

JOURNAL

OF THE

GENERAL ASSEMBLY

OF

NEWFOUNDLAND.

ANNO NONO VICTORIÆ REGINÆ.

HIS EXCELLENCY MAJOR GENERAL SIR JOHN HARVEY, K. C. B. and K. C. H.
Governor and Commander in Chief, &c. &c.



FIFTH SESSION OF THE THIRD GENERAL ASSEMBLY.

ST. JOHN'S, NEWFOUNDLAND.

E. D. SHEA, Printer.

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JOURNAL

OF THE

GENERAL ASSEMBLY

OF

NEWFOUNDLAND.

AT THE 1070 VICTORIA REGIMENT.

BY HENRY HAYES GENERAL SIR JOHN HARVEY, K. C. B. and K. C. H. GOVERNOR and Commander in Chief &c. &c.



18TH SESSION OF THE THIRD GENERAL ASSEMBLY.

ST. JOHN'S, NEWFOUNDLAND.

E. D. SMITH, Printer.

1862





PROCLAMATION.

By His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

WHEREAS the GENERAL ASSEMBLY of this Island stands Prorogued until Tuesday the Twenty-third day of June Instant.

And Whereas divers weighty causes and considerations render it expedient and necessary that the said GENERAL ASSEMBLY should be called together with as little delay as possible. I, the Governor, do therefore by these presents direct and appoint that the said GENERAL ASSEMBLY shall meet for the dispatch of important and urgent business on TUESDAY, the Sixteenth day of this instant June; of which all persons are required and commanded to take due notice and govern themselves accordingly.

Given under my hand and Seal, at the Government-House, at St. John's, in the aforesaid Island, the Tenth day of June One Thousand Eight Hundred and Forty-Six, in the Ninth Year of Her Majesty's Reign.

By His Excellency's Command.

J. TEMPLEMAN,
Pro Secretary.



PROCLAMATION.

By His Majesty's Special Commissioners
John Harvey, Knight Commander
of the Most Honourable Military Or-
der of the Bath, Knight Commander
of the Most Honourable Order of
St. George, and Commander-in-
Chief in and over the Island of New-
foundland and its Dependencies, &c.

WHEREAS the GENERAL ASSEMBLY of this Island stands prorogued until
Thursday the Twenty-third day of June instant.

And whereas divers weighty concerns and considerations render it expedient and ne-
cessary that the said GENERAL ASSEMBLY should be called together with as little
delay as possible, the Governor, do therefore by these presents direct and appoint
the said GENERAL ASSEMBLY that they do meet for the dispatch of important and
business on THURSDAY, the thirtieth day of the instant June; of which all
persons are required and commanded to take due notice and govern themselves accord-

Given under my hand and Seal at the Gov-
ernment House, at St. John's, in the afore-
said Island, the Tenth day of June One
Thousand Eight Hundred and Forty-Six,
in the Fifth Year of Her Majesty's reign.

By His Excellency's Command.

J. VERRILLMAN,
Pro Secretary.

JOURNAL OF THE GENERAL ASSEMBLY OF NEWFOUNDLAND.

TUESDAY, JUNE 16, 1846.

THE GENERAL ASSEMBLY having by the Proclamation of His Excellency the Governor, hereto prefixed, been summoned to meet this day for the dispatch of business, the following Members thereof assembled this day in the Eastern Chamber of the Orphan Asylum School House—Viz.—The Hon. Attorney General—The Hon. Mr. Thomas—The Hon. Mr. Morris—The Hon. Mr. Row—The Hon. Mr. C. F. Bennett—The Hon. Mr. Kent—The Hon. Mr. Robinson—The Hon. Mr. O'Brien—The Hon. Mr. Ridley—The Hon. Mr. Stuart—The Hon. Mr. Solicitor General—Mr. Nugent—Mr. Glen—Mr. Parsons—Mr. Dillon—Mr. Simon Morris—Mr. Slade—Mr. Munn—Mr. Prendergast—Mr. Hanrahan.

Members assemble.

At Two o'Clock, P. M. a Message from His Excellency the Governor was delivered by JOSEPH TEMPLEMAN, Esq., Usher of the Black Rod:—

Message from the Governor.

Hon. Gentlemen and Gentlemen,—

It is His Excellency the Governor's pleasure that you attend him forthwith in the principal chamber of this building.

And thereupon the Members present, together with the Clerk, Sergeant-at-arms and other Officers, attended His Excellency in the principal chamber of the Orphan Asylum School House when the Clerk of the House addressed His Excellency as follows:—

Members and Officers attend His Excellency.

I PLEASE YOUR EXCELLENCY,—

Directed by the Members of the General Assembly to acquaint Your Excellency that owing to the absence from this Island of the Hon. JAMES STUART, the House is at present without a SPEAKER.

The Clerk informs His Excellency of the absence of Mr. Speaker.

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House directed to choose
a Speaker.

Whereupon the Hon. the ATTORNEY GENERAL, by command of His Excellency the Governor, said—

HONOURABLE GENTLEMEN AND GENTLEMEN—

It is the pleasure of His Excellency the Governor, that you Gentlemen retire to the Chamber in which you were lately assembled, and that you there proceed to the choice from among your number of a fit and proper person to be your SPEAKER, and that you present the person whom you shall so choose forthwith for His Excellency's approval.

Members retire.

And the Members having withdrawn to the said Eastern Chamber,

Choose the Hon. Mr.
Kent Speaker.

Mr. GLEN (addressing the Clerk) and seconded by Mr. NUGENT, proposed—
That the Honourable JOHN KENT be the Speaker of this House.

And the choice of the House having fallen upon the said Hon. JOHN KENT, he was taken from his place by Mr. GLEN, and conducted to and placed in the chair, and thereupon he addressed the Members present as follows :

Mr. Speaker's address to
the Members.

Hon. Gentlemen and Gentlemen,—

I have to express my sincere thanks for the high honor you have conferred upon me in choosing me to be your Speaker. I beg to assure you that it shall be my constant study to merit the confidence you have reposed in me by a strict attention to the duties of the important office with which you have been pleased to invest me ; and I trust by your assistance and support to guard and maintain at all times the privileges of this house consistently with a due regard to the prerogatives of the Crown.

Mr. Speaker and Mem-
bers attend His Excellen-
cy.
Speaker presented.

After which Mr. SPEAKER elect, with the House attended His Excellency in the principal chamber of the Orphan Asylum School House, where Mr. Speaker elect, was presented to His Excellency by Mr. GLEN, member for the tract of Ferryland, who addressed His Excellency as follows :

May it please Your Excellency—

The House of Assembly have in compliance with your Excellency's petition proceeded to the election of a Speaker, and have made choice of th John Kent to be their Speaker ; and in the name of the House I request your Excellency's approbation of their choice.

And confirmed.

Whereupon His Excellency the Governor said—

I approve of the Speaker whom the House of Assembly have chosen

Mr. Speaker reports
opening of Session and
Governor's Speech.

After some time His Excellency retired, and Mr. SPEAKER having taken the Chair, reported that His Excellency had been pleased to open the present Session of the Legislature with a Speech of which, to prevent Mr. SPEAKER said he had obtained a Copy, which he read to the House which is as follows :—

Mr. Speaker, Hon. Gentlemen and Gentlemen:—

His Excellency's Speech.

The great calamity with which it has pleased the Almighty Disposer of Events to visit this Colony, has imposed upon me the necessity of suddenly resorting to your advice and co-operation, as well for the purpose of providing means of relief for present distress, as for devising well-considered measures for regulating the re-construction of that large portion of this City which has been swept away by the late awful conflagration, upon a plan which, while it shall confer that which St. John's has never before enjoyed, viz: a due degree of security (as far as can be effected by human precautions) upon property of every kind deposited within it, shall, at the same time, not only embellish the Provincial Capital, but tend greatly to promote the health, comfort and convenience of its inhabitants--objects which I think you will agree with me in regarding as quite incompatible with that long continuous line of wooden wharves, covered with every species of Goods of the most inflammable kind (including oil-vats,) and the close admixture of wood and stone buildings crowded together in narrow streets, and without an adequate command of water, which heretofore characterized it, and which leaves less cause for surprise at the occurrence of the calamity, than that it should not long since have happened.

In the endeavour to effect improvements of such magnitude, and fraught with such incalculable permanent benefit to this Commercial Emporium, but of which the attainment is obviously beyond the present unaided powers, though I trust not beyond the ultimate reach, of the well assured resources of the Colony, I am ready to concur with you in an application to the Imperial Government to guarantee a loan to Newfoundland to such an amount, not exceeding half a million pounds, as may, upon more mature consideration, be regarded as requisite and sufficient for effecting the objects to which I have adverted--the punctual payment of a moderate rate of interest, and the ultimate re-payment of the principal within a specified period, being provided for and secured by the assignment of a sufficient portion of its permanent Revenues.

In the mean time there are many preparatory arrangements connected with the preservation of the public health, peace, and security of property, the continuance of the supply of food and shelter to such of the houseless and destitute as may be incapable of labour,--but above all, the restoration of regular employment to the industrious classes, to whom, if I have not formed an erroneous estimate of their general character, I cannot doubt that the bread of independence would be far sweeter than that which is purely eleemosynary or unearned by honest labor.

In proceeding to apprise you of the measures which I deemed it necessary promptly to adopt (with the advice and consent of Her Majesty's Council,) with a view to meet the pressing emergency created by this awful calamity, and in respect to which I have confidently anticipated your cordial concurrence, I know not how that object can be more readily effected than by reading to you an Extract of the Despatch which I addressed to Her Majesty's Secretary of State for the Colonies immediately after the occurrence of the calamity, and which is now on its way to England.

"Sir,—

It has pleased the Almighty to visit this Colony with a great calamity.—as if the wing of the destroying angel, in the shape of an awful and ir-

His Excellency's Speech. resistible conflagration, had suddenly swept away three-fourths of this so lately wealthy and prosperous city.

“ A fire broke out at half-past eight o'clock yesterday morning in the western section of the city, and owing to the prevalence of a westerly gale of wind which unhappily continued to increase in violence, before the close of the day most of its public buildings, and the whole, with one single exception, of its wharves, store-houses and mercantile establishments, upwards of a mile in extent, had been reduced to ashes. It is estimated that 2000 houses, and property to the amount of from £600,000 to £1,000,000, has been destroyed—and that 12,000 persons are now houseless.

“ Much as the losses of the mercantile and the sufferings of the labouring classes claim our sympathies, yet should our deepest commiseration rest upon the middle classes, who, accustomed to comparative ease and comfort, find themselves and their helpless families suddenly reduced to a state of the most absolute destitution. Every effort dependent upon the local Government will be made and is making for their relief, and that of the lower orders;—but even under circumstances apparently so destitute, and with a scene of such affecting desolation before my eyes, still do I indulge a sanguine hope that if promptly aided by the benevolence and liberality of the British People, of the Legislatures and people of the neighbouring Colonies, but above all, by the British Government and Parliament, not only will the present distress be at once alleviated, but the fine site of the Capital of this most ancient and valuable possession of the British Crown which, as a Commercial Town, may be said for the present almost to have ceased to exist, will again be occupied by buildings of so secure and durable a description, laid out upon a plan so judicious and well-considered, as at no remote period to convert the calamity which is now pressing so heavily upon its inhabitants into a great and inappreciable blessing.

“ A similar calamity, though not to the same extent, was thus turned into a vast benefit, even by the almost unaided efforts of the province itself, during the period of my administration of the Government of New Brunswick, some years ago.

“ In order to meet the pressing emergencies of our situation I have adopted the following measures—

“ 1st—I have, by Proclamation, convened the Local Legislature to meet in six days, viz., on the 16th instant.

“ 2nd—I have issued a Proclamation laying an embargo, for a limited period, upon the exportation of Provisions other than such as are required for the use of Crews, Passengers, and the Fisheries.

“ 3rd—I have issued a Proclamation warning all persons against the reconstruction of wooden buildings upon the burnt district before the intention of the Local Legislature upon the subject shall be declared.

“ 4th—I have addressed a circular letter to the Governor-General, Lieutenant-Governors of all the British American Colonies, and to Her Majesty's Consuls at Boston and New-York—of which copies are enclosed.

" 5th—I have authorised the chartering of two vesssls, one to Halifax and one to New-York, for provisions.

His Excellency's Speech.

" 6.—I called a meeting this day, in this house, (at which I presided) of all the heads of the mercantile establishments, as well as of the principal inhabitants, the Clergy, Judges, and Officers of the Government. Copy of the Resolutions adopted at this meeting, as well as of other Resolutions adopted at a meeting of the inhabitants previously held, are enclosed—the whole of which, it will be perceived, I had anticipated.

JUNE 12.

" I have now the satisfaction to report, that through the operations of the Committee of Relief appointed at the meeting of Wednesday, all the houseless have been placed under shelter, in aid of which I have placed all the tents in the Ordnance Store (51) at its disposal; and an adequate supply of provisions, particularly bread, has been and will continue to be issued to them for the present."

Mr. Speaker, Honorable Gentlemen, and Gentlemen,—

I have directed that the state of the Public Funds, including all receipts and expenditure since your recent separation, shall be laid before you,—and inviting on your part the most unreserved communication and interchange with me of such ideas as may mutually suggest themselves to us as to the remedial measures best calculated to aid the Colony in recovering from the effects of this dire calamity, I now leave you to your deliberations.

On motion of the Hon. Mr. ROBINSON, seconded by the Hon. Mr. C. F. BENNETT,

Committee appointed to prepare Address of Thanks.

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

*Ordered,—*That the Hon. Mr. ROBINSON, Hon. Mr. C. F. BENNETT, Hon. Mr. MORRIS, Hon. Mr. O'BRIEN, and Mr. MUNN, do form such Committee.

Committee.

Mr. NUGENT gave notice that on to-morrow he would move the House into a Committee of the whole House on the consideration of the state of the Colony.

Notice of motion for Committee of whole on state of Colony.

Mr. NUGENT, seconded by Mr. SLADE, moved,

That the House do now adjourn until to-morrow at 6 o'clock, P. M.—whereupon,

Motion to adjourn till to-morrow.

The Hon. Mr. ATTORNEY GENERAL, seconded by Mr. MUNN, moved in amendment,

That the House do adjourn until to-morrow at noon,—which being put, passed in the affirmative.

Amendment to adjourn until noon.

And the House adjourned until to-morrow, at Noon, accordingly.

Adjourn until noon to-morrow.

WEDNESDAY, JUNE 17, 1846.

Report of Committee to
prepare Address of
Thanks.

The Hon. Mr. ROBINSON reported from the Select Committee appointed to prepare the draft of an Address to His Excellency the Governor in reply to His Excellency's Speech at the opening of the Session, that the Committee had prepared the draft of an Address accordingly; and he delivered the said Address in at the Clerk's Table, and the same was read a first time,

Read first,

Ordered,—That the said Address be now read a second time.

and 2nd time.

And the same was read a second time accordingly.

Ordered,—That the said Address be now committed to a Committee of the whole House.

And committed.

And the House resolved itself into a Committee of the whole House on the same accordingly.

The Hon. Mr. SPEAKER left the Chair.

The Hon. Mr. RIDLEY took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

Reported with an amend-
ment.

The Chairman reported from the Committee that they had gone through the said Address, and had agreed to the same with one amendment, which they had directed him to report to the House, and he delivered the Address with the amendment in at the Clerk's Table.

Adopted.

And the amendment having been read a 1st and 2nd time, was, upon the question put thereon, agreed to by the House.

Engrossing and 3rd read-
ing.

Ordered,—That the said Address as amended, be engrossed and read a third time this day.

On motion of the Hon. Mr. ROBINSON, seconded by Mr. MUNN,

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

Address praying for plan
and Survey of burnt Dis-
trict of Town of St.
John's.

*To His Excellency Major General
Sir John Harvey, Knight Com-
mander of the Most Honourable
Military Order of the Bath,
Knight Commander of the Royal
Hanoverian Guelphic Order,
Governor and Commander in
Chief in and over the Island of
Newfoundland and its Depen-
dencies, &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully pray that your Excellency will be pleased to direct that a Survey and plan of the Town of St. John's, particular-

ly of the burnt portion of it, be prepared as speedily as possible and laid before the House, shewing the distances from the water to the North side of Water Street, from the North side of Water Street to the South side of Duckworth Street,—and from the North side of Duckworth to Gower Street.

Ordered,—That the said Address be engrossed, and that the Hon. Mr. ROBINSON, and the Hon. Mr. RIDLEY, be a Committee to present the same to His Excellency.

Engrossed.

Committee to present.

Pursuant to order, the engrossed Address of Thanks in reply to His Excellency's Speech at the opening of the Session was read a third time, and is as follows;—

Engrossed Address of
Thanks read third time.

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

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

While we deplore equally with Your Excellency the calamitous event which has occasioned our being assembled at this season, we fully concur in the opinion that an immediate and pressing necessity exists for the adoption, under the sanction of Legislative authority, of such remedial measures as may tend to the relief of present suffering—to the prevention of a recurrence of so afflicting a catastrophe as that with which we have been recently visited—and to the permanent improvement of the capital of this Colony.

Upon the subject of an application to the Imperial Government for a loan of money to be appropriated towards the re-building of St. John's, we beg to assure Your Excellency of our unqualified concurrence in the absolute necessity of such a measure. With such aid the resources of the Colony will again be speedily developed—trade will resume its course, and industry will obtain its accustomed reward; but without it this valuable Colony will languish—many who still possess large capital may lose much that remains to them for want of present assistance, and thousands of our hardy fishermen and artificers, with their families, driven in destitution and misery from our shores, will emigrate to the United States of America, or be thrown upon the resources of the Parent Country or our neighbouring Colonies. We heartily assure Your Excellency that our best endeavours and co-operation shall not be wanting to carry into effect Your Excellency's important suggestions on this point.

We thank Your Excellency for the measures which Your Excellency has caused to be adopted for the present relief of the most urgent necessities of those of the inhabitants of St. John's who have lost their houses and property

in the recent conflagration, for the prompt communication of our situation to Her Majesty's Government and the Governments of the neighbouring Colonies, and for the applications for assistance which Your Excellency has kindly made on behalf of our poorer fellow-citizens.

We shall be glad to receive such information upon our financial condition as Your Excellency may be pleased to communicate ; and we beg to assure Your Excellency of our earnest desire to apply ourselves as speedily as possible to the framing and adoption of such Legislative enactments as our present state and circumstances may require, and as may most conduce to the permanent welfare and prosperity of this ancient Colony.

Passed the General Assembly, June 17, 1846.

JOHN KENT,
Speaker.

and passed.

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

Time for presenting same fixed.

The Hon. Mr. SPEAKER acquainted the House, by command of His Excellency the Governor, that His Excellency would receive the House with the said Address at four o'clock, p. m. this day.

Petition of H. Cumming-
ger, praying return of
duties on articles burnt.

A Petition of Henry Cumming-ger of St. Mary's, in the Province of Nova-Scotia, was presented by Mr. MUNN, and the same was received and read, setting forth, that a cargo of lumber landed by him a few days before the late fire was consumed upon the wharf, and upon which he had paid the usual duties at the Custom House ; and praying for a return of the same duties.

On Table.

Ordered,---That the said Petition do lie on the table.

Time for presenting Ad-
dress for plan of Town
fixed.

The Hon. Mr. SPEAKER acquainted the House, by direction of His Excellency the Governor, that His Excellency would receive the Committee to present the Address praying for a survey and plan of the Town, this day, immediately after the presentation of the Address of Thanks.

Adjourn until a quarter
before 4 o'clock.

Then the House adjourned until a quarter before four o'clock.

Address of Thanks pre-
sented at Government
House.

At a quarter before four o'clock the House met and proceeded to Government House to present the Address of Thanks in reply to the Speech from the Throne at the opening of the Session.

Mr. Speaker reports His
Excellency's reply.

And being returned, Mr. SPEAKER reported that the House had been in attendance on His Excellency the Governor, and had presented to him the Address of Thanks in answer to the Speech from the Throne at the opening of the session ; and that His Excellency had been pleased to make the following reply :

Mr. Speaker Honourable Gentlemen and Gentlemen,---

I am happy to receive this prompt and emphatic declaration of your concurrence in the views and opinions which I yesterday laid before you, and the

assurance of your satisfaction with the measures which I deemed it my duty promptly to adopt for the purpose of meeting, by the necessary aid in food and shelter, the distress which this great calamity had suddenly brought upon so many of the poorer classes of our fellow subjects. No time will be lost by me in bringing to the knowledge of the Secretary of State the earnest Petition of the Legislature of Newfoundland, that it may receive from the Imperial Government and Parliament that aid by which it can alone hope to effect the great object of renovating its Commercial Capital in such a manner as to confer upon it increased security and consequent prosperity. And I do not allow myself to entertain any doubt that this appeal will be met in a manner accordant with the paternal character of the Government of our Gracious Sovereign.

J. HARVEY.

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

Then the House adjourned until to-morrow, at One o'clock, P. M.

THURSDAY, JUNE 18, 1846.

ON Motion of Mr. NUGENT, seconded by Mr. SLADE,

Resolved,—That the House do now resolve itself into a Committee of the whole House on the consideration of the general state of the Colony.

Committee of whole on general state of the Colony.

And the House resolved itself into a Committee of the whole House accordingly.

The Hon. Mr. SPEAKER left the Chair.

Mr. SLADE took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had considered of the matter to them referred, and had agreed to a Resolution which they had directed him to report to the House, and which is as follows:—

Resolution that Address be presented relative to shelter of houseless poor.

Resolved,—That it is the opinion of this Committee that the following Address be presented to His Excellency the Governor:—

To His Excellency Major General Sir John Harvey, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,—

Address.

The House of Assembly solicitous with Your Excellency to assuage as much as possible the miseries of the houseless poor, although they feel how much your Excellency has effected towards the accomplishment of that humane object, respectfully pray that Your Excellency may be pleased to order that they be more effectually sheltered from the weather than they can be at present in the tents erected for their accommodation.

