

JOURNALS

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**JOURNALS**

OF THE

**LEGISLATIVE COUNCIL**

OF

HIS EXCELLENCY

**NEWFOUNDLAND.**

GOVERNOR AND COMMANDER-IN-CHIEF IN AND OVER

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DEPENDENCIES

BEING THE FIRST SESSION

EIGHTH GENERAL ASSEMBLY

1855.

# JOURNALS

OF THE

LEGISLATIVE COUNCIL

OF THE

ISLAND OF NEWFOUNDLAND.



HIS EXCELLENCY

CHARLES HENRY DARLING, ESQ.,

GOVERNOR AND COMMANDER-IN-CHIEF IN AND OVER  
THE ISLAND OF NEWFOUNDLAND AND ITS  
DEPENDENCIES, &c., &c.

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*BEING THE FIRST SESSION*

OF THE

SIXTH GENERAL ASSEMBLY.

1855.



## PROCLAMATION.

C. H. DARLING.  
[L. S.]

*By His Excellency CHARLES HENRY DARLING,  
Esquire, Administrator of the Government  
of the Island of Newfoundland and its  
Dependencies, &c. &c. &c.*

**W**HEREAS Writs in due form have been issued for a General Election of Members of the General Assembly of this Island, under which Members have been elected and returned to serve in the said General Assembly: I do, therefore, by these Presents, in pursuance of the power and authority vested in me by Her Majesty's Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date the Ninth day of November One Thousand Eight Hundred and Fifty-two, and by Her Majesty's Warrant, directed to me as Administrator of the Government of the said Island, bearing date the Twenty-sixth day of March, One Thousand Eight Hundred and Fifty-five, further Summon and Call the Members of the said General Assembly so elected, to Assemble and Meet at the Town of St. John's, in the said Island, for the *despatch of business*, on **TUESDAY** the *Twenty-second* day of **MAY** instant; whereof all persons concerned therein are hereby required to take due notice and govern themselves accordingly.

Given under my Hand and Seal at the Government House,  
at St. John's aforesaid, the Fourteenth day of May,  
Anno Domini One Thousand Eight Hundred and  
Fifty-five, and in the Eighteenth Year of Her Ma-  
jesty's Reign.

*By His Excellency's Command,*

**JAMES CROWDY,**

*Secretary.*

HER MAJESTY'S COUNCIL,  
NEWFOUNDLAND.

First Session, Sixth General Assembly, 18th & 19th  
of Victoria.

TUESDAY, 22<sup>ND</sup> MAY, 1855.

This being the day appointed for the meeting of the Colonial  
Legislature,

At half-past One of the Clock, P. M., the House met.

PRESENT :

*The Honorable* ROBERT LAW, K. H., *Commandant.*  
“ EDWARD M. ARCHIBALD, *Attorney General.*  
“ JAMES CROWDY, *Colonial Secretary.*  
“ JOSEPH NOAD.  
“ LAURENCE O'BRIEN.  
“ THOMAS B. JOB.  
“ JAMES J. GRIEVE.

At Two of the Clock, P. M., His Excellency the Administrator  
of the Government having arrived at the Council Chamber, and be-  
ing seated on the Throne, the Honorable the President of the Coun-  
cil commanded the Sergeant-at-Arms attendant on the Council, to  
go to the Commons House of Assembly, and inform the Members  
that it was His Excellency's pleasure that they do forthwith attend  
at the Bar of this House; and they being come thereto, the Honor-  
able the President said :

The Honorable the  
Governor arrived at the  
Council Chamber.

The Assembly met.

The Honorable the  
Members present.

House meets.

Members present.

Governor arrives at the  
Council Chamber.

The Assembly sum-  
moned to attend him.

22nd May, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

*Honorable Gentlemen, and Gentlemen of the Assembly:*

The President declares his Excellency's pleasure that the Assembly choose a Speaker.

I am commanded by His Excellency the Administrator of the Government to acquaint you, that His Excellency does not think fit to declare the causes for which he has summoned the Legislature, until there be a Speaker of the House of Assembly; it is, therefore, His Excellency's pleasure that you, Gentlemen of the House of Assembly, do forthwith repair to your Chamber, and there choose a fit person to be your Speaker, and that you present the person whom you shall have so chosen, to His Excellency, in this House, for his approbation.

The Assembly retire.

The House of Assembly then withdrew.

The Assembly summoned to attend.

At half-past Two of the Clock, the Honorable the President commanded the Sergeant-at-Arms to acquaint the Assembly, that it is His Excellency's pleasure that they attend here immediately in this House, who being come—

Mr. LITTLE said,—

Mr. Little presents Mr. Shea as Speaker.

*May it please Your Excellency:*

The House of Assembly, in obedience to your Excellency's commands, have proceeded to the election of a Speaker, and I now have the honor to present to Your Excellency AMBROSE SHEA, Esquire, Member for the District of St. John's (West), whom they have chosen to fill that office.

The Governor confirms Mr. Shea as Speaker.

The President of the Council then said,—

Mr. Shea,—His Excellency the Administrator of the Government commands me to declare to you, that in full assurance of your ability, discretion and zeal, he entirely approves of the choice which the Assembly have made, and does confirm and allow you to be their Speaker.

The Speaker entreats from his Excellency the privilege of his office.

Then the Speaker of the Assembly said,—

*May it please Your Excellency:-*

Your Excellency having been pleased to approve of the choice the House of Assembly have made of me to be their Speaker, it becomes my duty as such, in the name of the Representatives of Her

22nd May, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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Majesty's loyal subjects, the People of Newfoundland, humbly to demand, that they may have freedom of speech in their debates—that they and their Servants may be free from arrest—and that whenever Her Majesty's Service and the interests of the Colony may require it, I, as their Speaker, may have free access to your Excellency's person.

The President of the Council then said,—

His Excellency the Administrator of the Government commands me to assure you, that he extends to you, in the most ample manner, all the privileges which have at any time been enjoyed by your predecessors in office, as Speaker of the Assembly.

The Governor extends to the Speaker all the privileges enjoyed by his predecessors in office.

His Excellency was then pleased to open the present Session by a gracious Speech to both Houses, of which the following is a copy :—

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

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

It greatly enhances the satisfaction with which I meet you in General Assembly convened, thus early after my assumption of the Government of this ancient and loyal Colony, that I am in a position to announce to you my intention to take immediate measures for establishing its Civil Administration upon that system, which now for some time past in successful operation in Her Majesty's other North American Possessions, is well known and understood under the designation of Responsible or Parliamentary Government.

His Excellency's Speech.

The conditions which were considered by Her Majesty's Government indispensably preliminary to the introduction of that system, having been satisfactorily fulfilled on the part of the Colony, by the enactment of laws providing for the enlarged Representation of the people, and granting Retiring Allowances to the present holders of Executive Offices, who have seats in the Council, it remains only that the necessary measures should be taken under her Majesty's authority, for enlarging the Council in its Legislative capacity, and for constituting an Executive Council distinct and separate from it.

Delay in the completion of the instrument whereby the Royal

*22nd May, 1855.*

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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Authority for this purpose, would be properly conveyed to me, has been occasioned by the necessity which has been felt in England of referring to this Colony for information upon certain points of legal technicality arising out of the original constitution of the Council.

I have reason to expect that I may be put in possession of the requisite document with my public communications by the next mail; and I have in the meantime addressed to the Secretary of State, such representation upon the subject, as will I am satisfied have the effect of securing its immediate transmission should my expectation that it has been already forwarded to me be disappointed.

After a full consideration, however, of the circumstances, I have come advisably to the conclusion, that my present inability to increase the Council beyond the existing maximum of ten; or formally to constitute a separate Council of Advice, presents no practical impediment to the immediate inauguration of the new system.

The state of the Council at the present moment, and the course which those old and approved servants of the Crown who hold seats in that body, have, with a just appreciation of the political conjuncture, intimated to me their readiness to pursue, remove some embarrassment which might otherwise have been experienced, and place it in my power at once to form an Administration enjoying the declared confidence of a majority of the Assembly; and to constitute an Upper Chamber sufficiently in harmony with that House to secure an Administration so formed such a degree of support as, while at all times desirable for its efficient and constitutional action, appears absolutely indispensable to put the Responsible Form of Government fully and fairly into operation.

I entertain no doubt that the course which I propose to pursue will be regarded by Her Majesty's Government as only just to the people of the Colony, and in entire accordance with the spirit which it is their desire should, under the circumstances, govern my proceedings as Her Majesty's Representative.

Under a different state of things it might perhaps have been more consistent with official propriety that your meeting should have

22nd May, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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been deferred until the Executive was in a position to establish the new form of Government in all its completeness; but the expiration on the 27th instant, of the Act under which our entire Revenue, with a trifling exception, is levied and collected, renders, as you will be fully aware, such a delay on my part impossible.

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

I rely upon your just sense of the emergency and your reasonable view of the present position of affairs, to avert the injurious consequences to every interest of the Colony, and to every class of its inhabitants, which would result from the sudden cessation of its Revenue.

You will, I doubt not, see the wisdom of adopting a measure which, while accomplishing that paramount object, will at the same time leave it open to you to resort at an early date to such further financial legislation as may be rendered necessary by the decision of the Legislature, in respect to the treaty for establishing Reciprocal Free Trade with the United States, which has been recently concluded under the enlightened auspices of the late Governor General of Canada.

I have every confidence, that when the proper moment shall arrive, you will be found ready to grant the necessary Supplies for the efficient conduct of the Public Service, and for covering the expenditure unavoidably incurred on account of the year 1854.

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

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

I shall cause an authentic copy of the Act of the Imperial Parliament embodying and carrying into effect the Treaty with the United States, to which I have referred, to be laid before you.

By its concluding section, you will observe that power is conveyed to me to extend the provisions of the Treaty to Newfoundland, should you see fit to follow, in this regard, the course which the Legislatures of the other North American Provinces have wisely, as I conceive, adopted.



*22nd May, 1855.*

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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I learn with deep regret that that important Branch of our Commercial Industry—the Seal Fishery—has this year failed to produce even an average return, and that the condition of a very considerable proportion of our population is such, as to render it impossible to avoid extending to them a large amount of eleemosynary as well as other aid, at the charge of the Public Revenue.

The rapid growth and the present extent of pauperism, constitute, indeed, an evil of appalling magnitude.

An unnatural element in any Colonial community, and lying as a canker at the very root of political and social prosperity, your early and earnest attention will, I am confident, be given to an examination of the causes by which it has been produced or fostered, and to the application of such remedies as may be within your reach.

Many new channels of employment will probably result from a freer Commercial intercourse with the United States; and the development of those Resources, which although hitherto comparatively neglected, there seems no doubt that this Colony itself possesses, would, I sanguinely anticipate, open a wide field into which, by judicious legislation, the industry of our hardy and adventurous people might be successfully directed; not only without disturbance of, but possibly with much advantage to those settled pursuits, to which British capital and enterprise have so long been profitably devoted.

You will, I am sure, feel with me that the moral, useful and intelligent education of all classes of the people, is more than ever necessary to give full scope and beneficial operation to those principles upon which our new form of Government is based.

The value of improved intercourse, whether by land or sea, between the seat of Government and the Out-settlements, as well as amongst those settlements themselves, is, I am aware, too well felt and understood to render it necessary that I should now urge it upon your attention.

Upon the interesting questions I have thus briefly noticed, and upon many others of more or less importance to the community, you

22nd May, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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will find me prepared to communicate and to co-operate with you whenever I shall be in a position to do so with the concurrence and through the medium of a Ministry, of whose due influence with the Representative Branch of the Legislature, I shall be sufficiently assured.

The formation of such a Ministry awaits only that indication of opinion, which the course of Parliamentary action will doubtless soon afford.

You will not, I trust, mistake the spirit in which I observe, that a great responsibility rests upon those with whom it will principally lie, to determine into whose hands Administrative power shall be committed.

For myself, as a sincere believer in the great benefits that may result from the application of the time-tested Institutions of our Mother Country, to every community whose general standard of intelligence is such as to guarantee that the great principles of those Institutions will be rightly understood and acted upon—and which possesses available material not only for the formation of an able and enlightened Administration, but also for that no less essential element of British Constitutional Government, an organized and vigilant “Opposition”—I feel that I may offer to you my hearty congratulations, that Newfoundland will henceforth take that place among the most freely governed Dependencies of the British Crown, which its fitness in other respects, now fully acknowledged—seems peculiarly due to its standing as the earliest offspring of the Parent State; to its commercial wealth and extensive trade; to the position of interest and importance, which it seems destined ere long to assume, as the point through which public intelligence will pass with electric speed between the Eastern and the Western Worlds; and, above all, to the fact, that its loyal inhabitants derive more directly and exclusively from the people of the British Islands, than those of any other of Her Majesty’s Colonial Dominions.

In now declaring this enlarged Legislature of Newfoundland duly opened for the despatch of business, I devoutly hope that under the

**22nd and 23rd May, 1855.**

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

blessing of Almighty Providence, pure patriotism, with sound judgment, may influence your councils and guide your decisions.

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

A copy of his Excellency's Speech having been left with the President, it was read by the Clerk—and

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

Ordered—That a Select Committee be appointed to draft an Address to His Excellency in answer thereto, and

Ordered—That the Honorable Messrs. Archibald, Grieve, and O'Brien, be a Committee for that purpose.

Ordered—That the Speech be printed.

House adjourns.

On motion made and seconded, the House adjourned until tomorrow at Two o'clock, P. M.

WEDNESDAY, 23rd MAY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT :

Members present.

*The Honorable* EDWARD M. ARCHIBALD, *Attorney General.*  
 “ JAMES CROWDY, *Colonial Secretary.*  
 “ JOSEPH NOAD.  
 “ LAURENCE O'BRIEN.  
 “ THOMAS B. JOB.  
 “ JAMES J. GRIEVE.

The Minutes of yesterday were read.

Report of Delegate to Her Majesty's Government on the affairs of the Colony.

The Honorable Mr. CROWDY, the Delegate from the Council appointed during the last Session of the Legislature, to proceed to England on the affairs of the Colony, laid before the House the following Report.

Immediately on my arrival in London, I addressed a Letter to Her Majesty's Principal Secretary of State for the Colonies, of which the following is a copy :—

23rd May, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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23rd January, 1855.

SIR,—

Her Majesty's Council of Newfoundland, in the last Session of the Legislature of that Colony, passed a Resolution appointing me a Delegate to give to you such information with regard to the proceedings of that Session as circumstances might render necessary; and I have the honor to acquaint you, that with the permission of His Excellency the Governor, I have come here to discharge the duty so entrusted to me.

The House of Assembly having thought it proper to refuse the usual Supplies—to pass a series of Resolutions, in which the motives and conduct of the Council are impugned, and their removal desired, and to appoint a Delegate to press these Resolutions—and all this notwithstanding the concessions made, and made only by the Council, in passing the Assembly's Bills for increasing the Representation, and for the retirement of Officers—the Council have deemed it desirable that one of their number should be in London, to remove any misapprehension that may exist, or be caused, as to their proceedings during the Session in question, or at any other period.

May I take the liberty of requesting, that with a view to the furtherance of the object sought by the Council I may, at your convenience, be honored by you with an interview.

I have, &c.,

(Signed) JAMES CROWDY.

The Right Honorable

Sir GEORGE GREY, &c. &c.

Accordingly, I had an interview with Sir George Grey on the 2nd February, who requested to know whether my mission was for offensive or defensive purposes; as, if the former, he must require my complaint in writing. I stated, that my object was to give such explanations as might relieve his mind from any unfavorable impressions, should such have been made, by any statement of the House of Assembly, as regarded the Council. Sir George stated, that none such had been made, and that he had entirely approved the proceedings of the Governor. After a conversation of some duration, I said

23rd May, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

—“I am, then, at liberty to state, that no unfavorable impression has been made on your mind;” and after a short pause he replied,—  
“I required Mr. LITTLE to make his complaint in writing—I have felt it due to the Governor to transmit for his information such complaint, but have not felt myself called on to ask him to reply to it, and you are quite at liberty to refer to the Despatch in which I forwarded Mr. LITTLE’S complaint.” Thus terminated, as I deemed satisfactorily, our interview.

(Signed) JAMES CROWDY.

Notice of motion for an Address to the Governor for a copy of the Despatch from the Secretary of State transmitting complaint of Mr. Little against the late Governor.

The Honorable Mr. GRIEVE gives notice, that to-morrow he will move that an Address be presented to His Excellency the Governor, requesting he will cause to be laid before this House a copy of the Despatch from Sir GEORGE GREY to the late Governor, transmitting the complaint made against him by Mr. LITTLE, the Delegate from the House of Assembly.

Select Committee report draft of Address to the Governor in reply to his Speech.

The Honorable Mr. ARCHIBALD, from the Select Committee appointed to prepare an Address to the Governor in answer to His Excellency’s Speech at the opening of the Session, presented a draft thereof.

Ordered—That the same be received.

The Address was then read a first time, and

Ordered—To be read a second time to-morrow, and to be printed.

Notice of motion to suspend 37th Rule of the House.

The Honorable Mr. O’BRIEN gives notice, that he will to-morrow move the suspension of the 37th Rule of the House with reference to the said Address.

House in Committee on privilege.

On motion of the Honorable Mr. GRIEVE, the House went into Committee on Privilege.

The Honorable Mr. JOB in the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had agreed to the following Resolution:—

Resolved—That Messrs. Rodger and Seaton be appointed Re-

**23rd and 24th May, 1855.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

porters and Publishers of the Debates of this House for the present Session, subject to the same arrangements as were carried out in the last Session.

Messrs. Rodger and Seaton appointed Reporters and Publishers of the Debates of the House.

Ordered—That the said report be received and adopted.

On motion made and seconded, the House adjourned until tomorrow.

House adjourns.

**THURSDAY, 24th MAY, 1855.**

The House met pursuant to adjournment.

House meets.

**PRESENT :**

*The Honorable* EDWARD M. ARCHIBALD, *Attorney General.*  
 “ JOSEPH NOAD.  
 “ LAURENCE O'BRIEN.  
 “ THOMAS B. JOB.  
 “ JAMES J. GRIEVE.

Members present.

The Minutes of yesterday were read.

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

Address to the Governor in reply to his Speech on opening the Session.

Pursuant to notice, the Honorable Mr. O'BRIEN moved that the 37th Rule of the House be suspended with reference to the said Address—and it was

37th Rule of the House suspended.

Ordered accordingly.

Whereupon the House went into Committee on the Address ;

Address committed.

The Honorable Mr. NOAD in the Chair.

After some time the House resumed.

The Chairman reported the Address without Amendment.

—reported.

Ordered—That the report be received.

The Address was then read a third time and passed, and

—read 3rd time and passed.

The Honorable the Presiding Member signed the same.

24th May, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th &amp; 19th VICTORIA.

The Address.

The Address is as follows:—

To His Excellency CHARLES HENRY DARLING,  
Esquire, Administrator of the Govern-  
ment of Newfoundland and its Depen-  
dencies, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,—

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

In the appointment of your Excellency to administer the Government of this Colony,—a mark of Her Majesty's approbation and confidence upon which we respectfully tender to your Excellency our sincere congratulations,—we recognize Her Majesty's care for the promotion of the best interests of Newfoundland, in having selected for the discharge of the onerous and important duties devolving upon your Excellency an Officer of your Excellency's experience in the Government of other Colonial Dependencies of the Crown.

The preliminary conditions to the introduction into this Colony of the system of Government known as Responsible or Parliamentary Government, having been complied with—and the Legislature being now assembled under the operation of the Act for the increase of the number of Representatives—we sincerely trust that all the benefits which have been anticipated from the extension to this Colony of the new system of Civil Administration, may be fully realized. We beg to assure your Excellency on the part of this Branch of the Legislature, that nothing shall be wanting to give full operation and effect to those principles of Self Government, which Her Majesty has been graciously pleased to concede to this Colony in like manner as to Her other British North American Possessions.

We shall be prepared to give our best consideration to such measures as may be necessary to bring into operation the Treaty for Reciprocal Free Trade with the United States; and in the present depressed state of the Trade and Fisheries of the Colony, we look

24th May, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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with no little interest to this change in our Commercial policy, as one from which benefit to all classes of the community may reasonably be expected.

In common with your Excellency we deplore the rapid growth and present extent of pauperism; and we concur in the force and propriety of the expressions in which your Excellency has depicted the magnitude of this evil,—to the removal of which, by any measures within the reach of legislative enactment, we will give our prompt and earnest attention.

To the important subjects of Education and improved internal Communication, and to the other matters of interest to the public welfare to which your Excellency has adverted, we shall not fail to devote all the careful consideration which they merit.

In conclusion, we humbly trust that with the blessing of Providence, the labours of the Legislature under the new system of Government which has now been inaugurated by your Excellency may be productive of peace and prosperity to this ancient and loyal Colony.

Ordered—That a Select Committee be appointed to wait on the Governor to ascertain when His Excellency will be pleased to receive the House with the Address.

Committee appointed to wait on the Governor to ascertain when he will receive the Address.

Ordered—That the Honorable Messrs. Crowdy and Noad be a Committee for that purpose.

Pursuant to notice, the Honorable Mr. JOB, on behalf of the Honorable Mr. GRIEVE, moved that an Address be presented to the Governor for a copy of the Despatch from the Secretary of State, transmitting complaint of Mr. Little against the late Governor of the Colony.

Motion for an Address to the Governor for copy of the Despatch from the Secretary of State transmitting complaint of Mr. Little against the late Governor.

Ordered accordingly.

Whereupon the Honorable Mr. JOB, read an Address which was received and adopted, and is as follows:—

Address read and adopted.



**24th and 25th May, 1855.**

**FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.**

The Address.

*To His Excellency CHARLES HENRY DARLING,  
Esquire, Administrator of the Govern-  
ment of the Island of Newfoundland and  
its Dependencies.*

**MAY IT PLEASE YOUR EXCELLENCY,—**

Her Majesty's Council respectfully request, that your Excellency will be pleased to direct that there be laid before them, a copy of the Despatch from the late Secretary of State for the Colonies, Sir George Grey, to your Excellency's predecessor in the Government, transmitting the complaint of Mr. Little against his Excellency Ker Baillie Hamilton, Esquire.

Passed Her Majesty's Council, }  
24th May, 1855. }

Committee appointed to wait on the Governor to ascertain when he will receive the Address.

Ordered—That the Honorable Messrs. Crowdy and Grieve be a Committee to wait on the Governor, to ascertain when his Excellency will receive the said Address.

House adjourns.

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

**FRIDAY, 25th MAY, 1855.**

House meets.

The House met pursuant to adjournment.

**PRESENT :**

Members present.

*The Honorable* **ROBERT LAW, K. H., Commandant.**  
“ **LAURENCE O'BRIEN.**  
“ **THOMAS B. JOB.**  
“ **JAMES J. GRIEVE.**  
“ **JAMES TOBIN.**  
“ **JOHN ROCHFORT.**

Revenue Bill brought up and read 1st time.

The Minutes of yesterday were read.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act to continue and amend the Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies,” which was read a first time—and

Ordered—To be read a second time to-morrow.

**25th and 26th May, 1855.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

The Honorable Mr. O'BRIEN gives notice, that he will to-morrow move that the 37th Rule of the House be suspended with reference to the said Bill.

Notice of motion to suspend 37th Rule of the House.

The Honorable Mr. GRIEVE acquainted the House, that the Deputations appointed yesterday to wait on His Excellency the Administrator of the Government, to ascertain when he would receive the Addresses passed on the 24th instant, had waited on His Excellency, and that he would receive the House with its Address in reply to his Speech at the opening of the Session, at noon to-morrow, and the Deputation from the House with an Address for a copy of a Despatch from the Secretary of State, immediately afterwards.

His Excellency the Administrator will receive the addresses passed by this House at noon to-morrow.

On motion made and seconded, the House adjourned until a quarter before twelve o'clock, A. M., to-morrow.

House adjourns.

**SATURDAY, 26th MAY, 1855.**

The House met pursuant to adjournment.

House meets.

**PRESENT :**

The Honorable **ROBERT LAW, K. H., Commandant.**  
 " **LAURENCE O'BRIEN.**  
 " **THOMAS B. JOB.**  
 " **JAMES J. GRIEVE.**  
 " **JAMES TOBIN.**  
 " **JOHN ROCHFORT.**

Members present.

The Minutes of yesterday were read.

At five minutes before twelve o'clock, the House proceeded to the Government House, with its Address in reply to the Speech of His Excellency the Administrator of the Government, on opening the Session.

House proceeds to the Govt. House with its Address.

At a quarter past twelve o'clock, the House having returned, the Honorable the President reported that His Excellency had been pleased to receive the said Address, and to return an answer thereto in the following words :—

26th May, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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

Governor's reply to the Address.

I receive with great satisfaction, your assurance that I may rely upon your endeavours to give full operation and effect to the principles of Responsible Government, now established in this Colony.

I have confidence in the beneficial results of your attentive consideration of the important questions to which you advert, and I thank you sincerely for the congratulatory and complimentary terms in which you are pleased to allude to my appointment, by Her Majesty, to this important Government.

Report of Select Committee appointed to wait on the Governor for copy of a Despatch from the Secretary of State relative to the complaint of Mr. Little against the late Governor.

The Honorable Mr. GRIEVE, from the Select Committee appointed to wait on His Excellency the Administrator of the Government, with an Address praying for a copy of a Despatch from the Secretary of State, transmitting the complaint of Mr Little against the late Governor, Ker Baillie Hamilton, Esquire, reported,—That His Excellency had said that he would give the request contained in the Address every consideration, and would transmit his reply, under the new form of Government which has now been inaugurated, through a member of the Government having a seat in the Legislative Council.

Revenue Bill read 2nd time.

Pursuant to the order of the day, the Bill entitled "An Act to continue and amend the Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies," was read a second time.

37th Rule of the House suspended.

Pursuant to notice, the Honorable Mr. O'BRIEN moved that the 37th Rule of the House be suspended with reference to the said Bill.

Revenue Bill committed.

Whereupon the House went into Committee on the said Bill—  
The Honorable Mr. JOB in the Chair.

After some time the House resumed.

—reported.

The Chairman reported the Bill without Amendment.

Ordered—That the report be received.

—read 3rd time and passed.

The Bill was then read a third time and passed—and

The Honorable the President signed the same.

26th May, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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The Honorable Mr. O'BRIEN informed the House, that he was commanded by His Excellency the Administrator of the Government, to acquaint the Council in reply to their Address requesting that a "copy of the Despatch from the late Secretary of State for the Colonies, Sir George Grey, to His Excellency's predecessor in the Government, transmitting the complaint of Mr. Little against Ker Bailie Hamilton, Esquire," may be laid before them; that having referred to the Despatch to which he understands the Council to allude, the Administrator finds that that Document relates to allegations against the conduct of his predecessor in the Government in reference to which the Secretary of State informed Mr. Hamilton, that having expressed his opinion on the specific questions which had been brought before him, he thought it unnecessary to advert to those allegations, or to require from Mr. Hamilton any answer to them; observing at the same time, "on the contrary, I trust that the correspondence on the differences between the Executive Government and the Assembly may be considered as closed, and that hereafter, under the system of Government in force in the other North American Colonies, and now about to be introduced into Newfoundland, there will be a general desire, in which I am confident the Local Government will cordially join, to concur in the promotion of measures calculated to advance the interests and prosperity of the whole community."

The Administrator regrets, that under these circumstances he feels himself precluded from complying with the request of the Council, that a copy of the Despatch referred to should be laid before them.

At half past two of the clock, P. M., His Excellency the Administrator of the Government having come to the Legislative Council Chamber, and being seated on the Throne, the Serjeant at Arms was ordered to direct the attendance of the Speaker and Members of the Commons House of Assembly in this House, and they being come thereto, His Excellency was pleased to assent to the Bill entitled "An Act to continue and amend the Act for granting to Her Majesty certain Duties on Goods, Wares and Merchandize imported into this Colony and its Dependencies."

Communication from the Administrator of the Govt. through the Hon. Mr. O'Brien declining to comply with the request of the Council for a copy of the Despatch from the Secty. of State transmitting the complaint of Mr. Little against the late Governor.

Administrator of the Government arrives at the Council Chamber.

Assembly summoned to attend him.

His Excellency assents to the Revenue Bill.

## 31st May and 7th June, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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Then the House of Assembly returned, and His Excellency withdrew.

House adjourns.

On motion made and seconded, the House adjourned until Thursday next, at Two o'clock, P. M.

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THURSDAY, 31st MAY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT :

Members present.

*The Honorable* CHARLES F. BENNETT.  
 “ THOMAS B. JOB.  
 “ JAMES J. GRIEVE.  
 “ JAMES TOBIN.  
 “ JOHN ROCHFORT.

The Minutes of Saturday last were read.

On motion made and seconded, it was

Reply of his Excellency for copy of Despatch relative to complaint of Mr. Little against the late Governor, &c. to be printed.

Ordered—That the reply of His Excellency the Administrator of the Government, through the Honorable Mr. O'Brien, relative to the complaint of Mr. Little, and the other Documents in connection therewith, be printed.

House adjourns

On motion made and seconded, the House adjourned until Thursday next, at Two o'clock.

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THURSDAY, 7th JUNE, 1855.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* ROBERT LAW, K. H., *Commandant*.  
 “ CHARLES F. BENNETT.  
 “ LAURENCE O'BRIEN.  
 “ JAMES TOBIN.  
 “ JOHN ROCHFORT.  
 “ GEORGE H. EMERSON.

The Minutes of Thursday last were read.

*7th and 9th June, 1855.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

The Honorable Mr. BENNETT gives notice, that on an early day he will move that a copy of the Despatch from the late Governor to the Secretary of State, transmitting the Complaint of the House of Assembly against His Excellency Ker Baillie Hamilton, Esquire, and Her Majesty's Council, be laid before the House.

Notices of motion.

The Honorable Mr. EMERSON gives notice, that on Saturday next, the 9th inst., he will move for the appointment of a Reporter and other officers to this House.

The Honorable Mr. TOBIN gives notice, that on Saturday the 9th inst., he will move the consideration of the Printing of this House.

The Honorable Mr. EMERSON lays before the House, by command of His Excellency the Administrator of the Government, the following documents, viz:—

Documents laid before the House.

A Despatch from the Secretary of State for the Colonies, dated 3rd April, 1855, on the subject of the erection of a Lighthouse on Cape Race.

A Despatch from the Secretary of State, dated 8th November, 1854, pointing out an omission in the Act to incorporate a Telegraph Company.

Copies of Acts recently passed for giving effect, on the part of certain Provinces, to the recent Reciprocity Treaty with the United States.

Ordered—That the last named document be printed.

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

House adjourns.

SATURDAY, 9th JUNE, 1855.

The House met pursuant to adjournment.

House meets.

9th and 14th June, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

PRESENT :

Members present.

*The Honorable* ROBERT LAW, K. H., *Commandant*.  
 “ CHARLES F. BENNETT.  
 “ LAURENCE O'BRIEN.  
 “ JAMES TOBIN.  
 “ JOHN ROCHFORT.  
 “ GEORGE H. EMERSON.

The Minutes of Thursday last were read.

Petition from Shoe Cove for the protection of the Fisheries, read.

On motion of the Honorable Mr. BENNETT, a Petition signed by 70 inhabitants of Shoe Cove, Green Bay, praying for the protection of the Fisheries from the encroachment of the French, was read—and

Ordered—To lie on the Table.

On motion that the House go into a committee of privilege—

Pursuant to notice, the Honorable Mr. EMERSON moved, that this House do resolve itself into a Committee of Privilege, to reconsider the appointment of the Reporter and Publisher of the Debates of this House.

Whereupon the House divided, when there appeared—

House divides.

CONTENT—3. NON-CONTENT—3.

So the question passed in the negative.

House adjourns.

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

THURSDAY, 14th JUNE, 1855.

At half-past Two of the Clock, P. M., there were present—

*The Honorable* ROBERT LAW, K. H., *Commandant*.  
 “ CHARLES F. BENNETT.

House adjourned for want of a quorum.

The Honorable the President adjourned the House, for want of a quorum.





18th June, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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frame for the guidance of the Council, are under His Excellency's consideration, and will be sent down to the Council at the earliest possible moment.

C. H. D.

*Extract from the Royal Instructions to His Excellency CHARLES HENRY DARLING, Esquire, Governor and Commander-in-Chief of the Island of Newfoundland, and its Dependencies, &c., dated the 5th May, 1855:—*

*Tenth.*—And whereas We have by Our said Commission ordained and appointed that the existing Council for Our said Island shall constitute and be a Legislative Council for Our said Island; and that the said Legislative Council shall be composed of such Public Officers within Our said Island, and of such other persons within the same, as shall from time to time be nominated or designated by Us, by any Instruction or Instructions, or Warrant or Warrants, to be by Us for that purpose issued under Our Sign Manual and Signet, and with the advice of Our Privy Council; all which Councilors shall hold their places in the said Council at our pleasure: Now, We do hereby authorise and empower you, by any Instrument or Instruments to be made and issued in Our Name and under the Public Seal of our said Island, to constitute and appoint provisionally not less than Ten nor more than Fifteen persons to be the first members of the said Legislative Council for our said Island, subject to Our Pleasure.

*Eleventh.*—And We do declare Our pleasure to be that Five Members of Our said Legislative Council shall be a quorum for the despatch of the business thereof.

*Twelfth.*—And We do authorize and empower you by an Instrument under the Public Seal of Our said Island, to appoint One Member of Our said Council, to preside therein; and to remove him and appoint another in his stead.

*Thirteenth.*—And for ensuring punctuality of attendance of the Members of the said Legislative Council, and for the prevention of meetings of the said Council being held without convenient notice to the several members thereof, it is Our pleasure, and We do hereby direct, that you do frame for the guidance of the said Council such

18th June, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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standing Rules and Orders as may be necessary for those purposes, with such other standing Rules and Orders as may be best adapted for maintaining order and method in the dispatch of business, and in the conduct of all debates in the said Council, which Rules and Orders, not being repugnant to these Our Instructions, or to any other Instructions which you may receive from Us, shall at all times be followed and observed, and shall be binding upon the said Council.

*Fourteenth.*—And we do further direct that Minutes shall be regularly kept of the proceedings of the said Legislative Council, and that the said Council shall not ever proceed to the dispatch of business until the Minutes of the last preceding Meeting have first been read over and confirmed or corrected as may be necessary.

A true Extract,

(Signed) ELLIOT SALTER,

*Private Secretary.*

The foregoing Message and Extracts were read—

Whereupon—By virtue of a Commission under the Great Seal of the Island, addressed to the Honorable JOHN KENT, Member of Her Majesty's Executive Council—which is as follows:—

<p>(L. S.) C. H. DARLING.</p>	<p>VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.</p>	<p>Dedimus Potestatem.</p>
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To all to whom these presents shall come, Greeting :

Know Ye that We have constituted and appointed, and by these presents do constitute and appoint the Honorable JOHN KENT, a member of Our Executive Council of Our Island of Newfoundland, to be a Commissioner to Administer the Oath of Allegiance to all and to every person and persons who is, are, or shall be appointed by Our Governor, of Our said Island, a provisional Member or Members of Our Legislative Council of Our said Island, giving to him, Our said Commissioner, full power and authority to perform the matters hereinbefore mentioned, ratifying and confirming all and

**18th June, 1855.**

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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whatsoever he shall do and perform in this behalf. And therefore he is to make due return under his Hand and Seal unto Our Governor of Our said Island, with these presents annexed.

Given under the Great Seal of Our aforesaid Island.

Witness Our trusty and well-beloved CHARLES HENRY DARLING, Esquire, Our Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, at St. John's, in Our said Island, the Eighteenth day of June, 1855, in the Eighteenth Year of Our Reign.

By His Excellency's Command,

**JOHN KENT,**

*Acting Colonial Secretary.*

The said Commissioner came to the principal Legislative Council Chamber, when the following Members of the Legislative Council took and subscribed the Oath of Allegiance, in the presence of the said Commissioner.

The Hon'ble Laurence O'Brien	The Hon'ble Saml. Carson
“ James Tobin	“ Thomas Row
“ John Rochfort	“ James J. Rogerson
“ George H. Emerson	“ James Furlong
“ Thomas H. Ridley	“ Philip Duggan.

The Honorable Mr. TOBIN gives notice, that on Thursday next, he will move that this House do proceed to the appointment of all its Officers, and that it provide for the Reporting and Printing connected therewith.

House adjourns.

On motion made and seconded, the House adjourned until Thursday next, at Three o'clock.

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**THURSDAY, 21st JUNE, 1855.**

House meets.

The House met pursuant to adjournment.

21st June, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN.  
 “ JOHN ROCHFORT.  
 “ SAMUEL CARSON.  
 “ THOMAS H. RIDLEY.  
 “ THOMAS ROW.  
 “ JAMES J. ROGERSON.  
 “ JAMES FURLONG.  
 “ GEORGE H. EMERSON.  
 “ PHILIP DUGGAN.

Members present.

The Minutes of Monday last, were read.

By virtue of a *Dedimus Potestatem*, under the Great Seal of the Island, addressed to the Honorable LAURENCE O'BRIEN, President of the Executive Council, the Oath of Allegiance was administered by him to the undermentioned gentlemen, appointed provisionally by the Governor to be Members of the Legislative Council—and they took their seats at the table.

*Dedimus Potestatem.*

The Honorable John Munn.

“ James Cormack.

The Honorable Mr. EMERSON, by command of the Governor, laid before the House the Standing Rules and Orders framed by his Excellency, for the guidance of the Council.

Rules and regulations for guidance of the House laid before the Council.

Ordered—That 100 copies of the said Rules be printed.

The Honorable Mr. EMERSON also laid before the House, by command of the Governor, a Despatch from the Secretary of State for the Colonies to His Excellency, transmitting “ An Act to amend the Law of Evidence.”

A Despatch from Secretary of State transmitting “ An Act to amend the Law of Evidence.”

Pursuant to notice, and on motion of the Honorable Mr. TOBIN, it was

Ordered—That Mr. Thomas Talbot be the Reporter of the Debates and Proceedings of this House, and that they be published in such two Newspapers as may be convenient to the Reporter ;

Reporter, Printers, &c. appointed.

That the Printing of the Journals be given to Mr. Joseph Woods ;

## 21st and 27th June, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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That the Miscellaneous Printing be done, as heretofore, by Mr. J. C. Withers ; and

That John Hanrahan be appointed temporarily to the vacant office of Messenger.

The Honorable Mr. FURLONG asked leave of the House to absent himself for a short time on his private affairs.

Ordered—That leave be granted.

House adjourns.

On motion made and seconded, the House adjourned until Wednesday next, at Three o'clock.

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WEDNESDAY, 27th JUNE, 1855.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ GEORGE H. EMERSON.  
 “ JAMES TOBIN.  
 “ JOHN ROCHFORT.  
 “ THOMAS H. RIDLEY.  
 “ JAMES J. ROGERSON.  
 “ THOMAS ROW.  
 “ JAMES FURLONG.  
 “ PHILIP DUGGAN.

