

JOURNAL
OF THE
HOUSE OF ASSEMBLY
OF
NEWFOUNDLAND.

ANNO VIGESSIMO QUARTO VICTORIÆ REGINÆ.

*His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief in
and over the Island of Newfoundland and its Dependencies, &c. &c.*



FIRST SESSION OF THE EIGHTH GENERAL ASSEMBLY.

SAINT JOHN'S, NEWFOUNDLAND:

JAMES SEATON, PRINTER.

MDCCCLXI.

JOURNAL

OF THE

HOUSE OF ASSEMBLY

NEWFOUNDLAND

ST. JOHN'S, NEWFOUNDLAND:

PRINTED AT THE OFFICE OF THE "NEWFOUNDLAND EXPRESS."



PRINTED BY THE NEWFOUNDLAND EXPRESS

ST. JOHN'S, NEWFOUNDLAND

1880



PROCLAMATION.

A. BANNERMAN,
Governor.
[L. S.]

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 We have thought fit to Dissolve the GENERAL ASSEMBLY of Our Island of Newfoundland : Know Ye, that We do, for this purpose, publish this Our Royal Proclamation, and do, by these Presents, DISSOLVE the said General Assembly : And We do hereby discharge the Members of Our Council and of the House of Assembly of Our said Island from further attendance in the said General Assembly.

In testimony whereof, We have cause these
Our Letters to be made Patent under the
Great Seal of Our said Island.

Witness Our trusty and well-beloved SIR
ALEXANDER BANNERMAN, Knight, Our
Governor and Commander-in-Chief in
and over Our said Island and its Depen-
dencies, at Saint John's, in Our said
Island, the Seventh Day of March, 1861,
and in the Twenty Fourth Year of Our
Reign.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.



PROCLAMATION.

A. BANNERMAN,
Governor.
[L. S.]

*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 :

Preamble.

WHEREAS, by Our Proclamation bearing date the Seventh Day of March inst., We did Dissolve the General Assembly of Our Island of Newfoundland and its Dependencies : And it is Our Will and Pleasure to summon and call a General Assembly of the Freeholders and Householders within the said Island and its Dependencies, in compliance with the provisions of an Act passed in the Eighteenth year of Our Reign, by the General Assembly of Our said Island, entitled " An Act to Increase the present number of Representatives in the General Assembly of this Island, and to Regulate the Representation thereof." And it is further Our Will and Pleasure that the Writs to be issued for a General Election of Members to serve in the said General Assembly shall be delivered to the respective Returning Officers of the several Electoral Districts and Divisions of Districts of Our said Island, in the said Act mentioned and described, on the Twenty-sixth day of April next ensuing the date of these Presents : We do, therefore, by these Presents declare and make known to all Our loving subjects within our said Island, that the said Election of Members of the said General Assembly shall, for the greater convenience of the Electors of the same, be held at the several places herein named, within the said Districts respectively, as follows :

Places where Elections are
to be held :—

The election of six members of the said Assembly for the District of Saint John's, (that is to say,) the election of three members for the Division of the said District called the Division of Saint John's East, shall be holden at Saint John's, Torbay, Portugal Cove, and Pouch Cove : And the election of three members for the Division of the said District

called the Division of Saint John's West, shall be holden at Saint John's, Petty Harbour, and Broad Cove.

The election of seven members for the District of Conception Bay, (that is to say,) the election of two members for the Southern Division of the said District shall be holden at Harbor Main, Kelligrews, Cat's Cove, and Holyrood : The election of one member for the Port-de-Grave Division of the said District shall be holden at Brigus, Port-de-Grave, Cupids, and Barened : The election of two members for the Harbor Grace Division of the said District shall be holden at Harbor Grace, Upper Island Cove, Bryant's Cove, Spaniard's Bay, and Bay Roberts : The election of one member for the Carbonear Division of the said District, shall be holden at Carbonear ; and the election of one member for the Bay-de-Verds Division of the said District shall be holden at Western Bay, Broad Cove, Lower Island Cove, Bay-de-Verds, Freshwater and Northern Bay.

The election of two members of the said Assembly for the District of Twillingate and Fogo shall be holden at Twillingate, Fogo, Tilton Harbor and Exploits Burnt Island.

The election of three members of the said Assembly for the District of Bonavista shall be holden at Bonavista, King's Cove, Keels, Tickle Cove, Greenspond, Pincher's Island and Salvage.

The election of three members of the said Assembly for the District Trinity Bay shall be holden at Trinity, Catalina, Heart's Content, Hant's Harbor, Old Perlican and Bird Island Cove.

The election of two members of the said Assembly for the District of Ferryland shall be holden at Ferryland, Cape Broyle, Toad's Cove, Witless Bay, Bay Bulls and Renewes.

The election of three members of the said Assembly for the District of Placentia and Saint Mary's shall be holden at Saint Mary's, Little Placentia, Sound Island, Isle of Valen, and Harbor Buffet in Long Island.

The election of two members of the said Assembly for the District of Burin shall be holden at Burin, Great St. Lawrence, Lamaline, Grand Bank and Beau Bois.

The election of one member of the said Assembly for the District of Fortune Bay shall be holden at Harbor Briton, Bellorem and Gaultois.

The election of one member of the said Assembly for the District of Burgeo and LaPoile shall be holden at Burgeo, LaPoile and Channel.

And it is Our Will and Pleasure, and We do by these presents further order and direct, that the Elections to be holden as aforesaid, within the before-mentioned several Districts, and Divisions of Districts, shall be respectively opened, and the Candidates for Election respectively first nominated and declared, at Saint John's, Harbor Main, Brigus, Harbor Grace, Carbonear, Western Bay, Trinity, Bonavista, Twillingate, Ferryland, Little Placentia, Burin, Harbor Briton, and LaPoile, respectively ; and at which places respectively the final results of the Polls taken, and the Return of the respective Member or Members who shall have been duly Elected, be publicly declared.

And for the conducting of the said Elections, and the due return of the Members so to be Elected at the said General Election, it is Our Will and Pleasure that the following further regulations and directions be duly observed and kept, that is to say :

That all the said Elections shall be simultaneous, and shall be completed within Ten complete days from the day of the receipt, by the Returning Officer of each District, or Division of District, of Our Writ authorizing such Election ; and that the Polling at every such Election shall be completed within eight successive hours next immediately following the commencement of each Polling.

That the Returning Officer of each respective District, or Division of District, upon receipt of Our Writ to him directed, shall immediately endorse upon it the day of his receiving it ; and upon the same day the Returning Officer shall, at the principal place hereinbefore nominated and appointed for opening the Election, and nominating the Candidates for Election within the District or Division specified in the Writ to him directed, at or about the hour of Ten o'clock of the forenoon of the said day, at the Polling Station of the place, make Proclamation and read the Writ openly, and thereupon forthwith call upon the Electors to nominate the Candidates for Election.

That every Candidate proposed or offering himself for Election, and before he shall be put in nomination, shall produce or cause to be produced and delivered to the Returning Officer, a declaration on Oath signed by the person proposed as a Candidate, and sworn before and duly attested by the Returning Officer, if the proposed Candidate shall be present at the nomination of Candidates, and which declaration shall be according

to one of the forms set forth in the Schedule hereunto annexed, respectively marked A and B, as either of the said forms may be found most applicable to the proposed Candidate's qualification, according as the same may be founded on income or property.

And every such Candidate not being present at the nomination of Candidates as aforesaid, shall, before he shall be put in nomination for Election, cause to be produced and delivered to the Returning Officer of the District or Division of District for which he shall be proposed as a Candidate, a declaration on Oath signed by such proposed Candidate and duly sworn before and attested by any Stipendiary Justice of the Peace, and which declaration shall be made in one of the forms set forth in the Schedule hereunto subjoined, and respectively marked C and D; as either of the said forms may be found most applicable to the proposed Candidate's qualification in respect to his income or property. And every such Candidate last mentioned, before being put in nomination, shall also cause to be produced and delivered to the Returning Officer, a Certificate signed by two Electors, who shall be present at the nomination of such Candidate at the place of Election, which certificate shall be in the form E, set forth in the Schedule hereunto annexed.

That if after Proclamation shall have been made and the Writ read, on the day of Nomination as aforesaid, there shall not be, before the hour of Four o'clock of the afternoon of the same day, any greater number of Candidates proposed and duly nominated than the one or more Representative Members or Member prescribed in the Writ to be elected, then the Returning Officer shall, at or immediately after that hour, proclaim or return such one or more Candidates or Candidate (as the case may be) so duly nominated, as being duly Elected.

That if on the day of nomination of Candidates, and before the hour of Four o'clock in the afternoon of the same day, it shall be found that a greater number of Candidates are proposed and duly put in nomination than the number of Representative Members prescribed in the Writ to be Elected, the Returning Officer shall, at the said hour of Four o'clock, publicly declare the names of the Candidates so nominated, and then make Proclamation that the Polls at such Election will be taken at all the Polling Stations of the District on Thursday the Second day of May next ensuing the date of these presents.

And the Returning Officer shall forthwith appoint his Deputies for taking the Polls at all the respective Polling Stations of the District, except the one at which he himself shall preside, and also without delay

transmit to every such station a notice, written or printed, to be set up at every such station, notifying the Electors that the Polls will be taken on the day appointed for that purpose; and for the convenience of taking the Polls, the Returning Officer shall, at every polling station, obtain the use of a house, or other convenient building, (not being a place of Public Worship,) or provide where necessary, suitable booths for such purpose.

That the Returning Officer and his Deputies shall, before they proceed to the election, take and subscribe the Oath as the same is in form set forth in Schedule hereunto subjoined, before a Justice of the Peace, in the presence of two Electors of the District, who shall subscribe their names thereto. Provided, nevertheless, that in such cases wherein there shall not be within convenient distance any Justice of the Peace for the said Officers to resort unto for administration of the said Oath, then the Returning Officer, or any one of the Poll Clerks, shall be authorized and they are hereby respectively empowered to administer the said Oath to the said Deputies, and in like manner any one of the said Deputies is also empowered to administer the said Oath to the Returning Officer in the presence of two Electors as aforesaid.

That the Returning Officer shall appoint a Poll Clerk for each of the Polling Stations, who shall, before proceeding to take the Poll, take and subscribe the Oath as the same is in form set forth in the Schedule hereunto subjoined; and which Oath the Returning Officer and his Deputies are hereby respectively authorized to administer.

That the Returning Officer shall provide Polling Books wherein to register the names of Candidates, and the names and places of abode of the Electors or Voters, in the form by law prescribed.

That the Returning Officer shall give public notice within the District or Division of District of all places where the Polling Stations will be established, and of the number of Booths or Places at such Stations, where more than one shall be appointed, for taking the Polls; and he shall in such notice, specify the particular section, division or portion of Voters for the District that will be assigned and entitled to vote at each particular Booth, Place or Station; and upon, against, or near to every such Booth, Place or Station, he shall also affix a notice specifying the section, division or portion of voters that will be entitled to give their votes there.

That no Elector shall be permitted to vote out of the District wherein

the dwelling-house of his occupation, which gives him a qualification to vote, is situated; nor shall his vote be received at any other Station, Place or Booth, than that which shall be assigned and appointed for that section, division or portion of Electors in which such Voter shall be included in the division or classing of Voters to be hereafter by our Proclamation appointed and established; *Provided nevertheless*, that the Electors for the Districts of Twillingate and Fogo, Bonavista, Placentia and St. Mary's, Burin, Fortune Bay, Burgeo and LaPoile, and Bay-de-Verds, shall give their votes respectively at such Polling Station as may to them be most convenient.

That the Returning Officer or his Deputy may enter apart on the Poll Book, the name of any person claiming to vote for any Candidate on the ground of his two years' occupancy having been completed between the time of revising the last Registry of Voters and the day of Election: and the said Officers respectively shall and may in any such cases decide on the validity of all such votes, after the polling has ended, and before the enclosure and ensembling of the Poll Book.

That every Elector, on tendering his vote, and before his vote shall be received, shall declare to the Returning Officer or his Deputy his true name, and the place where the dwelling-house of his occupancy within the district for which he tenders his vote is situate, which particulars shall be duly entered in the Poll Book; and any Voter, before his vote shall be received and entered on the Poll Book, shall, if so required by or on behalf of any Candidate, or for any just cause that the Returning Officer or his Deputy shall deem fit, be duly sworn by the Returning Officer or his Deputy, and answer on Oath the questions following, or either of them, as may be required:

1st.—Are you the same person whose name and residence (*as A. B. of, &c.*) are entered on the Book of Registry of Voters for this District for the year 186 , and do you now continue in possession of the same household qualification as in the said Registry is mentioned?

2nd.—Have you already voted in this or any other polling place, upon this present Election?

3rd.—(If the elector claims to vote on the ground of his two years' occupancy having been completed between the time of revising the last Registry of Voters and the day of Election:) Have you, as owner or tenant, and in which character, if in either, occupied within this District of (*naming the District*) a dwelling-house for and during the period of

two whole years immediately preceding this day of Election, and when did your occupancy actually commence?

That in pursuance of the Proclamation of his late Majesty King William the Fourth, bearing date the 26th day of July, 1832, the vote of any Elector, being duly qualified, and whose name shall be duly registered in the Book of Registration of qualified Voters at Elections, and whose dwelling-house shall be situate at a distance of more than fifteen miles from the nearest place of Election within the District for which his vote is valid and may be tendered, may, without attending the Poll in person, give his vote by a written notice made and subscribed in the form which is set forth in the Schedule hereunto subjoined, and which notice shall be delivered to the Returning Officer or his Deputy at such polling place as the said Elector would be required to repair to if he gave his vote by personal attendance; but such Elector shall not, under the said privilege of voting by such notice as aforesaid, be exempt thereby from lawful exceptions being taken to the validity of his vote, in the same manner as such exceptions might be taken if such Elector appeared and voted in person.

That on the day appointed to take the Polls at all the Polling Stations, the Booths or places of Poll shall be opened at seven o'clock in the morning, and the Returning Officer or his Deputy shall then make proclamation thereof; and at the hour of eight o'clock the said Officers respectively shall commence taking the Polls, keeping them open for the space of Eight hours and no longer, and finally closing at Four o'clock on the same day, unless before that hour the Election be duly determined, or the Polling cease by consent of all the Candidates: Provided that if by reason of obstruction or other cause, such Returning Officer or his Deputy shall be prevented or hindered from duly proceeding in taking the Polls, he shall and may adjourn the Poll to the next day, not being Sunday, and to the next succeeding day also, if necessary, in order to complete the taking of the Polls.

That the said Officers respectively shall, at the close of the Poll at their respective stations, publicly proclaim the number of votes polled for each Candidate, and the said Officers and Poll Clerks respectively shall certify and sign the Poll Books and then enclose and seal them in presence of the Electors. That the Deputy Returning Officers shall then forthwith deliver or safely transmit the Poll Books so sealed to the Returning Officer, who shall, on the day next ensuing the Polling Day, such day not being Sunday, but being Sunday, then on Monday next en-

suing, at the hour of Ten o'clock of the forenoon of the same day, at the principal Polling Station, at which the Returning Officer himself shall preside, appoint a convenient time, and without unnecessary delay, when he shall in presence of the Candidates and Electors, or such of them as choose to attend, publicly break open the seals of the Poll Books, and sum up the whole of the Polls, and declare the true number of votes given for each Candidate, and proclaim the name or names of the Candidates who shall have been duly elected.

That the Returning Officers and their Deputies respectively are hereby authorized and empowered to administer all such Oaths as are prescribed by Law to be taken by the Electors and Witnesses in Election of Members of the General Assembly. The Fees by Law established shall be paid to the Returning Officers by the respective Candidates on the day of Nomination.

That the Returning Officers respectively shall, immediately after the due execution of the Writs, transmit the Poll Books, together with all affidavits, certificates and other documents incident to such Elections as aforesaid, putting the same securely under cover and seal, directed to Our Colonial Secretary at his Office in St. John's.

Given under the Great Seal of Our Island of Newfoundland, at Saint John's, in Our said Island, the Twelfth day of March, Anno Domini 1861, in the Twenty-fourth Year of Our Reign.

Witness Our trusty and well-beloved SIR ALEXANDER BANNERMAN, Knight, Our Governor and Commander-in-Chief in and over Our said Island of Newfoundland and its Dependencies, &c.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.

SCHEDULE.

FORM OF OATH OF RETURNING OFFICER AND HIS DEPUTY.

I, (name of Returning Officer or Deputy,) do swear that I will honestly and impartially and without favor to any Candidate, take the Polls at

Form of Oath of Returning Officer and his Deputy.

this Election ; and that I have not directly or indirectly received, nor will I hereafter directly or indirectly receive, any money, gift or reward, promise, contract or security for money or other reward, for or in respect of the conduct which I shall observe during the ensuing Election of a Member, (or Members, as the case may be,) of the General Assembly for the District of _____ or the return which I shall make at the close thereof ; save and except such salary or other lawful compensation as I shall be entitled to receive in virtue of my appointment to, and the just and faithful execution of my duty as Returning Officer, (or Deputy Returning Officer, as the case may be,) at this Election.

Signed (Deponent's name.)

Sworn at _____ the _____ day _____ 1861, in the presence of (signatures of two Electors) before me, (signature of Justice of the Peace, or other duly empowered authority.)

FORM OF POLL CLERK'S OATH.

Form of Poll Clerk's Oath.

I, (name of Deponent,) do swear that I will honestly, impartially, and without favour to any Candidate, take the Polls at this Election for a Member (or Members, as the case may be,) of the General Assembly for the district of (name of district :) And that I have not directly or indirectly received, nor will I hereafter directly or indirectly receive, any money, gift, reward, promise, contract or security for money or other reward, for or in respect of the conduct I shall observe during the ensuing Poll, save and except such salary or other lawful compensation as I shall be entitled to receive in virtue of my appointment to, and the faithful and just execution of my duty as Poll Clerk at the Election. And I do further swear that I will make a fair and true entry of all such persons as shall tender their votes before me to be by me taken, and return the same truly to the Returning Officer by whom I am appointed, whenever and so often as I shall be thereunto required of him.

(Signed by the Deponent.)

Sworn before me at _____ the _____ day of _____ 1861.

In presence of (Returning Officer's name.)

A.

AFFIDAVIT OF CANDIDATE RELATING TO QUALIFICATION OF INCOME OF £100.

I, A. B., of &c., (name and addition of the Candidate) do swear that I have occupied a dwelling-house as (owner or tenant) thereof, at (name of place where the dwelling-house is situate) in the Island of Newfoundland, for and during the period of two years next immediately preceding the day of this Election of a Member (or Members) of Assembly for the district of (naming the district). And that I truly and *bona fide* am possessed of a net annual income of One Hundred Pounds Sterling, according to the tenor and true meaning of Her Majesty's Royal Instructions, and of the Law of this Island, declaring the qualification in respect of Income or Property, for persons to be elected to serve as Members of the Assembly of Newfoundland : and that my said Income arises from and consists of (here specify the source from which the Income is derived.)

Affidavit of Candidate relating to qualification of income of £100.

(Signature of Candidate.)

Sworn before me, at &c.

B.

AFFIDAVIT OF CANDIDATE, IF HIS QUALIFICATION CONSISTS IN PROPERTY, BEING OF £500 IN AMOUNT OR VALUE, CLEAR OF ALL INCUMBRANCES.

I, A. B., of &c., (name and addition of Candidate,) do swear that I have occupied a dwelling-house as (owner or tenant) thereof, at (name of place where the dwelling-house is situate) in the Island of Newfoundland, for and during the period of two years next immediately preceding the day of this election of a Member or Members of Assembly for the district of And that I truly and *bona fide* am possessed of property, clear of incumbrances, of Five Hundred Pounds in amount or value, according to the tenor and true meaning of Her Majesty's Royal Instructions, and of the Law of this Island, declaring the qualification in respect of Income or Property for persons to be elected to serve as Members of the Assembly of Newfoundland : and that my said Property consists of (here specify the character and description of the Property, and where situate.)

Affidavit of Candidate, if his qualification consists in property, being of £500 in amount or value, clear of all incumbrances.

(Signature of Candidate.)

Sworn before me, at &c.

C.

AFFIDAVIT OF CANDIDATE (IF HE SHALL NOT BE PRESENT AT THE NOMINATION OF CANDIDATES) RELATING TO QUALIFICATION OF INCOME OF £100.

Affidavit of Candidate (if he shall not be present at the nomination of Candidates) relating to qualification of income of £100.

I, A. B. of, &c., (name and addition of Candidate) do swear that I truly and *bona fide* am possessed of a net annual income of One Hundred Pounds Sterling, according to the tenor and true meaning of Her Majesty's Royal Instructions, and of the Law of this Island, declaring the the Qualification, in respect of Income or Property, for persons to be elected to serve as Members of the Assembly of Newfoundland; and that my said Income arises from and consists of (here specify the source from which the Income is derived.)

(Signature of Candidate.)

Sworn before me, at &c. 1861.

D.

AFFIDAVIT OF CANDIDATE (WHEN HE SHALL NOT BE PRESENT AT THE NOMINATION OF CANDIDATES) IF HIS QUALIFICATION CONSISTS IN PROPERTY, BEING OF £500 IN AMOUNT OR VALUE, CLEAR OF ALL INCUMBRANCES.

Affidavit of Candidate (when he shall not be present at the nomination of Candidates) if his qualification consists in property, being of £500 in amount or value, clear of all incumbrances.

I, A. B. of, &c., (name and addition of Candidate) do swear that I truly and *bona fide* am possessed of Property, clear of all incumbrances, of Five Hundred Pounds in amount or value, according to the tenor and true meaning of Her Majesty's Royal Instructions, and of the Law of this Island, declaring the Qualification, in respect of Income or Property, for persons to be elected to serve as Members of the Assembly of Newfoundland; and that my said Property consists of, (here specify the character and description of the Property, and where situate.)

(Signature of Candidate.)

Sworn before me, at &c. 1861.

E.

FORM OF CANDIDATE'S CERTIFICATE.

We, (names and places of abode of two Electors of the District) do certify that we have good knowledge that (name of Candidate) who is proposed to be put in Nomination to be Elected a Member of the General Assembly of Newfoundland for the district of (name of district) has occupied a dwelling-house as (owner or tenant) thereof at (place where dwelling-house is situated) in the Island of Newfoundland, for and during the period of Two Years next immediately preceding the day of this Election.

Form of Candidate's certificate.

(To be Signed by Two Electors.)

Dated at (place of Nomination) this day of 1861.

FORM OF NOTICE OF VOTER PRIVILEGED TO VOTE BY SUCH NOTICE, WHEN HIS ABODE SHALL BE MORE THAN FIFTEEN MILES DISTANT FROM THE PLACE OF ELECTION.

To the Returning Officer of the District of

I (name and place of abode of Elector) in the District of (name of District) in the Island of Newfoundland, (occupation of Elector) having occupied a dwelling-house within the said District, for the period of two whole years next preceding the day of this Election of a Member (or Members, as the case may be) of the General Assembly for the said District, and being otherwise duly qualified as an Elector, and duly registered as a Voter according to law, I do hereby give my vote for the Election of (state the name of the Candidate or Candidates voted for) to be such Member (or Members, as the case may be.)

Form of notice of Voter privileged to vote by such notice, when his abode shall be more than fifteen miles distant from the place of election.

Dated at (Voter's place of abode) the day of 1861.

(Signed by the Elector.)

Witnesses to the Signature of the above-named Elector,

(Names of two Witnesses and places of above.)

Which two Witnesses must give a certificate at the foot of the above notice, in the following form:

We do certify that we verily believe that the matters set forth in the foregoing notice are true.

(Signatures of the above described two Witnesses.)



PROCLAMATION.

A. BANNERMAN,
Governor.
[L. S.]

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, by Our Proclamation made and issued under the Great Seal of Our Island of Newfoundland, and bearing date the Twelfth Day of March instant, We have appointed and made known to our loving Subjects the several Stations which we have established within the respective Districts of Our said Island, for the purpose of holding the Elections and receiving the Votes of Electors duly qualified to vote at the next ensuing General Election of Members to serve in the General Assembly of Our said Island : And whereas We deem it requisite and necessary to appoint and establish the number of Places or Booths that shall be opened and held by the respective Returning Officers, or their Deputies, for receiving the Votes of the said Electors, and taking the Polls at every such Station or place of Election. We do therefore by these presents further order and direct as follows, that is to say :

District of St. John's.

That in the DISTRICT OF SAINT JOHN'S there shall be, for the Division of Saint John's East, at Saint John's Five Booths or Polling Places ; at Torbay Two Booths or Polling Places ; and at Portugal Cove and Pouch Cove, respectively, One Booth or Polling Place.

And for the greater convenience of taking the Polls at the said respective Stations, the said Division of St. John's East shall be subdivided into four sections, which shall for this purpose be respectively denominated the St. John's, the Torbay, the Pouch Cove and the Portugal Cove Sections ; and the division and limitation of the said Sections shall be as follows, that is to say :

That the St. John's Section shall be bounded by a line commencing at the centre of Sugar Loaf on the South side of Logy Bay, thence running in a straight line Westerly to the South-West angle of a lot of land granted to the late John Hatchet, and where the said angle abuts on the road to Outer Cove, thence following the said road Northerly to a cross road which divides a lot of land granted to Henry Emerson, Esq., and known as "Virginia Cottage," from a lot of land granted to Patrick Butler ; thence following the said cross road Northerly and Westerly to a lot of land granted to Ann Haly ; thence following the Eastern and Northern boundary lines of the said Ann Haly's lot to the Torbay road, and thence in a straight line Northwesterly to the Northeastern end of New-found-pond, thence along the shore of the said pond to the South-West end thereof, thence Southerly along the Western boundary line of a lot of land granted to James Whelan, until the same strikes the Portugal Cove road—thence in the same direction to Windsor Lake—thence Southeasterly along the said Lake to the Eastern end thereof—thence Westerly, following the windings of the shore of the said Lake to the most Southwestern point of the same—thence in a straight line to the Northern extremity of the Broad Cove settlement (but including the same) on the South Shore of Conception Bay—thence from the Northern extremity of the settlement aforesaid, in a straight line to the West end of the "Fresh-water Road"—thence following the direction of the said Fresh-water Road, the "Cook's Town Road," and the centre of Carter's Lane and Hill, Easterly, to Play-house Hill—thence round the West side of the said Play-house Hill—across Duckworth Street, and through the centre of Beck's Cove, to the shore of the Harbour of St. John's—and thence following the windings of the shore aforesaid Northerly to Sugar Loaf aforesaid.

That the Pouch Cove Section shall be bounded by a line commencing at a point on the shore Three miles North of Flat Rock ; thence bounded by a line running West to the shore of Conception Bay, and thence following the windings of the said shore Northwardly to Cape St. Francis, and thence Southeastwardly to the place of commencement. And the Electors dwelling within the said Section shall deliver their votes at Pouch Cove.

That the Torbay Section shall be bounded by the Northern boundary line of the St. John's Section above described, from Sugar Loaf to the Northeastern end of New-found-pond ; thence in a straight line to Baleine Head inclusive, on the Southeastern shore of Conception Bay, and thence following the windings of the said shore Northerly to the

Southern boundary line of the Pouch Cove Section hereinbefore described ; thence following the said Southern boundary line Easterly to the sea shore, three miles North of Flat Rock, and thence following the windings of the shore Southeastwardly to Sugar Loaf aforesaid. And the Electors dwelling within the said Section shall deliver their votes at Torbay.

That the Portugal Cove Section shall be bounded by a line commencing at Baleine Head on the Southeastern shore of Conception Bay ; thence running in a straight line to the Northeast end of New-found-pond, thence along the shore of the said Pond to the South-west end thereof ; thence Southerly along the Western boundary line of a lot of land granted to James Whelan, until the same strikes the Portugal Cove Road ; thence in the same direction to Windsor Lake ; thence Southeasterly along the said Lake to the Eastern end thereof ; thence Westerly, following the windings of the shore of the said Lake to the most South Western Point of the same, and thence running in a straight line Westerly, to the Northern extremity of the Broad Cove settlement, in Conception Bay ; and then following the windings of the said shore Northerly to Baleine aforesaid, and also including in the said Section the Island of Belle Isle. And the Electors dwelling within the said Section shall deliver their votes at Portugal Cove.

And We do further order and direct that all Electors duly qualified to vote at the Election of Members for the Division of St. John's East, and dwelling within the boundaries of the St. John's Section, as above described, shall give their votes at St. John's ; at which Station there shall be Five Booths opened for taking the Polls, and which Booths shall be arranged so that the Electors may vote in alphabetical divisions according to the initial letters of their respective surnames, in the following order, that is to say :

That No. 1 Booth shall be opened for and limited to the Polling of such Electors only whose respective names begin within the letter A. B. C. or D.

No. 2 Booth, for such Electors only whose respective names begin with the letter E. F. G. or H.

No. 3 Booth, for such Electors only whose respective names begin with the letter I. J. K. L. or M.

No. 4 Booth, for such Electors only whose respective names begin with the letter N. O. P. Q. or R.

No. 5 Booth, for such Electors only whose respective names begin with the letter S. T. U. V. W. X. Y. or Z.

And for the Division of St. John's West, there shall be, at St. John's Five Booths, and at Petty Harbor and Broad Cove, respectively, One Booth. And for the greater convenience of taking the Polls at the said respective Stations, the said Division of St. John's West shall be subdivided into Two Sections, to be respectively denominated the St. John's and Petty Harbor Sections; and the division and limitation of the said Sections shall be as follows, that is to say:

That the Section of St. John's West shall be bounded by a line commencing at the centre of Beck's Cove, and thence following the shore of the Harbor to the head and along the South side thereof, and the various windings of the shore to Cape Spear; thence by a straight line Westerly through the sixth mile mark on the Petty Harbor road to the St. John's District line; thence following the said District line Northerly to its Western termination on the South Shore of Conception Bay near the settlement of Broad Cove; thence by the shore Northerly to the Northern extremity of the said settlement; thence following the Southern boundary of the Division of St. John's East, to the shore of St. John's Harbor at Beck's Cove.

The Petty Harbor Section shall be bounded by a line commencing at the Flag Staff near the Light House on Cape Spear; thence running in a straight line Westerly to the sixth mile mark on the Petty Harbor road, and thence, still preserving the same straight line, to the District line running from the Northern Gould's Bridge to Broad Cove; thence following the said District line Southwesterly to the said Bridge; and thence Eastwardly to and including Petty Harbor, thence following the windings of the shore from Petty Harbor to Cape Spear.

And We do further order and direct that all Electors duly qualified to vote at the Election of Members for the Division of St. John's West, and dwelling within the boundaries of the St. John's Section as above described, (excepting those dwelling at the Broad Cove settlement, who shall give their votes at Broad Cove aforesaid) shall give their votes at St. John's; at which Station there shall be Five Booths open for taking the Polls, and which Booths shall be arranged so that the Electors may vote in alphabetical divisions according to the initial letters of their respective surnames, in the following order, that is to say:

That No. 1 Booth shall be opened for and limited to the Polling of such Electors only whose respective names begin with the letter A. B. C. or D.

No. 2 Booth, for such Electors only whose respective names begin with the letter E. F. G. or H.

No. 3 Booth, for such Electors only whose respective names begin with the letter I. J. K. L. M. or N.

No. 4 Booth, for such Electors only whose respective names begin with the letter O. P. Q. or R.

No. 5 Booth, for such Electors only whose respective names begin with the letter S. T. U. V. W. X. Y. or Z.

And the Electors dwelling within the said Petty Harbour Section, as above described, shall give their votes at Petty Harbor.

And the Returning Officers shall, to every of the said Booths at St. John's, affix thereupon, in conspicuous characters, the number of the Booth and the initial letters of the names of such Electors as are assigned to vote at each Booth respectively, in conformity with the foregoing rules and orders.

And We do further order and direct that for the Elections for the District of Conception Bay ; there shall be, for the Election of Two Members for the Southern Division thereof, at Kelligrews one Booth, at which Electors dwelling between the South-side of Holyrood Southern Gut, inclusive, and Broad Cove, shall deliver their votes ; At Harbor Main one Booth, at which Electors dwelling between the North-side of Holyrood Southern Gut, inclusive, and Gasters Salmon Cove, exclusive, shall deliver their votes ; At Cat's Cove one Booth, at which Electors dwelling between Gasters Salmon Cove, inclusive, and Turk's Gut, inclusive of the latter place, shall deliver their votes.

For the Election of One Member for the Port-de-Grave Division thereof, there shall be at Brigus, One Booth, at which Electors dwelling between Turk's Gut and Cupid's, exclusive, shall deliver their votes. At Cupid's, One Booth, at which Electors dwelling between Northern Gut Bridge and Cupid's, including the latter place, and also at which Electors dwelling between Cupid's and Burnt Head, inclusive, shall deliver their votes. At Bareneed, One Booth, at which Electors dwelling between Hall's Town and Bareneed, both places inclusive, shall deliver their votes. At Port-de-Grave, One Booth, at which Electors dwelling between Bareneed (exclusive of the latter place) and Bay Roberts Point, including Port-de-Grave, shall deliver their votes.

For the Election of Two Members for the Harbor Grace Division thereof, there shall be at Bay Roberts three Booths, at which Electors dwelling between Port-de-Grave and the South-side of Spaniard's Bay Gut shall deliver their votes ; which Booths shall respectively be numbered 1, 2, and 3, and be so arranged that

At No. 1 Booth shall be received the Votes of those Electors only who reside from the brook at the Cosh to the South-side of Spaniard's Bay Gut, inclusive, and thence in an Eastwardly direction to a line North and South from the West end of the Episcopal Church—save and except such Electors as reside to the Westward of the Main Line of Road round the Bay, whose Votes shall be received at Booth No. 3.

At No. 2 Booth, the Votes of those Electors only who reside to the Eastward of the said North and South Line from the West end of the Episcopal Church.

At No. 3 Booth, the Votes of those Electors only who reside between the North-side of Long Beach Pond to the Brook at the Cosh, inclusive, of those who reside to the Westward of the Main Line of Road and round the Bay, included in the Bay Roberts Division.

At Spaniard's Bay one Booth, at which Electors dwelling between Spaniard's Bay Gut and Bishop's Cove, exclusive, shall deliver their votes : At Upper Island Cove one Booth, at which Electors dwelling between Bishop's Cove, inclusive, and Bryant's Cove, exclusive, shall deliver their votes : At Bryant's Cove one Booth, at which Electors dwelling between Island Cove and Feather Point shall deliver their votes.

And at Harbor Grace there shall be four Booths for receiving the Votes of all Electors dwelling between Feather Point and Harbor Grace, inclusive ; which Booths shall respectively be numbered 1, 2, 3, and 4, and be so arranged that

At No. 1 Booth shall be received the Votes of those Electors only who reside to the Eastward of Cochrane-Street and Stretton's Hill, and from thence in a Northwardly direction.

At No. 2 Booth, the Votes of those Electors only to the West of the boundary of No. 1 Booth, and to the Eastward of Noad-street, and from thence in a Northwardly direction.

At No. 3 Booth, the Votes of those Electors only between the Southern Brook at River-head and the Western line of Booth No. 2.

At No. 4 Booth, the Votes of those Electors only between the Southern Brook at River-head and the Feather Point.

For the Election of One Member for the Carbonear Division thereof, there shall be at Carbonear Four Booths, at which the Electors dwelling within the said Division, namely, between Harbor Grace, exclusive, and Freshwater, exclusive, shall deliver their votes :

At No. 1 Booth shall be received the Votes of those Electors only whose names begin with the letter A. B. C. D. or E.

No. 2 Booth, the Votes of those Electors only whose names begin with the letter F. G. H. I. J. K. or L.

No. 3 Booth, the Votes of those Electors only whose names begin with the letter M. N. O. P. or Q.

No. 4 Booth, the Votes of those Electors only whose names begin with the letter R. S. T. U. V. W. X. Y. or Z.

For the Election of One Member for the Bay-de-Verds Division thereof, there shall be opened at Fresh-water one Booth ; At Broad Cove, near Western Bay, one Booth : At Western Bay, one Booth. At Lower Island Cove, one Booth : At Bay-de-Verds, one Booth : And at Northern Bay, one Booth. At any one of which the Electors dwelling within the said District may deliver their votes.

And We do further order and direct that for the Election of Two Members for the District of Twillingate and Fogo, there shall be opened at Fogo, one Booth : At Tilton Harbor, one Booth : At Twillingate, two Booths ; And at Exploits Burnt Island, one Booth. At any one of which Electors dwelling within the said District may deliver their votes.

And that for the Election of Three Members for the District of Bonavista, there shall be opened at Bonavista, one Booth : At King's Cove, one Booth : At Keels, one Booth : At Tickle Cove, one Booth : At Salvage, one Booth : At Greenspond, one Booth : And at Pincher's Island, one Booth. At any one of which the Electors dwelling within the said District may deliver their votes.

And that for the Election of Three Members for the District of Trinity, there shall be opened at Trinity one Booth, at which Electors dwelling between the South Head of Catalina and Old Bonaventure shall deliver their votes : Also at Old Bonaventure one Booth, at which Electors dwelling between that place and Random South Head, both inclusive, shall deliver their votes : Also at Catalina one Booth, at which Electors

dwelling between Bird Island Cove and the South Head of Catalina shall deliver their votes: Also at Bird Island Cove one Booth, at which Electors dwelling between Cape Bonavista and Bird Island Cove, inclusive, shall deliver their votes: Also at Heart's Content one Booth, at which Electors dwelling between Random South Head and Sugar Loaf Head shall deliver their votes: Also at Hant's Harbor one Booth, at which Electors dwelling between Sugar Loaf Head and Salvage shall deliver their votes: And also at Old Perlican one Booth, at which Electors dwelling between Salvage and Bay-de-Verds Head shall deliver their votes.

And that for the Election of Two Members for the District of Ferryland, there shall be opened at Ferryland, one Booth, at which Electors dwelling between Cape Broyle and Aquaforte, including the latter place, shall deliver their votes: Also at Cape Broyle, one Booth, at which Electors dwelling between LaManche and Cape Broyle, including the latter place, shall deliver their votes: Also at Toad's Cove, one Booth, at which Electors dwelling between the South Head of Witless Bay and LaManche, including the latter place, shall deliver their votes: Also at Witless Bay, one Booth, at which Electors dwelling between the North Head and the South Head of the said Bay, shall deliver their votes. Also at Bay Bulls, one Booth, at which Electors dwelling between Petty Harbor and the North Head of Witless Bay, shall deliver their votes: And also at Renew's, one Booth, at which Electors dwelling between Aquaforte and Cape Race, shall deliver their votes.

And that for the Election of Three Members for the District of Placentia and St. Mary's, there shall be one Booth opened at each of the following places, namely, at St. Mary's, Little Placentia, Sound Island, Isle of Valen and Harbor Buffet in Long Island; at any one of which Booths the Electors dwelling within the said District may deliver their votes.

And that for the Election of Two Members for the District of Burin, there shall be one Booth opened at each of the following places, namely, at Burin, Great St. Lawrence, Lamaline, Grand Bank, and Beau Bois; at any one of which Booths the Electors dwelling within the said District may deliver their votes.

And that for the Election of One Member for the District of Fortune Bay, there shall be one Booth opened at each of the following places, namely, at Harbor Briton, Bellorum, and Gaultois; at any one of which Booths the Electors dwelling within the said District may deliver their votes.

And that for the Election of One Member for the District of Burgeo and LaPoile there shall be one Booth opened at each of the following places, namely, at Burgeo, LaPoile, and Channel, at any one of which Booths the Electors dwelling within the said District may deliver their votes.

And We do further order and direct that the several Returning Officers, Deputy Returning Officers and Poll Clerks, appointed and employed in their several Offices at the said General Election, and being duly qualified to vote, shall and may be allowed to deliver their votes at their respective Polling Stations, without reference to any local or alphabetical rule or arrangement above made to the contrary, in respect to certain voters in any of the Electoral Districts.

Given under the Great Seal of Our Island of Newfoundland,
at Saint John's, in Our said Island, the Thirteenth day of
March, 1861, in the Twenty-fourth Year of Our Reign.

Witness Our trusty and well-beloved SIR ALEXANDER BANNER-
MAN, Knight, Our Governor and Commander-in-Chief in
and over Our said Island of Newfoundland and its Depen-
dencies, &c.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.



PROCLAMATION.

A. BANNERMAN,
Governor.
[L. S.]

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 by Our Proclamation made and issued under the Great Seal of Our Island of Newfoundland, and bearing date the Twelfth day of the month of March last past, We have among other things directed and appointed the places within the several Electoral Districts at which the Elections to be holden within the said Districts, of Members to serve in the General Assembly of Our said Island, shall be respectively opened, and the Candidates for Election respectively first nominated, and the final result of the Polls publicly declared: And Whereas, by Our Proclamation made and issued under the Great Seal of Our said Island, and bearing date the 13th day of March last past, We have also, among other things, directed and appointed the places within the several Electoral Districts, at which the Elections of Members for the said Districts, respectively, shall be holden: And Whereas We deem it expedient to direct and appoint, that at any of the Polling places for Trinity Bay the Electors dwelling within the said District may deliver their votes: And Whereas We further deem it expedient to direct and appoint that the Elections of Members of the said General Assembly for the District of Trinity Bay, and for the Division of St. John's West of the District of St. John's, and for the Southern Division of the District of Conception Bay, and for the District of Burin, should be holden at the undermentioned places, in addition to those named and appointed in the aforementioned Proclamations:

We do, therefore, hereby declare and make known to all Our loving subjects, that it is Our Will, and We do hereby direct and appoint, that for the Election of Three Members for the District of Trinity Bay, the Electors dwelling within the said District shall deliver their votes at any one of the Polling places appointed therein; and that there shall be Two Booths opened at Trinity, and One Booth shall be opened at Old Bonaventure.

And that for the Election of Three Members for the Division of St. John's West, one Booth shall be opened at the South-side of St. John's Harbor, at which Electors residing on

the South-side of the Harbor shall deliver their votes ; and one other Booth at Petty Harbor, South-side, for the convenience of Electors residing within the Petty Harbor Section of the aforesaid Division of St. John's West.

And that for the Election of Two Members for the Southern Division of Conception Bay, there shall be Booths or places for taking the Polls at the following places, that is to say : one Booth at Holyrood, at which the Electors dwelling at Holyrood, and four miles there-out towards Kelligrews, shall deliver their votes ; one Booth, at Topsail, at which the Electors dwelling between Horse Cove and Kelligrews shall deliver their votes ; one Booth at Lance Cove, at which Electors dwelling at Upper Gullies, Lance Cove, Seals Cove and Flood's Ferry, shall deliver their votes ; and one Booth at Colliers, at which Electors dwelling at Colliers, James Cove, English Cove, Turk's Gut (South) and Devil's Cove, shall deliver their votes.

And that for the Election of Two Members for the District of Burin, one Booth shall be opened at Fortune, in the aforesaid District.

Given under the Great Seal of Our aforesaid Island of Newfoundland, at St. John's, in Our said Island, the Sixth day of April, 1861, and in the Twenty-fourth year of Our Reign.

Witness our trusty and well-beloved Sir ALEXANDER BANNERMAN, Knight, Our Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.



PROCLAMATION.

A. BANNERMAN,
GOVERNOR.
[L. S.]

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 by Our Proclamations made and issued under the Great Seal of Our Island of Newfoundland, and bearing date respectively the Twelfth and Thirteenth of March last past, and the Sixth of this present month, We have, among other things, directed and appointed the places within the several Electoral Districts at which the Elections of Members to serve in the General Assembly for the said Districts shall be holden : And Whereas We deem it expedient to direct and appoint that an additional Polling Place shall be established within the Electoral District of Burin :

Now know Ye that We do, by this Our Proclamation, direct and appoint that there shall be Two Booths established at Burin, within the aforesaid Electoral Districts of Burin, instead One Booth, as provided for by the Proclamation bearing date the Thirteenth day of March aforesaid.

Given under the Great Seal of Our Island of Newfoundland,
at Saint John's, in Our said Island, the Seventeenth day of
April, 1861, in the Twenty-fourth Year of Our Reign.

Witness Our trusty and well-beloved SIR ALEXANDER BANNER-
MAN, Knight, Our Governor and Commander-in-Chief in
and over Our said Island and its Dependencies, &c.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.



PROCLAMATION.

A. BANNERMAN,
Governor.
[L. S.]

*By His Excellency Sir ALEXANDER BANNERMAN,
Knight, Governor, and Commander-in-Chief
in and over the Island of Newfoundland and
its Dependencies.*

WHEREAS Her Majesty, by certain Letters Patent, under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date at Westminster the Fourteenth day of February, One Thousand Eight Hundred and Fifty-seven, in the Twentieth Year of Her Majesty's Reign, hath given and granted unto me full power and authority to summon and call General Assemblies of the Freeholders and Householdors within this Island: And whereas Writs in due form have been issued for a General Election of Members of the General Assembly of the Island, under which Members have been elected and returned to serve in the said General Assembly:

I do, therefore, by these Presents, further summon and call the Members of the said General Assembly, so elected, to assemble and meet in the Town of Saint John's, in the said Island, for *the despatch of business*, on Monday, the Thirteenth day of this present month; and of which 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 Third Day of May, One
Thousand Eight Hundred and Sixty-One, and in
the Twenty-Fourth Year of Her Majesty's Reign.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.

JOURNAL OF THE HOUSE OF ASSEMBLY

[JOURNAL AND PROCEEDINGS

OF THE

First Session of the Eighth General Assembly

OF

NEWFOUNDLAND.

MONDAY, 13th May, 1861.

Begun and holden at Saint John's, in the said Island, on Monday, the Thirteenth day of May, in the year of Our Lord One Thousand Eight Hundred and Sixty-one, in the Twenty-fourth year of the Reign of Our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c.

His Excellency the Governor, having, by his Proclamation, bearing date the Seventh day of March last, dissolved the last General Assembly, and having afterwards by his Proclamation of the Third day of May, inst., called a new one, and appointed Monday the Thirteenth day of May, inst., for the meeting of the said General Assembly for the despatch of business.

First Session of Eighth General Assembly, opened pursuant to Proclamation.

The following are the names of the Members returned by the Returning Officers of the several Electoral Districts, to represent the said Districts in the General Assembly, viz :—

Members returned.

District of St. John's East—JOHN KAVANAGH, R. J. PARSONS, and JOHN KENT, Esquires.