The House of Assembly beg leave to take this opportunity of thanking your Excellency for the promptitude with which your Excellency adopted measures for supplying the wants of the poor sufferers from the recent calamitous fire by which this Town has been visited, and they pray that Your Excellency will be pleased to issue your warrant on the Colonial Treasurer for such sum or sums as may be necessary towards the liquidation of the expenses incurred, and to be incurred, not exceeding in all the sum of £6,000 and that this House will indemnify Your Excellency for the same.

Adopted.

And the said Resolution and Address having been read throughout, were, upon the motion put thereon, agreed to by the House.

Committee to present.

Ordered,—That the said Address be engrossed, and that Mr. NUGENT, and Mr. CARTER, be a Committee to present the same to His Excellency.

Notice of Loan Bill for rebuilding.

The Hon. Mr. MORRIS gave notice that on to-morrow he would move for leave to bring in a Bill for raising a Loan towards re-building the Town of St. John's.

Notice of motion for not considering other matters than such as relate to the late fire.

The Hon. Mr. THOMAS gave notice that on to-morrow he would move that no Bill or measure be considered during the present Session, other than such as relate to the object for which the Legislature was called together, except continuing Acts where necessary.

Report of Committee to present Address for plan and survey of Town.

The Hon. Mr. ROBINSON, reported from the Committee to present the Address, praying for a Survey and plan of the Town, that the Committee had presented the said Address and that in reply, His Excellency was pleased to say he would give the necessary direction for complying with the request of the House as early as possible. That in the mean time His Excellency had directed a copy of a late plan of the Town to be laid before the House for their information, which the Hon. Mr. ROBINSON laid upon the Table.

Then the House adjourned until to-morrow at 4 o'Clock, P. M.

FRIDAY, JUNE 19, 1846.

Mr. NUGENT reported from the Committee to present the Address to His Excellency with reference to the sheltering of the houseless poor, that the Committee had presented the said Address, and that in reply thereto, His Excellency was pleased to say he would cause the necessary steps to be taken for compliance with the prayer thereof.

Report of Committee to present Address relative to houseless poor.

The Hon. Mr. MORRIS, pursuant to notice and leave granted, presented a Bill for raising a loan towards rebuilding and improving the Town of St. John's, and the same was read a first time.

Rebuilding Loan Bill read first time.

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

Mr. CARTER gave notice of motion for to-morrow of a Committee to report upon expiring Laws.

Notice of motion for Committee on Expiring Laws.

The Hon. Mr. MORRIS gave notice for to-morrow of a motion for a Committee of the whole House on the subject of the re-building of the Town of St. John's.

Notice of motion for Committee of whole on subject of rebuilding Town.

Mr. NUGENT gave notice that to-morrow he would move that the Rules of the House in reference to the passing of Bills be suspended.

Notice of motion for suspending Rules

Then the House adjourned until to-morrow at 4 o'clock, P. M.

SATURDAY, JUNE 20, 1846.

Mr. PRENDERGAST gave notice that on Monday he would move for leave to bring in a Bill to appropriate the monies to be raised on loan for the rebuilding of the Town of St. John's.

Notice of Bill to appropriate Loan for rebuilding Town.

The Hon. the SOLICITOR GENERAL gave notice that on Monday next he would move for leave to bring in a Bill to authorize the issue of Treasury Notes to the amount of £30,000.

Notice of Bill for issue of Treasury Notes.

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

Ordered.—That Mr. Carter, Mr. Munn, and Mr. Nugent, be a Committee to report upon expiring Laws.

Committee on Expiring Laws.

Then the House adjourned until Monday next at 4 o'clock, P. M.

MONDAY, JUNE 22, 1846.

On motion of Mr. NUGENT, pursuant to notice, and seconded by the Hon. Mr. MORRIS,

Resolved,—That the Rules of the House in reference to the introduction, reading and committing of Bills and Addresses relating to subjects connected with the late conflagration, be suspended.

Pursuant to order, a Bill to authorise the raising by loan of a sum of money towards the re-building and improvement of the Town of St. John's was read a second time.

On motion of the Hon. Mr. MORRIS, seconded by Mr. NUGENT,

Ordered.—That the said Bill be now committed to a Committee of the whole House.

The Hon. Mr. SPEAKER left the chair.

The Hon. Mr. O'BRIEN took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

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

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

Ordered,—That the said Bill as amended be now read a third time.

And the said Bill was read a third time accordingly.

On motion of the Hon. Mr. MORRIS, seconded by the Hon. the ATTORNEY GENERAL,

Resolved,—That the said Bill do pass, and that the title be "an Act to raise by loan a sum of money towards the re-building and improvement of the town of St. John's."

Then the House adjourned until to-morrow at half-past one o'clock, P. M.

TUESDAY, JUNE 23, 1846.

The House met at half-past one o'clock, P. M.

At two o'clock a message from His Excellency the Governor was delivered by Joseph Templeman, Esquire, commanding the attendance of the House.

Rules of House suspended on measures upon subjects connected with the late fire.

Rebuilding Loan Bill read 2nd time,

and committed.

Reported with amendments.

Read a third time,

and passed.

Title.

Message from the Governor commanding attendance of House.

And the House having attended His Excellency in the principal Chamber of the Orphan Asylum School House, His Excellency was pleased to give his assent to a Bill entitled "An Act to raise by Loan a sum of money towards the rebuilding and improvement of the Town of St. John's."

House attend His Excellency who assents to the Rebuilding Loan Bill,

After which His Excellency retired.

Then the House adjourned until to-morrow at 4 o'Clock, P. M.

WEDNESDAY, JUNE 24, 1846.

The Hon. the ATTORNEY GENERAL presented a Bill to make further provision for securing the due payment of the interest that shall become due and payable upon a certain loan to be raised under authority of an Act passed in the present session, entitled "An Act to raise by loan a sum of money for the re-building and improvement of the Town of St. John's, and the same was read a first time.

Bill to secure payment of Interest on Loan to be raised for rebuilding the Town of St. John's.

Read first,

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

And the same was read a second time accordingly.

and second time,

On motion of the Hon. Mr. ROBINSON, seconded by the Hon the ATTORNEY GENERAL.

Ordered,—That the said Bill be now committed to a Committee of the whole House.

and committed,

The Hon. Mr. SPEAKER left the Chair.

Mr. SLADE took the Chair of the Committee.

The Hon. 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.

Reported without amendment.

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

And the said Bill having been engrossed, was read a third time accordingly.

Engrossed and Read a third time,

On motion of the Hon. Mr. ATTORNEY GENERAL, seconded by the Hon. Mr. MORRIS,

Resolved,—That the said Bill do pass, and that the title be "An Act to make further provision for securing the due and punctual payment of the interest that

and passed.

Title.

shall become due and payable upon a certain loan to be raised under authority of an act passed in this present session, entitled "an Act to raise by loan a sum of money for the re-building and improvement of the Town of St. John's."

Message from His Excellency the Governor.

At half-past six o'clock, P. M. a message from His Excellency the Governor was delivered by JOSEPH TEMPLEMAN, Esquire, commanding the attendance of the House.

House attend His Excellency who assent to Bill to secure interest on Loan

And the House having attended His Excellency in the principal chamber of the Orphan Asylum School House, His Excellency was pleased to give his assent to a Bill entitled "An Act to make further provision for securing the due and punctual payment of the interest that shall become due and payable upon a certain loan to be raised under authority of an act passed in this present session entitled "An Act to raise by loan a sum of money for the re-building and improvement of the Town of St. John's."

And then His Excellency retired.

Treasury Notes Bill read a first time.

The Hon. the SOLICITOR GENERAL, pursuant to notice and leave granted, presented a Bill to authorize the issue of Treasury Notes, and the same was read a first time.

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

Printed.

Ordered,—That the said Bill be printed for the use of members of this House.

Notice of Committee of whole on rebuilding town of St. John's.

The Hon. Mr. MORRIS gave notice that to-morrow he would move that the House resolve itself into a Committee of the whole House to take into consideration the rebuilding of the Town of St. John's.

Petition of Rev. C. Dalton and others, Harbour Grace, relative to Sheriff's Office.

A petition of the Rev. Charles Dalton and others, inhabitants of Harbour Grace, was presented by Mr. MUNN, and the same was received and read, setting forth that the office of Sheriff of this Colony has occupied no inconsiderable share of public attention, and it is believed that many alterations beneficial to the constitution and machinery of it might be adopted, more especially the dividing it into three separate incumbencies corresponding with the three Judicial Circuits. That deeply impressed with this view which has been materially strengthened by recent circumstances, petitioners pray the House to take the matter into consideration, and make such enactment thereupon as it may deem desirable.

On Table.

Ordered,—That the said petition do lie on the Table.

Notice of Bill to amend Law relating to appointment of Sheriffs.

Mr. MUNN gave notice that to-morrow he would move for leave to bring in a Bill to render the office of Sheriff more independent.

Notice of motion for seconding Resolution suspending Rules of House.

Mr. PRENDERGAST gave notice that to-morrow he would move that the Resolution adopted on Monday last with reference to the suspension of the Rules of the House be rescinded.

Then the House adjourned until to-morrow at 12 o'clock.

THURSDAY, JUNE 25, 1846.

ON motion of the Hon. Mr. MORRIS, (pursuant to notice) and seconded by the Hon. Mr. RIDLEY,

The House resolved itself into a Committee of the whole House on the consideration of the rebuilding of the Town of St. John's.

House in Committee of whole on rebuilding of Town of St. John's.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

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

Progress and leave.

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

A petition of the Rev. J. P. Gleeson and others, inhabitants of Carbonear, was presented by Mr. HANRAHAN, and the same was received and read, setting forth that petitioners have given the important duties of the office of Sheriff considerable attention—that advantageous changes in the constitution of it might be made—that petitioners conceive independent Sheriffs for the three Judicial Districts would be in accordance with constitutional principles. That in entertaining these views petitioners are forcibly reminded of late occurrences, and conceive that the Executive should have the appointment to offices for which Salaries are voted by the Legislature; and praying the House to take the matter into consideration and pass such enactments thereon as they shall think most advantageous.

Petition of Rev. J. P. Gleeson and others, Carbonear relative to changes in Office of Sheriff.

Ordered,—That the said petition do lie on the Table.

On Table.

Mr. MUNN, pursuant to notice and leave granted, presented a Bill to amend the Law relating to the appointment of Sheriffs, and the same was read a first time.

Bill to amend Law relating to appointment of Sheriffs read a first time.

Ordered,—That the said Bill be read a 2nd time on Tuesday next.

Ordered,—That the said Bill be printed for the use of Members of this House.

Printed.

Several Members having retired and the names of those present being taken down as follows: the Hon. Mr. Speaker, Mr. Prendergast, Mr. Parsons, Mr. Carter, and Mr. Munn,—at half past four o'clock Mr. Speaker declared the House adjourned for want of a quorum.

House adjourned for want of a Quorum.

FRIDAY, JUNE 26, 1846.

Committee of whole on rebuilding of St. John's.

Pursuant to order, the House resolved itself into a Committee of the whole House on the further consideration of the subject of the re-building of the Town of St. John's.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

Progress and leave.

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 to-morrow.

Then the House adjourned until to-morrow at 12 o'Clock.

SATURDAY, JUNE 27, 1846.

Committee of whole on rebuilding of St. John's.

Pursuant to order, the House resolved itself into a Committee of the whole House on the further consideration of the subject of the re-building of the Town of St. John's.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

Progress and leave.

The Chairmau 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 to-morrow.

Then the House adjourned until Monday next at 12 o'clock.

MONDAY, JUNE 29, 1846.

Committee of whole on rebuilding of St. John's.

Pursuant to order, the House resolved itself into a Committee of the whole House on the further consideration of the rebuilding of the Town of St. John's.

The Hon. Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had considered of the matter to them referred and had agreed to certain Resolutions thereupon ; —which Resolutions together with the divisions of the Committee thereon, he had been directed to report to the House. And he delivered the said Resolutions and report of divisions in at the Clerk's Table, and the same were read as follows :

Resolutions reported from the Committee, with the divisions of the Committee thereon.

Resolved,—That it is the opinion of this Committee that the width of Water Street should not be less than Seventy feet.

Resolutions read.

Resolved,—That it is the opinion of this Committee, that not fewer than Ten Firebreaks or Cross-Streets should intersect the town as nearly as may be parallel to each other of a width of One hundred feet ; and that such Firebreaks should extend from the Waterside to the extreme rear line of the town.

Resolved,—That it is the opinion of this Committee, that no buildings or erections on either side of Water Street should be constructed except of stone, brick, or other unflammable material.

Resolved,—That it is the opinion of this Committee, that the building and erections on the South-side of Duckworth-street should be of stone, brick or other unflammable material.

On the foregoing Resolution the Committee divided as follows :—

FOR THE RESOLUTION.

AGAINST IT.

Hon. Mr. Speaker.
 “ Mr. Attorney General.
 “ Mr. Thomas.
 “ Mr. Morris.
 “ Mr. C. F. Bennett.
 “ Mr. Robinson.
 Mr. Glen.
 Mr. Nugent.
 Mr. Dillon.
 Mr. Munn.

Mr. Parsons.
 Mr. Carter.

Resolved,—That it is the opinion of this Committee that the width of Duckworth Street be Seventy feet,

Resolutions reported from the Committee, with the divisions of the Committee thereon.]

On the preceding Resolution the Committee divided as follows :

FOR THE RESOLUTION,

AGAINST IT.

The Hon. Mr. Speaker.
 “ “ Mr. Thomas.
 “ “ Mr. Morris.
 “ “ Mr. Robinson.
 “ “ Mr. O'Brien.
 Mr. Simon Morris.
 Mr. Glen.
 Mr. Dillon.

Hon. Mr. C. F. Bennett.
 Mr. Nugent.
 Mr. Carter.
 Mr. Munn.

Resolved,—That it is the opinion of this Committee that a just and equitable compensation should be made to all the parties who may have ground taken away, or who may suffer in any other manner by the operation of the proposed measure for the improvement and widening of the Streets and Firebreaks of this Town ; always taking into consideration the increased value thereby of the property of parties who may be affected by the widening and alterations of such Streets and Firebreaks.

Resolved,—That it is the opinion of this Committee, that an equitable adjustment should be made between the Landlord right and Tenant right ; that in all cases where the tenant may be compelled under the operation of any law that may be passed founded on these Resolutions to make permanent improvements, not covenanted for in his or their agreements, provisions should be introduced into the Act for securing to the tenants who may make such permanent improvements such fair compensation for the same, and for effecting, in case of difference and disputes by arbitration or otherwise, such an adjustment between Landlord and Tenant as may be reasonable and equitable.

On the foregoing Resolution the Committee divided as follows :—

FOR THE RESOLUTION,

AGAINST IT.

The Hon. Mr. Speaker.
 “ Mr. Thomas.
 “ Mr. Morris.
 “ Mr. C. F. Bennett.
 “ Mr. Solicitor General.
 “ Mr. Stuart.
 Mr. Glen.

The Hon. Mr. Attorney General
 “ Mr. Row.
 “ Mr. Robinson.
 Mr. Carter.

Resolved.—That it is the opinion of this Committee that from the North-side of Water Street to the South-side of Duckworth Street there shall not be in any part a space of less than One hundred and Thirty eight feet, and that a Public Avenue or Lane of at least Eighteen feet wide shall run as nearly as may be through the centre of the said space.

On the foregoing Resolution the Committee divided as follows :—

FOR THE RESOLUTION.

Hon. Mr. Speaker.
 “ Mr. Attorney General.
 “ Mr. Thomas.
 “ Mr. Morris,
 “ Mr. Robinson.
 “ Mr. O'Brien.
 “ Mr. Stuart.
 Mr. Glen.
 Mr. Munn.

AGAINST IT.

Hon. Mr. Row.
 “ Mr. C. F. Bennett.
 Mr. Carter.

Resolutions reported from the Committee, with the divisions of the Committee thereon.

Resolved,—That it is the opinion of this Committee that an Address be presented to His Excellency the Governor praying that His Excellency may be pleased to appoint three competent and disinterested persons as Commissioners to mark out the lines and adjust the levels of Streets and Firebreaks contemplated under these Resolutions.

And the said Report having been read throughout was, upon the question put thereon, adopted by the House.

Resolutions adopted.

The Chairman in compliance with the last mentioned Resolution presented to the House the draft of an Address to His Excellency the Governor, and the same was received and read as follows :—

Address to the Governor praying for appointment of Surveyors, &c.

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly beg leave respectfully to submit, for Your Excellency's consideration, a series of Resolutions recently passed by them having reference to a proposed plan for re-building the Town of St. John's, and to request that Your Excellency will be pleased to appoint three competent and disinterested persons to survey and lay out the said town, and to adjust the levels of Water Street and Duckworth Street in conformity with the said Resolutions, and make their Report to Your Excellency for the information of the Legislature as speedily as possible, and this House will make provision for defraying the necessary expense of the same.

Ordered,—That the said Address be engrossed, and that Mr. HANRAHAN, and the Hon. Mr. MORRIS, be a Committee to present the same to His Excellency.

Engrossed.

On motion of the Hon. Mr. THOMAS, seconded by the Hon. Mr. MORRIS,

Ordered,—That the Resolutions reported from the Committee of the whole House this day, be printed for the use of members.

The Hon. Mr. SPEAKER acquainted the House, by direction of His Excellency the Governor, that His Excellency would receive the Committee to present to His Excellency the Address of the House passed this day, at 12 o'clock to-morrow.

Then the House adjourned until to-morrow at 5 o'clock, P. M.

TUESDAY, JUNE 30, 1846.

The Hon. Mr. MORRIS reported from the Select Committee to present to His Excellency the Governor the address relative to Commissioners for laying out the Streets, that the Committee had presented the same, and that in reply thereto, His Excellency was pleased to say he would give the matter his earliest consideration.

Pursuant to order, a Bill to amend the Law relating to the appointment of Sheriffs was read a second time.

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

Ordered,—That the said Bill be committed to a Committee of the whole House on Friday next.

Pursuant to order, a Bill to authorise the issue of Treasury Notes was read a second time.

On motion of the Hon. Mr. SOLICITOR GENERAL, seconded by Mr. NUGENT,

Ordered,—That the said Bill be committed to a Committee of the whole House to-morrow.

Then the House adjourned until to-morrow at 12 o'clock.

WEDNESDAY, JULY 1, 1846.

Pursuant to order, the House resolved itself into a Committee of the whole House on the consideration of the Bill to authorise the issue of Treasury Notes.

Resolutions to be printed.

Time for presenting Address fixed.

Report of Committee to present Address for appointment of Commissioners.

Bill to amend Law as to appointment of Sheriffs read 2nd time,

and committed.

Treasury Notes Bill read a second time,

and committed,

Committee of whole on Treasury Notes Bill.

The Hon. Mr. SPEAKER left the Chair.

Mr. DILLON took the Chair of the Committee.

The Hon. 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.

Bill reported with amendments.

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

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

To be engrossed and read third time.

Mr. NUGENT gave notice that to-morrow he would move an Address to His Excellency the Governor on the subject of the re-building of the public buildings by the British Government.

Notice of Address relative to rebuilding of Public Buildings.

The Hon. Mr. ROBINSON gave notice that to-morrow he would move that the House resolve itself into a Committee of the whole House on the best means of providing temporary accommodation for the Courts of Justice and other public departments of the Government ; as also the expediency or in expediency of interfering with the present plan of the Colonial Building.

Notice of Committee of whole on subject of accommodation for Courts of Justice and Public Departments.

Then the House adjourned until to-morrow at 12 o'clock.

THURSDAY, JULY 2, 1846.

Pursuant to order, an engrossed Bill to authorize the issue of Treasury Notes was read a third time.

Treasury Notes Bill read a third time.

On motion of the Hon. Mr. MORRIS, seconded by Mr. NUGENT,

Resolved,—That the words " twelve months" in the sixth line of the 8th Section be erased, and the words " two years " be inserted in lieu thereof.

Amendment made in 8th Section.

And the said amendment was made accordingly.

On motion of the Hon. Mr. SOLICITOR GENERAL, seconded by the Hon. Mr. MORRIS,

Resolved,—That the said Bill do pass, and that the title be " An Act to authorize the issue of Treasury Notes."

Bill passed. Title.

On motion of Mr. NUGENT, pursuant to notice, and seconded by Mr. GLEN,

Resolved,—That a Select Committee be appointed to prepare an Address to His Excellency the Governor on the subject of the re-building the Public Buildings by the Imperial Government.

Ordered,—That Mr. Nugent, Mr. Glen, Hon. Mr. Morris, Hon. Mr. O'Brien and Mr. Hanrahan, do form such Committee.

Then the House adjourned until to-morrow at 12 o'Clock.

FRIDAY, JULY 3, 1846.

The Hon. Mr. ROBINSON, 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 the Hon. Mr. Speaker (all the Members being uncovered) and is as follows :—

MESSAGE.

J. HARVEY.

The Governor deems it his duty to call the attention of the House of Assembly to the necessity for making an early provision for holding the Courts of Justice in this District, for which purpose he recommends that a sum not exceeding £800 should be placed at the disposal of the Executive Government.

J. H

Government-House, }
3rd July, 1846. }

Ordered,—That the said Message do lie on the Table.

Mr. NUGENT reported from the Select Committee appointed to prepare the draft of an Address to His Excellency the Governor, relative to the re-building of the Public Buildings by the Imperial Government, that the Committee had prepared the draft of an Address accordingly ; and he read the same in his place, and afterwards delivered it in at the Clerk's Table, where it was again read and is as follows :—

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly are of opinion that in the general depression arising from the late conflagration, by which more than two-thirds of St. John's, the

Committee to prepare Address relative to re-building of Public Buildings.

Message of Governor relative to accommodation for the Courts of Justice.

On Table.

Report of Committee to prepare Address relative to rebuilding of Public Buildings.