The Minutes of Thursday last were read.

Documents laid before the House by command of the Governor

The Honorable Mr. EMERSON, by command of the Governor, laid before the House the following Documents, viz :—

The Blue Book for the year 1854.

An Estimate of the charge of defraying the Public Expenditure of the Island for the year ending 31st December, 1855.

A Consolidated Account of the Goods imported into the Island in the year ending 5th January, 1855 ; together with a Consolidated Account Current of receipts and payments of the Customs Department for the same period.

*27th and 29th June, 1855.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

A copy of a Despatch from the Secretary of State for the Colonies, disallowing the Act to Incorporate the Union Bank of Newfoundland.

General Statement of the Affairs of the Union Bank of Newfoundland, for the year ending 31st May, 1855—and

An Abstract of the Affairs of the Newfoundland Marine Assurance Company, on the 17th January, 1855.

On motion made and seconded, the House adjourned until Friday next, at Three o'clock. House adjourns.

FRIDAY, 29th JUNE, 1855.

The House met pursuant to adjournment. House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " GEORGE H. EMERSON.  
 " JAMES TOBIN.  
 " JOHN ROCHFORT.  
 " SAMUEL CARSON.  
 " THOMAS H. RIDLEY.  
 " JAMES J. ROGERSON.  
 " THOMAS ROW.  
 " JAMES FURLONG.  
 " PHILIP DUGGAN.

Members present.

The Minutes of Wednesday last were read.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled "An Act to give effect, on the part of the Island of Newfoundland, to a certain Treaty between Her Majesty and the United States of America," which was read a first time, and—

A Bill to give effect to a certain Treaty between Her Majesty and the United States,

and

Ordered—To be read a second time on Monday next.

A Deputation also brought up a Bill for the concurrence of the House, entitled "An Act to amend the Act for the Incorporation of the Union Bank of Newfoundland," which was read a first time, and—

The Union Bank Amendment Bill,

Brought up and read 1st time.

2nd July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

Ordered—To be read a second time on Tuesday next.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at Three o'clock, P.M.

MONDAY, 2nd JULY, 1855.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

*The Honorable* LAURENCE O'BRIEN, *President*,  
 “ JOHN ROCHFORD.  
 “ SAMUEL CARSON.  
 “ THOMAS ROW.  
 “ JAMES J. ROGERSON.  
 “ GEORGE H. EMERSON.  
 “ PHILIP DUGGAN.  
 “ JAMES CORMACK.

The Minutes of Friday last, were read,

Documents laid before the House by command of the Governor

The Honorable Mr. EMERSON laid before the House by command of the Governor, the following documents, viz:—

A Statement of the affairs of the New York, Newfoundland and London Telegraph Company,

Post Master General's Account Current of Receipts and Expenditure for the year ending 30th September, 1854.

Free Trade Bill read 2nd time.

Pursuant to the order of the day, the Bill entitled “An Act to give effect, on the part of the Island of Newfoundland, to a certain Treaty between Her Majesty and the United States of America,” was read a second time, and—

Ordered—To be committed to-morrow,

A Bill to unite the Offices of Colonial Treasurer and Collector of Revenue brought up and read a 1st time.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act to unite the offices of Colonial Treasurer and Collector of Her Majesty's Customs and Revenue at the Port of St. John's, into one office,” which was read a first time, and—

3rd July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

Ordered—To be read a second time to-morrow.

On motion made and seconded, the House adjourned until to-morrow, at Three o'clock, P. M.

House adjourns.

TUESDAY, 3rd JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JOHN ROCHFORD.

Members present.

“ JAMES TOBIN.

“ JAMES J. ROGERSON.

“ THOMAS ROW.

“ GEORGE H. EMERSON.

“ JOHN MUNN.

“ PHILIP DUGGAN.

“ JAMES CORMACK.

“ SAMUEL CARSON.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill entitled “An Act to amend the Act for the Incorporation of the Union Bank,” was read a second time, and

Union Bank Amendment Bill read 2d time

Ordered—To be committed on Thursday next.

Pursuant to the order of the day, the Bill entitled “An Act to unite the offices of Colonial Treasurer and Collector of Her Majesty's Customs and Revenue at the port of St. John's, into one office,” was read a second time, and

Bill to unite the offices of Colonial Treasurer and Collector of Her Majesty's Customs—read 2d time.

Ordered—To be committed to-morrow.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to give effect, on the part of the Island of Newfoundland, to a certain Treaty between Her Majesty and the United States of America.”

Free Trade Bill committed.

The Honorable Mr. ROCHFORD in the Chair.

After some time the House resumed.



### 3rd and 5th July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

Reported without amendment.

The Chairman reported the Bill without Amendment.

Ordered—That the report be received.

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

Treasury Notes Act amendment Bill brought up and read 1st time.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled "An Act to repeal and amend certain parts of an Act passed in the fourteenth year of the Reign of Her Majesty, entitled 'An Act to authorize the issue of Treasury Notes, and for the reduction of the Public Debt of the Colony,'" which was read a first time, and—

Ordered—To be read a second time to-morrow, and to be printed.

On motion made and seconded, it was

Documents to be printed.

Ordered—That the Estimate of the Civil Expenditure of the Island for the year 1855, and a Consolidated Account Current of Receipts and Payments of the Customs Department for the year ended 5th January, 1855, be printed.

House adjourns.

On motion made and seconded, the House adjourned until Thursday next, at Three o'clock, P. M.

### THURSDAY, 5th JULY, 1855.

House meets.

House met pursuant to adjournment.

PRESENT:

Members present.

The Honorable LAURENCE O'BRIEN, *President*.

“ JAMES TOBIN.

“ JOHN ROCHFORD.

“ THOS. H. RIDLEY.

“ THOS. ROW.

“ JOHN MUNN.

“ GEORGE H. EMERSON.

“ JAMES J. ROGERSON.

“ PHILIP DUGGAN.

“ JAMES CORMACK.

“ SAMUEL CARSON.

Minutes of Tuesday last, were read.

5th July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

Pursuant to the order of the day, the Bill entitled "An Act to give effect, on the part of the Island of Newfoundland, to a certain Treaty between Her Majesty and the United States of America," was read a third time and passed, and—

Free Trade Bill read  
3rd time and passed.

The Honorable the President signed the same.

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to amend the Act for the Incorporation of the Union Bank."

Union Bank Amend-  
ment Bill committed.

The Honorable Mr. TOBIN in the Chair.

After some time the House resumed.

The Chairman reported the Bill with an Amendment.

Ordered—That the report be received and adopted.

Reported with an  
amendment.

The Amendment is as follows:—

Between the words "Governor" and "Council," in the 4th line of the Bill, insert the word "Legislative."

The amendment.

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

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to unite the offices of Colonial Treasurer and Collector of Her Majesty's Customs and Revenue at the Port of St. John's, into one office."

Bill to unite the offices  
of Colonial Treasurer  
and Collector of Cus-  
toms—

Committed.

The Honourable Mr. CARSON in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

Reported.

Ordered—That the report be received.

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

On motion made and seconded, the House adjourned until to-morrow, at Three o'clock, P. M.

House adjourns.

6th July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

FRIDAY, 6th JULY, 1855.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 “ JAMES TOBIN.  
 “ JOHN ROCHFORT.  
 “ SAMUEL CARSON.  
 “ THOMAS ROW.  
 “ JOHN MUNN.  
 “ GEORGE H. EMERSON.  
 “ JAMES J. ROGERSON.  
 “ PHILIP DUGGAN.  
 “ JAMES CORMACK.

The Minutes of yesterday were read.

Union Bank Amend-  
ment Bill as amended,  
read 3rd time and pas-  
sed.

Pursuant to the order of the day, the Bill, as amended, entitled  
 “An Act to amend the Act for the Incorporation of the Union  
 Bank,” was read a third time and passed, and—

The Honourable the President signed the same.

Bill to unite the Of-  
fices of Colonial Treas-  
urer and Collector of  
Revenue read 3rd time  
and passed.

Pursuant to the order of the day, the Bill entitled “An Act to  
 unite the offices of Colonial Treasurer and Collector of Her Majes-  
 ty’s Customs and Revenue at the Port of St. John’s, into one of-  
 fice,” was read a third time and passed, and—

The Honourable the President signed the same.

Patent Act Amend-  
ment Bill,

and

Savings’ Bank Act  
Amendment Bill  
brought up and sev-  
erally read 1st time.

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

“An Act to amend an Act passed by the Legislature of this  
 Island in the fourteenth year of the Reign of Her Majesty, entitled  
 ‘An Act for the granting of Patents for useful Inventions,’ ” and—

“An Act to repeal and amend parts of an Act of the Legisla-  
 ture of this Colony, entitled ‘An Act for the establishment of a  
 Savings Bank in Newfoundland;’ ”—

Which Bills were severally read a first time, and—

Ordered—To be read a second time to-morrow, and to be  
 printed.

## 6th and 7th July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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The Honorable Mr. ROGERSON gives notice, that on Thursday next he will move that an Address be presented to the Governor, praying for an account of the Sums expended annually, in the several Districts of the Island, for the relief of the Poor, during the last seven years.

Notice of motion for an address to the Governor for an account of sums paid for the relief of the poor.

On motion made and seconded, the House adjourned until to-morrow, at Two o'clock, P.M.

House adjourns.

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### SATURDAY, 7th JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " JAMES TOBIN.  
 " THOMAS ROW.  
 " GEORGE H. EMERSON.  
 " PHILIP DUGGAN.  
 " THOMAS H. RIDLEY.  
 " JAMES J. ROGERSON.  
 " SAMUEL CARSON.

Members present.

The Minutes of yesterday were read.

At Three o'clock, P. M., His Excellency the Governor having come to the Council Chamber, and being seated on the Throne, the Usher of the Black Rod was ordered to direct the attendance of the Speaker and Members of the Commons House of Assembly at the Bar of this House; and they being come thereto, His Excellency was pleased to assent to the Bill entitled "An Act to give effect, on the part of the Island of Newfoundland, to a certain Treaty between Her Majesty and the United States of America"

Governor arrives at the Council Chamber.

Assembly summoned to attend at the Bar of the House.

His Excellency assents to the Free Trade Bill.

The House of Assembly then retired, and His Excellency withdrew.

On motion made and seconded, the House adjourned until Wednesday next, at Three o'clock, P. M.

House adjourns.

11th July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

WEDNESDAY, 11th JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT:

The Honorable LAURENCE O'BRIEN, *President*.

Members present.

“ JOHN ROCHFORT.  
 “ SAMUEL CARSON.  
 “ THOMAS ROW.  
 “ GEORGE H. EMERSON.  
 “ PHILIP DUGGAN.  
 “ JAMES J. ROGERSON.  
 “ JAMES TOBIN.

The Minutes of Saturday last, were read.

Patent Act Amendment Bill read 2d time.

Pursuant to the order of the day, the Bill entitled “An Act to amend an Act passed by the Legislature of this Island in the fourteenth year of the Reign of Her Majesty, entitled ‘An Act to regulate the granting of Patents for useful Inventions,’” was read a second time, and—

Ordered—To be committed on Friday next.

Education Bill brought up and read 1st time.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act to provide for the Encouragement of Education,” which was read a first time, and—

Ordered—To be read a second time to-morrow.

Newfoundland Provident Society Incorporation Bill brought up and read 1st time.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act to Incorporate sundry persons by the name of The Newfoundland Provident Society,” which was read a first time.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at Three o'clock, P. M.

12th July, 1855,

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

THURSDAY, 12th JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JOHN ROCHFORT.

“ THOMAS ROW.

“ JOHN MUNN.

“ GEORGE H. EMERSON.

“ JAMES J. ROGERSON.

“ PHILIP DUGGAN.

“ JAMES CORMACK.

“ JAMES TOBIN.

“ SAMUEL CARSON.

“ THOS. H. RIDLEY.

Members present.

The Minutes of yesterday were read.

The Honorable Mr. EMERSON, by command of the Governor, laid before the House the following Documents, viz :—

Documents laid before the House by command of the Governor.

A Despatch from the Secretary of State for the Colonies, transmitting a copy of the proposed Charter of Incorporation for the Bank of Canada, &c., dated 10th November, 1854.

Report and Account Current of the Directors of the St. John's Hospital, for the year 1854.

Circular Despatch from the Secretary of State, directing that in future the Customs Returns be made up to the end of each quarter of the year, dated 21st June, 1855.

Pursuant to the order of the day, the Bill entitled “ An Act to repeal an Act of the Legislature of this Colony, entitled ‘ An Act for the Establishment of a Savings' Bank in Newfoundland, ’ ” was read a second time, and—

Savings' Bank Act  
Amendment Bill  
read 2nd time.

Ordered—To be committed to-morrow.

On motion made and seconded, the House adjourned until to-morrow, at Three o'clock, P. M.

House adjourns.

13th July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

FRIDAY, 13th JULY, 1855.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " JOHN ROCHFORT.  
 " THOMAS ROW.  
 " JOHN MUNN.  
 " GEORGE H. EMERSON.  
 " JAMES J. ROGERSON.  
 " PHILIP DUGGAN.  
 " JAMES CORMACK.  
 " JAMES TOBIN.  
 " SAMUEL CARSON.  
 " THOMAS H. RIDLEY.

The Minutes of yesterday were read.

Education Bill read 2d time.

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

Ordered—To be committed to-morrow.

Patent Act Amendment Bill—Committed

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to amend an Act passed by the Legislature of this Island in the fourteenth year of the reign of Her Majesty, entitled 'an Act for the granting of Patents for useful Inventions.'"

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

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

Revenue Bill brought up and read 1st time.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled "An Act for the granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies," which was read a first time, and—

Ordered—To be read a second time to-morrow.

## 13th and 16th July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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On motion made and seconded, it was

Ordered—That the Bill entitled “An Act to Incorporate sundry persons by the name of the Newfoundland Provident Society,” be read a second time to-morrow.

The Honorable Mr. Row gives notice, that on Monday next, he will move that a Select Committee be appointed to examine certain Gentlemen on matters relating to the Treasury Note Bill.

Notice of motion for a Select Committee on Treasury Notes Bill.

The Honorable Mr. MUNN gives notice, that on Monday next, he will move that there be laid before this House a Statement of the affairs of the Savings' Bank for the years 1845 to 1854, inclusive, shewing the Amount of Deposits—Amount of Interest paid—Amount of Bonus to Depositors of £50, and under—the Amount of Defalcations in each year, and a Statement of the Amount of Profit and Loss; also, copies of the Rules and Regulations, and the orders of the Directors as to limit of Deposit.

Notice of motion for returns in connection with the Savings' Bank

On motion made and seconded, the House adjourned until Monday next, at Three o'clock, P. M. House adjourns.

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### MONDAY, 16th JULY, 1855.

The House met pursuant to adjournment.

House meets.

#### PRESENT:

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JOHN ROCHFORT.  
 “ THOMAS ROW.  
 “ GEORGE H. EMERSON.  
 “ JAMES CORMACK.  
 “ PHILIP DUGGAN.  
 “ SAMUEL CARSON.  
 “ JAMES J. ROGERSON.  
 “ JAMES TOBIN.

Members present.

The Minutes of Friday last, were read.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to repeal an Act ‘entitled an Act for the Establishment of a Savings' Bank in Newfoundland.’”

Savings' Bank Act Amendment Bill committed.



16th and 17th July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

Ordered—That the report be received.

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

On motion made and seconded, the House adjourned until to-morrow, at Three o'clock, P.M.

House adjourns.

TUESDAY, 17th JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT:

The Honorable LAURENCE O'BRIEN, *President.*

Members present.

“ JOHN ROCHFORT.

“ THOS. ROW.

“ JOHN MUNN.

“ GEORGE H. EMERSON.

“ JAMES J. ROGERSON.

“ PHILIP DUGGAN.

“ THOMAS H. RIDLEY.

“ JAMES TOBIN.

“ JAMES CORMACK.

Minutes of yesterday were read.

Savings' Bank Amendment Bill read 3d time and passed.

Pursuant to the order of the day, the Bill entitled “ An Act to repeal and amend parts of an Act of the Legislature of this Colony, entitled ‘ An Act for the Establishment of a Savings' Bank in Newfoundland, ’ ” was read a third time and passed, and—

The Honorable the President signed the same.

Patent Act Amendment Bill committed.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “ An Act to amend an Act passed by the Legislature of this Island in the fourteenth year of the Reign of Her Majesty, entitled ‘ An Act for the granting of Patents for useful Inventions. ’ ”

The Honorable Mr. RIDLEY in the Chair.

17th July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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After some time the House resumed.

The Chairman reported the Bill with some Amendments.

Reported with amendments.

Ordered—That the report be received.

The Amendments are as follow:—

Insert at the end of the 1st Section the following words, “Provided always, that no Letters Patent shall be granted under this or above recited Act, for a term exceeding Seven Years, any thing to the contrary notwithstanding.”

The amendments.

Insert as the 4th Section as follows, “Any Letters Patent which shall be taken out under or by virtue of this Act, and which shall not have been brought into operation within twelve months next ensuing from and after the date thereof, such Letters Patent shall, at the expiration of the said period of twelve months, be deemed to be forfeited, and shall thence be, and become void and of none effect.”

Insert as the 5th Section as follows, “That no Letters Patent shall be granted under or by virtue of the said recited Act, or of this Act, until notice shall be published in the *Royal Gazette*, and one other of the newspapers of this Colony, for at least four weeks, of the intention of the applicant to apply for such Letters Patent, and such notice shall contain, in general terms, the description of invention for which such Letters Patent shall be desired.”

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

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to provide for the encouragement of Education.”

Education Bill committed.—

The Honorable Mr. Row in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

—reported.

Ordered—That the report be received.

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

## 17th and 18th July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

Revenue Bill read 2d time.

Pursuant to the order of the day, the Bill entitled "An Act for granting to Her Majesty certain Duties on Goods, Wares and Merchandize imported into this Colony and its Dependencies," was read a second time, and—

Ordered—To be committed to-morrow, and to be printed.

Treasury Note Act Amendment Bill read 2d time.

Pursuant to the order of the day, the Bill entitled "An Act to repeal and amend certain parts of an Act passed in the fourteenth year of the Reign of Her Majesty, entitled 'An Act to authorize the issue of Treasury Notes, and for the reduction of the Public Debt of the Colony,'" was read a second time, and—

Ordered—To be committed to-morrow.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at Three o'clock, P. M.

### WEDNESDAY, 18th JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* LAURENCE O'BRIEN, *President.*

Members present.

JOHN ROCHFORD.

SAMUEL CARSON.

THOS. ROW.

JOHN MUNN.

GEORGE H. EMERSON.

JAMES J. ROGERSON.

JAMES CORMACK.

PHILIP DUGGAN.

JAMES TOBIN.

THOMAS H. RIDLEY.

The Minutes of yesterday were read.

Patent Act Amendment Bill as amended,

Pursuant to the order of the day, the Bill as amended, entitled "An Act to amend an Act passed by the Legislature of this Island in the fourteenth year of the Reign of Her Majesty, entitled 'An Act for the granting of Patents for useful Inventions,'" was read a third time and passed, and—

and

The Honorable the President signed the same.

## 18th and 19th July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

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Pursuant to the order of the day, the Bill entitled "An Act to provide for the encouragement of Education," was read a third time and passed, and—

Education Bill  
Read 3rd time and passed.

The Honorable the President signed the same.

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act for granting to Her Majesty certain Duties on Goods, Wares and Merchandize, imported into this Colony and its Dependencies."

Revenue Bill committed—

The Honorable Mr. ROCHFORD in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

—reported

Ordered—That the report be received.

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

Pursuant to the order of the day, the Bill entitled "An Act to Incorporate sundry persons by the name of the Newfoundland Provident Society," was read a second time, and—

Newfoundland Provident Society Incorporation Bill—read 2d time.

Ordered—To be committed to-morrow.

On motion made and seconded, the House adjourned until to-morrow, at Three o'clock, P.M.

House adjourns.

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### THURSDAY, 19th JULY, 1855.

The House met pursuant to adjournment.

House meets.

#### PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JOHN ROCHFORD.

“ JAMES TOBIN.

“ PHILIP DUGGAN.

“ JAMES CORMACK.

“ JAMES J. ROGERSON.

“ GEORGE H. EMERSON.

“ JOHN MUNN.

“ THOMAS ROW.

Members present.

The Minutes of yesterday were read.

19th July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

Revenue Bill read 3rd time and passed.

Pursuant to the order of the day, the Bill entitled "An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies," was read a third time and passed, and—

The Honorable the President signed the same.

Customs Management Bill brought up and read 1st time.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled "An Act for the Establishment of a Board of Revenue, and for the Regulation, Management, and Collection of all duties granted to Her Majesty, Her Heirs, or Successors, on Goods, Wares, and Merchandize imported into this Island and its Dependencies, and to repeal certain Acts relating thereto," which was read a first time, and—

Ordered—To be read a second time to-morrow, and to be printed.

Provident Society Incorporation Bill committed.

Pursuant to the order of the day, the House went into Committee of the whole on the Bill entitled "An Act to Incorporate sundry persons by the name of the Newfoundland Provident Society."

The Honorable Mr. ROGERSON in the Chair.

After some time the House resumed.

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

Ordered—That the said Bill be printed.

Treasury Note Act Amendment Bill committed.

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to repeal and amend certain parts of an Act passed in the fourteenth year of the Reign of Her Majesty, entitled 'An Act to authorize the issue of Treasury Notes, and for the reduction of the Public Debt of the Colony.'"

The Honorable Mr. ROGERSON in the Chair.

After some time the House resumed.

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

House adjourns.

On motion made and seconded, the House adjourned until to-morrow at Three o'clock, P. M.

20th July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.

FRIDAY, 20th JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT :

- The Honorable LAURENCE O'BRIEN, *President.*
- “ JOHN ROCHFORT.
- “ SAMUEL CARSON.
- “ THOS. ROW.
- “ JAMES J. ROGERSON.
- “ JAMES CORMACK.
- “ JOHN MUNN.
- “ PHILIP DUGGAN.
- “ JAMES TOBIN.

Members present.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to Incorporate sundry persons by the name of the Newfoundland Provident Society.”

Provident Society Incorporation Bill—committed.

The Honorable Mr. ROGERSON in the Chair.

After some time the House resumed.

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

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act to reduce and make provision for the payment of the Salaries of the Principal Officers of Her Majesty’s Government in this Colony, and to repeal certain Legislative Enactments relating thereto,” which was read a first time, and—

Officers Salaries Reduction Bill—

Brought up and read 1st time.

Ordered—To be read a second time to-morrow, and to be printed.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to repeal and amend certain parts of an Act passed in the fourteenth year of the Reign of Her Majesty, entitled ‘An Act to authorize the issue of Treasury Notes, and for the reduction of the Public Debt of the Colony.’”

Treasury Note Act Amendment Bill—

Committed—

**20th July, 1855.**

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

The Honorable Mr. ROGERSON in the Chair.

After some time the House resumed.

—reported.

The Chairman reported the Bill without Amendment.

Ordered—That the report be received.

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

Customs Management  
Bill—

Pursuant to the order of the day, the Bill entitled “An Act for the Establishment of a Board of Revenue, and for the Regulation, Management, and Collection of all duties granted to Her Majesty, Her Heirs, and Successors, on Goods, Wares, and Merchandize imported into this Island and its Dependencies, and to repeal certain Acts relating thereto,” was read a second time, and—

Read 2d time.

Ordered—To be committed to-morrow.

The Honorable the President of the Council acquainted the House, that he had received the following communication from the Colonial Secretary :—

Secretary's Office, 20th May, 1855.

SIR,—

Governor will assent  
to the Revenue Bill to-  
morrow.

I have the honor to acquaint you, by direction of the Governor, for the information of the Honorable the Members of the Legislative Council, that His Excellency will give his Assent, in the Council Chamber, at Three o'clock to-morrow, to the Bill for “granting to Her Majesty certain duties on Goods, Wares, and Merchandize.”

I have, &c.,

(Signed) JOHN KENT.

*Acting-Colonial Secretary.*

The Honorable the President  
of the Legislative Council. }

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at Two o'clock, P. M.

21st July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

SATURDAY, 21st JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

Members present.

" JAMES TOBIN.

" JAMES J. ROGERSON.

" PHILIP DUGGAN.

" THOMAS ROW.

" SAMUEL CARSON.

" JOHN ROCHFORT.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Bill entitled "An Act to repeal and amend certain parts of an Act passed in the fourteenth year of the Reign of Her Majesty, entitled 'An Act to authorize the issue of Treasury Notes, and for the reduction of the Public Debt of the Colony,'" was read a third time and passed, and—

Treasury Note Act  
Amendment Bill—Read 3rd time and  
passed.

The Honorable the President signed the same.

At Three o'clock, P. M., His Excellency the Governor having come to the Council Chamber, and being seated on the Throne, the Usher of the Black Rod was ordered to direct the attendance of the Speaker and Members of the Commons House of Assembly at the Bar of this House, and they being come thereto, His Excellency was pleased to assent to the Bill entitled "An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies."

Governor arrives at  
the Council Chamber—Assembly summoned  
to attend at the Bar of  
this House—His Excellency assents  
to the Revenue Bill.

The House of Assembly then retired, and His Excellency withdrew.

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act for the Establishment of a Board of Revenue, and for the Regulation, Management, and Collection of all Duties granted to Her Majesty, Her Heirs, and Successors, on Goods, Wares, and Merchandize imported into this Island and its Dependencies, and to repeal certain Acts relating thereto."

Customs Management  
Bill—

Committed.



**21st and 23rd July, 1855.**

**FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.**

The Honorable Mr. ROCHFORD in the Chair.

After some time the House resumed.

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

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at Three o'clock, P. M.

**MONDAY, 23rd JULY, 1855.**

House meets.

The House met pursuant to adjournment.

**PRESENT :**

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*  
 " JOHN ROCHFORD.  
 " THOMAS ROW.  
 " JAMES CORMACK.  
 " PHILIP DUGGAN.  
 " JAMES TOBIN.

The Minutes of Saturday last, were read.

Despatch from Secretary of State relative to postage on newspapers—laid before the House.

The Honorable Mr. O'BRIEN, by command of the Governor, lays before the House a copy of a Despatch from Her Majesty's Principal Secretary of State for the Colonies, as follows:—

(CIRCULAR.)

*Downing-street, 26th June, 1855.*

SIR,—

I have to acquaint you, that Her Majesty's Government have decided that, on and from the 30th June instant, a British rate of postage of One Penny (over and above any Foreign rate chargeable where Newspapers are conveyed through a Foreign country) shall be levied upon every Newspaper forwarded from the United Kingdom to a British Colony, either by Packet or by Private Ship.

I have, &c.,

(Signed) **J. RUSSELL.**

**GOVERNOR DARLING,**  
 &c., &c., &c.

23rd and 25th July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.

Pursuant to the order of the day, the House went into Committee on the Bill, entitled "An Act for the establishment of a Board of Revenue, and for the Regulation, Management, and Collection of all Duties granted to Her Majesty, Her Heirs, and Successors, on Goods, Wares, and Merchandize imported into this Island and its Dependencies, and to repeal certain Acts relating thereto."

Customs Management  
Bill—

—Committed.

The Honorable Mr. ROCHFORD in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

—Reported.

Ordered—That the report be received.

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

On motion made and seconded, the House adjourned until Wednesday next, at Three o'clock, P. M.

House adjourns.

WEDNESDAY, 25th JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT :

The Honorable LAURENCE O'BRIEN, President.

Members present.

" JAMES TOBIN.

" JAMES CORMACK.

" PHILIP DUGGAN.

" JAMES J. ROGERSON.

" JOHN MUNN.

" THOS. ROW.

" SAMUEL CARSON.

" JOHN ROCHFORD.

The Minutes of Monday last were read.

Pursuant to the order of the day, the Bill entitled "An Act for the Establishment of a Board of Revenue, and for the Regulation, Management, and Collection of all Duties granted to Her Majesty, Her Heirs, and Successors, on Goods, Wares, and Merchandize imported into this Island and its Dependencies, and to repeal certain Acts relating thereto," was read a third time and passed, and—

Customs Management  
Bill—

Read 3rd time and  
passed.

The Honorable the President signed the same.

## 25th and 27th July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th &amp; 19th VICTORIA.

Order in Council—laid  
before the House.

The Honorable Mr. O'BRIEN laid before the House, by command of the Governor, an Order in Council, leaving certain Acts to their operation.

Provident Society In-  
corporation Bill—

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to Incorporate sundry persons by the name of the Newfoundland Provident Society."

—Committed.

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

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

Officers Salaries Re-  
duction Bill—

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to reduce and make provision for the payment of the Salaries of the Principal Officers of Her Majesty's Government in this Colony, and to repeal certain Legislative Enactments relating thereto."

—Committed

The Honorable Mr. ROW in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

—Reported.

Ordered—That the report be received.

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

House adjourns.

On motion made and seconded, the House adjourned until Friday next, at Three o'clock, P. M.

FRIDAY, 27th JULY, 1855.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

The Honorable LAURENCE O'BRIEN, *President*.

JOHN ROCHFORT.

THOMAS ROW.

JOHN MUNN.

GEORGE H. EMERSON.

JAMES J. ROGERSON.

JAMES FURLONG.

JAMES CORMACK.

JAMES TOBIN.

27th July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.

The Minutes of Wednesday last were read.

Pursuant to the order of the day, the Bill entitled "An Act to reduce and make provision for the payment of the Salaries of the Principal Officers of Her Majesty's Government in this Colony, and to repeal certain Legislative Enactments relating thereto," was read a third time.

Officers Salaries Reduction Bill—

—Read 3rd time.

It was then moved and seconded, that the Bill do now pass—

Whereupon the Honorable Mr. Row moved in amendment,— That the said Bill be recommitted, for the purpose of amending it by fixing the Salary of the Chief Justice at £1,000 Sterling, a year; and the Salaries of the Assistant Judges at £700 Sterling each, and for the purpose of adding the following proviso:—"Provided, that no person shall be appointed, either as Chief Justice, or Assistant Judge of the said Supreme Court, who shall not, at the time of his appointment, be a Barrister of at least seven years standing, and who shall not have been in full practice at the Bar in this Colony for at least two years preceding such appointment."

Upon which Amendment the House divided, when there appeared—

House divides on amendment that the Bill be re-committed.

CONTENT—3. NON-CONTENT—6.

So the Amendment passed in the negative.

The original motion was then put and carried, and—

Officers Salaries Reduction Bill—

—passed.

The Honorable the President signed the said Bill.

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

An Act to repeal and amend certain parts of an Act of the Legislature of this Colony, passed in the fifteenth year of the Reign of Her Majesty, entitled "An Act to amend and consolidate the Acts now in forces respecting Light Houses in this Colony," and—

Light-house amendment Bill—

and

An Act to provide for the Salary of the Governor of this Island—

Governor's Salary Bill—

Which were severally read a first time, and—

—Brought up and severally read a 1st time.

27th July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA

Ordered—To be read a second time to-morrow, the first named Bill to be printed.

Provident Society In-  
corporation Bill—

—Committed.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to Incorporate sundry persons by the name of the Newfoundland Provident Society.”

The Honorable Mr. ROCHFORD in the Chair.

—Reported—with

After some time the House resumed.

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

Amendments.

Insert as the 8th Section—

The Manager, for the time being, of the said Corporation, shall, on or before the 1st January in each year, and as often as the Governor in Council shall require the same, make a return, on Oath, to the Governor in Council, of the state of the said Corporation at the time of such return; which return shall specify the amount of Insurances effected, and of Premiums received annually by the said Corporation, and the general Income and Funds of the said Corporation; and any Justice of the Peace shall be authorized and required to administer to such Manager such Oath—and the returns so to be made shall be laid before the Legislature at its next meeting, and shall also be published in the *Royal Gazette*.

Insert as the 9th Section, as follows:—

Whenever the business of the Corporation shall be such that the guarantee Bonds shall, in the aggregate, fall below £2,000, the Corporation shall cease and be dissolved; and the Directors shall forthwith close the concerns of the said Corporation, and divide the Capital and Profits which may remain among the Stockholders, in proportion to their respective interests.

Ordered—That the report be received.

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

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at Three o'clock, P. M.

30th July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

MONDAY, 30th JULY, 1855.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* LAURENCE O'BRIEN, *President.*

Members present.

“ JOHN ROCHFORT.

“ THOMAS ROW.

“ JAMES J. ROGERSON.

“ JAMES FURLONG.

“ JAMES TOBIN.

“ JAMES CORMACK.

The Minutes of yesterday were read.

The Honorable Mr. O'BRIEN lays before the House, by command of the Governor, a copy of a Letter from J. Tilly, Esq., dated 22nd June, 1855, addressed to the Post Master General of St. John's, relative to a rate of Postage on Newspapers ;

Documents laid before the House by command of the Governor.

Also, a Report of the Protestant Central Board of Education, for the year 1852—3 ;

Also, a Despatch from the Secretary of State for the Colonies, dated 5th June, 1855, on the subject of the erection of a Light House on Cape Race.

The Honorable Mr. TOBIN gives notice, that he will to-morrow make the following motions, viz. :—

Notices of motion, viz :—

That a Select Committee be appointed on the Contingencies of this House—and to superintend the fitting up of the Council Chamber ;

For a Select Committee on Contingencies, &c.

To suspend the 35th Rule of the House with reference to all Bills now before the House, or that may come before it during the present Session ;

To suspend 35th Rule of the House.

For copies of all Correspondence that has taken place between the last two Governors of this Colony and the Colonial Office, on the subject of Responsible Government, as well as on the subject of recommendations to Seats in the Council, for the period during which they severally administered the Government of this Island ;

For copies of Correspondence on the subjects of Responsible Government and Seats in the Council.

30th and 31st July, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

For a Select Committee on the Legislative Library.

For a Select Committee to act with a Committee of the House of Assembly, on the subject of the Legislative Library.

Pursuant to the order of the day, the Bills entitled, as follow :

Light House Act amendment Bill—

An Act to repeal and amend certain parts of an Act of the Legislature of this Colony, passed in the fifteenth year of the Reign of Her Majesty, entitled "An Act to amend and consolidate the Acts now in force respecting Light Houses in this Colony," and—

and

Governor's Salary Bill—

An Act to provide for the Salary of the Governor of this Colony—

—Severally read a second time.

Were severally read a second time, and—

Ordered—To be committed to-morrow.

Provident Society Incorporation Bill—

Pursuant to the order of the day, the Bill, as amended, entitled "An Act to incorporate sundry persons by the name of the Newfoundland Provident Society," was read a third time and passed, and—

Read 3rd time and passed.

The Honorable the President signed the same.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at Three o'clock, P.M.

TUESDAY, 31st JULY, 1855.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

The Honorable LAURENCE O'BRIEN, President.

- " JAMES TOBIN.
- " JAMES CORMACK.
- " JAMES J. ROGERSON.
- " GEORGE H. EMERSON.
- " JAMES FURLONG.
- " THOMAS ROW.
- " SAMUEL CARSON.
- " JOHN ROCHFORT.

The Minutes of yesterday were read.

31st July, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

Pursuant to notice, the Honorable Mr. TOBIN moved, that a Select Committee be appointed to enquire into and report upon the Contingencies of this House; and to superintend the fitting up of the Council Chamber.

Select Committee on Contingencies, &c.—

Ordered—That the Honorable Messrs. Tobin, Emerson, Cormack, and Row, be a Committee for these purposes.

—Appointed.

Pursuant to notice, and on motion of the Honorable Mr. Tobin, it was—

Ordered—That the 35th Rule of the House, as respects all Bills now before the House, or that may come before it during the present Session, be suspended.

35th Rule of the House suspended for the Session.

Pursuant to notice, the Honorable Mr. TOBIN moved, that a Select Committee be appointed to act in conjunction with a Committee of the House of Assembly, on the subject of the Legislative Library.

Legislative Library Committee—

Ordered—That the Honorable Messrs. Tobin and Rogerson be a Committee for that purpose.

—Appointed.

Pursuant to notice, the Honorable Mr. TOBIN moved, that an application be made to the Governor, by the Members of the Executive Council having Seats in this House, praying His Excellency will cause to be laid on the Table of this House, copies of all Correspondence between the last two Governors of this Colony and the Colonial Office, on the subject of Responsible Government, as well as on the subject of recommendations to Seats in the Council, during the term of their respective Governments, and—

Notice for copies of correspondence on Responsible Government, and Seats in the Council.

Ordered accordingly.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to repeal and amend certain parts of an Act of the Legislature of this Colony, passed in the fifteenth year of the Reign of Her Majesty, entitled ‘An Act to amend and consolidate the Acts now in force respecting Light Houses in this Colony.’”

Light House Act amendment Bill—

Committed.

The Honorable Mr. CORMACK in the Chair.



## 31st July, and 1st August, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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After some time the House resumed.

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

Governor's Salary  
Bill—  
—Committed

Pursuant to the order of the day, the House went into Committee on the Bill entitled "An Act to provide for the Salary of the Governor of this Colony."

The Honorable Mr. FURLONG in the Chair.

After some time the House resumed.

—Reported.

The Chairman reported the Bill without Amendment.

Ordered—That the report be received.

—Read 3rd time and  
passed.

The said Bill was then read a third time and passed, and—

The Honorable the President signed the same.

House adjourns.

On motion made and seconded, the House adjourned until To-morrow, at Three o'clock, P. M.

### WEDNESDAY, 1st AUGUST, 1855.

House meets.

The House met pursuant to adjournment.

#### PRESENT:

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN.

“ JAMES J. ROGERSON.

“ GEORGE H. EMERSON.

“ JAMES FURLONG.

“ THOMAS ROW.

“ JOHN ROCHFORT.

Petition of J. Seaton  
read—

The Minutes of yesterday were read.

On motion of the Honorable Mr. Row, the Petition of Mr. James Seaton, praying that compensation may be made to him for his services as Publisher of the Debates of the Council, was read—  
and—

Referred to Select  
Committee.

Ordered—To be referred to the Select Committee on Contingencies.

**1st August, 1855.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

On motion of the Honorable Mr. ROGERSON, the petition of Mr. Robert Rodger, praying for remuneration for his services as Reporter of this House, and for loss of office, was read, and—

Petition of R. Rodger read—

and

Ordered—To be referred to the Select Committee on Contingencies.

referred to Select Committee.

Pursuant to the order of the day, the House went into Committee on the Bill entitled “An Act to repeal and amend certain parts of an Act of the Legislature of this Colony, passed in the fifteenth year of the Reign of Her Majesty, entitled ‘An Act to amend and consolidate the Acts now in force respecting Light Houses in this Colony.’ ”

Light House Act amendment Bill—

Committed—

The Honorable Mr. ROCHFORD in the Chair.

