clerk & Regr. S. C. C.

RETURN of the number of Instruments in Writing, Registered at Harbor Grace, between 2nd January, 1826, and the 28th February, 1834—both days inclusive.

	1826	1827	1828	1829	1830	1831	1832	1833	Feb. 28 1834	Total.
Harbor Grace..	107	68	64	77	85	301*	156	138	39	1035
Other places....	8	2	6	17	17	—	19	26	—	95
Total	115	70	70	94	102	301	175	164	39	1130

*The excessive number of Deeds registered in 1831, is to be accounted for by the issue of a great number of grants by His Excellency the Governor.

The Law as it now stands (5th Geo IV. cap. 67. sections 30 & 31) does not require that "the place where" the Deed is acknowledged shall be noted or recorded: I have therefore selected the Deeds acknowledged at other places than Harbor Grace, in the Northern District, from my personal knowledge of the circumstances; but the Record does not exhibit those facts.—A few Deeds have been acknowledged before me, whilst I have incidentally been in St. John's, but as that was merely a private convenience to the parties, they have not been particularized; moreover, one of the parties to such Deeds has generally been resident in, or belonging to, the Northern District.

JOHN STARK, Registrar of Deeds.

Registrar of Deeds Office, Harbor Grace }
28th February, 1834. }

Northern District, Newfoundland.

RETURN of the number of Instruments, in writing, Registered at Ferryland, in the Southern District Registration Office, between the 2nd January, 1826, and the 6th March, 1834—both days inclusive.

	1826	1827	1828	1829	1830	1831	1832	1833	6th March 1834	Total
Ferryland,.....	6	8	8	19	4	22	11	8	..	86
Other Places..	5	5	..	5	8	3	14	7	3	50
Total.	11	13	8	24	12	25	25	15	3	136

Note.—The Law as it now stands (5th Geo 4, Cap. 67. Sec. 30 and 31) does not require that "the place where" the Deed is acknowledged shall be noted or recorded. I have, therefore, selected the Deeds acknowledged at other places than Ferryland, from my recollection of the circumstances—but the Record does not exhibit those facts.

A few deeds executed before the passing of the Act above mentioned, and not required thereby to be registered, have been done at the request of the parties interested, and are included in this return.

Registration Office, Southern }
District, 6th March, 1834. }

B. G. GARRETT, Registrar of Deeds.

APPENDIX.

A RETURN of all Writs and Executions issued from, and Judgments given, in the Court of Sessions for the Central District of the Island of Newfoundland, during the year 1833, with the amount of such Writs, Judgments, and Executions, respectively.

Total No. of Writs.	Amount.	No. of Judgments.	Amount.	No. of Executions issued.	Amount
383	£ s. d. 1198 13 10	278	£ s. d. 527 2 8	113	£ s. d. 183 9 3

St. John's, }
20th February, 1834. }

WM. DICKSON, Clerk Peace.

A RETURN of Summonses of Complaint &c., Judgments, and Writs of Execution &c., issued from the Sessions Court at Harbor Grace, from the Northern District of Newfoundland, during the year of 1833, with the Amount of such Summonses, Judgments, and Writs of Execution.

No. of Summonses	Amount.	No. of Judgments	Amount with costs, payment to witnesses &c. inclusive.	No. of Executions	Amount.	Writ of Capias.	Amount
196	£ s. d. 406 19 6	168	£ s. d. 486 18 0	46	£ s. d. 115 12 4	1	£ s. d. 1 8 9

Harbor Grace, }
27th February 1834. }

MATTHEW STEVENSON, Clerk Peace.

A Return of Writs, Judgments and Executions issued from the Sessions Court at Ferryland, during the year 1833, with the amount of such Writs, Judgments and Executions, respectively

No. of Writs.	Amount.	No. of Judgments.	Amount.	No. of Executions.	Amount.	Remarks.
14	£ s. d. 12 0 11	8	£ s. d. 12 16 9	Nil.	0 0 0	

Court House, Ferryland, }
6th March, 1834. }

B. G. GARRETT, Clerk Peace.

A Return of the number of Warrants and Commitments issued by the Police Magistrates of St. John's, during the Year ending 31st December, 1833.

No. of Warrants for Breaches of the Peace and matters cognizable by the Magistrates.	No. of Warrants issued in criminal cases.	Total No. of Warrants	No. of Commitments in Criminal cases.	No. of commitments for breaches of the Peace	Total No. of Commitments.
206	27	233	37	26	63

St. John's,
March 12, 1834.

WM. DICKSON, Clerk Peace.

SURVEY AND ESTIMATE

Of the Court House Buildings, St. John's,

St. John's, 4th July, 1833.