“ *St. John's West*—JOHN CASEY, THOMAS TALBOT, and HENRY REROUF, Esquires.

“ *Bay-de-Verds*—Hon. JOHN BEMISTER.

“ *Carbonear*—EDMUND HANRAHAN, Esquire.

District of Brigus and Port-de-Grave—JOHN LEAMON, Esquire.

“ *Twillingate and Fogo*—WILLIAM V. WHITEWAY, and THOMAS KNIGHT, Esquires.

“ *Bonavista*—JOHN H. WARREN, M. W. WALBANK, and STEPHEN MARCH, Esquires.

“ *Trinity*—STEPHEN RENDELL, F. B. T. CARTER, and JOHN WINTER, Esquires.

“ *Ferryland*—E. D. SHEA, and THOMAS GLEN, Esquires.

“ *Placentia and St. Mary's*—RICHARD McGRATH, W. G. FLOOD, and AMBROSE SHEA, Esquires.

“ *Burin*—HON. H. W. HOYLES and EDWARD EVANS, Esquire.

“ *Fortune Bay*—HON. ROBERT CARTER.

“ *Burgeo and LaPoile*—D. W. PROWSE, Esquire.

By virtue of a Commission under the Great Seal of this Island, to the Honorables Laurence O'Brien and Robert Carter, bearing date the Tenth day of May, which is as follows :—

Dedimus Potestatem.

A. BANNERMAN,
Governor.
[L. S.]

VICTORIA, by the Grace of GOD,
of the United Kingdom of Great
Britain and Ireland, Queen, De-
fender of the Faith.

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 Laurence O'Brien, President of Our Legislative Council, of Our Island of Newfoundland ; and the Honorable Robert Carter, a Member of the Executive Council of Our said Island, to be Commissioners, they or either of them, jointly or severally, to administer the Oath of Allegiance to the Honorables Kenneth McLea, James S. Clift, Richard O'Dwyer, Edward White, and Peter G. Tessier, appointed by Commissions of our Governor of our said Island to be Members (provisionally) of our Legislative Council of our foresaid Island, and also to the undermentioned persons elected

to serve in the General Assembly of our said Island, for the several Districts and Divisions of Districts set opposite their names respectively, and appointed by Proclamation of our Governor of our said Island, to be holden at Saint John's, on the Thirteenth day of this instant month, viz :

John Kavanagh, Esquire, }
Robert John Parsons, " } St. John's (Eastern Division.)
John Kent, " }

John Casey, " }
Thomas Talbot, " } St. John's (Western Division.)
Henry Renouf, " }

The Hon. John Bemister, Bay-de-Verds Division of Conception Bay.

Edmund Hanrahan, Esquire, Carbonear Division of Conception Bay.

John Leamon, Esquire, Port-de-Grave Division of Conception Bay.

William V. Whiteway, Esquire, }
Thomas Knight, " } Twillingate and Fogo.

John H. Warren, Esquire. }
Matthew W. Walbank, " } Bonavista Bay.
Stephen March, " }

Stephen Rendell, " }
F. B. Carter, " } Trinity Bay.
John Winter, " }

Edward D. Shea, " }
Thomas Glen, " } Ferryland.

Ambrose Shea, " }
Richard McGrath, " } Placentia and St. Mary's.
William G. Flood, " }

The Hon. H. W. Hedges, }
Edward Evans, Esquire. } Burin.

The Hon. Robert Carter, Fortune Bay.

Daniel W. Prowse, Esquire, Burgeo and LaPoile.

Giving to them and either of them, our said Commissioners, full power and authority to perform the matters hereinbefore mentioned, ratifying and confirming all and whatsoever they or either of them shall do and perform in this behalf, and thereof they or either of them, are to make

due return under their hands and seals, 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 SIR ALEXANDER BANNERMAN, Knight, Our Governor and Commander-in-Chief in and over Our said Island and its Dependencies, at Saint John's, in our said Island, the Tenth day of May, 1861, and in the Twenty-fourth year Our Reign.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.

The Honorable LAURENCE O'BRIEN,

“ ROBERT CARTER,

Oath administered by Commissioners.

The said Commissioners came, between the hours of 10 and 11 o'clock, A. M., of the said Thirteenth day of May, into the Legislative Council Chamber, JOHN STUART, Esquire, Clerk of the General Assembly, attending, and the list of names of the Members returned as before set forth for the several Districts throughout the Island having been called over by the Clerk, the following are the names of the Members who appeared and took and subscribed the Oath of Allegiance in presence of the said Commissioners :—

Members take the oath of allegiance.

John Kavanagh, Robert J. Parsons, John Kent, John Casey, Thomas Talbot, Henry Renouf, John Bemister, Edmund Hanrahan, F. B. T. Carter, John Winter, E. D. Shea, Thomas Glen, R. Carter, John Leamon, W. V. Whiteway, Thomas Knight, J. H. Warren, M. W. Walbank, Stephen March, Stephen Rendell, Richard McGrath, W. G. Flood, H. W. Hoyles, E. Evans, D. W. Prowse.

Message commanding attendance of the House.

At two o'clock a Message from His Excellency the Governor was delivered by F. W. Rennie, Esquire, the Gentleman Usher of the Black Rod.

Gentlemen of the House of Assembly :

His Excellency the Governor commands your immediate attendance in the Council Chamber.

House attend His Excellency in Council Chamber.

Accordingly the House attended His Excellency the Governor in the Council Chamber, when the Hon. the President of the Legislative Council said :

Gentlemen of the House of Assembly :

I am commanded by His Excellency the Governor to inform you, that His Excellency does not think fit to declare the cause for which he has summoned this General Assembly, until there is a Speaker of this Assembly.

Members ordered to elect Speaker.

It is therefore His Excellency's pleasure that you, Gentlemen of the House of Assembly, do retire and proceed to the choice of some proper person as your Speaker, and that you present him for His Excellency's approval.

And the House being returned to the Assembly Room,

The Hon. ATTORNEY GENERAL, addressing himself to the Clerk, (who standing up, then pointed to him and sat down) proposed to the House, as their Speaker, Frederick B. T. Carter, Esq., and moved

Motion that F. B. T. Carter be Speaker.

“ That Frederick B. T. Carter do take the Chair as Speaker of this House,” which motion was seconded by the Surveyor General.

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

<i>For the Motion, 14.</i>	<i>Against the Motion, 11.</i>	Division.
Hon. Attorney General	Mr. Kent	
“ Acting Colonial Secretary	“ Glen	
“ John Bemister	“ Shea	
The Acting Receiver General	“ Parsons	
“ Surveyor General	“ Hanrahan	
Mr. Leamon	“ Talbot	
“ Walbank	“ Renouf	
“ March	“ McGrath	
“ Rendell	“ Flood	
“ F. B. Carter	“ Kavanagh	
“ Knight	“ Casey	
“ Evans		
“ Prowse		
“ Whiteway.		

Mr. KENT moved, seconded by Mr. PARSONS, that it be resolved that the following Protest do stand part of the question and be registered as part of the proceedings :

Motion for Resolution to stand as part of question.

On the opening of the House, and after the Members had retired from the Presence Chamber to choose a Speaker, G. J. Hogsett and Charles Furey, Esquires, having taken their seats, Mr. Hoyles demanded that they should retire.

Whereupon,

Mr. Hogsett refusing to comply,

Mr. HOYLES commanded Mr. Mitchell, Inspector of Police, and the Police Officers, to remove them by force, which they accordingly did, at the same time ordering them not to be readmitted.

In the morning, before the Commissioners appointed to swear in Members, Messrs. Hogsett and Furey tendered their certificate of a due return, affirmed by Drs. McKen and Renouf, and other respectable persons.

Whereupon,

Amendment.

Mr. HOYLES moved an amendment, seconded by Mr. WALBANK,

That the Resolution proposed by Mr. Kent, and seconded by Mr. Parsons, being untrue in fact, as implying that Messrs. Hogsett and Furey had a right to seats in this House, whereas they had neither been duly elected and returned according to the Royal Instructions, nor sworn in as Members of the Assembly, and therefore were not entitled to seats in this House.

Division.

And the question being put on the original motion, the House divided, when there appeared :

For the Motion, 11.

Mr. Kent
 “ Glen
 “ Shea
 “ Parsons
 “ Hanrahan
 “ Talbot
 “ Renouf
 “ McGrath
 “ Flood
 “ Kavanagh
 “ Casey.

Against the Motion, 14.

Hon. Attorney General
 “ Acting Colonial Secretary
 “ John Bemister
 The Acting Receiver General
 “ Surveyor General
 Mr. Leamon
 “ Walbank
 “ Rendell
 “ F. B. Carter
 “ March
 “ Knight
 “ Evans
 “ Prowse
 “ Whiteway.

Negative.

So it passed in the negative.

And the question on the Amendment being then put, it passed in the affirmative on a similar division as the foregoing, and Amendment affirmed.

Ordered,—Accordingly.

Mr. F. B. CARTER was then conducted to and placed in the Chair by the Hon. Attorney General and the Surveyor General, when he addressed the House as follows :— Mr. Speaker takes the chair.

GENTLEMEN,—

I duly appreciate and thank you for the honor you have conferred on me by electing me to be your Speaker, I shall at all times endeavour to the best of my ability to discharge impartially and satisfactorily the duties of this high office, and, with your aid, to maintain inviolable the privileges of this House. Mr. Speaker's address of thanks.

Mr. SPEAKER elect and the House, then went to attend His Excellency the Governor in the Council Chamber, when Mr. Speaker elect was presented to His Excellency by the Hon. Attorney General, who addressed His Excellency as follows :— The House attend His Excellency and presented their Speech.

May it please Your Excellency,—

The House of Assembly, agreeably to Your Excellency's command, have proceeded to the choice of a Speaker, and have elected Frederick B. T. Carter, Esq., Member for the District of Trinity, and by their direction I beg leave to present him for your Excellency's approval. Mr. Speaker presented to His Excellency.

Whereupon,

The Hon. the President of the Legislative Council, addressing Mr. Speaker, said :

FREDERICK B. T. CARTER, Esq.—I am commanded by His Excellency the Governor, to inform you that His Excellency approves of the choice which the House of Assembly have made of you to be their Speaker. Approved of.

Mr. SPEAKER then addressed His Excellency to the following effect :

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 has now become my duty in the name of the Representatives of Her Majesty's Loyal Subjects, the Commons of Newfoundland, respectfully to demand that they may have freedom of speech in their debates, that they may Mr. Speaker demands from His Excellency the customary privileges.

be free from arrest, with such other rights and privileges as may appertain to them, and that I as their Speaker may have free access to your Excellency's person whenever public business shall require it.

Whereupon,

The Hon. the President of the Legislative Council, by command of His Excellency the Governor, said :

Mr. SPEAKER,—I am directed by His Excellency to assure you, that he will extend to you and the House of Assembly, the amplest and fullest privileges which have been granted to your predecessors.

The House being returned, and Mr. Speaker having taken the Chair, Mr. Speaker reported that when in attendance on His Excellency the Governor, His Excellency had been pleased to make a Speech to both branches of the Legislature, of which, Mr. Speaker said, for the sake of accuracy, he had obtained a copy, and which he read to the House as follows :—

Speech of the Governor.

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

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

I avail myself of the earliest opportunity of assembling you after the recent General Election.

It would have afforded me infinite satisfaction to have announced to you that British subjects in Newfoundland had been allowed to exercise the undoubted right which they possess, to vote for such persons as they might think were the fittest to represent their interests in the House of Assembly.

I am sorry to say that this has not been the case; serious riots and disturbances have occurred in several Districts—property to a considerable amount has been destroyed in Harbor Grace, and no polling took place there, the rioters having had their sway, notwithstanding that the authorities, at their own request, had a military force sent in aid of the Civil Power.

In Saint John's, also, on the day of Nomination, outrages of a very serious character occurred, occasioning, as I hear, the use of fire-arms, and several person were, unfortunately, wounded.

In the District of Harbor Main, I lament to say, more distressing events have occurred. In that District there were four Candidates, all of the

same religious persuasion, and there, also, fire-arms were resorted to, and I grieve to say that one man was killed and others severely wounded.

As these occurrences are all, at present, the subject of judicial enquiry, I abstain from further comment; but I have to assure you that the Government is determined that all these most calamitous events, and the causes which gave rise to them, shall undergo the strictest investigation, with a view that, if possible, some of the perpetrators of these outrages may be discovered, and a repetition of them prevented—that the people of this Colony shall be informed on the subject, and that the events which have taken place shall be fully and fairly represented to Her Majesty's Government, to be laid before the Imperial Parliament, I being instructed, as all Governors are, to communicate information on every event of importance which may occur in any of the Queen's Colonies forming integral parts of the British Empire.

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

There are some cases arising out of the late General Elections, relative to Special Returns, which it will be your province to decide on.

You are aware that the last year's Revenue Bill expires on the 20th of May, and I apprehend there is no one will say that this important Colony can be left without a Revenue, which shall be appropriated with a strict regard to economy.

It is the intention of the Government, therefore, to introduce a short Bill to sanction a continuance, for one year, of the present Revenue Bill, without alteration or modification, so that time shall be given for a revision of the whole financial condition of this Colony; for I believe that the public are most anxious that such should take place, and the Hon. Gentleman now leader of the Government, will explain to you the course which he proposes to pursue.

On referring to documents laid before the Imperial Parliament, and ordered by the House of Commons to be printed on the 24th of May, 1855, I find that the Debt of the Colony was represented to the Colonial Minister by Delegates appointed by the House of Assembly, to have been, about the beginning of the preceding year, £120,000; and these gentlemen, in a letter to the then, and present Colonial Minister, state their opinions in the following words, viz. :—

“ This is a state of things which, we humbly submit, clearly proves that there is just cause of complaint, and necessity for a reform in our

institutions. With free trade and free institutions, this Colony, *after a few years*, would not know such an affliction as pauperism, and the Colonial Debt, with the exercise of proper economy, would not be felt as a burthen by the people. They could afford to bear increased taxation, if that were necessary, to sustain the credit of the Government, or to promote the improvement of the Country."

Facts and figures have proved that their opinions were erroneous, and that the present financial state of the Colony requires serious consideration. These "few years" have fast passed away, since free institutions were granted—Newfoundland being included, with the assent of its Legislature, in the Reciprocity Treaty with the United States of America; to make up for the deficiency in the Revenue consequent thereon, additional taxation was laid on dutiable articles, which were then stated to be mostly the *luxuries* of life, but which, [in my opinion, in a Colony like this] were the necessities of life; and the debt of the Colony is now £180,000; but the affliction of pauperism, instead of not being *unknown*, has greatly increased, the demoralising effects of which have been strongly denounced in various influential quarters.

In regard, however, to the Reciprocity Treaty, that is a question upon which I wish to be clearly understood; for although Newfoundland ceded by that Treaty very great Fishery privileges to American citizens, I, for one, should be sorry indeed to see any Government here departing from any course of policy or principle which their predecessors had entered into by Treaty with the United States of America, and which was sanctioned by the Legislature.

Mr. President and Hon. Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

You will be disappointed to hear that I am not enabled to give you information on the Fishery Question, a subject which you and the people take so deep an interest in. I observe that several gentlemen residing in England, and largely connected with Newfoundland, applied at the Colonial Office for information, and they were acquainted by the Duke of Newcastle that he was not in a position to give them, in an imperfect state, the information which they required. I can only, at present, for my own part, repeat what I said before, that I am under no alarm that any part of the maritime or territorial rights of Newfoundland have undergone any modification, or that any part of those rights which the

people of this Colony possess under existing Treaties, has been, or will be, ceded to any foreign power.

I may be asked—why such delay? I can only answer that I believe that the stipulations contained in the new Convention were some time ago agreed to by both nations; but, I believe, also, it was equally agreed on that some understanding should take place that a suitable Marine Police, or Protective Force, should be supplied for the fishermen of both nations, under such rules and regulations as may be considered necessary and determined on, in order that the stipulations in existing Treaties may be faithfully carried into effect; and this course, as far as I know, been adopted wherever extensive Fisheries are carried on, and their limits defined by Treaty, Usage, or Legislative Enactment.

The aspect of political affairs in Europe has been such as must have occupied the attention and time of the Foreign Affairs Departments in both nations, and diverted their attention from many other matters,—among others the Newfoundland Fisheries.

I am sure you must all deeply deplore the lamentable events which have taken place in the neighbouring Great Republic,—events which forbode the horrors of Civil War and loss of human life. The people in this Colony ought to be grateful to the Almighty for the blessings hitherto bestowed upon them,—and I can only hope that peace and harmony may prevail among them.

On motion of Mr. PROWSE, seconded by Mr. EVANS,

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

Select Committee to prepare address of thanks.

Ordered,—That Mr. Prowse, Mr. Evans, Mr. Whiteway, Mr. Flood, and Mr. Kavanagh, do form the Committee.

The Hon. ATTORNEY GENERAL gave notice that on to-morrow he will move that the House do resolve itself into a Committee of the Whole on Ways and Means, and that such Committee do take precedence of all other matter, immediately after the reading of the Journals :

Notice of Committee on Ways and Means.

Also, that the Rules of the House be suspended with reference to the introduction and passing of a Revenue Bill.

Adjournment.

Ordered,—That the House at its rising do adjourn till to-morrow at Twelve o'clock.

Then the House adjourned till to-morrow at Twelve of the Clock.

Thursday, 16th May, 1861.

Petition from G. J. Hogsett and C. Furey, on Harbor Main Election.

Mr. KENT presented a Petition from George J. Hogsett and Charles Furey, Esquires, which was received and read, setting forth,—

That Petitioners were Candidates for the representation of the District of Harbor Main during the late Election, and were opposed by Patrick Nowlan and Thomas Byrne, Esquires. That Petitioners were duly put in Nomination on the day appointed therefor. That previous to the day of Polling, Petitioners applied to the Government to allow the Salmon Cove voters to register their votes in Harbor Main, instead of Cat's Cove, such application having been made by Petitioners, from their knowledge that force and violence would be resorted to by a portion of the Cat's Cove people to obstruct the Salmon Cove voters in the exercise of their franchise—this application was rejected. That on the day of polling the Salmon Cove voters, when proceeding peaceably to record their votes, were fired upon by thirty or forty armed men, a portion of the Cat's Cove voters; one of the supporters of Petitioners, was shot dead, and ten very seriously wounded;—owing to which, and a barricade which was erected across the street or road leading to the Polling Booth, the Salmon Cove voters were obliged to retreat, and thirty-six of said voters registered their votes at Harbor Main, with the sanction and approval of the Returning Officer. That on the fourth day of May, Patrick Strapp, Returning Officer, in the presence of Charles H. Renouf, James Hatchett, and Thomas McKen, voluntarily and without any threat, intimidation or coercion of any sort, signed, and gave to Petitioners the annexed Certificate of their return. That Petitioners attended before the Commissioners appointed to swear in Members of the House of Assembly, and produced their Certificate and demanded to be sworn, but were refused, and upon taking their seats in the said House of Assembly, were forcibly expelled by order of the present Premier. And Petitioners further say, that owing to the firing, intimi-

dation and murder at Cat's Cove, perpetrated by the partizans of, and as Petitioners believe, sanctioned by the opposing Candidates, Petitioners lost over fifty votes, and there are many voters for the opposing Candidates at Cat's Cove and Colliers who could not have polled as they were not in the locality on the day of polling. Under all these circumstances Petitioners respectfully pray that your Honorable House will cause an immediate inquiry to be made into the circumstances connected with the said Election, and in the mean time allow Petitioners to take their seats as Members for Harbor Main.

And, as in duty bound, they will ever pray.

GEORGE J. HOGSETT,
CHARLES FUREY.

St. John's, May 15, 1861.

(For Return referred to, see Appendix.)

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

On table.

Mr. FLOOD gave notice that on Tuesday next, he will move that the House do proceed to the consideration of the Petition of George J. Hogsett and Charles Furey,—praying to be allowed to take their seats as Members of this House, for the District of Harbor Main :

Notice for consideration of Petition.

Also, that on Tuesday next, he will move that the Returning Officer of Harbor Main be summoned to appear at the Bar of this House, to give evidence on the subject of the discrepancy between his Special Return and his Certificate of Return to Messrs. Hogsett and Furey.

Notice of motion that Harbor Main Returning Officer appear at the Bar.

Mr. WHITEWAY presented a Petition from Patrick Nowlan and Thomas Byrne, which was received and read, setting forth,—

Petition from Patrick Nowlan and Thomas Byrne on Harbor Main Election.

That Petitioners were Candidates duly put in Nomination for the District of Harbor Main, at the late Election of two Members to be returned to the General Assembly for that District.

That the Return upon the Writ directed to the Returning Officer, is as follows :—

“ RETURN.”—“ I am afraid of injury to my property and life, for that I cannot make a Return to this Writ. Patrick Nowlan and Thomas Byrne have the majority of votes, leaving thirty-six votes out that were taken in the wrong place and in a separate list.

“ Harbor Main, 6th May, 1861.

(Signed,)

“ PATRICK STRAPP,

“ Returning Officer.”

That by reference to the Poll Books transmitted to the Secretary's Office with the said Writ and the said Return endorsed thereon, it appears that there were polled for Petitioner Patrick Nowlan, 325 votes; for Petitioner Thomas Byrne, 322 votes; for the opposing Candidates, 316 to one, and 309 to the other.

That your Petitioners, under these circumstances, applied to His Excellency the Governor in Council that their names should be Gazetted as the Members duly elected and returned for the District of Harbor Main, and that they should be sworn in and take their seats as such. They did so upon the ground that there was in law and fact a return to the Writ of your Petitioners as such Members. The Indorsation upon the Writ, is headed "Return." That that portion of the Return which speaks of the fear of injury and consequent unwillingness, should be rejected as affecting the validity of the rest, and be regarded as surplusage only.

Thirty-six votes are said to have been taken in the wrong place, and that leaving out those the Petitioners have the majority. It is not shewn for whom these thirty-six votes were given, and that matters not—for the express and negative terms of the Proclamation are—speaking of the Elector—"nor shall his vote be received at any other station, place, or booth, than that which shall be assigned, &c."

The return, we submit, therefore, is in substance in favor of your Petitioners, and beyond that there is no necessity to look in determining who, *prima facie*, have the right to be declared the sitting Members.

It will be observed that the names of your Petitioners only appear in the Return.

If the first words of that Return avail anything, they shew duress, violence and intimidation towards the Returning Officer, and should not, in regarding its construction, be used to the prejudice of your Petitioners.

His Excellency the Governor in Council having concluded to leave the application of your Petitioners to the decision of the House of Assembly, your Petitioners have humbly to request the favorable consideration of your honorable House in the premises, and to pray that they may be declared to be the Members duly elected and returned for the District of Harbor Main, and entitled to take and hold their seats as such, until (if at all) they shall be disturbed in due course by a Petition and proceedings under the Act for the trial of Controverted Elections, by any

person or persons adversely claiming, if any such there be, and that your Petitioners may not be compelled to adopt an expensive, dilatory and harrassing mode of proceeding, and that the District of Harbor Main may not be disfranchised during the present Session, while your Petitioners are *prima facie* and in substance duly returned, and that by a majority of votes, and when the names of no other parties so claiming or otherwise are shewn in the Indorsation upon the Writ, and that, if necessary for the purpose aforesaid, the Return may be amended.

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

St. John's, May 11, 1861.

PATRICK NOWLAN,
THOMAS BYRNE.

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

Mr. WHITEWAY gave notice that on to-morrow he will move an Address to His Excellency the Governor, praying that the Writ commanding an Election of two Members to serve in the General Assembly for the District of Harbor Main, and that the return thereto, may be laid before the House of Assembly.

Notice for Writ for Harbor Main Election and return thereto.

Ordered,—That the House do resolve itself into Committee of the Whole on Ways and Means.

Committee on Ways and Means.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Resolutions reported.

Resolved,—That it is the opinion of this Committee, that the Table of Duties upon Goods, Wares, and Merchandize imported into Newfoundland and its Dependencies, as prescribed in an Act of the General Assembly, passed in the Twenty-third Year of the Reign of Her Present Majesty, entitled, "An Act for granting to Her Majesty certain Duties on

Goods, Wares, and Merchandize imported into this Colony and its Dependencies," be adopted.

Resolved,—That it is the opinion of this Committee, that the several provisions contained in the said Act, providing for and connected with the collection of said duties imposed under the same, and the exemptions therein contained, be re-enacted.

Adopted.

Ordered,—That the said Resolutions be adopted.

Revenue Bill read 1st time.

The Hon. ATTORNEY GENERAL, pursuant to notice and leave granted, presented a Bill to continue the Revenue Act, 23rd Vic., which was read a first time.

Rules suspended.

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

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

Read 2nd time.

And the Bill was read a second time accordingly.

Ordered,—That the House do now resolve itself into Committee of the Whole on the said Bill.

Committed.]

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Reported without amendment.

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

On motion that the Report be adopted,

Mr. GLEN moved in amendment, seconded by Mr. HANRAHAN,

Amendment on motion that report be adopted.

That the Bill be amended, by substituting the words "one month" in lieu of the words "one year" in the second last line.

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

For the Amendment, 6. *Against the Amendment, 10.* Division.

Mr. Glen	Hon. Attorney General
" Hanrahan	" Acting Colonial Secretary
" E. D. Shea	" John Bemister
" Renouf	The Surveyor General
" Casey	Mr. Prowse
" Kent.	" Evans
	" March
	" Leamon
	" Walbank
	" Whiteway.

So it passed in the negative. Negative.

And the question on the original motion being then put, it passed in the affirmative, and Report adopted.

Ordered,—Accordingly.

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

And the Bill was read a third time accordingly. Read 3rd time.

Ordered,—That the Bill do pass, and be entitled, " An Act to continue An Act passed in the Twenty-third Year of the Reign of Her Present Majesty," entitled ' An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies.' Passed and titled.

Ordered,—That the Hon. Acting Colonial Secretary, and the Hon. Mr. Bemister, do take the Bill to the Legislative Council and desire their concurrence. Sent to Council.

Ordered,—That the House, at its rising, do adjourn till Tuesday next at Three o'clock. Order for adjournment.

The HON. ATTORNEY GENERAL gave notice that on to-morrow he will ask leave to bring in a Bill to amend the Act for the Incorporation of the St. John's Water Company. Notice of Bill to amend Water Company Incorporation Act.

(A Message from the Legislative Council.)

The Master-in-Chancery to the Legislative Council brought down the following Message ;—

Mr. SPEAKER,—

Revenue Bill assented to
by Legislative Council.

The Legislative Council acquaint the House of Assembly, that they have passed the Bill sent up to them, entitled “ An Act to continue An Act passed in the Twenty-third year of the Reign of Her Majesty Queen Victoria, entitled ‘ An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies,’ without amendment.

LAURENCE O'BRIEN,

President.

Council Chamber, }
16th May, 1861. }

And then the Messenger withdrew.

On table.

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

Then the House adjourned till Tuesday next at Three of the Clock.

Tuesday, 21st May, 1861.

Petition from persons for-
merly employed by Gener-
al Water Company.

Mr. PARSONS presented a Petition from Michael McCarthy and others, Superintendents and Labourers employed last year on the works of the General Water Company, which was received and read, setting forth that many of them have been refused employment on the said works this season, and their places supplied by persons imported from Scotland and elsewhere, and praying that any further guarantee upon the additional stock required for the completion of the works, may be withheld by the Government until they are employed as hitherto.

On table.

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

Petition on Harbor Grace
Election.

He also presented a Petition from Nathaniel Davis and others, Elec-
tors of Harbor Grace, which was received and read, setting forth,—

That the Returning Officer, G. C. Gaden, Esq., on Thursday, the second day of May, proclaimed from the Husting that he made a Special Return, stating that John Hayward, H. T. Moore, and James L. Prendergast, were duly nominated Candidates, on Friday, the 26th April; and that on Monday, the 29th April, he, the said Returning Officer, proclaimed from the Hustings that H. T. Moore resigned, and leaving the facts for the consideration of the House of Assembly.

That Petitioners being desirous that the matter of the Election may be decided and set at rest, most humbly request that your Honorable House will cause the Returning Officer to amend the said return, and declare John Hayward and James L. Prendergast duly elected.

And your Petitioners, as in duty bound, will ever pray.

Harbor Grace, 5th May, 1861.

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

Lie on table.

Mr. PARSONS gave notice, that on to-morrow he will move for the appointment of a Select Committee to inquire into the foregoing Petition.

Notice of motion on petition of N. Davis & others.

Mr. WHITEWAY presented a Petition from Thomas Byrne and Patrick Nowlan, Esquires, which was received and read, setting forth,—

Petition on Harbor Main Election.

That at the late Election for the District of Harbor Main, of two Members to serve in the General Assembly, Petitioners were duly put in nomination.

That there were also put in nomination upon the same occasion and for the same place, George James Hogsett and Charles Furey, Esquires.

That at the said Election Petitioners were duly elected Members to represent the said District by a majority of votes.

That the Poll Books shew for first-named Petitioner, Patrick Nowlan, 325 votes; for Petitioner Thomas Byrne, 322 votes; for the said George James Hogsett, 316 votes; for the said Charles Furey, 309 votes.

That the Return or Indorsation upon the Writ for the said Election, directed to Patrick Strapp, Esquire, is as follows:—

“RETURN.”—“I am afraid of injury to my property and life, for that I cannot make a Return to this Writ. Patrick Nowlan and Thomas

Byrne have the majority of votes, leaving thirty-six votes out that were taken in a wrong place and in a separate list.

“ Harbor Main, 6th May, 1861.

(Signed,)

“ PATRICK STRAPP,

“ *Returning Officer.*”

Petitioners therefore humbly submit, that under that Return, they are in substance and fact duly returned Members for the District of Harbor Main—as well as duly elected by a majority of votes for that District; and therefore that they should be sworn in and take their seats as such Members.

And Petitioners further shew, that but for the intimidation practiced by the opposing Candidates, their agents and supporters, Petitioners would have had a very much larger majority of votes than did actually poll for them, and that they are prepared, if necessary, to shew and prove the same.

Petitioners, therefore pray that they may be declared to be the Members duly elected and returned at the said Election for the District of Harbor Main, and that, if necessary, the said return may for such purpose be amended, and that Petitioners may have such further or other relief as to the House may seem meet.

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

St. John's, May, 20 1861,

PATRICK NOWLAN,

THOMAS BYRNE.

On table.

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

On motion of Mr. FLOOD, seconded by Mr. CASEY,

Motion for inquiry on petition of Geo. J. Hogsett and Charles Furey, on Harbor Main Election.

Resolved,—That on Thursday next, at the hour of 5 o'clock, P. M., this House do consider the Petition of George James Hogsett and Charles Furey, Esquires, and do proceed to the inquiry therein, pursuant to the provisions of the Act 23rd Vic., Cap. 11, entitled “ An Act to regulate the trial of Controverted Elections or Return of Members to serve in the

House of Assembly, and that the Speaker do forthwith notify in writing all parties concerned.

On motion of Mr. WHITEWAY, seconded by the SURVEYOR GENERAL,

Resolved,—That on Thursday next, at the hour of 5 o'clock, p. m., this House do consider the Petition of Patrick Nowlan and Thomas Byrne, Esquires, and do proceed to the inquiry therein, pursuant to the provisions of the Act 23rd Vic., Cap. 11, entitled "An Act to regulate the trial of Controverted Elections or Return of Members to serve in the House of Assembly," and that the Speaker do forthwith notify in writing all parties concerned.

Motion for inquiry on petition of Patrick Nowlan and Thomas Byrne, on Harbor Main Election.

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

Address to Governor.

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly beg that your Excellency will be pleased to lay before the House, copy of the original Writ commanding the Election of two Members to serve in the General Assembly for the District of Harbor Main, and the return thereto.

Ordered,—That the Address be engrossed and presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

The Hon. ATTORNEY GENERAL, pursuant to notice and leave granted, presented a Bill to amend the Act to Incorporate the General Water Company, which was read a first time.

Water Company Amendment Bill read 1st time.

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

Mr. PARSONS gave notice, that on to-morrow he will ask the Hon. Acting Colonial Secretary, whether the Government has received any communication from any of the Neighbouring Colonies, in reference to the Resolutions passed in the last Session on the subject of our maritime and territorial rights:

Notice of question in reference to maritime and territorial rights.

Notice of question in relation to Board of Works.

Also, that on to-morrow he will ask the Hon. Surveyor General, as ex-officio Chairman of the Board of Works, why no meeting of the Board has been convened since his assumption of office, and by what authority he has taken upon himself, without the assent of the Board, to issue notices for tenders for various articles needed for Public Institutions.

Notice for Supply.

The Hon. ATTORNEY GENERAL gave notice that on Thursday next he will move that a Supply be granted to Her Majesty.

Notice for appointment of Officers and Committee on Printing and Reporting.

The Hon. JOHN BEMISTER gave notice that on to-morrow he will move that the House do proceed to the appointment of its Officers, and of a Select Committee on the Printing and Reporting of the House.

Then the House adjourned till to-morrow at Three of the Clock.

Thursday, 23rd May, 1861.

Notice of questions in relation to General Water Company.

Mr. KENT gave notice, that on to-morrow he will ask the Hon. Attorney General for copies of all correspondence between the St. John's Water Company and the General Water Company, on the subject of purchasing the Works of the former, agreeably with the provisions of the 19th and 22nd Vic., Cap. 7:

2nd.—Whether any offer was made by the St. John's Water Company to transfer their interest in the Works, and if so, the amount of such offer:

3rd.—Copy of any award made by Arbitrators, and the names of the Arbitrators on the claim of the St. John's Water Company:

4th.—Copies of all correspondence between the Executive and General Water Company, on the subject of such award:

5th.—Whether the present Executive intend to sanction such award:

6th.—And whether Her Majesty's Attorney General is the retained advocate of the St. John's Water Company, to sustain, in the face of the Protest of the late Executive, such award.

The Order of the Day being read,

That the House do consider the Petition of George James Hogsett and Charles Furey, Esquires,—praying that they may be allowed to take their seats as Members of this House, for the District of Harbor Main.

Order of day for consideration of petition of Geo. J. Hogsett and Charles Furey, on Harbor Main Election.

The names of Members present were called over by the Clerk, when there appeared :

Names of Members present.

- | | |
|-----------------------------|------------|
| Hon. Attorney General | Mr. Kent |
| “ Acting Colonial Secretary | “ Glen |
| “ John Bemister | “ Shea |
| The Acting Receiver General | “ Parsons |
| “ Surveyor General | “ Hanrahan |
| Mr. Leamon | “ Talbot |
| “ Walbank | “ Renouf |
| “ March | “ McGrath |
| “ Rendell | “ Flood |
| “ Knight | “ Kavanagh |
| “ Evans | “ Casey. |
| “ Prowse | |
| “ Whiteway. | |

And there being no less than twenty Members present,

Ordered,—That the House do now consider the Petition of George James Hogsett and Charles Furey, Esquires, praying that they may be allowed to take their seats as Members of this House for the District of Harbor Main.

Election Committee balloted for.

The doors being locked,

The names of Members present, written upon pieces of paper, were placed by the Clerk in two ballot boxes, and the first eleven names ultimately drawn from each box, were handed by him to the Speaker, who informed the House that the following were the first eleven names drawn :

- | | |
|----------------------|-----------|
| Mr. McGrath | Mr. Evans |
| “ Knight | “ Rendell |
| “ Hanrahan | “ Walbank |
| “ Kavanagh | “ Leamon |
| “ Prowse | “ Renouf. |
| Hon. Captain Carter. | |

Mr. FLOOD being named as nominee for Petitioners, and Mr. WHITEWAY as nominee for the opposing Petitioners.

Nominees appointed.

The doors were then unlocked,

Lists delivered.

When the Clerk delivered to the Petitioners, Messrs. Hogsett and Furey, and to the Agent of Messrs. Nowlan and Byrne, separate lists of Committee balloted for.

The Clerk of Assembly, accompanied by the Petitioners, Messrs. Hogsett and Furey, and by the Agent for Messrs. Byrne and Nowlan, retired to the Committee Room, and being returned,

The Clerk handed in to the Speaker the list of names remaining, after each party had stricken off three names from the Committee as originally balloted for, which list is as follows :

Mr. McGrath
 “ Rendell
 “ Prowse.

Mr. Knight
 “ Walbank.

Committee sworn.

The said Members and Nominees were then sworn by the Clerk, well and truly to try the matters of the Petition referred to them, and true judgement give, according to the Evidence.

Ordered,—that the foregoing Members, including the Nominees, Mr. Flood and Mr. Whiteway, do form the Committee to consider the Petition of George James Hogsett and Charles Furey, Esquires,—praying that they may be allowed to take their seats as Members of this House for the District of Harbor Main.

Petitions from Messrs. Nowlan and Byrne referred to Harbor Main Election Committee.

Ordered,—That the Petitions of Messrs. Nowlan and Byrne, relative to the Harbor Main Election, be referred to the Committee appointed to investigate and adjudicate upon the Petition of George James Hogsett and Charles Furey,—praying that they may be allowed to take their seats as Members of this House for the District of Harbor Main.

Ordered,—That the Committee do meet this day at 7 o'clock, p. m., in the Committee Room.

Water Company Bill read 2nd time.

Pursuant to Order of the Day, the Bill to amend the Act to Incorporate the General Water Company, was read a second time.

Ordered,—That the House do, on to-morrow, resolve itself into a Committee of the Whole on the said Bill.

Order for adjournment.

Ordered,—That the House, at its rising, do adjourn till Monday next.

Then the House adjourned till Monday next at Three of the Clock.

MONDAY, 27th May, 1861.

Mr. PARSONS gave notice, that on to-morrow he will move an Address to the Governor, praying that His Excellency will be pleased to lay before the House the judicial proceedings had in reference to the late destruction of life and property in this city, on Monday the 13th instant: Also, the proceedings and evidence had before the Coroner, on an inquest recently held on the body of a citizen named Hunt.

Notice of address to Governor on destruction of life in St. John's on 13th inst.

Mr. HANRAHAN presented a Petition from Thomas Finn, of Carbonear, which was received and read, praying that he may be remunerated for the loss sustained by him, through the Board of Street Commissioners, eighteen years since, taking a piece of his private property to widen the public street.

Petition T. Finn, of Carbonear, for remuneration.

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

(A Message from His Excellency the Governor.)

The Hon. ATTORNEY GENERAL, by command of His Excellency the Governor, presented to the House a Message from His Excellency the Governor, signed by His Excellency.

Message from Governor.

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

A. BANNERMAN, *Governor*.

The Governor received by last Mail a despatch from His Excellency the Lieutenant-Governor of Nova Scotia, enclosing an Extract from the Report of a Committee of the House of Assembly of Nova Scotia, which states that the inhabitants of Newfoundland had taken the fish from the seines of the Nova Scotian fishermen on the Coast of Labrador, and otherwise damaging their property last season.

The Governor could only reply to the Earl of Mulgrave, that it was the first time he or the Government had heard of any such proceedings; and that inquiry would be made upon the subject.

If the allegations of the Nova Scotian fishermen be true, the Governor will much regret it, particularly occurring at a time when the last House of Assembly of Newfoundland were asking the co-operation of Nova Scotia and the other Provinces, to support Newfoundland fishermen in the maintenance of their maritime and territorial rights.

Government House, }
22nd May, 1861. }

Extract from the Report of the Committee on the Fisheries, dated March, 1861,—Province of Nova Scotia.

“The Committee have had before them several Petitions, setting forth the difficulties under which the Petitioners labour in prosecuting the fisheries on the Coast of Labrador, being disturbed in their calling by the inhabitants of Newfoundland, who have taken their fish from the seines after having been stopped by them, cutting and destroying their seines, and otherwise damaging their property. As there is no armed vessel on that Coast, the Petitioners pray that some action may be taken in the matter. The Committee are of opinion that, if these causes of disturbance are allowed to continue, a valuable fishery will have to be abandoned by the people of this Province, and would recommend that a correspondence should be entered into with the Government as Newfoundland, with a view to prevent the recurrence of the disturbances complained of.”

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

(For Documents Accompanying, see Appendix.)

Address of thanks reported from Select Committee and read 1st time.

Mr. PROWSE, from the Select Committee appointed to prepare an Address of Thanks in reply to the Speech of His Excellency the Governor, presented the Report, which he handed in at the Clerk's table, where the same was read a first time.

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

Motion for suspension of rules on address of thanks.

Mr. PROWSE gave notice, that on to-morrow he will move that the Rules of the House be suspended in reference to the Address of Thanks in reply to the Speech of His Excellency the Governor, at the opening of the Session of the Legislature.

The Hon. ATTORNEY GENERAL moved, seconded by the SURVEYOR GENERAL,

Motion for Committee of Whole on Water Company Bill.

That the House do now resolve itself into Committee of the Whole on the Bill to amend the Act for the Incorporation of the General Water Company.

Whereupon,

Amendment.

Mr. PARSONS moved in amendment, seconded by Mr. TALBOT,

That the House do now adjourn.

And the question being put thereon, it passed in the negative.

Amendment negatived.]

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

And the House resolved itself into the said Committee accordingly.

Committee on Water Company Bill.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Reported with amendments

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

Amendments passed.

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

Order for 3rd reading.

Ordered,—That the House, at its rising, do adjourn till half-past Three o'Clock.

Order for adjournment.

Then the House adjourned till to-morrow at half-past Three of the Clock.

Tuesday, 28th May, 1861.

Mr. KENT gave notice, that on an early day he will call the attention of the House to the following passage in Governor Bannerman's Commission :—

Notice in relation to Commission of His Excellency the Governor.

“ And if there shall be no person so specially commissioned and appointed by us to administer the Government of our said Island, we do further declare our pleasure, and grant that the power and authorities

aforesaid shall be, and the same are hereby vested in the President, for the time being, of the Legislative Council of our said Island."

Recent changes having shewn the impolicy of the President of the Legislative Council holding at the same time an office as Adviser of the Governor. The President of the Legislative Council, being at the same time a sworn Adviser of the Governor, may be unconsciously induced to advise His Excellency to adopt a course that may lead to His Excellency's removal from office, thereby securing to himself, as President of the Council, the Administration of the Government.

Documents from the Governor in relation to General Water Company.

The Hon. ATTORNEY GENERAL, by command of His Excellency the Governor, presented to the House the following Documents:—

Offer of St. John's Water Company's Works for £7,200:

Extract from proceedings of Directors in reference thereto, and appointment of Arbitrators. Reply to the above offer:

St. John's Water Company's Note of Arbitrators:

Copy of Award:

Application to Government for assent to the extension of Stock of the General Water Company:

Secretary of the Colony's reply, and Attorney General's opinion thereon:

General Water Company's reply:

Colonial Secretary's Letter of Governor's assent.

(For which, see Appendix.)

On table.

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

Petition from R. Reader.

Mr. RENOUF presented a Petition from Robert Reader, late Stipendiary Magistrate, of Trinity Bay, which was received and read, setting forth, that he had been dismissed from his situation as Magistrate of Old Perlican, without opportunity being afforded him of replying to the charges preferred against them, and praying that copies of all charges and correspondence relating to his case, may be laid before the House of Assembly.

On table.

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

Mr. RENOUF gave notice, that on to-morrow he will move an Address to His Excellency the Governor, for a copy of the charges, and by whom preferred, against Robert Reader, late Stipendiary Magistrate of Old Perlican, Trinity Bay, which led to his suspension; also the copy of any Despatch or Despatches which may have been received from the Imperial Government on the subject of his suspension or dismissal from office.

Notice of address to Governor on Petition of R. Reader.

Pursuant to Order of the Day, the Bill to amend the Act for the Incorporation of the General Water Company, as engrossed, was read a third time.

Water Company Bill read 3rd time.

Ordered,—That the Bill do pass, and be entitled “An Act for the further amendment of the Act for the Incorporation of the General Water Company.”

Passed and titled.

Ordered,—That the Hon. Attorney General and the Hon. Mr. Bemister, do take the Bill to the Legislative Council and desire their concurrence.

Sent to Council.

Pursuant to Order of the Day, the Address of Thanks in reply to His Excellency the Governor's Speech, was read a second time.

Address of thanks read 2nd time.

Ordered,—That the Address be committed to a Committee of the Whole House to-morrow.

Mr. KENT gave notice, that in Committee of the Whole upon the Address of Thanks, he will move that the following section be inserted between the first and second paragraphs:—

Notice of amendment on Address of Thanks.

“We are glad the House has been called together in sufficient time to pass a Revenue Bill, imperilled by the dissolution of the late Assembly: we now declare our decided opinion that all the unfortunate results which have afflicted the Colony since that dissolution, have grown out of the advise given your Excellency to dismiss your late Ministry, supported as they were by a large majority, and by the dissolution in the depth of winter, of an Assembly which had only eighteen months of Legislative existence. The Act commonly called the Quadrennial Act, limits the duration of the Assembly to four years; the principle of this Act is fully exhibited in the provision, that notwithstanding the demise of the Sovereign, Houses of Assembly shall terminate by the evolution of time. In the face of the provision of this Act, your Excellency dissolved the late House of Assembly.

“In your present Speech, your Excellency, with painful intensity, narrates the result of this high handed act of prerogative, the more particularly in relation to the Harbor Grace Election, when your Excellency would appear to be advised to express regret that the authorities in that

locality did not order the Military to fire upon the assembled multitudes ; whilst we, in common with your Excellency, deprecate, in the most emphatic manner, outrages upon property or sacrifice of human life, we cannot conceal from ourselves that your Excellency's own act of dissolution was the sole cause of all those calamitous occurrences. We, therefore, hereby wish to express our extreme dissatisfaction, that whilst your Excellency is advised to parade, with ostentatious bitterness, a bill of indictment against several of the leading constituencies of this Island, you are at the same time advised carefully to suppress all the reasons which induced you, in the depth of winter, to dismiss your late Ministry and dissolve the House of Assembly."

(A Message from His Excellency the Governor.)

Message from Governor.

The Hon. ATTORNEY GENERAL, by command of His Excellency the Governor, presented to the House a written Message from His Excellency the Governor, signed by His Excellency.

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

A. BANNERMAN, *Governor.*

A discussion arose in the Legislature the Session before last, relative to the Norway Fisheries, and the apprehension of a larger competition of Norway Cod Fish in the markets of Spain, &c., which would greatly interfere with, and be prejudicial to the Newfoundland Fisheries, particularly as it was alleged the Norway Cod Fish were cured in a very superior way to the Cod Fish of this Colony.