After some time the House resumed.

The Chairman reported the Bill with an Amendment.

—Reported, with an Amendment.

The Amendment is as follows:—

In the 2nd Section of the Bill, in the 2nd line, after the word “Act” insert the words “which are hereby continued during the continuance of this Act.”

The Amendment.

Ordered—That the report be received.

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

Bill read 3rd time and passed.

The Honorable the President signed the same.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House entitled, “An Act for granting to Her Majesty a Sum of Money for defraying the Expenses of the Civil Government of the Colony, for the year ending 31st December, 1854, and for other purposes,” which was read a first and second time, and—

Supply Bill for 1854 brought up—

Read 1st and 2d time.

The House went into Committee thereon—

—Committed.

The Honorable Mr. Row in the Chair.

After some time the House resumed.

The Chairman reported the Bill without Amendment.

—Reported.

**1st August, 1855.**

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

Read 3rd time and passed.

Ordered—That the report be received.

The Bill was then read a third time and passed, and—

The Honorable the President signed the same.

Supply Bill of 1855,

The same Deputation also brought up, for the concurrence of this House, two bills, entitled—

and

An Act for granting to Her Majesty a Sum of Money for defraying the Expenses of the Civil Government of this Colony, for the year ending 31st December, 1855, and for other purposes, and—

Board of Works Bill—

An Act for the Establishment of a Board of Works—

Brought up and severally read a 1st time.

Which were severally read a first time, and—

Ordered—To be read a second time to-morrow.

Ordered—That the Bill last named be printed.

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

The same Deputation also brought up a Message, requesting the Legislative Council will furnish the House of Assembly with the amount of their Contingencies.

Message from the Assembly of having passed Council's Amendment on the Union Bank Act Amendment Bill.

A Deputation from the House of Assembly brought up a Message, acquainting the Council, that they have passed the Amendment made by the Council in and upon the Bill entitled "An Act to amend the Act for the Incorporation of the Union Bank of Newfoundland," without amendment.

The same Deputation also brought up the following Message :

Message from the Assembly requesting appointment of a Committee of the Council to co-operate with the Assembly to superintend the Legislative Library.

MR. PRESIDENT,—

The House of Assembly beg leave to inform the Legislative Council, that they have appointed a Select Committee of two Members of their Body, to superintend the Legislative Library, and request that the Council will be pleased to appoint two Members of Council to co-operate with them.

(Signed) A. SHEA,

Speaker.

House of Assembly, }  
1st August, 1855. }

On motion made and seconded it was—

**1st August, 1855.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

Ordered—That a Message be sent to the House of Assembly acquainting them in reply to the foregoing, that the Legislative Council have appointed two Members of their House to co-operate with a Committee of the House of Assembly in the superintendance of the Legislative Library.

A Deputation from the House of Assembly brought up a Message acquainting this House, that they had passed the Amendments of the Council on the Bill entitled “An Act to amend an Act passed by the Legislature of this Island, in the fourteenth year of the Reign of Her Majesty, entitled ‘An Act for the granting of Patents for useful Inventions,’ ” with an Amendment, to which they request the concurrence of this House.

Message from Assembly of having passed Council's Amendments on the Patent Act Bill—  
—with an Amendment

The Amendment was then read a first and second time, and—

Amendment read 1st and 2d time.

The House went into Committee thereon—

—Committed.

The Honorable Mr. FURLONG in the Chair.

After some time the House resumed.

The Chairman reported the Amendment without Amendment.

—Reported.

Ordered—That the report be received.

The Amendment is as follows :—

Insert after the word “notwithstanding,” in the first Amendment—“Provided further, that it shall be lawful for the Governor in Council, if they should deem it expedient, to insert in any such Letters Patent a provision extending the operation thereof for a further term of three or seven years.”

The Amendment.

The same Deputation also brought up a Message, acquainting this House, that they had passed the Amendments made by the Council on the Bill entitled “An Act to incorporate sundry persons by the name of the Newfoundland Provident Society,” without amendment.

Message from the Assembly of having passed the Amendments of the Council on the Newfoundland Provident Society Bill—  
without amendment

On motion made and seconded, the House adjourned until To-morrow, at Three o'clock, P. M.

House adjourns.

**2nd August, 1855.**

**FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.**

**THURSDAY, 2nd AUGUST, 1855.**

**House meets.**

The House met pursuant to adjournment.

**PRESENT:**

**Members present.**

*The Honorable* **LAURENCE O'BRIEN, President.**

“ **JAMES TOBIN.**  
 “ **JOHN ROCHFORT.**  
 “ **PHILIP DUGGAN.**  
 “ **THOMAS ROW.**  
 “ **JAMES CORMACK.**  
 “ **JAMES FURLONG.**  
 “ **GEORGE H. EMERSON.**  
 “ **JAMES J. ROGERSON.**  
 “ **SAMUEL CARSON.**

The Minutes of yesterday were read.

**Supply Bill read 2d—  
time—**

Pursuant to the order of the day, the Bill entitled “An Act for granting to Her Majesty a sum of Money for defraying the Expenses of the Civil Government of this Colony for the year 1855, and for other purposes,” was read a second time, and—

**—Committed.**

The House went into Committee thereon—

The Honorable Mr. **ROGERSON** in the Chair.

After some time the House resumed.

**—Reported.**

The Chairman reported the Bill without amendment.

**Read 3rd time and  
passed.**

The Bill was then read a third time and passed, and—

The Honourable the President signed the same.

**Loan Bill brought up—**

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled “An Act to raise by loan a Sum of Money for the General purposes of the Colony,” which was read a first and second time, and—

**—Read 1st and 2d  
time.**

**—Committed**

The House went into Committee thereon—

The Honorable Mr. **CORMACK** in the Chair.

After some time the House resumed.

**—Reported.**

The Chairman reported the Bill without Amendment.

Ordered—That the report be received.

2nd August, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.

The said Bill was then read a third time and passed, and—  
The Honorable the President signed the same.

Read 3rd time and passed.

A Deputation from the House of Assembly brought up the following Message:—

Mr. PRESIDENT,—

The House of Assembly acquaint the Legislative Council, that they have passed the Amendments made by the Council in and upon the Bill sent up from the Assembly entitled, "An Act to repeal and amend certain parts of an Act of the Legislature of this Colony, passed in the fifteenth year of the Reign of Her Majesty, entitled 'An Act to amend and consolidate the Acts now in force, respecting Light Houses in this Colony,' " with an Amendment, to which they request the concurrence of the Council.

Message concurring in Council's Amendments on the Light House Act Amendment Bill— with an Amendment.

The Assembly, at the same time, beg to state to the Council, that in considering the Amendment made by that Body upon a Bill providing for the imposition of a Tax, they have been induced to waive their privileges, and do not intend its being construed as a precedent.

(Signed) A. SHEA.  
Speaker.

House of Assembly, }  
1st August, 1855. }

Amendment of Assembly on Council's Amendment on Light House Act Amendment Bill— read 1st and 2d time.

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

—Committed.

The House went into Committee thereon—

The Honorable Mr. ROCHFORD in the Chair.

After some time the House resumed.

The Chairman reported the Amendment without Amendment.

—Reported.

Ordered—That the report be received.

The Amendment is as follows:—

After the word "Act" add "Except so far as the same may be altered, repealed, or amended by any Act of the Legislature passed during the present Session."

The Amendment.

## 2nd and 3rd August, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

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The said Bill was then read a third time and passed, and—

The Honorable the President signed the same.

Board of Works Bill—  
brought up and read  
1st and 2d time.

A Deputation from the House of Assembly brought up a Bill for the concurrence of this House, entitled "An Act for the Establishment of a Board of Works," which was read a first and second time, and—

—Committed.

The House went into Committee thereon—

The Honorable Mr. DUGGAN in the Chair.

After some time the House resumed.

—Reported.

The Chairman reported the Bill without Amendment.

Ordered—That the report be received.

Read 3rd time and  
passed.

The said Bill was then read a third time and passed, and—

The Honorable the President signed the same.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at Four o'clock, P.M.

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### FRIDAY, 3rd AUGUST, 1855.

House meets.

The House met pursuant to adjournment.

#### PRESENT:

Members present.

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN.

“ JOHN ROCHFORT.

“ SAMUEL CARSON.

“ PHILIP DUGGAN.

“ JAMES CORMACK.

“ THOMAS ROW.

“ JAMES J. ROGERSON.

“ GEORGE H. EMERSON.

The Minutes of yesterday were read.

3rd August, 1855.

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

The Honorable the President announced to the House, that he had received a communication from the Acting Colonial Secretary acquainting him, for the information of the Members of the Council, that it is His Excellency's intention to Prorogue the Legislature at Five o'clock, P.M., to-morrow.

President announces Governor's intention to Prorogue the Legislature.

The Honorable Mr. TOBIN, from the Select Committee on Contingencies of this House, made the following report:—

The Select Committee appointed to take into consideration the Contingencies of this House for the 2nd and 3rd Sessions of the Fifth General Assembly, beg leave to report—That they have examined the accounts of the Clerk and Usher of the Black Rod, the former amounting to £511 4s. 11d., and the latter to £78 2s. 2d., which they recommend to be paid.

Report of Select Committee on Contingencies.

And the Committee recommend that the Officers of this House be paid for their Services as follows:—

The Clerk, for the 2nd Session	.....	£150
Do 3rd Session	.....	150
The Master in Chancery, for the 2nd Session	.....	125
Do Do 3rd Session	.....	125
The Usher of the Black Rod, 2nd Session	.....	100
Do Do 3rd Session	.....	100
The Door-keeper, for the 2nd Session	.....	45
Do Do 3rd Session	.....	45
The Assistant Door-keeper, 2nd Session	.....	20
Do Do 3rd Session	.....	20
The Reporter, for the 2nd Session	.....	50
Do 3rd Session	.....	50
Publisher of Reports and Proceedings for 2nd Session	} .....	50
Do additional allowance	.....	30
Publisher of Reports, &c., 3rd Session	.....	50
Expenses of Delegation from H. M. Council	.....	350

£2049 7 1



3rd August, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

The Select Committee have also examined the accounts of the Clerk and Usher of the Black Rod for the present Session, the former amounting to £158 19s. 11d., and the latter to £6 11s. 10d., which they recommend to be paid.

The Committee further recommend, that the Officers of this House be paid for their Services during the present Session, as follows:—

The Clerk,	.....	.....	.....	£150
The Master in Chancery,	.....	.....	.....	100
The Usher of the Black Rod	.....	.....	.....	100
The Door-keeper	.....	.....	.....	50
The Assistant Door-keeper	.....	.....	.....	20
The Messenger	.....	.....	.....	20
The Reporter, for reporting the proceedings of this House	.....	.....	.....	100
To the Editor of the <i>Newfoundlander</i> for publishing proceedings, &c	.....	.....	.....	40
Ditto	<i>Courier</i>	Ditto	.....	40
Ditto	<i>Newfoundland Express</i>	Ditto	.....	25
Ditto	<i>Public Ledger</i>	Ditto	.....	25
To Robert Rodger, compensation for Reporting	.....	.....	.....	25
For Printing and Binding Journals	.....	.....	.....	120

(Signed) JAMES TOBIN,  
Chairman.

Ordered—That the Report be received, and—

Ordered—That the House go into Committee thereon, presently—

Whereupon the House went into Committee accordingly.

The Honorable Mr. CARRSON in the Chair.

After some time the House resumed.

The Chairman reported the Report with some amendments.

Ordered—That the report be received and adopted.

The Amendments are as follow:—

—Committed

—Reported, with  
Amendments.

**3rd and 4th August, 1855.**

**HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, Governor.**

“Add £25 each to the Salaries of the Master in Chancery and the Reporter of the proceedings of this House.”

The Amendments.

“Insert—To James Crowdy, Esquire, late Colonial Secretary, balance due on account of his Delegation to the Home Government, £50.”

“Insert—Towards furnishing and fitting the Council Chamber in addition to a former Vote, £150.”

Ordered—That messages in accordance therewith be transmitted by the Master in Chancery, to the House of Assembly.

Messages with Contingencies of Council—sent to the Assembly.

Messages, accordingly, embodying the foregoing report, were sent to the Assembly.

The Honorable Mr. EMERSON laid before the House by command of the Governor, a printed copy of the Correspondence that had taken place between the late Governor Hamilton and the Secretary of State for the Colonies, on the subject of the new form of Government for this Island.

Correspondence between Gov. Hamilton and the Secretary of State on the new form of Government for the Island—laid before the House.

On motion made and seconded, the House adjourned until tomorrow at Three o'clock, P. M.

House adjourns.

**SATURDAY, 4th AUGUST, 1855.**

The House met pursuant to adjournment.

House meets.

**PRESENT :**

*The Honorable* LAURENCE O'BRIEN, *President.*

“ JAMES TOBIN.

“ JOHN ROCHFORT.

“ THOMAS ROW.

“ THOMAS H. RIDLEY.

“ GEORGE H. EMERSON.

“ JAMES J. ROGERSON.

“ JAMES CORMACK.

“ SAMUEL CARSON.

“ PHILIP DUGGAN.

“ JAMES FURLONG.

Members present.

4th August, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

The Minutes of yesterday were read.

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

“An Act to provide for the Contingent Expenses of the Legislature for the Second Session of the Fifth General Assembly”—

“An Act to provide for the Contingent Expenses of the Legislature during the Third Session of the General Assembly,” and—

“An Act to provide for the Contingent Expenses of the Legislature during the present Session”—

Which were severally read a first and second time.

The House then went into Committee, in succession, on the said Bills—

The Honorable Mr. CORMACK in the Chair.

After some time the House resumed.

The Chairman reported the Bills without Amendment.

Ordered—That the reports be received.

The Bills were then severally read a third time and passed, and—

The Honorable the President signed the same.

At Five o'clock, P. M., His Excellency the Governor having come to the Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was ordered to direct the immediate attendance of the House of Assembly at the Bar of this House, and they being come thereto, His Excellency was pleased to give his assent to the following Bills, viz:—

“An Act to repeal and amend parts of an Act of the Legislature of this Colony, entitled ‘An Act for the Establishment of a Savings’ Bank in Newfoundland.’”

“An Act to reduce and make provision for the payment of the Salaries of the Principal Officers of Her Majesty’s Government in this Colony, and to repeal certain Legislative Enactments in reference thereto.”

Three Contingency Bills—for the 2nd and 3rd Sessions of the 5th General Assembly—

and

For the present Session—brought up—

and

severally read a 1st and 2d time.

—Committed.

—Reported, and

Read 3rd time and passed.

His Excellency the Governor arrives at the Council Chamber to close the Session.

*4th August, 1855.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

“ An Act for the Establishment of a Board of Revenue, and for the Regulation, Management and Collection of all Duties granted to Her Majesty, Her Heirs, and Successors, on Goods, Wares and Merchandize imported into this Island and its Dependencies, and to repeal certain Acts relating thereto.”

“ An Act for the Encouragement of Education.”

“ An Act to unite and consolidate the Acts respecting Light Houses.”

“ An Act to repeal and amend certain parts of an Act passed in the 14th year of the Reign of Her Majesty, entitled ‘ An Act to authorize the issue of Treasury Notes, and for the reduction of the Public Debt of the Colony.’”

“ An Act for granting to Her Majesty a Sum of Money for defraying the expenses of the Civil Government of this Colony, for the year ending the 31st day of December, 1854, and for other purposes.”

“ An Act for granting to Her Majesty a Sum of Money for defraying the expenses of the Civil Government of this Colony, for the year ending the 31st day of December, 1855.”

“ An Act for the establishment of a Board of Works.”

“ An Act to defray the Contingent Expenses of the 2nd Session of the Fifth General Assembly.”

“ An Act to defray the Contingent Expenses of the 3rd Session of the Fifth General Assembly.”

“ An Act to defray the Contingent Expenses of the present Session.”

“ An Act to raise by loan a Sum of Money for the General Purposes of the Colony.”

“ An Act to unite the Offices of Colonial Treasurer and Collector of Her Majesty’s Customs and Revenue, at the Port of St. John’s.”

“ An Act to amend an Act for the Incorporation of the Union Bank of Newfoundland.”

4th August, 1855.

FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.

“ An Act to provide for the Salary of the Governor of this Island.”

“ An Act to Incorporate sundry persons by the name of the Newfoundland Provident Society.”

“ An Act to amend an Act passed by the Legislature of this Island in the 14th year of the Reign of Her Majesty, entitled ‘ An Act for the granting of Patents for useful Inventions.’ ”

After which His Excellency was pleased to deliver the following

SPEECH :—

*Mr. President, and Honorable Gentlemen of the Legislative Council :*

His Excellency's  
Speech on proroguing  
the General Assembly.

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

The present state of the Public Business, to which your attention has been closely and unremittingly directed since the commencement of the Session, enables me to relieve you from further attendance in Legislative Assembly.

The economical Reforms which you have adopted, in conjunction with measures for consolidating and improving important Departments of Administration, cannot fail to be acceptable to the people whose interests you represent ; and will be found, I trust, to work with all the advantage which may fairly be anticipated from their character and extent.

Having taken the earliest opportunity of transmitting, for Her Majesty's gracious confirmation, the Act which you have passed, and to which I assented during the Session, for giving effect on the part of this Colony to the Reciprocity Treaty between Her Majesty and the United States of America ; I entertain no doubt that but a very short period will elapse, before I shall be in a position to issue the Proclamation required by the Imperial Statute to give local operation to the provisions of that Treaty.

I observe with satisfaction, that the principles mainly held in view, in effecting those alterations in our Colonial Tariff that are intended to supply the deficiency in the ordinary Revenue consequent

*4th August, 1855.*

HIS EXCELLENCY CHARLES HENRY DARLING, ESQUIRE, *Governor.*

---

upon the freer Trade with the United States, the mother country, and the neighbouring Colonies, which your Legislation has established, are also calculated in many respects to encourage Native Industry, and to cheapen the subsistence of the labouring classes.

I earnestly hope that these beneficial effects may be accomplished; and that the marked success which, under a bountiful Providence, has hitherto attended the progress of our staple fishery, may amply compensate the inadequate returns of the annual sealing voyage, to which I adverted at the opening of the Session.

I sanguinely anticipate that the results of your enquiries into the origin and promoting causes of Pauperism, will enable you, in a future Session, to deal with this vital question upon sound and comprehensive principles. Until these principles shall be authoritatively settled, the determination which has been announced, on the part of my Government, no longer to regard that distress which is the offspring of indolence and inaction, as equally entitled to relief with the destitution which has its origin in unavoidable calamity, may accomplish much towards relieving the Public Revenue from a burden to which it has been unduly subjected, and reviving a spirit of manly independence and self-reliance amongst our labouring population.

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

I fully recognise the liberality with which, notwithstanding the embarrassment of the Public Finance, you have provided for the Civil Service of the Colony.

The wise spirit in which you have also continued to support public Education, to provide pecuniary means for extending protection to the Fisheries, and for improving a valuable branch thereof which has not heretofore received due attention, as well as for encouraging the efforts of the Agricultural Society; must be duly appreciated by all who rightly estimate the importance to our social prosperity, of elevating the intellect of the people, and developing the productive resources of the Country.

**4th August, 1855.**

**FIRST SESSION, SIXTH GENERAL ASSEMBLY, 18th & 19th VICTORIA.**

*Mr. President, and Honorable Gentlemen of the Legislative Council :*

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

At the opening of the Session I ventured to express to you my belief that the resolution which I had taken to introduce the principle of Ministerial Responsibility into the Civil Government of the Colony, although not specially instructed to adopt that course in the absence of certain documents which I deemed essential to the perfect establishment of such a polity, would prove to be in accordance with the views of the Imperial Government. It now affords me much satisfaction to acquaint you, that this discretionary exercise of my authority and powers, as the Queen's Representative, has received the unqualified approval of Her Majesty's Advisers.

The Honorable the President of the Council then said—It is His Excellency the Governor's will and pleasure, that the General Assembly be prorogued to Wednesday, the 10th day of October next, to be then and here holden; and this General Assembly stands prorogued accordingly.

The General Assembly  
Prorogued.

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**APPENDIX**

TO THE

**JOURNALS**

OF THE

**LEGISLATIVE COUNCIL.**

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# APPENDIX

## APPENDIX No. 1.

### ESTIMATE

*Of the Charge of Defraying the Public Expenditure of the Island of Newfoundland, for the Year ending 31st December, 1855.*

£24,354 19 3.

#### Proposed Distribution of the above.

SALARY of the Private Secretary	£200	0	0
*Clerk of the Council, (to the 27th May)	31	6	4
Two Clerks in the Secretary's Office	400	0	0
Office Keeper do.	60	0	0
Messenger do.	60	0	0
*Colonial Treasurer, (to the 27th May)	78	6	0
Clerk in Receiver General's Office	150	0	0
Clerk of the Supreme and Central Courts, including allowance for the Assistant Clerk and for purchase of Printed Forms	420	0	0
Clerk of Northern Circuit Court	200	0	0
*Clerk of Southern Circuit Court	200	0	0
Crier and Tipstaff of Supreme Court	60	0	0
Do. do. Harbour Grace Court	20	0	0
*Three Police Magistrates, St. John's	900	0	0
Police Inspector†	60	0	0
High Constable	80	0	0
Ten Police Constables	450	0	0
Gaoler	150	0	0
*Gaul Surgeon	40	0	0
Carried forward	£3559	12	4

† With an addition of £40 a year from the Grant for the Poor, for Services to the Commissioners.

	Brought forward	....	£3559	12	4
<b>SALARY</b>	of Hospital Surgeon, (to the 31st March)	....	37	10	0
"	District Surgeon, including Medicine, &c.	....	200	0	0
"	District Surgeon, Conception Bay	....	100	0	0
"	Gaol Surgeon, Harbour Grace	....	30	0	0
"	Physician of Lunatic Asylum	....	200	0	0
"	Gate Keeper, Government House Lodge	....	26	0	0
"	House Keeper, Colonial Building	....	60	0	0
Attorney-General's Fees	(to 27th May)....	....	39	3	0
Do.	do. from 28th May to 31st December, at the rate of £50 per annum	....	29	17	3
* Stipendiary Magistrates, &c., in the Outports, as per detailed Account	....	....	3,661	0	0
Board of Fisheries and Protection	....	....	600	0	0
Removal of the Merlin Rock	....	....	400	0	0

## MISCELLANEOUS.

Ordinary Repairs of Court House and Gaols	....	200	0	0
Gaol Expenses	....	600	0	0
Printing and Stationary	....	500	0	0
Crown Prosecutions	....	300	0	0
Coroners	....	200	0	0
Fuel and Light	....	450	0	0
Postages and Incidentals	....	120	0	0
Circuits of the Judges	....	300	0	0
Relief of the Poor (£7,500 already expended)	....	10,000	0	0
Lunatic Paupers	....	1,200	0	0
Shipwrecked Sealing Crews	....	100	0	0
Men stationed at Fort Amherst	....	36	10	0
Duties on Wines for Military Mess	....	50	0	0
Gas Light Company, St. John's	....	143	6	8
Ditto Harbour Grace	....	25	0	0
Unforeseen Contingencies	....	500	0	0
Outport Permanent Poor	....	400	0	0

## PENSIONS AND GRATUITIES.

Robert Connell	....	10	0	0
Robert Smith	....	10	0	0

Carried forward .... £24087 19 3

Brought forward ..... £24087 19 3

ALLOWANCES TO FERRYMEN.

*At Manuels	.....	10	0	0
Great Placentia	.....	25	0	0
Little St. Lawrence	.....	10	0	0
Salmonier	.....	25	0	0
Burin and Spoon Cove	.....	20	0	0
Biscay Bay	.....	15	0	0
Portugal Cove	.....	25	0	0
North and South Side Holyrood, £15 each		30	0	0
Aquaforte	.....	15	0	0
Trinity	.....	25	0	0
Malbay	.....	12	0	0
John's Pond, North Harbour, and Salmonier		30	0	0
Harbour Grace and South Side	.....	25	0	0
			267	0 0
			<hr/>	
			£24,354	19 3

\* The item thus marked, to be revised or discontinued.

## DETAIL

*Of Salaries and Allowances to Stipendiary Magistrates and Constables, Clerks of the Peace and Gaolers, in the undermentioned Outports, for the Year 1855.*

OUTPORTS.	MAGIS- TRATES.	CLERKS OF THE PEACE.	CONSTABLES.		GAOLERS	TOTAL.
			NO.	SALARY		
Petty Harbor			1	20		20
Torbay			1	20		20
Portugal Cove			1	20		20
South Shore			1	12		12
Harbor Main			1	12		12
Cats Cove			1	12		12
Brigus and Port-de-Grave	150	60	2	50		260
Bay Roberts			1	12		12
Harbor Grace	200	150	1 } 2 }	50 } 50 }	90	540
Carbonear	150	60	3	75		285
Bay-de-Verds			1	12		12
Western Bay			1	12		12
Hants Harbor			1	12		12
Perlican	130		1	12		142
Hearts Content			1	12		12
New Harbor			1	12		12
Trinity	150	60	2	37	25	272
Catalina			1	25		25
Bonavista	150	45	1	25	10	230
Tickle Cove			1	12		12
King's Cove			1	12		12
Salvage			1	12		12
Greenspond			1	12		12
Twillingate and Fogo	130	45	3	49	10	234
Exploits Bay			1	12		12
Bay Bulls	100		1	25		125
Witless Bay			1	12		12
Toads Cove			1	12		12
Brigus, South			1	12		12
Cape Broyle			1	12		12
Caplin Bay			1	12		12
Ferryland	100	60	1	25	25	210
Aquaforte			1	12		12
Fermews			1	12		12
Renews			1	12		12
Trepassey			1	12		12
St. Mary's	130		1	25		155
Placentia	130	35	1	25	25	215
Little Placentia			1	12		12
Carried forward . . .	£1520	£515	47	£821	£185	£3041

DETAIL

*Of Salaries and Allowances to Stipendiary Magistrates and Constables, Clerks of the Peace and Gaolers, in the undermentioned Outports—(Continued.)*

OUTPORTS.	MAGIS- TRATES.	CLERKS OF THE PEACE.	CONSTABLES.		GAOLERS	TOTAL.
			NO.	SALARY		
Brought forward	1520	515	47	821	185	3041
Oderin			1	12		12
Merasheen			1	12		12
Burin	150	35	1	25	25	235
St. Lawrence			1	12		12
Lamaline			1	12		12
Grand Bank	130		1	12		142
Jersey Harbor			1	12		12
Harbor Briton	100	35	1	12		147
Burgeo Islands			1	12		12
Hermitage Bay			1	12		12
Spaniards Bay			1	12		12
<b>Total</b> .....	<b>£1900</b>	<b>£585</b>	<b>58</b>	<b>£966</b>	<b>£210</b>	<b>£3661</b>

RECAPITULATION.

14 Magistrates	.....	.....	.....	1900 0 0
10 Clerks of the Peace	.....	.....	.....	585 0 0
7 Gaolers	.....	.....	.....	210 0 0
58 Constables	.....	.....	.....	966 0 0
				<b>£3,661 0 0</b>

## APPENDIX No. 2.

## Port of St. John's.

A CONSOLIDATED ACCOUNT of the Goods Imported in the Year ended 5th day of January, 1855, shewing the Aggregate Quantities and Value of the various Articles, with the Amount of Duty collected thereon.

ARTICLES IMPORTED.	QUANTITY IMPORTED.	VALUE.	DUTY.
Ale, Porter, Beer, Cider and Perry	.....	2207 8 10	220 14 7
Apples	2,268 Brls.	1401 14 3	170 1 8
Bacon and Hams	545 3 11 Cwts.	1742 17 0	136 9 4
Beef (salted or cured)	2,718 Brls.	5681 16 3	271 16 0
Brandy, Whiskey, Geneva and Cordials	19246 5-7 Gals	5803 15 10	2887 0 1
Bread or Biscuit	84,258 2 4 Cwts	87984 10 1	1053 4 11
Butter	11,899 2 10 do	37779 19 11	1189 19 8
Candles	.....	4797 6 1	359 15 9
Cattle (Neat)	2,089	13113 15 0	655 13 6
Cheese	316 3 14 Cwts.	1074 7 11	79 3 4
Cigars	313,000	840 0 0	78 5 0
Clocks and Watches	.....	379 19 10	37 19 11
Coals	22,266 1-2 Tons	24006 3 0	1113 6 6
Cocoa	30 2 0 Cwts.	100 0 0	7 12 6
Coffee	1,994 0 10 do	2428 18 0	498 10 9
Fish (Dried or Salted)	18 0 8 do	26 0 0	4 10 4
Flour	106,072 Brls.	177823 9 11	7955 8 9
Furniture	.....	1167 10 8	116 13 4
Goods, Wares, and Merchandize not otherwise enumerated or described	.....	370936 0 8	18546 17 0
Horses, Mares, and Geldings	16	169 6 8	8 0 0
Lumber	2,164,666 Feet	6253 6 6	270 12 4
Molasses	775,193 Gals.	39181 15 6	4844 19 11
Oatmeal and Indian Meal	20,686 Brls	19398 13 9	517 3 0
Oil and Blubber, Fins and Skins	.....	.....	.....
Pork (Salted or Cured)	21,058 1-4 do	62264 0 9	3158 14 9
Rum	120,435 1-2 Gal	13299 17 10	6021 15 6
Salt	40,282 1-4 Tons	41172 8 5	1007 1 3
Sheep, Calves and Pigs	2,915	2903 2 0	145 15 0
Shingles	4,276,750	3552 11 5	213 16 9
Sugar, Refined	1,507 3 21 Cwts	2499 2 7	565 9 8
Unrefined	12,904 1 26 do	13583 19 9	3226 2 3
Bastard	154 1 3 do	162 0 0	38 11 5
Carried forward	.....	£943735 18 5	£55401 4 8

*A CONSOLIDATED ACCOUNT of the Goods Imported in the Year ended 5th day of January, 1855, shewing the Aggregate Quantities and Value of the various Articles, with the Amount of Duty collected thereon—Continued.*

ARTICLES IMPORTED.	QUANTITY IMPORTED.	VALUE.	DUTY.
Brought forward . . . .		943735 18 5	55401 4 8
Tea . . . . .	477,946 Lbs.	22952 3 4	5974 6 6
Timber, including Balk and Scantling . . . .	1,454 1-2 Tons	1677 17 0	109 2 1
Tobacco (Manufactured and Leaf) . . . . .	347,681 Lbs.	9026 0 3	2897 6 10
Do. Stems . . . . .	75 2 0 Cwts.	59 15 0	7 11 0
Wine, in Bottles . . . .	257 Gals.	251 0 0	38 11 0
not in Bottles . . . .	11,869 Gals.	2768 4 0	1186 18 0
Totals . . . . .		£980470 18 0	£65615 0 1

(Signed) **JOHN KENT,**  
Collector.

CUSTOM-HOUSE,  
The 19th Day of January, 1855. }

**Port of St. John's.**

*Dr. A Consolidated Account Current of Receipts and Payments for the Year ended 5th day of January, 1855. Cr.*

1855.

To	Outport Balances from last year, viz:—				
	Fogo .....	144	8	9	
	Carbonear .....	103	2	2	
	Harbor Grace .....	726	7	7	
	Placentia .....	100	15	0	
	Burin .....	116	4	11	
	Little Bay .....	635	9	11	
	La Poile .....	105	14	8	£1932 3 0
	Outport Duties .....				11448 3 3
	Duties on Goods Imported, St. John's .....	54166	16	10	
	Ten per cent. on that amount .....	5416	13	8	
	Duties collected under Copyright Act .....	3	13	2	
	Ditto ditto on Spirits distilled in the Island .....	227	11	10	
	Net amount of Light Dues collected .....	2358	12	7	
	Proceeds of Samples sold .....	9	10	9	
	Colony's Show of Signals .....	33	1	11	
	This Sum received from Mr. Prendergast amount unaccounted for 5th January, 1854 .....	30	0	0	
	Amount of Quarantine Fees collected .....	268	10	0	
	Surcharges on Outport Accounts .....	0	13	6	
					<u>£75,895 10 6</u>

1855.

By	Remittances from the undermentioned Outports charged in Account Current, Quarter ending 5th January, 1854,				
	Viz:—Trinity .....	12	7	3	
	Gaultois .....	54	3	2	66 10 5
	Over Entries .....				224 5 0
	Returned Duties .....				103 12 10
	Drawbacks .....				1522 15 4
	Incidental Expenses .....				207 15 7
	Reserved Salaries .....				6757 8 0
	Lumber Certificates .....				9 5 0
	Tide Waiters .....				816 9 0
	Salaries, viz:—				
	St. John's .....	1828	19	4	
	Outports .....	1723	1	3	3552 0 7
	Payments to Colonial Treasurer, viz:—				
	Bonds .....	43206	7	11	
	Cash .....	17444	12	10	60651 0 9
	Outport Balances to next year, viz:—				
	Lamalaine .....	16	2	5	
	Trinity .....	171	0	1	
	Carbonear .....	133	14	10	
	Harbor Grace .....	275	17	4	
	Placentia .....	45	17	3	
	Burin .....	111	19	0	
	Harbor Briton .....	431	8	4	
	La Poile .....	798	8	9	1984 8 0
					<u>£75,895 10 6</u>

I Certify that the foregoing Account is just and true in every particular, to the best of my knowledge and belief.

CUSTOM-HOUSE,  
The 19th day of January, 1855.

JOHN KENT,  
Collector.

We do hereby certify that we have duly Audited the foregoing Account, and that we have finally settled and closed the same.

St. John's, Nfld.  
23d day June, 1855.

PETER WINSER  
J. L. PRENDERGAST } *Acting*  
JOHN HAYWARD, } *Auditors.*



## APPENDIX No. 3.

*Copies of Acts recently passed by the Legislatures of Canada, Nova Scotia, New Brunswick, and Prince Edward Island, for giving effect on the part of those Provinces to the recent Reciprocity Treaty with the United States.*

## I.

## C A N A D A .

*An Act for giving effect, on the part of this Province, to a certain Treaty between Her Majesty and the United States of America.*

WHEREAS it is expedient to provide for giving effect, as regards this Province, to the Treaty between Her Majesty and the United States of America, signed on the fifth day of June One Thousand Eight Hundred and Fifty-four; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled "An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada," and it is hereby enacted by the authority of the same, as follows:

I.—Whenever the Governor of this Province shall, by Proclamation, declare that the said Treaty has taken effect according to the terms thereof, the articles enumerated in the schedule hereunto annexed, being the growth and produce of the said United States, shall be admitted into this Province free of duty, so long as the said Treaty shall remain in force; except that if at any time the said United States shall, under the terms of the said Treaty, suspend the operation of the third article thereof, so far as this Province is affected thereby, then the Governor of this Province may, if he see fit, declare such suspension by Proclamation, after which the exemption from duty under this Act shall cease while such suspension shall continue, but the Governor may again, whenever such suspension shall cease, declare the same by Proclamation, from and after which such exemption shall again take effect.

II.—It shall be lawful for the Governor in Council, by any Order or Orders, to be made for that purpose, to do anything which shall be found necessary to be done on the part of this Province to give full effect to the said Treaty, and any such Order shall have the same effect as if the object thereof were expressly provided for by this Act.

III.—The Act passed in the twelfth year of Her Majesty's Reign, intituled  
 “An Act to provide for the free admission into Canada of certain articles of  
 “the growth or production of the United States of America, on certain condi-  
 “tions therein mentioned” is hereby repealed.

### SCHEDULE.

Grain, flour, and breadstuffs of all kinds.  
 Animals of all kinds.  
 Fresh, smoked, and salted meats.  
 Cotton-wool, seeds, and vegetables.  
 Undried fruits, dried fruits.  
 Fish of all kinds.  
 Products of fish and all other creatures living in the water.  
 Poultry, eggs.  
 Hides, furs, skins, or tails undressed.  
 Stone or marble in its crude or unwrought state.  
 Slate.  
 Butter, cheese, tallow.  
 Lard, horns, manures.  
 Ores of metals of all kinds.  
 Coal.  
 Pitch, tar, turpentine, ashes.  
 Timber and lumber of all kinds, round, hewed, sawed, unmanufactured in  
 whole or in part.  
 Firewood.  
 Plants, shrubs, and trees.  
 Pelts, wool.  
 Fish-oil.  
 Rice, broomcorn, and bark.  
 Gypsum, ground or unground.  
 Hewn or wrought or unwrought burr or grindstones.  
 Dye-stuffs.  
 Flax, hemp, and tow unmanufactured.  
 Unmanufactured tobacco.  
 Rags.

I do hereby certify the above to be a true copy of the Bill passed by the  
 Legislative Council and Legislative Assembly of Canada in the First Session

of the Fifth Provincial Parliament, and assented to in Her Majesty's name by His Excellency the Governor General on Saturday the Twenty-third day of September 1854.

J. F. TAYLOR,

*Clerk, Legislative Council.*

II.

NOVA SCOTIA.

PROVINCE OF NOVA SCOTIA.

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

CAP. I.

*An Act for giving effect, on the part of the Province of Nova Scotia, to a certain Treaty between Her Majesty and the United States of America.*

[Passed the 13th day of December 1854.]

Whereas it is expedient to provide for giving effect, as regards this Province, to the Treaty between Her Majesty and the United States of America, signed on the Fifth day June in the Year of Our Lord One Thousand Eight Hundred and Fifty-four :

Be it therefore enacted by the Governor, Council, and Assembly, as follows :

I.—Whenever the Governor of this Province shall, by Proclamation, declare that the Treaty has taken effect according to the terms thereof, the articles enumerated in the schedule to this Act, being the growth and produce of the United States of America, shall be admitted into this Province free of duty, so long as the Treaty shall remain in force, any law, act, or statute to the contrary notwithstanding, except that if at any time the United States shall, under the terms of the Treaty, suspend the operation of the third article thereof so far as this Province is affected thereby, then the Governor of this Province may, if he see fit, declare such suspension by Proclamation, after which the exemption from duty under this Act shall cease while such suspension shall continue ; but the Governor may again, whenever such suspension shall cease, declare the same by Proclamation, from and after which such exemption shall again take effect.

II.—It shall be lawful for the Governor in Council, by any Order or Orders to be made for that purpose, to do anything further in accordance with the spirit and intention of the Treaty which shall be found necessary to be done on the part of this Province to give full effect to the Treaty, and any such Order shall have the same effect as if the object thereof were expressly provided for by this Act.

III.—When and so soon as the Treaty shall be declared by Proclamation of the Governor to be in force, and to have taken effect according to the terms thereof, as provided for by the first section of this Act, the first eighteen sections of the ninety-fourth chapter of the revised statutes, “Of the Coast Fisheries,” together with such provisions of all other laws, acts or statutes of this Province now in force as are contrary to or inconsistent with the terms and spirit of the Treaty, are hereby declared to be suspended as regards citizens and inhabitants of the United States of America, and vessels, boats, and crafts belonging to the citizens and inhabitants of that country, and shall continue to be so suspended and not in force so long as the Treaty shall continue and be in force, any law, act, or statute to the contrary notwithstanding.