SIR,—Agreeably to your directions, we, the undersigned, have surveyed and minutely examined the Court House, High-Sheriff's and Gaoler's departments, Offices, and surrounding fences in this Town, and have now to submit the following Report:—

The roof of the Building is generally in a very defective state; many of the slates are blown off; the lead in the Gutters, on the hips, and round the chimnies very defective; the ceilings and wood work much injured by the rain and drift, and many parts of the exterior, but chiefly the Basement of the West wing, and around the entrance doors in a state of decay.

The surrounding palisade fence almost entirely down, the part which remains, so much decayed, and forced by the pressure of the soil, as to require its being newly erected, the wood stockade which supports the terrace at the eastern end also decayed, and forced out by the great pressure against it, requiring to be now taken down, and substituted by a stone retaining wall.

The western entrance Gates require being repaired or renewed.

The Gaoler's apartments require a new floor in the Kitchen, the hearth new laid, the kitchen range taken out, repaired, and reset, a new floor in the Lobby, the Plaistering repaired, the ceilings repaired and whitened, the Bed Rooms papered and the whole of the wood work painted.

The Prisons are generally in good condition, and only require to have the Iron gratings of the Doors repaired and a grate or stove set in the Debtors' cell.

In the High Sheriffs apartments the wood work requires to be painted, two Rooms and the Hall, to be new papered, the Kitchen and Lobby ceilings repaired and whitened, repair the Kitchen Fire place, sash fastners, weights lines, and Locks throughout the House to be examined and repaired, lay a bed of Joists and new floor in Cellar, repair the mason work, lime wash it, and fix up the shelves or Bins—the roof of the entrance porch to be covered with Sheet Lead, and the roof of the scullery repaired.

In the Court Hall to repair and whiten the ceiling, colour the sides and paint the wood work.

Judges chamber, to repair and whiten the ceiling, examine and repair the sashes and make good the plaistering in the closet.

Entrance Hall and Lobby, stop and whiten the ceilings, repair the Stair and Ballustrade, take out and reset the stove.

In the Clerk of Supreme Court's office it is required to set a new Grate, whiten the ceiling and paint the wood work.

The Office of Clerk of the Central Circuit Court requires to have a new Grate, the ceiling repaired and whitened and the wood work painted—it would also require to have the pannelled partition altered and the Clerk's desk brought in front of the window.

The Sessions Court requires the Ceiling to be repaired and whitened, the sides coloured and the wood work painted. The Jury Room to have part of the ceiling taken down and newly done, reset the Grate, whiten the ceiling, colour the sides and paint the wood work.

The Police Office and Lobby to have the ceilings repaired and whitened, the sides coloured and the wood painted

The Doors, Locks, Sashes, Fastners and Lines throughout the Court and Offices require being examined and repaired.

The whole of the wood work on the exterior requires being new painted.

The tops of the Chimnies require to be repaired, Cowels set on, and the *Chimney* of the Sessions Court taken down to the Roof and rebuilt, with a dormer to the back of it reaching inwards upon the hip of the Roof.

The slates covering the Court House Building, are much too light for this climate, they have been set with Iron nails and frequently blown off by the high winds, the roof at present appears to be in such a state as to render it necessary to have by far the greater part of it new covered, with larger slates, fastened on by copper or composition nails.

APPENDIX.

It would appear that a very great improvement might be effected in the Gaoler's Departments by altering the stairway leading from the Prisons into the Court. It is at present so confined as scarcely to admit of a prisoner's being conducted up with safety; the proposed alteration would render it much more commodious and not be attended with any considerable expense.

It is found and complained of that the common Privy of the Gaol is, from its situation and connexion with the Building, so great a nuisance as at times to be almost insupportable, a shore being made therefrom, leading along Church Hill, and extending into the Harbour;—when the wind blows from the Southward, it rushes through this shore and the Privy into the Gaolers Departments and occasionally through the whole of the Building, there is little or no water passes through it, and the soil is never carried off—this is an evil of so serious a nature as to demand immediate attention.

(Signed)

JAMES ALLEN, *Clerk of Works*

Royal Eng. Department.

PATRICK KOUGH, *Builder.*

DENIS HANIGAN, *Master Mason.*

W.M. FREEMAN, *Builder.*

David Buchan, Esq. }
High Sheriff. }

Saint John's, 17th July, 1833.

In the report of survey held on the Court House Buildings of this Town, on the 4th July, current, it has been omitted to state, that the Platforms, Lobbies, and Stairs leading to the Court Hall and offices, are in a very delapidated state, not being safe to pass over, and require being renewed.

(Signed)

JAS. ALLEN, *Clerk of Works*

Royal Eng. Department.

PATK. KOUGH, *Builder.*

DENIS HANIGAN, *Master Mason.*

WILLIAM FREEMAN, *Builder.*

Probable amount of executing the several services required at the Court House and Premises agreeably to a Survey held on the 3d July, 1833.