Address.

capital of the Island, were swept away, it would greatly conduce to allay the apprehensions of the industrious classes and retain them in the Colony, if those buildings essentially necessary to the administration of the Government were speedily to be erected;—they therefore respectfully pray Your Excellency that in order to remove the fears of the population, by the diffusion of employment as soon as possible, Your Excellency will be pleased to represent to Her Majesty's Government the importance of ordering the prompt erection of a Court House, Police Office, Jail, Record Office, Custom House, Treasury, and Post Office, to replace those that have been destroyed.

Ordered,—That the said Address be adopted and engrossed, and that Mr. NUGENT, and Mr. HANRAHAN be a Committee to present the same to His Excellency the Governor.

The order of the day that the House go into Committee of the whole on the Bill to amend the Law relating to the appointment of Sheriffs being read,

Mr. HANRAHAN, seconded by Mr. NUGENT, moved,

That the order of the day be postponed, and that the House do resolve itself into a Committee of the whole on the consideration of the said Bill on Friday next, whereupon,

The Hon. Mr. ATTORNEY GENERAL, seconded by Mr. SLADE, moved in amendment,

That the said order of the day be discharged, and that the House resolve itself into a Committee of the whole on the said Bill this day six months,—which being put, the House divided thereon as follows:—

For the Amendment.

Against it.

The Hon. Mr. Attorney General,
 “ “ Mr. Robinson.
 Mr. Slade.

The Hon. Mr. Morris,
 “ “ Mr. Row,
 “ “ Mr. O'Brien.
 “ “ Mr. Sol. General.
 Mr. Glen.
 Mr. Carter.
 Mr. Hanrahan.
 Mr. Nugent.

Division.

So it passed in the negative.

And the question on the original motion being put, it passed in the affirmative—and

Ordered,—Accordingly.

The Hon. Mr. O'BRIEN gave notice that to-morrow he would move for leave to bring in a Bill to prevent the disqualification of Voters in the District of St. John's, by reason of the late fire.

Notice of motion for leave to bring in a Bill to prevent the disqualification of Voters in the District of St. John's, by reason of the late fire.

Committee to present,

Order of day read for Committee of whole on Sheriffs' Bill.

Motion to postpone same until Friday.

Amendment to reject the Bill.

Amendment Lost,

Original motion carried.

Notice of Bill to prevent disqualification of Voters.

Notice of motion for considering Message of Governor.

The Hon. Mr. ROBINSON gave notice that to-morrow he will move that the Message of His Excellency the Governor, this day transmitted to the House, be taken into consideration.

Then the House adjourned until Tuesday next at 12 o'clock.

TUESDAY, JULY 7, 1846.

On motion of Mr. NUGENT, seconded by the Hon. Mr. SOLICITOR GENERAL,

Resolved,—That Whereas a rumour hath gone abroad that His Excellency the Governor hath been appointed to succeed the Right Honourable Viscount Falkland in the Government of the Province of Nova-Scotia, a Committee of this House be appointed to wait upon His Excellency for the purpose of ascertaining whether the said rumour be or be not well founded.

Ordered,—That Mr. Nugent, the Hon. Mr. Morris, Hon. Mr. Solicitor General, Mr. Munn, and Mr. Dillon, do form such Committee.

Pursuant to order, the House resolved itself into a Committee of the whole on the consideration of the Bill to amend the Law relating to the appointment of Sheriffs.

The Hon. Mr. SPEAKER left the chair.

MR. SIMON MORRIS took the chair of the Committee.

The Hon. 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 said Committee have leave to sit again to-morrow.

Mr. NUGENT from the Select Committee appointed to wait upon His Excellency the Governor to ascertain the correctness of the rumour of His Excellency's appointment to the Government of Nova Scotia, reported that the Committee had waited upon His Excellency accordingly, and received from His Excellency the following reply :

GENTLEMEN,—

In answer to your enquiry regarding the correctness of a rumour that I have been appointed to succeed the Right Honourable Lord Falkland in the Government of the Province of Nova-Scotia, I beg to acquaint you, for the informa-

Committee to ascertain correctness of rumour as to His Excellency's appointment to Government of Nova Scotia.

House in Committee on Sheriffs' Bill.

Progress and leave.

Report of Committee to wait on Governor as to His Excellency's appointment to Nova Scotia.

Reply.

tion of the General Assembly, that I have by the present Mail received a Commission under Her Majesty's Sign Manual to that effect.

J. HARVEY.

Government House, }
July 7, 1846. }

The Hon. Mr. MORRIS 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 the Governor transmitting Letter from Lord Falkland, with Donation from the Province of Nova Scotia for the relief of the sufferers by fire.

MESSAGE.

J. HARVEY.

His Excellency the Governor has great pleasure in transmitting to the House of Assembly copy of a communication received from the Governor of Nova-Scotia on the subject of the late calamitous fire. This communication His Excellency feels assured will be duly appreciated by the House, and be as gratifying to them as it has been to His Excellency.

Message.

J. H.

Government House, }
7th July, 1846. }

The Despatch from the Governor of Nova-Scotia accompanying the said Message was read by the Clerk and is as follows :—

Government-House, }
Halifax, 27th June, 1846. }

SIR,—

The distressing intelligence conveyed in Your Excellency's Despatch of the 11th Instant, of the almost entire destruction of the town of St. John's by fire, reached me yesterday.

Despatch of Lord Falkland.

I immediately communicated it to the Executive Council, who, participating with myself in the deep concern felt in this city and throughout the Province for the many thousands whom that awful calamity has rendered houseless and destitute, and in the full confidence that we could not perform an act that would be more grateful to the whole body of the inhabitants of this Colony, or more cheerfully sanctioned by their representatives, at once concurred with me in the propriety of advancing from the public chest Four Thousand Dollars to be applied in mitigation of the pressing wants of our suffering fellow subjects in Newfoundland, which sum in cash, contained in two boxes addressed to Your Excellency, I shall have the pleasure to forward in three or four days by the Steam Ship Unicorn. I have transmitted copies of Your Excellency's Despatch to the Senior Magistrates in the several counties of this Province, and requested them in conjunction with their Brother Magistrates to take such steps as they shall deem most likely to promote the object of the appeal which Your Excellency through me has so forcibly made to the sympathy of the Inhabitants of this Province; and as Committees appointed at a Public Meeting convened by the Mayor of Halifax during my absence and before

the receipt of Your Excellency's announcement of this almost unexampled calamity, have been for some days actively engaged in collecting subscriptions and supplies in aid of its numerous victims. I doubt not it will soon appear that Nova-Scotia has not been wanting on the present most unhappy occasion as it never has been on like occasions in commiseration for misfortune or in readiness to relieve it.

I have &c.

Signed,

FALKLAND.

His Excellency Major General SIR JOHN HARVEY, &c. &c.

St. John's, Newfoundland.

On Table.

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

Notice of motion for considering the same.

The Hon. Mr. ROBINSON gave notice that to-morrow he would move that the House resolve itself into a Committee of the whole House for the purpose of taking into consideration the said Message and Despatch.

Committee of whole on Sheriffs' Bill.

Pursuant to order, the House resolved itself into a Committee of the whole House on the consideration of the Bill to amend the Law relating to the appointment of Sheriffs.

The Hon. Mr. SPEAKER left the chair.

Mr. SIMON MORRIS took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

Bill reported with amendments.

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

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

To be engrossed and read third time.

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

Notice of motion for considering Governor's reply, as to His appointment to Nova Scotia.

Mr. NUGENT gave notice that to-morrow he would move that the House resolve itself into a Committee of the whole House on the consideration of His Excellency's reply to the enquiry as to his appointment to the Government of Nova-Scotia.

Notice of Vote of Thanks to the Military.

The Hon. Mr. MORRIS gave notice that to-morrow he would move a Resolution of Thanks to the Military for their conduct at and since the late fire.

Then the House adjourned until to-morrow at 12 o'Clock.

WEDNESDAY, JULY 8, 1846.

The Hon. Mr. O'BRIEN, pursuant to notice and leave granted, presented a Bill to prevent the disqualification of persons entitled to vote at Elections, or to serve in the General Assembly for the District of St. John's, and the same was read a first time.

Bill to prevent the disqualification of voters read a first time.

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

Second reading.

On motion of the Hon. Mr. ROBINSON, seconded by the Hon. Mr. O'BRIEN,

Resolved,—That the House do now resolve itself into a Committee of the whole House on the consideration of the Message of His Excellency the Governor transmitting to this House the copy of a Despatch from the Right Honourable Lord Falkland Governor of Nova Scotia.

House in Committee on Message of Governor transmitting Lord Falkland's Despatch.

And the House resolved itself into the said Committee accordingly.

The Hon. Mr. SPEAKER left the Chair.

Mr. MUNN took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had considered of the matter to them referred, and had agreed to a Resolution thereupon, which they had directed him to report to the House ; and he delivered the same in at the Clerk's Table, where it was read and is as follows:—

Address to the Governor therein reported.

Resolved,—That it is the opinion of this Committee that the following Address be presented to His Excellency the Governor:—

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The General Assembly beg to thank Your Excellency for Your Excellency's Message of yesterday, transmitting to the House copy of a Despatch from the Right Honourable Lord Falkland, which accompanied the munificent donation of One Thousand Pounds from the Executive Government of Nova Scotia, to aid the sufferers in St. John's by the calamitous fire of the 9th June last.

Address read,

We lose no time in recording the feelings of admiration and deep gratitude which the noble and benevolent conduct of His Lordship and the Executive Government of Nova Scotia towards their suffering fellow subjects in this Colony has excited within us.

Address.

The patriotism of the people of Nova Scotia in tendering their treasure and their persons to repel foreign aggression is matter of history—their public spirit in promoting and developing the resources of their own Province has been long conspicuous in Colonial annals,—and the affectionate earnestness with which His Lordship and the inhabitants of Nova Scotia have now sympathized with us in our calamity, and the unparalleled promptitude and liberality with which they have extended relief to the sufferers, have placed their benevolence on a par with their patriotism, and beyond doubt will obtain for them that general tribute of respect which is the fit concomitant of such noble deeds.

We request that Your Excellency will be pleased to convey to the Right Honourable Lord Falkland, and through His Lordship, to the people of Nova-Scotia, this unanimous though inadequate expression of our gratitude, admiration and esteem for the conduct of which this Colony has thus become the object.

Adopted.

Resolved,—That this House concur with the Committee in the said Resolution and Address.

Committee to present.

Ordered,—That the said Address be engrossed, and that the Hon. Mr. Robinson, the Hon. Mr. O'Brien, and Mr. Munn, be a Committee to present the same to His Excellency the Governor.

On motion,

Committee of whole on the subject of His Excellency's appointment to the Government of Nova-Scotia.

The House resolved itself into a Committee of the whole House to take into consideration the subject of the appointment of His Excellency the Governor to the Government of the Province of Nova-Scotia.

The Hon. Mr. SPEAKER left the Chair.

The Hon. Mr. RIDLEY took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

Progress and leave.

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 to morrow.

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

Petition of B. G. Garrett against the passing of the Bill to amend the Law relating to the appointment of Sheriffs.

A Petition of Benjamin Greer Garrett Esquire, Sheriff of Newfoundland, was presented by the Hon. Mr. ROBINSON, and the same was received and read, setting forth that the Bill now before the House for amending the Law relating to the appointment of Sheriffs will, if passed into Law, injuriously affect petitioner's interests as well as depriving him of the right (always enjoyed by the Sheriffs) of appointment to certain offices, which, though productive of no pecuniary advantage to petitioner, materially increases the influence and importance of his office, as also in the reducing his salary below the amount he has heretofore received. That three years ago the office of Sheriff came under the consideration of the House, when the Fees of the office

were commuted for fixed salaries to him and his two Deputies, with which arrangement petitioner was satisfied, because it was a permanent settlement, although the salary was less than the average of the annual fees for several preceding years. That no complaint has been made of the mode in which petitioner has performed his duty. That petitioner does not desire the lessening of these responsibilities and duties but is ready to discharge them in future as he has hitherto done, to the satisfaction of the Judges, Bar, and Suitors; and praying that the said Bill may not become Law.

Ordered,—That the said petition do lie on the Table.

On Table.

Pursuant to order, an engrossed Bill to amend the Law relating to the appointment of Sheriffs was read a third time, and

Bill to amend Law as to appointment of Sheriffs read a third time,

On motion of Mr. MUNN, seconded by Mr. PRENDERGAST,

Resolved,—That the said Bill do pass, and that the title be “An Act to amend the Law relating to the appointment of Sheriffs.”

and passed.
Title.

Then the House adjourned until to-morrow at 12 o’Clock.

THURSDAY, JULY 9, 1846.

Pursuant to order, a Bill to prevent the disqualification of Voters and Members for the District of St. John’s, by reason of the late fire, was read a second time.

Disqualification of Voters Bill read a second time,

On motion of the Hon. Mr. O’BRIEN, seconded by Mr. DILLON,

Ordered,—That the said Bill be committed to a Committee of the whole House to-morrow.

and committed.

Pursuant to order, the House resolved itself into a Committee of the whole House on the further consideration of the subject of His Excellency the Governor’s appointment to the Government of Nova Scotia.

Committee of whole on Governor’s appointment to Nova Scotia.

The Hon. Mr. SPEAKER left the Chair.

The Hon. Mr. RIDLEY took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had considered of the matter to them referred, and had agreed to a Resolution therein which they had directed him to report to the House, and he delivered the same in at the Clerk’s Table, where it was read, and is as follows:—

Address reported,

and read.

Resolved,—That it is the opinion of this Committee that the following Address be presented to His Excellency the Governor, viz:—

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

Address.

The House of Assembly beg leave to tender to Your Excellency their most heartfelt congratulations, that Her Most Gracious Majesty has been pleased to confer upon Your Excellency so marked an approval of your eminent services, as is expressed in Her Majesty's Commission conferring upon Your Excellency the Government of the Province of Nova Scotia.

But while they feel gratified at these renewed testimonies to Your Excellency's distinguished merits, they cannot refrain from expressing to Your Excellency how deeply they regret that this Colony is destined, and at a juncture so distressing, to be deprived of the services of one who, during the brief period of his government, has proved that every energy of his enlightened mind, all the attributes of his great intelligence—and every feeling of his benevolent heart were unceasingly employed to promote the welfare and happiness of all classes of the people without distinction.

At no period were these dispositions so strongly manifested as when on the occasion of the late afflicting calamity that has desolated the capital of this Colony by fire, Your Excellency's paternal solicitude prompted the adoption of measures the most calculated to relieve the Colony, by awakening the sympathy of the Imperial Government, and the Governments of the several North American Colonies, as well as of the inhabitants of these Countries and of the United States of America for the distress and desolation with which we had been visited.

The House of Assembly therefore humbly request that Your Excellency will be pleased to permit them to appropriate the sum of Five Hundred Pounds to enable them to bestow upon Your Excellency a testimony of their sincere gratitude for the great services you have conferred upon this Country, that may often awaken not only in your own mind but in the minds of your beloved family and friends, the memory of your Excellency's connection with Newfoundland—a connection the severance of which, while it brings to Your Excellency increased and well merited honours, leaves to her people unfeigned and universal regret.

To be presented by Mr. Speaker and the whole House.

Resolved,—That the said Address be adopted and engrossed, and that it be presented to His Excellency by the Hon. Mr. SPEAKER and the whole House.

The Hon. Mr. SPEAKER having ascertained that His Excellency would receive the House with the said Address at four o'clock, p. m. this day—at that hour Mr. SPEAKER and the House proceeded to the Government House to present the same to His Excellency.

Address presented to His Excellency.

And being returned Mr. SPEAKER reported that the House had waited upon His Excellency the Governor and presented to him the Address this day adopted, and that His Excellency was pleased to reply thereto as follows:—

Report thereof.

Mr. Speaker, Honourable Gentlemen, and Gentlemen,

Governor's reply.

It has been my good fortune so frequently to interchange with you assurances of the kindly feelings and good will mutually entertained towards each other, that a far more copious vocabulary than I have ever possessed must have been long since exhausted, if an unchangeable sentiment required to be expressed by varied words—and although such is happily not the case, yet does your high appreciation of my endeavours to advance the interests of the People of the Colony, and thereby to fulfil the benevolent wishes and instructions of my Sovereign, so forcibly conveyed in this Address, so far transcend any merits which I can claim, as to leave me wholly without the power of expressing the strength of the sentiments by which I am oppressed.

The Testimonial of my connexion with this ancient, loyal, and most interesting dependency of the British Crown, I should unhesitatingly but most gratefully have declined under the present circumstances of the Colony, had the tender of it not been pressed upon me in language so earnest and so affectionate as to render the performance of what I feel would have been an ungracious task, utterly impossible—Your wishes on this subject shall therefore be made known to my Sovereign, by whom I cannot doubt that this affectionate Address will be received as an affecting proof that the kind and warm hearts of Her Majesty's Newfoundland subjects feel grateful even for the desire, when earnestly and unequivocally manifested to promote their happiness and interest, and beyond this I feel that I possess few claims upon them—but to *that* I do lay claim.

Gentlemen, You have been pleased to allude to my family—for them, one and all, I also claim a full participation in those sentiments by which they know me to be animated, and in their name, therefore, I most warmly thank you for your kind notice of them on this most interesting occasion.

Having thus endeavoured to express my sense of all the kindness which I have experienced since I have been among you, it is a relief to my heart to add that the moment for saying adieu has not yet arrived, as I hope to be among you for yet some weeks.

I pray God to bless you and to prosper this afflicted, but scarcely depressed Colony.

J. HARVEY.

Government-House. }
July 9, 1846. }

Then the House adjourned until to-morrow at 12 o'Clock.

FRIDAY, JULY 10, 1846.

Message from the Governor in reference to Address of yesterday.

The Hon. Mr. MORRIS 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 the Hon. Mr. Speaker, (all the members being uncovered) and is as follows:—

MESSAGE.

J. HARVEY.

Requesting assent of House to appropriation of £400 in small loans to housekeepers—and £100 for a Town Clock.

With reference to the address of the General Assembly presented to the Governor yesterday, and including a vote of £500 in order to enable the House to bestow upon him some such testimonial as may serve to recal to him the memory of his connexion with Newloundland, the Governor desires to acquaint the House that having given his consideration to the description of testimonial which would be most acceptable to his own feelings—be exceedingly agreeable to those of Lady Harvey, to whom the House has so kindly referred, and at the same time, as he trusts, best carry out the object of the House under the actual circumstances of the Colony, and be in accordance with observations contained in his speech at the opening of the present session—would be that £400 of this sum should be appropriated to the formation of a fund to be loaned, under regulations to be framed by the Governor, in small sums, to housekeepers in St. John's of small means, who have been severe sufferers in their comforts from the effects of the late fire; and that the remaining sum of £100 should be applied to the purchase of a Town Clock to be placed in some conspicuous position in the centre of the City.

The assent of the House to this suggestion would enable the Governor to fulfil his promise of bringing the wishes of the House [as expressed in their Address of yesterday] to the knowledge of our Gracious Sovereign in a manner most grateful to his own feelings, and he ventures to believe most gratifying to Her Majesty as respects the conduct of the House upon this occasion.

Government-House. }
July 10, 1846. }

J. HARVEY,

On Table.

Ordered,--That the said Message do lie upon the Table.

Notice of considering it to-morrow.

The Hon. Mr. MORRIS gave notice that to-morrow he would move that the said Message be taken into consideration in Committee of the whole House.

Committee of whole on disqualification of Voters prevention Bill.

Pursuant to order, the House resolved itself into a Committee of the whole House on the consideration of the Bill to prevent the disqualification of persons entitled to vote at Elections, or be Candidates to serve in the General Assembly for the district of St. John's, by reason of the late Fire.

The Hon. Mr. SPEAKER left the chair.

Mr. PRENDERGAST took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

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

Bill Reported with amendments.

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

Ordered,—That the said Bill as amended be engrossed, and read a third time on Tuesday next.

Engrossed.

Ordered,—That the Bill as amended be printed for the use of Members of this House.

Printed.

On motion of the Hon. Mr. MORRIS, seconded by the Hon. Mr. O'BRIEN,

Committee of whole on services of Military at and since the late fire.

Resolved,—That the House do now resolve itself into a Committee of the whole House for the purpose of taking into consideration the meritorious conduct of the Military, at and since the calamitous fire of June 9th.

The Hon. Mr. SPEAKER left the Chair.

The Hon. Mr. Row took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had considered of the business to them referred, and had agreed to certain Resolutions therein which they had directed him to report to the House, and he delivered the said Resolutions in at the Clerk's Table, where they were read, and are as follows:—

Reports Resolutions of Thanks and Donation

Resolved,—That the thanks of this House are due and hereby given to His Excellency the Major General Commanding the Forces in this Island, for the valuable and important services rendered by His Excellency to the inhabitants of St. John's, upon the occasion of the recent fire in that town.

Resolutions read.

Resolved,—That Lieutenant Colonel Law, K. H., Commanding the Royal Newfoundland Companies, Major Robe, Commanding Royal Engineers, Major Wright, Commanding Royal Artillery, Captain Dacres, Royal Artillery, and the Officers and Men of the Royal Artillery, Royal Engineers, and Royal Newfoundland Companies, are entitled to the marked thanks of this House for the great and persevering exertions bestowed by them on the occasion of the late fire, to resist its ravages, or stay its extent, and for the devoted zeal they have since manifested in promoting the comfort of the houseless and preserving the property of all.

Resolved,—That an Address be presented to His Excellency the Governor, praying that he will communicate the sentiments expressed in the foregoing Resolution to the Officers and Men therein named; and praying also that His Excellency will appropriate the sum of £60 towards compensating them for any loss or damage they may have sustained from the fire, in rendering to the inhabitants of St. John's services so important as those above mentioned.

Adopted. And the said Resolutions having been read throughout, were, upon the question put thereon, adopted by the House.