#### SCHEDULE TO THIS ACT.

- Grain, flour, and breadstuffs of all kinds.
- Animals of all kinds.
- Fresh, smoked, and salted meats.
- Cotton-wool, seeds, and vegetables.
- Undried fruits, dried fruits.
- Fish of all kinds.
- Products of fish and all other creatures living in the water.
- Poultry, eggs.
- Hides, furs, skins, or tails undressed.
- Stone or marble in its crude or unwrought state.
- Slate.
- Butter, cheese, tallow.
- Lard, horns, manures.
- Ores of metals of all kinds.
- Coal.
- Pitch, tar, turpentine, ashes
- Timber, and lumber of all kinds, round, hewed and sawed, unmanufactured in whole or in part.
- Firewood, plants, shrubs, and trees.
- Pelts, wool.

Fish-oil.  
 Rice, broomcorn, and bark.  
 Gypsum, ground or unground.  
 Hewn, wrought or unwrought burr or grindstones.  
 Dye-stuffs.  
 Flax, hemp, and tow unmanufactured.  
 Unmanufactured tobacco.  
 Rags.

Province of Nova Scotia.

Halifax, December, 1854.

It is hereby certified, that the foregoing is a true copy of an Act passed by the Legislature of Nova Scotia in the present Session.

J. GASP. LE MARCHANT,

Lieut.-Governor.

### III.

## NEW BRUNSWICK.

### CAP. I.

*An Act for giving effect, on the part of the Province of New Brunswick, to a certain Treaty between Her Majesty and the United States of America,*

#### SECTION,

Preamble refers to Treaty signed 5th June, 1854.

I.—Free importation of certain articles on Proclamation that Treaty has effect; power to suspend.

II.—Other things may be done to effectuate the Treaty.

III.—Suspension of certain Acts during force of Treaty.

Schedule of Articles to be free.

[Passed 3rd of November, 1854.]

WHEREAS it is expedient to provide for giving effect, as regards this Province, to the Treaty between Her Majesty and the United States of America, signed on the fifth day of June, in the year of Our Lord, One Thousand Eight Hundred and Fifty-four:

Be it therefore enacted, by the Lieutenant-Governor, Legislative Council, and Assembly, as follows:—

I.—Whenever the Governor of this Province shall, by Proclamation, declare that the said Treaty has taken effect according to the terms thereof, the articles enumerated in the schedule to this Act, being the growth and produce of the said United States of America, shall be admitted into this Province free of duty, so long as the said Treaty shall remain in force, any law, act, or statute to the contrary notwithstanding, except that if at any time the said United States shall, under the terms of the said Treaty, suspend the operation of the third article thereof, so far as this Province is affected thereby, then the Governor of this Province may, if he see fit, declare such suspension by Proclamation, after which the exemption from duty under this Act shall cease while such suspension shall continue, but the Governor aforesaid may again, whenever such suspension shall cease, declare the same by Proclamation, from and after which such exemption shall again take effect.

II.—It shall be lawful for the Governor in Council, by any Order or Orders to be made for that purpose, to do anything further, in accordance with the spirit and intention of the said Treaty, which shall be found necessary to be done on the part of this Province to give full effect to the said Treaty, and any such Order shall have the same effect as if the object thereof were expressly provided for by this Act.

III.—When and so soon as the said Treaty shall be declared by Proclamation of the Governor to be in force, and to have taken effect according to the terms thereof, as provided for by the first section of this Act, an Act made and passed in the fifteenth and sixteenth years of the reign of Her Majesty, entitled “An Act relating to the Coast Fisheries, and for the prevention of illicit trade,” together with such provisions of all other laws, acts or statutes of this Province now in force as are contrary to or inconsistent with the terms and spirit of the said Treaty, are hereby declared to be suspended, and shall continue to be so suspended, and not in force, so long as the said Treaty shall continue and be in force, any law, act, or statute to the contrary notwithstanding.

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#### SCHEDULE TO THIS ACT.

Grain, flour, and breadstuffs of all kinds.

Animals of all kinds.

Fresh, smoked, and salted meats.

Cotton-wool, seeds, and vegetables.

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Undried fruits, dried fruits.  
 Fish of all kinds.  
 Products of fish and all other creatures living in the water.  
 Poultry, eggs.  
 Hides, furs, skins, or tails undressed.  
 Stone or marble in its crude or unwrought state.  
 Slate.  
 Butter, cheese, tallow.  
 Lard, horns, manures.  
 Ores of metals of all kinds.  
 Coal.  
 Pitch, tar, turpentine, ashes.  
 Timber, and lumber of all kinds, round, hewed and sawed, unmanufactured  
 in whole or in part.  
 Firewood, plants, shrubs, and trees.  
 Pelts, wool.  
 Fish-oil.  
 Rice, broomcorn, and bark.  
 Gypsum, ground or unground.  
 Hewn or wrought or unwrought burr or grindstones.  
 Dye-stuffs.  
 Flax, hemp, and tow unmanufactured.  
 Unmanufactured tobacco.  
 Rags.

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## PRINCE EDWARD ISLAND.

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*An Act to authorize Free Trade with the United States of America, under a Treaty between Great Britain and the United States of America.*

WHEREAS it is deemed expedient to authorize Free Trade with the United States of America, under and by virtue of the provisions of a Treaty entered into between Great Britain and the United States of America, signed on the Fifth day of June One Thousand Eight Hundred and Fifty-four:

I.—Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly, That whenever the Lieutenant-Governor or other Administrator of the Government of this Island for the time being shall receive satisfactory evidence that the articles herein-after enumerated will be admitted into the

United States of America by law free of duty, the said Lieutenant-Governor or other Administrator of the Government of this Island for the time being is hereby authorized and empowered to issue his Proclamation declaring that he has such evidence, and thereupon, from the date of such Proclamation, the following articles, being the growth and produce of the United States of America; to wit, grain, flour, and breadstuffs of all kinds; animals of all kinds; fresh, smoked, and salted meats; cotton wool; seeds and vegetables; undried fruits; dried fruits; fish of all kinds; products of fish and of all other creatures living in the water; poultry, eggs; hides, furs, skins, or tails undressed; stone or marble in its crude or unwrought state; slate; butter, cheese, tallow, lard; horns; manures; ores of metals of all kinds; coal, pitch, tar, turpentine, ashes; timber and lumber of all kinds,—round, hewed, and sawed, unmanufactured in whole or in part; firewood, plants, shrubs, and trees; pelts, wool, fish-oil, rice, broomcorn, and bark; gypsum, ground or unground; hewn or wrought, or unwrought burr or grindstones; dye-stuffs, flax, hemp, and tow unmanufactured; unmanufactured tobacco; rags,—shall be introduced into this Island free of duty, so long as the said Treaty shall remain in force; and all the other provisions of the said Treaty shall go into effect and be observed on the part of this Island with the United States of America.

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APPENDIX No. 4.

DESPATCH

*From the Secretary of State for the Colonies, transmitting copy of the "Act to amend the Law of Evidence," (14th and 15th Vic., Cap. 99.)*

(COPY.)

Downing Street, 24th May, 1855.

SIR,—

Circumstances having led me to suppose that the provisions of the "Act to amend the Law of Evidence" 14th and 15th Vic. Cap. 99, have not been fully brought to the notice of the Local Government and Authorities of all Her Majesty's Colonies, I take this opportunity of directing your attention to them.

2.—The important clause for the present purpose is Section 11, which



renders documents made admissible in evidence in England and Wales by former Sections of the Act, equally admissible in the Colonies.

I send you Five copies of the Act in question, in order that the principal judicial functionaries of the Colony may be supplied with them.

I have, &c.,

(Signed) RUSSELL.

Governor DARLING,

&c., &c., &c.

ANNO DECIMO QUARTO AND DECIMO QUINTO.

VICTORIÆ REGINÆ.

CAP. XCIX.

An Act to amend the Law of Evidence.

[7th August, 1851.]

WHEREAS it is expedient to amend the Law of Evidence in divers Particulars: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I.—So much of Section One of the Act of the Sixth and Seventh Years of Her present Majesty, Chapter Eighty-five, as provides that the said Act shall “not render competent any Party to “any Suit, Action, or Proceeding individually named in the Record, “or any Lessor of the Plaintiff, or Tenant of Premises sought to be “recovered in Ejectment, or the Landlord, or other Person in whose “Right any Defendant in Replevin may make Cognizance, or any “Person in whose immediate and individual Behalf any Action may “be brought or defended, either wholly or in part,” is hereby repealed.

II.—On the Trial of any Issue joined, or of any Matter or Question, or on any Inquiry arising in any Suit, Action, or other

Recited Proviso in s. 1. of 6 and 7 Vict. c. 85. repealed.

Parties to be admissible Witnesses.

Proceeding in any Court of Justice, or before any Person having by Law, or by Consent of Parties, Authority to hear, receive, and examine Evidence, the Parties thereto, and the Persons in whose Behalf any such Suit, Action, or other Proceeding may be brought or defended, shall, except as herein-after excepted, be competent and compellable to give Evidence, either *viva voce* or by Deposition, according to the Practice of the Court, on behalf of either or any of the Parties to the said Suit, Action, or other Proceeding.

Nothing herein to compel Person charged with criminal Offence to give Evidence tending to criminate himself, &c.

III.—But nothing herein contained shall render any Person who in any criminal Proceeding is charged with the Commission of any indictable Offence, or any Offence punishable on summary Conviction, competent or compellable to give Evidence for or against himself or herself, or shall render any Person compellable to answer any Question tending to criminate himself or herself, or shall in any criminal Proceeding render any Husband competent or compellable to give Evidence for or against his Wife, or any Wife competent or compellable to give Evidence for or against her Husband.

Not to apply to Proceedings in consequence of Adultery, &c.

IV.—Nothing herein contained shall apply to any Action, Suit, Proceeding, or Bill in any Court of Common Law, or in any Ecclesiastical Court, or in either House of Parliament, instituted in consequence of Adultery, or to any Action for Breach of Promise of Marriage.

Nothing to repeal any Provisions of 7 W. 4 and 1 Vict. c. 26.

V.—Nothing herein contained shall repeal any Provision contained in Chapter Twenty-six of the Statute passed in the Session of Parliament holden in the Seventh Year of the Reign of King William the Fourth and the First Year of the Reign of Her present Majesty.

Common Law Courts authorised to compel Inspection of Documents whenever equity would grant discovery.

VI.—Whenever any Action or other legal Proceeding shall henceforth be pending in any of the Superior Courts of Common Law at Westminster or Dublin, or the Court of Common Pleas for the County Palatine of Lancaster, or the Court of Pleas for the County of Durham, such Court and each of the Judges thereof may respectively, on Application made for such Purpose by either of the Litigants, compel the opposite Party to allow the Party making the Application to inspect all Documents in the Custody or under the Control of such opposite Party relating to such Action or other legal Proceeding, and, if necessary, to take examined Copies of the same or to procure the same to be duly stamped, in all Cases in which previous to the passing of this Act a Discovery might have been obtained by filing a Bill or by any other Proceeding in a Court

of Equity at the Instance of the Party so making Application as aforesaid to the said Court or Judge.

VII.—All Proclamations, Treaties, and other Acts of State of any Foreign State, or of any British Colony, and all Judgments, Decrees, Orders, and other judicial Proceedings of any Court of Justice in any Foreign State or in any British Colony, and all Affidavits, Pleadings, and other legal Documents filed or deposited in any such Court, may be proved in any Court of Justice, or before any Person having by Law or by consent of Parties authority to hear, receive, and examine Evidence, either by examined copies or by copies authenticated as herein-after mentioned; that is to say, if the Document sought to be proved be a Proclamation, Treaty, or other Act of State, the authenticated copy to be admissible in Evidence must purport to be sealed with the Seal of the Foreign State or British Colony to which the original Document belongs; and if the Document sought to be proved be a Judgment, Decree, Order, or other judicial Proceeding of any Foreign or Colonial Court, or an Affidavit, Pleading, or other legal Document filed or deposited in any such Court, the authenticated copy to be admissible in Evidence must purport either to be sealed with the Seal of the Foreign or Colonial Court to which the original Document belongs, or, in the event of such Court having no Seal, to be signed by the Judge, or, if there be more than One Judge, by any One of the Judges of the said Court, and such Judge shall attach to his Signature a statement in writing on the said copy that the Court whereof he is a Judge has no Seal; but if any of the aforesaid authenticated copies shall purport to be sealed or signed as herein-before respectively directed, the same shall respectively be admitted in Evidence in every case in which the original Document could have been received in Evidence, without any proof of the Seal where a Seal is necessary, or of the Signature, or of the truth of the statement attached thereto, where such Signature and statement are necessary, or of the judicial character of the person appearing to have made such Signature and statement.

VIII.—Every certificate of the qualification of an Apothecary which shall purport to be under the Common Seal of the Society of the Art and Mystery of Apothecaries of the City of London shall be received in Evidence in any Court of Justice, and before any person having by Law or by consent of parties authority to hear, receive, and examine Evidence, without any proof of the said Seal

Foreign and Colonial Acts of State. Judgments &c. provable by certified copies, without proof of Seal or Signature or judicial character of person signing the same.

Apothecaries Certificates admissible without proof of Seal.

or of the authenticity of the said Certificate, and shall be deemed sufficient proof that the person named therein has been from the date of the said Certificate duly qualified to practise as an Apothecary in any part of England or Wales.

Documents admissible without proof of Seal, &c., in England or Wales equally admissible in Ireland.

IX.—Every Document which by any Law now in force or hereafter to be in force is or shall be admissible in Evidence of any particular in any Court of Justice in England or Wales without proof of the Seal or Stamp or Signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same, shall be admitted in Evidence to the same extent and for the same purposes in any Court of Justice in Ireland, or before any person having in Ireland by Law or by consent of parties authority to hear, receive, and examine Evidence, without proof of the Seal or Stamp or Signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same.

Documents admissible without proof of Seal, &c., in Ireland equally admissible in England and Wales.

X.—Every Document which by any Law now in force or hereafter to be in force is or shall be admissible in Evidence of any particular in any Court of Justice in Ireland without proof of the Seal or Stamp or Signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same, shall be admitted in Evidence to the same extent and for the same purposes in any Court of Justice in England or Wales, or before any person having in England or Wales by Law or by consent of parties authority to hear, receive, and examine Evidence, without proof of the Seal or Stamp or Signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same.

Documents admissible without proof of Seal, &c., in England, Wales or Ireland, equally admissible in the Colonies

XI.—Every Document which by any Law now in force or hereafter to be in force is or shall be admissible in Evidence of any particular in any Court of Justice in England or Wales or Ireland without proof of the Seal or Stamp or Signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same, shall be admitted in Evidence to the same extent and for the same purposes in any Court of Justice of any of the British Colonies, or before any person having in any of such Colonies by Law or by consent of parties authority to hear, receive, and examine Evidence, without proof of the Seal or Stamp or Signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same.

XII.—Every Register of a Vessel kept under any of the Acts relating to the Registry of British Vessels may be proved in any Court of Justice, or before any person having by Law or by consent of parties authority to hear, receive, and examine Evidence, either by the production of the original or by an examined copy thereof, or by a copy thereof purporting to be certified under the hand of the person having the charge of the original, and which person is hereby required to furnish such certified copy to any person applying at a reasonable time for the same, upon payment of the sum of One Shilling; and every such Register or such copy of a Register, and also every Certificate of Registry, granted under any of the Acts relating to the Registry of British Vessels, and purporting to be signed as required by Law, shall be received in Evidence in any Court of Justice or before any person having by Law or by consent of parties authority to hear, receive, and examine Evidence as *prima facie* proof of all the matters contained or recited in such Register when the Register or such copy thereof as aforesaid is produced, and of all the matters contained or recited in or endorsed on such Certificate of Registry when the said Certificate is produced.

Registers of British Vessels and Certificates of Registry admissible as *prima facie* Evidence of their Contents, without proof of Signature, &c.

XIII.—And whereas it is expedient, as far as possible, to reduce the expense attendant upon the proof of criminal proceedings: Be it enacted, That whenever in any proceeding whatever it may be necessary to prove the trial and conviction or acquittal of any person charged with any indictable offence, it shall not be necessary to produce the Record of the conviction or acquittal of such person, or a copy thereof, but it shall be sufficient that it be certified or purport to be certified under the hand of the Clerk of the Court or other officer having the custody of the Records of the Court where such conviction or acquittal took place, or by the Deputy of such Clerk or other Officer, that the paper produced is a copy of the Record of the indictment, trial, conviction, and judgment or acquittal, as the case may be, omitting the formal parts thereof.

Where necessary to prove Conviction or Acquittal of Person charged, not necessary to produce Record, but may be certified under hand of Clerk of Court

XIV.—Whenever any Book or other Document is of such a public nature as to be admissible in Evidence on its mere production from the proper custody, and no Statute exists which renders its contents provable by means of a copy, any copy thereof or extract therefrom shall be admissible in Evidence in any Court of Justice, or before any person now or hereafter having by Law or by consent of parties authority to hear, receive, and examine Evidence, provided it be proved to be an examined copy or extract, or provided it pur-

Examined or certified copies of Documents admissible in Evidence

port to be signed and certified as a true copy or extract by the Officer to whose custody the original is intrusted, and which Officer is hereby required to furnish such certified copy or extract to any person applying at a reasonable time for the same, upon payment of a reasonable sum for the same, not exceeding Fourpence for every folio of ninty words.

Certifying a false Document a Misdemeanor.

XV.—If any Officer authorized or required by this Act to furnish any certified copies or extracts shall wilfully certify any Document as being a true copy or extract, knowing that the same is not a true copy or extract, as the case may be, he shall be guilty of a Misdemeanor, and be liable, upon conviction, to Imprisonment for any term not exceeding eighteen months.

Court, &c., may administer Oaths.

XVI.—Every Court, Judge, Justice, Officer, Commissioner, Arbitrator, or other person, now or hereafter having by Law or by consent of parties authority to hear, receive, and examine Evidence, is hereby empowered to administer an Oath to all such Witnesses as are legally called before them respectively.

Persons forging Seal Stamp, or Signature of certain Documents, or wilfully uttering same, guilty of Felony

XVII.—If any person shall forge the Seal, Stamp, or Signature of any Document in this Act mentioned or referred to, or shall tender in evidence any such Document with a false or counterfeit Seal, Stamp, or Signature thereto, knowing the same to be false or counterfeit, he shall be guilty of Felony, and shall upon conviction be liable to Transportation for seven years, or to Imprisonment for any term not exceeding three years nor less than one year, with hard labour; and whenever any such Document shall have been admitted in Evidence by virtue of this Act, the Court or the person who shall have admitted the same may, at the request of any party against whom the same is so admitted in Evidence, direct that the same shall be impounded and be kept in the custody of some Officer of the Court or other proper person for such period and subject to such conditions as to the said Court or person shall seem meet; and every person who shall be charged with committing any Felony under this Act, or under the Act of the Eighth and Ninth Years of Her present Majesty, Chapter One Hundred and Thirteen, may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence may be laid and charged to have been committed, in the County, District, or place in which he shall be apprehended or be in custody; and every accessory before or after the fact to any such offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence laid and charged to have been committed, in any County, District, or place in which the principal offender may be tried.

Act not to extend to Scotland.

XVIII.—This Act shall not extend to Scotland.

Interpretation of "British Colony."

XIX.—The words "British Colony" as used in this Act shall apply to all the British Territories under the Government of the East India Company, and to the Islands of Guernsey, Jersey, Alderney, Sark, and Man, and to all other Possessions of the British Crown, wheresoever and whatsoever.

Commencement of Act

XX.—This Act shall come into operation on the First Day of November in the present Year.

## APPENDIX No. 5.

## DESPATCH

*From the Secretary of State for the Colonies, pointing out an omission in the Act to Incorporate a Telegraph Company.*

(COPY.)

Downing Street, 8th November, 1854.

SIR,—

Among the Acts passed by the Legislature of Newfoundland and left to their operation by the Order in Council, in my Despatch No. 14, of the 24th ultimo, is one (No. 165) to Incorporate a Telegraph Company, by one of the provisions of which the Governments of the United Kingdom, of the United States, and of the Island are to have a preference in the use of the Telegraph at the current charges, but no similar privilege is extended to the Governments of the neighbouring Colonies.

This omission is probably unintentional, but as it is desirable that it should be repaired I have to instruct you to bring the clause in question under the consideration of the Colonial Legislature with a view to its Amendment.

I have the honor to be

Sir, &amp;c.,

(Signed)

G. GREY.

Governor HAMILTON,  
Newfoundland.

## APPENDIX No. 6.

## CIRCULAR DESPATCH

*From the Secretary of State for the Colonies, directing that in future the Customs Returns be made up to the end of each Quarter of the Year, instead of as at present, on the 5th of the month.*

(CIRCULAR)

Downing Street, 21st June, 1855.

SIR,—

Adverting to my Predecessor's Circular Dispatch of the 4th of November last, and to the Instructions, therein enclosed, from the Commissioners of Customs

in London to the late Imperial Comptrollers of Customs and Navigation Laws, in which, amongst other things, these Officers were directed to instruct the Colonial Officers of Customs as to the mode of preparing and rendering the Accounts of Trade, Navigation, and Statistics, with a view to their being transmitted to this Country, in a perfect state, for the information of Parliament and of Her Majesty's Government; I have now to acquaint you that it is considered desirable that these Returns should be made up on the same days as similar Returns for the United Kingdom, by which means uniformity in the general Accounts of the Empire will be ensured.

I have, therefore, to desire that you will instruct the Officers of Customs in the Colony, under your Government, to close the Returns for the Christmas Quarter of 1854, and for the Year 1855, on the 31st of December next, instead of the 5th of January following, and, thenceforward, regularly to make up the successive Quarterly Accounts of Trade, &c., to the 31st of March, 30th of June, 30th of September, and 31st of December of every Year.

I have the honor to be, Sir,

Your most obedient

humble Servant,

J. RUSSELL.

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APPENDIX No. 7.

DESPATCH

*From the Secretary of State for the Colonies, Disallowing the "Act to Incorporate the Union Bank of Newfoundland."*

(COPY.)

Downing Street, 9th April, 1855.

SIR,—

1.—Among the Acts passed by the Legislature of Newfoundland during its last Session of 1854, and transmitted to me with your Despatch, No. 141, of 25th Dec. last, my notice has been drawn to No. 172, to Incorporate "the Union Bank of Newfoundland."



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2.—As the provisions of Banking Acts, although strictly local in their character, ought nevertheless, for the security of the public, to be subject, as far as possible, to general and approved principles, I have consulted the Lords Commissioners of the Treasury and the Board of Trade on the subject of this enactment, and I must bring to your notice, and to that of the Legislature, the defects which, according to the experience of this country, are observable in this Act.

3.—I will call your attention to the Regulations which were drawn up some years ago with great care by the Board of Trade, and by the Treasury for the guidance of Colonial Governments in forming Charters or Legislative Enactments for the Incorporation of Banking Companies, and I will point out the important particulars in which the Act under consideration departs from the principles of those Regulations, and I have to observe that the Law of England in regard to similar Institutions is even more strict.

4.—The 1st, 6th, and 7th Clauses of the above mentioned Regulations (which are herewith transmitted) refer to the mode in which the Capital shall be subscribed and paid up.

5.—The objects thus sought to be obtained are, that the Bank to be Incorporated should commence Business with a *bona fide* Capital subscribed by responsible Shareholders, and to be paid up within a certain time; and, thus on the one hand the Company is not to be incumbered at the outset with a larger amount of Capital than it could usefully employ, while on the other hand the public has a guarantee for the actual payment of the full amount of the Capital on the Credit of which the Company is allowed to trade.

6.—These principles are disregarded in the Act in question, the 2nd Section of which, after fixing the Nominal amount of Capital at £100,000, leaves the Corporation at liberty to commence Business before the whole amount shall have been subscribed, makes no stipulation in regard to the period at which the second moiety of the Subscribers' shares shall be paid, and even allows an increase to be made of the nominal Capital before the first portion shall have been fully paid up.

7.—The 3rd Clause of the Regulations providing for the management of the Company is very imperfectly carried out in the Act, for the Act requires no deed of settlement to be executed by the Shareholders, and does not contain such detailed Enactments for the conduct of the Business of the concern as might be a sufficient substitute for such a deed, and there is no provision for an Audit of the Accounts of the Bank, by persons independent of the Directors.

8.—The provision of the 5th Clause of the Regulations which limits the

terms of the Charter so that the Legislature may have the opportunity hereafter of revising the conditions on which the Company is allowed to exercise its privilege is altogether omitted in the Act, and the effect of that omission will be, that so far as dependence can be placed on a Legislative guarantee, the Incorporated Company will have a claim to a continuance in perpetuity of its privileges however objectionable the Conditions on which those privileges were granted, may be found.

9.—The provision in the same Clause of the Regulations, and that in the 15th for the payment of Promissory Notes in Specie on demand, and also in the 16th Clause restricting the amount to be put into circulation, are omitted in the Act, as is also the provision in the 14th Clause relating to the sums for which Promissory Notes may be issued. With respect to this latter Clause, the Rule has been deviated from in the Law of the Colonies of Canada and New Brunswick, in both of which Acts have been passed authorizing the issue of Notes representing 5s. Currency, but even in those cases a limit is assigned to the proportion which such Notes should bear to the general circulation of the Banks issuing them.

10.—There is in the Act an important deviation from the 9th Clause of the Regulations, relating to the Business in which a Banking Company should engage; the 13th Section of the Act permitting the Bank to make advances on pledge of Goods or Stock, and thus allowing it to engage in speculations most objectionable for Banks, and entirely opposed to sound and recognized principles of Banking.

11.—The provisions of the 6th, 10th, 11th and 12th Clauses of the Regulations relating to matters affecting the proper conduct of the Bank are omitted in the Act, as is also the 18th Clause, which entails forfeiture of the privileges of a Bank in the event of a suspension by it of Cash payments on demand beyond a certain period, and the 19th Clause providing for the important object of a periodical publication of Assets and Liabilities.

12.—The last deviation from the Regulations to which I have to call your attention, is in regard to the question of limited Liability.

13.—Whatever opinions may be entertained on that subject as a general question, it appears to Her Majesty's Government that in the case of Joint Stock Banks, the principle should be admitted with great caution, and only when guarded by suitable provisions, because the failure of such Companies, especially when they enjoy the privilege of issue, entails consequences affecting the interests of the community more extensively than is the case with failure in other trading Companies.—The rule which has been adopted for Colonial Banks is, that the Shareholders should be liable for twice the amount of their

Shares, that is to say, that they should be liable to pay towards any deficiency of the Company, a sum double the amount which they subscribed for each of their Shares. This limitation is accompanied by a provision, that the Debts of the Company shall not exceed three times the amount of Capital Stock subscribed and actually paid up.

14.—The principle on which this latter restriction is founded is, that the public possessing the security of a paid up Capital and a guarantee of a second payment of like amount, might reasonably rely on the assumption that the Assets of the Company would be equal to the remaining third of the Liabilities, even in case of mismanagement; and at the same time the periodical publication of Assets and Liabilities would secure proper attention to the progress of the concern both on the part of the public and on that of the proprietors, whose liability for a second payment on their Shares would afford a strong motive for watchfulness.

15.—In the Act under consideration, however, the liability of each Shareholder is restricted (Sec. 14) to the amount of Stock held by him.

16.—At the same time liberty is given (Sec. 16) to the Company to incur Debts equal to three times the amount of the paid up Capital, and the only precaution introduced is, that “upon the loss of one half of the paid up Capital, it should be incumbent upon the Corporation to wind up its concerns.”

17.—Thus the only security which the Act affords the public is that the amount of Capital originally subscribed, gives the public no opportunity of ascertaining the progress of possible mismanagement by requiring a frequent publication of Assets and Liabilities, and leaves no other ultimate resource than that when the Corporation discovers that its Capital is reduced possibly to one sixth of the amount of the Debts which it is permitted to incur, that proportion will be divided among the Creditors.

18.—Her Majesty's Government cannot consider that a Legislative Act of this character shows a proper caution as regards the interests of the public, or that it ought to be confirmed by Her Majesty, until the above stated objections have been fully considered by the Colonial Legislature, and I shall therefore await a further report from you on the subject.

I have the honor to be, Sir,

Your most obedient

Humble Servant,

G. GREY.

Governor HAMILTON, &c., &c., &c.

Newfoundland.

## APPENDIX No. 8.

## DESPATCH

*From the Secretary of State for the Colonies, accompanying copy of Memorial from the Solicitors for the proposed Chartered Bank of Canada, together with a Draft of the Charter of Incorporation.*

(COPY.)

Downing Street, 10th November, 1854.

SIR,—

I transmit for your information, the copy of a Memorial from the Solicitors for the proposed Chartered Bank of Canada, together with a Draft of the Charter of Incorporation, and as the Lords Commissioners of the Treasury have intimated to this Department, that while their Lordships approve of the principles on which it is framed, they abstain from expressing their final concurrence in the terms of Charter, until the views of the Colonial Governments concerned shall have been ascertained; I have to request that you will furnish me with any observation you may have to make on the subject.

I have, &amp;c.,

(Signed)

G. GREY.

Governor HAMILTON, &amp;c., &amp;c., &amp;c.

Newfoundland.

## MEMORIAL.

*To the Right Honorable Sir GEORGE GREY, Her Majesty's Principal Secretary of State for the Colonies.*

The humble Memorial of the Undersigned—

SHEWETH,—

That in or about the month of January One Thousand Eight Hundred and Fifty-three, certain parties being desirous of establishing a Bank in Canada and elsewhere in Her Majesty's Colonies and Settlements in North America, under the Title of "The Chartered Bank of Canada," presented a Petition to Her Majesty in Council, stating that they and others had agreed to form a Joint Stock Company or Co-partnership for the purpose of carrying on the business of Banking and Exchange in Her Majesty's Colonies and Settlements in North America; and that for the purposes aforesaid they proposed to raise a Capital of Five Hundred Thousand Pounds, Sterling, divided in

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Twenty-five Thousand Shares of Twenty Pounds each, with power to increase the Capital of the Company to One Million Pounds, Sterling: And further stating, that the objects and purposes of the proposed undertaking could be more efficiently accomplished if Her Majesty would be graciously pleased to grant to the Petitioners and the other Subscribers to the said undertaking, Her Majesty's Royal Charter of Incorporation: And praying that Her Majesty would be most graciously pleased to grant to the Petitioners and to the other Subscribers to the said undertaking, Her Majesty's Royal Charter incorporating the Petitioners and such other Subscribers as aforesaid into one Body Corporate, under the name of "The Chartered Bank of Canada," with such powers and privileges for enabling them to prosecute and carry on the said undertaking, and under and subject to such provisions, restrictions, regulations and conditions, as to Her Majesty in Her Royal wisdom it might seem fit to prescribe.

That Her Majesty was graciously pleased to refer such Petition and the Draft Charter accompanying the same, to the Committee of Privy Council for Trade and Plantations, by whom it was referred to the Honorable the Commissioners of Her Majesty's Treasury, and subsequently by the said Commissioners to Her Majesty's Secretary of State for the Colonies.

That the Commissioners of Her Majesty's Treasury having referred your Memorialists to certain Acts passed by the Legislature of Canada for the regulation of Banking Companies in Canada, it became necessary to send out to the Colonies for such Acts, which were afterwards obtained, and that the Draft of the proposed Charter which accompanies, has been carefully framed in accordance with the provisions of the said Banking Acts.

That your Memorialists have reason to believe, that the terms of the accompanying Draft proposed Charter are now approved by the Commissioners of Her Majesty's Treasury.

That your Memorialists conceive, that the introduction of additional Capital into Her Majesty's North American Colonies will not only prove beneficial to such Colonies, but that it is in fact absolutely required to meet the growing wants of the Colonies for the construction of Railways and other internal improvements, and to facilitate the extension of the Trade and Commerce of those valuable possessions.

That the introduction of additional Capital into such Colonies, will also prove of the utmost advantage in assisting in the development of the vast mineral and other resources of the said Colonies.

That your Memorialists are informed and believe, that an increase of

sound Banking Establishments is required to facilitate the introduction of such additional Capital, and to supply the increased wants of such Colonies for the purposes aforesaid, and that such establishments will afford the best and safest mode of providing such Capital and of assisting in its proper and legitimate application to the extension of the Trade and Commerce, and to the development of the resources of those important Colonies.

That such Establishments will also prove highly advantageous to the general interests and prosperity of the Colonies.

Your Memorialists therefore humbly pray, that you will be pleased to advise Her Majesty to grant the said Charter of Incorporation, and that if you shall deem it necessary to forward the Draft of the said Charter to the Colonial Authorities for approval, you will be pleased to accompany the same with a recommendation to their favorable consideration.

And your Memorialists, as in duty bound, will ever pray, &c.

**HUGHES, KEARSEY & MASTERMAN,**

17, Bucklersbury, London,

*Solicitors for the Chartered Bank of Canada.*

#### DRAFT OF CHARTER.

*VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.*

To all to whom these presents shall come, Greeting:—

Whereas, it has been represented unto Us, that the several persons hereinafter named, and others, have agreed to form a Joint Stock Company or Copartnership, under the name or style of "The Chartered Bank of Canada," for the purpose of establishing Banks of Issue and Deposit, with Branch Banks and Agencies in such Cities, Towns, and places within Our Colonies, Possessions, or Settlements of Canada, New Brunswick, and Nova Scotia, and elsewhere on the Continent of North America, and the Islands of Newfoundland, Cape Breton, and Prince Edward, as may from time to time be determined on by the Directors for the time being of the said Company, and of carrying on under the regulation and control of a principal Office in London, the general business of Banking in such Cities, Towns, and places, and for that purpose to *make and issue Notes, grant Cash Credits, make advances upon approved Securities, and generally to transmit all business connected with the deposit, exchange and*

remittance of Monies and Securities for money and all other business usually transacted by Bankers: And whereas, it has been further represented to Us, that for the purpose of establishing and carrying on the said undertaking, the said parties have agreed that a Capital of Three Hundred Thousand Pounds, Sterling, divided into Fifteen Thousand Shares of Twenty Pounds each, shall be raised in the first instance, with power to increase such Capital to the extent and in manner hereinafter mentioned: And whereas, for the better accomplishing and carrying into effect the objects and purposes of the said Company, the said parties have humbly besought Us to grant to them and the several other Subscribers of such Capital, Our Royal Charter of Incorporation, which we are minded to do under and subject to the provisions and restrictions hereinafter contained.

Now know ye, that as well upon the prayer of the said parties as also of Our special grace, certain knowledge, and mere motion, We have granted, constituted, ordained, and appointed, and by these presents for Us, our heirs and successors, do grant, constitute, ordain and appoint that FREDERIC MILDRED, Esquire, JOHN ADDIS, Esquire, and JOHN DUDIN BROWN, Esquire, together with such and so many other persons and bodies politic and corporate as now are or shall hereafter become Proprietors of any Share or Shares of or in the Capital for the time being of the Company hereby established, shall be one body politic and corporate in name and in deed, by the name of "The Chartered Bank of Canada," and by that name shall and may sue and be sued, implead and be impleaded, in all Courts, whether of Law or Equity, and shall have a common Seal which may be by them varied and changed at their pleasure. And we do declare, that the said Company is and shall be established for the purpose of establishing Banks of Issue and Deposit in such Cities, Towns and places within our aforesaid Colonies, Possessions, or Settlements of Canada, New Brunswick, and Nova Scotia, and elsewhere on the Continent of North America, and the Islands of Newfoundland, Cape Breton, and Prince Edward, as may from time to time be determined upon by the Directors for the time being of the Company, and for carrying on the general business of Banking in manner aforesaid in such Cities, Towns, and places, but subject nevertheless to the several provisions and restrictions hereinafter contained and to be contained in the Deed of Settlement hereinafter directed to be executed, or to be contained in any Supplemental Deed or Bye-law as hereinafter mentioned.

And We do further declare, that the Capital of the said Company shall consist of Three Hundred Thousand Pounds, Sterling, divided into Fifteen Thousand Shares of Twenty Pounds each, and such further Capital (not exceeding Two Hundred Thousand Pounds) as the Directors for the time being shall deem necessary for the purposes of the said undertaking, but such further

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Capital shall be divided into Shares of Twenty Pounds each, and be paid up in full as hereinafter mentioned.

And We do further ordain and declare, that until such further Capital shall be raised as aforesaid, the aforesaid sum of Three Hundred Thousand Pounds, Sterling, shall be taken to be the fixed Capital of the said Company, and if any further Capital shall have been raised then a Certificate under the hands of the Commissioners of Our Treasury or of any two of them, shall be endorsed hereon, and the said sum of Three Hundred Thousand Pounds, Sterling, together with such further Capital, shall thenceforth be taken to be the fixed Capital of the said Company, but with power nevertheless to increase such Capital as hereinafter mentioned :

Provided always, and We do hereby declare, that it shall not be lawful for the said Company to commence or carry on the said business of Banking until it shall be made to appear to the satisfaction of the Commissioners for the time being of Our Treasury, that the whole of the aforesaid Capital of Three Hundred Thousand Pounds, has been subscribed for by Deed under hand and seal, and that one half (at the least) of such sum of Three Hundred Thousand Pounds has been actually paid up, such satisfaction to be evidenced by a Certificate under the hands of any two of the Commissioners of Our Treasury.