ROOF TO COURT-HOUSE.

Renewing Slating with Duchess Slates, nailed with Copper Nails, also renewing Lead to Ridge and hips, deducting the value of the old Slates	190	0	0
Taking down and rebuilding one Chimney Shaft, repairing others, and providing and fixing Cowls	40	0	0
Palisaded Fence, renewing such portions as may be found necessary and fixing Land ties to each post	35	0	0
A retaining Wall substituted for a decayed stockade Fence	45	0	0
Stairs, Platforms and Lobbies to entrance doors, renewing	32	0	0
Exterior painting to Buildings and Fences	100	0	0
Sheriff's house—painting the whole of the interior, renewing papering of two rooms, whitening ceilings, renewing Floor to cellar, repairing Mason work, &c. &c. &c.	40	0	0
Court Hall—washing, scraping, stopping and whitening ceiling colouring walls, and painted wood work	25	0	0
Judge's Chambers—repairing plastering to inner Room, whitening ceilings and painting wood work	3	0	0
Entrance hall and staircase, whitening, colouring, taking out and resetting stove, &c.	10	0	0
	<hr/>		
	£520	0	0

APPENDIX.

	Brought forward	£520	0	0
Clerk of the Supreme Court's office—whitening, ceiling, colouring walls, painting wood work and renewing stove.....		5	0	0
Clerk of Central Circuit Court's office, as above.....		5	0	0
Sessions Court—whitening, ceiling, colouring walls, and partial painting to wood work.....		7	0	0
Jury Room—repairing plastering of ceiling, whitening the same, colouring walls, &c.....		5	0	0
Police office—whitening, ceiling, repairing plastering, colouring walls & painting wood work.....		5	0	0
Lobby or Waiting Room,—the same as above.....		3	0	0
Gaoler's apartments—whitening, colouring, painting, renewing floor of Kitchen and Lobby, repairing and resetting Kitchen range, &c.		11	5	0
Prisons—sundry repairs.....		3	10	0
General repairs to locks, doors, sashes and fastenings throughout the building		4	10	0
Proposed alteration for the better communication from the prisons to the Court hall.....		18	0	0
Entrance Gates—west end, renewing.....		5	0	0
		<hr/>		
		£592	5	0

Proposed that the present Entrance to the Court House on the south east front be stopped, from its affording every facility to evil disposed persons to have communication with the prisoners, and to avoid this a partial remedy has been applied by fastening the windows of the passage in front of the cells and thereby preventing that circulation of air which is much required for the preservation of the health of the prisoners—it is now suggested that it be removed to the western extremity of the north front at an additional expense to that already provided for renewing the stairs, lobby, &c. of.....

50 0 0

Total £642 5 0

(Signed) JAS. ALLEN, *Clerk of Works*
Royal Eng. Department.
 PATK. KOUGH, *Builder.*

Newfoundland, 31st July, 1833.

[COPY.]

Saint John's, 20th February, 1834.

SIR, Having surveyed and minutely examined the Court House Building in this Town, including the apartments occupied by the High Sheriff and Gaoler, the Prisons, offices, and surrounding Fences, and not perceiving any essential difference in the state of the Buildings now, and when surveyed and reported on by us on the 4th and 17th of July last, we therefore beg leave to refer you to that report and to the estimate made thereon, remarking, that on the whole, the Buildings appear to be now in somewhat better condition, having had some partial repairs, during last autumn.

With reference to the proposed alterations of Entrance Doors &c. recommended in a note on the accompanying estimate it is now further suggested, that the proposed Gallery extending along the north front, should be entirely closed in, roofed, rough boarded and clapboarded in similar manner to the building generally; to have large sashes and frames corresponding with, and opposite to, those in the Court Hall. This would certainly be an improvement, as it would greatly facilitate the entrance to the various Offices, whilst at the same time it would effectually cut off all communication between the Public and the Prisoners who might be confined in Gaol; it would incur an additional expense of £70, making an aggregate amount of £712. 5. 0. with these repairs, and on common and ordinary care being taken to prevent the wet from penetrating through the Roof or clapboarding, there is no reason to suppose that the Building would not last for sixty years.

APPENDIX.

It is urged, that in order to afford suitable accommodation for the Colonial Legislature to assemble in, and at the same time to provide sufficient room for transacting the Police and other Public business in the respective departments, some additional offices should be erected, connected with, and at the west end of the Court House building, which might serve for a Court of Session, Police and other offices: this would be an improvement as far as it goes but it is not practicable beyond a limited extent; it would cost above £600 and when completed would probably be found insufficient: it may also be remarked that no essential improvement can be made in the Prisons or that would afford the means of employing the Prisoners at hard labour.