Address in pursuance of Resolutions. Mr. NUGENT presented to the House the draft of an Address to His Excellency the Governor in compliance with the last of the foregoing Resolutions, which draft he read in his place, and afterwards delivered it in at the Clerk's Table, where it was again read, and is as follows:—

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

Address read, The House of Assembly beg leave to transmit to Your Excellency a copy of certain Resolutions adopted by the Assembly, expressive of their high sense of the services rendered by Your Excellency and by the Officers and Troops comprising the Garrison of St. John's, on the occasion of the late calamitous fire, and since then in the protection of property and the promotion of the comfort of the houseless and destitute; and conveying to Your Excellency and the Officers, Non-Commissioned Officers, and Private Soldiers, under Your Excellency's command the well merited thanks of the House for these valuable and important services.

The House of Assembly respectfully request that Your Excellency will be pleased to communicate the sentiments expressed in the second Resolution to the Officers and Men therein named, and that Your Excellency will also be pleased to cause the sum of £60 sterling to be appropriated towards compensating them for any loss or damage they may have sustained in their exertions to stay the ravages of the fire.

and adopted. *Resolved,*—That the said Address be adopted and engrossed.

Committee to present. *Ordered,*—That the Hon. Mr. ATTORNEY GENERAL, Hon. Mr. O'BRIEN, and Mr. NUGENT, be a Committee to present the same to His Excellency.

Then the House adjourned until Tuesday next, at 12 o'Clock.

TUESDAY, JULY 14, 1846.

Report of presentation of Address of Thanks to the Military. The Hon. Mr. ATTORNEY GENERAL, from the Committee to present to His Excellency the Address transmitting to him the Resolutions conveying the Thanks of the House to the Military for their exertions at and since the late

fire, reported that they had presented the said Address to His Excellency with which His Excellency was pleased to express his great gratification, and promised to communicate the Resolutions to the Officers and Men therein mentioned, and otherwise to comply with the request of the House.

The Hon. Mr. ROBINSON, from the Committee to present to His Excellency the Address in reply to His Excellency's Message of the 7th instant, transmitting to the House copy of the Letter from the Governor of Nova Scotia, reported that the Committee had presented the Address to His Excellency who was pleased to say he would transmit the same to the Right Honourable Lord Falkland the Governor of Nova Scotia.

Report of presentation of Address on subject of despatch from Lord Falkland.

The order of the day for the third reading of the Bill to prevent the disqualification of Voters, &c., for the District of St. John's, by reason of the late fire being read,

Order of day read—for third reading of Voters disqualification prevention Bill.

On motion of Mr. NUGENT, seconded by the Hon. Mr. O'BRIEN,

Resolved,—That the said Bill be now re-committed to a Committee of the whole House.

Bill re-committed.

And the House resolved itself into a Committee of the whole House on the further consideration of the said Bill accordingly,

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

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

Reported with amendments.

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

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

Engrossed.

On motion of the Hon. Mr. MORRIS, pursuant to notice, and seconded by Mr. NUGENT,

Resolved,—That the House do now resolve itself into a Committee of the whole House on the consideration of His Excellency's Message, transmitted to the House on the 10th inst., in reference to the appropriation of the sum of £500 voted as a testimony to His Excellency.

Committee of whole on Governor's Message as to appropriation of £500 testimonial.

And the House resolved itself into the said Committee accordingly.

The Hon. Mr. SPEAKER left the chair.

Mr. DILLON took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they considered of the matter to them referred, and had agreed to the following Resolution, viz :

Resolved,—That it is the opinion of this Committee that the following Address be presented to His Excellency the Governor:—

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly have taken into consideration Your Excellency's Message of the Tenth instant, relative to the description of testimonial that would prove most acceptable to the feelings of Lady Harvey and yourself, and serve to recal the memory of Your Excellency's Governmental connection with this country, and they gratefully acknowledge the kind disposition which has suggested the appropriation of the sum of Four Hundred Pounds towards establishing a small Loan Fund to relieve housekeepers of St. John's of small means who have been sufferers in their comforts by the late fire.

And the said Reslution and Address having been read throughout,

Resolved,—That the same be adopted by the House.

Ordered,—That the said Address be engrossed, and that Mr. NUGENT and the Hon. Mr. MORRIS, be a Committee to present the same to His Excellency.

The Hon. Mr. MORRIS 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 the Hon. Mr. SPEAKER [all the Members being uncovered] and is as follows:—

MESSAGE.

J. HARVEY.

The Governor lays before the General Assembly a petition which has been presented to him by the Rector, Churchwardens, and Vestry of St. John's, praying for a grant for the purpose of renewing the fence of the Public Cemetery of St. John's, destroyed in consequence of the late fire, and recommends the subject to the attention of the House as one of urgent necessity.

Government-House, }
July 14, 1846. }

J. H.

Address reported,

and read, assenting to proposition of the Governor.

Address adopted.

Committee to present.

Message from the Governor transmitting Petition of Rector, &c. of St. John's Church for a Grant to re-build fence round Public Cemetery.

The petition accompanying the said Message was read by the Clerk, setting forth the destruction of the Fences surrounding the Churchyard of St. John's Church by the fire of the 9th June. That in consequence thereof, and the unprotected state of the Graveyard, scenes repulsive to decency and humanity have occurred. That the troops of starving dogs infesting the town have become dangerous as well to the living as to the dead, and have commenced desecrating the tombs, and may be seen gnawing the bones of those who have been buried in the said Churchyard. Pigs and Goats infest it in great number, and the grave-stones and monuments of the deceased are daily violated. That considering the said Graveyard is a public cemetery open to every denomination of Christians in this colony—that the fences were pulled down for the purpose of arresting the progress of the flames, and for other reasons set forth in the said petition, the Petitioners pray that an appropriation may be made out of the public funds of the colony for the erection of a suitable Fence around the said public cemetery.

Petition read.

Ordered,—That the said Message and Petition do lie upon the table.

On Table.

The Hon. Mr. MORRIS gave notice for to-morrow of an Address to His Excellency the Governor praying that he will order a new fence to be erected by contract round the Public Cemetery mentioned in the foregoing Message and Petition.

Notice of Address to Governor thereon.

Mr. CARTER reported from the Select Committee to enquire into and report upon Expiring Laws, and he presented to the House a Bill to continue an Act passed in the Third year of the Reign of Her present Majesty, entitled "An Act to establish the fees and costs chargeable in the several Police Offices and Courts of Session in this Colony.

Report from Select Committee on Expiring Laws. Continuing Bills read 1st time. To continue Sessions Court Fees Act.

Also a Bill to continue an Act made in the Third Year of Her Majesty's Reign, entitled "An Act to amend the several Laws now in force respecting Light Houses, and to make further provisions for the said Light Houses, and to consolidate the Laws respecting the same.

To continue Light Houses Act.

Also a Bill to continue the Act for the encouragement of the Whale Fishery.

To continue Whale Fishery Bounty Act.

And the said Bills were severally read a first time.

Ordered,—That the said Bills be read a second time to-morrow.

The Hon. Mr. ROBINSON, by command of His Excellency the Governor, presented to the House copy of a communication from the Commandant of the Island of Saint Pierre and Miquelon; and the same was read by the Clerk and is as follows:—

Despatch from Commandant of St. Pierre and Miquelon, as to rescue of French Fishermen by George Lake and others.

ST. PIERRE, April 19, 1846.

SIR,—The moment the Navigation re-opens I am happy to renew our communications, interrupted by the winter, to bring the attention of Your Excellency to an heroic act accomplished by six English sailors towards two inhabitants of St. Pierre, in danger of losing their lives in the ice.

I have nothing more to add to the details of this act, worthy of the greatest praise—details which are in the document hereunto annexed, and which has been attested by the men in whose favor it has been executed. But I hope Your Excellency will learn with pleasure that in bringing this affair under the notice of the Minister of Marine of the Colonies I have earnestly solicited that a Silver Medal of Honor be given to Mr. George Lake, and that a pecuniary remuneration be made to the brave sailors who followed and seconded him in his noble undertaking.

Such acts, especially among neighbouring people, and between whom there exists an almost daily intercourse, cannot be too much encouraged, nor recompensed with too much promptitude; and I rest assured that the French Government cannot hesitate to do justice to my reasonable request. If Your Excellency thinks that the expression of your personal satisfaction can be added in this matter to that of my Government, I beg that Your Excellency will not refuse it to these courageous sailors, whom I take the liberty of recommending to you, especially Mr. George Lake, who conceived and so fortunately conducted the enterprise.

I am, Sir, &c.

(Signed,)

DE LECLEUX.

*The Commandant of the Islands of
St. Pierre and Miquelon.*

To His Excellency the Governor of Newfoundland.

The Document accompanying the said communication was read by the Clerk, for which,

(See Appendix.)

Ordered,—That the said Letter and Document do lie on the Table.

The Hon. Mr. ROBINSON gave notice that to-morrow he should move the adoption of an Address to His Excellency the Governor on the subject of the said Documents, and for a pecuniary donation to the men therein mentioned.

The Hon. Mr. MORRIS gave notice that to-morrow he should move an Address to His Excellency the Governor, praying for a return of the number of houses and buildings destroyed by the late fire, with the names of the sufferers and other particulars.

Then the House adjourned until Thursday next, at 12 o'Clock.

THURSDAY, JULY 16, 1846.

Pursuant to order, an engrossed Bill to prevent the disqualification of persons entitled to vote at Elections or to serve in the General Assembly for the District of St. John's, was read a third time.

Notice of motion for Address thereon.

Notice of Address for return of sufferers by the late fire.

Bill to prevent disqualification of Voters read a 3rd time.

On motion of the Hon. Mr. O'BRIEN, seconded by Mr. NUGENT,

Resolved,—That the said Bill do pass, and that the Title be “An Act to prevent the disqualification of persons entitled to vote at Elections or to serve in the General Assembly for the District of St. John’s.” and passed,
Title.

Pursuant to order, a Bill to continue the Act for establishing Fees and Costs chargeable in the several Police Offices, and Courts of Session in this Island was read a second time. Bill to continue Session
Court Fees Act read 2nd
time,

On motion of Mr. CARTER, seconded by the Hon. Mr. THOMAS,

Ordered,—That the said Bill be committed to a Committee of the whole House to-morrow. and committed.

Pursuant to order, a Bill to continue the Act to amend and consolidate the Laws respecting Light Houses, was read a second time. Bill to continue Light
House Acts read 2nd time,

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

Ordered,—That the said Bill be committed to a Committee of the whole House to-morrow. and committed.

Pursuant to order, a Bill to continue the Act for the encouragement of the Whale Fishery was read a second time. Bill to continue Whale
Fishery bounty read 2nd
time,

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

Ordered,—That the said Bill be committed to a Committee of the whole House to-morrow. and committed.

On motion of the Hon. Mr. MORRIS, seconded by the Hon. Mr. O'BRIEN,

Resolved,—That the House do now resolve itself into a Committee of the whole House on the consideration of the subject of procuring a correct return of the number of houses and buildings destroyed, with the names of the sufferers and other particulars. House in Committee on
Address for returns of suf-
ferers by the Fire.

And the House resolved itself into the said Committee accordingly.

The Hon. Mr. SPEAKER left the chair.

Mr. SIMON MORRIS took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had considered of the matter to them referred, and were of opinion that the following Address should be presented to His Excellency the Governor, viz:— Report,

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

Address thereon.

The House of Assembly respectfully request that Your Excellency will be pleased to direct the Police Magistrates, or such other persons as Your Excellency may think fit to appoint, to cause an accurate register to be made of the various houses and buildings destroyed by the late fire in the several streets and lanes of St. Johns, with a return of the number of families, and so far as may be practicable, the names of individuals who occupied the same, together with a classification of their respective professions, trades and employments.— And further that the persons appointed to make such register and return shall be authorized to ascertain, as nearly as may be, a correct statement of the losses sustained by them respectively.

Resolved,—That this House concur with the Committee in the said Address.

Adopted.

Committee to present.

Ordered,—That the said Address be engrossed, and that Mr. NUGENT, and the Hon. Mr. O'BRIEN, be a Committee to present the same to His Excellency the Governor.

Address to the Governor in reply to Message with Document from Commandant of Miquelon and St. Pierre.

On motion of the Hon. Mr. ROBINSON, pursuant to notice, and seconded by the Hon. Mr. O'BRIEN,

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

To His Excellency Major General Sir John Harvey, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,—

With reference to the Despatch of His Excellency the Commandant of the Island of St. Pierre and Miquelon, with its enclosures transmitted to this House by Your Excellency on the 14th instant, the House of Assembly beg leave to acquaint Your Excellency, that they appreciate the heroic and benevolent conduct of Mr. George Lake and the other five intrepid fishermen of Fortune, who risked their lives in saving those of two French Fishermen from the ice in March last, and as a mark of the sense the House entertain of such

conduct, they will appropriate the sum of Ten pounds to Mr. George Lake who planned and aided in performing the above gallant deed,—and of Five Pounds for each of the five brave men who accompanied him on that occasion; and the House request that Your Excellency will be pleased to communicate the same to the said parties, and also to the Commandant of St. Pierre and Miquelon.

Ordered,—That the said Address be engrossed, and the Hon. Mr. ROBINSON, and the Hon. Mr. O'BRIEN, be a Committee to present the same to His Excellency the Governor.

Engrossed.
Committee to present.

The Hon. Mr. MORRIS 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 the Hon. Mr. SPEAKER (all the members being uncovered) and is as follows:—

Message from the Governor.

MESSAGE.

J. HARVEY.

The Governor transmits to the General Assembly the Report (accompanied by a plan) of the Commissioners appointed by him to carry into effect the Resolutions of the House in reference to the reconstruction of the burnt portion of this city, which he has caused to be printed for the greater convenience of the House, and to enable it to proceed more expeditiously with such Legislative action as it may deem fit to adopt on the subject.

Transmitting Plan and Report of Commissioners to lay out the Streets and Firebreaks.

J. H.

Government-House, }
July 16, 1846. }

The Report accompanying the said Message was read by the Clerk, and is as follows:—

Report read.

REPORT OF THE COMMISSIONERS APPOINTED BY HIS EXCELLENCY THE GOVERNOR TO SURVEY AND LAY OUT THE TOWN OF ST. JOHN'S, PREPARATORY TO ITS BEING REBUILT.

Immediately after receiving their appointment, the Commissioners proceeded to the discharge of the important duties required by the Resolutions of the House of Assembly, and in the Instructions received from Your Excellency; and they have, since then, given their unremitting attention to the accomplishment of them; and in order that their report may be completed with as little delay as possible, the Commissioners have, without preparing any extensive sections, so far satisfied themselves of the different levels in various parts of the Town, as to enable them to proceed with their work.

Surveys have been unnecessary, as the plan prepared by the Surveyor General has afforded them nearly all the data of that description which they have found requisite.

The Commissioners entirely concur in the suggestion of Your Excellency as to the advantages which would be the result of "throwing the now open

Report.

space North of Church-hill which surrounded the late Protestant Church and its burial ground into a square ;” and they have accordingly marked off on the ground, and shown in the plan, an improvement of that description, which the Commissioners are satisfied will at once be an ornament and a means of safety to the Town. The other subjects adverted to by Your Excellency, have not been lost sight of by the Commissioners, and they have accordingly laid out such new Streets, and suggested the closing of others, as in their opinion the convenience of the public required. The whole of the alterations submitted by the Commissioners, they have accurately laid down on the plan to which they have before adverted, and which is herewith forwarded to Your Excellency. The details connected with such alterations the Commissioners will now proceed more particularly to describe under their various heads.

WATER-STREET.

The following description and distances will give the South side line of Water Street.

Commencing at Station No. 1, at Magotty Cove, at the North-Eastern corner of Brine’s foundation wall, and running in the line of said wall to station No. 2, a distance of about 215 feet ;—thence to station No. 3, a point opposite the East end of Mrs. Woodley’s house, and 80 feet Eastward of the lane leading from Water to Duckworth Street, near Fort William, distance about 340 feet ;—thence to station No. 4, a point opposite Messrs. Robinson, Brooking and Co’s. premises, distance about 440 feet ;—thence to Station No. 5 a point cuts off 12 feet of the Eastern gable of the Queen’s Store, Ordnance Wharf, and runs through to the North front of said store 30 feet from the East end, distance about 860 feet ;—thence to Station No. 6, a point that intersects a line parallel with and 12 feet North of the line of the Hon. P. Morris’s property, and directly opposite the Eastern side of Gambier Street, distance about 130 feet ;—thence following the aforesaid line parallel to the said Mr. Morris’s property, distance about 130 feet, to station No. 7, which point intersects a line drawn in the direction of the North front of Messrs. Hunters & Co’s. premises, and opposite the Eastern side of Holloway Street ;—thence in a direction and along the said front of Messrs. Hunters & Co’s. premises about 336 feet to station No. 8, which is at the North West angle of Messrs. Hunters & Co’s. premises and nearly opposite the Eastern side of McLarty’s Lane ;—thence to station No. 9, a point that takes off about 15 feet of the angle nearly opposite Messrs. W. & H. Thomas & Co’s, shop, and 70 feet from the North side of the street at this point, distance about 500 feet ;—thence to station No. 10, being the North Eastern angle of the situation of the wooden building lately standing to the Eastward of Messrs. Baine, Johnston & Co’s stone premises, distance about 535 feet ;—thence to station No. 11, in the direction of the North front line of Messrs. Baine, Johnston & Co’s buildings to the centre of the passage leading to Flannery’s wharf, distance about 190 feet ;—thence in a straight line cutting about the middle of the Eastern end of McBride & Kerr’s building, and 70 feet from the buildings on the North side, and running out at the angle formed in that block of stone and brick buildings between McBride & Kerr’s and Grace’s corners, to station No. 12, at a point near Matthew Stewart’s, distance about 446 feet ;—thence along said block of stone and brick buildings to Grace’s corner, and across the Cove to station No. 13, being a

point at the North Eastern boundary of the premises lately occupied by Messrs. E. & N. Stabb & Co., and 70 feet South of the North side of Water Street at this point, distance about 257 feet;—thence to station No. 14, in a line nearly parallel with the North side of Water Street, and 70 feet to the South, distance about 438 feet, to a point opposite the South West angle of Adelaide Street, and opposite Mrs. Ash's corner;—thence to station No. 15, being the North-West angle of Messrs. J. & W. Stewart's stone buildings, distance about 448 feet;—thence to station No. 16, being the North-Eastern angle of Messrs. Stuart & Rennie's stone premises, distance about 228 feet;—thence in the direction of the line of the said Stuart & Rennie's stone premises until it intersects a line drawn in the direction of a new stone foundation wall lately erected by Messrs. Newman & Co., distance about 610 feet, to station No. 17;—thence in a line with the said foundation wall of Messrs. Newman & Co., to the North-Eastern corner of a block of buildings belonging to the heirs of Damerall, distance about 360 feet, to station No. 18;—thence along the line of said buildings to station No. 19, being a point of the Northern opening of Job's Bridge, and 70 feet South of the buildings opposite thereto, distance about 652 feet;—thence to station No. 20, near the lane leading to the Gas-works, and 70 feet from the line of the North side of the street at this point;—thence to station No. 21, to the fence near the rear of the property belonging to the Misses Keating, and 70 feet from the North Line of the Street, distance about 663 feet.

Report

A parallel line drawn 70 feet North of the above described line, will consequently give the North line of the street.

DUCKWORTH STREET.

The following description and distances will give the North Side Line of Duckworth Street:—

Commencing at station No. 1, at the Western side of the Fire-break at Magotty Cove Bridge, and keeping the parallel of Mrs. Hill's house, 70 feet to the Northward, distance about 240 feet, to station No. 2, being a point opposite Brine's Lane, and 70 feet from the North-West angle of Brine's house; thence to station No. 3, a point nearly opposite to Reed's house, distance 245 feet;—thence to station No. 4, being the South-Eastern corner of the Ordnance Yard, distance about 379 feet; thence to a point on the Eastern boundary of St. John's Church-yard, and 70 feet North of the foundation walls of the Court house, distance 2422 feet; thence to station No. 6, being a point 70 feet North of the Western end of the Retaining Wall at McBride's Hill, distance about 795 feet; thence to station No. 7, a point in the lane leading to the Roman Catholic Chapel, and 70 feet to the Northward of the South side of Duckworth Street at this point, distance about 215 feet; thence to station No. 8, at a point near the North-east angle of the foundation of the Theatre, and 70 feet North of Mahon's Lane, and the South side of the Street at this point, distance 363 feet; thence to the South Eastern corner of Branscomb's house, to station No. 9, distance about 122 feet; thence to station No. 10, nearly in a line of the fronts of the houses on the old line, North side to a point opposite the centre, and 15 feet from the end of a lane leading to Flower Hill distance about 1215 feet; thence to station No. 11, a lane opposite

Report

Prince's Street, distance 226 feet, and 70 feet to the Northward of the North-west angle of Barter's house, lately occupied by Bates; thence about 320 feet to station No. 12, at the angle in the Western boundary of Fire-break No. 7, and 24 feet North of the South-east angle of the late Patrick Brazil's house, adjoining the bridge.

A parallel line drawn 70 feet South of the above described line, will give the South side line of Duckworth Street.

In the foregoing statement the Commissioners have regarded the Street last named as extending throughout the burnt district, and on the plan it is shaded to the width of 70 feet the whole of that distance. They have, however, supposed the general desire may be that where the two main streets diverge from each other to a much greater extent than 138 feet, it may then be deemed necessary that the space in which it should be compulsory to erect stone or brick buildings may be kept nearly within the limits prescribed in the Resolutions of the General Assembly. In addition therefore to having shewn the space of ground which would be occupied by Duckworth Street being continued to the extent of the burnt district West, they have also shewn by lines, dotted in lake and tinted yellow, the direction which they are of opinion that street may take after crossing the bridge North of Beck's Cove. The adoption of this line would have the effect of reducing the area in which parties may be compelled to build with unflammable materials, while, at the same time, the desired distance between the streets would be maintained. Should the suggestion here proposed be adopted, that part of the existing streets leading Westwardly from the site of the late Theatre may be termed a continuation of Gower Street instead of Duckworth Street as at present, and its direction and width would remain unaltered. Between the space tinted yellow and the South side of the old line of Duckworth Street would be a width in its narrowest part of about 60 feet and extending from its commencement to Waldegrave Street, while from the latter place West the width is so much increased as to admit of the introduction of a lane 18 feet wide, which would be in accordance with the Resolutions of the Assembly. The lane to which they thus advert is also tinted yellow in the plan.