And We do further declare, that unless it shall be made to appear to the satisfaction of the Commissioners of Our Treasury (to be certified as aforesaid) that the whole of the said Capital of Three Hundred Thousand Pounds has been subscribed under hand and seal before the expiration of a period of Eighteen Calendar Months, to commence and be computed from the day of the date of this our Royal Charter, and unless the whole of the said Capital of Three Hundred Thousand Pounds shall be actually paid up within the space of two years, to be reckoned from the date of the Certificate to be granted as aforesaid of the payment of one half of the said Capital of Three Hundred Thousand Pounds, (but so that such payment in full be not in any case delayed beyond the period of Three Years to be reckoned from the date of this our Royal Charter) then it shall be lawful for Us, our Heirs and Successors, at any time thereafter by any writing under our Great Seal, to declare that this Our Royal Charter shall be absolutely void : Provided, also, and we do hereby further declare, that at least one half of the amount of such further Capital, not exceeding Two Hundred Thousand Pounds, as aforesaid, shall be actually paid up before any extension of the dealings of the Company in respect of such further Capital shall be commenced, and until it shall be certified by the Commissioners of our Treasury or any two of them by writing under their hands, that one half of such further Capital has been so paid up, the dealings and affairs of the said Company shall be carried on in all respects as if such further



Capital had not been created: And we do further direct, that the remainder of the Instalments on the Shares constituting such further Capital shall be wholly paid up within Two Years to be reckoned from the date of the Certificate (to be granted as aforesaid) of the payment of one half of such further Capital, and that the same shall be made to appear to the satisfaction of the Commissioners of our Treasury to be certified as aforesaid: And we do further declare, that all payments into the Joint Stock of the said Company before the Incorporation thereof, shall be taken as payments towards the Capital of the Company hereby incorporated: And we do hereby direct, that within Twelve Calendar Months from the date of this our Royal Charter, the persons who shall have subscribed for at least one half of the said sum of Three Hundred Thousand Pounds shall, to the satisfaction of the Commissioners of our Treasury, to be certified as aforesaid, enter into and execute a Deed of Settlement, (and so as each person so executing shall hold at least Five Shares in the said Capital) and that such deed of Settlement shall be enrolled in our High Court of Chancery within Twelve Calendar Months from the date thereof: And we do further direct, that by such Deed of Settlement provision shall be made for carrying on the business of the said Company, by a Board of Directors to be elected by the Shareholders of the said Company, as in the said Deed shall be provided, and until such election by a Board of Directors to be named in the said Deed and that thereby provision shall also be made for the payment by the Shareholders of all Monies to become due in respect of the Instalments on the Shares taken by them, and also of such further or other sums as are hereinafter provided and in which said Deed of Settlement shall be contained, in addition to all such further provisions as shall be by such Commissioners considered necessary and usual in like cases for the management of the affairs of the said Company, (provisions for effecting the following objects, that is to say):—

1st.—For holding General Meetings of the Company once at least in every year, at an appointed time and place.

2nd.—For holding extraordinary General Meetings of the Company, upon the requisition of Nine or more Shareholders, holding in the whole at least One Thousand Shares in the Company.

3rd.—For the management of the affairs of the Company, and the election and qualification of the Directors.

4th.—For the retirement of at least one fourth of the Directors of the said Company yearly, and for imposing such (if any) restrictions upon the re-election of retiring Directors as the Commissioners of our Treasury shall require to be inserted in the said Deed.

5th.—For preventing the Company from purchasing any Shares or making advances of Money, or securities for money, to any person on the security of a Share or Shares in the Company.

6th.—For the publication, as shall be directed in the said Deed, of the Assets and Liabilities of the Company and of the amount of Promissory Notes in circulation and of the Coin held in the Establishments of the said Company in each of such Colonies or Settlements as aforesaid.

7th.—For the verification of such Statements and for the furnishing of such further information, as the said Commissioners of our Treasury may require respecting the state and proceedings of the Banking Establishments of the said Company.

8th.—For the yearly Audit of the Accounts of the said Company, by two or more Auditors not being Directors at the time.

9th.—For the yearly communication of the Auditors' Report and of a Balance Sheet and Profit and Loss Account, to every Shareholder.

10th.—For the appointment of Managers or Agents or other Officers, to perform the duties of Managers or Agents.

And we do hereby further declare, that the several provisions contained in this our Royal Charter and to be contained in the said Deed or in any Supplemental Deed to be made in pursuance thereof or to be contained in any By-laws to be made in pursuance of such Deeds, or any of them, shall be taken to be the existing Rules and Regulations of the said Company, except so far as the same may be repugnant to the Laws of this our Realm or of our Colonies: Provided nevertheless, and we do hereby further direct, that no By-law or Supplemental Deed that may be made shall have any force or effect until the same shall have been approved by the Commissioners for the time being of our Treasury, and a Certificate of such approval shall have been given under their hands or the hands of any two of them.

And we do further ordain and declare, that it shall be lawful for the said Company at and from any City, Town, or place at which they may have established or opened any Bank, Branch or Establishment under or by virtue of these Presents (except as hereinafter mentioned) to make, issue and circulate Notes or Bills Payable to Bearer on demand, and to re-issue the same, but the issue of such Notes and Bills within any of our aforesaid Colonies, Possessions or Settlements shall be subject to all and every or any local laws for the time being in force for restraining or regulating the issue therein of Notes or Bills, and nothing in this our Charter contained shall be construed or taken as autho-

rizing the said Company to issue Notes or Bills at or from any City, Town, or place whereat or wherefrom the issue of Notes or Bills shall be prohibited by any local law for the time being in force: Provided always, that no Note or Bill shall be issued in any of our Colonies, Possessions, or Settlements other than Canada and New Brunswick, for any other sums than One Pound Currency of the Colony or place in which the same shall be issued, or some multiple thereof or other equivalent amount unless the issuing of Notes or Bills of other amounts shall be sanctioned by the Commissioners for the time being of our Treasury: And, Provided also, that all such Notes and Bills shall bear date at the place of issue, and shall be made payable at the Establishment from which the same shall have been issued and in the current Coin of our Realm or other Coin lawfully current in the place where the same shall be paid, and that all Notes and Bills issued at and from any Establishment of the said Company in any of our Colonies not being the principal Establishment of the said Company in such Colony, shall be made payable not only at the Establishment at and from which the same shall have been issued, but also at the principal Establishment of the said Company in such Colony: Provided also, that all Notes and Bills issued by the said Company shall be chargeable with the Stamp Duty (if any) payable thereon by the Laws of the place at and from which the same shall be issued.

Provided also, and we do further ordain and declare, that no Establishment of the said Company other than and except the Principal Establishment of the said Company at the Seat of Government in any of our Colonies or Settlements aforesaid, shall be required to pay any Notes or Bills of the said Company other than and except such as shall have been originally issued at and from such Establishment; and also, that no principal Establishments of the Company in any of the said Colonies or Settlements shall be required to pay any Notes or Bills of the Company which may have been issued by the said Company in any other Colony or Settlement unless payment thereof shall have been refused at such principal Establishment as aforesaid at which the same were issued; and in that case payment shall be made at such other Establishment as the Company shall direct, or in default of such direction then at any one of the principal Establishments of the Company where payment thereof may be demanded: Provided also, And We do further ordain and declare, that the total amount of the Bills and Notes of the Company in circulation and payable to bearer on demand, shall not at any time exceed the amount of the Capital of the Company already paid up, and that there shall always be kept by the Principal and Branch Establishments in each Colony or Settlement where one or more Bank or Branch Banks shall be established, an amount of specie equal to one third at least of the Notes and Bills of such Banks and Branch Banks at any time in circulation: Provided also, And We do further

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ordain and declare, that the total amount of the Debts and Liabilities of the said Company over and above the amount of Deposits on Banking Accounts with the Company's Establishments shall not at any time exceed three times the amount of the Capital of the said Company which for the time being shall have been actually paid up: Provided also, And We do further ordain and declare, that if at any time there shall be a suspension of payment of any of the Notes or Bills of the said Company at any Establishment at which the same are hereinbefore required to be made payable it shall not be lawful for the said Company from and after the commencement and during the continuance of such suspension of payment to make any fresh issue of Notes or Bills within the Colony or Settlement in which such Establishment shall be situate: And We do further ordain and declare, that the aggregate amount of the Discounts and Advances by the said Company on Securities bearing the name or names of any one or more of the Directors or Officers of the said Company as drawing, indorsing, or accepting the same, shall not at any time exceed one third of the total Discounts and Advances of the said Company: And We do further ordain and declare, that it shall be lawful for the said Company, notwithstanding the Statutes of mortmain or any other Statutes or laws to the contrary, to purchase, take, hold, and enjoy to them and their successors, as well in England as in the aforesaid Colonies or Settlements such houses, offices, buildings, lands and hereditaments as shall or may be thought necessary or proper for the purposes of managing, conducting, and carrying on the affairs, concerns, and business of the said Company, but not for the purpose of speculation, or any other purpose than as aforesaid, (and so as no such hereditaments in England shall be of more than the yearly value of One Thousand Pounds, unless the sanction of the Commissioners of our Treasury shall have been previously obtained for holding Houses, Offices, Buildings, Lands, and other hereditaments for such purpose of a greater yearly value than the said sum of One Thousand Pounds, and so as no such hereditaments in any of our aforesaid Colonies, Possessions, or Settlements shall be of greater yearly value than shall be sanctioned by the Governor or Lieutenant-Governor for the time being of the Colony, Possession, or Settlement in which the same shall be situate), and to sell, convey, and dispose of the same hereditaments when not wanted for the purposes of the said business: And We do hereby grant unto all and every the person and persons, and bodies politic or corporate, who are or shall be otherwise competent, Our Special License and Authority to grant, sell, alien, and convey, in mortmain unto and to the use of the said Company, and their Successors, any such Houses, Offices, Lands, and other hereditaments whatsoever as aforesaid accordingly: Provided, nevertheless, and we do hereby expressly ordain and declare, that nothing herein contained shall authorize the said Company to make any purchase of Messuages, Lands, or Hereditaments in Great Britain or

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Ireland beyond the extent or annual value hereinbefore provided, and that when and as any purchase of Lands or Hereditaments in Great Britain or Ireland shall be made by the said Company the Directors of the said Company shall in all cases within Three Calendar Months from the making and completing of any such purchase, report the same in writing to the Commissioners of our Treasury, stating the amount of the purchase Money paid for the same, and giving a description of the Lands and Hereditaments so purchased, and such other particulars relating thereto as may from time to time be required by the said Commissioners; and in case any Hereditaments so purchased shall be resold by the Company, they shall within Fourteen Days after every such sale give notice in writing to the President for the time being of the said Board of Trade, of such resale and the price obtained for the same: And we do hereby further declare, that except for the purposes hereinbefore mentioned it shall not be lawful for the said Company to invest, lay out, employ, advance or embark any part of their Capital or Funds in the purchase of any Lands, Houses, or other real property, nor in any trading or mercantile speculation or business whatsoever not usually considered as falling within the ordinary and legitimate purposes and operations of a Banking Establishment, but that it shall nevertheless be lawful for the said Company to take and accept any Lands, Houses, or other real and personal property or any Share or Shares in the Capital for the time being of the said Company in satisfaction, liquidation, or payment of any debt absolutely and bona fide due and owing to the said Company, and also to take any mortgage or other lien or charge on real or personal property as a security for any Monies actually and bona fide due to the said Company, or for which any person or persons may have rendered himself or themselves liable to the said Company, and to hold such Lands, Houses, Shares, and other real and personal property respectively for such reasonable time as shall be necessary for selling or disposing of and converting the same into money: And it shall be lawful for the said Company to sell, dispose of, and convert into Money any Goods, Wares, or Merchandize which shall or may be taken by them in satisfaction, liquidation, or payment of any debt, and also to sell and convey any Lands, Houses, and other real property whatsoever, or any Shares, Goods, Wares, or Merchandize, which they shall or may have acquired in manner aforesaid: And we do further ordain and declare, that it shall be lawful for the said Company, but subject nevertheless and without prejudice to the power hereinbefore given to the Directors of the said Company of increasing the Capital of the Company to the extent hereinbefore mentioned, from time to time to extend or increase their Capital for the time being by the creation and sale of New Shares in the manner to be specified and set forth in the Deed of Settlement to be prepared and executed as hereinbefore directed, so as the same be made with the consent of a General Meeting of the Shareholders of the said Company to be specially called for that purpose, and so as the total amount

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of the Capital of the said Company shall not exceed the sum of One Million Pounds, except such increase be made with the previous consent of the Commissioners for the time being of our Treasury, to be signified by writing under their hands or the hands of any two of them, in which case the said Capital may from time to time be increased to such amount as may be thought fit: And further, we direct, that at least one half of the amount of the increased Capital shall from time to time be actually paid up before any extension of the dealings of the said Company in respect of such New Capital shall be commenced, and until it shall be certified by the Commissioners for the time being of our Treasury, or any two of them by writing under their hands, that one half of such New Capital has been so paid up, the dealings and affairs of the said Company shall be carried on in all respects as if such extension of Capital had not taken place: And we do further direct, that the remainder of the instalments on the Shares constituting such increased Capital, shall be wholly paid up within two years from the date of the Certificate (to be granted as aforesaid) of one half thereof having been paid up, and that the same shall be made to appear to the satisfaction of the said Commissioners for the time being of our Treasury, to be certified as aforesaid: And we do further ordain and direct, that the Directors of the said Company shall, if and whenever they shall be required so to do, either by the Secretary of State for our Colonies or by the Commissioners of our Treasury or any two of them, produce and submit to him or them or to such persons or Officers as he or they may appoint for that purpose for his or their inspection and examination, the several accounts and statements which by the said deed shall be directed to be made and furnished: And we do hereby ordain and declare, that these Presents are upon this express condition, that on the winding up of the affairs of the said Company every proprietor for the time being of Shares in the Capital thereof shall be liable to contribute to the payment of the debts, engagements, and liabilities of the said Company, not only such parts of the Shares held by him or her respectively in the Capital of the said Company, as shall not have been theretofore called for and paid up, but also all such further sums of Money not exceeding the amount of the Shares so held by him or her as shall be requisite and necessary to satisfy and discharge the debts, engagements, and liabilities of the Company: And we do hereby declare, that in such Deed so to be executed as aforesaid, and in every transfer of any Share or Shares in the said Company, due provision shall accordingly be made for the payment by the Shareholders of such amounts as aforesaid: And we do hereby further ordain and declare, that in the event of the Insolvency of the said Company, or in the event of the powers and privileges hereby given being declared void as after mentioned, the business hereby authorized to be carried on by the said Company shall cease and determine, and the Assets, Property, and Securities of the Company, shall be sold or disposed of and converted into Money, and the Debts, Engagements, and Liabilities of

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the Company shall be paid, satisfied, and discharged, and the surplus (if any) after providing for the full payment, satisfaction, and discharge of the debts, engagements, and liabilities of the said Company, shall be divided amongst the Proprietors of the said Company, according and in proportion to their several and respective Shares and interests in the Capital thereof: And further, we do hereby will and ordain, that on any suspension in the payments of the said Company for the space of Sixty Days in succession, or for any number of days at intervals which shall amount together to Sixty Days within any One Year, or if it shall be represented unto us by any two of the said Commissioners of our Treasury that the said Company have not well and truly maintained, abided by, performed, and observed all and every the rules, orders, provisions, and directions herein contained and set forth or to be contained and set forth in the said Deed so to be executed as aforesaid, then and in any of such cases it shall and may be lawful for Us, Our Heirs and Successors, if We or They shall be so minded, and without any further proceedings, by writing under our Great Seal, absolutely to revoke and make void this our Royal Charter, and every matter and thing therein contained: Provided, nevertheless, that the power of revocation so hereby reserved shall not have or be construed to have the effect of preventing or barring any proceeding by *scire facias*, or otherwise, according to law, to annul or repeal the said Charter: And we do further ordain and declare, that on the determination of the term of Twenty-one years from the date of this our Royal Charter, the powers and privileges hereinbefore conferred on the said Company shall cease, unless We, our Heirs and Successors, shall by writing under our Great Seal declare to the contrary and shall authorize the said Company to continue incorporated under the aforesaid provisions for a further term of Ten Years, or for such period and under such provisions and conditions as we, our heirs or successors, shall think fit: And we do, for us, our heirs, and successors, grant and declare, that this our Royal Charter, or the enrolment thereof, shall be in all things valid and effectual in the law according to the true intent and meaning of the same, and shall be recognized as valid and effectual by all our Courts and Judges in our United Kingdom of Great Britain and Ireland, and by the respective Governors for the time being of our aforesaid several Colonies and Settlements, and all other Officers, persons and Bodies politic or corporate whom it doth, shall, or may concern, and that the same shall be taken, construed and adjudged in the most favourable and beneficial sense and for the best advantage of the said Company in our several Courts of Record in our said United Kingdom and in our several Colonies and settlements aforesaid and elsewhere, and notwithstanding any non recital, misrecital, uncertainty or imperfection therein: And lastly, we do hereby require and enjoin the several Governors for the time being of our said several Colonies and Settlements aforesaid, respectively to give full force and

effect to this our Royal Charter, and to be in all things aiding and assisting to the said Company and their Successors.

In Witness—

APPENDIX No. 9.

DESPATCHES

*From the Secretary of State for the Colonies, with Correspondence, on the subject of erecting a Light House at Cape Race.*

(COPY)

Downing Street, 3rd April, 1855.

SIR,—

The importance of building a Light House at Cape Race, Newfoundland, having attracted the attention of Her Majesty's Government, I have to inform you that Parliament will be asked this Session to apply a sum of £5,000 for that purpose.

It is not at present determined whether the Light House shall be of Iron or of Stone; but should it be built of the former material no time will be lost in its construction; and if possible it will be conveyed to the Colony in sufficient time to allow of its being in action before the ensuing winter.

Her Majesty's Government will be prepared to defray one half of the expense of maintaining the proposed Light, but it is considered that the remaining moiety may properly devolve upon the Colony, which will derive essential advantage from its establishment.

I have, &c.,

(Signed) G. GREY.

Governor Hamilton, &c., &c., &c.

Newfoundland.

(COPY)

Downing Street, 5th June, 1855.

SIR,—

With reference to Sir George Grey's Despatch, No. 3, of 3rd April



last, addressed to Governor Hamilton, I transmit for your information the copy of a Letter from the Board of Trade relative to the construction of the proposed Light House on Cape Race.

I concur in the opinion expressed in this letter as to the expediency of Mr. Gordon's Agent, on whom the superintendence of the Work will be devolved, being free to act independently of any other Engineering authority in the Island.

You will therefore take such measures to effect this object as may appear to you to be necessary, and you will further extend to the Engineer deputed by Mr. Gordon any assistance which he may require in the prosecution of the Work and which it may be in your power to afford him.

I have the honour to be, Sir,

Your most obedient, humble Servant,

(Signed) J. RUSSELL.

Governor Darling, &c., &c., &c.  
Newfoundland.

(COPY)

Office of Committee of Privy Council for Trade,  
Whitehall, 30th May, 1855.

SIR,—

I am directed by the Lords of the Committee of Privy Council for Trade to acquaint you, for the information of Lord John Russell, that the Lords Commissioners of Her Majesty's Treasury having expressed their intention of submitting an estimate to Parliament in the present Session, for the cost of erecting a Light House on Cape Race, Newfoundland, My Lords have been in communication with Mr. Alexander Gordon, Civil Engineer, on the subject, and having approved the Plans and Estimates submitted by him for the erection of the Light House in question, they have made arrangements with that gentleman for the completion of the Work, the whole undertaking having been placed under his immediate superintendence with Instructions to proceed at once with the Contracts and necessary preparations, in order that the Light may, if possible, be exhibited by the Month of November next.

These arrangements having been determined on, Mr. Gordon has sent to this Board a Letter, dated the 25th Inst., (a copy of which is inclosed) suggesting the expediency of making certain preliminary arrangements in this Country and in the Colony, in order that nothing may interfere with the progress of the

Work upon the arrival of the Staff on the Island, and I am to request that you will state to Lord John Russell that, so far as regards the provisioning of the persons to be employed, and the providing the Resident Engineer with the means of meeting necessary current expenses, my Lords have communicated with the Lords Commissioners of the Admiralty and of the Treasury respectively on the subject.

There are however two points in Mr. Gordon's Letter to which my Lords desire to call the attention of Lord John Russell, namely, the position of the Resident Engineer in the Colony, and the expediency of his being free to act, independently of any other Engineering authority in the Island, and the necessity of obtaining the consent and concurrence of the Governor of Newfoundland, so that the operations may not be delayed and that any assistance which Mr. Gordon may require, and which the Colonial Government can give, may be promptly afforded to him.

Should Lord John Russell think it right to issue any instructions on these points, my Lords request that they may be informed of their purport.

I have, &c.,

(Signed) J. H. FARRER.

H. Merivale, Esquire, &c., &c., &c.  
Colonial Office.

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### CAPE RACE LIGHT HOUSE.

22, Fludyer Street, Whitehall,  
25th May, 1855.

SIR,—

In the report which I had the honor to make on the subject of the Light House at Cape Race, (at p. 11) the necessity of having Provisions and Water at the site of the Light House for about sixteen men for 20 days was stated, and also that the Provisions must come from Halifax or the Commissariat (at St. John's) "according to the liberal scale adopted at Cape Pine." The Work will have to be carried on at Cape Race as it was at Cape Pine, very often in over hours, and therefore, the allowance of food is full. I append a scale of Provisions for the Resident Engineer and Working Engineer.

At Cape Race in 1849 and 1850, it appears that these parties drew their

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rations according to the above scale from the Commissariat at St. John's. They amounted altogether in cost to £61 10s. 11d. The rest of the working Artizans and labourers were borne, for the time of their work and passage coastways, upon the books of Her Majesty's Steam Sloop "Vixen." The latter party had 1245 rations (which included those for one watchman during the whole of that winter) but the cost of these rations I do not know.

It may be as well that during the work at Cape Race, the victualling be drawn from the Naval Store at Halifax (as there is no store of Naval Provisions at St. John's) unless the working party can be borne upon the Books of one of Her Majesty's Ships, which may happen to be at Newfoundland during the progress of the work. Such will be a more direct course, than by application through the Commissariat and the War Office.

I therefore take leave to suggest that authority be obtained from the Admiralty for the Resident Engineer to draw the necessary rations as above stated from the Store of Naval Provisions at Halifax, or from such Ship of War as may be near Cape Race, for which the Treasury can afterwards pay the Admiralty,—the extent of such supply will probably not be one half of that in the years 1849-50.

A first class passage and a 2nd class passage, will be required by Steamer at Government prices, via Halifax to St. John's, when it is nearly time for the party to embark. For such the Admiralty can be repaid.

Further, I take leave to suggest that instead of applying to the Commissariat at St. John's or Halifax when money is wanted for Salaries, Wages, and the hire of Schooners and Boats, and for other expenses absolutely necessary for carrying on the work with expedition, that Her Majesty's Treasury do direct an Imprest, to be issued to the Resident Engineer previous to his departure, for certain preliminary expenses, and that he may have some cash immediately at his disposal for the work upon his arrival out, and also that the Treasury do direct the acceptance of Bills drawn by the Resident Engineer upon the Paymaster, not exceeding a certain amount.

The respective Sums can be mentioned to the Paymaster hereafter.

The Resident Engineer will be in constant communication with me by Letters, and thus under check. Of course security could be given by him.

It is desirable to have the Light House erected by the Resident Engineer independently of other Engineering Authority in the Colony, but perhaps in regard to the drawing of Money and Rations the Light House Commissioners, or

one of them, would undertake to direct such matters if the Colonial Office give instructions to that effect.

The Resident Engineer will have to present himself, with credentials, to the Colonial Secretary at St John's, and the consent of the Governor of the Colony will have to be obtained before any operations be commenced at Cape Race.

I have, &c.

(Signed) **ALEXANDER GORDON.**

**J. H. Farre, Esquier,**  
Secretary Board of Trade.

*Scale of Provisions for the Resident Engineer and Working Engineer to be engaged in erecting Cape Race Light House, referred to in Mr. Alexander Gordon's Letter of 25th May, 1855.*

**FOR EACH PERSON.**

Biscuits	.....	.....	1-2 lb. per Day.
Flour	.....	.....	1-2 lb. ditto
Fresh Meat	.....	.....	2 lbs. ditto
Vegetables	.....	.....	1 lb. ditto
Sugar	.....	.....	2 oz. ditto
Chocolate	.....	.....	1 oz. ditto
Tea	.....	.....	1-4 oz. ditto
Spirits	.....	.....	1-2 pint ditto
Vinegar	.....	.....	1-2 pint per week
Beer	.....	.....	1 quart per day

When Fresh Meat and Vegetables cannot be issued there shall be allowed in lieu thereof:—

Either	}	Salt Beef	.....	.....	1-2 lb.
		Flour	.....	.....	3-4 lb.
Or	}	Salt Pork	.....	.....	1-2 lb.
		Peas	.....	.....	1-2 pint.

## APPENDIX No. 10.

## DESPATCH

*From the Secretary of State for the Colonies, relative to Rate of Postage on Newspapers.*

(CIRCULAR.)

Downing Street, 26th June, 1855.

SIR,—

I have to acquaint you that Her Majesty's Government have decided that, on and from the 30th Instant, a British Rate of Postage of One Penny (over and above any Foreign Rate chargeable where Newspapers are conveyed through a Foreign Country) shall be levied upon every Newspaper forwarded from the United Kingdom to a British Colony, either by Packet or by Private Ship.

I have, &amp;c.,

(Signed) J. RUSSELL.

Charles Henry Darling, Esq.,  
Governor, &c., &c., &c.

## APPENDIX No. 11.

## LETTER

*From J. Tilly, Esquire, to the Post Master General of St. John's, relative to the Rate of Postage on Newspapers.*

(COPY.)

General Post Office, London,  
22nd June, 1855.

SIR,—

You will no doubt remember that, coupled with the scheme for the Sixpenny Rate of Postage upon *Letters*, was a proposal for levying a rate of One Penny upon all Newspapers forwarded between the United Kingdom and

the British Colonies, such rate to be in all cases taken in advance, whether the Newspapers were posted in the United Kingdom or the Colonies. From peculiar circumstances, however, Her Majesty's Government deferred for a time carrying that part of the arrangement into effect.

I am now directed by the Post Master General to inform you, that it is intended to proceed with the measure, which will come into operation on the 30th Instant.

On and from that date, a rate of One Penny will be levied in this Country upon every Newspaper to Newfoundland by Packet or by Private Ship.

These Newspapers should therefore be delivered in Newfoundland free from charge.

Upon Newspapers addressed to the United Kingdom posted in Newfoundland, the rate, not to exceed One Penny levied in Newfoundland, will be retained by the Colony, and no charge will be made on delivering in this Country.

Upon every Newspaper forwarded from Newfoundland through the United Kingdom to any other British Colony or Possession, a rate of One Penny must be accounted for to this Office, and upon those which are intended to be forwarded to the Mediterranean or India *via Marseilles*, a rate of Three Pence each must be accounted for.

Newspapers forwarded from Newfoundland through the United Kingdom to a Foreign Country, will be chargeable as at present.

I am further to inform you that, on and from the same period, a rate of One Penny must be collected and accounted for to this Department upon every Newspaper forwarded by British Packet from Newfoundland to a British Colony or Foreign Parts, without passing through the United Kingdom.

I have, &c.,

(Signed)

J. TILLY.

The Post Master General, St. John's,  
Newfoundland.

## APPENDIX No. 12.

## ORDER IN COUNCIL

*Leaving certain Acts to their operation.*

(COPY)

AT THE COURT AT BUCKINGHAM PALACE,

*The 26th Day of June, 1855.*

PRESENT :

THE QUEEN'S MOST EXCELLENT MAJESTY.

HIS ROYAL HIGHNESS PRINCE ALBERT.

LORD PRESIDENT.

VISCOUNT PALMERSTON.

DUKE OF WELLINGTON.

SIR G. GREY, Bart.

LORD CHAMBERLAIN.

MR. VERNON SMITH.

MARQUIS OF ABERCORN.

SIR CHARLES WOOD, Bart.

LORD STEWARD.

WHEREAS the Lieutenant Governor of Her Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did, in the month of June, 1854, pass Two Acts, which have been transmitted, entitled as follows, Viz :—

No. 166. An Act to continue and amend an Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies.

No. 168. An Act to declare the rates in Currency at which British Gold and Silver Coins shall be a legal Tender.

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

(Signed)

WM. L. BATHURST.

## APPENDIX No. 13.

## STATEMENT

*Of the Affairs of the New York, Newfoundland, and London Telegraph Company.*

Office of the New York, Newfoundland, and London  
Telegraph Company,

St. John's, July 3rd, 1854.

SIR,—

In compliance with the provisions of the Twenty-third section of the Act incorporating the New York, Newfoundland and London Telegraph Company, passed the 5th of April, 1854, I beg leave to state, that the profits of the said Company, for the preceding year, have been nothing, and that none of the Bonds of the said Company have been converted into Stock, and none cancelled.

All of which, in duplicate, is respectfully submitted by

Sir, Your most obedient Servant,

CHANDLER WHITE,

*Vice President.*

The Honorable James Crowdy,  
Colonial Secretary.

## APPENDIX No. 14.

## REPORT OF THE HOSPITAL DIRECTORS.

Committee Room, 17th January, 1855.

SIR,—

I have the honour to forward you, for the information of His Excellency the Governor, our Account Current, shewing the Receipts and Disbursements of the Hospital for the past year, leaving a balance of £136 2s. in favour of the Institution.

The Directors have every reason to be satisfied with the arrangements made for the reception of persons attacked with the violent epidemic which raged here last fall; they are also satisfied that everything possible was done



for the proper treatment of those suffering under the various stages of the disease. The Medical attendants were efficient, with active and attentive nurses, and all useful comforts required for the use of the patients were at once provided.

**STATEMENT OF CHOLERA PATIENTS SENT TO THE HOSPITAL.**

1854	OCTOBER	NOVEMBER	DECEMBER	TOTALS
Admitted.....	81	108	23	212
Deaths.....	36	41	11	88
Cured.....	45	67	12	124

No Cholera Patients remaining in Hospital 31st December, 1854.

The Deaths are 42 per cent.; this may appear at the first glance a large proportion, but when the circumstances under which the patients came in are considered, there is reason to be thankful the mortality was not greater, as many were hurried to the Hospital in the last stage of the disease, some dying in a few hours and several in a few minutes after admission. The Directors taking these matters into consideration, feel that they are justified in expressing the opinion, "That a considerable and very gratifying amount of success has attended the services of the Medical Gentlemen and Nurses of the St. John's Hospital, during the continuance of the epidemic."

The Directors, with reference to former communications respecting the repairs of the Hospital and, the building of a new wing in place of the old western one, are unanimously of opinion, "That a new Hospital should be erected, and the existing one merely retained and kept together by necessary repairs until the new one is ready to receive patients, when the sick and disabled Seamen, Fishermen, and Shoremen, will receive by the introduction of Baths, and a proper system of Ventilation, Sewerage, &c., that attention to their health, cleanliness, and comfort, which will make the new Institution worthy of St. John's and gratifying, the Directors are assured, to the feelings of His Excellency as well as the inhabitants of the Colony."

The Directors are only desirous that an Hospital should be erected of a substantial and useful character, and they are of opinion that such a building could be erected for £4,000.

The Directors beg leave to state to His Excellency, that they concur in the opinion expressed by their predecessors, that the existing Hospital Act is susceptible of much improvement, and they are also of opinion, if some of the principles of a Bill introduced in a former Session of the Legislature were carried into Law, it would tend much to augment the usefulness of the Institution.

The Directors thankfully acknowledge the loan of 20 Iron Bedsteads, so promptly delivered to them by the Ordnance Store-keeper, at the recommendation of His Excellency. They would also thankfully record, that notwithstanding their assiduous attention to the Cholera Patients, not one of the Clergymen who visited the Hospital, the Medical Attendants, or Nurses were attacked by that mysterious disease.

Referring to the annexed Report of the Medical Keeper of the Hospital,

I have the honor to remain, Sir,

Your most obedient Servant,

(Signed) **PATRICK TASKER,**

*President.*

**Christopher Ayre, Esquire,**  
**Acting Colonial Secretary, &c., &c.**

REPORT OF THE ST. JOHN'S HOSPITAL FOR THE YEAR 1854.

Disease . . . . .	Admitted . . .	Discharged .	Died . . . . .	Remaining .
Inflammation of Brain.	3	3	..	..
Delerium Tremens.	9	9	..	..
Insanity.	25	10	9	6
Disease of Chest.	25	18	3	4
Small Pox.	12	10	2	..
Fever.	110	75	17	18
Diarrhœa.	10	10	..	..
Dysentery.	3	3	..	..
Cholera.	212	124	88	..
General Dropsy.	10	6	4	..
Epilepsy.	1	..	..	1
Rheumatism.	10	4	..	6
Paralysis.	14	..	6	8
Erysipelas.	8	6	1	1
Frost Burns.	20	20	..	..
Fractures.	5	5	..	..
Dislocations.	6	6	..	..
Diseased Bone.	10	6	..	4
Ulcers.	20	10	..	10
Syphilis.	10	6	..	4
Gonorrhœa.	20	20	..	..
Totals.	543	351	130	62

(Signed)

FREDERICK BUNTING, M. D.,

Medical Keeper.

## APPENDIX No. 15.

## GENERAL STATEMENT

*Of the Affairs of the Union Bank of Newfoundland for the year ending 31st of May, 1855.*

## LIABILITIES.

Capital Stock paid up	.....	.....	£50,000	0	0
Bank Notes in Circulation	.....	.....	33,932	0	0
Deposits, &c., including amount on Interest	.....	.....	53,286	18	2
Reserve for Dividend (at 6 per cent.)	.....	.....	3,000	0	0
Undivided net Profit (first year) after deducting reserve for Dividend, all expenses of Management, £500 of the Preliminary Expenses, and £100 donation to the Patriotic Fund	.....	.....	1,130	0	0
			<hr/>		
			£141,348	18	2
			<hr/>		

## ASSETS.

Gold, Silver, and Copper Coins, in the Vault of the Bank			56,306	18	6
Notes of other Banks	.....	.....	310	0	0
Bills Discounted, Balances due by Agents, &c.	.....	.....	84,731	19	8
			<hr/>		
			£141,348	18	2
			<hr/>		

Average amount of Notes in Circulation, and Specie on hand, during the year ending 31st May, 1855.

1854.	Circulation.	Specie.
June	£3,501 Cy.	£28,056 Cy.
July	5,440	21,271
August	7,534	22,082
September	12,392	30,554
October	20,744	35,026
November	38,229	43,035
December	35,071	41,941
1855.		
January	29,261	47,645
February	25,741	60,019
March	25,189	62,582
April	27,458	62,867
May	33,629	59,732

I certify to the best of my knowledge and belief, that the above is a true and correct statement of the affairs of the Union Bank of Newfoundland, as made up from the books of the establishment.

St. John's, Nfld., 31st May, 1855.

JOHN W. SMITH,

Manager.

JAS. J. GRIEVE, Vice President.  
 LAURENCE O'BRIEN.  
 ROBERT PROWSE.  
 E. HARVEY.  
 EWEN STABB.  
 THOMAS ROW.

Directors.

St. JOHN'S,  
 to wit.

John W. Smith of St. John's, Manager of the Union Bank of Newfoundland, maketh Oath and saith, that the within Statement is just and true in every particular, to the best of his knowledge and belief.

JOHN W. SMITH,

Sworn before me this 12th day of June, A. D., 1855.

GEO. ANDERSON,

Commissioner of Affidavits.

## APPENDIX No. 16.

POST MASTER GENERAL'S ACCOUNT CURRENT OF RECEIPTS AND EXPENDITURE FOR THE YEAR ENDING 30th SEPTEMBER, 1854.

*Annual Expenditure for the following Services shewing the number of Post Masters, Way Officers, Clerks, Couriers, and Contractors, from the 1st October, 1853, to 30th September, 1854.*

NAME OF PARTY.	FOR WHAT SERVICE.	AMOUNT.
W. L. Solomon	Post Master General	£275 0 0
Martin Shea	First Clerk	100 0 0
E. Solomon	Second Clerk	50 0 0
John Freeman	Messenger and Assistant Assorter	35 0 0
Andrew Drysdale	Post Master, Harbor Grace	45 0 0
Edmund M. Hanrahan	“ Carbonear	45 0 0
William T. Stentafor	“ Brigus	25 0 0
A. Buchannan	“ Trinity	15 0 0
John Lawrence	“ Bonavista	15 0 0
Lorenzo Moore	“ Greenspond	10 0 0
James Fitzgerald	“ Fogo	15 0 0
Joseph J. Pearce	“ Twillingate	15 0 0
Martin Williams	“ Bay Bulls	15 0 0
John Morry	“ Ferryland	15 0 0
John Devereux	“ Trepassey	15 0 0
Hannibal Murch	“ St. Mary's	15 0 0
M. Morris	“ Placentia	15 0 0
Thomas Birkett	“ Burin	15 0 0
Thomas E. Gaden	“ Harbor Briton	15 0 0
Henry Cramp	Way Master, Garnish	4 0 0
Alexander Burke	“ Little Placentia	4 0 0
Thomas E. Collett	“ Harbor Buffett	4 0 0
Patrick Hurley	“ Salmonier	4 0 0
Michael Murphy	“ King's Cove	4 0 0
Matthew O'Rielley	“ Port-de-Grave	4 0 0
William Coughlan	Conveying Mails to and fro Portg. Cove	10 0 0
	“ St. John's and Salmonier	40 0 0
	(Winter Months,) Concep. Bay by land	45 0 0
Patrick Ryan	“ St. John's and Ferryland	29 0 0
	“ Ferryland and Trepassey	32 0 0
Thomas Kelley	“ Salmonier and Placentia	30 0 0
	Special Mails to & fro Plac. & St John's	15 0 0
Daniel Whelan	“ Trinity and King's Cove	23 8 0
Daniel Sullivan	“ Carbonear and Perlican	20 0 0
	Carried forward	£1018 8 0

*Post Master General's Account Current—Continued.*

NAME OF PARTY.	FOR WHAT SERVICE.	AMOUNT.
	Brought forward	£1018 8 0
William Peddle	SpecialMails Salmonier and St. Mary's	20 0 0
Thomas Singleton	“ Trinity and Bonavista	20 0 0
Matthew O'Rielly	“ Brigus and Port-de-Grave	10 0 0
Alexander Burke	“ Little and Great Placentia	4 0 0
Francis Howell	“ South Side Trinity	6 0 0
Thomas E. Collett	“ L. Placentia and H. Buffett	10 0 0
Conception Bay Steam } Navigation Company }	To and fro Conception Bay	180 0 0
Peter Coleman	Conv. Mails to & fro Perlican & Trinity	120 0 0
John Collins	“ Placentia and Burin	130 0 0
Philip Nicholle	“ Burin and Har. Buffett	110 0 0
Thomas Coyle	“ St. John's & Twillingate	100 0 0
John Bishop	Courier between Bonav. & King's Cove	15 0 0
John Kelley	Conveying Northern Mails during winter to Greenspond	35 0 0
John Hayes	1 Trip on above service	5 0 0
Printing		30 0 0
Stationary		30 0 0
Office Rent		25 0 0
Fuel and Light		15 0 0
		£1883 8 0

*Statement of Receipts and Expenditure of Postal Department from 30th September, 1853, to 30th December, 1854.*

Sept. 30	To amount Expenditure as per annexed table	£ s d	Jan. 5	By Revenue Collected during this Quarter	£ s d
		1883 8 0	April 5	Ditto	104 7 7
			July 5	Ditto	76 4 5
			Sep. 30	Ditto	120 12 8
		£1883 8 0		Ditto	129 5 2
					£430 9 10

**Dr.** Her Majesty's Government in Account with the General Post Office, Quarter ended 5th January, 1854. **Cr.**

	£	s	d		£	s	d
Jany. 5—To Fogo Post Office for balance of Postages remaining in this Office this Quarter	0	6	3	Jany. 5—By Postages Collected at this Office for prepaid Letters despatched and unpaid ditto received during the Quarter	26	3	1
“ Twillingate Post Office ditto	0	13	6	“ Har. Grace Post Office for Postages collected there	30	0	3
“ Cash Paid Colonial Treasurer	104	7	7	“ Carbonear ditto	13	5	11
				“ Brigus ditto	11	19	9
				“ Trinity ditto	6	5	3
				“ Bonavista ditto	2	4	0
				“ Fogo ditto	0	6	3
				“ Twillingate ditto	0	13	6
				“ Bay Bulls ditto	0	3	3
				“ Ferryland ditto	1	9	6
				“ Trepassey ditto	0	3	0
				“ St. Mary's ditto	0	10	3
				“ Placentia ditto	1	19	3
				“ Burin ditto	2	8	2
				“ Har. Briton Quarter ended 5th Oct.	4	3	9
				“ Ditto this Quarter	3	12	2
	<b>£105</b>	<b>7</b>	<b>4</b>		<b>£105</b>	<b>7</b>	<b>4</b>



**Dr. Her Majesty's Government in Account Current with the General Post Office, Quarter ended 5th April, 1854. Cr.**

	£	s	d		£	s	d
April 5—To Cash paid Colonial Treasurer	76	4	5	April 5—By Postages Collected at this Office for prepaid Letters despatched and unpaid Letters received during the Quarter	21	19	7
				“ Harbor Grace Post Office for postages collected there	17	4	4
				“ Carbonear ditto	10	2	11
				“ Brigus ditto	8	11	0
				“ Trinity ditto	5	3	3
				“ Bonavista ditto	2	5	0
				“ Fogo for last Quarter and this	0	7	3
				“ Twillingate ditto	0	11	6
				“ Bay Bulls this Quarter	0	4	9
				“ Ferryland ditto	1	19	9
				“ Trepassey ditto	0	11	6
				“ St. Mary's ditto	0	7	6
				“ Placentia ditto	1	10	9
				“ Burin ditto	2	13	4
				“ Harbor Briton ditto	2	12	0
	<b>£76</b>	<b>4</b>	<b>5</b>		<b>£76</b>	<b>4</b>	<b>5</b>

APPENDIX, No. 16.