The inconvenience and offensiveness, arising from the Common Privies, continues to be complained of, and is a matter of no small difficulty to remedy: it can only be done by entirely detaching the Privy from the body of the Building, or by erecting a new one in a more convenient place, *frost-proof*, having a proper Water Closet and Cistern, which the Prisoners might be compelled to fill with Water each day.

In reply to the question of "what would the Building probably sell for" we beg to say that we could scarcely hazard a conjecture, so much would depend upon circumstances, or that any Individual could be found here, who would be induced to give such a consideration for them as would bear any proportion to the sum which they have cost.

We have the honor to be Sir, &c.

JAS. ALLEN, *Clerk of Works*
Royal Eng. Department.
PATK. KOUGH, *Builder.*

The Honourable James Crowdy Esq. }
Colonial Secretary. }

APPENDIX.

PRESENTMENTS OF GRAND JURIES RELATIVE TO GAOLS AND COURT HOUSES IN OUTPORTS.

BURIN.

The Grand Jury have examined the Court House and Gaol and find both of them in need of immediate attention—the shingles are in a decayed state—the chimnies require repairs—the Windows in many instances call for glazing, and the entrance to the Court House is quite out of order.—The Grand Jury would therefore respectfully suggest that the necessary repairs be ordered to be commenced forthwith.

(Signed)

JOSEPH RYAN, *Foreman.*

Estimate

Of repairs, painting and enclosure, required for the Court House and Gaol of Burin.

Shingling the Roof of the Court House, completing Rails and Labour.....	£25 0 0
Tar and Ochre for the roof, including labour.....	5 0 0
Painting inside and outside (the Court House) including Oil & Spirits Turpentine, and labour.....	25 0 0
Glazing windows, repairing sashes, frames and window sills, including glass and putty, &c.....	10 0 0
Repairing chimnies, relaying hearths, resetting grates, plastering & pointing the foundation wall..	15 0 0
Dividing the Jury Room into two parts for the use of the Grand Jury and the Petit Jury.....	5 0 0
New platform to the entrance of the Court House.....	5 0 0
Repairs of Gaoler's apartments.....	5 0 0
Enclosing the Gaol within a proper and substantial Fence, forming a yard round the Building.....	15 0 0
	£110 0 0

Burin, 7th Oct. 1833.

(Signed)

JOSEPH RYAN,
Foreman of the Grand Jury.

PLACENTIA.

The Grand Jury have examined the Court House and Gaol, and find the shell of the Building and two cells completed. To render the Court House available, and the Gaoler's apartments habitable, it is requisite the following work should be completed. A chimney, with four flues be built, viz: a flue for the Kitchen, and one for the sitting room in the Gaolers apartments—a flue for fire place in the Court House, and a flue for the chamber set apart for the accommodation of the Judge and Officers of the Court.

Gaoler's apartments and the Cells to be floored with two inch plank—the sides of the House all round to be lathed and plastered, the partitions of the Gaoler's apartments to be of board, two windows of twelve panes each in front, three windows of four panes each in the rear.

A gallery and set of stairs from the yard to the Court House Door,—Bench, Desk and Table to be railed in,—Jury Box, Sheriff's Box, seats all round the Court House, the sides and ceiling to be lathed and plastered, also the sides and ceiling of the Jury room, and Chamber for the Judge and officers of the Court with a Desk in one room. A fence to be placed round the Court House and Gaol, the roof coated with Tar and Ochre; the clapboards, window frames, doors and gallery to be painted, the Fence to be coated. Iron Grates for Kitchen, Sitting Room, and Chamber, and either a Grate or stove for the Court House.

APPENDIX.

We estimate that the entire may be completed for about two hundred pounds Currency. —We cannot let this opportunity pass without expressing our regret that the accommodation for the Circuit Court and the Public should have been neglected for so long a period. The rooms engaged for the purpose of holding a Court are private property, unfit for the purpose, and subject to an annual Rent. This year the sum of £10 Stg. was paid for them during the assize. It would be much more satisfactory to the public, as well as more economical, to have the Court House put in order as soon as possible.

Grand Jury Room Placentia,
26th September 1833.

(Signed) R. F. SWEETMAN,
Foreman.

ESTIMATE
Of Repairs for Public Buildings in 1834.

Account of probable amount of expense for incidental and annual repairs on Government Buildings, wharf and offices for the year 1834, including the necessary repairs on Roof Gutters and Chimnies of Government House, refreshing and renewing Painting, Glazing &c.