Before closing this part of their report, the Commissioners would observe to Your Excellency that though it has been their endeavour to confine themselves strictly to the distances as laid down for their guidance in the Resolutions of the House, they have not being able, from the character of the ground, in all places to preserve the 138 feet between Water and Duckworth Streets. In some places, as will be seen on the plan, this distance has been unavoidably reduced, but, the Commissioners would hope, without materially affecting their general arrangement, as in no instance has that reduction exceeded 12 feet. The lane of 18 feet wide, as required by the Resolutions, is laid down in the plan mid-way between the two streets before named.

FIRE-BREAKS.

The following is the number, order, appellation and position of the different Fire-breaks, as laid down and recommended by the Commissioners.

No. 1.—*Quidi Vidi Fire-Break*

Takes its course from the Eastward of Brine's premises, over Dunscomb's Bridge, and following the line of the water-course between said bridge and

Quidi Vidi. It is proposed that a road, as shewn in the plan, in this fire-break, should unite Duckworth and Water streets, at the junction of the roads leading to Quidi Vidi, Signal-hill, and Chain-rock. Report.

No. 2.—Fort William Fire-break

Runs up from the Cove to the Eastward of Messrs. Robinson & Brooking's and the Hill of Chips, passes between the Ordnance Yard and Fort William, and runs along the King's Bridge road, terminating at the bridge.

No. 3.—King's Beach Fire-break

Runs up the King's Road, partly in the direction of the Natives' Hall, to a point above Gower-street, where it branches off to the right in the direction of Government-House; thence to the left in a line nearly at right angles with the front of the proposed Colonial Building, continuing its course to the Eastward thereof, and terminating on the Circular Road.

No. 4.—Church Hill Fire-break

Passes over Church Hill, through St. John's Burial Ground and up Garrison Hill, and along the road to Long Pond to the Northern boundary of the town. N.B.—In laying out this fire-break, the line diverges to the Eastward from the Cove, so as to give the same front as rear to the intended site of the Market-house.

No. 5.—Beck's Cove Fire-break

Commences at Beck's Cove and runs in a Northerly direction, passing to the Eastward of the residence of P. W. Carter, Esq., and to the Westward of the Convent, and running thence in a straight line to the Newton road, and following the course of the same to the Northern boundary of the town.

No. 6.—Queen Street Fire-break.

The Eastern line of this fire-break commences on the western side of the premises of Messrs. J. & W. Stewart, and thence proceeds up the Eastern side of Queen-street and Barter's Hill to the turning to Flower Hill; thence in a straight line to the southern corner of the fence between Messrs. Ryan and Barnard, and continues in the same direction to the Northern boundary of the town.

No. 7.—Flower Hill Fire-break

Commences near the western side of Messrs. Newman's property, thence passing immediately to the westward of Jonas Barter's house, and thence passing over Flower Hill in a northerly direction through the point of junction of three roads leading to Freshwater, and thence to the Northern boundary of the town.

Report.

No. 8.—Gas Works Fire-break.

The Eastern side of this fire-break commences at a point 100 feet East of the gate at the Gas-works, and runs in a Northerly direction to the boundary of the town, where it crosses the South side of Pennywell road.

No. 9.—River Head Fire-break.

The Western side of this fire-break commences at a lane opposite Mr. Stevens's gate, runs northerly tangent to the western angle of the Misses Keating's property to a point on the South side of the road opposite Wm. LeMessurier's property, and 466 feet Westward of the bridge over Monday's Pond Brook.

No. 10.—Vauxhall Fire-break.

The Western side of this fire-break commences at the river falling into the harbour of St. John's, at the west side of the lane at the extreme boundary of Vauxhall property, and runs to the Northern boundary of the town in a parallel direction to River-head fire-break.

The Commissioners would here observe, that they have found it impossible, from the nature of the ground, to lay out the fire-breaks so as to make the whole useful as roads on which vehicles may easily travel; but as far as that object could be attained, the Commissioners have endeavoured to effect it.

To the foregoing the Commissions would venture to offer the suggestion, as to whether it may not be generally considered more desirable that instead of continuing the whole of the breaks of the full width of 100 feet from the South side of Water-street to the waterside, such breaks may not, with one exception, be reduced to 60 feet, provided that parties occupying the ground on each of the breaks respectively should support the roofs of their buildings with iron rafters. The Commissioners offer this suggestion in consequence of the great value of waterside premises, and of the extent of that description of property which so many breaks of the full width would materially reduce. The exception the Commissioners advert to is the Church Hill fire-break.

SQUARE NEAR CHURCH HILL.

To this square the Commissioners have before adverted, and they would now proceed to describe to Your Excellency the manner in which it may be formed. On the North it would be bounded by Gower-street—on the East by a road 40 feet wide, extending from the street last named to the new line of Duckworth-street which would form its Southern boundary; its Western would be a road of 50 feet wide, reaching from Duckworth to Gower street. The road on this side the square would form part of a line of easy communication, which, commencing in Water-street, may proceed up McBride's Hill, and pass along it to the Queen's Road.

From this description, and on reference to the plan, it will be seen that the existing road running West of St. John's Church will be closed.

This square may be readily entered from Water-street through Mrs. M'Calman's lane, which the Commissioners would recommend should be widened to 25 feet on its Eastern side. The square above described the Commissioners would, with Your Excellency's permission, name "Harvey Square." Report,

LEVELLING.

The Commissioners are not prepared at present to suggest any great alteration in the surface of the streets; the only place where they would now recommend a cutting of any extent is on the rising ground in Duckworth-street, south of the Roman Catholic Church. The crest of this hill, they are of opinion, may with advantage be lowered 10 feet, and sloped off to nothing on either side; but the levelling generally, the Commissioners think, is a subject which had better be considered after the direction of the different streets shall have been determined.

THE LOW WATER MARK LINE

The Commissioners have laid down in the best manner they could, but it was not easy in all points to determine its course with that accuracy they could have desired. As shown on the plan, however, this line will be found of great service in finally deciding on the south side line of Water Street.

The establishment of Fort-William Firebreak, which will embrace a road communicating between Duckworth and Water-Streets, renders the Hill of Chips road unnecessary, and which is therefore crossed out on the plan, together with several narrow lanes. The direction of Waldegrave Street the Commissioners would recommend to be changed, and made to correspond with the space marked off on the plan near it, and shaded in lake. The Commissioners would also suggest an alteration in Prescott Street, and which they would recommend after a careful inspection of the ground. The deviation they advert to is in like manner shown in lake upon the plan.

The Commissioners cannot conclude without assuring Your Excellency, that although it has been their earnest desire to accomplish the work assigned them with as much expedition as the nature of the duties would admit, they have only been able now to lay their report before Your Excellency, after having given to the subject their most unremitting and unwearied attention.

J. NOAD,
Surveyor General.

A. W. ROBE,
*Major, Commanding
Royal Engineers.*

S. G. ARCHIBALD.

St. John's, Newfoundland, }
15th July, 1846. }

Ordered,—That the said Report and Plan do lie upon the Table.

On Table,

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

To be published.

Ordered,—That the said Report be published in the different Newspapers of the Town.

Address to Governor in reply to Message relative to Cemetery and for erection of fence round same.

On motion of the Hon. Mr. MORRIS, pursuant to notice, and seconded by the Hon. Mr. THOMAS,

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

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly having had under their consideration Your Excellency's Message of the Fourteenth instant upon the subject of the present state of the public Cemetery in St. John's, beg respectfully to acquaint Your Excellency that they are of opinion that the prayer of the petition of the Rector and Churchwardens of St. John's Church, accompanying Your Excellency's Message should be complied with, and they therefore request that Your Excellency will be pleased to appropriate towards the erection of a fence round the said Cemetery, such a sum from the funds of the colony as may be necessary for that purpose.

Engrossed.

Committee to present.

Ordered,—That the said Address be engrossed, and that the Hon. Mr. MORRIS, and the Hon. Mr. THOMAS, be a Committee to present the same to His Excellency,

Then the House adjourned until Monday next at 12 o'clock,

MONDAY, JULY 20, 1846.

Report of Committee to present Address relative to Documents from St. Pierre and Miquelon.

The Hon. Mr. ROBINSON, from the Committee to present to His Excellency the Address on the subject of the Despatch from the Commandant of St. Pierre and Miquelon, reported that the Committee had presented the said Address, and that His Excellency in reply was pleased to say he would comply with the same.

Pursuant to order the House resolved itself into a Committee of the whole House on the consideration of the Bill to continue the Act for amending and consolidating the Laws respecting Light Houses.

House in Committee on Bill to continue Light House Acts.

The Hon. Mr. SPEAKER left the chair.

Mr. GLEN took the chair of the Committee.

The Hon. 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.

Bill reported without amendment.

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

Pursuant to order, the House resolved itself into a Committee of the whole House on the consideration of the Bill to continue the Act for establishing the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony.

House in Committee on Bill to continue Session Court Fees Act.

The Hon. Mr. SPEAKER left the Chair.

Mr. NUGENT took the Chair of the Committee.

The Hon. 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.

Bill reported without Amendment.

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

Pursuant to order, the House resolved itself a Committee of the whole House on the consideration of the Bill to continue the Act for the encouragement of the Whale Fishery.

House in Committee of whole on Whale Fishery Bill.

The Hon. Mr. SPEAKER left the Chair.

The Hon. Mr. SOLICITOR GENERAL took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

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

Bill reported with amendments.

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

Adopted.

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

Notice to consider in Committee the Report relative to the Streets.

The Hon. Mr. SOLICITOR GENERAL gave notice that to-morrow he would move that the House resolve itself into a Committee of the whole House on the consideration of the Report of the Commissioners to survey and lay out the streets of the Town of St. John's.

Report of Committee to present Address for returns of sufferers by the Fire.

The Hon. Mr. O'BRIEN, from the Committee appointed to present to His Excellency the Governor the Address of the House praying for a return of Houses destroyed by the Fire, &c. reported that the Committee had presented the said Address to His Excellency, and that in reply thereto His Excellency was pleased to say he would cause the necessary steps for complying with the wishes of the House to be immediately taken.

Then the House adjourned until to-morrow at 12 o'Clock.

TUESDAY, JULY 21, 1846.

Bill to continue Light House Acts read a third time,

Pursuant to Order, an engrossed Bill to continue the Act for amending and consolidating the Laws respecting Light Houses was read a third time.

and passed.
Title.

On motion of Mr. CARTER, seconded by the Hon. Mr. SOLICITOR GENERAL,

Resolved—That the said Bill do pass, and that the Title be “an Act to continue an Act made in the Third year of the Reign of Her present Majesty, entitled an Act to amend several Acts now in force respecting Light Houses, and to make further provision for the said Light Houses, and to consolidate the Laws respecting the same.”

Bill to continue Sessions Court Fees Act read a 3rd time,

Pursuant to Order, an engrossed Bill to continue the Act establishing the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Island, was read a third time.

and passed.
Title.

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

Resolved,—That the said Bill do pass, and that the title be “An Act to continue an Act passed in the Sixth year of Her Majesty's Reign, entitled “An Act to revive and amend an Act passed in the third year of the Reign of Her present Majesty entitled an Act to establish the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony.”

Bill to continue Whale Fishery Bounty Act read third time,

Pursuant to Order, an engrossed Bill to continue the act for the encouragement of the Whale Fishery was read a third time.

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

Resolved,—That the said Bill do pass, and that the title be An Act to continue An Act passed in the Eighth year of the Reign of Her present Majesty, entitled “an Act to amend and continue an Act passed in the Sixth year of Her Majesty’s Reign entitled “an Act to provide for the encouragement of the Whale Fishery.”

and passed.
Title.

The Hon. Mr. MORRIS acquainted the House that he had two Messages from His Excellency the Governor, signed by His Excellency, and he presented the same to the House; and the said Messages were read by Mr. SPEAKER (all the Members being uncovered) and are as follow:—

Message from the Governor transmitting Letters from Commanding Officers of the Royal Artillery and Engineers, and of the Royal Newfoundland Companies, in reply to the Vote of Thanks.

MESSAGE.

J. HARVEY.

The Governor lays before the General Assembly three letters from the Officers commanding the Royal Artillery, the Royal Engineers, and the Royal Newfoundland Companies respectively, expressing on their own parts and those of the Officers, Non-Commissioned Officers, and Soldiers under their respective Commands, their high sense of the acknowledgment by the House of their services during the late Fire, as well as of its liberal donation to the Non-Commissioned Officers and Soldiers.

J. H.

Government-House, }
July 20, 1846. }

The Letters accompanying the said Message were read by the Clerk, for which,

Letters read.

(See Appendix.)

Ordered,—That the said Message and Letters do lie on the Table.

On Table

MESSAGE.

J. HARVEY.

His Excellency the Governor has great pleasure in transmitting to the General Assembly copy of a Despatch which His Excellency received by the last Packet from Her Majesty’s Government, on the subject of the late Fire.

Message from the Governor with Despatch from the Right Honourable W. E. Gladstone.

J. H.

Government-House, }
July 21, 1846. }

The Despatch accompanying the said Message was read by Mr. SPEAKER, and is as follows:—

No. 27.

DOWNING STREET, }
3rd July, 1846. }

SIR,—I have to acknowledge, with deep concern and consideration, your Despatch No. 38 in which you make known to me the awful conflagration with which it has seemed good to the Almighty that the town of St. John’s, Newfoundland, should be visited.

Despatch read.

I have addressed by the Mail of this day, a circular to the Governor and Lieutenant Governors of the other British North American Provinces, desiring them to render whatever assistance it may be in their power to give on this distressing occasion; an injunction which it was seemly for Her Majesty's Government to issue, but which I am sure is hardly necessary in order to secure their active interest in the measures of relief which it may be requisite to adopt.

Although the intelligence has reached England at a moment when Her Majesty's Advisers only hold the Seals of Office until their successors shall have been designated, and shall be prepared to receive them, yet I have not scrupled in conjunction with my colleagues to form the judgment that the character and urgency of the circumstances at the particular moment imposed upon us the duty to act decidedly so far as regards the affording immediate relief.

I am therefore to acquaint you that you are at liberty either to apply to the Officer in charge of the Commissariat on the Station, or to draw upon the Lords of the Treasury forthwith for a sum not exceeding Five Thousand Pounds to be applied under your authority and superintendance towards such purposes as may appear to you to be the most pressing in their demands, and to be duly accounted for.

After considering and conferring with gentlemen interested in the Colony, upon the question what description of relief would be most effective, I come to the conclusion that it ought to be given in the form of money, and that all necessary supplies could be better procured from sources other than the public stores of this country.

It will remain for the successors of the present administration to determine whether any and what further measures should be taken here in aid of the sufferers by this dreadful conflagration. They will approach the consideration of that question probably with full information, and certainly with full authority. We have been called upon to act in a manner unusual under the circumstances in which we stand, in consequence of the exigency of the moment; and our part therefore has been confined to affording on the part of this country a pledge of its sympathy, and a fund sufficient for the immediate support of the destitute.

I have, &c.

(Signed,)

W. E. GLADSTONE.

On Table.

Ordered,—That the said Message and Document do lie on the table.

Report of Committee to present Address relative to Testimonial.

Mr. NUGENT reported from the Committee to present to His Excellency the Governor the Address in reply to His Excellency's Message of the Tenth Instant relative to the vote of a sum of money as a testimonial to His Excellency, that the Committee had presented the said Address which His Excellency was pleased to receive very graciously.

On motion of the Hon. Mr. SOLICITOR GENERAL, seconded by Mr. CARTER,

House in Committee on Report and Plan for rebuilding the Town.

The House resolved itself into a Committee of the whole House on the consideration of the Report and Plan of the Commissioners appointed to survey and mark out the Streets of the Town of St. John's, laid before the House by order of His Excellency the Governor.

The Hon. Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee that they had considered of the matter to them referred, and had directed him to move for leave to sit again on the further consideration thereof.

Progress and leave.

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

The Hon. Mr. THOMAS gave notice that to-morrow he would move for leave to introduce a Bill to amend the Act for the incorporation of the St. John's Water Company.

Notice of Bill to amend Water Company Bill.

Then the House adjourned until to-morrow at 12 o'Clock.

WEDNESDAY, JULY 22nd, 1846.

Pursuant to Order, the House resolved itself into a Committee of the whole House on the further consideration of the Report and Plan of the commissioners for laying out the Streets and Fire-breaks of the Town of St. John's.

House in Committee on Plan for rebuilding the Town.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had considered of the matter to them referred, and had directed him to move for leave to sit again on the further consideration thereof.

Progress and leave.

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

The Hon. Mr. MORRIS 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 the Hon. Mr. SPEAKER (all the Members being uncovered) and is as follows:—

Message from the Governor with the Despatch on the subject of the abolition of Oaths.

MESSAGE.

J. HARVEY,

The Governor transmits to the General Assembly copy of Despatch from the Right Honourable the Secretary of State for the Colonies in reply to an Address from the General Assembly on the subject of the abolition of Oaths prescribed to be taken by persons appointed to Civil Offices in this Colony.

Government-House, }
22nd July, 1846. }

J. H.

The copy of Despatch accompanying the said Message is as follows :—

Downing-Street, }
23rd June, 1846. }

Despatch read.

SIR,—I have received your Despatch No. 24, of the 2d May, in which you enclose an Address to the Queen from the General Assembly of Newfoundland, praying that all the Oaths at present prescribed to be taken by persons appointed to Civil Offices in that Colony, except the Oaths of Allegiance and of Office, may be abolished. Having submitted this Address to the Queen, I have received Her Majesty's Command to acquaint you that in reference to the wishes of the General Assembly of Newfoundland, the Public Officers of that Colony will be relieved in future, by an alteration in the Royal Instructions, from the necessity of taking the Oaths to which objection is raised.

I have, &c.

Signed,

W. E. GLADSTONE.

The Governor, Major General Sir John Harvey, K. C. B., K. C. H.

On Table.

Ordered,—That the said Message and Document do lie on the Table.

Notice of Address for
making boundary lines of
Streets.

Mr. NUGENT gave notice that to-morrow he would move that an Address be presented to His Excellency the Governor, praying that he will cause the Boundary Lines of Water Street to be marked out.

Then the House adjourned until to-morrow at 12 o'Clock.

THURSDAY, JULY 23, 1846.

ON motion of NUGENT, pursuant to notice, and seconded by Mr. HANRAHAN,

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

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly having by a series of Resolutions passed in Committee of the whole House, copy of which is herewith transmitted to Your Excellency, determined the future South-side line of Water Street, respectfully request that Your Excellency will be pleased to order that whitened stakes be placed at the several points stated in the said Resolutions to distinguish the said line for public information, prior to the final settlement of the line of the said street.

Address moved praying that Streets may be marked off by whitened Stakes.

Ordered,—That the said Address be engrossed, and that Mr. NUGENT and Mr. HANRAHAN, be a Committee to present the same to His Excellency.

Engrossed, and Committee to present.

Pursuant to order, the House resolved itself into a Committee of the whole House on the further consideration of the Report and Plan of the Commissioners for laying out the Streets and Fire-breaks of the Town of St. John's.

Committee of whole on rebuilding of Town.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had considered of the matter to them referred, and had directed him to move for leave to sit again on the further consideration thereof.

Progress and leave

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

A petition of John Charles Nuttall and others, inhabitants of Harbour Grace, was presented by Mr. MUNN, (who stated in his place that he had obtained the consent of His Excellency the Governor for that purpose,) and the same was received and read, setting forth that in the year 1832, two thirds of the said Town with nearly every Mercantile Establishment was destroyed by Fire, and that in the year 1844, the remaining part of the Town was destroyed by Fire. That by these fires property amounting in value to nearly £200,000, was supposed to be destroyed, which petitioners consider to be proportionately as great as that which the Capital of this Island has recently sustained. That after 13 years the part consumed in 1832, has been nearly rebuilt by the unaided industry and perseverance of the inhabitants. That to prevent the recurrence of so appalling an event, petitioners think two or three cross streets or fire-breaks are absolutely necessary;—and praying that the House will take their case into consideration and grant a sum of money sufficient to carry out the object of petitioners.

Petition of J. C. Nuttall and others, Harbor Grace, relative to Cross Streets.

On Table.

Ordered,—That the said petition do lie on the Table.

Petition J. Boyd & others,
St. John's Streets.

A petition of John Boyd and others, inhabitants of St. John's, was presented by Mr. CARTER, and the same was received and read, setting forth that desirous of ensuring the safety and welfare of the said Town, as well as of doing justice to all classes of the Proprietors of Land in Duckworth Street, petitioners state that with regret they have heard it rumoured to be the intention of the House to permit future erections on the North side of Duckworth Street of combustible materials, whilst the Proprietors on the South side are compelled to erect buildings of an expensive character. Petitioners would feel little security when the North side is the connecting link to the buildings on the back and densely populated part of the Town, and are of opinion that the effect of such an enactment would be to materially advance the price of building ground on the North side, while from the large outlay on the South side the land must be depreciated to a nominal value or remain unbuilt on. That there are in several places on the North side of said Street patches of ground leased to persons who have erected Smiths' Forges, and from the inexpensive construction of the building, ground rent is no object to them, and that consequently no respectable tenant would occupy ground opposite at a full or remunerating rent;—and praying that for the sake of the safety of the Town—respectability of the said street, and justice to the people, both sides of said street may be built of Brick or Stone; otherwise that Wooden Buildings may be permitted to be erected on the South as well as the North side of the Street, the roofs on both sides however being of incombustible materials.