**Dr.** Her Majesty's Government in Account Current with the General Post Office, Quarter ended 30th Sept., 1854. **Cr.**

(CONTINUED.)

	£	s	d		£	s	d
Sept. 30—To Amount brought over	131	0	4	Sept. 30—By Amount brought over	92	15	10½
				“ Postage on unpaid Correspondence received from Great Britain	4	11	2½
				“ Postage on paid Correspondence despatched there	3	15	10
				“ Exchange, 25 per cent.	2	1	7
				“ Postage on Provincial Correspondence	21	12	6
				“ Exchange, 25 per cent.	5	8	4
				“ Exchange on remittances to Great Britain from 10th Aug. to 30th Sep. on £180 collected at 25 per cent. and remitted at 20 per cent.	9	0	0
				“ Less this amount collected prior to the above date £168 in dollars at 4s 4d and remitted in dollars at 4s 2d	8	8	0
					0	12	0
					0	15	0
	131	0	4		£131	0	4

## APPENDIX No. 17.

## REPORT

**OF THE PROTESTANT CENTRAL BOARD OF EDUCATION  
FOR THE YEAR 1852-53.**

The Central Protestant Board of Education have the honor to present to His Excellency the Governor, their Report for the year between the 1st July, 1852, and the 30th June, 1853:—(1) of their own proceedings; (2) of the Schools under their control in the several Educational districts; and, (3) of the general state of Education in the Colony.

(1) The Commission appointing the Board having been issued on the 21st June, 1852, the members named therein assembled for the first time on the 22d of that month; and to prevent any cessation or suspension of the work of Education, upon the approaching expiration of the Legislative Enactment for its encouragement, directed the Chairman to address a circular letter to the Local Boards then existing, informing them that, with one exception, (that of the School in Bonavista) this Board desired that the Schools already in operation, should continue without change or alteration until further instructions should be given by the Central Board.

The next care of the Board was to frame Rules and Regulations for the government and conduct of all Colonial Schools, and to propose such division and arrangement of Educational Districts as would at the same time remedy the evils which their previous division and arrangement had engendered; and facilitate, as well as render more efficient, the action of Local Boards.

The great object aimed at in and by the Rules and Regulations drawn up, was the introduction, as far as should be practicable, of one uniform system of teaching and discipline in all the Colonial Schools, and by a new division of Educational Districts to secure that frequent and regular inspection, by Local Managers, which, found essential to the efficient and successful working of Schools most favourably circumstanced in respect to the ability and experience of their Teachers, must be of the last importance to Schools, which, as in this Colony, are for the most part, under the charge of Masters and Mistresses of very meagre attainments, and wholly untrained in any system of school-keeping.

The Rules and Regulations drawn up, and the new division of Districts proposed, were duly submitted to the Executive, and having been approved by

the Governor in Council, were forwarded without delay to the several Local Boards of Education. As copies of the above will be appended to this Report, it will be unnecessary to enter into any statement of their nature and provision in this place.

The Board then directed their attention to the important matter of allocating the Legislative grant placed at their disposal, to the several Educational Districts. The details of the appropriation will be furnished in the Appendix. This Board therefore deem it sufficient to state here the general principles by which it governed itself in making it.

The total sum to be applied by it to Educational purposes was £3097 15s. 3d. sterling. The Board decided to appropriate £3097 15s. 3d. currency, for the payment of Salaries, and to expend the residue £476 9s. 1d. (being the difference between sterling and currency on the whole vote for the year) in the purchase of books and school apparatus—grants towards the erection or repair of School-houses—and the incidentals required by the Central Board, such as office rent, the remuneration of a copying clerk, &c.

The basis of the distribution among the Educational Districts was a capitation rate of 1s. 3d. ; and the considerations which actuated this Board to increase or lessen the amount so accruing to a District, where, in the case of an increase, the number of different settlements, the scattered positions of the people, and the absence of provisions by other bodies than the Colonial Boards, to meet the Educational requirements of the young within its limits : in the case of a decrease, chiefly, it not solely, the aid extended to a District, in the support of Schools in it, by the Colonial Church and School Society, and the Wesleyan Methodists.

(2) In speaking of the Colonial Schools, the Commissioners, from not having inspected them themselves, nor by any officer appointed and authorised by them, are quite unable to report upon their condition. The chief information it is in their power to furnish is derived from the returns of the several Local Boards—and this is appended in tabulated reports. During the year this Board was in existence there were seventy-seven Schools in operation, distributed through the several Educational Districts as follows :—

<b>Eight</b>	in the District of	<b>St. John's.</b>
<b>Four</b>	ditto	<b>Harbor Grace.</b>
<b>Thirteen</b>	ditto	<b>Carbonear.</b>
<b>Two</b>	ditto	<b>Bay Roberts.</b>
<b>Two</b>	ditto	<b>Brigus.</b>

Three	in the district of	Trinity Bay, North.
Four	ditto	“ South.
One	ditto	“ West.
Four	ditto	Bonavista Bay, North.
Four	ditto	“ South.
Three	ditto	“ West.
Two	ditto	Fogo.
One	ditto	Twillingate.
Three	ditto	Moreton's Harbor.
Two	ditto	Ferryland.
Three	ditto	Placentia Bay.
Five	ditto	Burin.
One	ditto	Lamaline.
One	ditto	Grand Bank.
Six	ditto	Fortune Bay.
Five	ditto	LaPoile and Burgeo.

Seventy-seven.

The number of Scholars returned is 2630, shewing that, assuming the present Protestant population of the Colony to be 49,611, the proportion receiving Education in Schools, directly and exclusively established and supported out of the Colonial Revenue, is 53 per cent.

This is a very low average as compared with other Countries, and appeals forcibly to all who are interested in, and anxious for, the advancement of the Colony, to devise and provide the means of placing the benefits of Education within the reach of a far larger number than they are at present supplied to.

As far as it can be, or has been, ascertained by the returns sent to this Board, the amount of payments for the year does not average 2s. 7½d. for each scholar.

(3.) It seems natural and necessary to pass from the foregoing notice of the Schools which are established, to some remarks on the general state of Education in the Colony: and in doing so this Board cannot hesitate to record their opinion, not only that it is very inferior to what it should be, but also to what it might have become, considering the sum which has now for some years been appropriated by the Legislature for its encouragement. There is too much reason to fear that the Colonial Schools are for the most part inadequate to the objects for which they have been instituted—failing in any satisfactory degree to impart to the rising generation, a good knowledge of those elementary branches of learning which are suitable to, and required by the class for whose benefit they are intended, and—a point of far greater importance—to

promote either the moral or religious progress of the youth of the Colony.—The inefficiency of the Colonial Schools, with of course some pleasing exceptions, is generally known and acknowledged; and as this Board consider it their duty to refer to, and echo the prevailing judgment, it may reasonably be expected of them to state what, in their opinion, are the causes, or some of the causes, of the inefficiency which they deplore.

This therefore they proceed to do:—And first, they would mention the general incompetency of the teachers; arising not so much, perhaps, from their not being sufficiently taught themselves to teach what they profess and are required to teach, as from their being generally untrained in, and therefore unacquainted with any *system* of teaching. It appears that the chief, if not only, qualifications for the office of a teacher of youth, which have been desired, or at least required, in those appointed to it, is the capacity to read, write, and perform the operations of the first rules of simple arithmetic; and persons possessing those qualifications, have too often been placed in charge of Schools, who are unfit for, or are unable to obtain, any other employment.

(2.) A second cause, in the opinion of this Board, of the inefficiency of the Colonial Schools, is the want of inspection, both occasional, as by Government Officers competent and appointed to the work, and constant, as by local managers. The teachers of Schools are now, in almost all cases, left entirely to themselves, not only without supervision and control, but without the encouragement and support which the visits of an Inspector would not fail to afford.

(3.) Another and a third source to which the Commissioners believe that the inefficient state and the unsatisfactory results of the Colonial Schools are to be traced, is the extent to which the means of Education are gratuitously supplied. This provision operates prejudicially upon all whose hearty co-operation in the work of Education, in their respective spheres, is essential to its success: (1) Upon Teachers, (2) upon Scholars, and (3) upon their Parents:—(1) Upon Teachers, for they are left without the stimulus to zealous exertion, and endeavour to raise the character of their Schools, which would be applied were there a certainty that their scanty incomes, derived from the Salaries allowed to them out of the Legislative grant for Education, would be augmented by the payments of their pupils: (2) Upon Scholars, whose zeal for learning is necessarily influenced in its rise or fall, by the energy or indifference of those who are to impart knowledge to them: and (3) upon Parents, who apart from any other reasons for undervaluing education in its general state for their children, (not thinking that much worth having which is to be had for nothing) are careless in exacting from them regular and punctual attendance, whilst they are not disposed to make any sacrifice that may be involved in the longer loss of



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the proceeds and profits of their labour in order to keep them at school after they have obtained an age at which they may in any degree contribute to the family means.

Having thus expressed their candid opinion of the more prominent and powerful causes of the generally existing inefficiency of the Colonial Schools, the Commissioners would respectfully add some observations on such measures as appear to them calculated to remove them.

(1.) It would obviously tend to remedy the first cause of inefficiency, to raise the Salaries of Teachers, and obtain the services of a better class of persons as instructors of youth. But the Commissioners venture to affirm that those means would not, or certainly not by themselves, be sufficient. There can be no doubt that were the Commissioners of Education in the several Districts enabled to offer for the remuneration of School-masters, an amount of salary equal to what is paid to Commercial Clerks, the better educated persons who are now employed in the latter capacity, might be engaged in the former. Still such persons would under present circumstances, be as little acquainted with the system and business of School-keeping; and it is such ignorance or inexperience which is a main cause of the existing inefficiency.

In thus expressing themselves, the Central Commissioners are far from intending to reproach either the class of persons who are in charge of Schools in the Colony, or those who have appointed them to their offices. In the infant, and consequently imperfect state of Colonial Institutions, defects and deficiencies are unavoidable; and to whatever extent they fall short of accomplishing their objects, they rather call for help and fostering care by which their future improvement may be secured, than either justly or unreasonably provoke censure for past failure. Older countries, and better furnished with wealth and other means indispensable for the advancement of Education, have, to a comparatively late period, neglected that important part of any Christian and civilized nation's obligations; although this Board refer to their indifference not as a justification of, but as a warning against imitating it.

The measure which has elsewhere been most influential in introducing into Educational systems and Institutions, the first element of their amelioration and progress has been the establishing of Training Schools, in which candidates for the office of School-masters and School-mistresses are at the same time instructed themselves in the different branches of knowledge which they will be required to impart to others, and exercised in that which is to be their proper business and calling—the actual work of keeping School. This Board are of opinion that the Institution of Training Schools for teachers is essential, and would tend to promote and raise general Education in this Colony.

(2) Another suggestion which this Board would offer to the consideration of the Government with that object, is the adoption of the system of Pupil Teachers or Apprentices in all Schools, which may be conducted by Masters of known and acknowledged competency and efficiency in their business. Multiplied testimonies to the beneficial effects of that system in England are contained in the Reports of Her Majesty's Inspectors of Schools to the Committee on Education of the Privy Council. One or two may be quoted as sufficient for the present purpose of the Central Board:—"The Schools," says the Rev. H. W. Bellairs, "in which certificated Teachers and Apprentices are employed, are for the most part, in a very satisfactory condition, presenting a marked contrast to those which have not availed themselves of the aid afforded by the minutes of 1846."

The Rev. W. H. Brookfield observes: "Whatever progressive improvement in the elementary Education of this District (Hampshire, Kent, &c.) it has been my pleasing duty to record, I find it in the present year (1852-3) to have advanced in a ratio beyond that of any previous interval, in discipline, in moral tone, in religious and secular acquirements, in intelligence; in the number of Schools in which these improved features are discernible, I see nothing but the most encouraging results. I cannot but ascribe this mainly to the Pupil Teacher system, and to that of certificates of merit."

And J. D. Morrell, Esq., Inspector of British and other Schools, having enumerated other beneficial results of the operation of the same system, adds, "it has furnished assistance in the Schools themselves, by means of which those more advanced ideas and improved plans of operation may be carried into practical effect."

It seems enough to adduce such testimonies to its advantages, to justify this Board in recommending the adoption of the system in Newfoundland, and expressing the opinion that it is essential to the improvement of our Elementary Schools.

(3) The last suggestion which the Commissioners desire to make, is the appointment of Inspectors of Schools; if, indeed, it can be considered another or additional to, or distinct from those which have been already offered. It is believed that regular School Inspection is the great spring which keeps in motion and order the various parts of the machinery of successful Education. It not only serves as a check upon, if not a preventive of, neglect or carelessness on the part of Masters, but acts as a stimulus to their energy and diligence.—It would ensure them advice and countenance in cases of difficulty and opposition, and in every way exercise a most beneficial influence on all in a School—

from the head downwards to the youngest and lowest of the children under his charge and control.

The present system of inspection by Local Boards is necessarily and unavoidably inefficient. They are unpaid and irresponsible, and for the most part unacquainted with, and inexperienced in, not merely the best, but any mode of School-keeping. Perhaps the only exceptions are the members who are clergymen and ministers of Religion; and it is almost superfluous to observe that they are so pressed with other duties, as to have little time to bestow on the Schools in their Districts. The consequence is that inspection is but a name—a provision in a Bye-Law honored, if honored at all, in the breach and not in the observance of it.

The importance attached to inspection at home, exercised of course by duly qualified and experienced officers, is an unanswerable argument in favor of its adoption, whenever the cause of Elementary Education is assisted from the public purse.

The Central Commissioners cannot conclude this Report before they have put on record their decided opinion that “All Education, to be availing to its proper and highest ends, must be *religious* ;” and they are happy to be able to express that opinion in the language of a writer in a periodical publication, which is an exponent of the sentiments and views of so large, respectable, and influential a body as the Wesleyan Methodists.

The writer in question observes of the system of Education which would give the secular precedence of the sacred, “that it is not only at variance *toto caelo*, with the Scriptural truth that a religious faith is in reality the true and only basis of moral righteousness, but also with all true philosophy; and that it may fairly share the blame with the folly, which would look for grapes from thorns and figs from thistles. It is remarkable however, that in almost every instance, along with the revival of public Education, there has come in a revival of principle which connects it with religion as being essential to its proper character and just results; and, very generally, the supremacy in Education of that which is sacred above what is secular, is now admitted as an axiom.”

“On this subject,” the same writer observes, “it would appear that in the United States of America, the stream of general opinion has of late years been flowing in an opposite direction.” “In America,” says M. Siljestrom, “All positive religious liberty, the exclusion of religious instruction from the Schools, becomes a matter of absolute necessity, if any general system of popular Education is at all to exist. Were separate Schools to be erected for the separate sects, this would, besides many other disadvantages, render the

Schools much more expensive, while at the same time they would degenerate in character."

"This theory still finds considerable countenance, and it has been taken for granted that the reading of the Bible for five or ten minutes daily, with a short prayer and a hymn, is the *ne plus ultra* of religious instruction in the Day Schools, and that the Sunday Schools make ample provision for any deficiency which might remain to be supplied. But in the judgment of the generality of the Evangelical religionists of that country, the "great experiment" has failed. The following is an extract from the testimony given to H. S. Tremenheere, Esq., in 1851, by the Rev. Dr. Edson, Rector of St. Ann's Church, Lowell, U. S. :—

"Seeing that the system of Public Schools established by law was the only one possible, under the circumstances of the country, I have applied myself with all the zeal in my power to make it efficient ; and I have endeavoured to cause the deficiency of Religious instruction in the Day Schools to be supplied by encouraging Sunday Schools to the utmost of my opportunities. To the children of my flock I have given all the doctrinal instruction in my power, in the Sunday School and by other means. I have interested myself generally in favour of Sunday Schools, seeing in them the only mode under our system to imprint on the minds of those who most require our teaching, the principles of revealed religion. My experience, however, of now nearly thirty years as a pastor, has, I am sorry to say, forced upon me the painful conviction, that our Public School system has undermined already among our population to a great extent, the doctrines and principles of Christianity. That this evil is already nearly universally felt and acknowledged in this Country, there is no longer room to doubt. From throwing off authority in regard to religious matters, and holding doctrines loosely, the step is easy to abandoning them altogether ; and accordingly it consists with my observation here during several years past, that the great majority of those now growing up cannot be said to hold more than belongs to mere natural religion."

"With such evidence," the Reviewer remarks, and this Board do not hesitate to make his words their own, "With such evidence as to the practical results of Public Education in America, we may be excused from withholding the admiration which has been so loudly claimed for it."

In conclusion, the Commissioners beg to record their opinion, that the appointment of Central Boards of Education, with such powers as will not interfere with and destroy the just and proper action of Local Boards, would conduce to the advancement and efficiency of the Colonial Schools. It is not con-

sidered desirable to extend this Report by introducing into it the grounds of that opinion; but should the Government or Legislature be pleased at any time to call for them, they would be prepared to state them.

By Order of the Board,

THOMAS F. H. BRIDGE,

Chairman.

(APPENDIX No. 1.)

**RULES AND REGULATIONS FOR THE GOVERNMENT OF ALL  
SCHOOLS TO BE ESTABLISHED OR ASSISTED BY  
THE PROTESTANT CENTRAL BOARD  
OF EDUCATION,**

*Approved by His Excellency the Governor and Her Majesty's Council.*

**RELIGIOUS SERVICES.**

I.—In all Schools established or assisted by the Central Board, the business of each day shall be commenced and concluded with Prayers and Singing,—the Prayers and Psalms or Hymns to be used being approved or allowed by the Central Board.

**RELIGIOUS INSTRUCTION.**

In Schools attended by Church of England and Wesleyan Children,—

II.—The authorized version of the Bible, without note or comment, shall be read by the children daily; immediately after the Prayers and Singing at the opening of Morning School, and immediately before the Prayers and Singing at the close of the Afternoon School.

The Ministers of Religion, charged with the Pastoral care of the children attending such Schools, shall be authorized to give particular Religious Instruction to the Children of their respective Flocks, once at least in each week, at such fixed times as shall be found most convenient in regard to the general routine of the Schools.

In Schools attended chiefly by Church of England Children,—

III.—The Catechism and Formularies of the Church of England shall be taught under the direction of the Clergyman of the District or Settlement in which the School is in operation.

In Schools attended chiefly by Wesleyan Methodist Children,—

IV.—The Catechism of the Wesleyan Methodists shall be taught under the direction of the Wesleyan Minister of the District or Settlement in which the School is in operation,—

Provided, that Instruction in the Catechisms and Formularies of the Church of England shall not be given to any child belonging to the Wesleyan Methodist Connexion, nor in the Catechism of the Wesleyan Methodists to any child belonging to the Church of England; except in cases where it shall be otherwise specially requested by the Parents or Guardians.

The like Rule and Proviso shall apply to the Schools and Children of other Denominations of Christians.

#### GENERAL INSTRUCTION.

V.—The Instruction given in the Schools established or assisted by the Central Board, shall include Reading, Writing, and Arithmetic, and where required, English Grammar, Geography, History, and Navigation.

VI.—The following Books shall be used in all Schools, and no others, except specially allowed by the Central Board.

1. Alphabets, &c.—Sheet-lessons, Cards, and Elementary Books, published by the Society for promoting Christian Knowledge.
2. Reading Books; published under the direction of the Commissioners of National Education in Ireland.
3. Arithmetic,—Arithmetical Cards of Christian Knowledge Society, and Books of Commissioners of National Education in Ireland.
4. English Grammar; published under the direction of the Commissioners of National Education in Ireland.
5. Geography;—published under the direction of the Commissioners of National Education in Ireland;—and Maps, published by the Society for promoting Christian Knowledge, and Pinnock's Catechism.
6. History;—Historical Series, by the Society for Promoting Christian Knowledge, and Pinnock's Catechism.
7. Navigation; Norries' Epitome.

#### SUPPLY OF BOOKS.

VII.—All Books, Slates, Copy Books, Pens, Ink, Pencils, &c., shall be furnished by the Central Board for the use of the Schools.

Provided, that such Books as shall be taken home by any child shall be first paid for at the price fixed by the Central Board.

#### PAYMENTS OF CHILDREN.

VIII.—All payments shall be made Quarterly in advance, and on the following Scale:—

Each Child learning the Alphabet, &c., shall pay at the rate of Two Shillings and Sixpence a-year.

Each Child learning to Write and Cipher, shall pay at the rate of Five Shillings a-year.

Each Child learning other and higher subjects, shall pay at the rate of Seven Shillings and Sixpence a-year.

Each Scholar learning Navigation, shall pay an additional Fee at the rate of Ten Shillings a-year.

Provided that no payment shall be required from or for more than two children of the same family attending at the same time.

Provided also, that the Local Managers of the School may remit the above Fees, or any portion of them, in the case of children of Pauper Parents.

IX.—Fuel for the use of the School shall be supplied by or for the Children, over and above the yearly payments.

X.—All payments shall be made and belong to the Master and Mistress of the School.

XI.—On refusal of payments by Parents or Guardians able to make them, the Teacher of the School shall not be at liberty to dismiss the Child or Children for which the payment is refused, until the matter shall have been referred to the Local Board, and their instructions received.

#### TIMES OF KEEPING SCHOOL.

XII.—Every School shall be kept five whole days in each week, (Saturday to be a whole Holiday,) and during the following hours:—viz., 9, a.m. to 12, a.m., and 1 30, to 4, p.m. from the First of April to the First of October; and from First of October to First of May, 9.30, a.m., to 3, p.m., with an interval of half an hour, viz., from 12.30, to 1, p.m.

#### CONDUCT OF THE SCHOOLS.

XIII.—The business of the School shall be conducted according to Time-tables, approved by the Central Board.

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**HOLIDAYS.**

XIV.—There shall be six weeks' Holidays in the course of the year ; of which not less than ten days shall be given at Christmas, commencing on the Saturday before Christmas Day, and the remainder at such time or times as shall be appointed by the several Local Boards.

In the Schools the Anniversary of the Birth Day of the Sovereign shall be observed as a Holiday.

In Church of England Schools, Ash Wednesday, Good Friday, the Monday and Tuesday in Easter Week, Ascension Day, and the Monday and Tuesday in Whitsun Week, shall be observed as Holidays.

**FURNITURE OF SCHOOL ROOMS.**

XV.—Every School Room shall be furnished with a Gallery, Forms and Desks, on a plan approved by the Central Board.

**REGISTERS AND ATTENDANCE BOOKS.**

XVI.—Registers of Admission, and Class Papers of Daily Attendance, shall be kept in every School, according to the Form prescribed and provided by the Central Board.

**RETURNS.**

XVII.—Returns of Admission, Attendance, Payments, Progress of the Children, &c., shall be made in duplicate at the end of each quarter by every Teacher, and furnished to the Local Board of the District or Settlement ; one copy shall be forwarded to the Central Board.

*The following Prayers were approved by the Board for use in all Schools, according to Rule I.*

**FORMS OF PRAYER.**

*Morning Prayer, to be used at the opening of School.*

O Lord, Our Heavenly Father, who, of Thy great mercy, hast preserved us during the past night, be graciously pleased to defend us throughout this day, from all dangers, and keep us from all sin. Bless and assist us in the work and studies in which we are about to engage, and grant that in this and all our doings we may glorify Thy Holy Name, through Jesus Christ, our only Mediator and Saviour.—Amen.

Almighty God, bless us, we beseech Thee, and sow the seed of Eternal Life in our hearts, that whatsoever in Thy Holy Word we shall profitably learn, we may in deed fulfil the same. Dispose us to be attentive to our studies, and



strengthen our memories to retain what we shall be taught. Give us Grace to be loyal to our Queen, dutiful to our Parents, respectful to our superiors, kind to one another, and above all, faithful to Thee, through Jesus Christ Our Lord.—Amen.

Our Father, &c.

For thine is the Kingdom, the Power and the Glory, for ever and ever.—Amen.

*Evening Prayer, to be used at the close of School.*

O God, the Giver of all good things, we thank Thee for all the mercies of this day, and especially that Thou has provided us with the means of learning Thy blessed Will, and acquiring useful knowledge; and we humbly pray Thee to watch over us and all who belong to us during the ensuing night, and to bring us in health and peace to another day, for the sake of Thy dear Son, Our Saviour, Jesus Christ.—Amen.

Our Father, &c.

For thine is the Kingdom, the Power and the Glory, for ever and ever.—Amen.

The grace of our Lord Jesus Christ, the love of God, and the Communion of the Holy Ghost, be with us all evermore.—Amen.

THOMAS F. H. BRIDGE,

*Chairman.*

## TIME TABLE.

TIME.	1ST CLASS.	2ND CLASS.	3RD CLASS.	4TH CLASS.	TIME.
A. M.					A. M.
9—9.15	*Prayers and Singing ; observe marks of cleanliness ; give out Slates, &c.				9—9.15
9.15—9.50	*Reading the Scriptures				9.15—9.50
9.50—10	Take Registers of attendance and absence				9.50—10
10—10.30	Writing, <i>s.</i>	Writing, <i>s.</i>	Writing on slates, <i>s.</i>	Alphabet, &c., <i>p.</i>	10—10.30
10.30—11	Reading and Spelling. *Reading and Spelling			do.	10.30—11
11—11.15	Interim : all run into play ground—if wet, those only who wish to go out				11—11.15
11.15—11.45	*Arithmetic, <i>p.</i>	Arithmetic, <i>p.</i>	Arithmetic, <i>p.</i>	Prayers, Hymns, &c.	11.15—11.45
11.45—12	Tables, Weights, &c. Tables.			*Reading & Spelling, <i>p.</i>	11.45—12
At—12	Collect slates, pencils, &c.—say or sing Grace : dismiss.				At—12
P. M.					P. M.
At—1.30	*Say or sing Grace, give out Slates, &c.				At—1.30
1.30—2	Dictation, <i>s.</i>	Dictation, <i>s.</i>	*Reading (secular), <i>p.</i>	Reading and Spelling	1.30—2
2—2.30	*Geography or Grammar, (both classes)			do. do.	2—2.30
2.30—3	Reading (secular), <i>p.</i>	*Arithmetic, <i>p.</i>	Arithmetic, <i>p.</i>	Prayers, Hymns, &c.	2.30—3
3—3.30	Mental Calculations	Reading (secular), <i>p.</i>	Spelling.	*Spelling.	3—3.30
3.30—3.50	*Reading the Scriptures				3.30—3.50
3.50—4	Collect slates, &c. ; prayers and singing : dismiss.				3.50—4
NOTE.	Lessons marked * to be taught by Master or Mistress ; <i>s.</i> means sit ; <i>p.</i> sit part of time.				NOTE.

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**SUGGESTIONS RELATING TO LOCAL DISTRICTS AND  
BOARDS OF EDUCATION, SUBMITTED TO THE  
GOVERNOR, AND APPROVED BY HIS  
EXCELLENCY IN COUNCIL.**

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1.—That a new District be created out of the Educational District of Twillingate, extending from Tizzard's Harbor to Shoe Cove, both inclusive; and that the Wesleyan Minister resident in Twillingate, be a Member of the said Board.

2.—That the two Settlements of Cat Harbor and Muddy Hole, situate to the North of Cape Freels, be included in the District of Bonavista Bay, North.

3.—That a third District to be called the District of Bonavista Bay, West, be created out of Bonavista Bay, South, extending from the bottom of Black Head Bay to the Great Black Islands, inclusive.

4.—That that portion of the District of Trinity Bay, North, which lies between Catalina South Head and Cape Bonavista along the Northern Shore of Trinity Bay, be annexed to the District of Bonavista Bay, South.

5.—That the Clergyman of the Church of England, resident in Bay-de-Verds, be a Member of the Local Board of Education for the District of Carbonear.

6.—That a new District to be called the District of Bay Roberts, be created in Conception Bay, extending from Bryants' Cove to the Northern Gut of Port-de-Grave, both inclusive.

7.—That that portion of the South Shore of Conception Bay which lies between Topsail and Lance Cove inclusive, heretofore belonging to the District of Brigus, be annexed to the District of St. John's.

8.—That the District of Burin hereafter extend from its present limits in Placentia Bay to Little St. Lawrence, inclusive.

9.—That a new District, to be called the District of Lamaline, be created extending from Point May to Little St. Lawrence, exclusive.

10.—That a new District, to be called the District of Grand Bank, be created, extending from Point May to Great Garnish, inclusive.

11.—That three members be a quorum for the transaction of Business on the Local Boards.

(Signed)

THOMAS F. H. BRIDGE,

*Chairman.*

(APPENDIX, No. 2.)

No.	Name of District.	Amount accruing to each Educational District, according to its population, at 1s. 3d. per head, for the year.	Amount assigned to each District for Salaries, for 3 qtrs. of the year.	Remarks.
1	St. John's	£429 1 6	£320 5 0	The Central Board undertook the payment of the Salaries, at their previous amounts, for the 1st quarter of the Educational Year.
2	Harbor Grace	143 16 3	107 17 2	
3	Carbonear	382 10 0	361 17 6	
4	Bay Roberts	338 8 9	150 0 0	
5	Brigus	123 17 6	92 18 1	
6	Trinity Bay North	163 8 9	182 11 6	
7	do. South	136 8 9	102 6 6	
8	do. West	101 1 3	75 15 11	
9	Bonavista Bay, North	153 6 3	114 19 8	
10	do. South	191 13 9	143 15 3	
11	do. West	76 0 0	57 0 0	
12	Fogo	89 12 6	67 4 4	
13	Twillingate	145 11 3	107 13 5	
14	Moreton's Harbor	105 5 0	78 18 9	
15	Ferryland	10 11 3	30 8 5	
16	Placentia Bay	61 8 9	46 1 6	
17	Burin	89 15 0	67 6 3	
18	Lamaline	17 0 0	12 15 0	
19	Grand Bank	43 12 6	32 14 4	
20	Fortune Bay	159 1 3	119 5 11	
21	LaPoile and Burgeo	163 5 0	102 3 9	



(APPENDIX, No. 4.)

DISTRICT OF ST. JOHN'S

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE.	NAME OF TEACHER.	YEARLY RATE OF SALARY	SCHOOL FEES	REMARKS
		MALE.	FEMALE.	TOTAL.					
1	St. John's	55	36	91	9.8	James Lee	£100 0 0	£15 10 0	
2	Quidi Vidi	20	14	34	10.9	Philip Brace	45 0 0		
3	Broad Cove, St. Philip	17	15	32	8.4	W. H. Bursell	45 0 0		
4	LanceCove, Belle Isle	14	10	24	6	Wm. Swansborough	45 0 0	1 15 0	
5	Topsail	16	27	43	6.4	James Allen	36 0 0		
6	Long Pond	23	30	53	8	John Widdicombe	30 0 0		
7	Middle Bight	16	14	30	6.8	Richard Parmeter	36 0 0		
8	Upper Gulley	20	14	34	5.5	Charles Coat	20 0 0		

DISTRICT OF HARBOR GRACE.

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE	NAME OF TEACHER	YEARLY RATE OF SALARY	SCHOOL FEES	REMARKS
		MALE.	FEMALE.	TOTAL.					
1	Hr. Grace, N. Side	41	11	52	8.8	Henry Trapnell	£47 3 0	£	
2	" Bear's Cove	6	22	28	10.5	Louisa Hippesley	30 0 0		
3	" S. Side	32	12	44	5.9	H. C. Watts	47 3 0		
4	Mosquitto	30	21	51	11	Wm. Simmons	47 3 0	0 15 0	

DISTRICT OF CARBONEAR.

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE.	NAME OF TEACHER	YEARLY RATE OF SALARY	SCHOOL FEES	REMARKS.
		MALE.	FEMALE.	TOTAL.					
1	Carbonear, S. Side	40	26	66	8.9	G. Apsey	£40 0 0		
2	“ N. Side	47	59	106	8.5	Thomas Roberts	40 0 0	8 19 2	
3	Freshwater	41	43	84	8.4	Jos. H. Parsons	40 0 0	7 11 6	
4	Otterbury	18	25	43	9	Jos. Jerson	25 0 0		
5	Perry's Cove	11	16	27	7.6	John Swaine	30 0 0		
6	Ochre Pit Cove	32	34	66	8	John Curtis	30 0 0		
7	Adam's Cove	33	25	58		J. Baggs	30 0 0		
8	Western Bay	70	29	99	8.9	W. Churchwill	35 0 0		
9	Northern Bay	12	15	27	7.3	Thos. Moors	25 0 0		
10	Mully's Cove					— Hawell	20 0 0		
11	Lower Island Coye	44	31	75		John Lewis	35 0 0		
12	Burnt Point					— Curtis	20 0 0		
13	Bay de Verd					Jas. Norris	30 0 0		



DISTRICT OF BAY ROBERTS.

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE	NAME OF TEACHER	YEARLY RATE OF SALARY	SCHOOL FEES	REMARKS
		MALE.	FEMALE.	TOTAL.					
1	Coley's Point	30	25	55	8.4	F. S. Dancy	£47 3 0	£15 6 6	
2	Bryants' Cove	19	18	37	8.4	George Hierlihy	47 3 0		

DISTRICT OF BRIGUS.

1	Burnt Head	18	12	30	8.3	William Smith	£47 12 6	£5 0 0	
2	Bull Cove	17	19	36	5.8	Thomas Yorden	41 12 6		

## DISTRICT OF TRINITY BAY, NORTH.

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE.	NAME OF TEACHER	YEARLY RATE OF SALARY	SCHOOL FEES	REMARKS.
		MALE.	FEMALE.	TOTAL.					
1	Trinity, West Side	14	11	25	7.9	Arthur Watts	£34 12 4	£6 5 0	
2	Cuckold's Cove	15	7	22	8.5	} G. W. Gover	34 12 4	2 15 0	These Schools are kept alternately 3 days and 3 days.
3	Trouty	9	4	13	7.8		1 7 6		

## DISTRICT OF TRINITY BAY, SOUTH.

1	Grates' Cove	30	20	50	7.7	Thomas Cooper	£30 0 0	£4 0 0	
2	Hants' Harbor	29	29	58	8.1	John Hussen	30 0 0		
3	Scilly Cove	26	27	53	6.8	James Quintz	30 0 0		
4	Seal Cove					Mrs. Green	20 0 0		

## DISTRICT OF TRINITY BAY, WEST.

1	New Perlican					John Brine	£30 0 0		
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DISTRICT OF BONAVISTA BAY, NORTH.

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE.	NAME OF TEACHER.	YEARLY RATE OF SALARY	SCHOOL FEES	REMARKS
		MALE.	FEMALE.	TOTAL.					
1	Cape Freels	19	29	48	10	Thomas Parker	£30 0 0	£5 0 0	
2	Pinchard's Island	36	29	65	8.1	John Sainsbury	30 0 0		
3	Flat Island	22	25	47	10	William Bellows	30 0 0		

DISTRICT OF BONAVISTA BAY, SOUTH.

1	Bonavista	35	25	60	8.8	Samuel Rowell	£60 0 0		
2	Catalina	18	14	32	7	William Bremner	35 0 0		
3	Bird Island Cove	23	18	41	8.4	William —	25 0 0		
4	Newman's Cove	14	14	28	8.2	Joseph Tilley	25 0 0		

DISTRICT OF BONAVISTA BAY, WEST.

1	King's Cove	18	14	32	8.2	Joseph Glenham	£30 0 0		
2	Open Hall					Robert Tilley	25 0 0		
3	Tickle Cove	19	14	33	6.6	Joseph —	25 0 0		

## DISTRICT OF FOGO.

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE.	NAME OF TEACHER	YEARLY RATE OF SALARY.	SCHOOL FEES.	REMARKS.
		MALE.	FEMALE.	TOTAL.					
1	Barred Islands	16	6	22	9	Isaac Haggott	£20 15 4	£6 18 0	
2	Joe Batt's Arm	13	5	18	8.3			5 12 0	

## DISTRICT OF TWILLINGATE.

1	Twillingate S.side	16	5	21	8.7	John Moss	£35 0 0	£1 17 6	
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## DISTRICT OF MORETON'S HARBOR.

1	Moreton's Harbor	9	5	14	8.8	William Bartlett	£35 0 0		
2	Tizzard's Harbor	17	6	23	9.5	George Every	35 0 0		
3	Exploit's Burnt Island	13	4	17	7	J. Downton	35 0 0		

DISTRICT OF FERRYLAND.

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE.	NAME OF TEACHER	YEARLY RATE OF SALARY.	SCHOOL FEES.	REMARKS.
		MALE.	FEMALE.	TOTAL.					
1	Aquaforte	6	5	11		Jacob Winser	£16 3 2		
2	Renews					Jane Evans			

DISTRICT OF PLACENTIA BAY.

1	Sound Island	12	10	22	8.7	Charles Downs	£20 0 0		
2	Harbor Buffett	18	19	37	6.7	James Burton	30 0 0		
3	Spencer's Cove	10	9	19	9.4	James Slade	20 0 0		

DISTRICT OF BURIN.