The Governor applied to the Board of Trade for information, and herewith sends to the House of Assembly an Extract from the Consul-General's Report on the Trade of Norway, which cannot fail to be interesting to every one who takes an interest in the Fisheries, showing, as it does, the manner in which the industrious Norwegians prosecute that important branch of Trade,—their knowledge of the seasons when fish frequent their coasts, and the care which is taken by their Government that they shall have a Maritime Police.

The Stock-fish described in the enclosed Extract, is a very inferior one to the Cod ; it is dried in the sun until it is as hard as a stick, and it is easily portable and carried by mules into the interior of Spain.

The Governor expects very soon to receive some of the Norway dried Cod, and it is certainly very desirable that the Newfoundland fishermen should take every pains in the curing of their fish ; for it is quite evi-

dent that the best cured fish must always secure the highest price in the markets; and, in confirmation of this, the enclosed Extract will show what has taken place in Norway from the inferior mode in which Herrings are cured there.

Government House, }
28th May, 1861. }

Extract from Report by Mr. CROWE, Acting Consul-General at Christiana, on the Trade of Norway, for the years 1856 and 1857.

The next important branch of industry is the *Fisheries*, which employ during several months of the year about 60,000 fishermen, and a capital of four to five millions of dollars.

Extract from Report of Consul-General at Christiana.

The following table shows the quantity and description of Fish exported during the period comprehended in this Report:—

	1855.	1856.	1857.
Stock Fish, not salted—tons	16,374	20,087	17,168
Clip Fish, dried & salted “	22,318	21,624	25,963
Cod Roes—barrels	30,668	39,816	19,739
Herrings, salted—barrels	519,868	520,852	455,831
Other Fish, salted “	3,040	40,923	48,545
Cod Liver Oil “	78,804	76,694	55,299
Anchovies—kegs	11,737	11,416	11,840
Salmon, smoked—lbs.	4,551	7,420	5,732
“ salted—barrels	77	116	1,088
Lobsters, live—pieces	814,187	960,388	717,383

From the following Table will be seen the principal Markets for the *Clip and Stock Fish*:—

	1855.	1856.	1857.
	Tons.	Tons.	Tons.
Sweden	4,289	4,843	4,440
Holland	3,720	3,628	2,908
Belgium	1,256	1,410	1,147
Mediterranean Ports	4,576	2,132	2,049
Spain	18,702	18,143	22,624
Portugal	393	417	
France	57	161	
West Indies	784	540	638
Brazils	1,864	2,035	2,379
Russia	82	638	839

Of *Salt Herrings* were exported:—

	1855.	1856.	1857.
	Barrels.	Barrels.	Barrels.
Great Britain - - - - -	2,551	1,552	13
Sweden - - - - -	300,906	262,220	215,586
Prussia - - - - -	147,607	99,037	87,776
Denmark - - - - -	46,295	34,904	28,248
Russia - - - - -	1,959	91,415	108,574

Of *Cod Liver Oil* was exported:—

	1855.	1856.	1857.
Sweden—barrels - - - - -	1,163	1,710	1,597
Holland “ - - - - -	29,903	31,883	18,569
Hamburgh “ - - - - -	9,192	10,638	10,564
Prussia “ - - - - -	3,719	6,099	5,592
Bremen “ - - - - -	6,383	2,983	1,705
Denmark “ - - - - -	19,912	17,620	13,123
Belgium “ - - - - -	2,924	2,951	2,773

The Cod Fisheries are classed in three principal grounds or districts, and are carried on off the coasts of the provinces of Romsdal, Nordland, and Finmark, from about the middle of January to the end of March. They employ from between 20 to 22,000 fishermen, and from 4,000 to 4,500 boats, and the annual catch averages 20 millions of fish, 20,000 barrels of Cod Liver Oil, and as much roe, which may together be valued at almost one million of dollars.

The *Spring Herring Fisheries* commence about the end of December, and continue until about the middle of March, and are carried on along the line of Coast between Stewanger and Bergen; about 20,000 men and 5,000 boats are engaged in them; and as many as 80,000 nets are used. The total produce is computed at about 600,000 barrels.

The *Summer and Autumn Herring Fisheries* are carried on along the whole West Coast of Norway, but principally between Bergen and Drontheim, and the catch can be averaged at about 100,000 barrels annually. In order to avoid disputes among the fishermen, the Government has, of late years, established a “Maritime Police” with exclusive jurisdiction

over the fishing grounds; they accompany the fishermen in their boats, and are invested with very large powers, having authority to treat summarily all disputes and offences connected with the fisheries. The produce of the fisheries in 1856 and 1857 has not been so abundant as in the preceding years, especially with respect to Herrings, in the export of which a considerable decrease will be apparent when compared with 1855.

The principal markets for the Norwegian Herrings still continue to be Sweden and the Baltic; in the latter place, however, the Norwegian merchants encounter a power competition in the Scotch trader, whose herrings, on account of the great care taken in the sorting and packing, are always preferred; the Norwegian herring has, in consequence, fallen into such discredit, that the Consular Agents in the different Baltic Ports have lately addressed their Government on the subject, and the attention of the herring dealers has been seriously called to it.

I would here mention that the *Mackerel Fishery* has of late years become less and less productive; the same may be said of the *Salmon Fisheries*. The fresh water fish have likewise decreased in such a degree as to induce the Government to take measures to arrest the evil; and various attempts have been made to supply the deficiency. Establishments have been newly formed in different parts of the country, where successful experiments have been made to multiply the fish by artificial means.

The *Whaling Expeditions* from Norway have been on the increase; 20 to 30 vessels leaving the country annually in search of whales and seals; and, although I am in possession of no certain information as to the productiveness of this hazardous branch of trade, yet, the yearly increase of the capital employed in it encourages the belief in its profitableness.

Before quitting the subject of the fisheries, I would remark that the attempts made of late years by the Norwegians to find a market for their fish in the New World, have not been very successful; and from the slow increase of their exports to the Brazils and the West Indies, it does not appear likely to become an important outlet for their produce.

Attempts have been made to introduce their clip fish into Havannah, but the price is so much higher than that imported from Canada and the United States, that it is not likely to become much in request, as at present the consumption of the Norwegian fish is almost exclusively confined to the wealthy classes.

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

On table.

Notice of question in relation to fire sufferers of Carbonear.

Mr. HANRAHAN gave notice, that on to-morrow, he will ask the Hon. Attorney General if the Governor in Council received a petition from the fire sufferers of Carbonear, and if any steps have been taken by the Government, with a view to comply with the prayer of the said petition.

Then the House adjourned till to-morrow at Three of the Clock.

Wednesday, 29th May, 1861.

Petition from Richard Meagher for compensation.

Mr. GLEN presented a Petition from Richard Meagher, of St. John's, Master Mariner, which was received and read, setting forth,—that he had, at the request of John Fox, Esq., proceeded to New York, to inspect a steamer for the coastal purposes of this Colony, and that upon his recommendation, the steamer *Victoria* had been employed on that service. That the destruction of the steamer *Connaught* by fire, on board of which he was passenger, had caused him a heavy loss in nautical instruments, charts and clothing; and praying that some compensation may be made him for his heavy loss.

Ordeerd,—That the said Petition do lie upon the table.

Notice of address on petition of Richard Meagher.

Mr. GLEN gave notice, that on to-morrow he will move an Address to His Excellency the Governor, on the foregoing Petition of Richard Meagher.

Mr. KENT gave notice, that he will move the following Resolution:—

Notice of resolution on motion for appointment of Officers.

Resolved,—That as the House is incomplete, owing to the disfranchisement of Harbor Grace, and Harbor Main not being represented, that appointments of Officers of this House and other matters comprehended in Mr. Bemister's motion be only provisional.

Motion for appointment of Officers and Committee on Printing.

The Hon. JOHN BEMISTER moved, seconded by the SURVEYOR GENERAL,

That the House do proceed to the appointment of Officers, and a Select Committee upon the Printing and Reporting of the House.

Whereupon,

Mr. KENT moved in amendment, seconded by Mr. GLEN,

Amendment.

Resolved,—That as the House is incomplete, owing to the disfranchisement of Harbor Grace, and Harbor Main not being represented, that the appointments of Officers of this House and other matters comprehended in Mr. Bemister's motion be only provisional.

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

For the Amendment, 10.

Against the Amendment, 13.

Division.

Mr. Kent

Hon. Attorney General

“ Glen

“ Acting Colonial Secretary

“ E. D. Shea

“ John Bemister

“ Parsons

The Acting Receiver General

“ Renouf

The Surveyor General

“ Casey

Mr. Prowse

“ Talbot

“ Rendell

“ McGrath

“ Knight

“ Flood

“ Whiteway

“ Hanrahan

“ Walbank

“ March

“ Leamon

“ Evans.

So it passed in the negative.

Negative.

And the question on the original motion being then put, it passed in the affirmative on a similar division as the foregoing, and

Motion affirmed.

Ordered,—Accordingly.

On motion of the Hon. JOHN BEMISTER, seconded by Mr. SHEA,

Resolved,—That John Stuart, Esq., be appointed Clerk of the Assembly.

John Stuart appointed Clerk of Assembly.

On motion of the Hon. JOHN BEMISTER, seconded by Mr. PARSONS,

Resolved,—That Richard Holden, Esq., be appointed Assistant Clerk of this House.

R. Holden appointed Clerk Assistant.

Mr. RENDELL moved, seconded by Mr. MARCH,

That Thomas J. Kough, Esq., be appointed Solicitor of this House.

Motion that T. J. Kough be Solicitor.

Whereupon,

Amendment. Mr. KENT moved in amendment, seconded by Mr. HANRAHAN,

That John Little, Esq., be appointed Solicitor of this House.

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

Division.

For the Motion, 10.

Against the Motion, 11.

Mr. Kent

Hon. Attorney General

“ Glen

“ Acting Colonial Secretary

“ Parsons

“ John Bemister

“ Talbot

The Acting Receiver General

“ Casey

“ Surveyor General

“ Renouf

Mr. Knight

“ Shea

“ Whiteway

“ McGrath

“ Walbank

“ Flood

“ Evans

“ Hanrahan,

“ March

“ Leamon.

So it passed in the negative.

Motion affirmed.

And the question on the original motion being then put, it passed in the affirmative on a similar division as the foregoing, and

T.J. Kough appointed Solicitor.

Ordered,—That Thomas J, Kough, Esq., be appointed Solicitor of this House.

The Hon. JOHN BEMISTER moved, seconded by the SURVEYOR GENERAL,

J. Seaton and A. Emerson appointed Reporters.

That James Seaton, Esquire, and Archibald Emerson, Esquire, be appointed Reporters of this House.

And the question being put there, it passed in the affirmative on division, and

Ordered,—Accordingly.

On motion of the Hon. JOHN BEMISTER, seconded by the SURVEYOR GENERAL,

Committee on Printing and Publishing.

Resolved,—That a Select Committee be appointed to report upon the best means of Printing and Publishing the Debates and Proceedings of the House of Assembly.

Ordered,—That the Hon. John Bemister, the Surveyor General, Mr. Whiteway, Mr. Kavanagh, and Mr. Glen, do form the Committee.

Ordered,—That the following Officers and Servants of the last House of Assembly, be appointed to the several situations held by them :

Resolution appointing Officers and Servants of last House of Assembly to similar offices.

Mr. William Dalton, Door-Keeper :

Mr. Edward Kennedy, Messenger :

Mr. Philip Brown, Upper Door Keeper :

Mr. John Higgins, Fireman :

Mr. William Doyle, Outer Door-Keeper :

Mr. Richard Cooney, Assistant Messenger.

On motion of the Hon. ATTORNEY GENERAL, seconded by the Hon. JOHN BEMISTER,

Resolved,—That a Supply be granted to Her Majesty.

Resolution for Supply.

The Hon. ATTORNEY GENERAL gave notice, that on to-morrow he will move that the House do resolve itself into Committee of the Whole upon the Supply granted to Her Majesty :

Notice for Committee on Supply.

Also, that on to-morrow he will move for the appointment of a Select Committee on Local Steam.

Notice for Committee on Local Steam.

Mr. CASEY gave notice, that on to-morrow he will move an Address to the Governor, requesting that His Excellency will be pleased to inform this House, if any steps, and what steps have been taken to bring to justice the parties who had fired on the people on the 26th ult., the day of Nomination of Candidates for the Western Division of the Electoral District of St. John's.

Notice of address to Governor in reference to firing on people of St. John's on 26th April last.

Mr. RENOUF gave notice, that on to-morrow he will move an Address to His Excellency the Governor, respectfully requesting that His Excellency will cause to be purchased, six hundred barrels of Seed Potatoes, to be distributed amongst the poor of the District of St. John's and the Outports, who have ground to plant.

Notice of address to Governor for Potatoe Grant.

Ordered,—That the House, at its rising, do adjourn till Friday next.

Adjournment.

Then the House adjourned till Friday next, at half-past Three of the Clock.

FRIDAY, 1st June, 1861.

Documents from His Excellency the Governor.

The Hon. ATTORNEY GENERAL, by command of His Excellency the Governor, presented to the House the following Documents:—

Agreement between the Hon. John Kent and Aaron DeGraw, to run the Steamer *Victoria* North and South of the Island, dated 10th November, 1860:

Confirmation of Agreement in matter of the Steamer *Victoria*, of date 3rd December, 1860:

Letter from Captain Cudworth, on the subject of the Steamer *Victoria*, 10th May, 1861:

F. B. T. Carter, to the Attorney General, in reference to letter of Captain Cudworth:

Extract from Instructions of the Commander of St. Peter's and Miquelon, to M. DeHereaux, for the installation of the Postal Service of St. Pierre:

(For which, see Appendix.)

On table.

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

Committee on Address of Thanks.

Pursuant to Order of the Day, the House resolved itself into Committee of the Whole on the Address of Thanks.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Progress reported.

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

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

Documents from His Excellency the Governor.

The ACTING RECEIVER GENERAL, by command of His Excellency the Governor, presented to the House the following Documents:—

Estimate for defraying part of the Public Expenditure of the Colony of Newfoundland, for the year 1861:

Detailed Statement of Outport Salaries, for the year 1861 :

Financial Statement of the Affairs of the Colony, for the year 1861.

(For which, see Appendix.)

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

On table.

Mr. PARSONS gave notice, that on to-morrow he will ask the Surveyor General, if the rumour be true, that at the meeting of the Board of Works on Wednesday last, to receive Tenders, the whole of the Tenders were broken open before they were laid before the Board, and that certain alterations were made, especially in one Tender for Anthracite Coal, which, in consequence, fell to the lot of Mr. Stephen March ;—also, that I will ask him to lay before the House the Tender received by the Board for supplies for the several public Institutions, as advertised for in the public Newspapers by advertisement dated 10th May, 1861.

Notice of question in relation to Board of Works.

Mr. KENT gave notice that on to-morrow he will move an Address to H. M. Government, on the subject of the continuance of Ocean Steam Communication with this Colony.

Notice of address on Ocean Steam.

Then the House adjourned till Monday next at Three of the Clock.

Monday, 3rd June, 1861.

Mr. HANRAHAN presented a Petition from William Kennedy and others, of Carbonear, which was received and read, praying for a grant to make a road between Crocker's Cove and Freshwater.

Road Petition from Carbonear.

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

On table.

Pursuant to Order of the Day, the House resolved itself into Committee of the Whole upon the further consideration of the Address of Thanks in reply to His Excellency the Governor's Speech at the opening of the Session.

Committee on Address of Thanks.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

On motion that the Report be received,

Mr. KENT moved in amendment, seconded by Mr. CASEY,

Amendment on motion to receive Address.

That the following section be inserted between the first and second paragraphs :—

“ We are glad the House has been called together in sufficient time to pass a Revenue Bill, imperilled by the dissolution of the late Assembly : we now declare our decided opinion that all the unfortunate results which have afflicted the Colony since that dissolution, have grown out of the advice given your Excellency to dismiss your late Ministry, supported as they were by a large majority, and by the dissolution in the depth of winter, of an Assembly which had only eighteen months of Legislative existence. The Act commonly called the Quadrennial Act, limits the duration of the Assembly to four years ; the principle of this Act is fully exhibited in the provision, that notwithstanding the demise of the Sovereign, Houses of Assembly shall terminate by the evolution of time. In the face of the provision of this Act, your Excellency dissolved the late House of Assembly.

“ In your present Speech, your Excellency, with painful intensity, narates the result of this high-handed act of prerogative, the more particularly in relation to the Harbor Grace Election, when your Excellency would appear to be advised to express regret that the authorities in that locality did not order the Military to fire upon the assembled multitudes ; whilst we, in common with your Excellency, deprecate, in the most emphatic manner, outrages upon property or sacrifice of human life, we cannot conceal from ourselves that your Excellency's own act of dissolution was the sole cause of all those calamitous occurrences. We, therefore, hereby wish to express our extreme dissatisfaction, that whilst your Excellency is advised to parade, with ostentatious bitterness, a bill of indictment against several of the leading constituencies of this Island,

you are at the same time advised carefully to suppress all the reasons which induced you, in the depth of winter, to dismiss your late Ministry and dissolve the House of Assembly."

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

<i>For the Amendment, 9.</i>	<i>Against the Amendment, 13.</i>	Division.
Mr. Kent	Hon. Attorney General	
“ Glen	“ Acting Colonial Secretary	
“ E. D. Shea	“ John Bemister	
“ Parsons	The Acting Receiver General	
“ Renouf	The Surveyor General	
“ Casey	Mr. Prowse	
“ Talbot	“ Rendell	
“ Flood	“ Knight	
“ Hanrahan	“ Whiteway	
	“ Walbank	
	“ March	
	“ Leamon	
	“ Evans.	

So it passed in the negative.

And the question on the original motion being then put, it passed in the affirmative on a similar division as the foregoing, and

Ordered,—Accordingly.

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

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

And the Address was read a third time accordingly, as follows:—

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

1.—We, the Representatives, of Her Majesty's loyal subjects, the Inhabitants of Newfoundland, in General Assembly convened, beg to thank

your Excellency for the gracious Speech with which you have been pleased to open the present Session of the Legislature.

2.—We deem it of the gravest consideration that Her Majesty's subjects should, on all occasions, exercise that freedom in the choice of their Representatives, which is their undoubted and inalienable right. In common with your Excellency, we lament that such distressing events have occurred at Harbor Main, in Saint John's, and at Harbor Grace. We trust, however, that all these calamitous events will undergo the strictest investigation by the Government, and on behalf of the House of Assembly we hope the several contested elections will receive careful and impartial consideration, and that justice will be done to all parties.

3.—We are sorry to learn from your Excellency that there is no information to lay before this House on the subject of the Fishery Convention with France, but we trust that your Excellency's opinion may be found to be correct, that none of our maritime or territorial rights have undergone any modification.

4.—The Revenue Bill, as your Excellency is aware, has passed both the Legislative Bodies, in the manner suggested in your gracious Speech.

5.—We deeply deplore with your Excellency the lamentable events which have occurred in the neighbouring Great Republic of the West, and we cordially respond to your Excellency's wish that peace and harmony may prevail in this Colony.

House of Assembly, }
2nd June, 1861. }

Passed.

Ordered,—That the Address do pass.

Engrossed and presented.

Ordered,—That the Address be engrossed and presented to His Excellency by Mr. Speaker and the whole House.

On motion of the HON. ATTORNEY GENERAL, seconded by Mr. SHEA,

Committee on Coastal Steam.

Resolved,—That a Select Committee be appointed to inquire into the subject of Coastal Steam, and to report to the House.

Ordered,—That the Surveyor General, Mr. Shea, Mr. Hanrahan, the Acting Receiver General, and the Hon. John Bemister, do form the Committee.

Report of Committee on Printing and Publishing.

The HON. JOHN BEMISTER, from the Select Committee to report upon the Printing and Publishing of the Debates and Proceedings of the House,

presented the Report, which he handed in at the Clerk's Table, where it was read, as follows:—

The Select Committee, appointed to enquire into and Report on the subject of Printing and Reporting, submit the following Report:—

They recommend that the Debates, *in full*, shall be published in the *Newfoundland Express* and *Public Ledger*, and copied into the *Newfoundlander* newspapers, but not to exceed the usual cost: and an outline or synopsis in the *Harbor Grace Standard*, for which a sum not exceeding Twenty-five pounds shall be allowed: And a sum not exceeding Fifty pounds, to enable the Editor of the *Daily News* to publish a daily synopsis of the proceedings of the House of Assembly, including the Orders of the Day.

The Printing of the Journals, Miscellaneous Printing, and Orders of the Day, to be advertised for public competition by Tender. The Tenders to be explicit in distinguishing between the cost of Plain, Ruled, Figured, and all other descriptions of work. And for the Journals and Miscellaneous Printing, the Tenders should be separate and distinct.

The Binding of the Journals to be likewise exposed to public competition by Tender. Each Tender to be accompanied by a good and sufficient surety for punctual and faithful performance of Contract. But the Committee are not to be bound to accept the lowest Tender.

JOHN BEMISTER,
JOHN H. WARREN,
W. V. WHITEWAY.

June 3, 1861.

Ordered,—That the Report be adopted.

Mr. CASEY gave notice, that on to-morrow he will move an Address to the Governor, requesting that His Excellency will be pleased to cause to be laid before the House, a copy of the correspondence between the Local and Imperial Government, in reference to the dismissal by His Excellency of his late Ministry.

Notice of address to Governor on dismissal of late Ministry.

Then the House adjourned till to-morrow at Three of the Clock.

Tuesday, 4th June, 1861.

Notice of address on petition of Thomas Finn of Carbonear.

Mr. HANRAHAN gave notice, that on to-morrow, he will move an Address to the Governor in Council, on the Petition of Thomas Finn, of Carbonear, claiming compensation for land taken for the public service.

Notice of address of Condolence to Her Majesty.

Mr. PARSONS gave notice, that on to-morrow, he will move an Address of Condolence to Her Most Gracious Majesty, on the lamented demise of Her Royal Highness the Duchess of Kent :

Notice of address in relation to Federal Union.

Also, that on to-morrow, he will enquire of the hon. Attorney General, whether any Despatch or Despatches have been received from the Imperial Government or the Neighbouring Colonies, on the subject of a Federal Union of the British North American Colonies.

Notice for Select Committee on Printing and Publishing.

The SURVEYOR GENERAL gave notice, that on to-morrow, he will move for the appointment of a Select Committee to carry out the Report of the Select Committee on the best means of publishing the Debates and proceedings of the Assembly.

Notice for returns in reference to Harbor Grace Election.

Mr. PARSONS gave notice, that on to-morrow, he will ask the hon. Attorney General to lay before the House the Special Return of the Returning Officer in the recent Election at Harbor Grace, and all other Documents connected therewith.

Ordered,—That the following Addresses be severally presented to His Excellency the Governor :—

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

Address to Governor relative to suspension and dismissal of R. Reader.

The House of Assembly respectfully request that your Excellency will be pleased to direct, that there be laid before this House a copy of the charges preferred against Robert Reader, late Stipendiary Magistrate of Old Perlican, Trinity Bay, and of all documents in connection therewith, which led to his suspension from office ; also, a copy of any Despatch or Despatches which may have been received from the Secretary for the Colonial Department on the subject of the dismissal or suspension from office of the said Robert Reader.

House of Assembly, }
4th June, 1861. }

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly having had under their consideration the accompanying Petition of Richard Meagher, respectfully beg leave to request that your Excellency will be pleased to take the said Petition into your favorable consideration, and make such order thereon as to your Excellency may appear just.

Address to Governor on
Petition of R. Meagher.

House of Assembly, }
4th June, 1861. }

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully request that your Excellency will take into consideration the expediency of supplying to the poor of St. John's and the Outports, a quantity of Seed Potatoes, and this House will indemnify your Excellency for any expenditure consequent thereon.

Address to Governor for
Seed Potatoes.

House of Assembly, }
4th June, 1861. }

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully request that your Excellency will be pleased to direct, that there be laid before this House a copy of the

Address to Governor on
destruction of life and pro-
perty in St. John's.

judicial proceedings had in reference to the late destruction of life and property in this city on Monday the 13th of May last; also a copy of the proceedings and evidence had before the Coroner on the inquest recently held on the body of a citizen named Hunt.

House of Assembly, }
4th June, 1861. }

Ordered,—That the said several Addresses be engrossed and presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

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

Select Committee on Harbor Grace Election.

Resolved,—That a Select Committee be appointed to report upon the Petition from the inhabitants of Harbor Grace, on the subject of the late Election for that District.

Ordered,—That Mr. Parsons, Mr. Hanrahan, the Hon. John Bemister, the Surveyor General, and the Acting Receiver General, do form the Committee.

Address on Ocean Steam Navigation.

Mr. KENT, pursuant to notice, seconded by Mr. SHEA, presented the draft of an Address to Right Hon. the Secretary of State for the Colonies, on the subject of Ocean Steam Navigation between Galway and St. John's, which was read a first time as follows:—

*To the Right Hon. H. M. Principal
Secretary of State for the Colonial
Department, &c., &c., &c.*

The Memorial of the House of Assembly of Newfoundland, humbly sheweth,—

That your Memorialists have learned with great regret, that the Imperial Government is about to withdraw its subsidy from the North Atlantic Royal Mail Steam Navigation Company, on the ground of non-fulfilment of Contract by that Company.

That this Colony has a deep interest in the continuance of this aid, in as much as its cessation would probably terminate that direct intercourse by steam with the Parent Country and the United States, which we have recently enjoyed.

That Newfoundland has made considerable sacrifices to establish this national boon; chiefly with a view to this object, our Legislature a few

years ago, conferred upon the New York, Newfoundland, and London Telegraph Company, valuable rights of property in the soil of the Island, and a guarantee of interest on their investments in the line of Telegraph between this Colony and the United States. We have since contributed amounts commonly considered beyond our limited means to encourage the calls of steamers at our capital port; and there is much reason to believe that had it not been for the efforts of this country establishing the unrivalled advantages of St. John's as a Port of Call, the speediest mode for the despatch of intelligence between the old and new worlds would have been yet practically unknown.

That the results which have flown to the trade and general interests of this country from its connexion by Steam with Great Britain and America have been of a highly beneficial character, notwithstanding the occasional interruptions that have taken place; and it is now universally felt that were this connexion severed, and the Colony thus thrown back into its former isolation, its commercial and industrial interests would sustain serious injury and depression in consequence, which, we feel assured, the Parent Government would anxiously desire to avert from this old and loyal, but struggling dependency.

That in a national point of view, Memorialists consider it superfluous, and perhaps not their province, to point out the manifold advantages insured to British interests by the continuance of the shortest line of communication between the Eastern and Western hemispheres; more especially at the present critical juncture of affairs in the United States, these considerations most infallibly suggest themselves to H. M. Government.

That in the opinion of your Memorialists, the Atlantic R. M. N. Company have peculiar claims to the further indulgence of H. M. Government. They were the pioneers of this highway of the ocean—the first and only parties who endeavoured to give to the undertaking a character of stability. From its commencement they have had weighty difficulties to contend with, in addition to these which usually beset the infancy of a great enterprise. To these alone, it appears to be owing that they are not yet prepared strictly to fulfil their contract. Meanwhile, however, they provide four first-class ships for the service, and we can confidently state that the performances of these vessels have given satisfaction to the people of this Colony.

That for these reasons and under the circumstances just referred to, your Memorialists would most earnestly pray H. M. Government not to withhold its support from the enterprise of this Company—to add to the

wise and liberal consideration already accorded to them, by an extension of time to enable them to place their new ships on the line, and in the meantime to accept the services of these fine steamers which are now employed as substitutes.

And as in duty bound, your Memorialists will ever pray,

Ordered,—That the Address be adopted and engrossed.

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

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

Address to Governor requesting him to forward Address to Secretary of State.

The House of Assembly have passed the accompanying Address to the Right Hon. the Secretary of State for the Colonies, which they respectfully request your Excellency will be pleased to forward by the present Mail.

Ordered,—That the Address be presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

Then the House adjourned till to-morrow at Three of the Clock.

Wednesday, 5th June, 1861.

Road Petition from Torbay.

Mr. PARSONS presented a Petition from Joseph Wheeler, of Cox's Marsh, near the Torbay Road, which was received and read, praying for a grant to open a road there.

On table.

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

Petition from Torbay for Seed Potatoes.

Mr. KAVANAGH presented a Petition from John Murphy and others, of Torbay, which was received and read, praying that the House would

be pleased to provide Seed Potatoes to enable them to plant their ground.

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

On table.
Petition to deepen Little Placentia Gut.

Mr. McGRATH presented a Petition from William Phoran and others, of Little Placentia, which was received and read, praying for a grant to enable them to deepen the Gut there.

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

On table.
Petition from Widow Bradshaw, for pension.

Mr. McGRATH presented a Petition from Hannah Bradshaw, widow of the late W. G. Bradshaw, Sub-Collector and Magistrate of Great Placentia, which was received and read, setting forth the long and faithful services of her husband, and praying that the House would be pleased to grant her a pension.

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

On table.
Notice of Bill to reduce Interest on Public Debt.

The Acting RECEIVER GENERAL gave notice, that on to-morrow he will ask leave to introduce a Bill for the reduction of the Interest on the Public Debt of the Colony.

On motion of the ACTING RECEIVER GENERAL, seconded by the Hon. JOHN BEMISTER,

Resolved,—That the House do resolve itself into Committee of the Whole on Supply.

Committee on Supply.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Progress reported.

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

The Hon. ATTORNEY GENERAL gave notice, that on to-morrow he will ask leave to bring in a Bill for the Organization of a Volunteer Force in Newfoundland.

Notice of Volunteer Force Bill.

Then the House adjourned till to-morrow at Three of the Clock.

Thursday, 6th June, 1861.

Petition from J. Mackey
for increase of salary.

Mr. HANRAHAN presented a Petition from John Mackey, Clerk of the Peace, Carbonear, which was received and read, setting forth the onerous duties he has to perform, not only as Clerk of the Peace, but as distributor of Poor Relief, and praying that his salary may be increased.

On table.

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

Notice of Address to Governor on Petition of J. Mackey.

Mr. HANRAHAN gave notice, that on to-morrow, he will move an Address to the Governor, on the subject of the foregoing Petition.

Notice of question in reference to Poor Commissioners.

Mr. CASEY gave notice, that on to-morrow, he will ask the Hon. Acting Colonial Secretary, who the present Poor Commissioners are, and whether it was by their orders several poor persons were refused relief, and for what reasons, although having notes for relief signed by Clergymen and Members of this House.

Notice of address to Governor in reference to Road Bill, &c.

Mr. GLEN gave notice, that on to-morrow, he will move an Address to the Governor, praying that His Excellency will be pleased to sanction the appropriation of a sum of money for a Road Bill, as it appears that the Acting Receiver General, by his Financial Statement, can pay some £4,500 of Debt falling due this year, and also some £4,000 into the Sinking Fund, out of a deficiency of £21,000, as shewn by his statement. This House is therefore of opinion, that, as the Acting Receiver General can, with his great ability accomplish the above object, he can also with equal Financial ability, find out of the said deficiency of £21,000, as shewn by his Financial Statement, a fair and moderate amount for so desirable an object as that of a Road Bill.

Committee on Supply.

Pursuant to Order of the Day, the House resolved itself into Committee of the Whole upon the further consideration of Supply.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Progress reported.

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

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

Mr. SPEAKER informed the House that he had received a communication from the Hon. Acting Colonial Secretary, stating that His Excellency would receive Mr. Speaker and the House with the Address of Thanks, in reply to His Excellency's Speech at the opening of the Session, to-morrow at half-past Twelve o'clock.

Time appointed by His Excellency to receive Address of Thanks.

Then the House adjourned till to-morrow at Twelve of the Clock.

Friday, 7th June, 1861.

It being the hour appointed for waiting on His Excellency the Governor with the Address of Thanks, in reply to the Speech at the opening of the Session.

Mr. Speaker and the House present Address of Thanks

Mr. SPEAKER and the House went up to Government House, and being returned,

Mr. SPEAKER informed the House that he had presented the Address of Thanks to His Excellency the Governor, to which His Excellency had been pleased to reply as follows :—

His Excellency's Reply to Address of Thanks.

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

I have to thank you for this Address.

I am sure we all concur in the importance which is every where attached to freedom of Election, in all parts of Her Majesty's dominions where there are free institutions.

Most unhappily, on the recent occasion, in some localities of this Colony, electors were prevented from voting for the object of their choice, and we have all to deplore the lamentable occurrences which took place at the last General Election.

I can assure you there is no one more anxious than I am, that the most rigid investigation shall be made into the causes which led to the disturbances and riots, and I regret to add, loss of life, which occurred ;

for, if a change of Administration and dissolution of the House of Assembly (for which I am responsible to the Crown) are to be attended with such sad consequences, it is high time that the course which was lately adopted by me should undergo the strictest scrutiny by Her Majesty's Government. I have already asked for such an investigation, and I avail myself of this opportunity of saying so, in order that every one in this Colony may send to H. M. Government such representations as they may consider necessary.

I have, as yet, no official information to lay before you relative to the Fishery Convention; but, as I have already stated to the other branch of the Legislature, I see no reason to alter the opinion which I formerly expressed, that there will be no modification of the maritime or territorial rights of the people of Newfoundland, which they now possess under existing Treaties, and I have been looking daily for a Ship of War to cruize as usual on this coast. I hope one will soon be here, but most of the Admiral's Squadron are now employed on very important duties on the coasts of the United States.

Government House, }
7th June, 1861. }

Committee on Supply.

Pursuant to Order of the Day, the House resolved itself into Committee of the Whole on the further consideration of Supply.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Progress reported.

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

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

Notice for Committee on Contingencies.

The SURVEYOR GENERAL gave notice, that on to-morrow he will move for the appointment of a Committee on Contingencies.

Then the House adjourned till Monday next at Three of the Clock,

Monday, 10th June, 1861.

Mr. PARSONS presented a Petition from Henry Renouf, Captain of the Terra Nova Rifle Volunteers, which was received and read, praying that the House reimburse him for the cost of uniform imported for that corps.

Petition from Captain of Terra Nova Rifle Volunteers, for paying of cost of uniform.

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

Mr. PARSONS gave notice, that on to-morrow, he will move for the appointment of a Select Committee on the foregoing Petition of Henry Renouf.

Notice for Select Committee on petition of Captain of Terra Nova Volunteers.

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

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

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly having had under their consideration the accompanying Petition of Thomas Finn, respectfully beg leave to request that your Excellency will be pleased to take the said Petition into your favorable consideration, and make such order thereon as to your Excellency may appear just.

Address on petition of J. Finn, of Carbonear.

House of Assembly, }
10th June, 1861. }

Ordered,—That the Address be engrossed and presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

The SURVEYOR GENERAL, pursuant to notice and leave granted, presented a Bill to amend the Nuisance Act, which was read a first time.

Nuisance Bill read 1st time.

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

(A Message from the Legislative Council.)

The Master-in-Chancery to the Legislative Council brought down the following Message;—

Mr. SPEAKER,—

Water Company Bill
amended by Council.

The Legislative Council acquaint the House of Assembly, that they have passed the Bill sent up to them, entitled "An Act for the further amendment of the Act for the Incorporation of the General Water Company," with some Amendments, to which they request the concurrence of the Assembly.

LAURENCE O'BRIEN,

President.

Council Chamber, }
10th June, 1861. }

And then the Messenger withdrew.

Amendments read 1st time.

The Amendments of the Legislative Council in and upon the Bill sent up from the Assembly, entitled "An Act for the Amendment of the Act for the Incorporation of the General Water Company," were read a first time, and are as follows:—

After the word "thereof," in the fifth line of the third section, "And that the number of the Directors to be so chosen shall be reduced from seven to five," three of whom shall be a quorum.

After the word "vote," on the last line of the same section, add "until such proceeding of the Board of Directors shall be submitted to, and approved of by the Governor in Council."

LAURENCE O'BRIEN,

President.

Council Chamber, }
10th June, 1861. }

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

On motion of the SURVEYOR GENERAL, seconded by the Hon. JOHN BEMISTER,

Select Committee on Print-
ing and Publishing.

Resolved,—That a Select Committee be appointed to carry out the Report of the Select Committee on the subject of Printing and Publishing the Proceedings of this House.

Ordered,—That the Surveyor General, the Hon. John Bemister, Mr. Whiteway, Mr. Hanrahan, and Mr. McGrath, do form the Committee.

On motion of the SURVEYOR GENERAL, seconded by Mr. WHITEWAY,

Resolved,—That a Select Committee be appointed on Contingencies.

Ordered,—That the Surveyor General, Mr. Whiteway, the Acting Receiver General, Mr. Kavanagh, and Mr. Glen, do form the Committee.

Committee on Contingencies.

The Hon. ATTORNEY GENERAL, pursuant to notice and leave granted, presented a Bill for the Organization of a Volunteer Force in Newfoundland, which was read a first time.

Volunteer Bill read 1st time.

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

The SURVEYOR GENERAL gave notice, that on to-morrow he will move that a Message be sent to the Legislative Council, requesting that they will furnish this House with the amount of their Contingencies.

Notice for Message to Council for Contingencies.

The Acting RECEIVER GENERAL gave notice, that on to-morrow he will ask leave to bring in a Supply Bill.

Then the House adjourned till to-morrow at Twelve of the Clock.

Tuesday, 11th June, 1861.

The Hon. ATTORNEY GENERAL, by command of His Excellency the Governor, presented to the House the following Documents:—

Documents from His Excellency the Governor.

Memorial from Assistant Judge Robinson, for compensation for loss of property by fire :

Petition from Michael Nowlan, for compensation for damage done to his property by the mob on 13th May last :

Petition from William Kitchin, on the same subject :

Petition from certain inhabitants of Harbor Grace, praying for compensation for loss of property there, by the riotous proceedings of the mob there on the 26th of April last :

Memorial from A. M. Mackay, Lessee and Superintendant of the

New York, Newfoundland and London Electric Telegraph Company, on the subject of wanton damage done to the wires of the Company :

Depositions taken before the Coroner, on the matter of the inquest on the body of John Hunt :

Verdict of Jury on the above inquest :

Depositions taken before the Coroner, on the matter of the Inquest on the body of James Fitzpatrick :

Verdict of the Jury on the foregoing Inquest :

Examination of Arthur Saunders Quill, Adjutant Royal Newfoundland Companies, in reference to rioting in the town of St. John's on 13th May last :

Examination of Michael Nowlan on the same subject.

On table.

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

Notice of Bill to amend Registration of Deeds Act.

Mr. WHITEWAY gave notice, that on to-morrow he will ask leave to bring in a Bill to amend the law now in force providing for the Registration of Deeds in this Colony.

Petition from F. Winton for remuneration for printing debates.

Mr. WHITEWAY presented a Petition from Francis Winton, Printer, which was received and read, praying that he may be remunerated for Reporting and Publishing the Debates and Proceedings of the last Session of the Assembly in the *Daily News* Newspaper.

Ordered,—That the said Petition be referred to the Committee on Contingencies.

Committee on Supply.

Pursuant to Order of the Day, the House resolved itself into Committee of the Whole upon the further consideration of Supply.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Resolved,—That it is the opinion of this Committee, that there be granted to Her Majesty, Her Heirs and Successors, the following sums of Money to defray the Civil Expenditure of the Island for the year ending 31st December, 1861 :

Resolutions reported.

The Private Secretary to the Governor, two hundred pounds.

The First Clerk in the Colonial Secretary's Office, two hundred pounds.

The Second Clerk in the Colonial Secretary's Office, one hundred pounds.

The Clerk in the Receiver General's Office, two hundred pounds.

The Civil Engineer in the Surveyor General's Office, one hundred and fifty pounds.

The Superintendent of Public Buildings, one hundred and fifty pounds.

The sum of one hundred and sixty pounds to defray the salary of the Surveyor of Roads.

The sum of two hundred and forty-five pounds to defray the salaries of the Inspectors of Roads, to be paid, in the first instance, out of the General Revenue, and to be afterwards deducted out of the Road Grant for the District of St. John's, when any such Grant shall be made.

The Keeper of the Colonial Building, sixty pounds.

The Office Keeper of the Colonial Secretary's Office, sixty pounds.

The Messenger of the Colonial Secretary's Office, sixty pounds.

The Keeper of the half-way House, Salmonier, thirty-five pounds.

The Gate Keeper at Government House Lodge, and Preserver of the Grounds about the same, sixty pounds.

The Chief Clerk and Registrar of the Supreme Court and Central Circuit Court, three hundred and fifty pounds, and twenty pounds for the purchase of Printed Forms. Eighty pounds to defray the salary of a Clerk in the Office of the Chief Clerk and Registrar of the Supreme Court and Central Circuit Court: Provided that all Fees and Perquisites received, or that shall be received in or by virtue of the said Office, or in any way connected therewith, shall be accounted for and paid over, half-yearly, to the Receiver General.

The Chief Clerk and Registrar of the Northern Circuit Court, two hundred pounds.

The Clerk and Registrar of the Southern Circuit Court, two hundred pounds.

The Sheriff's Bailiff in the Central District, fifty pounds.

The Crier and Tip-staff of the Supreme Court at St. John's, sixty pounds.

The Crier and Tip-staff of the Northern Circuit Court at Harbor Grace, twenty pounds.

The sum of one thousand pounds to defray the Expenses of Crown Prosecutions.

The sum of two hundred pounds to defray the Expenses of Coroners.

The sum of four hundred pounds towards defraying the Expenses of Judges and Officers on Circuit, and of Crown Prosecutions thereon; which Sum of Money includes Table Money and Means of Conveyance, and for the payment of Rent of any Court Rooms where Court Houses may not be erected: Provided that Passages shall be allowed and provided on board of each Vessel engaged by the Government, proceeding on the respective Circuits, to such Members of the Bar as may desire to proceed thereon: Provided further, that the amount of Table Money and Travelling Expenses hereinbefore provided for the said Judges and Officers of Court on Circuit, shall be apportioned for the said Judges and Officers respectively by the Governor in Council.

To two Police-Magistrates in St. John's, six hundred and fifty pounds, namely: to the Chief Magistrate three hundred and fifty pounds; and to the Junior Magistrate three hundred pounds.

To the Clerk of the Peace at St. John's, two hundred and twenty pounds.

To the Inspector of Police at St. John's, one hundred pounds.

To two Sergeants of Police, one hundred and forty pounds—namely, seventy pounds to each of them.

To fifteen Constables at St. John's, at fifty-five pounds each, eight hundred and twenty five pounds, and two hundred and fifty pounds for Clothing for them and for the Constables at Harbor Grace.

The Gaoler at St. John's, one hundred and fifty pounds, in lieu of all Fees, which are to be accounted for and paid over to the Receiver General.

The Turnkey of Gaol at St. John's, forty-four pounds.

The Assistants, eighty-five pounds.

The Keeper of the Court House at St. John's, fifty-five pounds.

The Keeper of the Court House at Harbor Grace, ten pounds.

The sum of two thousand and sixty pounds to defray the Salaries of the undermentioned Outport Magistrates, as follows:

A Magistrate at Brigus and Port-de-Grave, one hundred and fifty pounds.

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- A Magistrate at Harbor Grace, two hundred pounds.
A Magistrate at Carbonear, one hundred and fifty pounds.
A Magistrate at Old Perlican, one hundred and fifty pounds.
A Magistrate at Trinity, one hundred and fifty pounds.
A Magistrate at Bonavista, one hundred and fifty pounds.
A Magistrate at Twillingate and Fogo, one hundred and fifty pounds.
A Magistrate at Bay Bulls, one hundred pounds.
A Magistrate at Ferryland, one hundred and fifty pounds.
A Magistrate at St. Mary's, fifty pounds.
A Magistrate at Placentia, one hundred and thirty pounds.
A Magistrate at Burin, one hundred and fifty pounds.
A Magistrate at Lamaline, one hundred and fifty pounds.
A Magistrate at Grand Bank, one hundred and thirty pounds.
A Magistrate at Harbor Briton, one hundred pounds.

The sum of five hundred and seventy-five pounds towards defraying the salaries of the undermentioned Clerks of the Peace, as follows :

- A Clerk of the Peace at Brigus and Port-de-Grave, sixty-pounds.
A Clerk of the Peace at Harbor Grace, one hundred and fifty pounds.
A Clerk of the Peace at Carbonear, ninety pounds.
A Clerk of the Peace at Trinity, sixty pounds.
A Clerk of the Peace at Bonavista, sixty pounds.
A Clerk of the Peace at Twillingate and Fogo, sixty pounds.
A Clerk of the Peace at Burin, sixty pounds.
A Clerk of the Peace at Harbor Breton, thirty-five pounds.

Provided that all Fees of Office received by the said Clerks of the Peace shall be accounted for and paid over, half-yearly, to the Receiver General.

The sum of sixteen hundred and fifty-nine pounds towards defraying the Salaries of the Outport Constables, as follows :

- One Constable at Petty Harbor, twenty pounds.
One Constable at Torbay, twenty pounds.
One Constable at Portugal Cove, twenty pounds.
One Constable at South Shore, twelve pounds.
One Constable at Harbor Main, twenty pounds.

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- One Constable at Cat's Cove, twenty pounds.
- Three Constables at Brigus and Port-de-Grave, seventy pounds.
- One Constable at Bay Roberts, twenty-five pounds.
- Twelve Constables at Harbor Grace, six hundred and five pounds : that is to say, one Constable at eighty pounds, ten Constable at fifty pounds each, and one Constable at twenty-five pounds.
- Four Constables at Carbonear, one hundred and forty pounds.
- One Constable at Bay-de-Verds, twelve pounds.
- One Constable at Upper Island Cove, twelve pounds.
- One Constable at Western Bay, twelve pounds.
- One Constable at Hant's Harbor, twelve pounds.
- One Constable at Old Perlican, twenty pounds.
- One Constable at Heart's Content, twelve pounds.
- Two Constables at Trinity, thirty-seven pounds.
- One Constable at New Harbor, twelve pounds.
- One Constable at Catalina, twenty-five pounds.
- One Constable at Bonavista, twenty-five pounds.
- One Constable at Tickle Cove, twelve pounds.
- One Constable at King's Cove, twenty pounds.
- One Constable at Salvage, twelve pounds.
- One Constable at Greenspond, twenty-five pounds.
- Three Constables at Twillingate and Fogo, forty-nine pounds.
- One Constable at Exploits Bay, twelve pounds.
- One Constable at Bay Bulls, twenty-five pounds.
- One Constable at Witless Bay, twelve pounds.
- One Constable at Toad's Cove, twelve pounds.
- One Constable at Brigus, twelve pounds.
- One Constable at Cape Broyle, twelve pounds.
- One Constable at Caplin Bay, twelve pounds.
- One Constable at Ferryland, twenty-five pounds.
- One Constable at Aquaforte, twelve pounds.
- One Constable at Fermeuse, twelve.
- One Constable at Renew's, twelve pounds.
- One Constable at St. Mary's, twenty-five pounds.
- One Constable at Placentia, twenty-five pounds.