10 M. Feet Board and Plank.....	80s.	40	0	0
200 Bushels Lime.....	1s.	10	0	0
30 Loads Sand.....	2s.	3	0	0
8 Barrels Roman Cement.....	35s.	14	0	0
2 M. Brick.....	40s.	4	0	0
Slates.....		6	0	0
Nails, Brads and Screws.....		5	0	0
Plumber, Solder, and Lead.....		10	0	0
10 Cwt. White Paint.....	40s.	20	0	0
60 Gallons Linseed Oil.....	4s.	12	0	0
5 Ditto Spts. Turpentine.....	6s.	1	10	0
Fine colours and dryers.....		2	0	0
120 Days Work for Masons, Slaters and Plasterers.....	at 6s.	36	0	0
100 Days work for Painter.....	at 6s.	30	0	0
225 Do. do. do. Carpenter.....	at 6s.	67	10	0
Black and White Smith's Bill.....		35	0	0
10 Days work for 1 double Team.....	at 9s.	4	10	0
Erecting small Building to contain Government Stores....		19	15	4
Sundries Incidentals—allowed.....		20	0	0
		Total amount <u>£340 5 4</u>		

St. John's Newfoundland,
4th February 1834.

PATK. KOUGH.

RETURN

Of the Receipts and Expenditure of all monies collected at the Port of St. John's, under the Colonial Act of 3rd William IV. cap. 1, for the service of the Quarantine Department at the said Port, agreeably to an address of the Hon. the House of Assembly dated the 6th day of April, 1834.

RECEIPTS.

1834.

Jan. 9. Amount received up to this date from the Officers of H. M. Customs at St. John's, of dues collected by them under the authority of the abovementioned Act..... £888 7 11

APPENDIX.

EXPENDITURE.

SUPERINTENDENT,—His salary for 1 year ending 31st March last. £200 0 0

Wages of Boats Crew and Night Watching of Vessels under Quarantine.

1833.				
June 24.	Paid two months' wages.....	45	14	0
July 4.	Ditto ————— ditto	30	16	11½
Aug. 2.	Ditto ————— ditto	25	1	8
Oct. 2.	Ditto ————— ditto	54	6	8
Nov. 12.	Ditto one months' ditto	28	0	0
Dec. 9.	Ditto ————— ditto	26	6	8
1834.				
Jan. 7.	Ditto ————— ditto	22	4	0
Feb. 5.	Ditto ————— ditto	14	2	9
Mar. 8.	Ditto ————— ditto	12	15	0
April 9.	Ditto ————— ditto	17	14	0
1834.				
Jan. 5.	Fees paid Edward Kielley, Medical officer, up to this date agreeably to the terms of the Governor's Proclamation			£277 0 11½
				£144 0 0

Miscellaneous Charges and Incidental Expenses.

1833.				
Oct. 31.	Account furnished 8th April to this date for boats, oars, and furniture for do. &c. men's dresses, hats, muskets, bunting, &c. - - - - -	28	6	4
1834.				
Jan. 14.	Ryan & Withers account for printing & advertising	30	6	1
	" Various incidental expenses—for charge of Cholera Hospital, sundries supplied to do.—Medical officers at Placentia, &c. - - - - -	19	7	3½
17.	Wages of Artillery man at Cholera Hospital - - -	4	12	0
Mar. 10.	Do. and repairs of buildings - - - - -	5	6	0¼
				£87 17 8¾
	Balance in the hands of the Treasurer	179	9	2¾
				£888 7 11

Saint John's, Newfoundland }
April 9, 1834. }

NEWMAN W. HOYLES, *Treasurer.*

During the Winter months the expense has been reduced by the discharge of part of the boat's crew.

When sufficient funds are in hand it is proposed to purchase a Quarantine Vessel for the service of the Harbor.

Returns have not been received from the Outports, but it is believed that in most of them the expenses fully equal the receipt.

*RETURN of all appointments made in the Island of Newfoundland pursuant to the
tion of the Honorable the HOUSE OF*