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE	NAME OF TEACHER	YEARLY RATE OF SALARY	SCHOOL FEES	REMARKS
		MALE.	FEMALE.	TOTAL.					
1	Ship Cove	24	26	50	9.3	James Isbell	£40 0 0		
2	Great Burin Island	20	17	37	8.8	J. E. Churchwill	20 0 0		
3	Port-au-Basque	20	20	40	9	Dinah Day	20 0 0		
4	Rock Harbour	18	10	28	8.1	Jane M. Hoddy	20 0 0		
5	Collin's Cove					W. Churchwill			

DISTRICT OF LAMALINE.

1	Lamaline					Jane Nucky	£15 0 0		
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DISTRICT OF GRAND BANK.

1	Fortune	26	16	42	7	Thomas Hickman	£21 10 0		
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DISTRICT OF FORTUNE BAY.

No.	PLACE IN WHICH SCHOOL IS SITUATED.	NO. OF SCHOLARS.			AVERAGE AGE.	NAME OF TEACHER.	YEARLY RATE OF SALARY	SCHOOL FEES	REMARKS
		MALE.	FEMALE.	TOTAL.					
1	Harbor Briton	22	10	32	8.9	Mrs. Trood	£35 0 0	£5 10 0	
2	Jersey Harbor	10	10	20	8	Henry Shepherd	45 0 0	0 15 0	
3	Garnish	16	11	27	7.1	Henry Camp	35 0 0		
4	St. Jacques	7	4	11	10.6	} George Snelgrove*	45 0 0	2 15 0	*6 months of the year in each settlement.
5	Brunette	9	14	23	9			6 8 0	
6	Push-through	16	7	23	7.1	John Vile†	60 0 0		†Payment in wood to the amt. of a dol. for each child.

DISTRICT OF LA POILE AND BURGEO.

1	Burgeo (Lower)			53		John Jordan	£35 0 0		
2	Hunt's Island			18		Thomas Porter	10 0 0		Kept only during 8 months.
3	LaPoile	11	10	21	8	Sophia Cox			
4	Channel					Frederick Goff	30 0 0		
5	Rose Blanche	22	16	38	9	Joseph A. Keith	30 0 0		

(APPENDIX, No. 5.)

## TABLE

EXHIBITING THE NUMBER OF CHILDREN ATTENDING THE COLONIAL SCHOOLS IN EACH EDUCATIONAL DISTRICT, AND THE NUMBER PER CENT. ON THE PROTESTANT POPULATION OF EACH DISTRICT.

NAME OF DISTRICT.	NO. OF SCHOLARS IN EACH DISTRICT.	NO. PER CENT. ON PROTESTANT POPULATION OF EACH DISTRICT.	REMARKS.
St. John's .....	352	5—7	
Harbor Grace .....	175	8—4	
Carbonear .....	651	10—9	
Bay Roberts .....	90	6—	
Brigus .....	66	6—2	
Trinity Bay, North ..	60	2—4	
“ South ..	161	7—3	
“ West ..	.....	.....	No Return.
Bonavista Bay, North	160	7—4	
“ South	161	4—4	
“ West	65	5—5	
Twillingate .....	61	1—	
Fogo .....			
Moreton's Harbor .....	127	10—2	
Ferryland .....	11	6—	
Placentia Bay, West ..	111	10—8	
Burin .....	155	6—4	
Grand Bank .....	42	17—1	
Fortune Bay .....	136	5—3	
LaPoile and Burgeo ..	90	4—3	
Lamaline .....	.....	.....	No Return.



(APPENDIX, No. 6.)

## TABLE

EXHIBITING THE NUMBER OF SCHOLARS PER CENT. ON THE TOTAL PROTESTANT POPULATION OF THE ISLAND AND THE NUMBER PER CENT. ON CHILDREN UNDER 14 YEARS OF AGE.

Per Centage on the total Protestant Population	.....	.....	5
Ditto on Children under 14 years of age	.....	.....	12—6

Average Salary of Teachers	.....	.....	£30 17 0	Currency
Estimated average payment of each Scholar per year			0 2 7	"

N.B.—The returns of payments of School fees are very incomplete; the above average is calculated only on the few returns which have been made.

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*APPENDIX No. 18.*

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**R E P O R T**

*Of the Committee of the "Saint John's Marine Insurance Company" to the Second Annual General Meeting of the Proprietors held at the Office of the said Company, Exchange Buildings, on Wednesday the tenth day of January, 1855, pursuant to the Act of Incorporation.*

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The result of the business of 1853, all Claims being settled, leaves a Net Profit of £2,425 17s. 5d., which is carried into the present year's account as accumulated Stock.

The Shares remaining at the last General Meeting have since been disposed of, making the amount of paid up stock £2,000, being £10 per Share on 200 Shares as provided for by the Act.

The amount of business transacted this year exceeds considerably that of last year, the amount of Property Insured being £492,767, the aggregate premium thereon being £14,495.

The Profit Balance on the present year's business, after deducting the premiums on outstanding Risks and allowing for unsettled Claims, is £3675 2s. 9d as will more fully appear by the subjoined statement.

STATEMENT.

Dr.					Cr.								
1854.	£	s.	d.	£	s.	d.	1854	£	s.	d.	£	s.	d.
Jan. 1—To Stock				1520	0	0	Jan. 1—By balance as per statement 1853—						
Dec.30—Amt. paid on acct. of reserved Premiums...	624	4	10				Stock .....	1520	0	0			
“ Amt. paid for Claims unsettled at the close of the year referred to in last statement.....	1942	4	8	2563	9	6	Reserved Premiums..	507	10	3			
“ Profit on the business of 1853 carried forward as accumulated stock 1854.....				2425	17	5	Amount as profit after deducting Claims unsettled at the close of the year.....	4481	16	8			
				£6509	6	11					6509	6	11
											£6509	6	11

1854	£	s.	d.	£	s.	d.	1854	£	s.	d.		
Jan. 1—To stock as pr last acct.	1520	0	0				Dec.30—By Monies on hand and Securities .....					
“ 30—Stock sold since annual meeting .....	480	0	0					10666	0	2		
Dec30—Accumulated Stock from 1853.....	2425	17	5	4425	17	5						
“ Amt. reserved to meet Claims not yet admitted and for Premiums for Risk unexpired .....	2565	0	0									
“ Balance .....	3675	2	9	6240	2	9						
				£10666	0	2				£10666	0	2

Audited and found correct, T. R. SMITH,  
J. M. HASKELL, } Auditors.

Errors Excepted  
St. John's, 10th January, 1855.

J. B BULLEY,  
Agent.

## APPENDIX No. 19.

## RULES AND REGULATIONS

TO BE OBSERVED IN

## THE LEGISLATIVE COUNCIL

OF

## NEWFOUNDLAND.

## I.

The President, when he speaks to the House, is always to be uncovered, and is not to adjourn the House, or do anything else as mouth of the House, without the consent of the Members first had, excepting the ordinary things about Bills which are of course, wherein the Members may likewise over-rule, as for preferring one Bill before another, and such like. And in case of difference among the Members, it is to be put to the question; and if the President will speak to anything particular, he is to go to his own place as a Member.

## II.

That immediately after the President shall have taken the Chair, the Doors shall be closed, and the Journals of the preceding day be always read and confirmed, or if necessary corrected.

## III.

That any Member may at any time desire the House to be cleared of strangers, and the President shall immediately give directions to execute the order, without debate.

## IV.

When the House is sitting, every Member that shall enter, is to give to and receive salutations from the President, and not to sit down in his place unless he has made his obeisance.

## V.

The Members in the House are to keep their dignity and order, in sitting, as much as may be, and not remove out of their places without just cause; but when they must needs go across the House, they are to make obeisance to the Chair.

## VI.

When any Members speak, they address their speech to the Chair.

## VII.

No Member is to speak twice to any Bill at any one time of reading it, or to any other proposition, unless it be to explain himself in some material point of his speech, but no new matter, and that not without leave of the House first obtained. Every Member speaks standing and uncovered, and names not the Members of the House commonly by their names, but "the Member that spoke last"—"last but two," etc.—or some other note of distinction.

## VIII.

That such Members as shall make protestations, or enter their dissents to any votes of the House, as they have a right to do, without asking leave of the House, either with or without their reasons, shall cause their protestations or dissents to be entered in the Clerk's book on the next sitting day of this House, before the rising of the House, otherwise the same shall not be entered; and shall also sign the same before the rising of the House on the same day.

## IX.

That all orders of the day, which by reason of any adjournment shall not have been proceeded upon, shall be considered only as postponed to the next day on which the House shall sit.

## X.

To prevent misunderstanding, and for avoiding offensive speeches when matters are debating, either in the House or at Committees, it is for honor's sake thought fit, and is so ordered, that all personal, sharp, or taxing speeches be forborne, and that whosoever answereth another man's speech shall apply his answer to the matter without wrong to the person; and as nothing offensive is to be spoken, so nothing is to be ill-taken, if the party that speaks it shall presently make a fair exposition or clear denial of the words that might bear any ill construction; and if any offence be given in that kind, as the House itself will be very sensible thereof, so it will censure the offender, and give the party offended a fit reparation and a full satisfaction.

## XI.

That for avoiding all mistakes, unkindness, or other differences, which may grow to quarrels tending to the breach of the Peace, if any Member shall conceive himself to have received an affront or injury from any other Member of the House, either in the House, or at a Committee, or in any of the Rooms belonging to the Legislative Council, he shall appeal to the House for his reparation;

which if he shall not do, but occasion or entertain quarrels, declining the justice of the House, then the Member that shall be found therein offending shall undergo the severe censure of the House.

XII.

That when a question is under debate, no motion shall be received in the House unless to amend it, commit it, postpone it to a certain day, or for the order of the day, or to adjourn.

XIII.

That two days' notice of all motions, deemed special, be given to the House; and any motion (with leave of the House) may be withdrawn at any time before amendment or decision.

XIV.

That no motion prefaced by a written preamble, shall be received by this House.

XV.

That when the question hath been entirely put by the President, no Member is to speak upon the question before voting.

XVI.

That after the question is put, and the House hath voted thereon, no Member shall depart out of his place until the House hath entered upon some other business.

XVII.

That at votes, the contents do rise in their places, and the non-contents continue to sit; and that the contents and non-contents shall be taken and entered on the minutes at the request of any one Member.

XVIII.

That the Clerk is to enter no order until the President first demand the assent of the House; and the Clerk is to read every order first in the House, before it be entered.

XIX.

That each Member has a right to require that the question, or motion, in discussion, be read for his information, at any time of the debate.

XX.

To have more freedom of debate, and to facilitate business, Committees

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are appointed, either of the whole House, or of individuals; Committees of the whole House sit in the House, but then the President sits not in the chair.

## XXI.

That in a Committee of the whole House, the Rules of the House shall be observed in so far as they may be applicable, except the Rule limiting the times of speaking; and that no motion for the previous question, or for adjournment, can be received, but a Member may at any time move that the Chairman do leave the Chair, or report some progress made, and ask leave to sit again.

## XXII.

That Select Committees usually meet in one of the Committee Rooms, as the Members like. The Members of the Committee speak to the rest uncovered, but may sit if they please.

## XXIII.

At any Committee, Members of the House, though not of the Committee, are not excluded from coming in and speaking, but they must not vote; they shall also give place to all that are of the Committee, and shall sit behind them.

## XXIV.

When any thing that hath been committed is reported, the Members of the Committee stand up.

## XXV.

No man is to enter at any Committee or Conference unless it be such as are commanded to attend, but such as are Members of the House, upon pain of being punished severely, with example to others.

## XXVI.

That no Message from the Assembly be received in this House, with a Bill or otherwise, unless the object of it be expressed verbally, as hath hitherto been practised.

## XXVII.

When notice is given to the House by the Usher of the Black Rod, that a Message or Deputation is sent by the House of Assembly, they attend until the House is prepared to receive them; he being seated, they are then admitted. On their coming up to the Bar with three obeisances, the President goes down to the Bar, and receives their Message uncovered; the Message is then read and delivered to the President by one of the Members of the Deputation; on their retiring with three obeisances to the House, the President resumes the

Chair, and standing uncovered, reports the Message for the information of the Members ; the House then resumes the business it had before it.

#### XXVIII.

None are to speak at a Conference with the Lower House, but those that be of the Committee ; and when anything from such Conference is reported, all the Members of that Committee present are to stand up.

#### XXIX.

As it might deeply intrench on the privileges of this House for any Member to answer an accusation in the House of Assembly, either in person or by sending his answer in writing, or by his Counsel there ; upon serious consideration had thereof, and perusal of the precedents in the Upper House of the Imperial Parliament, it is ordered, that no Member of this House shall either go down to the House of Assembly, or send his answer in writing, or appear by Counsel to answer any accusation there, upon penalty of being committed to the Black Rod, or to prison during the pleasure of this House.

#### XXX.

That no Member or Officer of this House, without leave of this House, shall, by order of the Assembly, go into that House, whilst the House or any Committee of the whole House is sitting there ; or appear before any Committee of that House sitting there or elsewhere.

#### XXXI.

That the Members of the Assembly be admitted as auditors of the debates of this House, or any other persons introduced by a Member of this House.

#### XXXII.

That it is the right of every Member of this House to bring in a Bill, and pray that it may be read.

#### XXXIII.

Bills may be opposed at any stage, but the principle is usually debated at the second reading.

#### XXXIV.

That no arguments against the principle of a Bill shall be had or admitted in any Committee of the whole House upon such Bill.

#### XXXV.

That no Bill shall be read twice on the same day ; unless the House, upon motion, shall see special cause for the despatch of business to change the same course in any particular instance.



## XXXVI.

That in a Committee of the whole House, a Member may, at any time previous to a Bill being passed entirely, that is to say, all the clauses, preamble and title of the same, move to have any particular clause thereof, that may have been passed, re-considered.

## XXXVII.

That to annex any clause or clauses to a Bill of Aid or Supply, the matter of which is foreign to and different from the matter of the said Bill of Aid or Supply, is unparliamentary.

## XXXVIII.

That proof be required that a public notification of the intention of any person or persons to apply to the Legislature for its interference respecting any local matter, had been affixed to the doors of the several Churches, Chapels, or Places of Public Worship of the town or place to be affected, or where the premises in question shall lie, for three successive Sundays, before such application shall be made: Provided, that as to any such application with reference to any local matter in the District of St. John's, publication of such notification shall be also given in the Newfoundland *Royal Gazette* for three successive weeks immediately preceding such application.

## XXXIX.

That every Petition which is brought up shall lay on the table one day before it is read.

## XL.

That the allegations in every Petition for a Private Bill, meant to originate in this House, shall be first referred to a Select Committee, and the matter thereof reported upon, before the introduction of any such Bill.

## XLI.

That every member who shall introduce a Bill, Petition, or Motion, upon any subject which may be referred to a Committee, shall be one of the Committee without being named by the House.

## XLII.

That when a private Bill is brought from the other House, the principle of which is admitted, this House, by Message, may either request a communication of the evidence received in proof of the allegations or matter whereon the Bill is founded, or the Committee of this House to whom it may be referred, shall examine the said allegations, and on reporting the Bill, state whether the same or matter thereof be founded, and whether the parties concerned in interest or property therein, have given the consents to the satisfaction of the Committee.

## XLIII.

That the foregoing be considered a standing instruction at all Committees who shall meet upon Private Bills; and further, that they require all Persons, whose interest or property they shall consider to be affected thereby, to appear in person before them, to give their consent thereto; and if they cannot personally attend, they may send their consent in writing, which shall be proved to the satisfaction of the Committee; and that when any Committee shall be appointed on a Private Bill, notice thereof shall be set up in the lobby of this House seven days before the meeting of the said Committee.

## XLIV.

That when a Bill originating in this House, has once passed through its final stage in this House, no new Bill for the same object can afterwards be originated in this House during the same Session.

## XLV.

That for the future, no motion shall be granted for making any order of this House a standing order, or for dispensing with a standing order, the same day it is made, nor before the Members of this House in town shall be summoned to consider of the said motion.

## XLVI.

That any Member of this House being desirous to introduce any Bill, shall be at liberty to call upon the Master-in-Chancery, attendant upon this House, to suggest and draft the same.

## XLVII.

That all adjournments of this House shall be duly noted in the Journals thereof by the Clerk; and no Member shall absent himself from the regular meetings of the House without leave first duly obtained.

## XLVIII.

That in all cases not provided for in the foregoing Rules in reference to the introduction and management of Bills, Messages and all matters of routine, the practice of the Imperial Parliament shall be observed so far as the same may be applicable.

## XLIX.

That in the absence of the President the Chair shall be taken by the Senior Member present.

[APPROVED.]

C. H. DARLING, *Governor.*

FEES ON PRIVATE BILLS.—See Journal, 3rd Session 5th General Assembly, 1854. Page 38.

## APPENDIX No. 20.

## EXTRACTS OR COPIES OF CORRESPONDENCE

## BETWEEN THE SECRETARY OF STATE AND THE GOVERNOR OF NEWFOUNDLAND, ON THE RECENT CHANGES IN THE CONSTITUTION OF THAT COLONY.

## EXTRACTS

*From the Report of the Delegates from the House of Assembly of Newfoundland, to the Imperial Government, on the subject of Responsible Government, presented to the House on Tuesday, 10th October, 1854.*

\* \* \* \* \*

The points gained by our mission may be thus briefly recapitulated; First, the course pursued by the Assembly on the Duke of Newcastle's despatch has met the approval of the Imperial Government, except as to the retiring allowance of the Attorney General. This is clear, not only from the opinions expressed by the present Secretary of State, Sir George Grey, and Mr. Under Secretary Peel, but put beyond doubt by the Noble Duke of Newcastle, who, to use the words of Mr. Hume's note of the 18th of August (No. 21) "told me, (Mr. Hume) last night that he had read the letters I sent to him with attention, and that he was pleased with the conduct of the Assembly." He greatly regretted the conduct of the Governor and Council in not meeting the Assembly; but he hoped that all would be settled on the receipt of Sir George Grey's despatches; stronger evidence is unnecessary to prove the fairness of the Assembly's Representation Bill, and the light in which their measures are viewed by the home Government. Secondly, instead of stopping the supplies by the Assembly, and their consistent refusal to attempt to renew the farce of general legislation with the Council, being considered a justification for withdrawing our constitution, according to the request of some of our opponents, the Imperial Government merely "regretted the necessity of having recourse to the strong measure of stopping the supplies," but positively refused to sanction the introduction of any Act in the Imperial Parliament to infringe on our Colonial rights. The party who created the "necessity," the cause of the regret, are clearly admitted by the Government in the Duke of Newcastle's despatch to us (No. 8), and Mr. Hume's letter (No. 21), to adduce no further testimony, not to be the Assembly, but their opponents. Thirdly, whatever objection His Excellency the Governor had last Session to interpose for the purpose of in-

ducing his Council to come to an arrangement with the Assembly on the Representation Bill, he can have no further hesitation on this subject, as we have been assured by the Imperial Authorities that Instructions have been sent to His Excellency to carry out the wish of the Assembly in that respect; and Mr. Merivale states in his communication of 31st August (No. 24), that Sir George Grey had despatched "Instructions to the Governor as to the course he is to take on the points disputed in the last Session between the Legislative Council and the Assembly;" and the Duke of Newcastle concludes, in his despatch of 2d August to us, that "the close of this unfortunate contest is now near at hand." The general despatch which His Excellency has received, corroborates this view conclusively; and, Fourthly, that the only interference which the Secretary of State will advise Her Majesty to adopt with our Institutions, is to recommend the modification of the Council if they should not harmonise with the Assembly for the introduction of the new system.

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

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

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

Before concluding this report, we conceive that we should be highly ungrateful and censurable if we did not avail of this opportunity of recording our sense of the deep and lasting obligations due by the people of Newfoundland to the veteran reformer, Joseph Hume, Esquire, for his noble and energetic exertions in their behalf, without whose effective co-operation we should have been comparatively powerless, except in the innate strength of our cause; but to his

great exertions, and the liberal and sound Colonial policy of the present Ministry, must we attribute our success. As a token of regard for his disinterested exertions, we have procured for the Assembly a lithographic copy of his likeness, taken from the original recently presented to him for his distinguished public services by Lord John Russell, and several other Members of the present Ministry, including a large number of the Members of the House of Commons.

All which we most respectfully submit,

(Signed)

PHILIP F. LITTLE.

GEO. H. EMERSON.

St. John's, Newfoundland,

30th September, 1854.

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*The Delegates' Letter to His Grace the Duke of Newcastle.*

Tavistock Hotel, Covent-garden,

1st August, 1854.

My Lord Duke,—

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

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

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

Under these circumstances, we feel that as the Delegates of the Assembly, it is our duty to inform you of these facts, as bearing upon an important Act of your Colonial Administration. You gave the Council the best possible chance of obtaining reasonable terms for their party in connexion with the contemplated change of Government. They have gained much by the opportunity thus afforded. Nor are the Assembly disposed to retract any of their concessions, but they cannot make any further sacrifice of the people's rights and what is due to their own honour.

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

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

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

We have, &c.

(Signed)

P. F. LITTLE.

GEO. H. EMERSON.

*The Duke of Newcastle's Reply.*

Downing Street, 2nd August, 1854.

Gentlemen,—

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

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

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

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

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

I am, &c.

(Signed) NEWCASTLE.

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

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*The Delegates' Letter to Joseph Hume, Esquire.*

Tavistock Hotel, Covent-garden,  
5th August, 1854.

Dear Sir,—

We beg to remind you that the three points of difference between the Assembly and Council of Newfoundland on the Representation Bill are, First: Shall a portion of the mercantile district of Trinity be cut off and added to the district of Bonavista, to neutralise the liberal votes in the latter, and secure the return of three mercantile Members for that district? Secondly, shall the only Member added to the representation of the popular district of St. Mary's and Placentia be taken away, territorially one of the most, if not the most extensive district in the island, while the representation of nearly all the other districts—many of these being smaller in size and population—has been doubled, and in two districts trebled, one of which contains only 100 more electors. And,

Thirdly, shall the principle of representing minorities, by allowing each voter to give two votes to one candidate, be adopted in the district of Burin, while no such principle is sought to be applied to any other district?

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

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

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

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



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

Yours, &c.,

(Signed)

P. F. LITTLE

G. H. EMERSON.

*The Delegates' Letter to Joseph Hume, Esq.*

Tavistock Hotel, Covent-garden,

9th August, 1854.

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

fair that they should fully understand the determination of the Assembly, that the responsibility may rest in the proper quarter for the consequences which may result from this line of action.

The Governor is a decided partizan of his Council, and all the Government patronage which he has had at his disposal he has bestowed on their favourites. When the Assembly sought his mediation on the Representation Bill last Session, he insulted them by declaring their address unconstitutional, then refusing to receive it, and afterwards, on retracting that resolution, positively declining to interpose. He has come into collision with the Assembly on other occasions, instigated by the Council, and the Assembly have denounced his conduct in reference to their proceedings on two distinct subjects, and at two separate periods, one of them being in reference to the Representation Bill. Is it reasonable, then, we would ask, to make him an umpire between his own Council, to which he is so allied, and the Assembly, which he has thus opposed? Besides, we think it only frank to state, that the Assembly have resolved not to recede one jot from their late Representation Bill, as they have already conceded too much, for the purchase of peace and the settlement of the question in dispute. The question then remains to be solved by the Imperial Government as to which party shall give way.

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

Thanking you for your great kindness and valued services to obtain equal justice—long withheld and still denied to Newfoundland—and requesting your

opinion on the propriety of presenting the petition of the Assembly to the House of Commons,

We have, &c.

(Signed)

P. F. LITTLE.

GEO. H. EMERSON.

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*Letter from Joseph Hume, Esq., to Sir George Grey.*

Bryanstone-square,

10th August, 1854.

My dear Sir,—

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

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

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

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

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

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

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

In the letter, however, now sent to you, there is the means pointed out of your bringing the dispute to an early settlement; viz., your directing the As-

sembly to be called together in the end of the next month, for the renewal of the negotiations between the Council and the Assembly.

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

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

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

Yours, sincerely,

(Signed) JOSEPH HUME.

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*Copy of a Despatch from Governor Hamilton to the Right Honorable  
Sir G. Grey, Bart.*

Government House, St. John's, Newfoundland,  
14th November, 1854.

Sir,—

I have the honor to acknowledge the receipt of your despatch No. 13, of the 24th of October, authorising me to assent to the Bill for increasing the number of Members in the General Assembly, without the addition thereto of a Suspending Clause. As the Bill had not passed through its final stage in the Council, which will take place to-day, this despatch has reached me just in time to obviate the necessity of adding the Suspending Clause.

2. The Bill sent up from the Assembly to the Council was precisely the same as the one finally amended by the Assembly during the last Session, providing for the return of 30 Members and which was the subject of the reference to Her Majesty's Government. In the Council, after considerable discussion, an Amendment was made on the Bill, by taking away one Member from each of the Districts of Bonavista and Placentia, thus reducing the whole number

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of Members from 30 to 28. This alteration, notwithstanding it was admitted that it would not produce a different result, so far as regards the balance of parties, from that which would follow from the Assembly's Bill, was rejected by the Assembly; and the Council having since receded from its amendment, have at length by the votes of the majority, consisting of the official Members and of Mr. O'Brien, adopted the Assembly's Bill.

3. The Assembly, who had postponed all other business to the passing of this measure, have now gone vigorously to work, and are engaged in voting the Supplies, passing the Pension Bill, and other pressing matters, with a view to bringing the Session to an early termination; which, I think, may be accomplished in the course of another week or 10 days.

4. So soon as the Representation and Pension Bills shall have been assented to by me, I will bring under the consideration of my Council, the question of the proper time for holding the Elections. At the time I addressed my despatch to you of the 19th of September, I counted on a much earlier close of the Session than can now be the case; and, at the same time, I did not sufficiently consider the length of time, which would be requisite for completing the revision of the Registration of Electors, as required by the Local Act (13 Vict., c. 14), and the necessary preliminary Registration, for the first time, of the Electors in the new District of Burgeo and La Poile under the Local Act, 4 Will. 4, c. 15. The remoteness of this District, as well as those of Twillingate and Fortune Bay, and the infrequency and difficulty of communication with them and their different Outports at this late period of the year, and especially during winter, seem to render quite impracticable, in such a country and climate as this, the holding of the Elections before May; any earlier period would, under these circumstances, be unfair to Electors, as well as to intending Candidates under the increased Representation now to take place. I will, of course, be guided by the advice of my Council, at the proper time, upon this point.

5. It is perhaps hardly necessary for me, after all the information which has been laid before Her Majesty's Government on the subject, to say that the Bill just passed is not such a one as, in the estimation of the Protestants generally, secures to them that share in the representation to which they conceive themselves entitled. I say secures; for although the district of Burin which will return two members, and which is the turning point, has a considerable Protestant majority, still it is urged that, considering past experience, violence and intimidation will be resorted to by the Roman Catholic party; and the returns will therefore be different from what they would be, if the electors were left to exercise their free choice. In this colony, we are unfortunately, so de-

fective in our police arrangements, that it is impossible to prevent or check violence or intimidation by such means; while it is quite out of the question to recommend or countenance a resistance of force by force.

6. There is one mode, by which it appears to me, that greater freedom of election can be secured to voters, and which may in a great degree prevent a resort to lawless violence during the elections; and that is by permitting duly registered electors, in the districts, at all events, of Fogo, Bonavista, Placentia, Burin, and Fortune Bay, and the new district of La Poile, under the necessary regulations, to vote by written notice, in the same manner as electors may vote whose dwelling-houses are distant 15 miles from the nearest polling station. The proclamation of the 26th July 1832, and the Royal Instructions authorise the issuing of subsidiary proclamations, containing requisite directions and regulations for the proper conducting of the elections. Such proclamations have from time to time been issued, containing directions and provisions, modified to meet the exigencies of the case, and will be found in the preface to the Assembly's Journals for the years 1843 and 1848-49. And in the Bill which has just been passed, it is provided, that the Governor shall appoint proper persons as Returning Officers in the different districts and divisions of districts to whom the writs shall be issued, directing them to proceed to the election of persons to represent the freeholders and householders, according to the regulations and directions contained in Her Majesty's Royal Instructions, and "such other regulations and directions as shall be signified in any proclamation or proclamations, to be issued by the Governor, according to the laws of the Island now in force, or hereafter to be in force in that behalf." I enclose for reference a printed copy of the Bill.

7. As I apprehend, therefore, it will be consistent with the power vested in me to insert such a regulation as that to which I refer, in the proclamations for holding the elections, and as it will conduce to the greater freedom and convenience of election, and cannot with any show of fairness be objected to by any party, it is my intention in issuing the necessary proclamations (which will in other respects require alterations in some details from those adopted on previous occasions) to insert a direction permitting electors in the districts in question, probably in all the districts, to vote under certain qualifications, in the manner above adverted to, unless Her Majesty's Government be of opinion that it is not competent for me to do so. Should any doubt be entertained on this point, the opinion of the Imperial law officers of the Crown can be obtained in ample time for my guidance, as it will not be necessary to issue the proclamations until within two months of the period of the holding of the elections, which, under all circumstances, I feel convinced cannot be earlier than May.

8. By the next mail I hope to be able to report the termination of the Session.

I have, &c.,

(Signed) KER B. HAMILTON.

*Copy of a Despatch from Governor Hamilton to the Right Honorable*

*Sir G. Grey, Bart.*

Government House, St. John's, Newfoundland,

29th November, 1854.

Sir,—

In my despatch, No. 127, of the 14th instant, by the last mail, I informed you that the Council had receded from their amendments on the Increase of Representatives Bill, and had finally passed it as sent up from the Assembly. Since then the Pension Bill has also been passed by both Houses; and although the allowances are in every instance less than the sums prescribed in the scale submitted by me to the Assembly last Session, the Council made no amendment on this Bill.

2. These two measures, which form the preliminaries to the introduction of Responsible Government, are now only waiting my assent; but, in reference to certain proceedings of an extraordinary nature which the Assembly adopted yesterday, I deem it necessary to enter into some particulars connected with the progress through the Legislature of the first-mentioned measure, and will then call your attention to the proceedings of the Assembly above referred to.

3. The Session, as you are aware, commenced on the 10th of October.—On the 17th the Representation Bill was sent to the Council, and was returned to the Assembly on the 2nd November with amendments, which were a concession of almost all that the Council had contended for last Session; for, while they would have effectuated a more just and equal distribution of the representation, and remove a just complaint in reference to the district of Fogo, they would in no degree disturb (as was admitted on all sides) relative party returns. In the discussions on the Bill the Council took no more time than was necessary to bring to an amicable issue a question so long agitated, and so vitally affecting the interests of the colony. The Assembly, however, regardless of the recommendation of mutual concession and forbearance in your despatch of the

14th of August, rejected the amendment, peremptorily refusing to admit any alteration of the measure as framed by them. I may observe, that the minority of the Assembly concurred in rejecting the amendment, but on the ground of its injustice to the Protestants.

4. It remained, then, for the Council to recede from or adhere to their amendments, the former step being rendered more embarrassing by the obstinate and dictatorial conduct of the majority of the Assembly; but the official members, actuated by a sincere desire to set at rest a question, which had so long agitated the public mind, and which they knew Her Majesty's Government to be most desirous of having settled, at the cost of much painful collision with friends, and the sacrifice of previously-held opinions, finally carried the Bill.— This they were enabled to effect on the 13th day of November, and not earlier, and then only by the casting vote of Colonel Law, the Commandant, who arrived from England a few days previously, and required a little time to consider the question before voting on it. Major D'Alton, who held the temporary command of the troops, declined to vote on the question, Colonel Law being daily expected. I enclose a copy of the correspondence which I had with Major D'Alton on this subject.

5.—Up to this period the majority of the Assembly had pertinaciously refused to proceed with the voting of the Supplies or upon any other business; but upon which they now entered, and sent to the Council on the 17th of November the other pre-requisite to the introduction of Responsible Government, namely, the Pension Bill, which passed the Council on the 23d instant, the Education Bill on the 15th instant, which has also been passed by the Council, and on the 17th instant the general Bill of Supply for the current year.

6. I must now advert to my despatch to you, No. 120, of the 19th September, requesting instructions as to my assenting to the Representation Bill, without a Suspending Clause. At the time I addressed that despatch to you, I not only fully believed that the details of the Representation Bill would be adjusted, and agreed upon, but that all other necessary legislation, of every kind, would have been proceeded with and completed in time to permit me (had I received your reply on the 31st of October) to terminate the Session within a day or two afterwards. My despatch of the 19th September was written hurriedly, as the mail was on the point of closing, and it is proper for me to observe that at the time I wrote and forwarded it, the necessity for a revision of the registration of voters before the elections could be held, was entirely overlooked, or rather forgotten by me; nor need I add, that even if I had adverted to them the legal and physical hindrances would have still remained. It was, therefore, in anticipation of your reply, and the close of the Session at the pe-



riod I have mentioned, and without taking into account any delay by reason of the registration of voters, that I contemplated, as I certainly desired, that the Elections should be held this year. But under these favourable circumstances, the practicability of holding them with fairness to all parties (having regard to this climate) seemed even then doubtful, and I reserved to myself the determination on this point until the proper time for deciding arrived. I should hardly have deemed it necessary to make this explanation, or to assure you that my sole desire in writing my despatch to you was for the purpose of enabling me to hold the Elections at the earliest possible period, but for the misrepresentations of the Assembly and their assertion that I had shown myself ready "to violate the compact with her Majesty's Government, as contained in his letter aforesaid." (See 27th Resolution.)

7. Instead, therefore, of having closed the Session on the 1st of this month, I am only now in a condition to do so, and to assent to the Representation and Pension Bills. Independently of this delay, and apart from the hindrances to the holding of the Elections this year, if the Session had closed even at the period anticipated by me, it is necessary that a revision of the registration of voters should, in compliance with the law, first take place. To prevent or correct misapprehensions on this point, it may be proper for me to observe that by the Act for the registration of voters (4 Will, 4, c. 15) an annual revision was prescribed and required until four years ago, when by the Local statute (13 Vic., c. 14) this revision was made quadrennial, corresponding with the length of duration of the Assemblies; but it is provided that "in the event of a particular or general Election of a person or persons to serve as member or members in the House of Assembly, being appointed to take place at any time before the expiration of any one of the periods of four years, therein limited for taking and revising the said lists, and after the expiration of one year from the time when such lists shall have been last taken and revised, it shall and may be lawful for the Governor for the time being, by and with the advice of Her Majesty's Council, to cause the provisions of the said Act to be put into operation in any one or all of the said districts of this Island; provided, that should it be found necessary or expedient to hold an election or elections, at any period of the year when, by reason of the times limited in the said recited Act, for serving notices and holding courts of revision, the provisions of the said Act cannot be carried into effect, the registry of the said voters shall be taken and revised as nearly as may be according to the provisions of the said recited Act, but with such alterations in the manner of taking and revising the same as may be found necessary." Until, therefore, an election is actually appointed to be holden, I have no power to direct a revision, but then it becomes imperative; power being given to the Governor to substitute other times for holding courts of revision, &c., than those named in the Registration Act.—

By the Representation Bill, moreover, a new district, that of Burgeo and La Poile, is created, of the electors in which there has never yet been any registration, and who cannot, by law, vote without having been first registered.— This district extends from the Fortune Bay district westwards to Cape Ray, embracing an extent of upwards of 150 miles of sea coast; the latter place being 350 miles from St. John's. The coast is open to the unbroken roll of the Atlantic, and accessible only by vessels and boats.

8. If under ordinary circumstances the observance of the law with regard to the Registration of Voters so essential to the purity of Election was ever necessary, I need hardly point out that it is peculiarly necessary at the present juncture, when a new system of Government is about to be introduced, and before an Election which is to decide by what party the Colony is to be governed. Still, in order to overleap this constitutional barrier, the Assembly tacked to the Bill of Supply a proviso, not only dispensing with the necessity for a revision of the registration, but, in effect, abrogating entirely the registration law. This Bill was passed by the Council with the exception of this proviso, the improper insertion of which into the Supply Bill, the Assembly admitted by sending up a separate Bill embodying the proviso, which Bill was introduced into the Assembly without notice, in the evening, after the supposed close of business, and passed through all its stages in a few minutes. At the same time the House presented to me the address, No. 12, herewith enclosed, requesting me to hold Elections. I think it right, in passing, to call attention to a characteristic misrepresentation in this address, namely, that the Assembly had passed the Supply Bill "only upon the understanding that effect should be given without any further delay to the intentions of the Imperial Government in reference to the immediate introduction of Responsible Government; an object which your Excellency evidently had in view in requesting authority from the Imperial Government to assent to the Representation Bill without a Suspending Clause;" the "understanding" now appearing to be that only of the Members composing the majority of the Assembly. I made the following reply:—

"The proposition contained in this address is one on which the Royal Instructions require that I should act with the advice and consent of the Council; and I feel assured that the Council will advise the Elections being held at the earliest practicable period. It is necessary I should observe that I was not a party to the understanding upon which it is said the Supply Bill was passed; and I do not recognize any legitimate connexion between the passing of that Bill and the question of the period of holding the Elections."

9. I did, accordingly, bring the questions, forthwith, under the consideration of the Council, who are of opinion that the hindrances to the Elections being held before May are insuperable.

10. These opinions are given by gentlemen who would most gladly have seen them held at, if possible, an earlier period, and the strife in reference to the question set at rest, but whose experience satisfies them that this is impossible. This country is still to a great extent without roads, except in this neighbourhood, and its deep bays, even where there are paths, makes water communication necessary. Our season has hitherto been unusually mild; but at this time last year the thermometer was at zero, with violent storms and snow-drifts, and the same description of weather may be daily expected. Some of the districts have upwards of 100 miles of coast, and as the Elections must be simultaneous, and must be completed in 10 days from the day the writ reaches the hands of the Returning Officer, the probability (almost certainty) is, that in some of them the returns would not be completed. This occurred with respect to one of the northern districts in 1842, when the Election took place at a considerably earlier period than it now could, and when neither return nor member reached St. John's until some months after the House had been in Session. I may also add, that, the special messenger who conveyed the writ for holding the election nearly lost his life, his boat being wrecked on the way.