One Constable at Little Placentia, twenty pounds.

One Constable at Oderin, twelve pounds.

One Constable at Merasheen, twelve pounds.

One Constable at Burin, twenty-five pounds.

One Constable at St. Lawrence, twelve pounds.

One Constable at Lamaline, twelve pounds.

One Constable at Grand Bank, twelve pounds.

One Constable at Jersey Harbor, twelve pounds.

One Constable at Harbor Breton, twenty-five pounds.

One Constable at Burgeo Islands, twelve pounds.

One Constable at Hermitage Bay, twelve pounds.

One Constable at Spaniard's Bay, twelve pounds.

One Constable at Channel, twelve pounds.

One Constable at Bird Island Cove, twelve pounds.

The sum of two hundred and fifty-five pounds towards defraying the salaries of the undermentioned Outport Gaolers, as follows :

A Gaoler at Brigus and Port-de-Grave, ten pounds.

A Gaoler at Harbor Grace, ninety pounds : Provided that all Fees of Office received by him shall be accounted for and paid over to the Receiver General.

A Gaoler at Trinity, twenty-five pounds.

A Gaoler at Bonavista, twenty pounds.

A Gaoler at Greenspond, fifteen pounds.

A Gaoler at Twillingate and Fogo, twenty pounds.

A Gaoler at Ferryland, twenty-five pounds.

A Gaoler at Placentia, twenty-five pounds.

A Gaoler at Burin, twenty-five pounds.

The District Surgeons for St. John's, two hundred pounds, including provision for Medicines.

The Gaol Surgeon for St. John's, forty pounds.

The District Surgeon for Conception Bay, one hundred pounds.

The Gaol Surgeon for Conception Bay, thirty pounds.

The Physician of the Lunatic Asylum, three hundred pounds.

For Medical Attendance at St. John's Hospital, two hundred and fifty pounds.

The sum of two hundred and fifty pounds towards defraying the Salary of the Commissioner of the Poor.

The sum of ninety pounds towards defraying the Salary of the Inspector of the Poor.

The sum of forty pounds towards defraying the Salary of the Keeper of the Sheds.

The sum of eighteen thousand pounds towards the relief of the Permanent and Casual Poor of St. John's and the Outports.

The sum of three thousand five hundred pounds towards defraying the Expenses of Servants and Lunatic Paupers at the Lunatic Asylum.

The sum of one thousand four hundred pounds towards defraying the Expenses of Paupers at the St. John's Hospital.

The sum of three hundred and sixty-seven pounds towards defraying the Salaries of the undermentioned Ferryman, as follows :

A Ferryman at Great Placentia, thirty pounds.

A Ferryman at Salmonier, twenty-five pounds.

A Ferryman at Malbay, twelve pounds.

A Ferryman at Colinet, twenty-five pounds.

A Ferryman at Trinity, thirty pounds.

A Ferryman at Portugal Cove, twenty-five pounds.

A Ferryman at Topsail, twenty-five pounds.

A Ferryman at Harbor Grace, thirty pounds.

A Ferryman at Holyrood, thirty pounds.

A Ferryman at Little St. Lawrence, ten pounds.

A Ferryman at Burin to Mud Cove, twenty-five pounds.

A Ferryman at Aquaforte, fifteen pounds.

A Ferryman at Mortier Bay, twenty-five pounds.

A Ferryman at Connaigre Bay, twenty-five pounds.

A Ferryman from King's Cove to Upper Amherst Cove, twenty-five pounds.

A Ferryman at Deadman's Bay, twenty-five pounds.

The sum of thirty-six pounds ten shillings towards defraying the Expenses of Men stationed at Fort Amherst.

The sum of fifty pounds towards defraying the payment of Duties on Wine imported or purchased for the use of the Military.

The sum of two hundred and twenty-six pounds towards defraying the Expenses of Lighting St. John's with Gas : Provided that the Inspector of Police at St. John's shall report, at the end of each Quarter, that the Lamps have been efficiently lighted.

The sum of seventy-five pounds to the Harbor Grace Gas Light Company : Provided that the Chief Constable at Harbor Grace shall report, at the end of each Quarter, that the Lamps have been efficiently lighted.

The sum of two hundred pounds towards defraying the Expense of Shipwrecked Crews.

The sum of fifty pounds towards the support of the Dorcas Society in St. John's.

The sum of twenty-five pounds towards the support of the Dorcas Society in Harbor Grace.

The sum of twenty-five pounds towards the support of the Dorcas Society in Carbonear.

The sum of fifty pounds towards defraying the Expenses of the St. John's Athenæum.

The sum of one hundred pounds towards the employment of the Poor in the Factory in St. John's.

The sum of fifty pounds towards the support of the Industrial Department of the Orphan Asylum School in St. John's.

The sum of one hundred pounds towards the support of the Agricultural Society in St. John's.

The sum of ten pounds to Robert Smith, Constable at Greenspond.

The sum of one hundred pounds to the Phoenix Volunteer Fire Engine Company at St. John's.

The sum of one hundred pounds to the Cathedral Fire Brigade at St. John's.

The sum of one hundred pounds towards defraying the Expenses of constructing Pumps and Water Tanks.

The sum of one thousands three hundred and fifty pounds towards the general Repairs of Roads and Bridges in this Colony.

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- The sum of twenty-five pounds to Joseph Woods for publishing an Almanac for 1861, in St. John's.
- The sum of fifteen pounds towards defraying the Expenses of repairing and cleaning the Town Clock in St. John's.
- The sum of forty pounds towards defraying the Expenses of Herring Curers.
- The sum of one hundred and thirty pounds towards defraying the Expenses of Telegraph News.
- The sum of three thousand two hundred and fifty pounds towards defraying the Expenses of establishing Steam Communication by Steamboat between St. John's and the Outports of this Island.
- The sum of seven hundred and fifty pounds to the Conception Bay Steam Packet Company.
- The sum of nine hundred and thirty-six pounds Subsidy to the Halifax Steam Packet.
- The sum of six hundred pounds towards defraying the Expenses of the Protection of Fisheries.
- The sum of forty pounds to the widow of late Lionel T. R. Chancey.
- The sum of twenty-five pounds to the widow of the late William Buckley, killed in discharge of his duty as Volunteer Fireman, and their Children, during her Widowhood, and in the event of her death or marriage, then to the use of the said Children, until they respectively attain the age of sixteen years.
- The sum of six hundred and forty-five pounds to defray the Expenses of the General Election.
- The sum of ten pounds to Patrick Burke, of St. John's.
- The sum of one hundred and fifty pounds towards defraying the Expenses of Repairs on the Colonial Building.
- The sum of one hundred pounds towards defraying the Expenses of Repairs on the Lunatic Asylum.
- The sum of one hundred pounds towards defraying the Expenses of Repairs on the St. John's Hospital.
- The sum of two hundred pounds towards defraying the Expenses of Repairs of Court Houses and Gaols.

The sum of one thousand pounds towards defraying the Ordinary Expenses of Court Houses and Gaols in this Colony.

The sum of one hundred pounds for Fuel and Light at the Custom House.

The sum of two hundred pounds for Fuel and Light at the Colonial Building.

The sum of two hundred pounds for Fuel and Light at Government House.

The sum of seventy-five pounds towards defraying the Expenses of carrying the Crown Lands' Act into operation.

The sum of one thousand pounds for Printing and Stationery.

The sum of one hundred pounds towards defraying the Expenses of Postages and other Incidentals.

The sum of three hundred pounds towards defraying the Expenses of Insuring Public Buildings.

The sum of five hundred pounds to defray Unforeseen Contingencies.

That the sum of three thousands two hundred and fifty pounds be appropriated and expended to defray the Expenses of the Postal Service of this Colony, to be expended under and by virtue of the Provisions of the Act passed in the Nineteenth Year of Her Majesty's Reign, entitled "An Act to Regulate the Inland Posts of this Colony:" Provided always, that out of the said sum there shall be expended the sum of twenty pounds towards defraying the Expenses of conveying Newspapers and Printed Papers to and from this Colony, subject to certain Rules and Regulations made or to be adopted in relation thereto by the Governor in Council.

The sum of one hundred pounds in part payment of Retiring Allowance to John Stark, Esq., Chief Clerk and Registrar of the Northern Circuit Court.

The sum of two hundred pounds Retiring Allowance to William L. Solomon, Esq., late Postmaster General.

The sum of one hundred pounds Travelling Expenses of Inspectors of Schools, being fifty pounds each to the Protestant Inspector and the Roman Catholic Inspector.

For Repairs of the St. John's Factory, thirty-nine pounds three shillings and four pence.

Ordered,—That the Report be adopted.

Amendments on Water
Company Bill read 2nd
time.

Pursuant to Order of the Day, the Amendments of the Legislative Council upon the Bill to amend the Act for the Incorporation of the General Water Company, were read a second time.

Ordered,—That the House do, on to-morrow, resolve itself into Committee of the Whole on the said amendments.

Nuisance Bill read 2nd
time.

Pursuant to Order of the Day, the Bill to amend the Nuisance Act was read a second time.

Ordered,—That the House do, on to-morrow, resolve itself into Committee of the Whole upon the said Bill.

Volunteer Bill read 2nd
time.

Pursuant to Order of the Day, the Bill to provide for the organization of a Volunteer Force in Newfoundland, was read a second time.

Ordered,—That the House do on to-morrow resolve itself into Committee of the Whole on the said Bill.

Supply Bill read 1st time.

The Acting RECEIVER GENERAL, pursuant to notice and leave granted, presented a Bill for defraying the Civil Expenditure of the Colony, for the year ending 31st December, 1861, which was read a first time.

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

Notice for suspension of
Rules on Supply Bill.

The Acting RECEIVER GENERAL gave notice, that on to-morrow, he will move that the rules of the House be suspended in reference to the Supply Bill.

Then the House adjourned till to-morrow at Three of the Clock.

Wednesday, 12th June,

On motion of the SURVEYOR GENERAL, seconded by the Hon. Acting COLONIAL SECRETARY,

Message to Council for
amount of Contingencies.

Resolved,—That a Message be sent to the Legislative Council, requesting that they will be pleased to transmit to this House the amount of their Contingencies for the last and present Session of the Assembly.

Ordered,—That the Surveyor General and the Hon. Acting Colonial Secretary, do take the Message to the Legislative Council.

Ordered,—That a Select Committee be appointed to enquire into petition of Henry Renouf, Captain of the Terra Nova Rifle Volunteers.

Committee on petition of Captain of Terra Nova Volunteer Rifle Corps.

Ordered,—That Mr. Parsons, Mr. Hanrahan, Mr. March, Mr. Prowse, and Mr. Rendell, do form the Committee.

On motion of the Hon. Acting COLONIAL SECRETARY, seconded by the SURVEYOR GENERAL,

Resolved,—That the Rules of the House be suspended in reference to the Supply Bill.

Rules suspended in reference to Supply Bill.

Mr. WHITEWAY, pursuant to notice, and leave granted, presented a Bill to amend the Act for the Registration of Deeds, which was read a first time.

Registration of Deeds Bill read 1st time.

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

On motion of Mr. CASEY, seconded by Mr. RENOUF,

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

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly respectfully request that your Excellency will be pleased to inform this House, if any, and what steps have been taken to bring to justice the parties who fired on the people of St. John's, on the 26th ultimo, the day of Nomination of Candidates for the Western Division of the Electoral District of St. John's.

Address to Governor respecting firing on people on Nomination Day.

House of Assembly, }
12th June, 1861. }

Ordered,—That the said Address be engrossed and presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

Mr. CASEY moved, seconded by Mr. KENT,

Motion for Address to Governor on dismissal of late Ministry.

That an Address be presented to His Excellency the Governor, respectfully requesting that he will be pleased to lay before the House a copy of any correspondence that may have taken place between the Local and Imperial Governments, on the subject of the dismissal of the late Ministry.

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

For the Motion, 8.

Against the Motion, 12.

Division.

Mr. Kent

Hon. Attorney General

“ Glen

“ Acting Colonial Secretary

“ Kavanagh

“ John Bemister

“ Talbot

The Acting Receiver General

“ Renouf

The Surveyor General

“ Casey

Mr. Prowse

“ E. D. Shea

“ Knight

“ Hanrahan.

“ Whiteway

“ Rendell

“ Walbank

“ Evans

“ March.

So it passed in the negative, and,

Address negatived.

Ordered,—Accordingly.

Petition of R. Cuddihy.

Mr. RENOUF presented a Petition from Richard Cuddihy, which was received and read, praying that the House would adopt the Report of the Select Committee of the House appointed in the year 1860, to investigate his claim for damage done to his property by the erection of a public tank there.

On table.

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

Notice of motion for Address on petition of R. Cuddihy.

Mr. RENOUF gave notice, that on to-morrow, he will move that an Address be presented to His Excellency the Governor, on the foregoing Petition of Richard Cuddihy.

Notice of suspension of Rules of House in reference to Bills.

The Hon. ATTORNEY GENERAL gave notice, that on to-morrow, he will move that the Rules of the House be suspended in reference to all Bills before this House, or that may come from the Council.

Mr. SHEA gave notice, that on to-morrow, he will move an Address to H. M. Government, on the subject of the French Fishery Question.

Notice of Address on French Fishery question.

Then the House adjourned till to-morrow at Three of the Clock.

Thursday, 13th June, 1861.

Mr. PROWSE presented a Petition from Robert Winton, Proprietor and Publisher of the St. John's *Daily News*, which was received and read, praying that he may be reimbursed for reporting and publishing the Reports of the last Session of the Assembly.

Petition from Proprietor of Daily News for pay for publishing debates.

Ordered,—That the said Petition be referred to the Committee on Contingencies.

Mr. HANRAHAN presented a Petition from Thomas Bearnès, of St. John's, which was received and read, praying for compensation for ground in Harbor Grace, taken for improvement of the streets there:

Petition from T. Bearnès for compensation.

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

On table.

Mr. HANRAHAN gave notice, that on to-morrow, he will move an Address to the Governor on the foregoing Petition of Thomas Bearnès.

Notice of Address to Governor on petition of T. Bearnès.

Mr. RENOUF presented a Petition from Honorah Mackay, of St. John's, which was received and read, praying that she may be paid the amount of award in her favour for property consumed by fire in the years 1846 and 1853.

Petition from Honorah Mackay.

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

On table.

Mr. RENOUF gave notice, that on to-morrow, he will move an Address to the Governor on the Petition of Honorah Mackay.

Notice of address on petition of H. Mackay.

Mr. GLEN presented a Petition from Margaret Born, which was received and read, praying that she may be remunerated for her services as Librarian of the Legislative Library, from Oct., 1860, to Feb., 1861.

Petition from M. Born.

Ordered,—That the said Petition be referred to the Committee on Contingencies.

Committee on amendments
on Water Company Bill.

Pursuant to Order of the Day, the House resolved itself into a Committee of the Whole upon the Amendments of the Legislative Council in and upon the Bill to amend the Act for the Incorporation of the General Water Company.

Mr. SPEAKER left the Chair.

Mr. HANRAHAN took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Reported without amend-
ment.

The Chairman reported from the Committee, that they had passed the Amendments to them referred without amendment.

Ordered,—That the Amendments be read a third time to-morrow.

Committee on Nuisance
Bill.

Pursuant to Order of the Day, the House resolved itself into Committee of the Whole upon the Bill to amend the Nuisance Act.

Mr. SPEAKER left the Chair.

The Acting RECEIVER GENERAL took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Progress reported.

The Chairman reported from the Committee, that they had made some progress in the Bill to them referred, and had instructed him to ask leave to sit again to-morrow.

Ordered,—That the Committee stand first on the Order of the Day for to-morrow.

Supply Bill read 2nd time.

Pursuant to Order of the Day, the Bill for granting to Her Majesty a sum of money to defraying the Civil Expenditure of the Colony, for the year 1861, was read a second time.

Ordered,—That the House do now resolve itself into Committee of the Whole on the said Bill.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

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

And the Bill was read a third time accordingly. Read 3rd time.

Ordered,—That the Bill do pass, and be 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, 1861,” and for other purposes. Passed and titled.

Ordered,—That the Hon. Acting Colonial Secretary and the Acting Receiver General do take the Bill to the Legislative Council and desire their concurrence. Sent to Council.

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

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

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

Address on petition of Cuddihy.

MAY IT PLEASE YOUR EXCELLENCY,—

The House of Assembly having had under their consideration the accompanying Petition of Richard Cuddihy, respectfully beg leave to request that your Excellency will be pleased to take the said Petition into your favorable consideration, and make such order thereon as to your Excellency may appear just.

House of Assembly, }
13th June, 1861. }

Ordered,—That the said Address be engrossed and presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

Pursuant to Order of the Day, the House resolved itself into Committee of the Whole upon the Bill to provide for the Organization of a Volunteer Force in Newfoundland. Committee on Volunteer Force Bill.

Mr. SPEAKER left the Chair.

Mr. MARCH took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

Reported without amendment.

The Chairman reported from the Committee that they had passed the Bill to them referred without Amendment, and had instructed him to report the same to the House, and he handed the Bill in at the Clerk's Table.

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

Read 3rd time.

And the Bill was read a third time accordingly.

Passed and titled.

Ordered,—That the Bill do pass, and be entitled "An Act for the Organization of a Volunteer Force in Newfoundland."

Sent to Council.

Ordered,—That the Hon. Attorney General and Mr. Rendell do take the Bill to the Legislative Council and desire their concurrence.

Then the House adjourned till to-morrow at Three of the Clock.

Friday, 14th June, 1861.

Petition from Catalina for Custom-house Officer.

Mr. RENDELL presented a Petition from James Murphy and others, of Catalina, which was received and read, praying for the appointment of a Custom-house Officer there.

On table.

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

Petition from R. B. Holden, for compensation for services as Clerk of Harbor Grace Election Committee.

Mr. RENDELL presented a Petition from R. B. Holden, of St. John's, which was received and read, praying that he may be remunerated for his services as Clerk of the Harbor Grace Election Committee, in the last Session of the Assembly.

Ordered,—That the said Petition be referred to the Committee on Contingencies.

Road Petition from St. John's West.

Mr. CASEY presented a Petition from Richard Funcheon and others, of St. John's, which was received and read, praying that a grant may be made to complete the Road from Stephen Reddick's to Peter Short's.

On table.

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

Pursuant to Order of the Day, the Amendments of the Legislative Council upon the Bill to amend the Act for the Incorporation of the General Water Company, were read a third time.

Amendments on Water Company Bill read 3rd time.

Ordered,—That the Amendments do pass, and that a Message be sent to the Legislative Council, acquainting them that this House concurs therein.

Passed and Message to Council.

Ordered,—That the Hon. Attorney General and the Surveyor General do take the Message to the Legislative Council.

Pursuant to Order of the Day, the House resolved itself into Committee of the Whole upon the further consideration of the Bill to amend the Nuisance Act.

Committee on Nuisance Act.

Mr. SPEAKER left the Chair.

The Acting COLONIAL SECRETARY took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Reported with amendments.

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

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

Read 3rd time.

And the Bill was read a third time accordingly.

Ordered,—That the Bill do pass, and be entitled "An Act to make further provision for the Prevention of Nuisances."

Passed.

Ordered,—That the Surveyor General and the Hon. Attorney General do take the Bill to the Legislative Council and desire their concurrence.

The Hon. ATTORNEY GENERAL presented a Petition from James McStravick and others, of the Electoral District of Harbor Grace, which was received and read, setting forth,—

Petition from Harbor Grace on Election.

That Petitioners have been informed that a Petition had been presented to the House of Assembly, praying that Messrs. Hayward and Prendergast be permitted to take their seats as Members for that District:

That Petitioners respectfully protest against the prayer of such Petition being granted, as the alleged resignation of Mr. Moore, the other Candidate for the District, was occasioned by the illegal violence and outrage of the supporters of Mr. Prendergast.

That if the Peace had not been violated, and if the Polling had been proceeded with, Mr. Prendergast would not have been elected—a large majority of the voters of the District being in favour of Messrs. Hayward and Moore.

That to permit Mr. Prendergast to take a seat under these circumstances, would be unfair to the people of the District, and to their chosen Candidates, and would countenance riot, disorder, and disturbance of the Peace, and outrage on person and property; and praying that if any action should be taken in the matter, other than the issuing of a New Writ, it may be to declare Messrs. Hayward and Moore the Members entitled to sit.

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

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

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

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

Address on Petition of T. Bearnés.

The House of Assembly having had under their consideration the accompanying Petition of Thomas Bearnés, of St. John's, respectfully beg leave to request that your Excellency will be pleased to take the said Petition into your favorable consideration, and make such order thereon as to your Excellency may appear just.

House of Assembly, }
14th June, 1861. }

Ordered,—That the said Address be engrossed and presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

(A Message from the Legislative Council.)

The Master-in-Chancery to the Legislative Council brought down the following Message ;—

Mr. SPEAKER,—

The Legislative Council acquaint the House of Assembly, that they have passed the following Bills sent up : A Bill 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 the 31st day December, 1861, and for other purposes :” And a Bill entitled “ An Act to provide for the Organization of a Volunteer Force for the Protection of Newfoundland,” without Amendment.

Supply Bill and Volunteer Bill passed Council.

LAURENCE O'BRIEN,

President.

Council Chamber, }
14th June, 1861. }

And then the Messenger withdrew.

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

Mr. PARSONS presented a Petition from James Prendergast, late Clerk in the St. John's Custom House, which was received and read, praying that the House would be pleased to take into consideration his claims for compensation for loss of office.

Petition from J. Prendergast for compensation.

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

Mr. PARSONS gave notice, that on to-morrow, he will move an Address to the Governor on the foregoing Petition.

Notice of Address to Governor on foregoing petition.

The SURVEYOR GENERAL, from the Select Committee appointed to enquire into the subject of Coastal Steam, presented the Report, which he handed in at the Clerk's Table, where it was read as follows :—

Report of Committee on Coastal Steam.

COMMITTEE ROOM, }
House of Assembly, }
June 14, 1861. }

The Select Committee to whom was referred by your Honorable House the subject of Coastal Steam Communication ; the propositions of Captain Cudworth, of the Steamer *Victoria*, and those of Monsieur Heures, on the part of the Government of St. Pierre and Miquelon,

beg leave to report, that having in the first place carefully perused the letter of Captain Cudworth, they deemed it more satisfactory that the Captain should appear personally before them to afford more complete information on the subject. He accordingly came before your Committee and proposed the following modifications of his Contract :

That the Northern route of the Steamer *Victoria* should in future be monthly instead of fortnightly, from the 10th of May to the 10th of December, substituting Bay-de-Verds for Old Perlican, omitting Trinity and King's Cove, and substituting Catalina and Greenspond as Ports of Call.

That on the Western fortnightly route, Placentia, St. Mary's, and Oderin, should be omitted as Ports of Call.

As an alternative, he then proposed that if the Local Government would pay him an extra sum of £1500 currency, the amount offered him by the French Government for conveying their mails hence to St. Peter's fortnightly, he would abandon the St. Peter's part of his route, and carry out the present contract in all its details.

Your Committee having maturely considered both these propositions, are of opinion that neither should be agreed to. The former one would sacrifice the interests of a large portion of our Northern population, concerned in the regular calling of the Steamer at those ports proposed to be passed by ; and this objection applies with equal force in the case of those who reside at the Ports of Placentia Bay, proposed to be omitted on the Western cruise.

The second proposal of Captain Cudworth is objectionable, on the score of largely increased expense.

The Committee are of opinion that the service North and South cannot be satisfactorily performed by one Steamer, and that endeavours should immediately be made to secure two suitable boats, one for each route. In this arrangement the Local Government could insure the efficient and punctual performance of the St. Peter's portion of the service. But the Committee regret that under present circumstances they are unable to recommend to your Honorable House any permanent arrangement for the fortnightly conveyance of the French mails to St. Peter's.

JOHN H. WARREN,
Chairman.

EDMUND HANRAHAN,
JOHN WINTER,
D. W. PROWSE.

Ordered,—That the said Report do lie upon the table.

The SURVEYOR GENERAL gave notice, that on to-morrow, he will move the House into Committee of the Whole on the foregoing Report.

Notice for Committee on Coastal Steam.

The Acting RECEIVER GENERAL gave notice, that on to-morrow, he will ask leave to bring in a Contingency Bill; and also that the rules of the House be suspended in reference thereto.

Notice for Contingency Bill.

Then the House adjourned till to-morrow at Three of the Clock.

Saturday, 15th June, 1861.

The Hon. ATTORNEY GENERAL presented a Petition from Thomas Byrne, which was received and read, praying that he may be compensated for damage done to his property by a mob on the 13th May last.

Petition from T. Byrne for compensation.

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

On table.

The Hon. JOHN BEMISTER presented a Petition from Allan Goodridge, President of the Newfoundland Marine Assurance Company, and others, which was received and read, praying that Legislative Encouragement may be given to establish a School where the higher branches of Navigation may be taught.

Petition for Navigation School.

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

On table.

The Hon. JOHN BEMISTER gave notice, that on to-morrow he will move an Address to His Excellency the Governor, praying his favorable consideration of the Petition of A. Goodridge and others.

Notice for Address to Governor on petition of A. Goodridge.

(A Message from the Legislative Council.)

The Master-in-Chancery to the Legislative Council brought down the following Message;—

MR. SPEAKER,—

The Legislative Council acquaint the House of Assembly, that they have adopted and passed the accompanying Report on the Contingencies of the Council for the past and present Session, to which they request the concurrence of the Assembly.

Message from Council with amount of Contingencies.

LAURENCE O'BRIEN,

President.

Council Chamber, }
14th June, 1861. }

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

On table.

The Select Committee appointed to take into consideration and report upon the Contingent Expenses of the Legislative Council, for the past and present Sessions of the year 1861, report the following to be the expenses of those Sessions:—

	1st Session.			2nd Session.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
President of the Council - - -	200	0	0				200	0	0
Clerk and Master-in-Chancery							350	0	0
Usher of the Black Rod - - -	120	0	0	60	0	0	180	0	0
Reporter - - - - -	125	0	0	62	10	0	187	10	0
Door Keeper - - - - -	50	0	0	25	0	0	75	0	0
Assistant Door Keeper - - -	30	0	0	15	0	0	45	0	0
Messenger - - - - -	25	0	0	12	10	0	37	10	0
John C. Withers, Printing	168	14	0	8	2	6	176	16	6
Proprietor of <i>Newfoundlander</i> , for Publishing Debates - - -	45	0	0	15	0	0	60	0	0
Proprietor of <i>Courier</i> , do. - - -	45	0	0	15	0	0	60	0	0
Proprietor of <i>Times</i> , copying Debates - - - - -	30	0	0				50	0	0
Proprietor of <i>Times</i> , Publish- ing Debates - - - - -				20	0	0			
<i>Ledger</i> , for copying Debates -	30	0	0	15	0	0			
Joseph Woods, arrears of 1860	177	14	6				409	2	6
Account for Printing and Bind- ing Journals, 1861 - - - -	231	8	0						
Probable cost of Printing and Binding present Session - - -							200	0	0
Clerk's account for Contingen- cies - - - - -							104	11	8
Usher of the Black Rod, do. -							48	5	5
Sessional Allowance to twelve Members of Council, exclu- sive of President, at £42, charged at only one Session							504	0	0
							Sterling		
							£2732	16	1

Provided that the foregoing Allowances to the Reporter and Publishers of the Debates shall not be paid until the Debates be fully Reported and Published.

LAURENCE O'BRIEN,

President.

Passed the Legislative Council, 14th June, A.D., 1861.

Pursuant to Order of the Day, the House resolved itself into Committee of the Whole on the Report of the Select Committee on Local Steam. Committee on Local Steam.

Mr. SPEAKER left the Chair.

Mr. RENOUF took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

The Chairman reported from the Committee, that they had passed the following Resolution on the business to them referred, which they had directed him to report to the House, and he handed the Resolution in at the Clerk's Table, where it was read as follows :

Resolved,—That this Committee are of opinion that the application from the owner of the *Victoria* Steamer, to the effect that the amount granted to him may be increased, or that the number and extent of the voyages to be performed by that vessel may be lessened, be not acceded to, but that the Government be authorized to dispense with part of the work to be done by that vessel, on consideration of a proportionate reduction being made in the amount of the subsidy, or to make some other arrangement on the best terms practicable for the continuance of the present service for the period of twelve months.

Resolution reported from Committee on Local Steam.

Ordered,—That the Report be adopted.

The SURVEYOR GENERAL, from the Select Committee appointed to carry out the Report of the Select Committee on Publishing and Printing the Proceedings of the Assembly, presented the Report, which he handed in at the Clerk's Table, where it was read as follows :—

Report of Committee on Printing and Publishing.

COMMITTEE ROOM,
House of Assembly,
June 15, 1861. }

The Select Committee appointed to carry out the Report of the Select Committee on Printing the Journals and Miscellaneous Papers of the Assembly, beg leave to report that in accordance with the recommendations contained in the Report, they advertised for Tenders for the work required, and have accepted as follows :

For Printing Journals—The Tender of James Seaton, at six shillings currency per page, for plain work ; and nine shillings, currency, for figured and ruled work ; and six pence each, for blank pages.

For Miscellaneous Printing—The Tender of Henry Winton, at thirty shillings, currency, per sheet, for one hundred copies of plain work ; and fifty shillings, currency, per sheet, for one hundred copies of ruled and figured work ; and for Orders of the Day, four shillings, currency.

For Binding Journals—The Tender of Robert Dicks, at ten shillings, currency, per volume, to be bound in calf and equal to the sample shown.

Respectfully submitted by,

JOHN H. WARREN,

Chairman.

JOHN BEMISTER,

EDMUND HANRAHAN, } Excepting
RICHARD McGRATH, } Printing
Journals.

W. V. WHITEWAY.

Ordered,—That the Report be adopted.

(A Message from the Legislative Council.)

The Master-in-Chancery to the Legislative Council brought down the following Message :—

Mr. SPEAKER,—

The Legislative Council acquaint the House of Assembly that they have passed the Bill sent up, entitled “ An Act to make further provision for the Prevention of Nuisances ”—with an amendment, to which they request the concurrence of the Assembly.

LAURENCE O'BRIEN,

President.

Council Chamber, }
15th June, 1861. }

And then the Messenger withdrew.

The Amendment of the Legislative Council in and upon the Bill sent up from the Assembly, entitled “ An Act to make further provision for the Prevention of Nuisances, ” was read a first time, and is as follows :

Message from Council,
Nuisance Bill passed with
Amendment.

Amendment of Legislative
Council on Nuisance Bill.

After the word "Shillings," on the last line of the Seventh Section, insert "such Licence to be numbered, and a corresponding Number worn by the Person so Licensed, on a conspicuous part of his Dress."

Ordered,—That the Amendment be read a second time presently.

The Amendment was then read a second time, committed, reported, read a third time and passed.

Ordered,—That a Message be sent to the Legislative Council, acquainting them that the House has concurred therein.

Ordered,—That the Surveyor General, and the Hon. John Bemister do take the Message to the Council.

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

Resolved,—That an Address of Condolence be transmitted to Her Most Gracious Majesty, on the death of Her Royal Highness the Duchess of Kent.

Address of Condolence to Her Majesty.

Ordered,—That the Address be engrossed, and that an Address be presented to His Excellency the Governor, respectfully requesting that he will be pleased to forward the same to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered,—That the Address be engrossed and presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

Then the House adjourned till Monday next at Three of the Clock.

Monday, 17th June, 1861.

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

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

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

Address on Petition of J. Prendergast.

The House of Assembly having had under their consideration the accompanying Petition of James Prendergast, of Harbor Grace, respectfully beg leave to request that your Excellency will be pleased to take the said Petition into your favorable consideration, and make such order thereon as to your Excellency may appear just.

House of Assembly, }
17th June, 1861. }

Ordered,—That the said Address be engrossed and presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

On motion of the Hon. JOHN BEMISTER, seconded by Mr. MARCH,

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

To His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

Address in relation to Navigation School.

The House of Assembly having had under their consideration the accompanying Petition from Alan Goodridge, J. B. Bulley and others, respectfully beg leave to request that your Excellency will be pleased to take the said Petition into your favorable consideration, and make such order thereon as to your Excellency may appear just.

House of Assembly, }
17th June, 1861. }

Ordered,—That the Address be engrossed and presented to His Excellency the Governor by such Members of this House as are of the Hon. Executive Council.

Report on Contingencies.

The SURVEYOR GENERAL, from the Select Committee on Contingencies, presented the Report, which he handed in at the Clerk's Table, where it was read as follows:—

The Select Committee on Contingencies beg leave to report that they have attended to the business to them referred, and have adopted the following Resolutions, which they respectfully beg leave to present to the House :—

Resolved,—That the sum of Six Thousand Five Hundred and Seventy-five Pounds Eleven Shillings and Eight Pence be granted to defray the Contingent Expenses of the Fourth Session of the Seventh General Assembly, in the year 1860, in accordance with the Bill passed the House of Assembly, 12th May, 1860 £6,575 11 8

Resolved,—That the Speaker and Officers of this House be paid for their Services for the last and present Session, as follows :

The Speaker and Assistant Speaker of last Session, £100 each	-	-	-	£200	0	0	
The Speaker, present Session	-	-	-	200	0	0	
The Clerk, for last and present Session	-	-	-	412	10	0	
The Clerk Assistant,	"	-	-	187	10	0	
The Solicitor, last Session	-	-	-	125	0	0	
The Solicitor, present Session	-	-	-	100	0	0	
The Sergeant-at-Arms	-	-	-	187	10	0	
The Messenger, for last and present Session	-	-	-	60	0	0	
The Inner Door-Keeper,	"	-	-	67	10	0	
The Under Door-Keeper,	"	-	-	52	10	0	
The Assistant Door Keeper	"	-	-	22	10	0	✓
The Outer	"	"	-	22	10	0	✓
The Assistant Messenger and Fireman	-	-	-	45	0	0	✓
The Reporter, W. G. Flood, for last Session	-	-	-	90	0	0	
The Reporter, James Seaton, for present Session	-	-	-	90	0	0	
A. Emerson, for last and present Session	-	-	-	168	15	0	✓
22 Members resident in St. John's, last Session £42	}			1,365	0	0	
7 Outport Members, £63							
3 Outport Members for the present Session, £63	}			1,071	0	0	
21 Members resident in St. John's, for present Session, £42							
The Proprietor of the <i>Newfoundlander</i> , for Publishing Debates of the last and present Session	-	-	-	105	0	0	
The Proprietor of the <i>Express</i> ,	"	-	-	105	0	0	
The Proprietor of the <i>Courier</i> ,	"	-	-	55	0	0	
The Proprietor of the <i>Ledger</i> ,	"	-	-	50	0	0	✓

The Proprietor of the <i>Standard</i> , for publishing the Debates last and present Session	- - -	£45 0 0
The Proprietors of the <i>Daily News</i> , for printing and publishing Debates of last Session	- - -	50 0 0
Ditto for present Session	- - -	50 0 0
The Proprietor of the <i>Newfoundlander</i> , balance on printing Journals of 1860	- - -	392 10 0
Estimate for printing Journals last and present Session	- - -	350 0 0
The Chairman of Supply	- - -	50 0 0
R. B. Holden, copying Bills and attending Select Committees during the last and present Session	- - -	100 0 0
The Clerk, to defray the Contingent Expenses of his Office	- - -	88 1 2
The Clerk, to defray the Contingent Expenses of the Legislative Library	- - -	149 11 7
The Sergeant-at-Arms, to defray the Contingent Expenses of his Office	- - -	26 18 0
The Proprietor of the <i>Patriot Press</i> , for Printing Bills and Miscellaneous Papers, last Session	- - -	425 0 0 ✓
Joseph Woods, Binding Journals, Newspapers for Members, &c.	- - -	64 6 2 ✓
Editor of the <i>Express</i> , for Newspapers and Miscellaneous printing	- - -	25 9 3 ✓
Editor of <i>Newfoundlander</i> , for Newspapers and Miscellaneous printing	- - -	13 8 8 ✓
Editor of <i>Ledger</i> , for Newspapers and Miscellaneous printing	- - -	10 12 2 ✓
Thomas McConnan, Stationery	- - -	65 17 2

JOHN H. WARREN, *Chairman.*

THOMAS GLEN,
Protesting as partial and unjust. }

JOHN WINTER,

W. V. WHITEWAY,
Subject to the action of this House,
as regards Official Salaries and Ses-
sional allowance to Members. }

JOHN KAVANAGH,
As partial and unjust. }

Committee Room, }
17th June, 1861. }

Ordered,—That the Report be adopted.

3 / 65-17-2
- 21-19-0

43-18-2

The SURVEYOR GENERAL, in accordance with the Report of the Select Committee on Contingencies, on leave granted, presented a Bill to provide for the Contingent Expenses of the Legislature, which was read a first and second time.

Contingency Bill read 1st and 2nd time.

Ordered,—That the House do now resolve itself into Committee of the Whole on the said Bill.

And the House resolved itself into the said Committee accordingly.

Mr. SPEAKER left the Chair.

Mr. KNIGHT took the Chair of the Committee.

Mr. SPEAKER resumed the Chair.

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

Reported from Committee.

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

And the Bill was read a third time accordingly.

Read 3rd time.

Ordered,—That the Bill do pass, and be entitled "An Act to provide for the Contingent Expenses of the Legislature."

Passed and titled.

Ordered,—That the following Message be sent to the Legislative Council:

Message to Council.

Mr. PRESIDENT,—

The House of Assembly acquaint the Legislative Council, that they have passed a Bill to provide for the Contingent Expenses of the Legislature, to which they request the concurrence of the Council.

From this Bill the House have rejected the claim of the Council for Sessional pay; but as the difference of opinion between the two branches upon this subject has already occasioned the loss of two Contingency Bills, and thus produced much inconvenience and some loss, particularly to the Officers of the Legislature, the Assembly suggest that the present Bill, being adopted by the Council, their claim to pay for the present, and all future Sessions, as well as the amount of such pay, if any, be referred to the judgement of H. M. Secretary of State for the Colonies, by whose determination, to be made after considering the allegations of both branches, the Assembly undertake to abide.

Sent to Council.

Ordered,—That the Hon. Acting Colonial Secretary and the Surveyor General do take the Bill and Message to the Legislative Council.

Then the House adjourned till to-morrow at Three of the Clock.

Tuesday, 13th June, 1861.

Notice of motion for Bill for making L. Council Elective.

Mr. KENT gave notice, that on an early day next Session, he will introduce a Bill to reform the Legislative Council, by making that Honorable Body elective, so as that its Members being thereby placed on an equality with Members of the Assembly, they may be considered entitled to Sessional pay.

Notice of Deer Protection Bill.

The Acting RECEIVER GENERAL gave notice, that on an early day next Session, he will ask leave to bring in a Bill for the Protection of the Deer of this Island.

Petition from Lamaline to be a Port of Call for Steamers.

The HON. ATTORNEY GENERAL presented a Petition from A. E. Gabriel and others, of Lamaline, which was received and read, praying that Lamaline may be made a Port of Call for the Coastal Steamers.

On table.

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

Petition for Breakwater at Lamaline.

He also presented a Petition from Clement Benning and others, of Lamaline, which was received and read, praying for a grant to complete the Breakwater there.

On table.

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

Road Petition from Outer Cove.

Mr. PARSONS presented a Petition from John Breen and others, of Outer Cove, which was received and read,—Praying for a grant to complete the Branch Road leading from thence to St. John's.

On table.

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

Road Petition from Twillingate.

Mr. KNIGHT presented a Petition from Thomas Harris and others, of Twillingate and adjacent settlements, which was received and read, praying for a grant to repair the Bridge on the Road from Twillingate to Little Harbor.

On table.

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

(A Message from the Legislative Council.)

The Master-in-Chancery to the Legislative Council brought down the following Message :—

Mr. SPEAKER,—

The Legislative Council acquaint the House of Assembly that they have adopted and passed the Bill sent up, entitled “An Act to provide for the Contingent Expenses of the Legislature” without amendment.

Message from Council.

LAURENCE O'BRIEN,

President.

Council Chamber, }
18th June, 1861. }

Resolved,—That while the Legislative Council adhere to their past Resolutions upon the principle of Sessional Allowance to its Members, in the same manner as Members of the House of Assembly of this Colony receive the same, and as do Members of both Houses in the neighbouring Colonies; yet, that relying upon the propriety and justice of their claim, and desiring not to imperil the Bill to provide for the Contingent Expenses of the Legislature—by the loss of which the Officers of both Houses would be injuriously affected—they accede to the proposition of the House of Assembly to refer the question of pay, for the present and future Sessions, to the Secretary of State for the Colonies, and to abide by his decision thereon.

That the foregoing Resolution be transmitted by Message to the House of Assembly with the Contingency Bill.

LAURENCE O'BRIEN,

President.

Passed the Legislative Council, 18th June, 1861.

And then the Messenger withdrew.

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

On table.

Ordered,—That the House at its rising do adjourn till Monday next.

Order for adjournment.

Then the House adjourned till Monday next at Three of the Clock.

Tuesday, 25th June, 1861.

Petition from D. Bulger,
of Portugal Cove.

Mr. PARSONS presented a Petition from David Bulger and others, of Portugal Cove, which was received and read, praying that the wharf there may be repaired.

On table.

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

Report of Select Committee
on Harbor Main Election.

Mr. RENDELL, from the Select Committee appointed to enquire into the late Election for the District of Harbor Main, presented the Report of the Committee, which he handed in at the Clerk's Table, whereit was read as follows :—

COMMITTEE ROOM,
House of Assembly,
June 25, 1861. }

The Committee appointed by your Honourable House to inquire into and report upon the Petitions of George J. Hogsett, Charles Furey, Thomas Byrne, and Patrick Nowlan, Candidates for Election at Harbor Main, beg to report that having heard the Evidence brought before them, and Counsel on both sides, upon a mature consideration of the premises, they are of opinion that a majority of legal votes is in favour of Thomas Byrne and Patrick Nowlan, and accordingly they consider them duly elected and entitled to take their seats in your Honourable House, as the Members for the said District of Harbor Main; all which is respectfully submitted.

S. RENDELL, *Chairman*.
D. W. PROWSE,
M. W. WALBANK,
THOMAS KNIGHT,
W. V. WHITEWAY,

I dissent from the terms contained in the above report, inasmuch as, in my opinion, the report should either give a legal return to Hogsett and Furey, or that the late Election should be null and void.

W. G. FLOOD.

I conscientiously think that thirty-six voters intimidated from going to Cat's Cove, should be allowed to Hogsett and Furey, and also the voters intimidated at Lance Cove and Kelligrews should be allowed to Nowlan and Byrne, and that from the intimidation proved on both sides the Election should be null and void.

RICHARD McGRATH.

(For Evidence accompanying, see Appendix.)

Mr. KENT gave notice, that on to-morrow, he will move the House into Committee of the Whole, for the purpose of submitting an Address to the Right Hon. the Secretary of State for the Colonies, on the subject of Sessional Allowance to Members of Council.

Notice of Address to Secretary of State, on Sessional Allowance to Legislative Councillors.

(A Message from His Excellency the Governor.)

The Hon. ATTORNEY GENERAL, by command of His Excellency the Governor, presented to the House a written Message from His Excellency the Governor, signed by His Excellency, which he read in his place, all the Members being uncovered, as follows:—

Message from His Excellency the Governor, transmitting documents relating to suspension of R. Reader.

A. BANNERMAN,

Governor.

In accordance with the Address of the House of Assembly, the Governor is very happy to send the information which the Assembly is anxious obtain, relative to the Governor's suspension of Mr. Robert Reader, who was appointed a Stipendiary Magistrate at Old Perlican, on the recommendation of the late Executive Council.

Considerable delay in regard to a decision on Mr. Reader's case arose from a doubt at the Colonial Office, whether the Governor ought not to have decided Mr. Reader's case without any appeal to the Secretary of State, the appointment of Magistrates being vested in the Governor, and by the Royal Instructions holding these appointments during pleasure; and more particularly as a salary was attached to Mr. Reader's appointment of Stipendiary Magistrate, his case might be considered, like that of Mr. Tobin, a Colonial appointment.

The Governor did not press the matter, thinking it was possible that Mr. Reader, on reflection, instead of defending his conduct, would have expressed some regret that the Governor had considered it necessary to suspend him; but instead of which, it will be seen by the Governor's letter addressed to him on the 26th March, 1860, (paper No. 6) he persisted in saying that he had not been made aware of the charges brought against him as a Magistrate at Old Perlican.

The Governor considers that Mr. Reader's case was one that he could not possibly overlook, and he has only to state to the House of Assembly, that should any similar one occur whilst he continues to administer the Government of this Colony, he will adopt the very same course, and at all times will be most happy, on such occasions, to afford the House of As-

sembly, or the other branch of the Legislature, any information which they may require.

Government House, }
18th June, 1861. }

On table.

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

(For Documents accompanying, see Appendix.)

Petition from P. Strapp,
Returning Officer for Har-
bor Main.

The Hon. ATTORNEY GENERAL presented a Petition from Patrick Strapp, Returning Officer for the District of Harbor Main, which was received and read, praying that he may be compensated for loss sustained by the destruction of his property there by the mob, after the late Election of Members for that District.

On table.

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

Then the House adjourned till to-morrow at One of the Clock.

Wednesday, 26th June, 1861.

T. Byrne, Esq., and P.
Nowlan, Esq., take their
seats as Members for the
Harbor Main District.

Thomas Byrne, Esq., and Patrick Nowlan, Esq., having taken and subscribed the Oath prescribed by Law, before the Commissioners appointed to administer the same, took their seats as Members for the District of Harbor Main.

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

Resolved,—That the Hon. the Speaker and Mr. Kent be appointed a Committee to draw up reasons for transmission to the Right Hon. the Secretary of State for the Colonies, against the claim of the Hon. the Legislative Council to Sessional Allowance.