Office.	Name of Officer.	Date of appointment.	Annual Income.			
			Salary	Fees (in 1833.)	Total.	
Chief Justice of the Supreme Court.	R. A. Tucker.	19th Sept. 1825	1200 0	.. .. .	1200 0 0
	E. B. Brenton (acting)	12th October 1827	1200 0	.. .. .	1200 0 0
	do. do.	6th October 1831	1200 0	.. .. .	1200 0 0
	Jas. Simms, (acting)	23d April 1833	1200 0	.. .. .	1200 0 0
	Henry John Boulton.	21st November —	1200 0	.. .. .	1200 0 0
Assistant Judges	J. W. Mulloy.	19th Sept. 1825	700 0	.. .. .	700 0 0
	A. W. Des Barres.	do. —	700 0	.. .. .	700 0 0
	W. Paterson, (acting)	6th January 1827		.. .. .	.. .. .
	E. B. Brenton.	1st October, —	700 0	.. .. .	700 0 0
	Jas. Cochrane, (acting)	12th October, —	700 0	.. .. .	700 0 0
	W. Paterson, (acting)	6th October, 1831		.. .. .	.. .. .
Judge of the La- brador Court. }	Wm. Paterson.	2d January, 1826	700 0	.. .. .	700 0 0
High Sheriff.	David Buchan.	2d January, 1826	513 5	150 11 5	663 16 5	
Clerk of the Su- preme Court.	G. W. Busteed.	2d January, 1826	400 0	} Allowed to retain 100/ of the fees received by him.	500 0 0	
	James Blaikie (acting.)	— — —	400 0		do.	500 0 0
	C. D. Archibald.	16th October, 1829	400 0		do.	500 0 0
	E. M. Archibald.	8th November 1832	400 0		do.	500 0 0
Clerk of the Central Circuit Court. }	James Blaikie.	2d January, 1826	250 0	.. .. .	250 0 0
	re-appointed.	16th October, 1829	250 0	.. .. .	250 0 0
	Christr. Ayre (acting.)	23d December 1828	250 0	.. .. .	250 0 0
Clerk of the Northern Cir- cuit Court. }	John Stark.	2d January, 1826	200 0	121 10 3	321 10 3	
Clerk of the Southern Cir- cuit Court. }	Bengn. G. Garrett.	2d January, 1826	200 0	} When this officer's fees do not amt. to 50l they are made up to that amt. by Govern- ment,	250 0 0	
Clerk of the Labrador Court. }	James Blaikie.	18th July, 1826	100 0		100 0 0
	George Simms.	29th Nov., —	200 0	.. .. .	200 0 0
Sheriff of the Labrador Court }	William Dickson.	18th July, 1826	100 0	.. .. .	100 0 0
	Bryan Robinson.	1st April, 1829	150 0	.. .. .	150 0 0
Cryer of the Su- preme & Cen- tral Courts and Tipstaff	James Lambard.	1826	} 60 0	.. .. .	} 60 0 0
	do.	1833				

Act 5th Geo. IV. Cap. 67. specifying the several particulars mentioned in the *Resolu-
ASSEMBLY*, dated 15th Feb. 1834.

Time when the officer entered on execution of his office.	Periods during which the officer has been absent on leave.	By whom such leave was granted.	Remarks.
2d January, 1826	{ From December, 1828 } To June, 1829, and { From January 16th, to } 20th July, 1830.	Secy. of State.	
12th Oct. 1827	none		During Mr. Tucker's temporary administration of the Government. On the departure of Mr. Tucker for England.
6th Oct. 1831	do.		
23d April, 1833	do.		
21st Nov. 1833	do.		
2d January, 1826	none	The Governor	Vice Judge Molloy (suspended)
do.	{ From 7th January } To July, 1833. }		
6th January 1827	none		Vice Judge Brenton appointed acting Chief Justice.
1st October 1827	none		do
12th Oct. —	none		
6th Oct. 1831	none		
2d Jan. 1826	from 3d Nov. 1833	The Governor	During the time this Officer acted as Assistant Judge of the Supreme Court he received no salary in addition to that of Judge of the Labrador.
2d Jan. 1826	none		
2d Jan. 1826	11th October 1826 to July 1827.	The Governor	
16th Oct. 1829	none	The Governor	
8th Nov. 1832	{ From 19th October 1829 till } 12th June, 1830, and from } 25th August, 1831.		
2d January 1826	none		
16 October, 1829	none		
23d Dec. 1828	none		
2d January, 1826	none		
2d January, 1826	none		
18th July, 1826	none		
29th Nov. 1826	none		
18th July, 1826	none	The Governor	
1st April, 1829	From 20th June to 14th Dec 1833		
1826	none		

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REPORT

Of the Magistrates of Harbor Grace, upon the state of His Majesty's Gaol there, and of the treatment of the Prisoners confined therein.

The Magistrates have much pleasure in stating for the information of His Excellency the Governor, that the uniform cleanliness of his Majesty's Gaol here, and of the Prisoners therein confined, has at all times been a source of satisfaction to them, and that upon their visits they have invariably found the prisoners satisfied with their treatment by Mr. Currie, the Gaoler, except in the case of the late Peter Downing, who, once or twice, made some complaints which, upon examination, appeared to be without any just cause.

In conformity with the commands of his Excellency the Governor, the Magistrates have investigated the complaints of Michael Keefe and John Parsons, as will appear by the documents No. 2 & 3 herewith transmitted, and beg further to state, that they personally visited all the prisoners, who, upon similar questions to those contained in the documents Nos. 1 & 2, and others arising out of the examination of the Gaoler No. 3 being put to them, all declared that they had no cause of complaint whatever.