11. The General Election to which I advert was that held in December 1842, when the Legislature had been suspended for nearly two years; the Revenue Bill had expired six months previously, and thus rendered it absolutely necessary to hold the Elections at that late period, the registration of voters having been revised at the usual period in September preceding. There were, moreover, but few Districts contested in that Election (such, particularly, not being the case with either of the two most remote ones); whereas, under the Bill now passed, doubling the number of Members, subdividing two of the former Districts, and creating one new District, so important are the results, that there will be few districts left uncontested, requiring, consequently, more than usually preparatory arrangements. In the more distant outport districts it is the practice for a large number of the inhabitants to remove in the month of November from their dwellings on the coast into the woods and recesses of the bays, where they remain until spring. The following extract of a letter, dated the 11th of November 1854, from the resident Magistrate at Twillingate, who has no interest in the Elections, will show what must be the case, more or less, in many of the Outport Districts: "I need not point out to you, to drive us into an Election at this late period would be most unjust; one-third of our population are now away; indeed, few would hazard leaving their homes to come to the Poll." I also laid before the Council the enclosed protest addressed to the Governor in Council, signed by nine gentlemen who propose offering themselves as Candidates, in proof of the impracticability, as well as injustice, of holding the Elections this year.

12. Assuming even a dispensation of the law with regard to the Registration of Voters, the Elections, as they must be simultaneous, could not take place before the middle of January (in 1842, with every necessity for haste, the proclamation was issued on the 9th of November, and nomination fixed for the 16th of December), a period at which it would be quite impracticable to hold them; but the Council having justly rejected the Bill for Suspending the Law for the Registration of Voters, the general revision will be at once proceeded with so soon as the Session shall have closed (when I can formally appoint the time for holding the Elections), and will require for its completion at least six weeks.— On the advice and with the consent of the Council, I accordingly notified to the Assembly, in reply to their address, that the Elections would be held at the earliest practicable period, namely, the first week in May.

13. The Council, I may observe, concur in the opinion that the most convenient season of the year is the early part of November. The next most convenient season is the early part of May, after the close of the seal fishery, and before the people make their preparations for commencing the cod fishery.— One general Election, that of 1837, was held on the 8th of May, and was attended with no inconvenience whatever; and in reference to an objection urged against an Election at that season of the year, from a supposed increase of mercantile influence at that period, it is worthy of remark, that the Assembly returned in May 1837 was the most anti-mercantile or “liberal” House ever elected in this Colony.

14. As to any necessary purpose for a meeting of the Legislature in February, the Assembly could, if so inclined, dispose of many matters before the close of the present Session. On the subject of Reciprocal Free Trade with the United States, there are no dissentients in the Assembly; but the effect of the Treaty on our revenue, independent of other considerations, renders unadvisable to precipitate a change in our fiscal system, and legislation in May or June on this subject will be at as early a period as, looking also to the Imperial legislation upon it, and all the circumstances of the case, can be safe or useful. It will, moreover, be necessary for Royal Instructions, in the terms of the Duke of Newcastle’s despatch of the 21st of February, 1854, separating the Councils, and the requisite directions for inaugurating the new system to be transmitted to this country, which I can hardly expect before the end of February.

15. It now becomes my painful duty to advert to the violent conduct of the majority of the House of Assembly in reference to this matter of the Elections. In carrying out the necessary preliminary arrangements to the introduction of a system of Government, which, long deprecated, on account of our peculiar social condition, by the Protestants, who are the majority of the people, has been reluctantly acquiesced in by them, I have felt it to be my peculiar duty to

use every endeavour to avert or remove causes of irritation or offence on either side, while the change was being effected. If, in addition to the injustice which the Protestants assert has been done to them in the Representation Bill, carried by the votes of the official Members of Council, the latter body had concurred in the Bill for dispensing with the safeguards to the purity of Election provided by the law for the registration of voters, and the Elections had been fixed to take place at a period of the year by which it is asserted two Protestant Districts would be virtually disfranchised, exasperation would have been occasioned, which would increase, embitter, and perpetuate existing local differences, and odium would have attached to the Imperial Government itself. But after the necessary preliminary measures have been enacted, and when every effort is made consistent with what is due to the just rights and fair claims of all to have the Elections at the earliest possible period; yet because they cannot be held so as to enable me to call the Legislature together at so early a period by between three and four months as is desired by the majority of the present Assembly, the country is still deprived of a Supply Bill, the unfortunate and unoffending officers of Government receiving small Salaries, in these times of high prices kept without means of subsistence; and because I will not violate my duty, and act in opposition to the advice and consent of the Council, whose decision is imperative on me, my own removal from this Government is made the subject of an address to the Crown.

16. It is to me a source of mortification and pain that, after concession to the utmost limit had been made, this most unreasonable course should have been pursued. The only question remaining is, whether the Legislature can assemble at the beginning of February or in May; the former I deem to be not only legally but physically impossible, and yet this extreme and arrogant course of conduct is adopted.

I have, &c.,

(Signed) KER B. HAMILTON.

30th November, 1854.

P. S.—In reply to the deputation of the Assembly who yesterday presented to me the address and resolutions, I made the following written communication:—

“I will, of course, forward this address and the resolutions to the Secretary of State.

“Having observed in them the statement that the Revenue Act, which will expire on the 28th of May next, is imperiled, I must remind you that its

safety is within the power of the Assembly. On my part, I will concur in any such measure for promoting the existence of that Act as will place its safety beyond a doubt."

I have yet to learn what the Assembly intends to do.

(Signed) K. B. H.

Commandant's Office, Fort Townshend,  
2nd November, 1854.

Sir,—

I have the honor to acknowledge the receipt of your Excellency's communication of this date, having reference to the conversation that took place between your Excellency and myself some days since. In doing so, I beg to inform your Excellency that I did, according to your desire, as expressed in our first conversation, attend the Legislative Council to vote on questions of protracted adjournments; and on leaving the Council Hall on that day, I informed the Colonial Secretary where I was to be found, and that I was always prepared to vote on such questions when necessary, so that the public interest should not suffer by any protracted adjournments.

With reference to our second conversation on the same day, on which your Excellency submitted your opinion that it was my duty to attend the Legislative Council, and vote on the Bill for the increase of the Representatives, I, in reply, informed your Excellency that, from my short residence in the Colony, my being only in temporary command of the troops, and expecting Colonel Law by the packet now due, and from never having mixed myself up in any legislative proceedings (except as before alluded to, having become the President of the Legislative Council only since the 10th October last), I felt myself incompetent, for these reasons, to vote on such a grave question; at the same time, I expressed my willingness to do so, if your Excellency gave me instructions how to vote on the Bill referred to, as, under the circumstances above alluded to, I repeat, I felt it a question of too serious a nature to decide on myself, not knowing which party was acting for the future welfare of the Colony. In conclusion, I beg most respectfully to adhere to the opinion I have already expressed to your Excellency on the subject; and

I have, &c.

(Signed) E. D'ALTON, Brevet Major,  
Commanding the Troops.

His Excellency Ker B. Hamilton, Esquire,  
Governor, &c., &c., &c., Newfoundland.

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ADDRESS FROM THE HOUSE OF ASSEMBLY TO HIS EXCEL-  
LENCY THE GOVERNOR.

*To His Excellency Ker Baillie Hamilton, Esq., Governor and  
Commander-in-Chief in and over the Island of Newfound-  
land, and its Dependencies.*

May it please your Excellency,—

The House of Assembly respectfully intimate to your Excellency that the present Special Session of the Legislature, having been convened for the purpose stated in your Excellency's opening speech, "of settling the preliminary conditions to the introduction of the system of Responsible Government, and remedying the inconveniences arising from the circumstance of the last Session having closed without the usual Bill of Supply;" and the matters having been disposed of, so far as this House was concerned, it is the desire of this House and of the people generally, that your Excellency will be pleased to close the Session at an early day, that the general Elections for this Island may be held with as little delay as possible, with a view of introducing the new system of Government, and thereby enable the Legislature to adopt such measures as may be necessary to avail of the Reciprocity Treaty for the establishment of Free Trade with the United States, and the interests of the country may require. The practicability of holding the general Elections before the close of the present season is quite evident; while the great injustice to the electors, and the clear loss to the country which would result from postponing them until the spring, are matters to which we would solicit your Excellency's grave consideration.

The House would further remark that they passed the Supply Bill, only upon the understanding that effect should be given, without any further delay, to the intentions of the Imperial Government, in reference to the immediate introduction of Responsible Government, an object which your Excellency evidently had in view in requesting authority from the Imperial Government to assent to the Representation Bill without a suspending clause.

(Signed) JOHN KENT,

*Speaker.*

House of Assembly, 22nd Nov., 1854.

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## REPLY.

Secretary's Office,

24th November, 1854.

Gentlemen,—

Referring to the Governor's reply to the address of the House of Assembly (No. 12) which you presented to him yesterday, I am now directed by his Excellency to transmit to you the enclosed memorandum for the information of the House.

I have, &amp;c.,

(Signed) JAMES CROWDY..

P. F. Little and A. Shea, Esqs., M.H.A.

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

I have brought under the consideration of Her Majesty's Council the question of the period at which the Elections should be held, and have been advised by the Council that the hindrances to the Elections being held before the month of May are insuperable; and the Elections should, accordingly, take place in the first week of that month.

(Signed)

K. B. H.

*To the Right Honorable Sir George Grey, Bart., Her Majesty's Principal  
Secretary of State for the Colonial Department.*

The petition of Her Majesty's faithful Commons of Newfoundland in legislative session convened, respectfully sheweth, that the Duke of Newcastle having determined to establish Responsible Government in this old and loyal Colony, in accordance with the repeated demands of the people, and the growing interests of the country, his Grace annexed certain conditions to the concession thereof, the principal of which were the passing of a Bill to increase the number of members in the Assembly, and the making of provisions for the retiring officials upon the introduction of the new system. In the adjustment of these conditions a conflict arose last season between the Governor and his Council on the one hand, and this House on the other, which resulted in an appeal to the Imperial Government, a suspension of legislation, and a refusal to grant supplies. The Imperial Government having approved of the conduct



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of this House as to the Representation Bill, you were pleased to instruct his Excellency Ker Baillie Hamilton, Esquire, the Governor of this Island, to summon the present Session of the Legislature for the express purpose of arranging the differences existing on the preliminaries to the granting of Responsible Government, with a view to its immediate introduction, and remedying the inconveniences arising from withholding the usual Bill of Supply. This Session commenced on the 10th of October last, and the most important precedent to the change of Government, viz., the Representation Bill, was passed by this House and sent to Her Majesty's Council on the 17th day of the same month, for their concurrence.

That this Bill was returned from the Council on the 2nd day of November so amended as to induce both parties in this House to concur in rejecting the amendments. The Council at length receded from their amendments, and on the 14th day of November assented to the Bill in the shape in which it was originally passed by the Assembly, this being in principle and in all its details identical with the Bill to which that body refused their assent in June last, and thereby produced the collision with the popular branch which led to the appeal to Her Majesty's Government, and to the loss of the Supplies for the public service.

That his Excellency the Governor in a communication to you, under date 19th September last, urged the necessity of prompt permission being given by Her Majesty's Government to dispense with a suspending clause in the Representation Bill, alleging that the want of such authority would render it impossible to give immediate effect to the measure, and that thus the object of the extraordinary session would be defeated by the delaying the holding of the Elections until next May. No intimation of any other difficulty was made by his Excellency to the immediate holding of the Elections under the new Bill as soon as it should become law, and the House accordingly proceeded to transact the other business embraced in the objects for which this Session was convened. After the passing of the Representation Bill by the Council, and the receipt of the authority from you asked for in his Excellency's letter of 19th September, the House necessarily concluded, by reference to the terms of his Excellency's letter, that he was in a position to give immediate effect to the Act in question; on the 22d day of November members of this House, however, became accidentally aware that the Governor did not contemplate the holding of the Elections this fall, a determination since formally communicated by his Excellency in reply to an address from this House, declaring their opinion not only on the absolute necessity, but also on the evident practicability of holding the Elections this fall, and pointing out the loss to this country, and the injustice to the electors, which would result from a postponement until the spring. That the de-

cision of his Excellency wilfully defeats the avowed object for which this Session has been held, at considerable inconvenience and expense, and is at variance with his views contained in his letter to you, and with all his communications to this House up to the time of this disclosure. The alleged reasons for postponing the Elections are the lateness of the season, and the want of a revision of the registration of voters. In the year 1842, general Elections were held on the 20th December, and no inconvenience was experienced in holding them; since that time the facilities of communication through the country have been much increased, and there is now no physical obstacle, or any other fair reason why they should not be held at a corresponding period this year.— Whatever pretext the lateness of the season may afford, is attributable to his Excellency's advisers, who spent 28 days in determining on the Representation Bill, on which there was only one point of controversy, and thereby overrated an assumed difficulty of which his Excellency, with their advice, now avails to defeat the views of the country with regard to the approaching change. That the revision of the registration of voters was the duty of the Executive, and should have been performed in due course, and the amended Registration Act (13 Vict., c. 14), gives the following discretionary power which might have been used in the present case, viz.: " Provided, that should it be found necessary or expedient to hold an Election or Elections, at any period of the year when by reason of the times limited in the said recited Act for serving notices and holding courts of revision, the provision of the said Act cannot be carried into effect, the registry of the said voters shall be taken and revised as nearly as may be, according to the provisions of the said recited Act, but with such alterations in the manner of taking and revising the same, as may be found necessary." The new district of Burgeo and La Poile not being provided for in the Registration Act, a special provision was made in the Supply Bill to meet this case; and seeing the neglect of the Government with regard to the general revision of the registration, and believing it then to have been the result not of design but of accident, the House inserted a clause in the Supply Bill, whereby the revision was to be dispensed with for one year for the purposes of the next Election, and leaving the fair alternative to all parties of making the last revised list of voters applicable for the purposes of the Elections held within that period. The Council objected to this provision in the Supply Bill on technical grounds, and the House then passed a separate Bill with as little delay as possible, to carry out the same object. This Bill was rejected by his Excellency's advisers, and the House having exhausted every expedient to carry out the intentions of Her Majesty's Government, and the avowed object of his Excellency; looking to the manner in which the business was designedly protracted by the Council, and to the late period at which the new difficulties are suggested, feel constrained to the belief that they have been deceived and misled by his Excellency, who has, therefore, forfeited the confidence of the House.

His Excellency having caused or permitted the defeat of that, which in his letter of September, he declared to be the principal object of the present Session, has now announced his intention of causing the Elections to be held in May next. This course is adopted in deference to the views of the present Council, who, defeated in their obstruction to the concession of Responsible Government, would now endeavour to thwart its legitimate operation. The great bulk of our fishing population are peculiarly subject to mercantile influence in the month of May, when Supplies are issued to them on credit. From the 1st of March to the 1st November, our fishing population are actively engaged either in the seal and herring fishing, or in preparing for and carrying out the cod fishery, and that an Election held between these periods would be partial and unjust, and would practically disfranchise a great proportion of the industry of the Colony. This House, therefore, most distinctly and emphatically protest against the proposal of his Excellency to hold the Elections in the month of May; and in deciding on this course, his Excellency has lent himself to the designs of a defeated party, in violation of the views of the great majority of the House, and the wishes and desires of the general public.

Having regard to the conduct of the Governor and Council as disclosed by the foregoing facts, and to the duty which this House owe to the public, this House has been constrained to the resolution not to send up another Bill of Supply to Her Majesty's Council.

That on the Governor's assent being given to the Representation Bill, the existence of the present Assembly will terminate, and the country will be without a Legislature until after general Elections shall have been held. The operative population of the country are in a state of severe suffering and privation, owing to a partial failure of their ordinary pursuit last season, and other causes, urgently demanding the most vigorous efforts of the Legislature for the amelioration of their condition.

That in the establishment of Free Trade with the United States under the treaty lately concluded, the hopeful expectations of the people were centred, and that the measures necessary to give effect to that treaty are now indefinitely postponed by the proceedings of the Executive in reference to the Elections; and as a further consequence, the Revenue Bill, which expires on the 27th of May next, is imperiled by the conduct of the Governor and Council, a subject of vast importance in the present financial embarrassment of the Government.

That notwithstanding the avowed hostility of his Excellency to the policy of the majority of the Assembly, the House was willing to enter with him on the change of system, and give him a fair trial in the spirit of your despatch.—

The utmost forbearance and the most conciliatory conduct have been manifested to him by the Assembly since the receipt of that despatch. But his Excellency having made it apparent by his conduct in the present Session that his sympathy with the obstructive party is paramount to his duty to the country and the Crown; and that so repugnant are his feelings to constitutional and popular demands, that to defeat these, he has shown himself ready to violate the compact with Her Majesty's Government, as contained in his said letter, to discard the rights of the electors, and come into direct collision with this House, after having received the clearest expression of their opinions on the impropriety and injustice of the course which he was about to adopt.

Therefore, convinced that it is necessary to the peace, welfare, and good government of the Colony, that his Excellency and his advisers should forthwith be removed from the administration of its affairs, this House appeals with confidence to you for that purpose, and that the new system of government may be inaugurated without any further delay (the conditions stipulated by the Duke of Newcastle, having been fulfilled by this House) under the auspices of a practical and impartial Governor, who shall reflect the honor of the Crown and conciliate the affections of the people, by the adoption of a constitutional and straightforward policy, divested of all sectarian antipathies and partizan predilections.

And, as in duty bound, will ever pray.

(Signed) **JOHN KENT,**  
*Speaker.*

Passed the House of Assembly,  
27th November, 1854.

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*Copy of a Despatch from the Right Honorable Sir G. Grey, Bart., to  
Governor Hamilton.*

Downing-street, 18th January, 1855.

Sir,—

I have to acknowledge your despatch No. 130, of 29th November, reporting to me the progress of events in the Session of the General Assembly of Newfoundland, the reasons which had rendered it necessary for you to prolong the Session until the date of your writing, and the obstacles which presented themselves to the holding of the first Elections under the Act to increase the

number of representatives in the General Assembly at as early a period as you had contemplated, when you addressed to me your despatch No. 120, of the 19th September last.

2. You enclose in the same despatch, in pursuance of an address presented to you by a deputation of the House of Assembly, a copy of Resolutions agreed to by that House on the 27th ultimo, and a Memorial addressed to me founded upon these Resolutions.

3. It is with great regret that I have read the imputations upon your conduct and motives contained in these Resolutions, as, although I can understand that some disappointment might not unnaturally be felt at the postponement of the Elections, I think it due to you to state, that the reasons which you have given for the course you have pursued, appear to me quite satisfactory.

4. I shall cause immediate steps to be taken for furnishing you with amended instructions, founded on the Duke of Newcastle's despatch of the 21st February last. I understand this has been ascertained to be now necessary.

5. I take the same opportunity to acknowledge your despatch, No. 127, of the 14th of November, which I have delayed answering in order, at your suggestion, to obtain the opinion of the law advisers of the Crown in this country on the points of law raised thereon. I have not yet received this opinion.

I have, &c.,

(Signed) G. GREY.

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*Copy of a Despatch from Governor Hamilton, to the Right Honorable  
Sir G. Grey, Bart.*

Government House, St. John's, Newfoundland,  
9th December, 1854.

Sir,—

Referring to my despatch No. 130, of the 29th November, relative to the Address and Resolutions of the Assembly, and to the postscript dated the 30th, in which I acquainted you that I had informed the Assembly that I would concur with them in a measure for prolonging the existence of the Revenue

Act, I have the honour to enclose a copy of their reply. I feel that I have followed a safe course in simply stating the facts connected with the subject in the order of their occurrence; and that in that despatch will be found an answer to anything tangible that can be gathered from the string of resolutions passed by the Assembly.

2. My letter of Thursday, the 30th of November, which I was just able to throw into the despatch bag as it was being closed, will have informed you that I had assented to the Representation Bill, and will have announced the fact of the Assembly having, in the face of a notice of my intention to prorogue the Legislature at four o'clock p.m. on that day, adjourned at two o'clock, to the 10th January next, avowedly for the purpose of avoiding the prorogation.

3. A proceeding so unexpected and unprecedented, so disrespectful to the Crown, and so defiant of the Queen's prerogative and authority, took me so much by surprise that I was unable, before the departure of the mail on that day, to determine upon the course fit to be adopted in such emergency; but subsequent reflection satisfied me I ought not, by this conduct of the Assembly, to be deterred from the course which I had originally intended to pursue.— Having, therefore, by proclamation, notified that I had, in accordance with the fact, on the 30th of November (the day of the intended prorogation) signed and assented to the Bills which had passed the other branches of the Legislature, I dissolved the present Assembly by proclamation on the 5th instant; and having, with the advice and consent of the Council, appointed the Elections to be holden on the 7th and 12th May, I have directed the necessary revision of the registration of voters to be immediately undertaken, preparatory to that event.

4. One of the objects of the Assembly in adjourning to the 10th of January was, I presume, to give Mr. Little, while preferring his charges against me and the Council, a certain *locus standi* as the representative of an existing body. My motive in dissolving the Assembly, however, was not to defeat this object, but, firstly, to vindicate the authority of the Crown by a proper use of the function and prerogative committed to me by the Queen; and secondly, as the preliminary measures to the introduction of Responsible Government had been completed by the Legislature, to prevent the postponement of the Elections until next fall; a result which would probably ensue from the continuance of the present Assembly until after the 10th of January, which would, under the Duke of Newcastle's despatch, delay Responsible Government and continue the present unhappy state of affairs until the winter of 1855-56; would, in the meantime, prevent all useful legislation, and would probably leave the country for eight or nine months without a revenue. The Legislature will now be con-

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vened in May, in time to continue the present Revenue Act, or to adopt any modification of the revenue laws which may then be deemed expedient.

5. With respect to the official members of the Legislative Council, they, in difficult circumstances, as I have already pointed out to you in the 4th paragraph of my despatch No. 130, of 29th of November, evinced, in a high degree, temper, moderation, and the discretion of persons experienced in public business. The explanation of their proceedings is to be found in their own words in the enclosed report of the debates of the Council.

6. All differences between the several branches of the Legislature have thus died a natural death; and the battle must be fought, for the future, at the hustings, or in the Assembly House.

7. With regard to the charges, if they may be so called, against myself, I must, however, distinctly disavow any desire to escape from them, or to urge against them the fact of the body from whom they emanated having now no legal existence. It is true that in the next House, on whichever side may be the majority, all motive or occasion for collision with the Governor will be removed, and a past example of firmness and determination in the discharge of my duties will be most likely to procure respect for my office for the future.— But in this matter, something more is involved than a mere passing difference; and I owe it to the honour of the office I hold, and to myself, to request that the question may be determined upon its own merits, and, if it shall be found, as I believe it will, that I have been actuated solely by a desire faithfully to administer the Government of this Colony in accordance with the instructions I have received from Her Majesty's Government, and to carry out their views, and that my conduct has been such as, under the embarrassing circumstances by which I was surrounded, was best calculated to promote that end, that I may receive from the Imperial Government that support to which, under these circumstances, I conceive I am fairly entitled.

8. When I reflect upon those events so full of profound incident and importance which now engage the attention of Her Majesty's Government and of every loyal heart, it is a source of pain to me to be obliged to occupy your time and attention by a reference to a quarrel so entirely gratuitous as this.

I have, &c.,

(Signed)

KER B. HAMILTON.

*Copy of a Despatch from Governor Hamilton to the Right Honorable  
Sir G. Grey, Bart.*

Government House, St. John's, Newfoundland,  
29th December, 1854.

Sir,—

Referring to my despatch No. 127, of the 14th November last, I have now the honor to acquaint you that having, with the advice and consent of the Council, fixed the Elections to take place on the 7th and 12th May, I have issued the necessary proclamation for that purpose in the form heretofore followed, with such modifications only as were requisite to make it accord with the terms of the recent Act for increasing the number of representatives.

2. At the time I forwarded my despatch of the 14th November above referred to, I did not contemplate issuing the proclamation for the Election until March; but the state of our internal communication is such as, in the opinion of the Council, to make it advisable to forward the proclamation and the writs to the remote districts without delay before the winter closes in. In reference to the sixth paragraph of that despatch, I beg leave to state that the law officers, entertaining doubts as to the legality of the insertion in the proclamation of a direction authorising the electors in certain districts to vote by ticket, notwithstanding their dwelling-houses might be situate within 15 miles of the nearest place of Election; conceiving that such a direction might possibly exceed the authority given to the Governor by the proclamation of July 1832, the Royal Instructions, and the recent Representation Act, I have not embraced any such direction in the proclamation now issued. Such a modification, however, I consider would be most desirable in the peculiar social condition of the population of this Island; and should you deem it legally within the compass of my authority, it can be embraced in a subsequent proclamation in sufficient time to be made available at the ensuing general Election.

3. I have now to solicit your directions with reference to the separation of the Councils, for which purpose, I presume, a Royal Instruction will be forwarded to me. The number of the present Executive and Legislative Council is reduced, by the resignation of Messrs. Thomas and Row, to eight members, viz.: the Commandant, the Attorney General, the Colonial Secretary, Mr. Noad, Mr. Bennett, Mr. O'Brien, Mr. Job, and Mr. Grieve. I presume that, in future, the officer commanding the troops here will not be a member of the Council. In order therefore, to raise the number of the Legislative Council to 12 members in all, I would recommend the names of the following gentlemen, as well qualified in respect of property, intelligence, and standing in the community: Mr. Bryan Robinson, a leading member of the profession of the law, and who formerly was for several years a member of the Executive Council; Mr. Ni-



cholas Stabb, a most highly respectable and intelligent merchant, and a member of the Wesleyan body ; Mr. Roger Forstal Sweetman, and Mr. William Donnelly, two highly respectable merchants, justices of the peace, both Roman Catholics ; and Mr. Eugenius Harvey, an intelligent merchant of high character, a member of the Church of England.

4. Irrespective of the present Colonial Secretary, Attorney General, and Mr. Noad, whose places will be vacated on the meeting of the new Assembly, and will be supplied, I presume, by persons recommended by the leaders of the party which may then come into power, the composition of the Council would be as follows : viz., Mr. Bennett, Mr. Robinson, Mr. Harvey, members of the Church of England ; Mr. O'Brien, Mr. Sweetman, and Mr. Donnelly, Roman Catholics ; and Mr. Job, Congregationalist ; Mr. Grieve, Presbyterian ; and Mr. Stabb, Wesleyan.

5. Considering the relative number of the members of the Assembly, I am of opinion that the number of the Council need not, for the present, exceed 12. The Executive Council may, for the present, with convenience, consist of the remaining members of the existing Council, excepting the officer commanding the troops ; seven in all. Of course, on the meeting of the Legislature, a reconstruction of the Executive Council will necessarily take place ; and it will then embrace such a number (seven would be ample) of the members of the Legislative Council and Assembly as might be selected by the party having the majority in the Assembly under the new system of government.

6. For any further information which may be necessary on this subject, I beg to refer you to Mr. Crowdy, the Colonial Secretary, whose long residence here, and thorough acquaintance with the affairs of the colony, render valuable the information he will be enabled to afford.

I have, &c.

(Signed) KER B. HAMILTON.

29th December, 1854.

P. S.—I think it right to add, in reference to the recommendation of Mr. Robinson for a seat in the Council, and with a view to his being a member of the Legislative Council under the new system of government, that Mr. Robinson had made preparations for becoming a candidate for a seat in the Assembly for the new district of La Poile, for which, I believe, there is no doubt he would be returned ; but on my acquainting him of my intentions, he has withdrawn from becoming a candidate, in full confidence of being a member of the future Legislative Council.

(Signed) K. B. H.,

# INDEX

TO THE

# JOURNALS

OF THE

# LEGISLATIVE COUNCIL.

## ADDRESSES TO THE GOVERNOR,

In answer to his Speech on opening the Session, 18. Address presented, 21. Reply, 22.

For Copy of Despatch from Secretary of State, transmitting complaint of Mr. Little against the late Governor, 20. Reply, 21.

## AMENDMENTS TO BILLS—*by the Council.*

On Union Bank Act Amendment Bill, 37. Concurred in by Assembly, 62.

On Patent Act Amendment Bill, 45.

On Provident Society Incorporation Bill, 56.

On Light House Act Amendment Bill, 61.

## AMENDMENTS TO BILLS—*by the Assembly.*

On Council's Amendments on the Patent Act Amendment Bill, 63.

ABSENCE—leave of—to a Member of the Council, 32.

**BILLS**—*brought up.*

Revenue Bill, 20. Second Reading—Committed—Reported—Read 3rd time and passed, 22. Governor's Assent, 23.

Free Trade Bill, 33. Second Reading, 34. Committed, 35. Reported, 36. Read 3rd time, 37. Governor's Assent, 39.

Union Bank Incorporation Act Amendment Bill, 33. Second Reading, 35. Committed—Reported with an Amendment, 37. Read 3rd time and passed, 38.

To unite the Office of Treasurer and Collector of the Revenue, 34. Second Reading, 35. Committed—Reported, 37. Read 3rd time and passed, 38.

Treasury Notes Act Amendment Bill, 36. Read 2nd time, 46. Committed, 48-49. Read 3rd time and passed, 51.

Patent Act Amendment Bill, 38. Read 2d time, 40. Committed, 42-44. Reported with an Amendment, 45. Read 3d time and passed, 46. Assembly pass Council's Amendments with an Amendment—Read—Committed and Reported, 63.

Savings' Bank Act Amendment Bill, 38. Read 2d time, 41—Committed, 43. Read 3d time and passed, 44.

Education Bill, 40. Read 2d time 42. Committed—Reported, 45. Read 3d time and passed, 47.

Provident Society Incorporation Bill, 40. Read 2d time, 47. Committed, 48-49-54-58. Reported with Amendments, 56. Read 3d time and passed, 58. Amendments of Council passed by the Assembly, 63.

Revenue Bill, 42. Read 2nd time, 46. Committed—Reported, 47. Read 3rd time and passed, 48.

Customs' Management Bill, 48. Read 2nd time, 50. Committed, 51-53. Reported—Read 3rd time and passed, 53.

Officers Salaries Reduction Bill, 49. Read 2nd time, 50. Committed, 54. Read 3rd time, 55. House divides on motion that the Bill be recommitted—Bill passed, 55.

Light House Amendment Bill, 55. Read 2d time, 58. Committed, 59-61. Reported with an Amendment—Read 3d time and passed, 61. Amendments concurred in, with an Amendment, 65. Concurred in

**BILLS**—*brought up (Continued.)*

by Assembly, with an Amendment—Amendment Read—Committed—Reported—the Amendment, 65. Read 3d time and passed, 66.

Governor's Salary Bill, 55. Read 2d time, 58. Committed—Reported—Read 3d time and passed, 60.

Supply Bill, (for 1854) 61. Read 1st and 2d time—Committed—Reported, 61. Read 3d time and passed, 62.

Supply Bill, (of 1855) 62. Read 2d time—Committed—Reported—and Read 3d time and passed, 64.

Board of Works Bill, 62. Read—Committed—Reported—Read 3d time and passed, 66.

Loan Bill—Read—Committed—Reported—Read 3d time and passed, 65.

Contingency Bills—for the 2d and 3d Sessions of the 5th General Assembly and for the present Session, each Read 1st and 2d time—Committed—Reported—Read 3d time and passed, 70.

Bank of Canada—Proposed Charter of, &c., Appendix No. 8.

**CUSTOMS,**

Account of Goods Imported—and Account Current of Receipts and Payments for the year 1854, Appendix No. 2.

**CAPE RACE LIGHT HOUSE,**

Correspondence on the Erection of, Appendix No. 9.

**COLONIAL SECRETARY,**

To Administer Oath of Allegiance to the Members of the Council, 27.  
Dedimus Potestatem, 29.

Letter from—stating that the Governor will Assent to the Revenue Bill, 50.

**CONTINGENCIES,**

Select Committee on, 59.

Petition of J. Seaton, Publisher of the Debates, referred to Select Committee on, 61.

Ditto of R. Rodger, as Reporter of ditto, 61.

Message from House of Assembly for Council's, 62.

**CONTINGENCIES—(Continued.)**

Report of Select Committee on, 67. Report Committed—Reported with Amendments—Amendments adopted—Messages with Contingencies sent to Assembly, 69.

**DESPATCHES,**

From the Secretary of State, transmitting "An Act to amend the Law of Evidence—laid before the House, 31—Appendix No. 4.

Relative to Postage on Newspapers, 52.—Appendix No. 10.

Pointing out an omission in the Act to Incorporate a Telegraph Company—Appendix No. 5.

Directing that Customs' Returns be made up at the end of each quarter of the year—Appendix No. 6.

Disallowing the Act to Incorporate the Union Bank—Appendix No. 7.

Respecting proposed Chartered Bank of Canada—Appendix No. 8.

Transmitting Correspondence, &c., on the subject of erecting a Light House on Cape Race—Appendix No. 9.

**DEDIMUS POTESTATUM, 29-31.****DELEGATE,**

To Her Majesty's Government on the affairs of the Colony—Report of, 14.

**ESTIMATE,**

Of the Charge of defraying the Public Expenditure—Appendix No. 1.

**EDUCATION,**

Report of Protestant Central Board of, for 1852-3—Appendix No. 17.

**EVIDENCE,**

Law of, an Act to Amend—Appendix No. 4.

**FISHERIES,**

Petition from Shoe Cove for protection of, read, 26.

**FREE TRADE ACTS,**

Of Canada, Nova Scotia, New Brunswick, and Prince Edward Island, for giving effect to the recent Reciprocity Treaty with the United States—Appendix No. 3.

**GENERAL ASSEMBLY,**

The President announces that the Governor will prorogue it on the 4th August, 67. Prorogued, 74.

**GOVERNOR,**

- Arrives at the Council Chamber, 7.
- Speech of—on opening the Session, 9.
- Address of Council in answer, 18. Reply, 22.
- Declines complying with request of Council for Copy of Despatch from Secretary of State transmitting complaint of Mr. Little against the late Governor, 23.
- Arrives at the Council Chamber and assents to the Revenue Bill, 23.
- Message from—transmitting Extract from the Royal Instructions, and stating that His Excellency had appointed certain Gentlemen to be provisionally Members of the Council, 27.
- Arrives at the Council Chamber and assents to the Free Trade Bill, 39.
- To the Revenue Bill, 51. To sundry Bills, 71.
- Speech of—on proroguing the General Assembly, 72.

**HOSPITAL DIRECTORS,**

- Report of—Appendix No. 14.

**LEGISLATIVE LIBRARY,**

- Select Committee on, appointed, 59.
- Message from House of Assembly respecting, 62-63.

**MESSAGE TO HOUSE OF ASSEMBLY,**

- Of having appointed Select Committee to superintend the Legislative Library, 63.

**MESSAGES FROM THE HOUSE OF ASSEMBLY,**

- For Council's Contingencies, 62.
- Of having passed Council's Amendments on Union Bank Amendment Bill, 62.
- Requesting appointment of a Committee to superintend Legislative Library, 62.
- Of having passed Amendments on Patent Act Bill with an Amendment, 63.
- Ditto—on Provident Society Bill, 63.
- Concurring in Council's Amendments on Light-house Amendment Bill, with an Amendment, 65 ; but in waiving their privileges on this matter do not intend it to be drawn into a precedent, 65.

**MEMBERS OF COUNCIL,**

- Appointed provisionally, 27.
- Sworn in, 30-31.

**NOTICES OF MOTION,**

- For an Address to the Governor for a Despatch from the Secretary of State transmitting complaint of Mr. Little against the late Governor, 16. Motion, 19.
- To suspend 37th Rule of the House, 16-21.
- For the appointment of a Reporter and other Officers, 25.
- On the subject of Printing, 25.
- For the appointment of all the Officers of the House, and to provide for the Reporting and Printing, 30.
- For an Address to the Governor for an account of Sum paid for the Relief of the Poor, 39.
- For a Select Committee on Treasury Notes Bill, 43.
- For certain returns in connection with the Savings' Bank, 43.
- For a Select Committee on Contingencies, 57.
- To suspend 37th Rule of the House for the present Session, 57.
- For copies of Correspondence respecting Responsible Government, and Seats in the Council, 57.
- For Select Committee on Legislative Library, 58.

**NEW YORK, NEWFOUNDLAND, AND LONDON TELEGRAPH COMPANY,**

- Statement of its Affairs—Appendix No. 13.

**OFFICERS OF THE HOUSE,**

- Notice of Motion respecting the appointment of, 30.
- Thomas Talbot, to be the Reporter, 31.
- Joseph Woods, to Print the Journals, 31.
- John C. Withers, to Print Miscellaneous Documents, 32.
- John Hanrahan, to be Messenger, 32.
- Petition of James Seaton, for Compensation as Publisher of the Debates of the House, read and referred to Select Committee on Contingencies, 60.
- Petition of Robert Rodger as Reporter, ditto, 61.

**O'BRIEN, LAURENCE, Esq.,**

- To preside in the Council, 27.

**OATH OF ALLEGIANCE,**

Administered to certain Members, 30.

**ORDER IN COUNCIL,**

Leaving certain Acts to their operation—Appendix No. 12.

**PETITIONS,**

From Shoe Cove for protection of the Fisheries, read, 26.

From James Seaton, for Compensation as Publisher of the Debates of the House, read and referred to Select Committee on Contingencies, 60.

From Robert Rodger, as Reporter, read, ditto, 61.

**POST MASTER GENERAL,**

Account Current of Receipts and Expenditure of—Appendix No. 16.

**PRIVILEGE,**

House in Committee on, 16.

Resolution that Messrs. Rodger and Seaton be appointed Reporter and Publisher of the Debates of the House, 16.

Motion that the House go into Committee on, to re-consider the appointment of Reporter and Publisher of the Debates, 26.

**PROCLAMATION,**

General Assembly to meet for the Despatch of Business, 5.

**POSTAGE ON NEWSPAPERS,**

Despatch from Secretary of State respecting, 52.

**PROROGATION OF THE LEGISLATURE,**

Intention of the Governor announced respecting, 67.

**QUORUM,**

House adjourns for want of, 26.

**ROYAL INSTRUCTIONS,**

Extracts from, 28.

**RULES OF THE HOUSE,**

37th Suspended, 17, 22.

Standing, framed by the Governor, laid before the House, 31—Appendix No. 19.

35th Suspended for the Session, 59.



**REPORTING AND PUBLISHING,**

- The Debates and Proceedings of the House, 16.  
 Notice of Motion respecting, 25.  
 That the House go into Committee of Privilege respecting, 26.  
 Messrs. Rodger and Seaton appointed Reporters and Publishers of the Debates, 17.  
 Thomas Talbot, appointed Reporter, 31.

**RESPONSIBLE GOVERNMENT,**

- Application to the Governor for copies of Correspondence respecting—  
 Ordered, 59. Laid before the House, 69.—Appendix No. 20.

**ST. JOHN'S MARINE INSURANCE COMPANY,**

- Statement of—Appendix No. 18.

**SELECT COMMITTEES,**

- To draft Address to the Governor in reply to his Speech, 14.  
 Report of, 16.  
 The Address, 18.  
 To wait on the Governor to ascertain when he will receive the Address, 19.  
 Report of, 21.  
 To wait on the Governor to ascertain when he will receive an Address for copy of a Despatch from the Secretary of State, 20.  
 Report of, 21.

**UNION BANK,**

- Act to Incorporate disallowed—Appendix No. 7.  
 General Statement of the Affairs of—Appendix No. 15.