Then the House adjourned till to-morrow at Three of the Clock.



PROCLAMATION.

A. BANNERMAN,
Governor.
(L.S.)

By His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS, during the Session of the General Assembly of this Island, now being holden at St. John's, a Bill entitled "An Act to continue an Act passed in the Twenty-third year of the Reign of Her present Majesty Queen Victoria, entitled 'An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies,'" has been passed by the Council and House of Assembly of the said Island: And whereas I, the said Governor, having seen and considered the said Bill so passed and entitled as aforesaid, have, on this Sixteenth day of May, subscribed my name and given my assent to the said Bill:

Now, therefore, I do, by this my Proclamation, publish and make known to all Her Majesty's loving subjects in this Island, and all others whom it may concern, that I, the said Governor, have, on this Sixteenth day of May aforesaid, subscribed my Name and given my Assent to the said Act.

Given under my Hand, and the Great Seal of the aforesaid Island of Newfoundland, at Government House at Saint John's in the said Island, this Sixteenth Day of May, 1861, and in the Twenty-fourth Year of Her Majesty's Reign.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.



PROCLAMATION.

A. BANNERMAN,
Governor.
(S. L.)

By His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS at and during the Session of the General Assembly of this Island now being holden at St. John's, the Bills entitled, respectively, "An Act for the further Amendment of the Act for the Incorporation of the General Water Company;" "An Act to make further provision for the Prevention of Nuisances;" "An Act to provide for the Organization of a Volunteer Force for the Protection of Newfoundland;" "An Act for Granting to Her Majesty a Sum of Money for the defraying of the Expenses of the Civil Government of this Colony, for the year ending the Thirty-first day of December, One Thousand Eight Hundred and Sixty-one, and for other purposes;" and "An Act to provide for the Contingent Expenses of the Legislature;" were passed by the Council and House of Assembly of the said Island: And, Whereas I, the said Governor, having afterwards seen and considered the said Bills so passed and entitled as aforesaid, did, on this Twenty-fifth Day of June, subscribe my name and give my assent to the said Bills. Now, therefore, I do, by this my Proclamation, publish and make known to all Her Majesty's loving Subjects in this Island, and all others whom it may concern, that I the said Governor did, on this Twenty-fifth Day of June aforesaid, subscribe my name and give my assent to the said Acts.

Given under my Hand, and the Great Seal of the said Island of Newfoundland, at the Government House at Saint John's, in the said Island, this Twenty-fifth Day of June, 1861, and in the Twenty-fifth Year of Her Majesty's Reign.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.

PROCLAMATION.



PROCLAMATION.

A. BANNERMAN,
Governor,
(L. S.)

By His Excellency Sir ALEXANDER BANNERMAN, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its Dependencies, &c., &c.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS I think fit to Prorogue the General Assembly of this Island, until Tuesday the Twentieth day of August next ensuing : I do therefore, by this my Proclamation, Prorogue the said General Assembly, until Tuesday the Twentieth day of August next, as aforesaid : of which all Persons concerned are required and commanded to take due notice and govern themselves accordingly.

Given under my Hand, and the Great Seal of the said Island of Newfoundland, at the Government House at Saint John's, in the said Island, this Twenty-seventh Day of June, 1861, and in the Twenty-fifth Year of Her Majesty's Reign.

By His Excellency's Command,

R. CARTER,

Acting Colonial Secretary.

APPENDIX.

ESTIMATES AND PUBLIC ACCOUNTS.

ESTIMATE FOR PAYING PART OF THE PUBLIC EXPENDITURES OF
THE COLONY OF WEST AUSTRALIA, FOR THE YEAR 1901.

MISCELLANEOUS DEPARTMENTS.

The Private Secretary to the Governor	100	0	0
Chief Clerk of the Government	100	0	0
Secretary to the Governor	100	0	0
Chief Executive Officer	100	0	0
Secretary of the Public Works Department	100	0	0
Secretary of the Lands Department	100	0	0
Secretary of the Education Department	100	0	0
Secretary of the Public Health Department	100	0	0
Secretary of the Police Department	100	0	0
Secretary of the Fire Department	100	0	0
Secretary of the Waterworks Department	100	0	0
Secretary of the Gas Department	100	0	0
Secretary of the Tramways Department	100	0	0
Secretary of the Municipalities	100	0	0
Secretary of the Public Works Department	100	0	0
Secretary of the Lands Department	100	0	0
Secretary of the Education Department	100	0	0
Secretary of the Public Health Department	100	0	0
Secretary of the Police Department	100	0	0
Secretary of the Fire Department	100	0	0
Secretary of the Waterworks Department	100	0	0
Secretary of the Gas Department	100	0	0
Secretary of the Tramways Department	100	0	0
Secretary of the Municipalities	100	0	0
Total	1,000	0	0

APPENDIX.

JUDICIAL DEPARTMENT.

Chief Clerk and Registrar, Supreme Court	100	0	0
Deputy Clerk, Supreme Court	100	0	0
Chief Clerk and Registrar, District Court	100	0	0
Deputy Clerk, District Court	100	0	0
Deputy Clerk, District Court	100	0	0
Deputy Clerk, District Court	100	0	0
Deputy Clerk, District Court	100	0	0
Deputy Clerk, District Court	100	0	0
Deputy Clerk, District Court	100	0	0
Deputy Clerk, District Court	100	0	0
Total	1,000	0	0

Grand Total

1,000 0 0

1,000 0 0

ESTIMATES AND PUBLIC EXPENDITURES

APPENDIX

ESTIMATES AND PUBLIC EXPENDITURES

THE GOVERNMENT OF INDIA

ESTIMATES AND PUBLIC EXPENDITURES

APPENDIX

ESTIMATES AND PUBLIC EXPENDITURES

ESTIMATES AND PUBLIC EXPENDITURES

ESTIMATES AND PUBLIC EXPENDITURES

APPENDIX.

ESTIMATES AND PUBLIC ACCOUNTS.

ESTIMATE FOR DEFRAYING PART OF THE PUBLIC EXPENDITURE OF
THE COLONY OF NEWFOUNDLAND, FOR THE YEAR 1861.

MISCELLANEOUS SALARIES.

The Private Secretary to the Governor	-	-	-	-	£200	0	0
First Clerk Colonial Secretary's Office	-	-	-	-	200	0	0
Second " "	-	-	-	-	100	0	0
Clerk Receiver General's Office	-	-	-	-	200	0	0
Clerk Financial Secretary's Office	-	-	-	-	-	-	-
Civil Engineer -	-	-	-	-	150	0	0
Superintendent of Public Buildings -	-	-	-	-	150	0	0
Surveyor of Roads -	-	-	-	-	160	0	0
Inspectors of ditto -	-	-	-	-	245	0	0
Keeper of Colonial Building -	-	-	-	-	60	0	0
Office Keeper Colonial Secretary's Office	-	-	-	-	60	0	0
Messenger " "	-	-	-	-	60	0	0
Keeper Half-way House Salmonier -	-	-	-	-	35	0	0
Gate Keeper Government House -	-	-	-	-	60	0	0
					£1,680	0	0

THE JUDICIAL DEPARTMENT.

Chief Clerk and Registrar, Supreme Court -	-	-	-	-	350	0	0
Ditto for Clerk, £80, and Stationary, £20 -	-	-	-	-	100	0	0
Chief Clerk and Registrar, Northern Circuit Court	-	-	-	-	200	0	0
Ditto Southern ditto	-	-	-	-	200	0	0
Sheriff's Bailiff, St. John's -	-	-	-	-	50	0	0
Crier and Tipstaff, St. John's -	-	-	-	-	60	0	0
Ditto Harbor Grace -	-	-	-	-	20	0	0
					980	0	0
Carried forward					£2660	0	0

Estimates and Public Accounts.

Brought forward - - £2,660 0 0

MISCELLANEOUS.

Crown Prosecutions - - - - -	£1000	0	0
Coroners - - - - -	200	0	0
Circuits of Judges - - - - -	400	0	0
			<u>1600 0 0</u>

THE POLICE DEPARTMENT.

Chief Magistrate - - - - -	350	0	0
Junior Magistrate - - - - -	300	0	0
Clerk of the Peace - - - - -	220	0	0
Inspector of Police - - - - -	100	0	0
Two Sergeants - - - - -	140	0	0
15 Constables, at £55, £825; Clothing, at St. John's and Harbor Grace, £250	1,075	0	0
Gaoler, £150; Turnkey, £44; Assistants, £85 - - - - -	279	0	0
Keeper Court House, St. John's - - - - -	55	0	0
Ditto Harbor Grace - - - - -	10	0	0

OUTPORTS.

15 Stipendiary Magistrates, 8 Clerks of the Peace, 66 Constables, and 9 Gaolers, as per Detailed Statement	4,299	0	0
			<u>6,828 0 0</u>

RELIEF OF THE POOR.

District Surgeons, St. John's - - - - -	200	0	0
Gaol Surgeon, ditto - - - - -	40	0	0
District Surgeon, Conception Bay - - - - -	100	0	0
Gaol Surgeon ditto - - - - -	30	0	0
Physician, Lunatic Asylum - - - - -	300	0	0
Medical Attendants, St. John's Hospital - - - - -	250	0	0
Commissioner, £250; Inspector, £90; Keeper of Sheds, £40	380	0	0

MISCELLANEOUS.

Permanent and Casual Poor, St. John's and Outports - - - - -	18,000	0	0
Servants and Paupers, Lunatic Asylum - - - - -	3,500	0	0
Ditto, St. John's Hospital - - - - -	1,400	0	0
			<u>24,200 0 0</u>
Carried forward - - - - -			<u>£35,288 0 0</u>

Estimates and Public Accounts.

Brought forward - £35,288 0 0

FERRIES.

Great Placentia, £30 ; Salmonier, £25	-	-	-	-	55	0	0
Malbay, £12 ; Colinet, £25 ; Trinity, £30	-	-	-	-	67	0	0
Portugal Cove, £25 ; Topsail, £25 ; Harbor Grace, £30	-	-	-	-	80	0	0
Holyrood, £30 ; Little St. Lawrence, £10	-	-	-	-	40	0	0
Burin to Mud Cove, £25 ; Aquaforte, £15-	-	-	-	-	40	0	0
Mortier Bay, £25 ; Connaigre Bay, £25	-	-	-	-	50	0	0
King's Cove to Upper Amherst Cove, £25 ; Fogo, £10	-	-	-	-	35	0	0
							367 0 0

MISCELLANEOUS GENERAL.

Men stationed at Fort Amherst	-	-	-	-	36	10	0
Duties on Wine for Military Mess	-	-	-	-	50	0	0
Saint John's Gas Company	-	-	-	-	226	0	0
Harbor Grace ditto	-	-	-	-	75	0	0
Saint John's Water Company	-	-	-	-			
Shipwrecked Crews	-	-	-	-	200	0	0
Dorcas Society, Saint John's	-	-	-	-	50	0	0
Ditto Harbor Grace	-	-	-	-	25	0	0
Ditto Carbonear	-	-	-	-	25	0	0
Mechanics' Institute, St John's	-	-	-	-	50	0	0
St. John's Factory	-	-	-	-	100	0	0
Orphan Asylum Industrial Department	-	-	-	-	50	0	0
Agricultural Society	-	-	-	-	100	0	0
Allowance to Robert Smith	-	-	-	-	10	0	0
Phoenix Fire Company	-	-	-	-	100	0	0
Cathedral Fire Brigade	-	-	-	-	100	0	0
Pumps and Tanks	-	-	-	-	100	0	0
General Repairs Roads and Bridges	-	-	-	-	1,350	0	0
St. John's Reading Room	-	-	-	-	25	0	0
St. John's Almanac	-	-	-	-	25	0	0
Repairing Town Clock	-	-	-	-	15	0	0
Law Reporters	-	-	-	-	100	0	0
Herring Curers	-	-	-	-	40	0	0
Telegraph News, per Agreement	-	-	-	-	130	0	0
Local Steam Subsidy	-	-	-	-	3,250	0	0
Conception Bay Steam Packet Subsidy	-	-	-	-	750	0	0
Halifax Steam Packet Subsidy—3 Trips	-	-	-	-	936	0	0
Protection of Fisheries	-	-	-	-	600	0	0
Pension to Widow Chancey	-	-	-	-	40	0	0
Ditto ditto Buckley	-	-	-	-	25	0	0
General Election Expenses	-	-	-	-	645	0	0
Allowance to Patrick Burke	-	-	-	-	10	0	0
							9,238 10 0

Carried forward - £44,893 10 0

Estimates and Public Accounts.

Brought forward - £44,893 10 0

PUBLIC BUILDINGS.

Repairs Colonial Building -	-	-	-	-	£150	0	0
Ditto Lunatic Asylum -	-	-	-	-	100	0	0
Ditto St. John's Hospital -	-	-	-	-	100	0	0
Ditto Factory -	-	-	-	-			
Ditto Court Houses and Gaols -	-	-	-	-	200	0	0
Supplies Court Houses and Gaols -	-	-	-	-	1,000	0	0
Fuel and Light, Custom House -	-	-	-	-	100	0	0
Ditto Colonial Building -	-	-	-	-	200	0	0
Ditto Government House -	-	-	-	-	200	0	0
							2,050 0 0

MISCELLANEOUS IN AID OF ESTABLISHMENTS.

Carrying out Crown Lands Act -	-	-	-	-	75	0	0
Printing and Stationery -	-	-	-	-	1,000	0	0
Postages and Incidentals -	-	-	-	-	100	0	0
Insurance on Public Buildings -	-	-	-	-	300	0	0
Unforeseen Contingencies -	-	-	-	-	500	0	0
Postal Service -	-	-	-	-	3,250	0	0
							5,225 0 0
							£52,168 10 0

JOHN WINTER,

Acting Receiver General,

Estimates and Public Accounts.

DETAILED STATEMENT

Of Salaries to Stipendiary Magistrates, Clerks of the Peace, Constables, and Gaolers, in the undermentioned Outports, for the year 1861.

OUTPORTS.	Magistrates.	Clerks of the Peace.	Constables.		Gaolers.	Total Amount.
			Number.	Salaries.		
Petty Harbor - - - - -			1	£20		£20 0 0
Torbay - - - - -			1	20		20 0 0
Portugal Cove - - - - -			1	20		20 0 0
South Shore - - - - -			1	12		12 0 0
Harbor Main - - - - -			1	20		20 0 0
Cat's Cove - - - - -			1	20		20 0 0
Brigus and Port-de-Grave - - - - -	£150	£60	3	70	£10	290 0 0
Bay Roberts - - - - -			1	25		25 0 0
Harbor Grace - - - - -	200	150	7	355	90	795 0 0
Carbonear - - - - -	150	90	4	140		380 0 0
Bay-de-Verds - - - - -			1	12		12 0 0
Upper Island Cove - - - - -			1	12		12 0 0
Western Bay - - - - -			1	12		12 0 0
Hant's Harbor - - - - -			1	12		12 0 0
Old Perlican - - - - -	150		1	20		170 0 0
Heart's Content - - - - -			1	12		12 0 0
Trinity - - - - -	150	60	2	37	25	272 0 0
New Harbor - - - - -			1	12		12 0 0
Catalina - - - - -			1	25		25 0 0
Bonavista - - - - -	150	60	1	25	20	255 0 0
Tickle Cove - - - - -			1	12		12 0 0
King's Cove - - - - -			1	20		20 0 0
Salvage - - - - -			1	12		12 0 0
Greenspond - - - - -			1	25	15	40 0 0
Twillingate and Fogo - - - - -	150	60	3	49	20	279 0 0
Exploit's Bay - - - - -			1	12		12 0 0
Bay Bulls - - - - -	100		1	25		125 0 0
Witless Bay - - - - -			1	12		12 0 0
Toad's Cove - - - - -			1	12		12 0 0
Brigus South - - - - -			1	12		12 0 0
Cape Broyle - - - - -			1	12		12 0 0
Caplin Bay - - - - -			1	12		12 0 0
Ferryland - - - - -	150		1	25	25	200 0 0
Carried forward - - - - -	£1,350	£480	47	£1,121	£205	£3,156 0 0

Estimates and Public Accounts.

DETAILED STATEMENT—(Continued.)

OUTPORTS.	Magistrates.	Clerks of the Peace.	Constables.		Gaolers.	Total Amount.		
			Number.	Salaries.				
Brought forward -	£1,350	£480	47	£1,121	£205	£3,156	0	0
Aquaforte -	-	-	1	12	-	12	0	0
Fermeuse -	-	-	1	12	-	12	0	0
Renewse -	-	-	1	12	-	12	0	0
Saint Mary's -	50	-	1	25	-	75	0	0
Placentia -	130	-	1	25	25	180	0	0
Little Placentia	-	-	1	20	-	20	0	0
Oderin -	-	-	1	12	-	12	0	0
Merasheen -	-	-	1	12	-	12	0	0
Burin -	150	60	1	25	25	260	0	0
St. Lawrence-	-	-	1	12	-	12	0	0
Lamaline -	150	-	1	12	-	162	0	0
Grand Bank -	130	-	1	12	-	142	0	0
Jersey Harbor	-	-	1	12	-	12	0	0
Harbor Breton	100	35	1	25	-	160	0	0
Burgeo Islands	-	-	1	12	-	12	0	0
Hermitage Bay	-	-	1	12	-	12	0	0
Spaniard's Bay	-	-	1	12	-	12	0	0
Channel -	-	-	1	12	-	12	0	0
Bird Island Cove	-	-	1	12	-	12	0	0
	£2,060	£575	66	£1,409	£255	£4,299	0	0

RECAPITULATION.

15 Magistrates	-	-	-	£2,060	0	0
8 Clerks of the Peace	-	-	-	575	0	0
66 Constables	-	-	-	1,409	0	0
9 Gaolers	-	-	-	255	0	0
				£4,299	0	0

JOHN WINTER,

Acting Receiver General.

Estimates and Public Accounts.

FINANCIAL STATEMENT OF THE AFFAIRS OF THE COLONY OF NEW- FOUNDLAND, FOR THE YEAR 1861.

GOVERNMENT DEPARTMENT.

The Governor	-	-	-	-	-	£2,080	0	0
Private Secretary	-	-	-	-	-	200	0	0
Keeper Government House Lodge	-	-	-	-	-	60	0	0
								2,340 0 0

COLONIAL SECRETARY'S OFFICE.

The Colonial Secretary	-	-	-	-	-	500	0	0
First Clerk	-	-	-	-	-	200	0	0
Second Clerk	-	-	-	-	-	100	0	0
Office Keeper	-	-	-	-	-	60	0	0
Messenger	-	-	-	-	-	60	0	0
								920 0 0

RECEIVER GENERAL'S OFFICE.

TREASURY DEPARTMENT.

The Receiver General	-	-	-	-	-	500	0	0
Clerk	-	-	-	-	-	200	0	0
								700 0 0

CUSTOMS DEPARTMENT.

The Assistant Collector	-	-	-	-	-	300	0	0
Landing and Tide Surveyor	-	-	-	-	-	250	0	0
Two Landing Waiters	-	-	-	-	-	400	0	0
First Clerk and Warehouse Keeper	-	-	-	-	-	200	0	0
Second Clerk	-	-	-	-	-	150	0	0
Third ditto	-	-	-	-	-	150	0	0
Fourth ditto	-	-	-	-	-	150	0	0
Landing Waiter and Clerk, Harbor Grace	-	-	-	-	-	125	0	0
Locker	-	-	-	-	-	80	0	0
Tide Waiters and Boatmen	-	-	-	-	-	1,500	0	0
Crew of Night Boat	-	-	-	-	-	300	0	0
To Non-Official Members of Board of Revenue	-	-	-	-	-	50	0	0
House Keeper	-	-	-	-	-	40	0	0
Incidental Expenses	-	-	-	-	-	150	0	0
								3,845 0 0
Carried forward	-	-	-	-	-			£7,805 0 0

Estimates and Public Accounts.

Brought forward - 7,805 0 0

CUSTOMS' DEPARTMENT—(Continued.)

SUB-COLLECTORS.

Harbor Grace, £160 ; Trinity, £150 ; LaPoile, £135	£445	0	0
Carbonear, £125 ; Fogo, £125 ; Greenspond, £125	375	0	0
Lamalaine, £100 ; Gaultois, £100 ; Brigus, £100	300	0	0
Placentia, £100 ; Burin, £100 ; Harbor Breton, £100	300	0	0
	1,420	0	0

PRETENTIVE OFFICERS.

Bay Bulls, £50 ; Ferryland, £50 ; Burgeo, £50	150	0	0
Bay de North, £50 ; Twillingate, £50 ; Channel, £50	150	0	0
Oderin, £50 ; Push Through, £50 ; Little Placentia, £50	150	0	0
St. Mary's, £50 ; St. Lawrence, £50 ; Belloram, £50	150	0	0
Bay Roberts, £50 ; LaManche, £50	100	0	0
Per Centage on Duties to Outport Officers	500	0	0
	1,200	0	0

FINANCIAL SECRETARY'S OFFICE.

The Financial Secretary	300	0	0
Clerk	-	-	-
	300	0	0

BOARD OF WORKS.

The Surveyor General	400	0	0
Secretary	200	0	0
Civil Engineer	150	0	0
Superintendent Public Buildings	150	0	0
Surveyor of Roads	160	0	0
Inspectors of Roads	245	0	0
	1,305	0	0

COLONIAL BUILDING.

The Keeper	60	0	0
Repairs	150	0	0
Fuel and Light	200	0	0
	410	0	0

Carried forward - £12,440 0 0

Estimates and Public Accounts.

Brought forward - £12,440 0 0

CROWN LANDS ACT.

Superintendent Government House	-	-	-	-	-	£50	0	0
Chainman	-	-	-	-	-	40	0	0
Repairs Government House	-	-	-	-	-	100	0	0
Deputy Surveyors and Incidentals	-	-	-	-	-	75	0	0
Pension to Mrs. Westcott	-	-	-	-	-	30	0	0
								<u>295 0 0</u>

LUNATIC ASYLUM.

Repairs	-	-	-	-	-	-	-	100 0 0
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ST. JOHN'S HOSPITAL.

Repairs	-	-	-	-	-	-	-	100 0 0
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CUSTOM HOUSE.

Fuel and Light	-	-	-	-	-	-	-	100 0 0
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COURT HOUSES AND GAOLS.

Repairs Court Houses and Gaols	-	-	-	-	-	200	0	0
Supplies ditto ditto	-	-	-	-	-	1000	0	0
								<u>1,200 0 0</u>

EDUCATION.

Estimated Expenditure under Education Act	-	-	-	-	-	11,875	0	0
Ditto ditto ditto Academy Act	-	-	-	-	-	1,750	0	0
								<u>13,625 0 0</u>

SINKING FUND.

2 per cent. on £98,288 10s. 7d., being amount of Consolidated Stock—Debentures issued	-	-	-	-	-	1,965	15	5
Ditto for the year 1860 (not having been paid in)	-	-	-	-	-	1,965	15	5
								<u>1,965 15 5</u>

Carried forward - £31,791 10 10

Estimates and Public Accounts.

Brought forward - - £31,791 10 10

JUDICIAL DEPARTMENT.

The Chief Justice - - - - -	-£1,248	0	0
Two Puisne Judges - - - - -	1,300	0	0
The Attorney General - - - - -	500	0	0
The Solicitor General - - - - -	200	0	0
Sheriff Central District, £300; Bailiff, £50 - - - - -	350	0	0
Ditto Northern ditto - - - - -	300	0	0
Ditto Southern ditto - - - - -	200	0	0
Chief Clerk and Registrar, Supreme Court - - - - -	350	0	0
Ditto for Clerk, £80, and Stationery, £20 - - - - -	100	0	0
Chief Clerk and Registrar, Northern Circuit Court - - - - -	200	0	0
Ditto Southern ditto - - - - -	200	0	0
Crier and Tipstaff, St. John's - - - - -	60	0	0
Ditto Harbor Grace - - - - -	20	0	0
MISCELLANEOUS.			
Crown Prosecutions - - - - -	1,000	0	0
Coroners - - - - -	200	0	0
Circuits of Judges - - - - -	400	0	0
	6,628	0	0

POLICE DEPARTMENT.

Chief Magistrate - - - - -	350	0	0
Junior Magistrate - - - - -	300	0	0
Clerk of the Peace - - - - -	220	0	0
Inspector, £100; Sergeants, £140 - - - - -	240	0	0
15 Constables, at £55, £825; Clothing, St. John's and Harbor Grace, £250 } - - - - -	1,075	0	0
Gaoler, £150; Turnkey, £44; Assistants, £85 - - - - -	279	0	0
Keeper Court House, St. John's, £55; Harbor Grace, £10 - - - - -	65	0	0

OUTPORTS.

15 Stipendiary Magistrates, 8 Clerks of the Peace, 66 Constables, and 9 Gaolers, as per Detailed Statement } - - - - -	4,299	0	0
	6,828	0	0

MISCELLANEOUS IN AID OF ESTABLISHMENTS.

Printing and Stationery - - - - -	1,000	0	0
Postages and Incidentals - - - - -	100	0	0
Insurance on Public Buildings - - - - -	300	0	0
Fuel and Light, Government House - - - - -	200	0	0
Unforeseen Contingencies - - - - -	500	0	0
	2,100	0	0

Carried forward - - - - - £47,347 10 10

Estimates and Public Accounts.

Brought forward - - - - - £47,347 10 10

RELIEF OF THE POOR.

The Commissioner - - - - -	250	0	0
District Surgeons, St. John's - - - - -	200	0	0
Gaol Surgeon, ditto - - - - -	40	0	0
District Surgeon, Conception Bay - - - - -	100	0	0
Gaol Surgeon ditto - - - - -	30	0	0
Physician, Lunatic Asylum - - - - -	300	0	0
Medical Attendants, St. John's Hospital - - - - -	250	0	0
Inspector of Poor - - - - -	90	0	0
Keeper of Sheds - - - - -	40	0	0

MISCELLANEOUS.

Permanent and Casual Poor, St. John's and Outports - - - - -	18,000	0	0
Servants and Paupers, Lunatic Asylum - - - - -	3,500	0	0
Ditto, St. John's Hospital - - - - -	1,400	0	0
	<u>24,200</u>	<u>0</u>	<u>0</u>

PENSIONS.

James Crowdy, late Colonial Secretary - - - - -	400	0	0
Edward M. Archibald, late Attorney General - - - - -	350	0	0
Joseph Noad, late Surveyor General - - - - -	285	0	0
Benjamin G. Garrett, late Sheriff - - - - -	275	0	0
A. W. DesBarres, late Assistant Judge - - - - -	286	0	0
James Simms, ditto - - - - -	286	0	0
Christopher Ayre, late Clerk Colonial Secretary's Office - - - - -	175	0	0
Widow Buckley, £25; Widow Chancey, £40 - - - - -	65	0	0
	<u>2,122</u>	<u>0</u>	<u>0</u>

POST OFFICE DEPARTMENT.

The Post Master General - - - - -	300	0	0
First Clerk - - - - -	130	0	0
Second ditto - - - - -	100	0	0
Third ditto - - - - -	60	0	0
Assistant - - - - -	50	0	0
Messenger - - - - -	60	0	0
Post Masters and Way Masters - - - - -	403	0	0
Contracts for Conveying Mails - - - - -	2,027	0	0
Incidentals - - - - -	120	0	0
	<u>3,250</u>	<u>0</u>	<u>0</u>

FERRIES.

Estimated Expenditure for the Service - - - - - 367 0 0

Carried forward - - - - - £77,286 10 10

Estimates and Public Accounts.

Brought forward - - - £77,286 10 10

INTEREST ON PUBLIC DEBT.

Amount of Public Debt £181,828 0 1—Interest payable }
half-yearly } 9,850 0 0

LEGISLATIVE CONTINGENCIES.

Estimated amount for 1st Session - - - - - 7,000 0 0
Ditto ditto 2nd ditto - - - - - 6,000 0 0
13,000 0 0

ELECTION EXPENSES.

Estimated Amount - - - - - 645 0 0
Registration of Voters - - - - - 155 0 0
800 0 0

DEBT REPAYABLE.

Amount of Debentures due in 1861 - - - - - 4,556 6 8

MISCELLANEOUS GENERAL.

Men stationed at Fort Amherst - - - - - 36 10 0
Duties on Wine for Military Mess - - - - - 50 0 0
Saint John's Gas Company - - - - - 226 0 0
Harbor Grace ditto - - - - - 75 0 0
Saint John's Water Company - - - - -
Shipwrecked Crews - - - - - 200 0 0
Dorcas Society, Saint John's - - - - - 50 0 0
Ditto Harbor Grace - - - - - 25 0 0
Ditto Carbonear - - - - - 25 0 0
Mechanics' Institute, St John's - - - - - 50 0 0
St. John's Factory - - - - - 100 0 0
Orphan Asylum Industrial Department - - - - - 50 0 0
Agricultural Society - - - - - 100 0 0
Allowance to Robert Smith - - - - - 10 0 0
Phoenix Fire Company - - - - - 100 0 0
Cathedral Fire Brigade - - - - - 100 0 0
Pumps and Tanks - - - - - 100 0 0
General Repairs Roads and Bridges - - - - - 1,350 0 0
St. John's Almanac - - - - -
St. John's Reading Room - - - - - 25 0 0
Halifax Steam Packet Service—3 Trips - - - - - 936 0 0

£3,608 10 0
Carried forward } £109,101 7 6

Estimates and Public Accounts.

Brought forward - £109,101 7 6

MISCELLANEOUS GENERAL—(Continued.)

	Brought forward	£3,608 10 0	
Telegraph Company, per Agreement -	- - -	130 0 0	
Conception Bay Steam Packet Service -	- - -	750 0 0	
Local Steam Service -	- - -	3,250 0 0	
Protection of Fisheries -	- - -	600 0 0	
Herring Curers -	- - -	40 0 0	
Repairing Town Clock -	- - -	15 0 0	
Law Reporting -	- - -	100 0 0	
Allowance to Patrick Burke -	- - -	10 0 0	
			8,538 10 0
			<u>£114,031 7 6</u>

A S S E T S .

Balance from the year 1860 -	- - -	£6,949 19 6
Customs Revenue, estimated at -	- - -	£83,000 0 0
Crown Lands -	- - -	800 0 0
Licenses, Fines, Fees, &c. -	- - -	1,400 0 0
Postal Revenue -	- - -	800 0 0
		<u>86,000 0 0</u>
		£92,949 19 6
Balance against the Colony -	- - -	21,081 8 0
		<u>£114,031 7 6</u>

JOHN WINTER,

Acting Receiver General.

Estimates and Public Accounts.

SINKING FUND.

Amount of Debentures on hand by the Commissioners:—

£1,959 13 4 at 6 per cent.	-	-	-	-	-	-	-	-	£117 11 8
6,502 13 4 at 5 per cent.	-	-	-	-	-	-	-	-	325 2 8
<hr/>									£442 14 4
Cash	£8,462 6 8								
	1,619 19 4	in Savings' Bank, for which Debentures will be purchased.							
<hr/>									£10,082 6 0
Total amount of Sinking Fund.									

LIGHT HOUSES.

ESTIMATED EXPENDITURE FOR 1861.

Balance from the year 1860	-	-	-	-	-	-	-	-	£3,170 6 6
Inspector -	-	-	-	-	-	-	-	£200 0 0	
Fort Amherst Keeper, £80; Assistant, £30	-	-	-	-	-	-	-	110 0 0	
Harbor Grace ditto, 105; ditto, 70	-	-	-	-	-	-	-	175 0 0	
Cape Spear ditto, 100; ditto, 70	-	-	-	-	-	-	-	170 0 0	
Cape Bonavista ditto, 100; ditto, 70	-	-	-	-	-	-	-	170 0 0	
Green Island ditto, 100; ditto, 70	-	-	-	-	-	-	-	170 0 0	
Offer Wadham ditto, 100; ditto, 70	-	-	-	-	-	-	-	170 0 0	
Cape Pine ditto, 100; ditto, 70	-	-	-	-	-	-	-	170 0 0	
Dodding Head ditto, 100; ditto, 70	-	-	-	-	-	-	-	170 0 0	
Baccalieu ditto, 100; ditto, 70	-	-	-	-	-	-	-	170 0 0	
Cape St. Mary's ditto, 100; ditto, 70	-	-	-	-	-	-	-	170 0 0	
Hr. Grace Beacon ditto, 40; -	-	-	-	-	-	-	-	40 0 0	
<hr/>									1,885 0 0
Oil, Fuel, Stores, Repairs, &c.	-	-	-	-	-	-	-	-	1,896 0 0
<hr/>									£6,951 6 6
<hr/>									

A S S E T S.

Estimated Amount of Light Dues for 1861	-	-	-	-	-	-	-	-	5,500 0 0
Balance against Light House Account	-	-	-	-	-	-	-	-	1,451 6 6
<hr/>									£6,951 6 6
<hr/>									

JOHN WINTER,
Acting Receiver General.

Miscellaneous.

DOCUMENTS ON THE SUBJECT OF THE GENERAL WATER COMPANY.

MEMORANDUM OF DOCUMENTS.

- 1.—Offer of St. John's Water Company's Works for £7,200 (without [prejudice].)
- 2.—Extract from proceedings of Directors in reference thereto, and appointment of Arbitrators.
- 3.—Reply to the above offer.
- 4.—St. John's Water Company's note of Arbitrators.
- 5.—Copy of the Award.
- 6.—Application to Government for assent to the extension of Stock of the General Water Company.
- 7.—Secretary of the Colony's reply thereto, and
- 8.—Attorney General's opinion thereon.
- 9.—General Water Company's answer.
- 10.—Colonial Secretary's letter of Governor's assent.

ARBITRATORS.

For General Water Company-	-	-	-	-	-	Charles Simms, Ewen Stabb.
“ St. John's ditto	-	-	-	-	-	Wm. Rendell, J. B. Bulley.
Fifth, appointed by other four	-	-	-	-	-	Patrick Tasker.

Award for £8,250, dated 2nd October, 1860.

Miscellaneous.

1.

[COPY.]

ST. JOHN'S, }
30th May, 1860. }

A. SHEA, ESQ.

SIR,—I am authorized by the Proprietors of the St. John's Water Works, to offer you the Water Privileges, Pipes, Mains and Water Works now in use, for the sum of Seven Thousand Two Hundred Pounds Currency (£7,200 Cy.) cash, or its equivalent; this offer to be without prejudice to any future arrangement, if not accepted. An answer, at your earliest convenience, will oblige

Your obedient Servant,

(Signed,)

JOHN BOWRING,

*President St. John's Water Company.***2.**

EXTRACT from the *Minutes of the Proceedings of the Directors of the General Water Company,*
on Saturday, June 2nd, 1860, (page 52.)

“ A letter was read which had been received from the President of the St. John's Water Company, tendering their Works, &c., for the sum of £7,200 Currency; but the Act of Incorporation of the General Water Company having provided for the valuation of such Property by Arbitration, the Board requested the President to say in reply, that they will be ready to submit the matter to Arbitration as soon as the St. John's Water Company shall have made the necessary arrangements.

The Directors then decided to appoint Ewen Stabb and Charles Simms, Esquires, as Arbitrators for the General Water Company.”

3.

[COPY.]

ST. JOHN'S, N.FLD., }
June 6th, 1860. }

SIR,—I have received and laid before the Directors of the General Water Company your letter of 30th May, and I have to say in reply, that as the Charter of this Company pre-

Miscellaneous.

scribes that the value of your Works is to be ascertained by Arbitration, the Board have not the power to entertain your proposal. We shall be ready, however, to submit the matter to Arbitration as soon as you make the necessary arrangements.

I am, Sir,

Your obedient Servant,

(Signed,) A. SHEA,

President.

To JOHN BOWRING, Esq.,

President of the

St. John's Water Company.

4.

[COPY.]

St. JOHN'S, }
June 18th, 1860. }

A. SHEA, Esq.,

President General Water Company.

SIR,—I am desired by the Proprietors of the St. John's Water Works, to acquaint you that they have appointed William Rendell and J. B. Bulley, Esquires, to arbitrate for them in the matter of the sale of the above-named Works to the General Water Company.

I am, Sir,

Your obedient Servant,

(Signed,) JOHN BOWRING,

President St. John's Water Company.

Miscellaneous.

[Copy.]

We, the undersigned Arbitrators, appointed, &c.,

Do award £8,250 Currency, to be paid by the General Water Company, for the purchase of their General Water Privileges, &c., pursuant to 22nd Vic., Cap. 2, Sec. 19; also, we award £168 Currency for all Merchandize in hand, the 30th April last.

The above sums to have been deemed payable on the 30th April last, and to carry interest at 5 per cent. per annum to the time of payment, which is not to extend beyond twelve months from said date.

The Arbitrators charge Forty Guineas, Stg., for their trouble and attendance, and order the charge to be divided between the two Companies. All the profits and liabilities of the present year to 30th April next, to attach to the new Company.

(Signed,)

WILLIAM RENDELL,
JOHN B. BULLEY,
CHARLES SIMMS,
P. TASKER.

St. John's, 17th Sept., 1860.

5.

COPY OF THE AWARD.

Know all men, by these presents, that we, Charles Simms, Patrick Tasker, John Bulley, and William Rendell, a majority of five Arbitrators, duly chosen and appointed by the St. John's and General Water Companies, pursuant to the provisions of the Statute 22 Victoria, Cap. 7, Sec. 19, to hear and determine the matter therein mentioned, having heard the said Companies by their respective Counsel and their Witnesses, and duly considered the several matters and things alleged and proven before us, and personally inspected the Pipes of the first-named Company, do find and determine the value of the Water Privileges, Pipes, Mains and Water Works, with their appurtenances, of the said St. John's Water Company, to be the sum of Eight Thousand Two Hundred and Fifty Pounds Currency, which amount we

Miscellaneous.

award and determine to be paid for the same by the said General Water Company to the said St. John's Water Company, pursuant to the statute in such case provided.

We charge for our trouble herein the sum of Forty-five Guineas, Sterling, to be paid in equal proportions by the two Companies.

Given under our hands, at St. John's, this Second day of October, A. D., 1860.

(Signed,)

CHARLES SIMMS,
PATRICK TASKER,
JOHN B. BULLEY,
WILLIAM RENDELL.

6.

[Copy.]

St. JOHN'S, Nfld., }
October 3rd, 1860. }

SIR,—I have the honor to inform you, that at a meeting of the Stockholders of the General Water Company, which took place yesterday, a Resolution was passed, on motion of H. W. Hoyles, Esq., seconded by the Hon. Edward Morris, that the Capital Stock of the Company should be extended to Fifty Thousand Pounds. Will you please lay this matter before the Governor and Council, whose approval is necessary before effect can be given to the decision of the meeting.

I beg leave to transmit a statement showing the Expenditure of the Company, under the various heads, to the 31st August.

I have the honor to be,

Sir,

Your obedient Servant,

(Signed)

A. SHEA,
President.

Hon. JOHN KENT,
Colonial Secretary,
&c., &c., &c.

Miscellaneous.

7.

[COPY.]

SECRETARY'S OFFICE, }
 October 12th, 1860. }

SIR,—Your letter of 3rd instant has been submitted to the Attorney General for his opinion.

I am directed by His Excellency the Governor to transmit you copy of the letter of that Functionary, for the information of the Stockholders of the General Water Company.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed,)

J. KENT.

A. SHEA, Esq.,
 President.

8.

[COPY.]

ATTORNEY GENERAL'S OFFICE, }
 October 10, 1860. }

SIR,—I have the honor to report, for the information of His Excellency the Governor, that I see no objection to the extension of the Capital Stock of the General Water Company to the sum of Fifty Thousand Pounds, there being a provision in the Statute 22 Victoria, Cap. 6, Sec. 4, enabling the Stockholders to do so, subject to the approval of the Governor in Council.

I, however, take the liberty of suggesting, that the consent of the Governor in Council should be withheld until the Directors of the Company make a report to the Executive as to the course they intend pursuing with reference to an award said to be made on the subject of the purchase of the Stock of the old Company by the new.

I have, &c.,

(Signed,)

G. J. HOGSETT,

H. M. Attorney General.

The Hon. JOHN KENT,
 Colonial Secretary.

Miscellaneous.

9.

[COPY.]

ST. JOHN'S, NEWFOUNDLAND, }
 October 10, 1860. }

SIR,—In answer to your letter of the 12th instant, I beg to acquaint you that the Directors of the General Water Company, being informed that the award in the case between them and the St. John's Water Company has not been made conformable to law, have decided not to entertain it.

I am, Sir,

Your obedient Servant,

(Signed)

A. SHEA,

President.

HON. JOHN KENT,

Colonial Secretary,

&c., &c., &c.

10.

[COPY.]

SECRETARY'S OFFICE, }
 October 12th, 1860. }

SIR,—I have laid before the Governor in Council your communications of 3rd and 10th October. In the latter, you state that "the award in the case between them and the St. John's Water Company is disallowed." Under such circumstance, the Governor in Council sees no objection to the extension of the Capital Stock of the Water Company to the sum of Fifty Thousand Pounds.

The Statute under which your Company exists imposes on the Government the liability of being security for all interest of money subscribed by Stockholders. Under such obligation, the Executive will require that in all transactions in future, (not comprehended under the head of actual operations for completing the Water Works), the fullest information, before entering into any further liabilities.

I have the honor to be,

Sir,

Your most obedient Servant,

(Signed,)

J. KENT.

A. SHEA, Esq.,

&c., &c., &c.

Miscellaneous.

COPY OF AGREEMENT BETWEEN THE HON. JOHN KENT, COLONIAL
SECRETARY, AND AARON DEGRAW, TO RUN STEAMER *VICTORIA*
NORTH AND SOUTH OF THE ISLAND.

10th November, 1860.

Articles of Agreement made and entered into this Tenth Day of November, in the Year of Our Lord One Thousand Eight Hundred and Sixty, between the Hon. John Kent, of St. John's, in the Island of Newfoundland, Colonial Secretary, on behalf of the Government of Newfoundland, of the one part, and Aaron A. DeGraw, of the City of New York, in the United States of America, Merchant, owner of the Steam Propeller *Victoria*, now lying in the harbor of St. John's, aforesaid, of the other part: whereby the said Aaron A. DeGraw, hereinafter styled Contractor, promises and agrees, for the consideration hereinafter mentioned, that the said Steamer *Victoria* shall faithfully and efficiently perform the services hereinafter mentioned, for the period of Five Years, to commence and be computed from the date hereof: that is to say, that the said Steamer *Victoria* shall, twice a month, in each year during the continuance of this Contract, from the Tenth day of May to the month of December, (in which month one trip shall be made,) ply between the port of St. John's aforesaid and the port of Twillingate, on the Northern Coast of this Island, touching at seven intermediate ports, that is to say: Old Perlican, Trinity, Catalina or Bonavista, King's Cove, Greenspond, Fogo, and such other port as may be hereafter named by the Governor in Council; that the said Steamer shall ply between the port of St. John's aforesaid and LaPoile, on the Southern and Western Coasts of this Island, twice a month in each year during the continuance of this Contract, touching at nine intermediate ports, that is to say: Ferryland, Trepassey and St. Mary's, alternately, Oderin, Placentia, Burin, Harbor Breton, Burgeo, LaPoile, and St. Pierre, but subject, as respects St. Pierre, to the conditions hereinafter mentioned; that the said Steamer shall call at the said ports on the voyages to Twillingate and LaPoile, and on her return from these ports, respectively, to St. John's; and that she shall, wind and weather permitting, sail from St. John's on such days, and remain in the several ports herein mentioned for such length of time, as shall be prescribed by the Governor in Council; that the said Steamer shall carry all Mails dispatched from the General Post Office in St. John's to the several ports at which she shall call, and carry from thence, on her return to St. John's, the return Mails; that she shall also carry the Judges and Officers of the Northern and Southern Circuit Courts on their respective Circuits, as also an Officer of the Post Office, when required by that Department, free of charge, except as regards their dietry whilst on board; provided that, should the conveyance of such Judges or Officers interfere with the ordinary voyages of the Steamer, the Contractor shall not be compelled to perform both services, but either only, at the option of the Government. The said Contractor also promises and agrees that the said Steamer (she having been surveyed and approved by the Government) is and shall and will continue sea-worthy during the continuance of this Contract; that she shall be well and sufficiently manned, supplied with good and efficient machinery, engines and boilers, and that her average speed on each voyage shall, wind and weather permitting, be at least ten knots an hour; that she shall be provided with three suitable boats, one of which shall be a life boat; and that she shall be provided with

Miscellaneous.

life buoys and other appliances used in steamboats ; and further, that she shall be fitted up in her present style, and accommodate twenty first-class passengers, and ten second-class passengers ; and also she shall have room for about one thousand barrels of freight, besides her supply of coal for the voyage ; that passengers and freight shall be carried at such rates as the said Contractor shall from time to time determine, which rates shall be advertised in one or more newspapers published in Newfoundland ; that the Governor in Council may, during the continuance of this Contract, order a survey of the machinery, engine and boiler of the said Steamer ; and if the result of such survey should require the repair of said machinery, or the replacing of the boiler by a new one, the Governor in Council shall have the power to order the same to be repaired, or replaced, as the case may be ; and in the case of the boiler, if to be replaced by a new one, such new boiler shall be duly tested by a Government engineer, at New York aforesaid ; that in case a new boiler shall be required, the said Contractor shall have four weeks from the time of the service of the Government notification to that effect on the Contractor, his agent in Newfoundland, or the Captain of the said Steamer, to provide the same ; and where repairs are required, the Contractor shall have two weeks to complete the same from the service of a like notice on either of the parties before mentioned ; during either of these periods the Subsidy to cease, unless the said Contractor shall, in case of the renewal of the boiler, put on a suitable Steamer, and in case of the repairs, if default shall be made in the performance of the regular trips. Should the said Steamer be lost during the period prescribed for the continuance of this Contract, the said Contractor shall have the right to provide another Steamer, in all respects equal to the one lost, within Six Months from the time of such loss ; the Subsidy to cease in the meantime, unless the said Contractor and the Government of Newfoundland shall agree upon an arrangement for carrying out the service until the new Steamer shall be put on. If the service herein contracted for shall not be performed to the satisfaction of the Governor in Council, or the said Steamer prove incapable of performing the said service, the Governor in Council may determine this Contract at the end of any quarter of a year, upon the said Contractor, his Agent in St. John's, or the Captain of said Steamer, receiving from the said John Kent, Colonial Secretary, as aforesaid, or his successor in office, three months' notice, in writing, to that effect ; the Subsidy to be paid to the end of the quarter in which the Contract shall terminate. And the said John Kent, Colonial Secretary, as aforesaid, for and on behalf of the Government of Newfoundland, and for and on behalf of his successors in office, hereby promises and agrees with the said Contractor, that he, the said John Kent, on the faithful performance of this Contract, by the said Contractor, shall and will pay to the said Contractor the sum of Three Thousand Seven Hundred and Fifty Pounds, of lawful money current in Newfoundland, yearly and every year during the said period of five years, in quarterly payments of Nine Hundred and Fifty-seven Pounds and Ten Shillings, the first of which payments shall be made on the tenth day of February next. That the earnings of the said Steamer shall belong to and be the property of the said Contractor, together with such subsidy as he, the said Contractor, shall or may obtain from the Government of France, for the conveyance of French Mails from St. John's aforesaid to St. Pierre aforesaid, and from St. Pierre to St. John's ; he, the said John Kent, hereby undertaking that the Government of Newfoundland will offer no impediment in the way of the said Contractor obtaining such subsidy, provided that the conveyance of the said French Mails does not interfere with the faithful performance of this Contract. Should the said Contractor not succeed in obtaining a subsidy from the French Government, for the conveyance of French Mails as aforesaid, the said Steamer shall not be obliged to call at St. Pierre on her said voyages ; and the Contractor may also, at his option, terminate this Contract at the end of any three months' during the said period of five years, on giving him, the said John Kent, or

Miscellaneous.

his successors in office, three months' notice in writing to that effect. That the said Contractor shall not be chargeable with or held liable for Light Dues or Pilotage, payable or levied in the port of St. John's; but that the amounts which would be due by the said Steamer for these services shall be borne by the Government of Newfoundland. Should the said Contractor, through his Agent or Captain of the Steamer, prove, to the satisfaction of the Governor in Council, that the said Steamer has been unavoidably prevented from calling at any port or place at which she may be bound to touch under the provisions of this Contract, owing to the said port or place being blocked with ice, in such case no deduction shall be made from the subsidy, nor shall such unavoidable prevention be deemed a breach of this Contract. And also, that if at any time or times the ports or places at which the said Steamer shall have to call shall be found inaccessible on account of ice, then and in such case the Mails for that place shall be landed from the said Steamer at the nearest port (being a safe and accessible port) to the one inaccessible, and at the expense of the Government of Newfoundland conveyed to their destination. And it is lastly agreed by and between the parties to this Contract, that this Contract shall be subject to the provisions of the Colonial Statute, 23rd Vic., Cap. 9, upon matters upon which this Contract is silent, except as regards the employment of two Steamers, the making one or more voyages to the Labrador, and the being subject (except as may be by law provided) to the regulations of the Board of Trade. And whereas this Contract is signed by John Fox and John H. Cudworth on behalf of the said Contractor; and the authority to them the said John Fox and John H. Cudworth being informal and insufficient in law, they, the said John Fox and John H. Cudworth, for themselves, their and each of their executors and administrators, do hereby covenant, promise, and agree to and with the said John Kent, and his successors in office, that they, the said John Fox and John H. Cudworth, shall and will, within six weeks from the day and date of this Contract, furnish the said John Kent, or his successors in office, with a confirmation of this Contract under the hand and seal of the said Contractor, and which said confirmation shall be in the form to be prescribed by the said John Kent.