On Table.

Ordered,—That the said Petition do lie on the Table.

House adjourned for want
of a Quorum.

Several members having retired, and the names of these present being taken down as follows—The Hon. Mr. Speaker, Mr. Nugent, Mr. Munn, Mr. Prendergast, and Mr. Carter, at half-past four o'clock Mr. Speaker declared the House adjourned for want of a quorum.

FRIDAY, JULY 24, 1846.

Report of Committee to
present Address relative
to Lines of Streets.

Mr. NUGENT reported from the Committee to present to His Excellency the Address praying that the lines of Water Street may be marked off, that the Committee had presented the Address, and that in reply, His Excellency was pleased to say he would cause the request of the House to be complied with.

Committee of whole on
rebuilding of Town.

Pursuant to order, the House resolved itself into a Committee of the whole House on the further consideration of the Report and Plan of the Commissioners for laying out the Streets and Fire-breaks of the Town of St. John's.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had considered of the matter to them referred, and had directed him to move for leave to sit again on the further consideration thereof.

Progress and leave.

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

The Hon. Mr. THOMAS, pursuant to notice and leave granted, presented a Bill to amend the Act for the Incorporation of the St. John's Water Company, and the same was read a first time.

Bill to amend Water Company Incorporation Act read 1st time.

The Hon. Mr. THOMAS, seconded by Mr. HANRAHAN moved,

Motion for 2nd reading on Monday.

That the said Bill be read a second time on Monday next—Whereupon,

The Hon. Mr. ATTORNEY GENERAL, seconded by the Hon. Mr. O'BRIEN, moved in amendment—

That the second reading of the said Bill be postponed until after the second reading of the Bill for the rebuilding of the Town of St. John's which, being put, passed in the affirmative, and

Amendment that the Bill be postponed till after rebuilding Bill.

Ordered,—Accordingly.

Carried.

A Petition of John McLennan and others, inhabitants of St. John's, was presented by the Hon. Mr. THOMAS, and the same was received and read, setting forth that in the Bill before the House for the rebuilding of the said Town Petitioners have heard and understand there is a provision to compel parties to build with Brick or Stone on the North side of Duckworth Street. That the persons who held land on the North side of Duckworth Street are mostly of moderate means, and have all suffered severely by the late fire; and that if not permitted to re-build their houses of wood, their land will become useless to them;—and praying the House on consideration of the premises, not to pass any provision in the said Bill compelling parties building on the North side of Duckworth Street, to build only of Brick or Stone, but to allow them to re-build of Wood as under the present peculiar circumstances it would be impossible for them to build of any other material.

Petition of J. McLennan and others, St. John's Streets.

Ordered,—That the said petition do lie on the Table.

On Table.

Then the House adjourned until to-morrow at 12 o'Clock.

SATURDAY, JULY 25, 1846.

Notice of Address for additional Gas Lights.

MR. GLEN gave notice that on Monday next he would move an Address to His Excellency the Governor, praying that His Excellency will sanction the expenditure of One Hundred Pounds for defraying the expense of Lighting the Town of St. John's with an additional number of Gas Lights.

Committee of whole on rebuilding Bill.

Pursuant to order, the House resolved itself into a Committee of the whole House on the further consideration of the Report and Plan of the Commissioners for laying out the Streets and Fire-breaks of the Town of St. John's.

The Hon. Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

Progress and leave

The Chairman reported from the Committee that they had considered of the matter 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 on Monday next.

Then the House adjourned until Monday next at 12 o'Clock.

MONDAY, JULY 27, 1846.

Address moved for additional Gas Lights.

Mr. GLEN, seconded by Mr. NUGENT, moved pursuant to notice, that it be

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

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully request that Your Excellency will be pleased to permit the appropriation of a sum not exceeding £100 towards providing such additional Gas Lights in the Streets of St. John's, as may be

necessary to guard passengers from the danger of falling at night into any of the numerous pits and cellars which have been uncovered by the recent fire;—which being put, and the House dividing thereon, there appeared for the motion *five*; against it, *four*.

For the motion.

Against it.

The Hon. Mr. O'Brien.
 “ “ Mr. Solicitor General.
 Mr. Nugent.
 Mr. Glen.
 Mr. Dillon.

The Hon. Mr. Row.
 Mr. Carter.
 Mr. Hanrahan.
 Mr. Parsons.

Division thereon.

So it passed in the affirmative.

Carried.

Ordered,—That the said Address be engrossed, and that Mr. GLEN, and Mr. NUGENT, be a Committee to present the same to His Excellency the Governor.

Engrossed.
 Committee to present.

Pursuant to Order, the House resolved itself into a Committee of the whole House on the further consideration of the Report and Plan of the commissioners for laying out the Streets and Fire-breaks of the Town of St. John's,

House in Committee of whole on rebuilding Bill.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

The Chairman reported from the Committee that they had considered of the matter to them referred, and had directed him to move for leave to sit again on the further consideration thereof.

Progress and leave.

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

Then the House adjourned until to-morrow at 12 o'Clock.

TUESDAY, JULY 28, 1846.

THE Hon. Mr. MORRIS 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 the Hon. Mr. SPEAKER (all the members being uncovered) and is as follows:—

Message from the Governor transmitting suggestions as to expenditure of monies for relief of sufferers by the Fire.

MESSAGE.

J. HARVEY.

The Governor transmits to the General Assembly with a view to bring to its knowledge a memorandum containing some suggestions which have occurred to him as to the mode of disposing of the contributions, pecuniary and other, which have been and may be expected to be received from the neighbouring Colonies and other sources in aid of the relief of the sufferers by the late conflagration, and for the reconstruction of the burnt portion of the Town, in such a manner as to meet the benevolent intentions of the Donors.

J. H.

Government-House, }
July 28, 1846. }

The Document containing the suggestions accompanying the said Message was read by the Clerk, and is as follows:—

MINUTE.

I regard the present as a fitting occasion upon which to place on the records of Her Majesty's Council in this island some ideas which have presented themselves to my mind in connexion with the very important subject which is now engaging the attention of its Local Legislature in special session assembled.

I am of opinion—

1s.—That contributions of every kind for the relief of the sufferers by the late conflagration at St. John's should be viewed as public property, to be strictly accounted for to the whole community.

2nd.—That with this object, and as the mode of dealing with such contributions likely to be most satisfactory to the public, all remittances of money, by whomsoever or from whom or wheresoever received, should be paid into the office of the Assistant Commissary General, who has been authorised to receive and account for them, to be by him placed in the military chest and disbursed by him only under the warrant or by the order in writing of the Governor or Officer administering the government, counter-signed by the Secretary of the Colony (or his locum tenens), and that such warrants or orders should be made payable to the Treasurer of the Colony alone, by which Officer as well as by the Colonial Secretary a detailed account will be kept and laid weekly before the head of the Government, in order that the same may be by him published or otherwise dealt with as may appear to him, by and with the advice of Her Majesty's Council, likely to be most satisfactory to the Public and to the Local Legislature, to which the fullest statement of all receipts and disbursements should be promptly submitted upon every occasion of its being called together.

3rd.—That with reference to contributions other than pecuniary, their receipt, custody, &c. shall be vested in any Committee of Relief which may now exist or be hereafter formed, under the authority of the Governor in

Council, under whose superintendance and direction they shall be disposed of, upon recommendations laid before the Head of the Government by the Chairman of such Committee or Committees, all necessary charges for storage, cartage, custody, &c., of lumber or other bulky articles being defrayed by the Committee under the same authority. Suggestions read.

4th.—I now proceed to state my ideas as to the plan and principles by which the disposal of the pecuniary funds should be governed—and in order the more clearly to illustrate my views, I will assume that the aggregate of the donations from other colonies shall amount to £ This sum (and the principal of course is applicable to any other) I would divide into three parts—the first of these should not exceed £ and be devoted exclusively to the relief of destitution among the lower classes, embracing the whole period of that relief from its commencement on the day after the fire, for one complete twelve months—say to the 10th June 1847; thus carrying out the benevolent wishes and objects of the donors and rendering unnecessary or rather rendering available for other objects the colonial grant of £6000.

With a second portion, not exceeding £ and which is to be considered quite irrespective of the Building Loan Fund, I would form a "Loan Fund" for the especial object of affording relief by loans to distressed tradesmen and others of even higher position in society, to aid them in renewing their stock in trade, furniture, clothes and other such articles of comfort and necessity as they have heretofore enjoyed, but in sums not exceeding One Hundred Pounds; this fund to be administered by the Executive Government. Obligations to be taken for the loan and an account duly kept and rendered, but not published.

These loans or advances to bear a very low rate of interest, and the repayment of the principal in no case to be insisted on, so long as interest is paid or the known circumstances of the party preclude such payment.

5th.—The remainder, whatever its amount, to form a portion of the general fund in aid of the great object of re-building the town, and of compensating the owners of ground for land taken in widening the streets, fire-breaks, and for other improvements. Upon these data, together with the information which is now in process of being obtained through the Commissioners who have been appointed, as well for the purpose of estimating the total amount of loss of property which has been sustained by the fire, as that of the compensation which will have to be paid to owners of ground, we should be in a position to make a tolerably correct approximation as to the amount of the Loan which it may be expedient to raise in Europe, and which I am much inclined to think will scarcely exceed one-fifth of that originally spoken of, viz. £100,000 instead of £500,000. In a word, I am inclined to the opinion that every object connected as well with the relief of sufferers as the loans to reduced tradespersons, &c., compensation for ground, and advances (secured by mortgages on the houses themselves) in aid of the new structure of the town, may be effected with the sum of £100,000. Deducting, therefore, the amount, whatever it may be, of external benevolent contributions, the difference between that sum and £100,000 (if my estimate approach to anything like accuracy) will be the amount to be borrowed, and which therefore may not exceed £ and which may be still further reduced, as the revenues of the Colony itself may be able to afford assistance.

Of the sum to be borrowed [whatever its amount] that which may be loaned for building purposes will constitute no charge whatever on the Colonial Revenue, inasmuch as assuming it to be obtained at a moderate rate of interest and loaned, under perfect security, at the same rate, its punctual payment to the British creditor, be it the Government or individuals, will be abundantly guaranteed, independantly of that secured to them by the assignment of an ample portion of the Colonial Revenue.

In thus estimating the sum which may probably suffice for repairing all the ravages of the late fire, as far as the public is concerned, I am so far from intending to admit that the actual amount of property destroyed by that calamitous event has been exaggerated, that I am under a very strong impression that it will be found to have been much *under-rated* in all the statements emanating both from official and private sources which have been put forth. The reduced amount of assistance which I apprehend will be required in the re-construction of this city, and in rendering it second to none in British America in security and beauty, is founded upon my estimate of the wealth and resources of its *mercantile* establishments, which enable me to say of this city, as I said of its name-sake in the neighbouring Colony, under circumstances not dissimilar—"I regard it as possessing such a degree of elasticity, of *upward* tendency, arising out of local advantages of site, staple, enterprise, &c., as humanly speaking, to put it beyond the power of any calamity, however severe, wholly to repress."

J. H.

Executive Council Board,
St. John's, Newfoundland, 27th July, 1846. }

To be printed.

Ordered,—That the said Message and document be printed for the use of members of this House.

Committee of whole on
rebuilding of Town.

Pursuant to order, the House resolved itself into a Committee of the whole House on the further consideration of the Report and Plan of the Commissioners for laying out the Streets and Fire-breaks of the Town of St. John's.

The Hon. Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

Resolutions reported from
the Committee.

The Chairman reported from the Committee that they had considered of the matters to them referred, and had agreed to certain Resolutions thereupon which they had directed him to report to the House; and he read the Report in his place, and afterwards delivered it in at the Clerk's table where it was again read and is as follows:—

Resolved,—That it is the opinion of this Committee that the following be the widths and boundary lines of the respective streets and fire breaks of St. John's hereinafter mentioned, that is to say.

WATER STREET.

Resolutions reported.

- 1.—That the width of Water Street be Sixty feet.
- 2.—That the line as laid down by the Commissioners from station No. 1 to station No. 2 be adopted.
- 3.—That the line as laid down by the Commissioners from station No. 2 to station No. 3 be adopted.
- 4.—That the line as laid down by the Commissioners from station No. 3 to station No. 4 be adopted.
- 5.—That a straight line from Station No. 4 to the North-west angle of Messrs. Dunscomb and Harvey's premises, and thence to the North-west angle of Mr. Nicholas Gill's premises be adopted as the South-side of Water Street.
- 6.—That from the Western-side of King's Beach firebreak to station No. 6 the present South-side line of the Street be adopted.
- 7.—That from station No. 6 to station No. 7, and thence to station No. 8, the existing South-line of the said street be adopted.
- 8.—That from Station No. 8 to station No. 9, and thence to Church-Hill Cove the line as laid down by the Commissioners be adopted.
- 9.—That from the North-west corner of Church-hill cove (the house lately occupied by Mr. P. Maher) to station No. 10, the existing South-line of the said street be adopted.
- 10.—That from station No. 10. to station No. 11 the line as laid down by the Commissioners be adopted.
- 11.—That from station No. 11 to the North East corner of McBride's Cove, the existing South-line of the said street be adopted.
- 12.—That from the North West corner of McBride's Cove to station No. 12, and thence to the North East corner of Beck's Cove, the existing South line of the said Street be adopted.
- 13.—That a line from a point fifteen feet South of the North East corner of the late premises of Messrs. E. & N. Stabb, to the point of Messrs. Shea & Murphy's premises be adopted.
- 14.—That from Messrs. Shea and Murphy's premises to station No. 14, the existing South line of the said Street be adopted.
- 15.—That a straight line Twenty-feet South of the North-west extremity of Codner's Cove to the North-east point of premises occupied by Messrs. J. & W. Stewart be adopted.

Resolutions reported.

16.—That from station No. 16 to the North-east extremity of Pie Corner Cove the existing South line of the said Street be adopted.

17.—That a straight line drawn from the North-east extremity of Pie Corner Cove to the Hon. Mr. Morris's Brick Buildings be adopted.

18.—That a line drawn along the point of the said Brick Buildings, and thence to station No. 19 the line as laid down by the Commissioners be adopted.

19.—That the line as laid down by the Commissioners for the North-side of the said street from No. 19 to No. 21 be adopted.

DUCKWORTH-STREET.

20.—That from station No. 1 to station No. 2, on the aforesaid Plan of the said Commissioners, the existing south side line of the said Duckworth-street be adopted.

21.—That from station No. 2 to the North-west angle of Reed's House the existing South-line of street be adopted.

22.—That from the North-west angle of Reed's House to the North-east angle of Woodley's lane the existing line of Duckworth-street be adopted; and that a straight drain thence to the North East angle of Stears's house west of the Hill of Chips be adopted as the South line of the said street.

23.—That from the North East angle of Stears's house to the North-west corner of William Parker's house, the existing South line of the said street be adopted.

24.—That from the West point of Lower Cochrane Street to the North-east point of King's Beach at Harding's, and from the North-west point of King's Beach to Holloway Street, the existing line of street be adopted.

25.—That from the North-east corner of Holloway Street a straight line, drawn to a point, Fifteen feet North of the North-east Corner of McLarty's Lane be adopted as the South line of the said street.

26.—That a straight line from the latter point to a point Twelve feet South of the North-east angle of Gregory's Lane, and thence to the North-east angle of William Flynn's Brick House, be adopted as the South line of the said street.

27.—That from William Flynn's Brick house to the North-east angle of the Commercial Buildings the existing South line of the said street be adopted.

28.—That a straight line from the latter point to the North-east corner of Market Square be adopted as the South line of the said Street.

29.—That a straight line from the latter point to Beck's Cove be adopted as the South line of the said street.

30.—That the South side line of the continuation of Duckworth Street, as laid down by the said Commissioners be adopted, and that a line parallel thereto at the distance of Sixty feet be the North boundary line.

FIRE-BREAKS.

31.—That the Church Hill fire-break as laid down by the Commissioners be adopted.

32.—That the eastern side of Cantwell's lane, until it is intersected by the Eastern side line of Prescott Street, as laid down in the Plan of the Commissioners, and a line thence along the Eastern side of the said street as laid down in the said Plan, be the Eastern side line of Prescott Street firebreak North of Duckworth Street, and that a line parallel thereto at a distance of Sixty feet be the Western side line of the said Prescott Street fire-break.

33.—That McLarty's lane be appropriated to the uses of the proprietors of the ground at the Western side of the said lane, and that a space of ground equal to that at present occupied by the said lane, be added to the Eastern side of Hunter's Cove, between Water and Duckworth Streets, to constitute that part of Prescott Street fire-break.

34.—That a straight line, drawn from the South-west angle of the house lately occupied by Michael Daley, to a point seventeen and a half feet East of the South-east angle of Gower Street, and thence to the South-east angle of the Ordnance Lime Kiln ground, and thence to the Eastern boundary of said ground, be the Eastern side of the King's Road fire-break North of Duckworth Street; and that a line parallel thereto, at seventy feet distance to the South boundary of the said Ordnance Lime Kiln ground, and thence to the Western side of the King's Road form the Western boundary line of the said Fire-break.

35.—That a straight line, drawn from the South-west angle of Michael Daley's house to the North-west angle of Mr. Gill's house, be the Eastern boundary of the King's Beach fire-break; and that a line at Seventy feet distance parallel thereto, be the Western side line thereof.

36.—That a straight line drawn from station No. 1 in Duckworth Street, on the said Plan of the Commissioners, by the Eastern extremity of Brines's Stone Premises at the South side of Water-Street to the harbor be the Western side line of the Quidi Vidi fire-break, and that a line parallel thereto at Sixty feet distance, be the Eastern boundary line thereof.

37.—That the Western side line of McBride's Cove be the Western boundary line of a fire-break; and that a line parallel thereto at eighty feet distance be the Eastern boundary line of a fire-break from the water of the harbour to Duckworth Street.

Resolutions reported.

38.—That from the Government Bakery to the King's Bridge, no building shall be erected at a less distance than forty feet from the centre of the road.

39.—That from Dunscomb's Bridge no building shall be erected at a distance less than thirty feet from the centre of Quidi Vidi Road.

40.—That a straight line from Water Street along the Eastern side of the Old Billiard Room to Duckworth Street be the Western boundary of the Hill of Chips Fire-break, and that a line parallel thereto at seventy feet distance form the Eastern boundary of the same.

41.—That the existing Western side line of Beck's Cove Fire-break from Water to Duckworth Streets be continued, and that a line parallel thereto at a distance of eighty feet form the Eastern side line thereof.

42.—That from the extremity of the latter line in Duckworth Street to Gower Street, the Eastern side of the lane nearly fronting the same, be the eastern boundary of the said fire-break, and a line parallel thereto at eighty feet distance, be its Western boundary.

43.—That a line drawn from the Western angle of the House of John Boggan next North east of said line, to a point in the Convent fence ten feet south west of the said Presentation Convent, to the Fresh Water Road, be the eastern boundary of the said fire-break between Gower Street and the latter road, and that a line parallel thereto at eighty feet distance, be its western boundary.

44.—That a line drawn from the North-east to the South-east angle of Mr. John Warren's late house, be the Western boundary line of Codner's Cove fire-break, and that the Eastern boundary of the same remain as at present.

45.—That the existing Western side line of Adelaide Street form its Western boundary, and that a line parallel thereto at sixty feet distance, be its Eastern side line.

46.—That a straight line drawn from the South east angle of the lane fronting the said Street on the North side of Duckworth Street, along the Eastern side of that lane to Fresh Water Road, form the upper portion of Codner's Cove fire-break, and that a line parallel thereto at sixty feet distance form the Western side line thereof.

47.—That a straight line drawn from the South West corner of Barter's Hill Road, through the North east angle of the house at the first turn of the said Road to the West, as laid down on the said plan of the Commissioners, to the extremity of the Town, be the Western side of the upper Queen Street fire-break, and that a line parallel thereto at sixty feet distance be the East side thereof.

48.—That Waldegrave Street be preserved, and that the Cove east of Rennie Stuart & Co's. premises, be increased to the width of sixty feet by appropriating land on the Eastern side of the said Cove, formerly occupied as a garden by Mr. William Warren Junior.

49.—That the Eastern side of Flower Hill fire-break be a straight line drawn from the Western corner of ——— house, (being a point touched by the Commissioners line) to the water—passing along the west side of Newman & Co's. Bonding Store; and that a line parallel thereto at eighty feet distance, be the Western side of the fire-break, and that the Eastern side of the Commissioners line be the Eastern boundary of the remainder of the said fire-break, which is to be eighty feet wide.

50.—That the eastern line of the Gas Works fire-break as laid down on the plan of the Commissioners be adopted, and that a parallel line at sixty feet distance be the western boundary thereof.

51.—That the eastern line of the River Head fire-break, as laid down on the plan of the Commissioners be adopted, and that a parallel line at sixty feet distance be the western boundary thereof.

52.—That the eastern line of the Vauxhall fire-break, as laid down on the plan of the Commissioners be adopted, and that a parallel line at sixty feet distance be the western boundary thereof.

53.—That WATER STREET shall extend from Quidi Vidi fire-break to Job's Bridge. DUCKWORTH STREET from Quidi Vidi fire-break to Flower Hill fire-break.

54.—That the South-side line of Gower Street shall run parallel to the North line of New Duckworth Street, at a distance of One Hundred Feet therefrom—from Mahon's lane to the stream of water running past the house recently occupied by Mr. James Fergus.

55.—That from the latter point to the North-west angle of Waldegrave street a straight line form the continuation of the said South line; and that from the latter point to the Flower Hill firebreak the existing South line of Street be adopted.

56.—That the Lines of Street as laid down by the Commissioners at Harvey Square be adopted.

Ordered,—That the said Report be received.

Report received.

On motion of Mr. THOMAS, scconded by Mr. CARTER,

Resolved,—That a Select Committee be appointed to compare the Resolutions above reported from the Committee of the whole House, with the Plan of the Town as laid before the House by command of His Excellency the Governor, and report to the House by Bill or otherwise.