The Magistrates, also, personally inspected the bedding of the prisoners, and the provisions used by the Gaoler for their diet,—the hammocks and bedding are clean and the latter ample in quantity. The provisions are of very good quality—the potatoes excepted,—which, however, are as good as the general produce of the last season. The Dietry List for all classes of prisoners is herewith transmitted, by which it appears the food furnished by the Gaoler for the 6d. per diem allowed for debtors, is more than the allowance for prisoners rated at 9½ per diem. The Gaoler states the diet of debtors to have been a considerable loss to him.

The Magistrates in concluding this report, beg to add that the gaol has frequently been visited by persons from St. John's, and other parts of the Island, who have invariably borne testimony to its cleanliness—that it was recently visited by a gentleman, a member of the Grand Jury of St. John's, who expressed himself to the Magistrates who accompanied him, in strong terms of approval of the condition of both the Gaol and Prisoners.—J. W. Martin, Esq. M. C. P. also recently visited the gaol.

Harbor Grace, Northern District,
18th March, 1834-

(Signed)

THOS. DANSON, C. R.
J. BUCKINGHAM, J. P.
J. PARKIN, J. P.

No. 1.

QUESTIONS

Proposed by the Magistracy of Harbor Grace to Michael Keefe, a Debtor confined in His Majesty's Gaol there, with the answers of the said Michael Keefe thereto—the Deputy Sheriff and Gaoler being present.

1st.—How long have you been in prison?

Since the 12th December last.

2d.—Have you any complaint against the Gaoler relative to your treatment?

Yes, I have—I frequently returned the Potatoes, being wet and unfit for use.

3d.—Have you any complaint respecting any other part of your provisions?

None.

4th.—Have you been regularly fed, and what provisions have you received?

I have received the allowance of ½ lb. Bread, ½ lb. Fish, ½ lb. Potatoes, Tea & Molasses daily, also the Soup three times a week, since the first week, but the Soup I did not care about, having been supplied by my friends with other things.

5th.—Do you not now, by your own request, receive the allowance of 6d. per day, to provide yourself?

Yes, since the 13th instant, when I first applied for it.

6th.—Are not your friends and family connections allowed to visit you?

They are now, but in the first instance they were not.

7th.—On what occasion, and at what time, were they refused?

APPENDIX.

I cannot tell, nor at what time—but James Fox, Edward Pynn, and Thomas Martin, have stated to me they were refused two or three days after my commitment—this was in the evening.

8th.—Have your wife, or son, or any of your family ever been refused admittance?

My son brought my breakfast one morning and was not admitted, he being informed by one of the Gaoler's servants that he was not within, the breakfast was left for me in the kitchen—I had received my breakfast from the gaoler at the usual hour the same day.

With these exceptions my family and friends have been always admitted.

Cross-examined by the Gaoler.

9th.—Have not I always endeavoured to make the food brought by your family as comfortable as possible by having it warmed, &c. ?

Yes.

10th.—Did you ever mention to the Deputy Sheriff, or to any of the Magistrates of your friends having been refused admittance?

No.

11th.—Did not the Deputy Sheriff tell you that if you wished to go to the stove to warm yourself at any time for half an hour, the criminal prisoners should be locked up for the time?

Yes—but I answered that it would make me more chilly than before, and the Sheriff asking me whether I would wish to have the doors of the Debtors cells thrown open so that I could walk across the passage, I answered, I would. The doors have been thrown open since the 25th January, when the application was made.

12th.—Have you any other grievance to complain of, which the Magistrates have not made enquiry into?

No, I have not, that I can think of, but my object is to obtain my liberation or the privilege of the Gaol Yard.

(Signed)

MICHAEL KEEFE.

*Taken and acknowledged at
Harbor Grace Northern District,
17th March, 1834.*

Before us

THOS. DANSON, C. R.
J. BUCKINGHAM, J. P.
JOSIAH PARKIN, J. P.

(No. 2.)

QUESTIONS

Proposed to Mr. John Currie, His Majesty's Gaoler at Harbour Grace, relative to the charges preferred against him by Michael Keefe one of the Prisoners under his care.

1st.—Under what circumstances did you refuse admittance to Fox and others who applied to you to see Michael Keefe, a Debtor confined in the Gaol?

It was the period referred to in my affidavit, when James Fox and nine others came at a late hour on a Sunday evening, when I thought it imprudent to admit him,—Keefe never made any complaint to me.

2d.—What regulations are adopted by you for the general Government of the Prisoners under your charge, and for allowing them such exercise as the Gaol admits of?

The prisoners are all let out of their Cells half an hour before breakfast to wash at the Cistern, and again between meals, three or four at a time are let out, alternately, for exercise in the passage.—They are dieted according to the Dietry List furnished, and are provided with clean shifting every Sunday, say, clean Shirts, Drawers, Stockings, and such other clothing as is necessary.

3d.—At what times is the Gaol washed and cleaned?