Given under our hands the day and year first before written.

AARON A. DeGRAW,

By his Attorneys,
(Signed,)

JOHN FOX,
J. H. CUDWORTH,

WITNESS,

(Signed,)

GEORGE J. HOGSETT,
H. W. HOYLES.

Signed, sealed and delivered, by the said John Fox and John H. Cudworth, on the day of the date of this Contract.

(Signed,)

JOHN FOX,
J. H. CUDWORTH,

(Signed,)

GEORGE J. HOGSETT,
H. W. HOYLES,

For and on behalf of the Government of Newfoundland,
(Signed,)

JOHN KENT,
Colonial Secretary.

Witness to Signature of Colonial Secretary,
JOSEPH CROWDY.

 Miscellaneous.

 CONFIRMATION OF AGREEMENT IN THE MATTER OF THE STEAMER
 VICTORIA.

 To ALL TO WHOM THESE PRESENTS THALL COME :

I, AARON A. DEGRAW, of the City of New York, in the United States of America,

SEND GREETING.

WHEREAS An Agreement bearing date the Tenth Day of November, in the Year of Our Lord One Thousand Eight Hundred and Sixty, was entered into at Saint John's, in the Island of Newfoundland, between me, the above-named Aaron A. DeGraw, of the one part, and the Honorable John Kent, of Saint John's, aforesaid, Colonial Secretary, for and on behalf of the Government of Newfoundland, of the other part; whereby, he, the said Aaron A. DeGraw, contracts that the Steamer *Victoria*, whereof he, the said Aaron A. DeGraw, is part owner, for and in consideration of the annual sum of Three Thousand Seven Hundred and Fifty Pounds of lawful Money current in Newfoundland, payable at the times and in the manner described in the said Agreement, shall and will, well and faithfully perform, for the period of five years from the said tenth day of November, the services mentioned in the said Agreement, in compliance with the Agreements and Undertakings therein expressed and contained: And, Whereas the said Agreement has been executed by John Fox, of Saint John's, in the said Island, Merchant; and by John H. Cudworth, late of the City of New York, aforesaid, Master Mariner, for and on behalf, and as the Attorney's of said Aaron A. DeGraw, and have covenanted to and with the said John Kent, and his Successors in office, that within six weeks from the date of the said Agreement, they will furnish him, the said John Kent, and his Successors in office, with a confirmation of the said Agreement under the Hand and Seal of me, the said Aaron A. DeGraw: Now, Know Ye, that I, the said Aaron A. DeGraw, for myself, my Executors, Administrators, and Assigns, do covenant, promise, and agree to and with the said John Kent and his Successors in Office, that I, the said Aaron A. DeGraw, shall and will truly and faithfully perform the Agreements and Undertakings contained in the said Agreement: And also, by these Presents, do ratify, confirm, and establish the said Agreement, so made and executed by the said John Fox, and John H. Cudworth, as my Attorneys. In witness whereof, I, the said Aaron DeGraw, have hereunto set my Hand and Seal, at New York aforesaid, this Third Day of December, in the Year of Our Lord One Thousand Eight Hundred and Sixty.

Signed, Sealed, and Delivered }
 in presence of }

AARON A. DEGRAW [L. S.]

JAMES S. SLUYTER,

Councillor at Law,

122, Broadway, New York.

Miscellaneous.

HER BRITANNIC MAJESTY'S CONSULATE, NEW YORK.



I, EDWARD MORTIMER ARCHABALD, Esq., Her Majesty's Consul, do hereby certify, That on the day of the date hereof, personally appeared before me, AARON A. DEGRAW, in the annexed Instrument mentioned, to me identified as such; and duly Signed, Sealed, and Executed the said Instrument for the purposes therein expressed, in my presence, as well as in the presence of JAMES S. SLUYTER, the other subscribing witness.

In witness whereof, I do hereunto set my Hand and Seal of Office, at the City of New York, this Third Day of December, in the year of Our Lord One Thousand Eight Hundred and Sixty.

By the Consul,

PIERREPONT EDWARDS,

Vice-Consul.

LETTER FROM J. H. CUDWORTH, IN REFERENCE TO STEAMER *VICTORIA'S* CONTRACT.

F. B. T. CARTER, Esq.,

ST. JOHN'S, NFLD., }
May 10th, 1861. }

DEAR SIR,—From representations made to the Contractor and Owner of the American Steam Propeller *Victoria*, by influential parties in St. John's, we were induced to make a Contract with this Government, but such representations relative to Subsidy from the French Government, also passage and freight having not realized to the expectation and representation of said parties, I desire that your Government should take some immediate action on the said grievances, as follows, viz. :—

The French Government was represented to pay \$7,500 for the conveyance of their Mails, and they inform me that there has been some misunderstanding between the two

Miscellaneous.

Governments, relative to the service required of the Steamer; the French Government are willing to pay \$6,000 annually to the Steamer for the conveyance of their Mails. By your Government relinquishing the Northern Route entirely, and restricting service of Steamer to the South-Western Route solely, striking out of said Western Route, the following Ports, viz.:—St. Mary's and Placentia, and Oderin, and substituting instead, the following Ports, viz.:—Lamaline and Port-au-Basque. I believe that a majority of the people of St. Mary's and Placentia Bays are willing to relinquish the trips of the Steamer at those points. The Contractor is perfectly willing to run said Steamer as contracted for on both North and Western Coast, as mentioned in Contract, provided your Government will make good said loss, by paying the Contractor the sum of \$6,000 or £1,500 Currency, and assuming the Insurance of said Steamer against loss, the Contractor being perfectly able to perform services contracted for. The Steamer for the last two quarters being unable to pay the Contractor anything, but actually losing about £277 Currency, not including Insurance or Interest, I now apply to your Government to remedy our grievances, before giving the notice required by Contract for its termination; and if there is not some remedy on your part, we shall be compelled to withdraw the Steamer from your country. Trusting that our grievances will be remedied.

I remain, respectfully, yours, &c.,

(Signed,)

J. H. CUDWORTH,

Commander and Agent of Contractor.

The above by my directions,

(Signed,)

AARON A. DEGRAW,

Contractor.

LETTER FROM F. B. CARTER TO ATTORNEY GENERAL, ON STEAMER
VICTORIA'S CONTRACT.

St. JOHN'S, }
May 21st, 1861. }

The Honorable the ATTORNEY GENERAL,

DEAR SIR,—The Proprietor of the Steamer *Victoria* considers that the representations made to him on entering into Contract with the Government have not been carried out, and occasioned him serious loss. He has in writing stated his grounds of complaints—a copy of which I send—and shall feel obliged by having the action of the Government thereon made known to me at earliest convenience.

Yours truly,

F. B. CARTER.

Miscellaneous.

**EXTRACT FROM INSTRUCTIONS OF THE COMMANDER OF ST. PETER'S
AND MIQUELON, GIVEN TO M. D'HEREAUX FOR THE INSTAL-
LATION OF POSTAL SERVICE AT ST. PIERRE.**

The first thing requisite to learn is, what are the conditions of the Contractor's regards the Government of Saint John's. If the Government has the power to dispose, as it has done several times, of the Steamer *Victoria* for foreign business of Postal Service. If, on the contrary, that is to say, if the Captain of the *Victoria* did not enter into any arrangement with the English Government to oblige him to change his route, we could treat with him, because we could then make our arrangements in terms which could bind him in such a manner that he could not accede to the exigencies of the English Government without being responsible to us real and effective. The second thing which we desire the suppression of the Ports of St. Mary's, Placentia, and Oderin. The necessity of the *Victoria* calling at these ports has been one of the principal causes of the irregularity of her trips during the winter, and it is for her a perpetual source of danger and consequent delay.

We have mentioned to the Captain that we would make the suppression one of the conditions of our agreement, and even that we would not enter into any arrangement until it was satisfactorily settled. He assured us that he was negotiating about it with the English Government. It is important to us to know the result of his demands, or what result they expect at St. John's.

The ports already mentioned are of little importance, two of them are in communication with St. John's by land, and the third is in the neighbourhood of Burin, where the boat will continue to go. There is then but little interest for the Government to maintain these ports, which compromise the service. The third point on which we request to be informed, is to know exactly what will be the relation of the service of the *Victoria* with the Galway Steamers and the Halifax line. We wish, particularly, our Mails from Europe as quickly as possible. According to our point of view, that the *Victoria* puts herself in correspondence with the Galway Steamers, by which our Mails ought to come henceforth; that is, she ought to leave St. John's for her return trips within 24 hours, at the least, after the arrival of the Galway Steamer at St. John's, and that she ought to return to St. John's before the same Steamers should have arrived from their return trip to New York on their way to Galway. The Captain told us it depends on him to arrange it in this manner; but the control the English Government has maintained over the boat up to this time causes us to fear he has not the liberty he pretends; it is then a point on which we would wish some explanation from the Government of St. John's. These three points clearly explained, we would then know what it would be convenient for us to insist upon or accept. We hope that all will be for the best and satisfactorily, as our interests, and of those people on the South-coast of Newfoundland are the same, and that in pleading for ourselves we plead also for our neighbors; nevertheless, it is necessary to foresee the case where the information would not give us the satisfaction we hope for.

In this case we should have to see to the means of ourselves taking our correspondence at St. John's, to send them here, to profit by the Steam boats, should it be to Europe or America, it will be then necessary to inform in this eventual case.

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1st.—If the English Post at St. John's would undertake to send our Mails coming from Europe, to Placentia, and likewise to take those we would expedite for Europe, and on what conditions.

2nd.—How long the Mails would be going from St. John's to Placentia, or *vice versa*, during the seasons.

3rd.—If the departure of the Mails from St. John's to Placentia could coincide with the arrival of the Mails from Europe, and if their return would take place in time so that the Mails expedited from St. Peter's would be enabled to profit by the return Steamer to Galway.

PROPOSITION FROM CAPTAIN CUDWORTH, STEAMER *VICTORIA*, SUBMITTED TO THE SELECT COMMITTEE ON COASTAL STEAM.

10th June, 1861.

P R E S E N T :

JOHN H. WARREN, *Chairman*,

JOHN WINTER,

E. D. SHEA,

E. HANRAHAN,

D. W. PROWSE.

Submit to the Committee on Local Steam the following propositions :—

1st.—On the Northern Route, to make it once a month, instead of fortnightly, as at present, during summer months, from 10th May to 10th December, substituting Bay-de-Verds for Old Perlican, leaving out Trinity, and going to Catalina, leaving out King's Cove, and going to Greenspond. The other ports as in original Contract.

2nd.—On Western Route fortnightly, as in original Contract, leaving out Placentia, St. Mary's, and Oderin. Other ports as in original Contract.

3rd.—I propose that if the Government will give me £1,500 Currency or 6,000 American Dollars, the amount of the Subsidy which the French Government have offered me to carry

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their Mails fortnightly to St. Peter's, I will give up the St. Peter's Route altogether, and carry out the original Contract, and call at all the Ports therein named at the times therein mentioned.

In case the Government should require any extra services for the ports above mentioned as excluded, I will carry Government Freight to them without extra charge, on the same trips as above proposed.

J. H. CUDWORTH,

Commissioner and Agent.

PROPOSITION FROM FRENCH GOVERNMENT, SUBMITTED BY M. D'HEUREUX
TO THE SELECT COMMITTEE ON COSTAL STEAM, 10TH JUNE, 1861.

On behalf of the French Government, I propose to pay the Newfoundland Government Thirty One Thousand Francs, or Twelve Hundred and Fifty Pounds Sterling money of Great Britain, for the conveyance of the French Mails every fortnight during the year, provided the Mails arrive from Europe; said Mails to be despatched from St. John's for St. Pierre within six hours after the arrival of the English Mail. The Mail boat to remain in St. Pierre a time not exceeding three hours, and to return from the Western Shore to St. Peter's in sufficient time to land the return French Mails in St. John's for next English Mail going homeward.

This proposition to be subject to the approval of the Governor of St. Pierre and Miquelon.

Iles St. Pierre et Miquelon.

Saint Pierre, le 23 Mai, 1861.

No. 9.

A Son Excellence Monsieur le Gouverneur de la Colonie de Terre-Neuve, Saint Jean.

Monsier le Gouverneur.

L'étude de certaines questions interessant notre service postal réclamant l'envoi à Saint Jean d'un fonctionnaire de mon administration, je prends la liberté de vous informer que

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j'ai chargé de cette mission M. D'Heureux, contrôleur colonial, et de le recommander au bienveillant intérêt de votre Excellence.

L'objet de sa mission est des entendre avec votre Gouvernement sur des points que sont d'un intérêt commun à notre établissement et à la colonie de Terre-Neuve, je ne doute pas que cet officier ne rencontre auprès des divers fonctionnaires de l'administration de Saint Jean, toutes les facilités et tous les renseignements dont il aura besoin de s'entourer; mais j'ai cru néanmoins devoir le recommander à votre haut patronage, et aux sentiments de généreuse hospitalité dont votre Excellence a toujours été animée envers nos nationaux.

Recevez, Monsieur le Gouverneur, l'assurance de mes sentiments de haute considération.

Le Commandant des Iles Saint Pierre and Miquelon.

C. DE LA RONCIERE.

[Copy.]

GOVERNMENT HOUSE, NEWFOUNDLAND, }
St. John's, 29th May, 1861. }

MONSIEUR,—

In reference to the communication which I had the honor to receive from the Count de la Ronciere, of date the 23rd of May, and of which you were the bearer, I regret to find that your Government should sustain so much inconvenience from the Postal arrangements which have for some time existed, and, of which I was not aware until your arrival here. I beg you will assure the Count de la Ronciere, that it would afford me and the Government here much satisfaction if we can in any way promote the success of Postal Communication between St. John's and St. Pierre.

It is reported that the Contract between the British Government and the Galway Company has terminated: if this be true, I have little doubt but that some other Contract will be entered into.

In regard to the *Victoria*, I understand her owner has made application to this Government for an additional Subsidy of £1,500. This is a financial matter which must be submitted to the House of Assembly, or Parliament of Newfoundland: that will be done immediately, but, I cannot say what will be the result.

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I am not aware whether a copy of the Agreement made on the 10th of November last was sent to Saint Pierre. I therefore send you a copy, and have marked the parts which relate to Saint Pierre.

M. Toussaint, the French Consul, will explain the Agreement to you.

I have, &c.,

(Signed,)

A. BANNERMAN,

Governor, N. F.

To MONSIEUR D'HEUREUX,

Controleur Colonial,

&c., &c., &c.

LETTER FROM GOVERNOR'S PRIVATE SECRETARY TO STEPHEN RENDELL,
ESQ., M. H. A., RELATIVE TO CASE OF ROBERT READER.

GOVERNMENT HOUSE, }
31st December, 1859. }

SIR,—I am directed by the Governor to acknowledge the receipt of your note of the 28th instant, enclosing me a Petition, numerously signed, from the inhabitants of Hant's Harbor, Trinity Bay, praying that the Governor would "suspend the appointment lately made of Mr. Robert Reader, to be a Stipendiary Magistrate in their District."

You will please inform the Petitioners, that Mr. Reader's appointment was made by the Governor on the recommendation of the Executive Council, such appointments being vested by the Crown in the Governor of the Colony.

The Petitioners ground their appeal to the Governor on, as they allege, "circumstances attending the retirement of Mr. Reader from the Royal Newfoundland Companies, in which he was a Corporal."

His being a Corporal in the Army is no disqualification whatever to his holding a civil appointment, provided his character is otherwise unobjectionable, as many men of that rank have attained very great eminence in the service of the Queen.

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But the Governor will apply to the Commander of the Garrison here to examine the Records of the Royal Newfoundland Companies, and request him to report to His Excellency the circumstances attending his (Mr. Reader's) Military career. He considers this but an act of justice to Mr. Reader, as the Governor saw in a late publication that Mr. Reader, on being discharged from the army, had received testimonials of character from the Duke of Wellington, and also from his late Commandant, Colonel, (now General) Law.

The Governor has, therefore, also written to the Major-General, to make inquiries relative to Mr. Reader whilst under his command.

The Petitioners also accuse Mr. Reader of "violating his oath of Returning Officer, at Burin." This is certainly a very serious charge, but the Governor need scarcely inform the Petitioners that such a charge must be substantiated before the Governor can deal with it; and, as the Petitioners assert, and believe the charge to be true, the Governor thinks it is a duty they owe to themselves, again to bring this subject before His Excellency, when they are in a position to do so.

The appointment of a Stipendiary Magistrate to any District in the Colony ought always to be made with a due regard to the character of the individual so appointed; at all events, that his conduct has been such as to justify his being trusted with the important duties which devolve upon such a situation.

I have the honor to be,

Sir,

Your most obedient humble Servant,

W. J. COEN,

Private Secretary.

STEPHEN RENEELL, Esq., M. H. A.,
&c., &c., &c.

LETTER FROM THE GOVERNOR TO THE PRESIDENT OF THE EXECUTIVE COUNCIL.

GOVERNMENT HOUSE, }
20th February, 1860. }

DEAR MR

In consequence of the fiction which Mr. Kent has met with, I have been unwilling, under the circumstances, to trouble him on any matter of importance.

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You will recollect that an individual named Robert Reader was recommended by the Council to be made Stipendiary Magistrate for Old Perlican, and, in accordance with that recommendation, he was appointed by me. Sometime after his appointment, petitions were presented to me, complaining that such an office should have been conferred on Mr. Reader, and making very serious accusations against him, all of which I desired to be communicated to Mr. Reader, and promised the Petitioners that I should make the necessary enquiries upon this subject.

I have taken a great deal of pains to do so, and should have decided the case before now, had I not waited for some additional information from Colonel (now Major-General) Law.

I am sorry to say that the result of these enquiries leaves me no alternative but to cancel Mr. Reader's appointment.

I am, therefore, desirous that you, and all the Members of the Council, shall be aware of the grounds on which I have come to that determination; and, with that view I send you, for your perusal, the enclosed statement, with documents accompanying the same, and I beg you will let them be sent to the other Members of Council, and, after they have read them, that they may be returned to me.

Mr. Reader's case has already crossed and re-crossed the Atlantic, and, I shall give directions that the cancelment of his appointment shall be announced in the *Gazette*, of Tuesday the 28th instant, before the departure of another mail for England.

I remain,

Dear Mr. O'Brien,

Yours faithfully,

A. BANNERMAN,

Governor.

The Hon. L. O'BRIEN,
&c., &c., &c.

DUPLICATE—GOVERNOR'S STATEMENT OF MR. ROBERT READER'S CASE,
SENT TO AND LAID BEFORE EXECUTIVE COUNCIL.

CASE OF MR. ROBERT READER.

February 18, 1860.

This individual was recommended by the Council to the Governor, to be appointed Stipendiary Magistrate at Old Perlican, in room of Richard Rankin, Esquire, deceased; and, in compliance with that recommendation, the appointment took place.

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Soon after that, two Petitions were presented, and, subsequently a third, complaining of Mr. Reader's appointment. The first Petition the Governor considered unimportant, and passes it over. The second was of importance, and sent to the Governor by Stephen Rendell, Esquire, a Member of the House of Assembly; and the Petitioners ground their appeal to the Governor, first, as they allege, on "circumstances attending the retirement of Mr. Reader from the Royal Newfoundland Companies, in which he was a Corporal." secondly, the Petitioners accuse Mr. Reader of violating his oath of Returning Officer, at Burin; and, thirdly, that they have no confidence that the duties of Stipendiary Magistrate will be justly administered by him.

In regard to his being a Corporal in the Royal Newfoundland Companies, the Governor informed Mr. Rendell that, Mr. Reader having been a Corporal in the Army was no disqualification whatever to his holding a civil appointment, provided his character was otherwise unobjectionable; but, as Robert Reader had belonged to the Royal Newfoundland Companies, the Governor considered it but an act of justice to him to apply to the Commandant of the Garrison here, to examine the Records of the Royal Newfoundland Companies, and to report the circumstances attending Mr. Reader's Military career; and the Governor also wrote to Colonel (now Major-General) Law, late Commandant of the Garrison here.

The allegation of Mr. Reader having violated his oath as Returning Officer at Burin, was a very serious charge, and Mr. Rendell was informed that the Petitioners must be in a position to substantiate such a charge before the Governor could deal with it.

On receiving this Petition, the Governor sent it to Mr. Kent, the Hon. Colonial Secretary, in order that Mr. Reader might be made acquainted with the charges brought against him, to enable him to make any observations that he thought proper; and the only communication the Governor had from Mr. Reader, was a letter signed by him, dated Old Perlican, 24th January, 1860, addressed to the Hon. Colonial Secretary,—in which he states for the Governor's information, that he was "honorably discharged from the Royal Newfoundland Companies, at his own request, and received a parchment certificate of good character from the late Commander-in-Chief, and from the late Lieutenant-Governor, that, during the last ten years he had maintained an unblemished reputation, and held the highest offices a Layman can hold in the Wesleyan Church;" he then gives a "*decided negative*" to having violated his oath as Deputy Returning Officer at Burin, and says, the duties of that office were faithfully and impartially performed; and concludes by saying—"I have no other desire than fairly and honestly to administer justice to the people of this District, and, I trust by prudently and intelligently performing the duties of my office, to conserve the interests of good order, and to reflect honor on the Government who gave me the appointment."

The Governor will now proceed to state the results of the enquiries he has made, from information he has got from most authentic sources, and from documents bearing Mr. Reader's signature, and, some of them, since his appointment, in his own hand-writing.

First, as to his Military career, Major Grant, the Commandant of the Garrison here, has sent the Governor a certified copy of the Record of Service of Private Robert Reader, showing that the individual in question was twice tried, and convicted by Courts Martial, during his service of fourteen years. Once in 1839, by Garrison Court Martial in England, for de-

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sertion ; and once in 1850, by a Regimental Court Martial, for a minor offence,—sentence 42 days imprisonment with hard labour, 29 days of which punishment were inflicted, and the remaining 13 days remitted by the Confirming Officer. The service forfeited by the first conviction was subsequently restored to Private Reader, who was discharged from the Royal Newfoundland Companies, at his own request, on the 31st October, 1851. There is no Regimental Record of any testimonial of character having been granted to Private Reader, either by the Commander-in-Chief, or by his late Commanding Officer ; possibly the usual certificate of character on the discharge document, signed by the Commanding Officer, and in due time, countersigned by the Adjutant General, by “ *order of the Commander-in-Chief,*” may have been erroneously construed into a species of testimonial. Major Grant further observes that no entry of “ *Bad*” character is admissible in a Soldier’s discharge, except in a case of “ *Disgraceful Conduct;*” and, further states that Lance-Corporal Reader was deprived of his Acting Rank, and removed from his employment as Regimental Librarian. Absence without leave is the reason stated for Reader’s being reduced to the rank of Private, and deprived of his situation of Regimental Librarian.

In a Memorandum from Major-General Law, dated “ *Dublin, the 11th January, 1860,*” the Major-General states, that “ *the information, and every thing connected with the character of Private Robert Reader, may, with certainty, be found by reference to the Records of the Royal Newfoundland Companies ; that the discharge documents of Soldier’s are not generally, if ever, submitted to the General Commanding-in-Chief, and therefore the statement that Reader had received a testimonial from the Duke of Wellington was “ *simply absurd,*” and he (General Law,) as his Commanding Officer, at the time of his discharge, “ *may, or may not, in filling up his parchment certificate of discharge, have stated his general character to have been good ; his forfeited services for desertion having been restored “ to him.*”*

The Governor will now proceed to notice the Petitioners allegation of Mr. Reader having violated his oath as Returning Officer at Burin, at the late Election ; and to substantiate this charge, Mr. Rendell, on behalf of the Petitioners, states :—

“ *On the 18th October, Mr. Reader subscribed at Burin, to the form of oath required from him as Deputy-Returning Officer ; (copy herewith marked No. 1.) he violated the same by active partizan effort at Flat Islands on behalf of two of the Candidates for the District, after the oath had been taken ; other proof of which may be given, besides that of his own public confession made in a letter published over his name in the Courier newspaper, under date 16th November,*” (copy herewith marked No. 2.)

The Governor has read the letter alluded to, signed “ *Robert Reader,*” in the *Courier* newspaper of Wednesday, November 16th, in which there are the following paragraphs :—

“ *I went to Burin as the friend of J. J. Rogerson, Esquire, with a determination to give him my unflinching support, and his opponents a steady but determined opposition ; I was, as Hoyles, Seaton, and March well know, the man who contributed largely to the success of the Government Candidates, and thus, for four years at least, prevented them and their party, from tasting the sweets of office.*”—And, again—

“ *On the evening of Saturday, previous to the Polling Day, the friends of the popular Candidates held a meeting, which was attended by Mr. March and Falle’s Agent, and*

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“after the writer (that is, Mr. Robert Reader) had addressed the meeting for about an hour, &c., &c.” Mr. Reader having, as Returning Officer, on the 18th day of October, sworn that he would “honestly, impartially, and without favour to any Candidate, take the Polls at the ensuing Election.”

The Governor believes that there is no parallel in any Election case to a Returning Officer volunteering to put his name to such a letter as appeared in the *Courier* newspaper of the 16th November, 1859.

Mr. Rendell further states, in confirmation of Mr. Reader having violated his oath, the fact of his having made false returns of votes, &c., &c., and states the names of several parties in corroboration.

This is an allegation which the Governor will not enter into, knowing that it is a subject which it is the province of the House of Assembly to investigate, and that the conduct of Returning Officers at Elections, when complained of, is always strictly enquired into by the popular Branch of the Legislature.

The Governor will now state the grounds on which the Petitioners allege that “they can have no confidence that the duties of a Magistrate will be administered by Mr. Reader justly;” and, in proof of this, they have sent for the Governor’s perusal, a printed Summons, addressed to the Chief Constable of Old Perlican, in the Northern District of Newfoundland, dated the 21st day of December, 1859, requiring the Constable forthwith to summons Joshua Burt, to appear before Robert Reader, Esquire, Justice of the Peace, “to certify from whom he received a Petition defaming the character of Robert Reader, Esq., to be dealt with according to law.”

This summons is subscribed in the hand-writing of the Magistrate, namely, “Robert Reader, J. P., and Stipendiary Magistrate”; and, it is stated by Mr. Rendell, “when the said Burt made his appearance at the Court House, he was compelled, after being sworn, to state from whom he received the Petition, &c., &c.”

It thus appears that a Magistrate, sworn to administer justice, presumes to act as Prosecutor and Judge *in his own case*; and further, on the 29th of December, a Writ was served in due form on John Jaynes, of Hant’s Harbor, in the name of Her Majesty the Queen, by the authority of the said Mr. Reader, claiming damages for £500, and returnable in the *Supreme Court of this Island* at St. John’s.

It is superfluous for the Governor to say that these proceedings of Mr. Reader’s are perfectly illegal, and most highly culpable.

The Governor has now only briefly to recapitulate the grounds on which he has come to the determination to direct that Mr. Robert Reader’s appointment, as Stipendiary Magistrate for the District of Old Perlican, shall be cancelled; and, that he shall no longer continue as one of Her Majesty’s Justices of the Peace of this Colony.

First.—His Military career shows, from authentic documents, that his character and conduct were such as did not entitle, or give him any claim for an appointment being bestowed on him in Her Majesty’s Civil Service.

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Secondly.—Without entering into the more serious charge, which it alleged he committed at the Burin Election, his own admission was quite sufficient ground for not appointing him as a Stipendiary Magistrate to administer impartial justice ; and,

Lastly.—Since his appointment, his illegal and reckless proceedings, and his utter disregard of the duties of a Magistrate, show that he is totally unfit for such a situation, which he cannot be continued in without inflicting a grievous injury on the inhabitants of Old Perlican ; and the Governor is quite satisfied that if the Council had been aware of Mr. Reader's character and conduct, he never would have been recommended to hold that appointment.

A. BANNERMAN,

Governor.

N. B.—The originals of all the documents referred to in this statement were sent in March, 1860, to the Secretary of State for the Colonies, and having been retained at the Colonial Office,—those *only* of which copies or duplicates were retained by the Governor, can be now furnished herewith.

GOVERNOR'S LETTER TO COLONIAL SECRETARY, TRANSMITTING HIM
TWO PETITIONS FROM INHABITANTS OF HANT'S HARBOR, &c.,
AGAINST THE APPOINTMENT OF MR. ROBERT READER
TO BE A STIPENDARY MAGISTRATE.

GOVERNMENT HOUSE, }
4th January, 1860. }

DEAR SIR,—I send herewith two Petitions for the information of the Council. They relate to the appointment of Mr. Robert Reader, a Stipendiary Magistrate.

No. 1 was presented by Dr. Winter, and is addressed to the Governor and Council. I requested that gentleman to inform the Petitioners that I saw no grounds in their statements that required consideration.

No. 2 was sent by Mr. Stephen Rendell. It is signed by upwards of 100 inhabitants of Hant's Harbor, is one of a very different nature from the 1st, and such a statement as I can

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not possibly pass over unnoticed. You will see the answer which I have sent to Mr. Rendell in the meantime.

Mr. Reader, I think, was recommended by you and the Receiver General, Mr. Glen. In regard to his being a Corporal or Private in the Army, you will observe what I say to Mr. Rendell on that subject, and, in regard to that, I can get all the information required, from most authentic sources, but a person who is alleged to have violated his oath in discharge of his public duty, and been made a Magistrate a few weeks afterwards by the Governor of the Colony, is a case that it becomes imperative on me to inquire into.

In justice to Mr. Reader, I think he ought to be apprized of the very serious charge brought against him, in order that if the Petitioners persevere, and bring forward proof to substantiate the charge, he may be prepared to adopt such a course as he may consider necessary.

I remain, &c.,

(Signed,)

A. BANNERMAN,
Governor.

The Hon. JOHN KENT,
Colonial Secretary,

MINUTE OF COUNCIL, 24TH FEBRUARY, 1860, RELATIVE TO CASE OF
ROBERT READER.

24th February, 1860.

P R E S E N T :

His Excellency THE GOVERNOR,
The Honorable COLONIAL SECRETARY,
" RECEIVER GENERAL,
" SURVEYOR GENERAL,
" E. D. SHEA,
" ATTORNEY GENERAL,
" J. J. ROGERSON.

The Governor laid before the Council certain papers, upon which were founded a series of charges against Mr. Robert Reader, lately appointed Stipendiary Magistrate in Trinity Bay, which the Governor considered sufficient to justify him in immediately suspending him.

Miscellaneous.

The Executive Council were unanimously of opinion, that before His Excellency proceeded to the suspension of Mr. Reader, it was due to him, as an Officer holding a situation under the Government, that he should be supplied with copies of the charges against him, in order to afford him an opportunity of replying thereto, before His Excellency proceeded to interdict him from the discharge of the duties of his office.

MEMORANDUM BY GOVERNOR.

The Members of the Executive Council having perused the documents referred to, met at Government House, when a lengthened discussion took place on the subject of the Governor's determination to suspend Mr. Robert Reader. No Member of the Council seemed to justify Mr. Reader's conduct, or had anything to say in his favor, but they were unanimous in thinking that he "should be supplied with copies of the charges against him, in order to afford him an opportunity of replying thereto, before His Excellency proceeded to interdict him from the discharge of the duties of his office."

The Governor stated to the Council that he entirely differed with them, and would adhere to his determination of suspending Mr. Reader; and, as it was his intention to refer the case to the Secretary of State, he requested the Council to send him a Minute in writing, expressive of their opinions; which would be forwarded along with the documents, and statement of the reasons which have induced the Governor to consider that the interests of Her Majesty's Service demanded that Mr. Reader shall immediately cease to exercise the powers and functions of his office as Stipendiary Magistrate. Mr. Reader's most improper and disgracefully partial conduct, as Returning Officer at Burin, is certified by his own signature, in a letter which he volunteered to write and publish in the *Courier* Newspaper, of date the 16th November, 1859, he having previously taken an oath to discharge impartially the duties of a Returning Officer,

The Records of the Garrison of St. John's he cannot impugn, and his reckless and most disreputable conduct as a Magistrate, in December, 1859, and proved by documents in his own hand-writing; and, therefore, although the Council unanimously wish that Mr. Reader should have an opportunity of replying to documents which he cannot possibly controvert, the Governor must differ with the unanimous opinion expressed by the Council, and adhere to his determination.

A. BANNERMAN,

Governor,

 Miscellaneous.

 GOVERNOR'S LETTER TO ROBERT READER, IN REPLY TO HIS ASSERTION
 THAT HE HAD NOT BEEN MADE AWARE OF THE CHARGES
 AGAINST HIM AS MAGISTRATE AT OLD PERLICAN.

GOVERNMENT HOUSE, }
 26th March, 1860. }

SIR,—I am directed by the Governor to inform you that he has received two letters from you,—one of date “Old Perlican, 7th March,” with the Carbonear Post-mark of the 19th, and the Saint John's of the 20th.

In that letter you say you “would esteem it a favor if the Governor would favor you with a copy of the charges preferred against you by Stephen Rendell, Esq., or others.”

In your second letter, dated the 23rd of March, you enclose a Memorial to His Grace the Duke of Newcastle, and after alluding to your appointment on the 22nd of November last, as Stipendiary Magistrate at “Old Perlican,” and your suspension on the 27th of February last, you have the hardihood to assure His Grace, that you “have not been apprized of the reasons which have induced His Excellency Sir Alexander Bannerman to adopt this course, but you believe they are altogether based upon the *ex parte* statements of persons hostile to you.”

“That you have not been furnished with a copy of the said statements,—nor have you been asked for an explanation,—nor has an opportunity been afforded you of making a defence.”

In reply to this extraordinary allegation, the Governor desires me to refer you to the letter which he wrote to Mr. Kent, on the 4th of January last, forwarding a Petition presented by Mr. Stephen Rendell, containing certain allegations against your conduct and character, and complaining of your being appointed Magistrate of Old Perlican, &c., &c.; and His Excellency also refers you to your letter sent to the Colonial Secretary for His Excellency's information, of date the 24th January, 1860, referring to Mr. Rendell's petition, generally denying the allegations in the petition, giving a “*decided negative*” to one of them, and asserting that the duties of Deputy Returning Officer at Burin were faithfully and impartially performed by you; and, in regard to your Military career, that you had been honorably discharged from the Royal Newfoundland Companies at your own request, &c., &c.

I am directed further to inform you that the Governor will forward your Memorial to the Duke of Newcastle, sending along with it a copy of this letter, and the documents connected therewith.

In regard to the allegation to which you give a “*decided negative*,” namely, the alleged violation of your oath by admitting bad votes, or refusing good ones, the Governor did not consider it a case within his province to investigate, believing it to be one which materially affected the privileges of the House of Assembly, and that that Branch of the Legislature

 Miscellaneous.

would take care to deal with it according to the evidence which might be laid before them; and the Governor apprized the Duke of Newcastle, by the last mail, that he had abstained from dealing with an accusation made against you which more properly came under the cognizance of the popular Branch of the Legislature.

I have, &c.,

W. J. COEN,

Private Secretary.

ROBERT READER, ESQ.,
&c., &c., &c.

DESPATCH OF THE DUKE OF NEWCASTLE, CONFIRMING THE REMOVAL
OF MR. ROBERT READER FROM HIS OFFICE OF STIPENDARY
MAGISTRATE AT OLD PERLICAN.

[Copy.]

No. 56.

DOWNING STREET,
14th December, 1860. }

SIR,—I have had before me your Despatches relative to the removal of Mr. Robert Reader from the Office of Stipendiary Magistrate at Old Perlican.

I am satisfied from the information which you have afforded, that Mr. Reader's removal was necessary, and I cannot withhold my confirmation of it.

I have, &c.,

(Signed,)

NEWCASTLE.

Governor

SIR A. BANNERMAN,

&c., &c., &c.

Miscellaneous.

**MEMORIAL FROM ASSISTANT JUDGE ROBINSON FOR COMPENSATION FOR
LOSS OF PROPERTY BY FIRE.**

To His Excellency the Governor in Council:

The Memorial of Bryan Robinson, of St. John's, one of the Judges of the Supreme Court of Newfoundland, respectfully sheweth,—

That on the morning of the 14th May last, your Memorialist's Offices, attached to his Dwelling-house, were totally consumed by fire, together with all their contents, embracing horses, carriages, saddlery, live stock, &c.

That the value of such contents, as nearly as he can remember and compute them, was £250, and was wholly uninsured.

That Memorialist does not positively know the origin of the fire, but believes, without any doubt, that it was the act of an incendiary; he has no reason for supposing, and does not suppose, that the said injury was inflicted upon him on account of any personal ill-will, but believes that it was perpetrated in consequence of the faithful discharge by him of his judicial duties, coupled possibly with a desire to intimidate and to establish a power superior to the law—viz: that of terror.

Your Memorialist is assured that he expresses your Excellency's opinion, when he asserts that the only solid and constitutional security Her Majesty's subjects can enjoy, is in the full and fair administration of Her laws; and that it becomes, therefore, a matter of the first public importance, to preserve the Administrators of those laws harmless against the violence of the lawless.

The insufficient and mean salary attached to his office, which he is forbidden to supplement by other pursuits, disables your Memorialist from bearing the heavy sacrifice of his property; and as the Policy of British Law recognizes the wisdom, as well as justice, of indemnifying out of Public Funds, those whose property has been destroyed by popular violence, he respectfully submits his case upon public grounds to your Excellency's consideration, and respectfully prays such redress, through the Legislature or otherwise, as you shall deem proper.

BRYAN ROBINSON,

Assistant Judge, Supreme Court.

1st June, 1861.

Miscellaneous.

**MEMORIAL FROM MR. MICHAEL NOWLAN, FOR COMPENSATION FOR
DAMAGE DONE BY RIOTERS, IN ST. JOHN'S, ON 13TH MAY, 1861.**

To the Honorable the House of Assembly of Newfoundland, in Legislative Session convened :

The Petition of Michael Nowlan, of St. John's, humbly sheweth,—

That on the evening of the 13th of last May, Petitioner's Premises in Water Street were attacked by a mob of from one to two thousand persons, his doors, shutters and windows broken ; and goods to a considerable amount both destroyed and forcibly carried away.

That Petitioner is not aware of any cause being given by him for such an outrage, and had no protection whatever afforded him, either by the Civil or Military Authorities, during the first time the mob were present.

That Petitioner always endeavoured to live in peace and harmony with his fellow-citizens, and was at least entitled to such protection as British law grants to him, for the preservation of his property and for the carrying on of his business, and that he has suffered a most serious loss through the want of such protection, by the rioting on the day referred to.

Wherefore Petitioner respectfully prays your Honorable House to take the circumstances of his case into your kind consideration, and to grant him such compensation as your Honorable House may deem meet.

And as in duty bound, your Petitioner will ever pray,

MICHAEL NOWLAN.

St. John's, Nfld., June 10, 1861.

**MEMORIAL FROM WILLIAM KITCHIN, FOR COMPENSATION FOR DAMAGE
DONE BY RIOTERS TO HIS PROPERTY, IN ST. JOHN'S, ON 13TH MAY, 1861.**

To the Honorable the House of Assembly of Newfoundland, in Legislative Session convened :

The Petition of William Kitchin, of St. John's, humbly sheweth,—

That on the evening of the 13th May last, Petitioner's Premises in Water Street were attacked by over two thousand persons riotously assembled, his doors and windows smashed in, and goods to a large amount, some forcibly carried off, and others destroyed.

Miscellaneous.

That Petitioner had given no provocation whatever for the said outrage, and had no protection until the arrival of a Military Force, under command of Lieutenant-Colonel Grant, after the destruction and spoliation alluded to was accomplished.

That Petitioner considers, that as a peaceable citizen, living unoffensively, and discharging his social duties faithfully, he was entitled to legal protection for himself and family, as well as for his property and for the conduct of his business; and that he has, by this outrage, suffered very heavily.

Wherefore Petitioner respectfully prays your Honorable House to take the premises into your kind and favorable consideration, and to grant him such compensation for the same, as in your judgment, and in justice, you may deem sufficient.

And, as in duty bound, your Petitioner will ever pray,

WILLIAM KITCHIN.

St. John's, Nfld., June 10, 1861.

MEMORIAL OF CERTAIN INHABITANTS OF HARBOR GRACE, FOR COMPENSATION FOR LOSS OF PROPERTY BY RIOTERS, ON 26TH APRIL, 1861.

*To His Excellency Sir ALEXANDER BANNERMAN,
Governor and Commander-in-Chief in and
over the Island of Newfoundland and its
Dependencies, &c., &c., &c.*

The Memorial of the undersigned inhabitants of Harbor Grace, most humbly sheweth,—

That on the 26th day of April last, the Nomination of Candidates for the Election of Members for this District took place in this town.

That during that day this town became the scene of riots and outrage, from a vast assemblage of persons, belonging to this District and to Carbonear, who set all law and authority at defiance, destroying property to a large amount, and greatly endangering the lives of the peaceable and orderly inhabitants.

That your Petitioners, without any just cause whatever, had their premises and property much damaged, notwithstanding all their efforts to prevent the same, which damage was principally caused by the want of energy on the part of the Magistracy and the Military.

Miscellaneous.

That your Petitioners beg leave to submit to your Excellency in Council an estimate of their respective damages, made at the lowest calculation, by a highly respectable Surveyor, and humbly pray that your Excellency will direct that measures may be taken to give them redress for the same.

And as in duty bound, will ever pray.

N. & J. JILLARD, and others.

MEMORIAL FROM A. M. MACKAY, FOR COMPENSATION FOR DAMAGE
DONE TO TELEGRAPH WIRES AND POSTS.

St. JOHN'S, }
June 16th, 1861. }

His Excellency

Sir A. BANNERMAN,

Governor.

SIR,—I would beg leave to earnestly call the attention of your Excellency to the following statement of facts, connected with the cutting of our lines in different parts of the Island for the past six weeks.

Between Harbor Grace and Carbonear, the line was torn down for some distance about the 25th April, and when one of our men went to repair it, he was met by a number of men who warned him not to attempt to repair it, or it would be worse for him, and ordered him back. That line I have allowed to remain down ever since.

Between Harbor Grace and Bay Roberts, and between the latter place and Brigus, breaks were of daily occurrence for a week before and after the Election, latterly they have interrupted it less frequently.

Between Brigus and St. John's, in the neighbourhood of Harbor Main, the line has scarcely been allowed to work for six consecutive hours for the past six weeks; during the whole of that time it was cut every night except two—sometimes as many as six breaks were made in one night.

Last night five poles were cut down and carried away. An organized system of destruction seems to be carried on with no appearance of ceasing; but the most serious break of

Miscellaneous.

all was on Monday evening last, between four and five o'clock, at the head of Chapel Arm, Trinity Bay, when over half a mile of wire was stripped from the poles, and, with the insulators, carried off. The parties who committed this outrage can be identified, but there being no Magistrate within thirty miles, it is impossible to arrest them.

During all these troubles, I have kept men and horses on the line, night and day, and have taken every means in my power to forward business and repair promptly; but, notwithstanding my utmost efforts, the consequences have been to me ruinous.