Committee to compare Resolutions with plan.

Ordered,—That the Hon. Mr. THOMAS, Mr. CARTER, the Hon. Mr. ROBINSON, and Mr. NUGENT do form such Committee.

Committee.

A petition of Thomas Hughes and others, residents of St. John's, in the neighbourhood of Garrison Hill, was presented by the Hon. Mr. THOMAS, (who stated in his place that he had obtained the consent of His Excellency the

Petition of T. Hughes & others, St. John's, Pump on Garrison Hill.

Governor for that purpose) and the same was received and read, setting forth the great distress of petitioners from an inadequate supply of water, but that a sufficient supply might be obtained if a pump were erected near the Orphan Asylum School House, whilst it would be a security and advantage to the depot of provisions placed there ; and praying for a grant for the purpose.

On Table.

Ordered,—That the said Petition do lie on the Table.

On motion of Mr. NUGENT, seconded by the Hon. Mr. MORRIS,

Committee to compare Resolutions with localities.

Resolved,—That a Select Committee be appointed to compare the Resolutions this day reported from the Committee of the whole House with the localities proposed to be thereby affected, and report thereon to the House.

Committee.

Ordered,—That the Hon. Messrs. Attorney General, Thomas, Morris, Robinson, O'Brien, and Messrs. Glen, Hanrahan, Carter, and Nugent, do form such Committee.

Then the House adjourned until to-morrow at 12 o'Clock.

WEDNESDAY, JULY 29, 1846.

Report of Committee to compare &c.

The Hon. Mr. THOMAS reported from the Committee appointed to compare the Resolutions yesterday reported from the Committee of the whole House, with the Plan laid before the House by command of His Excellency, and the localities proposed to be affected, had made some progress and would be prepared to report to-morrow by Bill.

Then the House adjourned until to-morrow at 12 o'Clock.

THURSDAY, JULY 30, 1846.

House adjourned for want of a Quorum.

At half-past 12 o'Clock, the names of the members present being taken down as follows :—The Hon. Mr. Speaker, the Hon. Mr. Attorney General, and the Hon. Mr. Solicitor General, Mr. Speaker declared the House adjourned for want of a quorum.

FRIDAY, JULY 31st 1846.

On motion of Mr. GLEN, seconded by Mr. PRENDERGAST.

Resolved,—That a Select Committee be appointed to enquire into and report upon the Contingencies of the House during the present session.

Select Committee on Contingencies appointed.

The Hon. Mr. MORRIS acquainted the House, by command of His Excellency the Governor, that His Excellency assented to the House making such appropriation as they might think proper for defraying the Contingent Expenses of the present Session.

His Excellency's assent.

A Petition of Richard Cuddihy and others, inhabitants of St. John's, was presented by Mr. GLEN, and the same was received and read, setting forth that the Queen Street Fire-break, as marked out by the Resolutions of the House, will permit houses to be built at the South-west angle of Barter's Hill Road and at the North-east angle of Queen Street to within about forty three feet of each other, contrary to the intention of the House limiting the distance to Sixty feet;—and praying that the said Fire-break may be carried straight so as to give that protection from fire contemplated by the House.

Petition of R. Cuddihy & others, relative to Queen Street Fire-break.

Ordered,—That the said Petition be referred to the Committee to compare and report on the Resolutions in reference to the Streets.

Referred.

A petition of Messrs. Job, Brothers & Co. was presented by Mr. MUNN, and the same was received and read, setting forth that the premises of Petitioners on the South-side of Water-street were in common with other Mercantile establishments, marked off for alteration and improvement of the street. That subsequently the marks have been removed from almost every Mercantile premises save petitioners', putting them back about ten feet towards the water on the North-eastern part of their ground. That by the line remaining thus the valuable and expensive foundations of the Petitioners will be rendered useless; and praying that they may not be placed in a worse position than others similarly situated.

Petition of Job Brothers & Co. against alteration of Street near their premises.

A petition of George Stevens and others, inhabitants of St. John's, was presented by the Hon. Mr. MORRIS, and the same was received and read, setting forth, that the proposed continuation of Gower Street running westward from the Theatre through private property in a parallel line with Duckworth Street, will be neither beneficial nor ornamental, nor add to the security of the Town from fire—while the opening of it would have a ruinous effect on persons holding property there, who would lose their ground after having already incurred considerable expense for the purpose of rebuilding there. Petitioners suggest that a space of ten feet to be taken from the old projections on both sides of Duckworth street would answer every purpose;—and praying that the said new line of street may be abandoned.

Petition of G. Stevens and others, against new Gower Street.

A petition of Nicholas Gill, was presented by Mr. CARTER, and the same was received and read, setting forth the very serious detriment to the water-side property of petitioner near the Ordnance Wharf by the new south line of Water Street marked off on Saturday last which cuts off eight feet more than

Petition of Nicholas Gill.

was originally taken from the said premises, and, if established, would render them almost valueless. That Petitioner did not object to the south line of the said street as originally marked, which although taking off a considerable portion of petitioner's property, still left as much ground as would enable him to re-build on the Water-side; and praying that the line as last laid down may be altered.

Petition of W. Woodley.

A petition of William Woodley of St. John's, was presented by Mr. PARSONS, and the same was received and read, setting forth that petitioner is owner of premises in St. John's, eastward of Messrs. Brocklebanks—which were destroyed by fire. That petitioner has for years past carried on the fishery on the said premises, on which are erections suitable for the fishery. That petitioner is a poor man unable to rebuild of brick or stone, and must if compelled to do so dispose of his property under value,—and praying that the Bill compelling him to rebuild of stone or brick may not pass into Law.

Petition of W. Doyle and others.

A petition of William Doyle and others, inhabitants of St. John's, was presented by Mr. PARSONS, and the same was received and read, praying that parties having an interest in ground in Duckworth Street, may not be compelled to rebuild their houses of stone or brick to the eastward of the Fire-break at the Hill of Chips.

Petition of John Condon and others.

A petition of John Condon and others, inhabitants of St. John's, was presented by Mr. PARSONS, and the same was received and read, setting forth that petitioners feel alarmed at the proposition for rebuilding both sides of Duckworth Street of stone or brick, which would materially interfere with their private rights. That petitioners feel as deeply interested in the safety of the town as other persons within it;—and praying that parties owning property in Duckworth Street may be allowed to rebuild of such materials as the means of parties will permit.

Referred to Committee to compare Resolutions with localities.

Ordered,—That all the foregoing petitions be referred to the Select Committee to compare the Resolutions reported from the Committee of the whole House on the Report and Plan of the Commissioners to lay out the Streets and Fire-breaks with the localities affected.

Report of Committee and Bill to regulate rebuilding of town reported and read a first time.

The Hon. Mr. THOMAS from the Committee to compare the Resolutions of the whole House on the Report and Plan of the Commissioners appointed to lay out and survey the Streets and Fire-breaks, with the localities affected, and to report by Bill or otherwise, reported that the Committee had prepared the draft of a Bill to regulate the rebuilding of the Town of St. John's, and he handed the same in at the Clerk's Table, and it was read a first time.

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

Petition of R. Cuddihy & others, against line of Duckworth Street.

A petition of Richard Cuddihy and others, inhabitants of St. John's, was presented by the Hon. Mr. MORRIS, and the same was received and read, setting forth that the line in which Duckworth Street is laid down in accordance with the Resolutions of the House, goes diagonally across the Street, and in other parts makes curves and turns more objectionable than they originally were, intersecting property by which enormous expense will be

incurred, and praying that the House instead of passing a Bill will declare the width of the Streets, and leave the Governor and Council to appoint Commissioners to carry the Act into operation subject to appeal to the Governor and Council.

Ordered,—That the said petition do lie on the Table.

On Table.

Then the House adjourned until to-morrow at 10 o'Clock.

SATURDAY, AUGUST 1, 1846.

On motion of Mr. NUGENT, seconded by Mr. GLEN,

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

Address relative to Pump on Garrison Hill.

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House respectfully acquaint Your Excellency that they have had under their consideration a petition from certain inhabitants of St. John's, resident near the Orphan Asylum School House, praying that a pump may be sunk in the neighbourhood of Garrison Hill, for the protection of that locality from fire as well as for the general convenience of the inhabitants; they therefore pray Your Excellency to authorize the expenditure of a sum sufficient for that purpose, and the House will indemnify Your Excellency for the same.

Ordered,—That the said Address be engrossed, and that Mr. NUGENT and Mr. MUNN be a Committee to present the same to His Excellency.

Adopted. Committee to present.

Mr. PRENDERGAST, seconded by Mr. MUNN, moved

That an Address be presented to His Excellency the Governor, respectfully requesting that His Excellency will be pleased to direct that suitable buildings be erected as speedily as possible for the protection from the inclemency of the weather of such of the sufferers by the late fire as have since the fire been living in the tents erected in the rear of the town;—which being put, the House divided thereon as follows :—

Motion for Address relative to sheltering the poor.

FOR THE MOTION.

AGAINST IT.

Division thereon.

Mr. Prendergast.

The Hon. Mr. Attorney General.

" " Mr. Thomas.

" " Mr. Row.

" " Mr. Robinson.

" " Mr. O'Brien.

Mr. Glen.

Mr. Nugent.

Mr. Carter.

Mr. S. Morris.

Mr. Hanrahan,

Mr. Munn.

Motion Lost.

So it passed in the negative.

Report of Select Committee on Contingencies.

Mr. GLEN reported from the Select Committee on Contingencies, and he read the Report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read and is as follows :—

The Select Committee appointed to enquire into and report upon the Contingent Expenses of the Legislature during the present session, beg leave to report that they have examined the following accounts which they find to be correct, and recommend being paid—viz.

	Sterling.
Messrs. Ryan & Withers, printing Bills and Papers, and including Documents &c. printed since the last session.	£47 8 3
Proprietors of Newfoundlander, estimate for Printing Journals.	100 0 0
William Freeman, account for Carpenters' Repairs, including expenses at close of last session.	34 14 10
McCoubrey Brothers, Stationery.	5 3 9
McIver & Co. Ditto.	0 10 8
House Keeper during the present session.	10 0 0
Sergeant-at-Arms amount of sundry disbursements.	24 12 0
Amount of expense for publishing Newspapers Report of Commissioners on Streets.	20 0 0
Messrs. Parker and Gleeson, short voted last session.	1 14 8
John Lyons, ditto ditto.	0 6 2
Carried forward	£244 10 4

The Committee beg leave further to report that they recommend the following sums as salaries of the undermentioned Officers, and towards defraying the expenses of the members of the House by reason of their attendance during the present session.

	Sterling.
Brought forward,	£244 10 4
The Speaker.	200 0 0
Usher of the Black Rod.	70 0 0
Clerk for indexing and superintending Printing of Journals.	200 0 0
Solicitor.	150 0 0
Clerk Assistant.	100 0 0
Sergeant-at-Arms.	100 0 0
George Anderson, Doorkeeper.	45 0 0
Valentine Borne, Messenger.	40 0 0
Michael Power, Assistant Ditto.	35 0 0
Philip Brown, Under-Doorkeeper.	35 0 0
John Daly, Assistant-Doorkeeper, Messenger and Attendant.	20 0 0
Chairman of Committee on Street Act.	50 0 0
Librarian.	25 0 0
To Twenty Members (the Speaker not included) being £42 each for Fourteen Members resident in St. John's, and £63 each for Six Outport Members not resident in St. John's.	966 0 0
Reporter.	100 0 0
	£2,380 10 4

THOMAS GLEN,

Chairman.

August 1st, 1846.

Ordered,—That the said Report be received.

Received

Mr. MUNN, pursuant to leave granted, presented a Bill for laying out Cross Streets and Fire-breaks in the Town of Harbor Grace, and the same was read a first time.

Bill for laying out Cross Streets, Harbour Grace, read 1st time.

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

Ordered,—That the said Bill be printed for the use of members.

Pursuant to the order of the day a Bill to regulate the rebuilding of the town of St. John's was read a second time.

St. John's rebuilding Bill read a 2nd time,

On motion of the Hon. Mr. THOMAS, seconded by Mr. NUGENT,

Ordered,—That the said Bill be now committed to a Committee of the whole House.

and committed.

And the House resolved itself into a Committee on the said Bill accordingly.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

Progress and leave.

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 to-morrow.

On motion of the Hon. Mr. MORRIS, seconded by Mr. MUNN,

Address of Thanks in reply to Despatch from the Secretary of State for the Colonies in reference to donation for relief of sufferers by the Fire.

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

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly beg leave to thank Your Excellency for Your Excellency's Message of the 21st ultimo, transmitting to the House copy of a Despatch from the Right Hon. W. E. Gladstone, Her Majesty's Principal Secretary of State for the Colonial Department, bearing date the 3rd day of July, acquainting Your Excellency of the measures adopted by Her Majesty's Government for the relief of the sufferers by the late conflagration, and of the donation of £5000 from the Imperial Treasury, towards meeting the more pressing demands growing out of that calamitous event.

The House of Assembly beg leave, through Your Excellency, to express the grateful sense they entertain of the prompt and generous assistance thus afforded to the Colony by Her Majesty's Government in the late afflicting emergency, as well as for the kind and considerate terms in which the Right Honorable Secretary has conveyed to Your Excellency this pledge of the sympathy of the Mother Country.

Committee to present.

Ordered,—That the said Address be engrossed, and that the Hon. Mr. MORRIS and Mr. MUNN, be a Committee to present the same to His Excellency.

Petition of R. Prowse, agent for Messrs. Studdy and Troysden.

A petition of Robert Prowse, agent for Messrs. Studdy and Troysden, was presented by Mr. CARTER, and the same was received and read, praying that the frontage lines of the property of Mr. H. Studdy, and of Messrs. H. D. and

T. Troysden, in Water Street, the former at the foot of Church Hill, and the latter eastward of Warren's Cove, may remain as heretofore.

Ordered,—That the said petition do lie on the Table.

On Table.

A petition of Gilbert Clapp, of St. John's, Merchant, was presented by Mr. NUGENT, and the same was received and read, praying that the lines of Street as laid down by the Resolutions of the House, may be established.

Petition of G. Clapp and others, in favour of lines of Street as laid out.

Ordered,—That the said petition do lie on the Table.

On Table.

A petition of the Rev. Richard Williams, the Minister and others interested in the Wesleyan Methodist Chapel at St. John's, was presented by Mr. MUNN, and the same was received and read, setting forth that the fences of the Cemetery in connection with the said Chapel were destroyed by the late Fire, and praying for a grant to rebuild the same.

Petition of Rev. R. Williams for grant for fence to Wesleyan Church Yard.

Ordered,—That the said petition do lie on the Table.

On Table.

On motion of Mr. MUNN, seconded by Mr. PRENDERGAST,

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

Address to the Governor thereon for a grant for that purpose.

To His Excellency Major General Sir John Harvey, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully beg leave to acquaint Your Excellency that they have had under their consideration a Petition of the Reverend Richard Williams and others, setting forth that the fences enclosing the public cemetery used by the Wesleyan Methodists in St. John's were destroyed by the calamitous fire of the 9th June and praying for a grant to enable petitioners to re-construct the same; and the Assembly respectfully request that Your Excellency will be pleased to authorise the expenditure from the public funds of a sum not exceeding £25 in compliance with the prayer of the Petitioners.

Ordered,—That the said Address be engrossed, and that it be presented to His Excellency by Mr. MUNN and Mr. PRENDERGAST as a Committee for that purpose.

Committee to present.

The Hon. Mr. ROBINSON gave notice that to-morrow he would move, in compliance with the Message of His Excellency the Governor, that £800 be expended in providing accommodations for the Courts of Justice.

Notice of motion relative to accommodation for Courts of Justice.

Petition of E. Dunn and others, St. John's.

A Petition of Edward Dunn and others, inhabitants of St. John's, at present residing in the temporary buildings on the Barrens, was presented by Mr. PRENDERGAST and the same was received and read, setting forth the great miseries and wretchedness endured by them from the unfinished state of the said dwellings, and praying relief.

On Table

Ordered,—That the said petition do lie on the table.

Then the House adjourned until Monday next at one o'Clock,

MONDAY, August 3, 1846.

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

Report of Contingency Committee amended as to salary of Reporter.

Ordered,—That the Report of the Select Committee upon the Contingencies of the Legislature be amended by making the salary for the Reporter of the House £200, instead of £100 as reported by the said Committee.

And the said amendment was made in the said Report accordingly.

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

Address to Governor for payment of Contingencies.

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

To His Excellency Major General Sir John Harvey, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully request that Your Excellency will be pleased to authorise the payment of the several sums mentioned in the Report of the Select Committee on Contingencies (a copy of which they beg leave to transmit to Your Excellency) to the parties therein mentioned, in discharge of the Contingent Expenses of the Legislature during the present session.

Committee to present.

Ordered,—That the said Address be engrossed, and Mr. GLEN, and Mr. HANRAHAN, be a Committee to present the same to His Excellency the Governor.

Pursuant to order, a Bill to regulate the laying out of Cross Streets or Fire-breaks in the Town of Harbour Grace, was read a second time.

Bill for laying out Cross Streets of Harbour Grace, read a 2nd time,

On motion of Mr. MUNN, seconded by Mr. PRENDERGAST,

Ordered,—That the said Bill be committed to a Committee of the whole House this day.

and Committed.

On motion of the Hon. Mr. ROBINSON, the Message of His Excellency the Governor transmitted to this House on the 3rd day of July last, in relation to the accommodation of the Courts of Justice, was read, and thereupon

Message relative to accommodation for Courts of Justice read.

On motion of the Hon. Mr. ROBINSON, seconded by the Hon. Mr. ATTORNEY GENERAL,

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

Address to Governor thereon.

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully beg leave to acquaint Your Excellency that they have had under their consideration Your Excellency's Message transmitted to this House on the third day of July last, respecting the necessity of making provision for the temporary accommodation of the Courts of Justice, and recommending that a sum of £800 be placed at the disposal of the Executive; and they beg leave to request that Your Excellency will appropriate for the purpose aforesaid a sum not exceeding £200.

Ordered,—That the said Address be engrossed, and that the Hon. Mr. ROBINSON, and the Hon. Mr. ATTORNEY GENERAL, be a Committee to present the same to His Excellency the Governor.

Committee to present.

On motion of the Hon. Mr. THOMAS,

The entry of the proceedings had this morning with reference to the Report of the Select Committee on Contingencies, and the Address thereon were read, and thereupon,

Proceedings as to Report from Contingency Committee read.

The Hon. Mr. ROBINSON, seconded by the Hon. Mr. O'BRIEN, moved that it be

Resolved,—That the Resolution of the House come to this morning that an Address be presented to His Excellency, praying that he would authorize the payment of the amount of Contingencies pursuant to the Report of the Select Committee, be re-considered—which being put,

Motion to re-consider Resolution for Address.

Amendment moved there-
on.

Mr. NUGENT, seconded by Mr. PRENDERGAST, moved, that all the words of the motion after *Resolved* be struck out, and the following words be substituted in lieu thereof, viz :—

That the Address in question having been passed by the House, it is not in order that that subject should be renewed during the present Session ;—which being put, and the House dividing thereon, there appeared for the amendment *nine*, against it *six*.

Division.

For the Amendment—

Against it—

The Hon. Mr. Solicitor General.

The Hon. Mr. Attorney General.

Mr. Nngent.

“ “ Mr. Thomas.

Mr. Carter.

“ “ Mr. Row.

Mr. Dillon.

“ “ Mr. Robinson.

Mr. Parsons.

“ “ Mr. O'Brien.

Mr. S. Morris.

“ “ Mr. Ridley.

Mr. Glen.

Mr. Hanrahan.

Mr. Prendergast.

Amendment carried.

So it passed in the affirmative, and

Resolved,—Accordingly.

Committee of whole on
St. John's Street Bill.

Pursuant to Order, the House resolved itself into a Committee of the whole House on the consideration of the Bill to regulate the re-building of the Town of St. John's.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

Progress and leave.

The Chairman reported from the Committee that they had considered of the matter 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 this day.

Adjourned for two hours.

At five o'clock, P. M. the House adjourned for two hours.

At seven o'clock, P. M. the House met pursuant to adjournment.

Committee of whole on
St. John's Street Bill.

Pursuant to Order, the House resolved itself into a Committee of the whole House on the further consideration of the Bill to regulate the re-building of the Town of St. John's.

The Hon. Mr. SPEAKER left the chair.

Mr. HANRAHAN took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

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

Bill reported with amendments.

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

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

A petition of George Thomas Brooking of St. John's, was presented by the Hon. Mr. O'Brien, and the same was received and read, setting forth that petitioner is Agent for Twenty Five distinct landed Estates, occupied by upwards of 150 separate Tenants in the Town of St. John's, through which Streets about to be laid out will run. That the interests of petitioner's constituents have been prejudiced by the delay in settling the lines of Streets and Fire-breaks,—and praying the House to pass a Bill settling the lines of Streets according as they have been laid out, of which petitioner does not complain.

Petition of G. T. Brooking.

Ordered,—That the said petition do lie on the Table.

On Table.

The Hon. Mr. MORRIS 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 the Hon. Mr. SPEAKER, (all the Members being uncovered) and is as follows:—

Message from Governor with Despatch from Governor General of Canada, communicating Grant for relief of sufferers by Fire.

MESSAGE.

J. HARVEY.

The Governor transmits to the General Assembly the copy of a communication which he has received from His Excellency the Earl of Cathcart, and invites the concurrence of the House in expressing to His Lordship the grateful sense which the Legislature and people of Newfoundland must entertain of the prompt and munificent liberality of the Province of Canada, as evinced in this noble donation of £2,000, through its Executive Government.

J. H.

Government-House, }
3rd August, 1846. }

Government House, Montreal, 11th July, 1846.