The Cells are swept daily, and the whole Gaol washed once a week, it is also occasionally fumigated with Vinegar and white washed throughout once a quarter.

(Signed)

JNO. CURRIE, Gaoler.

*Taken and acknowledged at
Harbor Grace Northern Dis-
trict the 17th March 1834.*

Before us

(Signed)

THOS. DANSON, C. R.
JNO. BUCKINGHAM, J. P.
JOSIAH PARKIN, J. P.

APPENDIX.

(No. 3)

REPORT OF THE MAGISTRATES AT HARBOR GRACE, ON THE PETITION OF DANIEL M'CARTHY.

Magistrates Office, Harbor Grace,
1st April 1834.

We have to report that he was committed to His Majesty's Gaol here on the 26 July 1833, being unable to give sureties for keeping the Peace to Mary Barnes, Widow of the late James Barnes, of Harbor Grace, Fisherman, who charged him, the said M'Carthy, on oath with having assaulted and put her in bodily fear, by which she was compelled to quit her dwelling and fly for protection to the House of her Son in law, James Watcher, where she remained with her children until M'Carthy was committed to Gaol, when she returned to her dwelling.—On the said M'Carthy being brought before us, he refused to give any surety, and used the most violent language, and threatened the life of Thomas Danson, Esquire; at this time he was committed for further examination. On his being again brought up, he was required to give the securities, but could not obtain them at that time; he has been brought up three times, but in every instance, he has been unable to procure any one to go security for him. On the application of Bridget Egan, at whose House Petitioner lodged, we issued to him a supply of provision on account of the District, and on the child being subsequently placed under the care of Johana Shehan, a supply of clothing and a further supply of provision for the support of Petitioner's son.

Mr. Currie denies ever having read to M'Carthy any other paper than his commitment, but only informed him that unless he, M'Carthy, could obtain some friends to give their security for his good behaviour, he must remain in Gaol. That M'Carthy was committed about 12 o'clock, in the day, and was in his perfect senses when he went to bed.

No order was made by the Honorable Judge Brenton, but M'Carthy's Petition to him was handed to the Magistrates for their consideration. We beg leave to remark that on the 21st ult. M'Carthy was liberated on his own security, giving a solemn assurance of his further good behaviour, and that we did not know of his having petitioned the Honorable the House of Assembly, as we should in that case have felt it our duty to have detained him in custody until his Petition had been disposed of, or until the parties, at whose instigation he had made such Petition, had given the necessary securities for him. We have to add, that the said M'Carthy has been in two former instances committed to Gaol for the most violent and aggravated breaches of the Peace; and that board and lodging have been afforded to his son from the 31st November last, to the time of his M'Carthy's discharge, on account of the District.

THOS. DANSON, C. R.
J. BUCKINGHAM, J. P.
W. STIRLING, J. P.
JOSIAH PARKIN, J. P.

COPIES

Of all Rules and Orders made by the Judges of the Supreme Court as to the summoning and empannelling of Grand, Special and Petit Juries, up to the end of the last Term of the Supreme Court.

9.—And it is further ordered that a panel of 48 Jurors shall be summoned by the Sheriff eight days previous to the sitting of the Court for the trial of all issues joined therein.

10.—And it is further enacted that in all time coming the manner of striking Special Juries shall be as follows.

The Sheriff shall put all the names of persons qualified to be Special Jurors into a box at the Office of the Clerk of the Supreme Court, and in the presence of the parties or their Attornies, shall draw out forty names and make a list of them as they are drawn; the Plaintiff and defendant shall then alternately strike off a name, until each has stricken off twelve, and the remaining sixteen shall then form the panel to be summoned by the Sheriff for the trial of the cause wherein such Special Jury shall have been ordered. Provided that in case either party shall neglect to attend at the time and place appointed by the Sheriff for striking

APPENDIX.

such Jury, due notice thereof having been given, the Clerk of the Supreme Court shall, on behalf of the absent party, strike off the names of twelve of the persons drawn, in the same manner as such party might have done if present; and if more than one Special Jury be required, the names of those first drawn shall be put into the box before another jury be drawn.

RETURN

Of the amount of Fees received in the Colonial Secretary's office between the 1st day of April, 1833, and the 31st day of March, 1834, and the manner in which the same has been appropriated.

FOR WHAT SERVICE RECEIVED.	AMOUNT.	HOW APPROPRIATED.
Fees on Grants under the Great Seal	£ s. d. 9 17 0	} At His Majesty's disposal and appropriated towards the payment of the salary of the Governor's Private Secretary.
Do. on Building Leases.....	2 2 0	
Do. on commissions & appointments	16 3 0	
	£28 2 0	

Secretary's Office, }
15th April, 1834. }

JAMES CROWDY

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