I, as your Excellency is probably aware, leased all the lines of the New York, Newfoundland and London Telegraph Company, for five years, at a rent of Twelve Thousand Five Hundred Dollars per year; and although other parties are associated with me in the lease, still the losses consequent on these wanton outrages on our property fall altogether on me. I had gone to great expense in perfecting my arrangements at Cape Race for intercepting steamers, as your Excellency can judge by the result, and had the line been permitted to remain intact, I would have been able, during the past month, to have made a considerable portion of the money I was compelled to pay out during the dull months of January, February and March; instead of which, however, the whole receipts of the line, during the last six weeks, will not pay for the extraordinary repairs, and put the line in as good order as it was on the 20th April.

At present I have an Operator at the Break at Chapel Arm, who receives business at one end, and walks to the other end of the wire and forwards it; but this is a very precarious way of doing business. As, however, he has not sufficient wire to repair, I must send a tug steamer from here with the necessary materials; but before incurring so great expense, I would respectfully ask your Excellency—Have I no remedy? Have I no protection? Have I no recourse for past losses or guarantee for the future? If not, then I must only abandon the enterprise, after having lost every shilling I was worth.

Hoping that your Excellency will give this matter your favorable consideration,

I am, with great respect,

Your Excellency's

Most obedient and humble Servant,

A. M. MACKAY,

Lessee and Superintendent,

New York, Newfoundland, and London Telegraph Company.

Miscellaneous.

PETITION OF PATRICK STRAPP, RETURNING OFFICER FOR HARBOR
MAIN DISTRICT, ON THE SUBJECT OF COMPENSATION
FOR LOSS OF PROPERTY.

To the Honorable the House of Assembly of Newfoundland, in Legislative Session convened :

The Petition of Patrick Strapp, Planter, of Harbor Main, in the Island of Newfoundland, humbly sheweth,—

That on the 18th day of May last, Anno Domino, One Thousand Eight Hundred and Sixty-one, Petitioner's Premises in Harbor Main, numbering seven erections, were attacked by a mob of about two hundred and fifty persons ; himself and his family were obliged to fly for the safety of their lives, his goods, some were stolen, others were destroyed, and all the erections, consisting of dwelling-house, stores, out-offices, &c., razed to the ground.

That your Petitioner was Returning Officer for the District of Harbor Main, during the late election, and in that capacity endeavoured to discharge his duty fearlessly and faithfully, but that through threats and acts of violence towards himself and his family, he was compelled to deviate from such course through want of any protection ; and that when such protection was afforded him, he discharged such duty in a manner which he deemed to be just and proper.

That your Petitioner believes the mob to have been excited against him, by parties who were displeased at the decision he had justly, and as in conscience bound to, come to as said Returning Officer for the said Electoral District, with regard to the said Election as aforesaid, and that he knows of no other cause having been given to the said parties, as he has lived peaceably and inoffensively amongst the people of the said District for the last five and forty years.

Therefore your Petitioner humbly prays your Honorable House to take the premises into your favorable consideration, and to award him such compensation for damages actual and consequential, as in your wisdom and judgment you may deem meet.

And, as in duty bound, your Petitioner will ever pray.

PATRICK STRAPP, Sr.

Saint John's, Newfoundland, }
This Twenty-first Day of June, A. D., 1861. }

Harbor Main Election.

EVIDENCE TAKEN BEFORE THE SELECT COMMITTEE APPOINTED TO INQUIRE INTO THE CONTESTED ELECTION FOR THE DISTRICT OF HARBOR MAIN.

COMMITTEE ROOM,
House of Assembly,
May 23, 1861. }

P R E S E N T:

MR. RENDELL, *Chairman*,

“ WHITEWAY,

“ FLOOD,

“ KNIGHT,

“ WALBANK,

“ PROWSE,

“ McGRATH.

EDWARD FLARATY sworn and examined.—I reside at Gaster's Cove Bay. I was obliged by Proclamation to register my vote at Cat's Cove, if I was allowed. I was going to vote for Hogsett and Furey. I was engaged to take voters from Bacon Cove for Hogsett and Furey. I was going to land them at Cat's Cove. We went in a boat. I had an old gentleman of the name of Walsh, and another by the name of Murphy in the boat, as well as others—Michael Gushue, James Kelly, Nicholas Furey, Edward Wade and David Kenny. They said they would go to Cat's Cove by land, if they were allowed to do so. Joseph Walsh and Maurice Murphy intended to go to Cat's Cove, until we came to go to Gushue's. They intended to vote for Hogsett and Furey. I had to call at Gaster's, Salmon Cove, for Nowlan and Prendergast, cripple men. I called there—we heard of the hinderance of voters, and went no further. I heard guns firing there—four or five, more or less. I landed Murphy, Walsh and Gushue at their own homes—they were in dread of going to Cat's Cove, for fear of being killed. I did not register my vote at Cat's Cove—I did at Harbor Main. The Returning Officer did not make any objection to registering my vote. About two o'clock I registered my vote. I belong to Gaster's—I walked to Harbor Main that day—Mr. Jordan, Mr. Patrick Strapp the Returning Officer, and the Poll Clerk were present. There was no mob about the door—no demonstration of violence. I saw one person, Mr. Furey, wounded by guns on that day—he was brought to my house. It was between 12 and 1 o'clock, before I went to Harbor Main. I saw no other person wounded. I saw the body of George Furey that day. I do not know whether the three men I brought in the boat voted or not. After I gave my vote, I saw the body of George Furey in Harbor Main.

Harbor Main Election.

Cross-examined.—I never promised my vote to Mr. Byrne or Mr. Nowlan.—Mr. Byrne met me in Harbor Main, and asked me who I was going to give my interest to. I said I had not made my mind up. I did not promise him my vote, or lead him to believe I would vote for him—I was at work—I had no other conversation with him. Messrs. Furey and Hogsett engaged me to take the voters from Bacon Cove to Cat's Cove—Mr. Furey engaged me on their behalf—no person paid me—I went voluntarily. I got nothing, nor do I want anything. The Bacon Cove voters were to vote at Cat's Cove—Walsh and Murphy live on the Western Point, the rest live along the shore, from Bacon Cove until you come to Gushue's. I called for them. The three I went for came, and the rest promised to go by land. I was employed to call for these men along the shore. They did not tell me that they wanted me to call for them. There was not much difference by water or by land. I was not Mr. Hogsett's general agent—I was, on the occasion of going for the men. I tried to get votes for him, and wish I could get more. I was rowing from Gushue's towards Gaster's when I heard the guns—it was between 9 and 10 o'clock—Gushue's is opposite Gaster's. They were going to vote for Hogsett and Furey—I was going to land them in Cat's Cove. From Gaster's to Cat's Cove is about three or four miles by land, and about one by water. I did not register my vote at Cat's Cove—I was prevented by the Cat's Cove people. Not a Cat's Cove man said a word to me—people were running back wounded, which prevented me. My boat might have taken me within ten perches of the Booth at Cat's Cove. I was hindered by the men that were with me. When they saw the result, they wished to be brought back to their homes. No Cat's Cove man said a cross word, or did any act of violence to me. I went by land—no one with me—from Gaster's to Harbor Main. I was not afraid to go by myself. I was one of the men that ought to have voted at Cat's Cove. I registered at Harbor Main—Mr. Strapp asked me who I voted for—I said Hogsett and Furey. I saw no mob, first or last, at Harbor Main—every man gave his vote, and went to work. I do not know of any mob being in Harbor Main the evening before—I do not know anything of any mob.

Re-examined.—Murphy and Walsh were old and decrepit men—from Bacon Cove to Cat's Cove is between two and three miles. The men I was to take from Gaster's, Salmon Cove, to Cat's Cove, were old decrepit men—the distance is about four miles by land—one by water—it is about one-and-a-half miles from where I live to Harbor Main—six by water. The reason the old men did not go was that they were frightened. There is no road from Gaster's to Harbor Main, only a foot-path. None of these men I was going to take registered their names. I did not see William Furey wounded—I was told it was a gun-shot wound.

his
EDWARD X FLARATY.
mark.

JAMES FLARATY sworn and examined.—I am son of the last witness. I was in Harbor Main on the Polling Day, on 2nd May. I live in Gaster's. I arrived in Harbor Main about

Harbor Main Election.

5 o'clock that morning. I was joined by Hogsett and Furey's party, to accompany them to Cat's Cove. I left about 7 o'clock—Mr. Charles Furey was with me. Father Walsh joined us at Salmon Cove. Between 250 and 300 men and boys left with me. We were all perfectly sober—no sign of spirits upon any man. We were not armed with sticks or any kind of weapons. When we got to Salmon Cove we were joined by the Salmon Cove voters. They had to go to Cat's Cove to vote—the number was about 31 to 35. The distance from Harbor Main to Salmon Cove is about two-and-a-half miles—the distance from Salmon Cove to Cat's Cove Booth about three or four miles. We met no obstruction until we came to the River-head of Cat's Cove. We were stopped there by the Cat's Cove people, numbering between 80 and 100. We were stopped by guns—7 or 8 guns were fired—there were three bars across the road, to prevent the people. Saw Michael Dunn with a gun—saw Michael St. John fire a gun—he fired at Charles Furey—Saw Patrick St. John load a gun. I saw James St. John with a gun cocked, pointed at me. I was about three yards from George Furey when he was shot. I saw William Furey wounded—I brought him from Cat's Cove to Gaster's, in a boat, to my father's. We gave no provocation nor threw a stone, until the guns were fired. None of our party attempted to pull down any house, to my knowledge. Father Walsh was at our head from the time we left Salmon Cove, until we met the obstruction. At the time we met the obstruction not one of our party had sticks. I took down two of the barricades, to take William Furey to the boat. I saw about a dozen guns. I saw John Sullivan shot in the breast, also Richard Baker, Michael Gorman in the thigh, and Michael More in the neck. Richard Baker, John Sullivan and Patrick Flaraty were Salmon Cove voters. After the guns were fired, some persons in the crowd (Hogsett and Furey's) threw stones. After the firing, all, with the exception of about 14 or 20, retreated. The Cat's Cove men, then, with the guns, pursued 250 or 300 yards. The man who shot George Furey pursued him about 300 yards—his name is James St. John. I did not see him shoot. I had no vote. There was not the slightest provocation on the part of the Harbor Main or Salmon Cove people. The Salmon Cove voters did not vote at Cat's Cove—they would not be allowed. As they drew near to the Cat's Cove people, they (the Cat's Cove people) drew near with their guns—they were on a rising ground, overhanging the road we had to travel down. There was no mob or disturbance in Harbor Main that day, and no man prevented from voting for whom he wished.

Cross-examined.—I went to Harbor Main at 5 o'clock, to accompany Mr. Furey's party, although I have no vote. I went with the intention to accompany the people down, to let the Salmon Cove people vote. No person sent, asked or advised me to go—when all hands were going I went. I went from Gaster's to Harbor Main alone by land. I belong to Gaster's. The people of Chapel's Cove went also. The reason the Salmon Cove people would not be allowed to vote, we heard the threat. I heard the threat myself from the St. John's, in Harbor Main, on the street, near the Chapel. I heard Michael St. John say they would not allow the Salmon Cove voters to vote in Cat's Cove. I do not know who he meant by they. I heard no one else say so—it was about a fortnight before Polling Day. I do not know exactly how many voters are in Salmon Cove—I believe between 30 and 35. What I heard from Michael St. John alone induced me to go to Harbor Main. There were only three besides myself to vote—they went to Harbor Main and voted, after they came to Cat's Cove—they were the men who were prevented—John Murray, John Sevier and Garland Sevier. It would be easier to go by boat to Cat's Cove, which would have taken them within ten perches of the Booth. The reason why I went to Harbor Main was, my mind told me so. When we arrived in the morning, we found about a dozen

Harbor Main Election.

people at Mr. Charles Furey's. From that time until the time we started, the people collected to the number of two or three hundred. These people collected from all parts of the District—Chapel Cove, Harbor Main and Gaster's. I took no spirits, nor saw any person do so at Mr. Furey's. We had no sticks or stones. We did not go with the intention of fighting—we went to accompany the voters—we had no occasion to make them vote for Hogsett and Furey—they intended to do so. There was not a weapon amongst them. The Salmon Cove voters knew they were to be hindered in Cat's Cove. I do not know how it was that the Salmon Cove men were waiting for us. It is about two-and-a-half miles from Salmon Cove to the River-head of Cat's Cove. The barricades were put up to keep the people from coming down—they were put up before we got there—they were about the size of flake beams, across the street. I was the man that took the bars down. I was along side of George Furey when he was shot—I was one of the last men in the crowd—I got a shot in the trousers—he was shot about three yards from me—I was nearly shot myself. The Salmon Cove men were in the front of the crowd—they were to deliver their votes, if there was no resistance, and we were to go along with them. We did not intend to stop the Cat's Cove people from voting, if we were let go down. The reason I did not turn back was I was not afraid—I had as much chance of being shot as the people about me. I did not go there for the purpose of turning back if I was shot. I did not turn back. The muzzles of the guns were towards us. When I saw them shoot, I consider that they fired fair at the people. I heard the Cat's Cove people sing out—"Come on." We did go within a gun-shot, when the men were shot. I saw no person of the Harbor Main party injure any house. I watched the man coming towards me for two gun-shots, before he put his gun to his shoulder, for ten minutes—he was within a handy gun-shot, when I told him not to shoot me. I saw there were only two men of our party stood when I saw him cock the gun and put it to his shoulder—two men prevented him. I heard no person in my own party encourage us to go ahead. At first I thought no man would be bad enough to shoot a man.

Re-examined.—Michael St. John is a relative of Mr. Nowlan's. I was in Harbor Main on the day of nomination—there were about thirty or forty persons there, strangers from St. John's. Patrick Anderson, from St. John's, was there that day. We were making no noise or shouting, going to-wards Cat's Cove, until we were stopped.

his
 JAMES X FLARATY.
 mark.

Harbor Main Election.

COMMITTEE ROOM,
House of Assembly,
May 24, 1861.

P R E S E N T :

MR. RENDELL, *Chairman*,

“ PROWSE,

“ WHITEWAY,

“ WALBANK,

“ FLOOD,

“ McGRATH,

“ KNIGHT.

JOHN SEVIER sworn and examined.—I reside at Gaster's Cove, in the District of Harbor Main. I was bound to vote at Cat's Cove. I did not vote in Cat's Cove, because I would not be let go down to Cat's Cove. I left Gaster's about half-past five o'clock in the morning, to proceed to Harbor Main, to go to Cat's Cove. I arrived in about ten minutes after. I left Harbor Main about half-past six for Cat's Cove—I went in company with Mr. Furey and about forty men and boys—as we went along the crowd gathered. When we got to Salmon Cove, we increased to about one hundred and seventy or one hundred and eighty. We were not joined by any persons, to my knowledge, until we got to Salmon Cove. The Salmon Cove voters, about twenty-eight to thirty, were waiting for us when we went to Salmon Cove—they were standing on the road as we came along. They went with us to Cat's Cove—they had no sticks or weapons with them, nor had I. I had not as much as a hand-stick in my hand. They did not attempt to assault any person, or destroy any property, from Salmon Cove to the River-head of Cat's Cove, to my knowledge. We were obstructed in going to Cat's Cove—we were stopped by the mob of Cat's Cove—they had guns and weapons in their hands. I saw them on the road—I did not go very handy to them. When we saw them the crowd belonging to Hogsett and Furey halted. There were guns fired by the Cat's Cove people—I do not know who fired them. Before the guns were fired there were no stones thrown or abusive language used by Hogsett and Furey's party towards the Cat's Cove people, to my knowledge, I saw James St. John and Michael Dunn, with guns in their hands—did not see either of them fire. I should think 14 or 15 of the Cat's Cove people had guns in their hands. After the firing I saw William Furey stretched in the garden shot. I saw a man by the name of William Meaney, with his hand on his stomach, going along wounded. I saw him this day—he is wounded with shot. I saw George Furey, who was killed, just after the guns went off—I saw him (George Furey) fall on his side—I was fourteen or fifteen yards from him. I did not see any one else that was wounded. I don't know who fired the guns at any of the parties that were shot—the guns were fired by the Cat's Cove people that were on the hill. There was obstruction on the road—four or five long sticks, like beams, went across the road. That road leads to the Polling Booth. There was no other road by which the people could go to the Polling Booth. One of the men, that was on the hill, came down on the level road, and straddled across the beam, and put his gun to his face towards me. His name was James

Harbor Main Election.

St. John—he did not fire the gun, nor at any time at me. Father Walsh was with us from Salmon Cove. When we halted, I remember Father Walsh going up to the Cat's Cove people. I did not hear what he said. After he left them the Cat's Cove people fired. After the guns were fired Hogsett and Furey's party retreated. I voted that day at Mr. Keeffe's, in Harbor Main. When I tendered my vote in Harbor Main, the Returning Officer did not object to my vote. He asked me who I voted for. I voted for Hogsett and Furey. There was no mob or crowd about the Polling Room when I gave my vote—there were four in the room when I gave my vote—Mr. Keeffe, the Constable, Mr. Strapp, the Schoolmaster at Harbor Main (Jerry Kennedy,) and a person I did not know—he was putting the names down. Mr. Strapp, Senior, was Returning Officer. I was in Harbor Main on the day of Nomination—I saw the crowd that came with Mr. Nowlan—they were about 100 or over, men and boys—they came through the harbor. Don't know where they came from. I don't know there were any St. John's men there—they were strangers to me. After the firing on the polling day, the Salmon Cove voters retreated with the other men, except myself, with James Flaraty. I went upon the road to where George Furey was shot. William Furey was lying there at the same time. We took William in a skiff to Gaster's, and left him at Flaraty's house. He was very much injured—he could not stir his leg. I did not see Charles Furey shot at. I did not see any one follow him with stones. Charles Furey was with the crowd—he came up from Harbor Main and Salmon Cove to Cat's Cove.

Cross-examined.—I would sooner go by the road to Cat's Cove than by boat—I wanted to go with the people who were going from Salmon Cove to vote—to go in one gang together. When I left Gaster's, I did not know who were going from Harbor Main. I did not know that Hogsett and Furey's party were going until I got over. I expected they were going, before I left. I was not, to my knowledge, in Harbor Main the day or night before. I don't recollect whether I was or not. I believe I was not there. I can't tell when the arrangement was made to meet the crowd going from Harbor Main. I heard the people talking about it at my own place before I went. There were not many at Mr. Furey's when I went there. There were a few in the house, and some on the road. During the time we were at Harbor Main the crowd were collecting at Mr. Furey's. I had my grog at Mr. Furey's, and I had taken my morning before I left Gaster's—don't know if any person else had—I did not see any person taking their grog. Seen a good many there. While I was there, our mob fired a couple of cannon, at Furey's, but no guns. On our way down, from Harbor Main to Cat's Cove, we fired no guns. We did not take the cannon or any guns with us. These cannon could be heard at Gaster's. I heard no gun fired before I left home. I can't say it was a signal to gather the voters together, or why it was fired. I was in the foremost part of the crowd, going from Salmon Cove to Cat's Cove. The Salmon Cove voters were standing on the Salmon Cove side of the bridge when we went there. I did not go down to make the Salmon Cove voters vote for Hogsett and Furey. On our way down Salmon Cove Hill, I did not hear any guns fired, nor see any stones thrown, until the Cat's Cove people threw stones at us. There is a man on the road by the name of Tey, at the River-head of Cat's Cove—his house was not damaged, to my knowledge. I did not see it damaged, nor did I see any of Hogsett and Furey's crowd damage it or any other house on the road—saw no damage to any other house—can't swear that Hogsett and Furey's crowd did not damage it. I saw fences after they were thrown down. I do not know who threw them down. After the crowd dispersed, I turned to go home, and saw, for the first time, the fences down. When we got within one hundred and fifty yards or

Harbor Main Election.

over, of the barricades, we could see them. The Cat's Cove people were over on the side of the road, where they had their guns and sticks; and when we first came in sight of the barricades, they were there. When we came within sight of the Cat's Cove people, our party were not shouting. The Cat's Cove party were singing out to us—"Come on—come on." No person in our crowd told us to go a-head, or any words to that effect, as I heard. We went on so far as they would not shoot us with a gun. We did not go on after they sung out—we stopped. We did not stop the first sight we got of them. One of the Cat's Cove men came across the barricade to our crowd, when we stopped, to speak to us. I know the man—his name is Thomas St. John. No one came across the barricade except Thomas St. John, either before or after we stopped, that I know of. Two men from Cat's Cove met us at Middle Arm (Maurice Wade and John Keating) about half-a-mile from the barricade. They spoke to Father Walsh. I did not hear what passed—I was not near enough. This was before the firing took place. I did not hear what Father Walsh said to them—can't say how long they were speaking to Father Walsh. They were not a quarter of an hour—about five or six minutes. They did not speak to me. Although these men came to meet us, we went on until we were stopped. I did not, after this, hear any one say—"Go on." When these two men came up, the crowd halted for about a minute—they then went on, the two men walking with Father Walsh for about five or six minutes, when these two men left and ran to their own party. Mr. Furey told us not to say any thing, or make any noise, or have any row with any person; but to go down to the Poll-room, and give our votes and return. I was close to him when he spoke it. I did not hear him say "go a-head," or any words to that effect, although I was close to him. I did not hear Mr. Furey say "come on boys." Father Walsh is too powerful for them, or any words to that effect—I was not near him. I don't remember any thing that was said by the crowd, except what I have already stated, what Mr. Furey said. I know Edward Meaney—he was in the crowd—I did not hear him say anything, nor I Flaraty, who was examined last evening. I heard Flaraty say to Jim St. John, when he put his gun up, "Are you going to shoot me?" St. John had the gun pointed towards Flaraty and myself—he did not fire it—can't say it was cocked. We were not handy enough to see if it was cocked. I am a relation of Flaraty's—I am his uncle. Flaraty is married to Charles Furey's sister. There was no fight, except on Nowlan's side, with guns and stones. I saw no stones from Hogsett and Furey's party. I had enough to do to keep myself from being killed with rocks. I don't know what peace Father Walsh made—they were about Father Walsh with guns in their hands, and sticks over his head. A man came from Harbor Main to Gaster's to tell me to vote at Harbor Main—his name is Edward Loquier. I went over—no person with me.

Re-examined.—Tom St. John is a relation of Mr. Patrick Nowlan's—I don't know what it is.

his
JOHN X SEVIER.
mark.

Harbor Main Election.

COMMITTEE ROOM,
House of Assembly,
May 28, 1861.

P R E S E N T :

MR. RENDELL, *Chairman*,

“ FLOOD,

“ McGRATH.

“ PROWSE,

“ WALBANK,

“ WHITEWAY,

“ KNIGHT.

Rev. K. WALSH sworn and examined.—I am Parish Priest at Harbor Main. In the late contest for that District I supported Messrs. Hogsett and Furey—I was present on the day of nomination in Harbor Main—there was a large gathering of people there on both sides. The crowd supporting Hogsett and Furey were composed—some Electors and otherwise, belonging to the District. The crowd on the other side were composed of Electors and others, amongst them parties from St. John's and Brigus. The parties from St. John's numbered, I should say, about forty—I should say about fourteen carriages from St. John's laden with persons. I should say there were about from twelve to twenty from Brigus. I recognised, amongst the parties from St. John's, one by the name of Anderson—did not recognize any other I was familiar with. I know some of the parties from Brigus—Mandeville, Dunn and Hearn. I was in Harbor Main on the morning of polling. A large body of persons left on that morning to proceed to Cat's Cove—I should say about one hundred and fifty. I joined them near Salmon Cove. From the time I joined them these parties were quite peaceable. They had no weapons of any kind whatsoever, with the exception of one stick I saw with one old man, which he used from his old age—he is about 74 years of age. We were joined by Salmon Cove voters, and others at Salmon Cove. They were to go to Cat's Cove to vote—those parties who were there and joined the crowd, intended, I believe, to vote for Messrs. Hogsett and Furey.—Threats held out by the Cat's Cove people induced the Harbor Main and Chapel's Cove people to join the Salmon Cove voters to record their votes in Cat's Cove. I heard threats myself—there was one threat by a man now in prison by the name of Thomas St. John—he told me that the Salmon Cove people should not go and vote. I said—“How can you prevent them? We shall have a stronger party than you on that occasion, as I have already announced to you.” He replied—“We shall throw them over the cliff.” The people I accompanied from Salmon Cove to the River-head of Cat's Cove, proceeded quietly and peaceably; when, having arrived within about a mile-and-a-half of the Polling-booth, they were met by two persons who appeared to be sent as a deputation by the armed party—I think the names of the two were Maurice Wade and John Keating. They spoke to me and Mr. Furey, and told us to take back the crowd, otherwise some danger would attend our proceedings. At the same time we observed the crowd, many of them armed with guns—the crowd were then about half-a-mile from us—there was nothing to obstruct our view—we

Harbor Main Election.

were on rising ground. We proceeded, notwithstanding the threats, until we came within some forty or fifty yards of the armed party. From this armed party issued cries of—"Don't come, don't come," repeatedly. I said to Mr. Charles Furey—"Do you remain here, with your party, while I go and speak to these men." The Harbor Main crowd then halted—the Harbor Main crowd, up to this time, had thrown no stones nor used any offensive expression, nor done any damage to any property, to my knowledge. On my proceeding towards the armed party, I was assailed with the same cries "Don't come, don't come," until I arrived at a barrier placed across the road, composed of longers or rails. The same cries of "Don't come, don't come," were repeated there, and also of not to attempt to take down the barrier, which it was necessary for me to do, to enable me to get in to the armed party. Notwithstanding the cries and these threats, I removed a sufficient portion of the barrier to get in among the crowd—when I got over the barrier, I met one person, to whom I spoke—his name was Edward Brian. I observed, at the time, a great degree of excitement amongst the armed party, and I said to Brian—"What do you mean?" He replied—"We want you to send home the mob." I then asked him whether he included the voters with the mob—I said—"Are you satisfied that the voters should proceed to the Polling Room, and those who accompany them should return back." He said—"Yes, but all our voters should poll first"—I replied—"All the voters on both sides should vote indiscriminately, as is usual." He partly consented, I immediately called on our voters to come on, and the others to return; and immediately the firing commenced—I should say some ten or twelve shots were fired. While I was speaking to Brian, no stones were thrown, nor offensive or insulting language used by our party, up to the time of firing. I should say there were about seventy or eighty men, women and boys in the Cat's Cove crowd, not more than forty or fifty of whom were men. There were ten of our party wounded by the firing, one of whom was mortally wounded, and since dead—George Furey. He was a voter—he was from Harbor Main. Some of the Salmon Cove voters were also wounded—John Sullivan and Patrick Flaraty, also William Meaney and a lad of the name of Moore, who was not a voter. William Meaney did not record his vote that day. I administered to him on that morning, on my return from Cat's Cove, the last Sacrament of the Church, having previously administered the last Sacrament to George Furey, who was in a dying state. Besides the firing of guns, there was a great quantity of stones thrown at the body who accompanied me. The names of the Harbor Main voters who were wounded were William Hicks, William Furey, brother of the late George Furey. William Furey is still in the Hospital, also one Hawkoe from Chapel's Cove. William Furey did not vote on that day. The moment the firing commenced the body dispersed, some entering into a field, by that on which the armed party stood, and some returned home. Those who entered the field were fired on, as well as those who were returning home. After the parties had proceeded home, I walked in the direction of the Polling Room, and entered the house of James Wade, whom I had known to be one of the supporters of Hogsett and Furey, and who had canvassed for them; and whilst there, another of their supporters, named Maurice Wade, and who had also canvassed for them, entered the room in which I sat, he asked me—(This evidence objected to.) The Salmon Cove voters did not vote at Cat's Cove—not one was permitted to vote at Cat's Cove that day—those who were enabled to poll, polled at Harbor Main—I should say thirty-six polled for Messrs. Hogsett and Furey—these had made the attempt to poll at Cat's Cove, but could not, being prevented. I had a conversation with Mr. Strapp, the Returning Officer, after the Polling Day, and before the Return, in presence of Mr. Jordan and some one else, in my parlour. He stated that Hogsett and Furey had the majority. He had not the return from Collier's, which was withheld for two or three days, but making allowance for the probable number of voters at Collier's, and giving Messrs. Nowlan and Byrne the

Harbor Main Election.

benefit of all these votes, he declared that there was still a majority for Hogsett and Furey. The Certificate here produced is the hand-writing of Mr. Strapp to the signature—can't well say that the signature is Strapp's—I have seen it before—there was not any intimidation, to my knowledge, used to Mr. Strapp before he signed that Certificate. Mr. Byrne and Mr. Nowlan principally stayed, while in Harbor Main, at Mr. Strapp's. The reason I accompanied the Salmon Cove voters to Cat's Cove on that day, was to enable them to vote. Thomas St. John is a cousin, I believe, to one of the Candidates—to Mr. Nowlan. I voted that day at Harbor Main—I saw some of the Salmon Cove voters vote there—the Returning Officer took their votes willingly—I was present. Joseph Walsh is a voter in Cat's Cove.

Cross-examined.—I am little more than four years Parish Priest in Harbor Main. I supported, in the late contest, Messrs. Hogsett and Furey—I canvassed for them in Cat's Cove and Bacon Cove, very little in Harbor Main. I saw two or three persons at Holyrood—none at Kelligrews—some three or four persons at Salmon Cove. I supposed I had secured in Cat's Cove and Bacon Cove about twenty one votes. I was rather actively engaged on the behalf of Hogsett and Furey—I recommended them highly and generally, as superior to the other parties. I did not go into one-tenth of the houses in Harbor Main. I went into one or two in Harbor Main—thirteen or fourteen in Cat's Cove—five or six in Bacon Cove—that was about the extent of my canvass. The crowds I referred to in my examination-in-chief, in Harbor Main on the nomination day, were separate. The crowd for Hogsett and Furey were twice the number of the other. About half-past six on the polling day, the crowd referred to in my examination-in-chief left Harbor Main for Cat's Cove, many of whom came from other portions of the District, on that morning and the previous day. It was done by a previous understanding or appointment—it was prearranged a few days previously. I had told the people of my intention from the Altar at Cat's Cove, on one Sunday, and on another at Harbor Main, for the purpose of enabling the voters to vote. The one hundred and fifty who left Harbor Main were joined by one hundred more, the voters of Salmon Cove included. Amongst the hundred and fifty who left Harbor Main were voters also, who had to return to Harbor Main to register their votes there. The voters who left Salmon Cove were supporters of Hogsett and Furey—I had known it previously to be so. The threat I spoke of from Tom St. John, was used after I announced my intention of going down with the crowd from Harbor Main. When I met Wade and Keating, they did not say that if the crowd went back, the Salmon Cove voters might vote quietly. I have no recollection of that—the reason why I objected was on account they intended to disfranchise these people, as on a former occasion, in 1859, the Chapel's Cove people, the Cat's Cove people and others, who came to Harbor Main on the occasion, with a view of accomplishing that object, I should say to the number of fifty or sixty. I do not know of any of the Salmon Cove voters being intimidated in 1859—the Chapel's Cove people, in 1859, had been intimidated by Harbor Main men, as well as Cat's Cove men. The two men who met me did not express themselves as being afraid of the Harbor Main crowd interfering with the Cat's Cove crowd voting. The crowd I met at the Riverhead of Cat's Cove cried frequently—"Don't come, don't come." I did not witness any pulling down or damage to houses, going to Cat's Cove—there was none. Returning back, I saw two or three panes of glass broken—I do not know who did it—the house in which the glass was broken belonged to Mr. Walsh—I believe he was a supporter of Mr. Nowlan's. I saw no fences broken down. The Cat's Cove crowd said nothing else but—"Don't come, don't come." They made no proposition that the Salmon Cove voters were to pass, with the exception of the aforesaid proposition of Brian. I do not remember Philip Mahoney coming up to me in the crowd and making that proposition referred to in my examination-in-chief, when

Harbor Main Election.

Brian made this proposition. I had received a letter two days before, signed by three or four parties, purporting to be on behalf of the Cat's Cove people, none of whom, with the exception of one, I believe, could write. The names on the letter were Edward Brian, Thomas Trickey and Thomas St. John—he could not write—I think one of the Mahoneys was also on the letter. That letter proposed that as “I was taking a mob with me for the purpose of beating them, they recommended that I would leave the mob behind, taking the Salmon Cove voters with me, provided that I would guarantee that their supporters would be allowed to vote at Harbor Main and Holyrood; else they feared some mischief might arise, as they were prepared to fight fearlessly.” This letter was handed to me by the Constable, Daniel O'Connell—I read the letter in the presence of Mr. Strapp, Thomas Keeffe and Mr. Furey, and I said—“I have announced to them already my intention of bringing a party with me, to bring the Salmon Cove voters to Cat's Cove, whence, having recorded their votes, they should return peaceably.” I was not present when the certificate was signed—I think it is in the hand-writing of Mr. Hogsett. Mr. Strapp sometimes entertains persons, but very rarely—few go there.

Re-examined.—The names of the parties I secured in Bacon Cove were—old White, James Kelly, Nicholas Furey—on the shore—Joseph Walsh, David Kenny, Maurice Murphy—In Cat's Cove—James Wade, Senior, James Wade, Junior, Maurice Wade, Edward Wade, James Curren, John Curren, and another of the Wades and Michael Mahoney—these all promised me, themselves personally, for Hogsett and Furey. Daniel O'Connell was a partizan of Byrne and Nowlan's. Some of those I named hesitated when first I asked them—Kenny, amongst the rest, was doubtful—they said they were afraid—they said—“I don't wish to vote against you—I am afraid.”

KYRAN WALSH.

COMMITTEE ROOM,
House of Assembly, }
May 29, 1861.

P R E S E N T :

MR. RENDELL, *Chairman*,

“ PROWSE,

“ WHITEWAY,

“ KNIGHT,

“ McGRATH.

“ WALBANK,

“ FLOOD.

DAVID KENNY sworn and examined.—I reside between Cat's Cove and Bacon Cove—I am a voter in the District of Harbor Main—I was going to give my vote to Furey and Hogsett, in the late election. I did not vote—I was afraid I would be molested. I know Nicholas

Harbor Main Election.

Furey of Bacon Cove—he is a voter—I saw him on the day of polling, at my own house—he was a little dirty with mud—he had a good deal of mud on his back—he came as from the Polling Booth at Cat's Cove. I know James Kelly of Bacon Cove—he is a voter—I saw him on the day of polling, at my own house—he was much like the other man, covered with mud—he was accompanied by Nicholas Furey—they came from the same direction—can't say for whom they were going to vote. Knows Michael Costello. He (Michael Costello) lives with his son—was to the ice—his father's house was blown down three years ago. There is another Michael Costello at Cat's Cove—he has a house of his own, which is not finished—he does not live in it. I know William Keating—he lives with his uncle, John Connors—they both live in the same house. There is another William Keating at Cat's Cove—he lived in a tilt this past winter in the woods—he usually lives with his father, John Keating. There is no other John Connors at Cat's Cove. Knows James Buck—he resides at Cat's Cove—he occupies a house from last fall—he lived with his brother, John Buck, before that. There is no other James Buck at Cat's Cove. I know Philip Keeffe—he occupies a house at Cat's Cove from some time last fall. I know only one Philip Keeffe lives there—he lived before that with his father, John Keeffe. When Furey and Kelly came to my house, I was prepared to go to the poll. I was afraid—I could not assign any reason why I was afraid—I had taken off the clothes I had on to go to the poll, before these men came into the house. I could not say I heard any guns that day.

Cross-examined.—I am a Cat's Cove voter. I thought proper to give my vote to Furey and Hogsett—they asked me. I did not promise them when they asked me—no person made me vote for them after. When they asked me, I told them I would not vote for them—I intended to vote for Byrne and Nowlan—they asked me for my vote, and I promised them, before Hogsett and Furey asked me. I thought I was doing wrong in voting for Byrne and Nowlan—I thought Hogsett and Furey were more just men to vote for, than Byrne and Nowlan. I can't say why they were more just men than Nowlan and Byrne. My Pastor advised me to vote for Hogsett and Furey, and I did so—it was because my Pastor advised me that I intended to vote for Hogsett and Furey—my Pastor advised me to go back of my word, which I had given to Nowlan and Byrne. Father Walsh was with Hogsett and Furey the first time I refused them my vote. Father Walsh was with Furey when I promised them to vote for them—Hogsett was not, but this was the second interview. I don't say if I were left to myself I would have voted for Nowlan and Byrne. If I was left to my own free will, I would have voted for Nowlan and Byrne. I was not left to my own free will, because I was advised. There are three Michael Costellos in our District. The son's house was built on the father's land. Michael Costello lives with his brother James, and I know it to be James Costello's house. Knows William Keating—can't say how long he had the tilt—I am not sure whether he lived in the tilt last winter and last winter twelve months, nor am I sure about the winter before that again. In the summer he goes to the fishery. James Buck lived with his brother John—he is the eldest brother—I know it to be John Buck's house. There were five brothers living together—I believe they all helped to build it—none of them are married but James, the man who votes. Philip Keeffe's father votes for the house—they did live together—they don't now.

Re-examined.—Others of the Bucks were home. I was not threatened in any way which induced me to vote for Hogsett and Furey—I changed my mind because I was advised by Father Walsh to vote for them,

his
DAVID X KENNY,
mark.

Harbor Main Election.

JOHN CONWAY sworn and examined.—I am a resident at Collier's since I was born—I know Thomas Hearn—he is between fifteen and sixteen years of age, as far as I can judge—there is no other Thomas Hearn in Collier's—his father is dead. I am slightly acquainted with John Griffin—he came last fall to live at Collier's, from Bacon Cove. I know two William Burkes in Collier's—I know William Burke, Jr.,—he has a house in Collier's—don't know how long he has a house—he has had one for some years. So has William Burke, Sr.—they don't live together—can't say how long William Burke, Jr., or Sr., lived in their houses—they are as long as I am. Knows John Costigan—he has no house—he lives with his father-in-law now, John Garney. Whether he has a house or not, I don't know. He lived, before living with his father-in-law, with his father and brothers. I only remember one John Garney in Collier's. Knows Thomas Ryan—he lives with his father in Collier's. His father's name is Patrick—he also lives at Collier's. Thomas Ryan of Collier's is a married man. Don't know if it is his father's or his own house—they all live together. Know Michael Skean—he lives with his brothers and mother—his brothers' names are Thomas and Richard. Knows William Gurney—he was at the Seal Fishery the day of election—came home some time after—there is no other William Gurney but him in Collier's. Knows Patrick Bryan—he lives with his step-sons, John and Edward—Edward is the eldest—they live on the South-side. Knows Patrick Foley—he has a property and dwelling-house—his sister lives in it—he has not been in it for twelve months—he lives in Greenfield, a little below Brigus—he has not lived in Collier's for the past twelve months—he lives in Greenfield with his father, mother and brothers.

Cross-examined.—Thomas Hearn occupies the house with his mother—he is not of age to be married yet. A part of the time Costigan lived with his father and brothers he was married. I don't know whether he voted in right of that house or not. The Costigans, father and son, have two houses, an old and a new house—can't tell whether the son lived in the new one at the time of the election—he lives at present with his father-in-law—last fall he went to live in the new house; before that the father and he kept house between them in the old one, his mother being dead—his father's name is William. Thomas Ryan is a married man, with a family—his mother is dead—his father, Patrick Ryan, lives with him. Michael Skean's brothers and mother live with him also. The vessel William Gurney was in, was not in from the ice until after the election. I am satisfied the vessel was at the Seal Fishery. Patrick Bryan lives with his step-sons. I don't know the meaning of a double house—there are two chimneys in Bryan's, with a partition between, and two doorways to it. Patrick Foley's sister may live in the house at Collier's to take care of it—she and her children live there at any rate—he used to occupy it as long as I remember—as far as I know the sister may be occupying it for him.

JOHN CONWAY.

Harbor Main Election.

COMMITTEE ROOM,
House of Assembly,
May 30, 1861.

P R E S E N T :

MR. RENDELL, *Chairman*,

“ WALBANK,

“ PROWSE,

“ WHITEWAY,

“ FLOOD,

“ McGRATH,

“ KNIGHT.

GEORGE JAMES HOGSETT sworn and examined.—I was a Candidate for the District of Harbor Main at the late election—I was supported by the most influential parties in that District. On the day of nomination, on the ground before the Hustings, there were four hundred voters in Harbor Main for Hogsett and Furey. The evening before the nomination, there passed through Harbor Main seventeen carriages occupied by parties of the opposite side, supporters of Byrne and Nowlan. Mr. Patrick Nowlan was in one, and Mr. Michael Nowlan, from St. John's. On the following morning, the day of nomination, Mr. Patrick Nowlan headed a gang of some one hundred and fifty or two hundred men, as near as I can go, the greater portion of whom were strangers to the District. There were not in his party on the day of nomination—out of his party of one hundred and fifty or two hundred men—forty voters. They had a band of music, and with them they had a Magistrate from Brigus, by the name of Mandeville. On going into the Booth at Harbor Main, to tender my qualification as a Candidate, I spoke to Mr. Mandeville, whom I met in the room, and I asked him what brought him to Harbor Main, as he was a Brigus man. He said he came as a Magistrate, to swear in parties to keep the peace, and said—“ I have the parties here to swear in,” among whom was Thomas St. John. All he had were partizans of Mr. Nowlan. I said to Mr. Mandeville—“ I don't see the necessity of Special Constables, as we don't intend to violate the peace.” Mr. Mandeville said—“ I am here to protect Mr. Nowlan, and I will see that he is returned.” “ Well,” I said, turning to Mr. Strapp, “ before you swear in Special Constables, let me know their names.” In that room, among the partizans of Nowlan and Byrne, was Mr. Hackett. Mr. Hackett was the Deputy Returning Officer at Cat's Cove. (On the day of nomination, in a conversation I had with Mr. Hackett, after addressing the people, Mr. Hackett said to me—“ You are a clever fellow, I am sorry I am opposed to you, but I must earn my pay.” This evidence objected to.) Mr. Hackett was the active partizan of Byrne and Nowlan—he canvassed for them, and attended a public meeting that was held at Salmon Cove. Hackett is a resident of Bay Roberts, and has no connection with the District of Harbor Main. Mr. Strapp, the Head Returning Officer, was an active partizan of Byrne and Nowlan, and his house was to Byrne and Nowlan, whilst in Harbor Main, their head quarters. During my stay at Harbor Main, I never passed by, up to the day of nomination, that there was not a body collected at the Returning Officer's door or premises, to hoot and bah me; and on the day of nomination, and after his being sworn, as I presume, as Returning Officer, the party colours of Byrne

Harbor Main Election.

and Nowlan were hoisted on his premises, and his son and relations, his daughter's children, carrying them about a week or ten days before the nomination—it might be more—I cannot charge my memory. They held a meeting on Sunday at Salmon Cove. The night before the meeting, Mr. Patrick Nowlan, Mr. Michael Nowlan, and a gentleman from St. John's, who is commonly known in this community as the Irish Lawyer, with several other gentlemen, friends of Mr. Nowlan, put up, after arriving at Harbor Main, and made their headquarters at Mr. Strapp's. On the following day, on their proceeding to Salmon Cove, they were accompanied by two sons of Mr. Strapp, one of whom was subsequently a Deputy Returning Officer, at Lance Cove, and on their return from Salmon Cove the leading man of the Company was one of Strapp's son. He resides with Mr. Strapp; and on passing through Harbor Main, and in my own hearing, he sang out—"Show me a supporter of Hogsett and Furey."—When the corpse of George Furey, on the polling day, was brought into Harbor Main, it was accompanied by one or two of the Salmon Cove voters, and they asked me whether they could vote. I went to the Returning Officer, and asked whether he (the Returning Officer) would admit the Salmon Cove voters to vote. He hesitated. I then gave him a written protest, and upon the receipt of it he said—"If men are shot down, I do not see why men who are desirous of giving their votes should be deprived, and I will receive them," and in my presence he received some eight or ten of them, without any objection; and to some of the Salmon Cove voters who voted in my presence he said—"If you see any of the Salmon Cove voters, tell them to come on, and I will receive their votes." On the night of the polling, we expected in Harbor Main the Returns from the different Polling Officers. Mr. Hackett, the Polling Officer at Topsail, came in between seven and eight o'clock, and Mr. Strapp, the Deputy Returning Officer at Lance Cove, came in between one and two o'clock in the morning. The Returns from Kelligrews, Cat's Cove and Collier's did not reach up to Saturday, the 4th May, the Head Returning Officer. Mr. Strapp, the Deputy Returning Officer at Lance Cove, told me that he had gone down as far as Kelligrews, to get the Returns. On the day after the polling, Mr. Patrick Strapp, the Head Returning Officer, sent for me, and I went to his own dwelling. He said to me that he did not know what to do in the matter, that he had not the Returns from Collier's, Cat's Cove, or Kelligrews, but from the check-books he knew the number of votes given at Collier's and Kelligrews, and from the returns, the number given at Harbor Main, Holyrood and Topsail. I said to him his better course was to send to Cat's Cove, as I feared, from the occurrences that took place there that the Deputy Returning Officer might have some dread in coming in—to send a party in his own name, to tell the parties there was no danger in their coming in. He then told me—"What would think of sending Walsh—he is a Schoolmaster at Salmon Cove, and from his position, nobody will attempt to meddle with him." I went down and brought Walsh up to the Returning Officer, agreeing with him for ten shillings. Walsh went. An hour or two afterwards Mr. Strapp got very uneasy, and said he thought Walsh would not get the Returns, and he suggested the idea of sending his son, the Deputy Returning Officer at Lance Cove, for them. He went, telling me in the presence of Mr. Strapp, Senior, that he would return in two hours. He left on Friday morning between twelve and one. We remained waiting for him until the following morning at ten o'clock. He did not arrive, Mr. Strapp, on the evening previous came into Father Walsh's house, and he said "I am afraid these murderers at Cat's Cove have injured Tom, but whether Tom brings the returns or not, I give Collier's credit for one hundred and four votes for Byrne and Nowlan, the amount of registered votes for that district, ninety-seven for Cat's Cove in favor of Byrne and Nowlan; one hundred and thirty-five for Harbor Main, and thirty-six Salmon Cove voters that voted in Harbor Main, for Hogsett and Furey—one hundred and four at Holyrood for Hogsett

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“and Furey—ten at Lance Cove for Hogsett and Furey—fifty-eight at Topsail for Hogsett and Furey—one hundred and ten at Kelligrews for Byrne and Nowlan, and thirteen there for Hogsett and Furey—four at Lance Cove for Byrne and Nowlan—thirty at Topsail for Byrne and Nowlan;” and upon that estimate, he said we had a majority, giving them credit for every registered vote in Collier’s; and he said he would declare us returned on the following morning. He said this voluntarily and willingly, without the slightest intimidation, and in presence of Dr. Renouf. On the following morning I waited on the Returning Officer, and he said to me—“I am going to declare you. I wish you would write the Certificate. I am not in the habit of doing such things. My son Tom does all my writing—he is not here at present.” I wrote the Certificate, and I gave him a guarantee that the act he was performing was a legal one, before he signed the Certificate, and that I would protect him, so far as I could legally. He then took the Certificate and signed it; and in the presence of Dr. McKen, Dr. Renouf, Patrick Jordan, Edward Brennan and others, and Mr. Hackett, he declared it to be his signature, and that he had freely and voluntarily given it. He asked me what was the next step. I told him he had to declare publicly those parties that he conceived had been returned. The Hustings had, by this time, been pulled down by Mr. Keeffe, the Constable, and on asking the Returning Officer why it was done, he said it was without his order. He then said he must have Mr. Furey present, and he sent for Mr. Furey to his own house, and to a number of the people, and in their presence, he declared Hogsett and Furey returned, and called for three cheers for the new members, which were given. The people then gave three cheers for Mr. Strapp. I say I was in the place the whole time. This was done freely, voluntarily, and of Mr. Strapp’s own accord, and the only anxiety he appeared to manifest to me was that he ever was Returning Officer. I then, after verifying the Certificate, left Harbor Main, and up to the time of my leaving Harbor Main, (Saturday evening, about four or five o’clock,) the returns from Collier’s and Cat’s Cove had not been brought in, nor had Mr. Tom Strapp, the Deputy Returning Officer at Lance Cove, made his appearance.