SIR,—I avail myself of the sailing of the *St. Croix*, chartered for the conveyance of supplies for the relief of the sufferers at St. John's, to acknowledge the receipt of Your Excellency's Despatch of the 17th ult., with its enclosure communicating the particulars of the destructive fire which has reduced to ashes the greater part of that city.

With the ready concurrence of my Council, under whose consideration I lost no time in bringing the subject of Your Despatch, I have directed an immediate advance of £2000, from the Provincial Chest, to aid in meeting the appeal which Your Excellency has made to the sympathy of the inhabitants of this Province; and I do not doubt that private contributions to a large amount will very speedily attest the general feeling of the community in behalf of their fellow subjects, who have been overwhelmed by this stupendous calamity.

The Committee appointed to superintend the collection and expenditure of such subscriptions in this city, have entered on the discharge of this duty with much energy, and the subscription is proceeding under their superintendence in a highly encouraging manner.

At their suggestion, I have caused the amount of the advance from the Provincial Revenue to be paid over to their Treasurer, to be invested in provisions for immediate export to Newfoundland. The accompanying copy of a letter from their chairman will explain to Your Excellency the steps which they have taken and propose to take to carry out the measures intended.—Your Excellency and the inhabitants of the Province under your government may rely on the sincere anxiety which all parties here manifest to aid in ministering to the utmost of their power, to the pressing wants of the sufferers by this calamity.

I have, &c.

[Signed,]

CATHCART.

*No. 11, St. Frs. Xavier Street, Montreal, }
7th July, 1846. }*

Extract from the minutes of a meeting of the Committee appointed to procure aid for the sufferers by the late fire at St. John's, Newfoundland:—

Mr. TOBIN informed the Committee that the Governor-General in Council had appropriated the sum of £2,000 to the relief of the sufferers by the late fire at St. John's, Newfoundland; whereupon it was moved by Mr. JOHN Young, seconded by Mr. Joseph Knapp,

That in the opinion of this Committee it is deemed expedient to recommend to the Governor General that the amount intended to be sent for the relief of

the sufferers at St. John's, Newfoundland, be invested in five hundred barrels of prime pork, and the remainder in flour.—Carried.

Moved by Mr. John M. Tobin, seconded by Mr. John E. Mills,

That the Secretary be instructed to forward a copy of the foregoing resolutions to the Government.—Carried.

(Signed)

J. W. DUNSCOMB,
Chairman.

Ordered,—That the said Message do lie on the Table.

On Table.

The Hon. Mr. MORRIS gave notice that to-morrow he would move an Address to His Excellency the Governor in reply to the said Message.

Notice of motion for Address in reply.

On motion of the Hon. Mr. MORRIS, seconded by Mr. HANRAHAN,

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

Address to Governor in reply to Message as to mode of distributing monies for relief of sufferers by fire.

To His Excellency Major General Sir John Harvey, Knight Commander of the Most Honourable Military Order of the Bath, Knight Commander of the Royal Hanoverian Guelphic Order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly having had under their consideration Your Excellency's Message of the 28th July, upon the subject of the expenditure of the funds contributed by the Mother Country and the neighbouring Colonies towards the relief of the sufferers by the late fire, beg respectfully to acquaint Your Excellency that while they are of opinion that no better mode could be adopted for the appropriation of such monies than that pointed out by Your Excellency's Message, so far as respects the application of some part thereof to the present relief of the sufferers and to the formation of a Loan Fund, and as respects the manner of such application, they would respectfully suggest that the expense of compensating parties whose land may be taken under the St. John's Re-building Act, may, with propriety, be borne by the General Revenues of the Colony, thus leaving the monies contributed by other countries to be applied to the objects contemplated by the contributors.

Ordered,—That the said Address be engrossed, and the Hon. Mr. MORRIS, and Mr. HANRAHAN, be a Committee to present the same to His Excellency.

Committee to present.

Then the House adjourned until to-morrow at ten o'clock, A. M.

TUESDAY, AUGUST 4, 1846.

Announcement of prorogation this day.

The Hon. Mr. SPEAKER acquainted the House, by direction of His Excellency the Governor, that it was His Excellency's intention to prorogue the General Assembly at three o'clock, p. m. this day.

Pursuant to order, the House resolved itself into a Committee of the whole House on the consideration of the Bill to regulate the laying out of Cross Streets or Firebreaks in the town of Harbor Grace.

The Hon. Mr. SPEAKER left the chair.

The Hon. Mr. SOLICITOR GENERAL took the chair of the Committee.

The Hon. Mr. SPEAKER resumed the chair.

Bill reported with amendments.

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

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

Ordered,—That the said Bill be now read a third time.

Read a third time,

And the said Bill was read a third time accordingly.

On motion of Mr. MUNN, seconded by the Hon. Mr. RIDLEY,

and passed.

Resolved,—That the said Bill do pass, and that the Title be "An Act to regulate the laying out of Cross Streets or Fire-breaks in the Town of Harbour Grace.

Title.

Committee of whole on Bill to amend Water Company Incorporation Act.

Pursuant to the order of the day, the House resolved itself into a Committee of the whole House on the consideration of the Bill to repeal in part the Act for the incorporation of the St. John's Water Company.

The Hon. Mr. SPEAKER left the Chair.

Mr. S. MORRIS took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

Reported without amendment.

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

Ordered,—That the said Bill be now read a third time.

Read a third time,

And the said Bill was read a third time accordingly.

On motion of the Hon. Mr. THOMAS, seconded by Mr. GLEN,

Resolved,—That the Bill do pass, and that the title be “an Act to repeal in part an act passed in the Ninth Year of the Reign of Her present Majesty, entitled ‘an Act for the Incorporation of the St. John’s Water Company.’”

and passed.
Title.

Pursuant to order, an engrossed Bill to regulate the re-building of the Town of St. John’s was read a third time.

Bill to regulate re-building of St. John’s, read a third time.

The Hon. Mr. ATTORNEY GENERAL, seconded by Mr. MUNN, moved that the following section be added to the Bill as a Ryder:—

And be it enacted, that an open space of the breadth of fourteen feet shall be established and maintained in the centre of the interval in the rear of the North-side of Water Street and the South-side of Duckworth Street, in order to afford a passage for Fire Engines and to afford access to the rear of the premises occupied by Tenants in the said Streets.

Section moved to be added by way of Ryder,

Which being put, and the House dividing thereon, it passed in the negative.

Motion lost on division.

On motion of Mr. NUGENT, seconded by Hon. Mr. THOMAS,

Resolved,—That the said Bill do pass, and that the title be “an Act to regulate the re-building of the Town of St. John’s, and the drainage and sewerage of the same, and to repeal certain acts therein mentioned.”

Bill passed.
Title.

On motion of the Hon. Mr. MORRIS, seconded by Mr. GLEN,

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

Address of Thanks for Message communicating donation from Canada for sufferers by fire.

To His Excellency Major General SIR JOHN HARVEY, Knight Commander of the Most Honourable Military order of the Bath, Knight Commander of the Royal Hanoverian Guelphic order, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly having had under their consideration Your Excellency’s Message transmitting a communication from His Excellency Earl Cathcart, apprising Your Excellency of the prompt and munificent liberality of the Province of Canada, evinced by their Donation of £2000, through its Executive Government, for the relief of the sufferers by the late calamitous fire, respectfully request that Your Excellency will convey to His Excellency Earl Cathcart their grateful sense of the noble and generous donation of the Executive Government of Canada.

Committee to present.

Ordered,—That the said Address be engrossed, and that the Hon. Mr. MORRIS, and Mr. GLEN, be a Committee to present the same to His Excellency the Governor.

On motion of the Hon. Mr. MORRIS, seconded by Mr. HANRAHAN.

Committee of whole on Governor's suggestions as to distribution of relief money.

The House resolved itself into a Committee of the whole House on the consideration of His Excellency's Message of the 28th July, transmitting to the House of Assembly a minute of suggestions by His Excellency as to the mode of distributing the monies contributed for the relief of the sufferers by the fire.

The Hon. Mr. SPEAKER left the Chair.

Mr. PRENDERGAST took the Chair of the Committee.

The Hon. Mr. SPEAKER resumed the Chair.

Rise without reporting.

And the said Committee rose without making any report.

Report of Committee to present Address for payment of Contingencies.

Mr. GLEN reported from the Committee to present to His Excellency the Address of the House praying His Excellency to grant his warrant for the sums recommended to be paid by the Select Committee on Contingencies, that the Committee had presented the said Address, and that in reply thereto His Excellency was pleased to say he would comply with the same.

To present Address relative to donation from Canada.

The Hon. Mr. MORRIS reported from the Select Committee to present to His Excellency the Address of the House in reply to His Excellency's Message communicating a copy of Earl Cathcart's Despatch, &c., that the Committee had presented the same to His Excellency, who was pleased to say he would comply with the wishes of the House.

To present Address relative to grant to Surveyor General.

The Hon. Mr. MORRIS also reported from the Select Committee to present to His Excellency the Address of the House as to the plan of the town and the services of the Surveyor General in reference thereto, that the Committee had presented the said Address, and that in reply His Excellency was pleased to say he would comply with the request of the House.

To present Address relative to accommodation for the Courts of Justice.

The Hon. Mr. ATTORNEY GENERAL reported from the Committee to present to His Excellency the Address of the House in reply to His Excellency's Message relative to the accommodation for the Courts of Justice, that the Committee had presented the same, and that His Excellency was pleased to say he would comply with the same.

Message from the Governor.

At three o'clock, p. m., the members having retired to the principal Committee Room, a message from His Excellency the Governor was delivered by JOSEPH TEMPLEMAN, Esq., Usher of the Black Rod.

Mr. Speaker, Hon. Gentlemen, and Gentlemen,—

His Excellency the Governor commands your attendance immediately in the Principal Chamber of this Building.

Accordingly Mr. SPEAKER and the House attended His Excellency in the Principal Chamber of the said Orphan Asylum School House, where His Excellency was pleased to give his assent to the several Bills following viz. :—

House attend His Excellency.

A Bill entitled “ an Act to regulate the re-building of the Town of St. John’s, and the drainage and sewerage thereof, and to repeal certain Acts therein mentioned.”

Bills assented to.

A Bill entitled “ an Act for the laying out of Streets and Cross Streets or Firebreaks in the Town of Harbor Grace,”

A Bill entitled “ an Act to repeal in part an Act passed in the ninth year of the reign of Her present Majesty, entitled ‘ an Act for the Incorporation of the St. John’s Water Company.’ ”

A Bill entitled “ an Act to authorize the issue of Treasury Notes.”

A Bill entitled an Act to continue an Act passed in the sixth year of the reign of Her present Majesty, entitled “ an Act to revive and amend an Act passed in the third year of Her present Majesty, entitled ‘ an Act to establish the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony.’ ”

A Bill entitled an Act to continue an Act made in the third year of the reign of Her present Majesty entitled “ an Act to amend several Acts now in force respecting Light Houses, and to consolidate the laws respecting the same.”

A Bill entitled “ an Act to prevent the disqualification of persons entitled to vote at Elections or to serve in the General Assembly for the District of St. John’s.”

His Excellency was pleased to reserve for the signification of Her Majesty’s pleasure—

A Bill entitled “ an Act to amend the Law relating to the appointment of Sheriffs.”

Sheriffs’ appointment Bill reserved.

The Hon. Mr. SPEAKER then addressed His Excellency as follows:—

May it please Your Excellency—

The General Assembly are now about to terminate their fifth and last session. On this occasion they cannot but be impressed with the recollection, that as their investiture of Legislative authority commenced with Your Excellency’s presence, so its withdrawal is to be also an act of Your Excellency, as the Representative of our Most Gracious Sovereign, on the eve of Your Excellency’s departure from this Colony. In performing my last official act as Speaker of this House, in presenting to Your Excellency a Bill to continue the Act for the encouragement of the Whale Fishery, I humbly beg leave to say that I only echo the sentiments of every member of this Body, both collectively and individually, in assuring Your Excellency that they look back

Mr. Speaker’s speech to His Excellency.

with feelings of unmingled pleasure to their official connection with Your Excellency, during the whole period of the existence of the Amalgamated Legislature, and of regret at Your Excellency's separation from them.

Whereupon His Excellency was pleased to give his assent to a Bill entitled "an Act to continue an Act passed in the eighth year of the Reign of Her present Majesty entitled 'an Act to amend the Law now in force for the encouragement of the Whale Fishery of this Colony.'"

After which His Excellency was pleased to make the following Speech:—

Mr. Speaker, Hon. Gentlemen, and Gentlemen,—

Governor's Speech.

In releasing you from further attendance upon your legislative labours, it is my pleasing duty again to tender to you, in the name of the Sovereign, my cordial acknowledgments of the assiduity which you have bestowed upon the great objects for which you were specially convened, and my congratulations upon the completion of a measure which I gratify myself in believing to be fraught with more important and beneficial consequences, as regards the future interests and prosperity of your commercial capital, than any which has ever engaged the attention of its local legislature at any period since a constitutional form of government was conferred upon Newfoundland.

With the gratifying feelings which this reflection is calculated to inspire, you will return to your constituencies, and your ordinary avocations; while I, on my part, shall not cease to cherish the recollection that as your united and most earnest endeavours have been unceasingly used to mitigate the severity and to repair the injuries inflicted by the great calamity with which it has pleased the Almighty Disposer of Events to visit this city, it has also pleased Him thus far to direct and prosper those endeavours.

In connection with this subject it cannot fail to be interesting to you to be informed that the total amount of property, real and personal, destroyed by the late fire, has been estimated by the Commissioners appointed for the purpose of obtaining that information (in their report just received) at the sum of £888,356.

Towards the paternal government of Her Majesty, and for the benevolent acts and intentions of neighbouring colonies, we are bound to record our most grateful acknowledgments, which I therefore feel a pride in doing as the last act of that form of constitution which, marked throughout its proceedings by the best understanding and feelings, has been the instrument of conferring many advantages on this colony;—among the chiefest of which I cannot but regard the having, as I fervently trust, laid the foundation of future legislative harmony.

I have further to thank you for having, in compliance with my suggestions, abstained from diverting your attention during the session, from the great object for which you were specially convened, by engaging in the consideration of other subjects.

You will therefore, I trust, receive from me, with your wonted indulgence, the intimation that with respect to the measure which constitutes the only exception (and in which I find no suspending clause), I have felt myself restrained by the very important constitutional principles which are therein involved, and to which under the present hurried circumstances, I have not had the means or leisure to give that degree of attention which they demanded, to reserve that Bill for further consideration, and for communication with Her Majesty's Government.

Mr. Speaker, Honourable Gentlemen, and Gentlemen :—

It has too often been my pleasing duty to advert in my communications with you to the harmonious and satisfactory course of your Legislative proceedings, to render it necessary for me again to refer to that subject ; but I deem this, the moment of my departure from your shores, a fitting occasion upon which to place upon public record an opinion which a residence of five years among them has led me to form of the character of the great body of Her Majesty's loyal subjects in Newfoundland : not only has it not been found necessary to resort to the extreme rigour of the law in any instance during that period ; but I feel that I should do less than justice to them if I were to withhold the declaration, that it has never been my fortune to be connected with a community in which there has been less of crime committed, or of disposition to turbulence, or opposition to the law evinced, than in this Island.

Again I invoke the Divine blessing and protection on the inhabitants and interests of this ancient, loyal, and most important Colony.

After which the Hon. Mr. ATTORNEY GENERAL, by His Excellency's command, said—

Mr. Speaker, Honourable Gentlemen, and Gentlemen :—

It is His Excellency the Governor's pleasure that this General Assembly do stand Prorogued until Tuesday the 25th day of August instant ; and this General Assembly is prorogued until the said 25th day of this present month of August accordingly. Prorogation.

E. M. ARCHIBALD,

Clerk of the General Assembly.

END OF THE FIFTH SESSION OF THE GENERAL ASSEMBLY.

You will therefore, I trust, receive from me, with your wonted indulgence, the information that with respect to the measure which constitutes the only exception (and in which I find no suspending clause), I have felt myself constrained by the very important constitutional principles which are therein involved, and to which under the present limited circumstances I have not had the means or leisure to give that degree of attention which they demanded, to receive (that bill) for further consideration, and for communication with His Majesty's Government, as respects the proposed amendments.

Myself, I have been very much gratified to see that you have

It has too often been my pleasure duly to advert in my communications with you to the harmonious and satisfactory course of your Legislative proceedings, to render it necessary for me again to refer to that subject; but I deem that the moment of my signature to your address, a fitting occasion upon which to place upon public record an opinion which a residence of five years among them has led me to form of the character of the great body of the Majesty's loyal subjects in New Zealand; and that my bill will not be found necessary to resort to the extreme limit of the law in any instance during that period; and that I should be less than justice to them if I were to withhold the recognition that it has never been my intention to be connected with a community in which there has been less of crime committed, or of disposition to turbulence, or opposition to the law enacted, than in this island.

Again I have the justice of doing and protection on the inhabitants and interests of this ancient, loyal, and most important Colony.

After which the Hon. the Attorney General, by the Solicitor General, said—

Mr. Speaker, Honorable Members, the Gentleman—

It is the intention of the Government to please that the General Assembly should stand prorogued until Tuesday, the 26th day of August instant; and the General Assembly is prorogued until the 26th day of the present month of August accordingly.

M. M. ARCHIBALD,

Clerk of the General Assembly.

APPENDIX

APPENDIX.

FORT TOWNSHEND, 17th July, 1846.

SIR,

It having been communicated in General Orders dated 15th Instant, that a series of Resolutions had been recently passed by the General Assembly of this Island, expressive of the thanks of the House for the exertions manifested by the Troops on the occasion of the great calamity arising from Fire, which lately visited the city of St. John's, in which it has been pleased to notice the exertions of the Officers, Non-Commissioned Officers, and Soldiers of the Royal Newfoundland Companies during that untoward event, and granting a donation of money in consideration of the services rendered by the Military.

I have the honor to request that His Excellency will be pleased to communicate to the Honorable the Speaker on the part of myself, the Officers, Non-Commissioned Officers, and Soldiers of the Royal Newfoundland Companies, the high sense we entertain of this expression of thanks and estimate of our humble services, by the General Assembly of Newfoundland, and of the readiness of the Corps, at all times, to afford its best services for the protection of either life or property in the capital of the Colony, with the Inhabitants of which it has now been for so long a period associated.

I have the honor to be, Sir,

Your most obedient, humble servant,

ROBERT LAW, *Lieut. Colonel,*

*Commanding Royal Newfoundland
Companies.*

Lieutenant F. C. HARVEY, A. D. C., Government-House.

APPENDIX.

ST. JOHN'S, NEWFOUNDLAND, 17th July, 1846.

SIR,—

The Non Commissioned Officers and Gunners of Major Wright's Company, Royal Artillery, request Your Excellency will have the goodness to convey to the House of Assembly of St. John's, their grateful thanks for the handsome donation which they were pleased to bestow on them for their exertions at the Fire on the 9th ultimo, and they beg leave to assure Your Excellency they will at all times be ready to assist the inhabitants, when called upon on a like calamity.

I have the honor to be,

Your Excellency's

Most obedient and humble servant,

W. WRIGHT,

Major Royal Artillery.

His Excellency Major General Sir John Harvey, K. C. B., and K. C. H.

ROYAL ENGINEER OFFICE,
St. John's, Nfld., 20th July, 1846. }

SIR,—

It having been promulgated in the General Order of the 15th Instant, that the General Assembly of this Colony had been pleased to pass a vote of thanks to myself and the Officers of the Royal Engineers for services rendered on the occasion of the late fire, I have the honor to request that Your Excellency will be pleased to express to them the high sense we entertain of this distinguished mark of their approbation, and to assure them that we shall always consider it to be not less our duty than our privilege to render every assistance in our power during any emergency of a like nature.

I have the honor to be,

Your Excellency's

Very obedient humble servant,

A. W. ROBE. Major

Commanding Royal Engineers.

His Excellency Major General Sir JOHN HARVEY,
Governor and Commander-in-Chief, &c. &c.

APPENDIX.

Extract of a Document, dated 20th March 1846, addressed to the Commandant of St. Pierre, and Miquelon, by eight inhabitants of Bay of Fortune.

On the ninth of March instant, the undermentioned George Lake, William Bennett, Edward Bennett, William Lake, James Elford, and Charles Bennett, having heard that a boat was seen in the ice, went to the summit of a mountain which is situated near this harbour, and discovered a boat at a distance of about six miles, on which they perceived a man yet living. The said George Lake then proposed to make an attempt to save this unhappy man, and those who accompanied him received the proposition with eagerness. The ice extended off the land about half a mile, but it did not form a compact mass. It was formed of detached pieces, and broken ice very thick between the spaces which separated them, so that these six intrepid and devoted men succeeded with the greatest difficulty in making way with their boat which measured almost eight feet in her keel. In several places they were obliged to push it along by means of light planks taken by them for that purpose. After having made a distance of about two miles they were on the point of abandoning their perilous enterprise; but perceiving that there were two men on the boat in danger, they renewed their efforts and succeeded in reaching them at the greatest risk of their lives, for had the wind blown off the land (it was calm at the time) they would undoubtedly have perished. They found these two unfortunate men in the most frightful state, and after having paid them the first necessary attentions, they returned on the ice which bordered on the shore, where another boat awaited them. They occupied four hours in making this passage, so many difficulties had they to overcome, besides the burthen of two exhausted men. During the night the wind blew from the N. E. with such force, and was so cold that without the devoted courage of the above named six men the two wrecked men would, without doubt, have lost their lives that night.

(Signed),

ELIAS MAJOR.
JOHN LAKE.
JOHN CLIFFORD.
N. CROAKER.
JONATHAN SNOOK.
CHARLES ROGERS.
JOHN WOUNDY.
WILLIAM GILLYARD.

To confirm the Extract
The Interpreter of the English Language,

(Signed)

A. FILLEAN.

The Commandant of the Isles of St. Pierre and Miquelon.

(Signed)

DE LECLEUX.

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TO THE

JOURNAL OF THE FIFTH SESSION

OF THE

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