(Mr. Hogsett asked permission of the Committee to defer his cross-examination until tomorrow, owing to indisposition, having just returned from Torbay previous to his examination.

GEO. JAS. HOGSETT.

Harbor Main Election.

COMMITTEE ROOM,
House of Assembly,
May 31, 1861.

P R E S E N T :

MR. RENDELL, *Chairman*,

“ FLOOD,

“ KNIGHT,

“ McGRATH,

“ PROWSE.

(Mr. PINSENT, on behalf of the Petitioners, Patrick Nowlan and Thomas Byrne, moved the Committee to examine John Reddy, as he was about to leave St. John's for the Fishery. The Committee then proceeded with his evidence.)

JOHN REDDY sworn and examined.—Remembers the Election at Harbor Main. I left St. John's the day before the nomination, and thirteen carriages and a common cart. On the day of nomination some of the Harbor Main men were for kicking up a row. We said we came there for peace, and did not want a row. The nomination took place in the forenoon. Can't say the hour. Every thing went peaceably that day. Mr. Patrick Nowlan was not in any of the carriages that went from St. John's—his brother and uncle were. I left Harbor Main the same day, at about one o'clock, as well as all the persons who came in the carriages. We went to Cat's Cove, and stopped for the night, and left for St. John's the next day. There was no row or disturbance or breach of the peace going or coming—we were not the class of persons to commit a breach of the peace, except excited to do so. I don't say that most of the parties in the carriages were not friends and relations of the Candidates, Messrs. Byrne and Nowlan, but a great many were. There were close upon a score of them persons belonging to the District of Harbor Main. I remember polling day—I was in Lance Cove that day. We went, nine of us, to Lance Cove on the night before the polling day, about seven in the evening. There were about thirty Holyrood men came down in a mob—when they came to the polling-room they took possession of the door. There were two voters there then—one the man of the house and another—the other man voted for Byrne and Nowlan as soon as the Booth was open—Roberts is his name. As soon as he gave his vote he came out, and the mob attacked him outside the door—they shoved him a piece, and then knocked him down on a pile of sticks. The two Special Constables, Tobias Nowlan and Joseph Kelly, told them not to illuse the man, as they knew every one of them, and would call them to account for it. They then let them go. I heard them say they were Special Constables—did not see them sworn in. There was another Special Constable in the morning, who had run away, and Toby Nowlan was in his place. The mob then returned to the poll-room door—one man, Michael Rourke, stood out and bully-ragged the Returning Officer, and swore that any man that voted for Byrne and Nowlan might get boards and make his coffin. Knows Ned Duff—was another at the head of the mob—I know another by the name of Maher, and another—knows Tim Murphy—his father was Check-clerk at Lance Cove on that day. I know several others. Saw several voters coming up—Ned Duff said that any man who voted for Byrne and Nowlan on that day, would not bring his life clear of the door—heard

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no other threat at that time. Several voters came towards the Booth, to vote for Nowlan and Byrne—they were turned back by this mob. No other voter came up after this—no one, to the best of my knowledge, voted for Nowlan and Byrne after a quarter past eight—no one came towards the Booth after ten o'clock, to vote for Byrne and Nowlan. After this I left for Kelligrews. I met several of the voters on my way going down the shore to Kelligrews—to my own certain knowledge, I saw some of these had been turned back by the mob, and all these I met were about their houses, after coming back. I came along the shore, being afraid to go the road, for fear of being attacked by the Holyrood men. When I got to Kelligrews, I went towards the door of the Booth. Mr. Hogsett's St. John's mob, as they told me, were there—they asked me what I wanted. I told them I was sent by the Returning Officer of Lance Cove—they would not allow me in—they told me the Booth was stopped. I saw a man by the name of Michael Tobin, from Long Pond, bringing four voters there, to vote for Nowlan and Byrne—they (the mob) would not let them in. I left then for Lance Cove. While I was coming from Lance Cove to Kelligrews, I met some parties from Upper Gully, Seal's Cove and Lance Cove, going home from Kelligrews Booth. I saw amongst the mob (the St. John's mob) at Kelligrews, a person by the name of Dunn, living at Monday's Pond, and a person by the name of Nagle, of St. John's, the person who was in this room last evening during the examination. These were the persons at the door, with a stick a piece. I know they were not Special Constables. The most of the others of the mob had sticks. I was only there a short time. The St. John's mob told me the state of the Poll was one hundred and nine for Messrs. Nowlan and Byrne. I was sent by the Returning Officer at Lance Cove to ascertain the state of the Poll—this was between ten and eleven, A. M.—it might be a little later. At this time the polling was stopped by the mob. I went back to Lance Cove. On my way back to Lance Cove, the Holyrood mob were going to Kelligrews—I was on the water side—I would not go on the road. I met no person until I arrived at Lance Cove—there I found that more persons had come from Holyrood. Part were remaining at Lance Cove, and part had gone to Kelligrews. The two parties from Holyrood amounting to about sixty or seventy. These were all Hogsett and Furey's. They were peaceable when I got back, sitting by the fence. There was no one to oppose them. Some had sticks. I saw no more intimidation or threats used in Lance Cove while the Poll remained open that day—there was no person there to threaten. This mob waited until after the close of the Poll, when they were joined by the rest of the Holyrood men that came from Kelligrews; and then, after firing some stones, and breaking two panes of glass in Mr. Joseph Kelly's windows, they went away to Holyrood. Kelly was a voter for Nowlan and Byrne. Only two voted for Nowlan and Byrne in Lance Cove. These were the two who came in the Booth before the mob came up in the morning. I brought Jacob Butler with me off the beach in the morning—I asked him on his way up who he was going to vote for. When on his coming up to the Booth, he was made a body-load of and shoved in the Booth, the mob stood at the Booth until they heard who he voted for—they asked him as he came up who he was going to vote for. He said one side was as near to him as the other—sooner than get beaten, he would vote for whoever they would tell him. They told him to vote for Hogsett and Furey, and he did so. I saw Mr. Flood in the Booth that day—it was about twelve o'clock. Mr. Tom Strapp and Mr. Ezekiel were also there—they were writing—also Mr. Michael Murphy. Tom Strapp and Mr. Ezekiel threw down their pens when they heard Mr. Flood say George Furey was shot, and would write no more. At ten o'clock at night, I left in a boat for Harbor Main, with Tom Strapp, the Returning Officer. It was dark and late when we landed at the Harbor Main beach, opposite Mr. Strapp's. There were six of us in the boat—three got out, myself, the Returning Officer and another. After walking two or

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three steps, I saw three men pass the road, from the Chapel to Mr. Strapp's. When I told the others, one retreated to the boat again—they then shoved off the boat, and left me to work out my own salvation on the beach. The Returning Officer told me to go back in the skiff again. I said no, as soon as I got the state of the Poll from the Returning Officer, Mr. Strapp, at Harbor Main, I would go home. I proceeded up the road, towards Mr. Strapp's, when I saw these men pass. As I got on the road (Tom Strapp was with me) they were coming towards us. I said—"Good night men." One of them laid hold of me by the collar—I had seen this man on the day of nomination—I took it to be Peter Ezekiel. Tom Strapp came up—he had stopped a little behind—one of the three men asked Tom Strapp where the Poll-book was? Tom Strapp made no reply—he put his hand into his breast-pocket, where he had the Poll-book, when the man slipped his hand in, and snatched it and ran away. After he went a piece he whistled, and the others joined him. As he took the book in the one hand, he gave Strapp a slap with the other—he did not cut his face. We proceeded to Mr. Strapp's, and as we were going over his gallery, near the door, I heard the window smashed in at the South-west end of the house, towards the Chapel. Strapp and I went in—I saw the window, after being broke. I slept at Strapp's that night. Next morning, before I went to breakfast, Mr. Hogsett came in. After looking at me some time, he asked Mr. Stephen Strapp who I was? He told him I came from Holyrood. Messrs. Hogsett and Furey were there afterwards, several times, that morning, while I was there. While I was standing in Mr. Strapp's parlour, Mr. Hogsett brought in the Poll-book that was taken from Tom Strapp the night before, and reached it in to Tom Strapp. I know it was the Lance Cove book, from my being able to write and read writing. I left Harbor Main in the same carriage with Tom Strapp and Mr. Furey, and got out, a few hundred yards from Furey's, and walked to Cat's Cove. I saw Mr. Kelly, the driver of the mail, amongst the Holyrood mob, with a green ribbon in his breast.

Cross-examined.—I live in St. John's—I am not a voter for the District of Harbor Main—I was born in Cat's Cove—I am Mr. Nowlan's first cousin—when we left St. John's there were eleven carriages—the number in the carriages were three and a driver—there might be four in some, besides the driver. There was not one voter in the District of Harbor Main in the eleven carriages that left St. John's. John Dunn was there. Tobias Nowlan is a relative of Mr. Nowlan's—don't know Joseph Kelly to be a relation of Mr. Nowlan's—is slightly acquainted with Mr. Kelly. I do not drink any myself—saw a jar going round, giving them liquor. Mr. Patrick Nowlan joined us at Cat's Cove that night. All the men in the carriages, with the exception of John Dunn, were from St. John's. I had no green ribbon in my breast on the day of polling. Some of our supporters had. I saw Father O'Connor at Kelligrews that day—did not see Mr. John Hogsett on that day—he might be there, unknown to me. I left St. John's on Tuesday night, about twelve o'clock, and arrived on Wednesday on the shore, accompanied by thirty or forty St. John's men—Mr. Tobias Nowlan was with us—the thirty or forty that went with us the day of polling were not voters in the District of Harbor Main. I saw n'ere a gun amongst them. Eight men and myself accompanied me to Lance Cove—William Goss was amongst them—we stayed at Mr. Kelly's that night, when I was at Kelligrews—I did not see any one strike while I was there. I never canvassed for Mr. Nowlan; but I would if required. When I went to Lance Cove, I went in a carriage. When I left Harbor Main, to proceed to Cat's Cove, Mr. Patrick Nowlan was there, the day after the polling. I did not see any papers with Nowlan when I got there. Mr. Nowlan, Mr. Tom Strapp, and the Poll Clerk, Mr. Power, of Brigus, went with me to Brigus. I saw no book with either of them, except a pocket-book belonging to Mr. Power. I took my tea, and then went to the Cove in a skiff, ac-

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accompanied by the two Mr. Nowlans—I saw no Poll-book with them. I was accompanied by the two Mr. Nowlans and Mr. Strapp, from the Cove to St. John's—I parted with the Mr. Nowlans at the head of Prescott Street. While in Cat's Cove, we all went to Mr. Thomas St. John's house. There were a good many relations of Mr. Nowlan's in the carriages that went from St. John's—there may be about twenty. I saw no person strike the man that was down, in Lance Cove. Richard Porter another, named Morgan, would have voted for Byrne and Nowlan, if allowed—they did not vote at all. Can't account for the names of any more, as it was the first time I was on the shore. When I was going between Kelligrews and Lance Cove, I saw the people at their houses. I told them not to give the Holyrood men the satisfaction of pulling down their flags, but to take them down themselves. I will not swear that the whole of the parties I saw between Lance Cove and Kelligrews made their appearance in Lance Cove—several of them did. The thirty or forty men that went from St. John's had sticks—I had one, as much as I could lug along—it was a good sized stick—I had it for a walking stick. I saw a scattered one of them at Kelligrews.

his
JOHN X REDDY.
mark.

COMMITTEE ROOM,
House of Assembly,
June 4, 1861.

P R E S E N T :

- MR. RENDELL, *Chairman*,
- “ PROWSE,
- “ WALBANK,
- “ KNIGHT,
- “ FLOOD,
- “ McGRATH.

JOHN SHEA sworn and examined.—I reside at Collier's, living since 1820 there. I was in the Polling Booth at Collier's on the polling day, as Poll Clerk. Thomas Hearn gave a vote there for Nowlan and Byrne—he occupies a dwelling-house—lives with his mother—he is a young man, about fifteen or sixteen—the house was built by his uncle, who was drowned about eleven years ago. I am certain he is no more than fifteen or sixteen. Knows a man by the name of John Ryan—resides at Collier's—he lives with his father and brothers—his father's name is Patrick—his father was home the day of polling—he was

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bed-ridden—he authorised John Ryan to vote for him—he said so to the Returning Officer when he gave in his own name—that's all he said. John Ryan's name was not on the Registry that was before me on the table—I examined the Registry—I did not on the day of polling—the names were called out by the Returning Officer. The brothers and father built the house between them, in which John Ryan lives. John Ryan is not married—he is the oldest son and chief supporter of the house. I know John Costigan—his brothers and father built the house and went to live in it last fall—he lived before in a house alongside of it, with his father. William Costigan voted—he is the father of John. He voted for Byrne and Nowlan. John voted for them also. The father, William Costigan, lives in the old house still. Thomas Ryan is not on the Poll-books at all. Thomas Ryan of Turk's Gut voted for Byrne and Nowlan. This place was left him by his grand-father, about three years ago—he lives with his father and mother there—he is about eighteen years of age—his father's name is John—his father voted for Byrne and Nowlan—the father and son lived together—his father died the day of polling, after giving his vote. Knows William Burke, Jr., of South-side of Collier's, about fourteen or fifteen years of age—he lives with his mother—she is a widow—his father was drowned. William Burke, Jr. voted for Byrne and Nowlan. Knows a man of the name of Michael Skean, of James' Cove, Collier's—he occupies a dwelling-house, and lives with his mother and brothers—he has four or five brothers—two living with him, Thomas and Richard. Michael Skean is about twenty five years of age. Thomas and Richard did not vote, only himself. Michael voted for Byrne and Nowlan. Knows William Gurney—he did not vote—he was at the ice—his brother, Patrick, voted for him—there is no other William Gurney in Collier's but him—he lives at Riverhead of Collier's. Knows Patrick Bryan—he lives at James' Cove in Collier's—he has lived there a long time—occupies a dwelling-house—he voted for Byrne and Nowlan. Edward Ryan lives in the same house with Patrick Bryan—it has two chimnies and two doors. Patrick Bryan is Ryan's stepfather. Edward Ryan is not married—they live under one roof. Knows Patrick Foley of Collier's—he resides on the south side of the harbor—he has not resided there for the past twelve months—he resides in Greendale, below Brigus—his sister occupies the place he formerly lived in at Collier's—don't know whether it's for him. Saw Mr. P. Nowlan in Collier's on the day of polling, about twelve or one o'clock, in the Poll Booth. I did not see him before that time on that day.

Cross-examined.—Foley sometimes sleeps at his Collier's place—his sister cultivates the ground around it—he does not. Michael Skean is a married man.

Re-examined.—The doors I speak of in Ryan and Bryan's house, are front and back doors.

JOHN SHEA.

JEREMIAH KENNEDY sworn and examined.—I reside at Harbor Main, in the town. I was in Harbor Main Booth on the day of polling, as Check Clerk for Hogsett and Furey. There were Salmon Cove voters received in that booth that day by the Returning Officer—he received them willingly. I remember his desiring them to be sent for. Mr. Hogsett came

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into the booth at the same he (the Returning Officer) said he would willingly receive them. There was no noise in or about the booth that day—when they gave their votes they went about their business. Thirty-six Salmon Cove and Gaster's voters gave their votes at Harbor Main that day for Messrs. Hogsett and Furey. William Mason, of Salmon Cove and Gaster's voted; Martin Costello, Patrick Mason, William Penney, Michael Mason, Richard Baker, Patrick Kennedy, Daniel Moore, Edward Flaraty, (Gaster's,) Henry Baker, William Mason, John Devereux, John Murray, John Nowlan, John Kelly, Maurice Kennedy, Patrick Butler, John Sevier, (Gaster's,) John Sullivan, (Salmon Cove,) John McGee, William Moore, Denis Layne, Michael Costello, Patrick Power, Daniel Flinn, John Power, William Nowlan, Joseph Meason, Charles Furey, (Salmon Cove,) John Mulloy, Patrick Flaraty, Edward Meaney, William Flinn, Edward Prendergast, Philip Ezekiel, Edward Walsh. (This list of names objected to.) All these votes were received willingly and without objection. There were only two men, Edward and John Terry, voted for Messrs. Byrne and Nowlan. They came early—there was no molestation offered to them, or to any person else. We were as quiet as we are in this room.

Cross-examined.—How is it that only two voted for Byrne and Nowlan this time, when sixty voted last time? I can't tell—the people were unanimous. I am the Schoolmaster at Harbor Main, under Father Walsh—I have been Schoolmaster forty-four years. Can't tell how many voted last time for Byrne and Nowlan. The day before, I saw a large crowd, with flags, going peaceably through the harbor. Can't say they visited a few houses, to see how the occupants were going to vote. I can't say they called at Mr. Holden's. I was not out of my own house. I am certain they went peaceably. The impression on my mind is they went peaceably. All I know of them is, curiosity led me to look out at the window. I was a well-known supporter of Hogsett and Furey—I did not trouble my head about it—I buried my wife a few days before. Mr. Hogsett spoke to Mr. Strapp, to take the Salmon Cove voters, which he did willingly. Can't say what passed between them. I think Mr. Hogsett wrote a few lines to Mr. Strapp. Don't know what it was. He gave it to him in the Polling-room—did not hear him say he would guarantee the correctness of Mr. Strapp's act. Can't say whether Mr. Strapp objected or not—don't know what the little note contained. Edward and John Terry came out from Salmon Cove, where they resided for the winter, and gave their votes—they voted early, and went away, like all the rest that voted. I know very well it was not dangerous for any man to vote for Byrne and Nowlan in Harbor Main that day, or be favorable to their cause. I was at a meeting on Moore's Hill. Mr. Hogsett and Mr. Furey were there, the time the spouter went round. Don't know of any exciting speeches that day. Mr. Hogsett and Mr. Furey spoke, also Mr. Flood. He spoke so low, I did not hear what he said. The spouter was the Irish Lawyer—he spoke on Salmon Cove bridge. I did not see him. I suppose Strapp's and William Holden's names were mentioned at the meeting. Old Philip Hawko is not dead—no Hawko died last winter. There are three Tom Hawkos having votes at Chapel's Cove. Can't say how many Williams. I know two William Hawkos who have votes. Remember nomination day—there were a great many people about the booth that day—people from St. John's and Brigus and Bay Roberts. Every thing was peaceable. There were not many from Bay Roberts. I remember one from Bay Roberts—John Hackett—he was Returning Officer. I heard Toby Hackett was there—I did not see him. Can't say how many voters were in the crowd that day. I should say there were sixty voters from Harbor Main, and more than that from Holyrood and Chapel's Cove. There were a great many Cat's Cove and Collier's people there for Byrne and Nowlan—can't say how many—I should say about sixty or more, from both places.

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Re-examined.—The men from St. John's and Brigus were in Messrs. Byrne and Nowlan's crowd—there were no strangers in Hogsett and Furey's crowd, from St. John's, but Mr. Hogsett, that I saw.

JEREMIAH KENNEDY.

JOHN DEVEREUX sworn and examined.—I reside at Salmon Cove—remember the late election at Harbor Main. I reside forty odd years at Salmon Cove. I was to register my vote at Cat's Cove. I made an attempt, on the day of polling, to go to Cat's Cove. I went with the Salmon Cove voters. We were not let down at all. We got within three quarters of a mile of the booth—the road was crossed over with timber that we could not get along. The crowd of Cat's Cove people on the side of the hill prevented us—they were throwing stones—we were stopped before the guns fired—we thought they were powder guns. At the time we halted we were about fifty or sixty yards from them. Father Walsh desired us to halt. Some of Hogsett and Furey's men fell back for home, and left the crowd. I was assaulted and kicked and beat well. John Keating, a man from Cat's Cove, saved me. They tore my clothes—they made three parts of my jacket—they took two off, and left one on. I said nothing to these parties before they assaulted me, except to one man, who was waving a stick. I shook my fist at him—if I was handy, I would soon make him easy. I heard three or four guns fired, but did not know any one was shot until I saw George Furey. I did not see any one in the crowd throw stones before the guns were fired. The only person in Hogsett and Furey's crowd that had a stick that I could observe, was myself—I had a hand stick—I am seventy-six years old. I did not vote in Cat's Cove—I would not be let go there—I voted in Harbor Main. When I presented myself at the booth, Mr. Strapp did not object to take my vote—he asked me who I voted for? I said Hogsett and Furey. If I got to Cat's Cove, I intended to vote for Hogsett and Furey. From the time we started at Salmon Cove, we did not attempt to throw stones, or destroy any property, nor was any done by Hogsett and Furey's party as far as I saw. The Cat's Cove men threw a great number of stones—they threw them at my own son. I saw George Furey after he was shot. I saw Flaraty and Sullivan—they are Salmon Cove men—wounded. They were voters, old men like myself. Young Moores of Salmon Cove was also wounded. I felt my beating a good bit—no shot took me.

Cross-examined.—They left the back of my jacket on me—they tore off the front part. I am an old man. I am in the habit of voting since I came to the country. I voted for Mr. Nowlan last election—I would now, if there was no turn up. I voted this time where my inclination led me, without any undue influence or intimidation. It may have been my intention to vote for Nowlan until lately. No influence changed my vote—I chose these two men, Hogsett and Furey. I heard of this gentleman, Mr. Hogsett, this long time. He asked me for my vote—I gave it to him, Messrs. Hogsett and Furey together. Can't say how long it was before the election. I never got any poor relief—I hope I never will—did not get a barrel of flour last winter—I never looked for it—I did not want it. Don't know

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how it is I had so many companions going with me to Cat's Cove. I joined the crowd in Salmon Cove, at the big bridge—I happened to meet them there—I knew well they were coming—it was a good job they did come—they were wanting there. As they were passing down towards Salmon Cove, heard no guns firing—I am sure there was not any. When we got within sight of the Cat's Cove people, they called out not to come on—did not hear any person in the Cat's Cove crowd say that the Salmon Cove voters may come on, the Harbor Main crowd to go back. They might have said many things unknown to me—I cannot hear well. I would have gone on, if I was not stopped. I don't think they moved from where they halted until they turned back. I saw fences pulled down on the way, but don't know by whom. I saw Tey's windows smashed—does not know by whom. Father Walsh told me, when I would be giving my vote to vote for Hogsett and Furey. That's all that passed. He did not go to my house. This happened in Harbor Main—I often go there. Mr. Nowlan never asked me to vote—my mind was never made up until I seen how the thing would go on—I did not know what the thing was—I came from Cat's Cove—walked the road back to Harbor Main afterwards.

Re-examined.—All the front of my coat was torn off.

his
JOHN X DEVEREUX.
mark.

COMMITTEE ROOM,
House of Assembly,
June 5, 1861. }

P R E S E N T :

MR. RENDELL, *Chairman*,
“ KNIGHT,
“ WHITEWAY,
“ PROWSE,
“ McGRATH,
“ FLOOD,
“ WALBANK.

JAMES HACKETT sworn and examined.—I was engaged in the Harbor Main election as Returning Officer at Topsail—I took the polls there—I took the returns to the Head Returning Officer, Mr. Strapp. The certificate produced is the signature of Patrick Strapp—he acknowledged to it in my presence. My own signature is also attached as witness. I was present when he read it publicly, and declared Messrs. Hogsett and Furey returned. I

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arrived on the day of polling, at Harbor Main. I lodged at Mr. Strapp's while in Harbor Main. I left Harbor Main on Saturday morning, about nine o'clock. Up to the signing of the certificate there was no intimidation or coercion used towards Mr. Strapp. The first night I was at Harbor Main, after I went to bed, there were about four or five panes of glass broken. Mr. Strapp told me he thought it was blackguards of boys that done it.—(This evidence objected to.) He was about forty-four years in Harbor Main, and he knows no sensible one would do it to him—he said it to me next day. After he read the certificate, he called for three cheers for Hogsett and Furey, and threw up his cap, and declared them duly returned—cheered also and waited for Mr. Jordan, while he (Mr. Strapp) complimented him for his conduct in the chair. He then invited the parties into his parlour—there was spirits on the table—I took no spirits. I made up a return at the request of Mr. Strapp. Before this he declared the numbers. I made them up two or three times, when no body was present—he said he knew Hogsett and Furey had a majority—he said he was satisfied in his mind—he also said he was glad of it. From Thursday until Saturday, that I left Mr. Strapp's, there was no demonstration, or a mob or threat that I heard, used towards Mr. Strapp. I was there when Tom Strapp was sent for the Cat's Cove Poll-book, and Stephen, his son, was sent next day. Tom had not returned, up to the time I left Harbor Main. My Poll-book was taken out of my bosom by three men I did not know, the night I arrived in Harbor Main. I got it in the morning—the seals were not broken—it was given to me by Mr. Hogsett. There were about fifteen or sixteen persons present when Mr. Strapp read the Certificate. I do not know that Mr. Strapp sent for Mr. Furey. There was no row or noise at Topsail—every thing went off very well. There might be after the polling. Drs. McKen and Renouf and Mr. Jordan were present when Mr. Strapp signed the Certificate in his parlour. I heard Mr. Strapp say he received thirty-six votes at Harbor Main Poll-booth that should have been given at Cat's Cove—he said they would not allow them to give their votes at Cat's Cove. In making up the number, he added the thirty-six to them, taken in Harbor Main, making, as I believe, about one hundred and seventy-one.

Cross-examined.—This was done when we were engaged making up the numbers—I made no objection to counting in these votes. Mr. Strapp first thought to leave out these votes. He found afterwards, on second consideration, he thought he was warranted in taking them in Harbor Main, as they were prevented being taken in Cat's Cove. No person induced him to change his mind, that I know of. I was not with him all the time. Mr. Hogsett was in and out a few times with him—I saw Mr. Hogsett there two or three times, and I believe I was there twice while he was there. I do not know of any guarantee being given by Mr. Hogsett to Mr. Strapp, as to the legality of the act in giving the certificate, nor of anything Mr. Hogsett said to Mr. Strapp. Mr. Strapp told me he knew that by giving Byrne and Nowlan the benefit of the Registry he would give them too much, as some of them were to the ice from Cat's Cove and Collier's. I believe Nowlan and Byrne, under one mode of calculation, leaving out the thirty-six votes, would be returned—I am not sure. I was once before engaged as Returning Officer. The fact is, Mr. Strapp and myself made up a Return without the Poll-book to guide us. Mr. Strapp is a very proper man—I have known him a long time. I took no part in the election. I solicited Hogsett and Furey and Mr. Nowlan for the appointment of Returning Officer, as I held it before. I believe the certificate is in Mr. Hogsett's hand-writing—I was not present when it was written. I went from Topsail to Harbor Main by land. The Poll-book was taken from me near the Chapel, between Mr. Furey's and Mr. Strapp's. Two or three came up to me—one put his hand in my bosom and took it—I made some resistance, but they were too powerful for me. One man said all he wanted from me was the Poll-book—only three surrounded me—I

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could see no others. There were a good many people passing and repassing, anxious to know the state of the poll. The smashing of the windows made a considerable crash—I was in bed at the time—I was ill. I was frightened—I did not get out of bed. I think that a portion of the middle sash was smashed—I did not examine it. The reason why Mr. Strapp made the remark that the boys had smashed the windows, arose from the impression on his mind that no sensible man in Harbor Main would do such an act. I have not seen Mr. Strapp since the election, nor have I been in Harbor Main since. When Mr. Strapp took off his cap and cheered, the fifteen men there cheered also. Mr. Jordan complimented Mr. Strapp on his impartial conduct in the chair, and his giving a fair and honest return. (Mr. Jordan is not an elector in Harbor Main.) Can't tell the names of the fifteen there—Messrs. Hogsett and Furey were there, Mr. Jordan, Drs. McKen and Renouf and Mr. Grace from St. John's and myself. There were Harbor Main people there—don't know their names. Mr. Strapp was in the act of delivering the state of the poll. The Poll-book had a piece of whitish brown paper round it, and sealed, with twine—the book could not be slipped out, without breaking the seal. I told Mr. Strapp I lost the book—he said perhaps I may get it next day. I took no steps for its recovery. I don't know whether I spoke to Messrs. Hogsett and Furey about it, from the time I lost it until I received it—I got it from Mr. Hogsett next morning.

Re-examined.—I think, on my recollection since Mr. Pinsent asked me, deducting the thirty-six votes, Hogsett and Furey would be four a-head. I was Returning Officer in the election before this. When I asked Mr. Hogsett, he said, I believe, he would speak for me—I have no distinct recollection of what I said to Mr. Hogsett. We made up the calculation from my own book and Holyrood—Mr. Strapp had the Kelligrews and Topsail—I did not see any book but my own, Mr. Strapp gave me down the numbers from these and Harbor Main book; and I made up, according as he told me. Cat's Cove and Collier's books were not in—the Lance Cove book was in, as I understood—I understood from him that he had the Kelligrews book. I did not look in any book, or add up the figures, except my own.

JAMES HACKETT.

COMMITTEE ROOM,
House of Assembly, }
June 6, 1861.

P R E S E N T :

MR. RENDELL, *Chairman*,

“ WHITEWAY,

“ WALBANK,

“ FLOOD,

“ KNIGHT.

JOHN NUGENT sworn and examined.—I reside at Lower Gully, about half-a-mile from Kelligrews—I am a voter in the District of Harbor Main—a supporter of Messrs. Hogsett and

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Furey. I had to vote at Kelligrews. I went to Kelligrews at eight o'clock, and remained until the poll was closed—I did not see any violence used by any party during the time—every person had free liberty to vote—no voter was obstructed from voting, as I know of. When I saw Brigus men on the other side of the road—I saw one standing on the road—saw no fighting for the day. Every person who had a right to vote was allowed to go in and vote, as I saw.

Cross-examined.—I mean by being a supporter, I gave them my vote and interest—I call my vote my interest. I did not canvass for them—did not ask others to vote. Messrs. Hogsett and Furey asked me to vote for them—no one else. This was about the 1st April. There were a great number of persons from St. John's at Kelligrews that day—they came the night before the polling, in the evening, on common cars—more walked. Some of them stayed at my own house—can't say how many—as many came to my house as could stow in the house. I would not say, over twenty, to the best of my opinion. Others stayed at other people's houses. There were others from Holyrood came on the polling day, and joined these men. I should say there were about thirty or forty. The poll was nearly over when they came, about one o'clock in the day—the poll wasn't closed until four. I was quite handy in front of the polling door, near to the booth, walking front and back—no stick in my hand, or instrument about my person. A great many of the St. John's men walked back and forth—the Holyrood men and they were on the road together—the Holyrood men were supporters of Hogsett and Furey, and the St. John's men too. There were St. John's men of both parties—I do not know the men—they were strangers to me. I met the day before, at Mrs. Norman's, on the Topsail road, about twenty men for Nowlan and Byrne. I saw a carriage belonging to Messrs Byrne and Nowlan come to Kelligrews, with Mr. Kitchen and Mr. Michael Nowlan in, on the polling day—that carriage had only these two men and the driver in it. The only two persons I know were these supporters of Byrne and Nowlan. I could not swear that any other persons I saw there were supporters of Byrne and Nowlan, because I did not know their features. I did not see them do any act in favour of Byrne and Nowlan while there—saw no other persons do any act in favour of Byrne and Nowlan that day, except voting, or against the supporters of Hogsett and Furey. Don't know of the wheels being taken from Byrne and Nowlan's carriage. I heard men talking of taking the wheels off the carriage. I swear that I did see Mr. Nowlan in the carriage with Mr. Kitchen, when he came into Kelligrews. I am not aware of the wheels being taken off. I heard there was some person locked up in the school-room—don't know if it was the owner or driver of the carriage. Polling commenced at eight o'clock—don't know when the last voter went in—it closed at four o'clock. Don't know the actual voting ceased early in the day. I don't know what time the polling ceased—the people were coming and going all day. The Holyrood people left about five, the St. John's men the same time—they all left together, as soon as the poll closed. The Holyrood and St. John's men were not voters at Kelligrews. There were two Constables on the door. Don't know Neagle from St. John's. Some of the Holyrood and St. John's men had sticks—whether all had I don't know. These men were on the road leading to the Poll-booth all day, as most of the people were men of both parties. I saw no hindrance to parties of either side voting—did not see any voters come up and turn back. The Poll-booth is some distance—about five yards—off the road. On the road, in the direction the voters would come, there were a great many Holyrood and St. John's men, and South Shore men too—seen a great many South Shore men—Butlers, Fagans, Battens, Tillys and Daws. I did not see any of these go in to vote.—I do not know whether they voted or not, nor don't know for whom they

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voted—did not see any of the Morgans, or John or Henry Andrews—they vote at Lance Cove—seen two men from the Gullies—Charles Coat and Wm. Scott—don't know if they voted—don't know what the St. John's men came to my house for, nor did I ask them. I did not know what they came for—I knew that day that they were coming. I met a few men—St. John's men—they asked me if I could entertain a score of them for the night. I said I could. I don't know who asked me—I did not know one man. Next day they were peaceable and civil, as far as I saw. Don't know what these men were parading in front of the booth at Kelligrews for—I never asked them—I don't know why they brought the sticks there. Saw a young chap of a boy get on the roof of a house—don't know for what purpose. Knows some of the Holyrood people there that day—saw John Crawley, Michael Rourke and John Joy—heard no threats that day. Can't say how many went in to vote for either party that day.

Re-examined.—John Tilly and George Squires were the Constables—they voted for Byrne and Nowlan. Toby Nowlan was behind the twenty men I met on the Topsail road. I am certain there were parties round the booth on that day from St. John's—supporters of Byrne and Nowlan, as well as Hogsett and Furey, independent of Kitchin and Nowlan. The Tillys, Daws, &c., might have voted without my seeing them. Neither Joy, Crawley nor Rourke, when they came to Kelligrews, did not molest or offend any person, young or old—they are all residents of Holyrood. Saw Mr. Nowlan and Father O'Connor together that day. Mr. Nowlan went into the Polling-booth—he went to Topsail—I saw him in the carriage coming back. When I left the poll I went home. I saw the Brigus men on the road going to Brigus. The boy I spoke of went on the roof of the Polling-booth—he tore no shingles off. A Holyrood man (Ellis Lewis) went up and brought him down. Every one who wished to vote at that Polling-booth could have done so, as far as I saw. I seen none of the men that went from St. John's for Hogsett and Furey drunk on that day—when they left, none of them were drunk. Did not see a blow struck or any act of violence on that day. I was on the road from eight o'clock in the morning. Mr. Nowlan was in the carriage—can't swear it was the gentleman now in the room—it was not John Dunn. No person paid me—Messrs. Hogsett and Furey were to pay me for entertaining the twenty men at my house.

his
JOHN X NUGENT.
mark.

PATRICK JORDAN sworn and examined.—I was at Harbor Main the late election—I was there the day of polling—not a voter there. I accompanied Mr. Hogsett to Harbor Main on the day of polling. I was in the Polling-room at Harbor Main—I never saw, for the last twenty-eight years, in the position I was there as the Agent of Mr. Hcgsett—I never saw business transacted in a more regular way. There was no crowd about the Polling-booth—at the most about fifteen or eighteen votes inside at one time. The parties who voted for Byrne and Nowlan were not obstructed in any way, either before or after voting. I was in the Polling-booth from eight in the morning, until after four in the evening—was

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there when Mr. Hogsett requested the Returning Officer to receive the Salmon Cove voters. I only saw Mr. Hogsett for once there for the day. The Returning Officer acquiesced in the request. In the absence of Mr. Hogsett, Mr. Strapp spoke to me. He said there is too mischief done already—I will take their votes here, Mr. Jordan. Witness heard the Returning Officer tell parties, after voting, to send on the Salmon Cove voters, and he would take them. Mr. Hogsett used no threatening language of any description to the Returning Officer in the Poll-room. He wrote something on a slip of paper, and he handed it to the Returning Officer. Witness nor any person in the room did not know the contents. He afterwards, in the absence of Mr. Hogsett, took it out and read it to me. The document here produced, and marked A, contains what was read to me. The Salmon Cove voters were registered on the same paper that contained the Harbor Main voters, Harbor Main registered on one page, and the Salmon Cove on the page opposite. I was present when Mr. Strapp folded up and sealed the Returns. Mr. Strapp's seal being a small one, I said the Queen seal would be a plentiful one. Mr. Kennedy sealed it with the seal of his watch, at mine and Mr. Strapp's suggestion. I saw the Poll-clerk put his name to the Return—he put it under the Salmon Cove voters, as well as the Harbor Main. Mr. Strapp also signed as above, and in that condition they were sealed as I describe. I was present when the Returning Officer publicly declared Messrs. Hogsett and Furey duly returned. It was outside of his own house, on a platform. I heard Mr. Strapp read a document, marked B, word for word, and done with as good a grace as ever I saw a Returning Officer declare a Candidate—it was on a Saturday, between nine and ten. I had been in Harbor Main from the day of polling up to that time. During that time, I was two or three times in Mr. Strapp's house—he frequently told me that Hogsett and Furey were returned—the only delay he had was waiting for the Cat's Cove and Collier's books—he told me the Registry in Collier's was eighty-four votes, to the best of my knowledge—that there were only sixty-five voters home, and between that and eighty-four, we were wronging ourselves in the difference of nineteen votes. In making up the Registry, he gave full credit for the Collier's registered votes—eighty-four to the best of my knowledge. There was not the slightest intimidation whatever, from the day of polling until Mr. Strapp gave the Certificate. A quieter or finer people I never saw. After reading the Certificate, he (the Returning Officer) called three cheers for the returned Members, Messrs. Hogsett and Furey. He called on parties present to go into his parlour and have a glass of grog. These parties were—Drs. McKen and Renouf, Mr. Hogsett, Mr. Furey, witness, Mr. Hackett—he is one of his deputies. In the lane from that down to the street were a great many persons. I heard him send a messenger for Mr. Furey, before he declared them returned. He waited for the return of Mr. Furey, and did not declare them returned until his arrival. Up to the time he signed the Certificate, I never heard no threats used towards Mr. Strapp by the people of Harbor Main, nor by any other person. I know Mr. Strapp sent his son for the Cat's Cove and Collier's Returns. He left Harbor Main, to go to Collier's—I walked a part of the way with him—he did not return up to the time I left Harbor Main, to my knowledge. The day we left, I seen Mr. Strapp mixing freely amongst the people. I came to Topsail with the wounded men, in a boat, and from Topsail to St. John's in a carriage—don't know if he accompanied the sick men—he may be in the crowd, putting the wounded men in the boat. The Certificate alluded to was made voluntarily and without intimidation.

Cross-examined.—This was my first trip to Harbor Main—I went to Harbor Main as my own Agent—I went there as the sole owner of a free constitution, called responsible government. I went there on my own expenses. I went in the same carriage with Mr. Hogsett—no one else but the driver. The position I took when I went there was to take charge of

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voters in the Poll-room. No one retained me to go there—I went of my own free will, and not at the request of Hogsett and Furey—I was there on the part of the voters that voted for Hogsett and Furey. I was not the Check-clerk—I was there only to stand by and witness whom they voted for. I do not know whether I am a man of considerable political influence or not. I went as much there to see my old friend, the Rev. K. Wash, as anything else. I arrived there on Tuesday night—I might or might not have went whether there were elections or not. I never opened my lips, the day before, to man, woman or child, on elections—I don't include Father Wash, before the Polling-day, or Mr. Strapp. I was a stranger there, and did not know the people. I had not much talk with Father Wash on the subject. I had not seen Mr. Strapp before the Polling-day—I had a good many conversations with him from the Polling-day, until the day we left. There were two voters there for Byrne and Nowlan—I saw them vote. Can't say where they came from—a third came in—a boy, seventeen years of age, to whom I objected—Harbor Main people said he was seventeen years, also one came in for Hogsett and Furey. They were both struck off, being under age. Of the four Candidates, my preference was Hogsett and Furey. I went to Harbor Main, on public grounds to sustain Hogsett and Furey. I did not go to Mr. Wm. Holden in company with Father Walsh or Mr. Hogsett. I was not inside his door while there—I saw Mr. Holden outside his own door, and shook hands with him. This was the first and last time I saw him. There was no private feeling adverse to Nowlan and his party influenced me at the part I took at the election. I did not bring my influence to bear in inducing Mr. Strapp to take the Salmon Cove voters—he voluntarily took them. He consulted me as to taking the votes, and he said there was mischief enough done already. Mr. Hogsett wrote the Certificate on the table—he did not consult me before he gave it to Mr. Strapp—he did not, in my presence, pledge his professional reputation as to the legality of the act. They were not, like objected votes, put on the back of the list—they might before the declaration of the return. Mr. Strapp asked me to say a few words in his praise, for what he had done in making the return, and also on account of the unfortunate occurrence at Cat's Cove—this conversation took place in his own parlour, he and I present only. I saw no wavering about him in the matter of declaring Hogsett and Furey. After that he called at Father Walsh's, and sat there for about half-an-hour. Drs. McKen and Renouf, and Mr. Hogsett and Father Walsh were there. Strapp promised them, at Father Walsh's, that the next morning, between nine and ten, he would declare the return for Hogsett and Furey, in time for us to return to St. John's that day. I don't know whether he was in the possession of the Poll-books at the time he made this declaration. I don't know, at the time he took the Salmon Cove voters, whether he had the Register or not. He took thirty-six Salmon Cove voters—he told me he knew every one of them from their cradles, with the exception of three or four—he knew them so well he put their names down as they came in. All he had then to do was to ask them who they voted for? I did not see many about the streets in Harbor Main—I never saw less at an election. I heard no guns fired on the morning of the polling. The thirty-six Salmon Cove voters voted for Hogsett and Furey. When the declaration was made, there may be a score present.

P. JORDAN.

Harbor Main Election.

COMMITTEE ROOM,
House of Assembly,
June 8, 1861.

P R E S E N T :

MR. RENDELL, *Chairman,*

“ FLOOD,

“ McGRATH,

“ KNIGHT,

“ WHITEWAY,

“ WALBANK,

“ PROWSE.

Dr. RENOUF sworn and examined.—I was in Harbor Main part of Friday, 3rd May, and part of Saturday, the 4th—I was there professionally—saw Mr. Strapp on the Friday evening. I met him at Father Walsh's. In his parlour, Mr. Strapp said, on being asked when he was going to make his return, he replied that he had made his calculations and deductions, and that he was personally satisfied, in his mind, that Hogsett and Furey were returned; and on the morrow, at eleven o'clock, he would be prepared to make a public declaration. He then did not express any fear for his life or property—there was not any threat made at the time, in my presence. He made the declaration freely and voluntarily. I travelled about a good deal in Harbor Main—I saw no excitement, but I saw a good deal of gloom and depression—this was after the shooting. I saw Mr. Strapp on the Saturday morning, opposite his own premises—I was present when he read a declaration—the declaration now shown, and marked B, is the one made by Mr. Strapp. I am a subscribing witness—he acknowledged to the signature in my presence. After reading the declaration, he proposed three cheers for the successful candidates—he did not mention the candidates' names—he did mention the names of Hogsett and Furey when he made the declaration—he declared Hogsett and Furey returned. There were about twenty persons present when the declaration was made—there was no show of violence used towards Mr. Strapp at the time he made the declaration—I saw no violence—his act, as far as appeared to me, was voluntary—I saw no intimidation of any sort. After the declaration he invited us into his house, and gave us rum and water. He appeared to be a friendly sort of man, all through. I took the rum and water. Mr. Strapp did not ask me to put my name as a witness to the declaration.

Cross-examined.—Mr. Hogsett asked me to put my name to the declaration as a witness. I did not see Mr. Strapp sign it—I was not present when he signed it—he must have retired into an ante-room to do it—it might have been written in his counting-house for aught I know—don't know when it was written—it might have been written the night before. It was only an acknowledgement of signature that I knew any thing of. The Certificate is in Mr. Hogsett's hand-writing—can't say I saw him write it—I saw him writing something. I saw Mr. Hogsett writing something the night before, at Father Walsh's, after Mr. Strapp had left. There was no conversation or suggestion about the written Return at Father Walsh's. Mr. Strapp came in while I was at Father Walsh's, Mr. Jordan, Dr. McKen and

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Mr. Hogsett going in and out. Dr. McKen was asleep. I am not aware that Father Walsh or Mr. Hogsett sent for Mr. Strapp—I do not know whether Mr. Hogsett or Father Walsh or Mr. Jordan, or any person on their behalf. I do not recollect who asked the question—“When are you going to make your returns?” I do not know who asked the question—it must have been either Father Walsh, Mr. Hogsett or Mr. Jordan. I am certain as to the language used by Mr. Strapp. Mr. Strapp made some allusion to his not having received the Collier's and Cat's Cove Poll-books. Mr. Strapp stated that Messrs. Hogsett and Furey had a majority of sixteen votes, independent of the thirty-six votes belonging to Salmon Cove. Mr. Strapp was altogether in favor of Hogsett and Furey. I am sure that the statement of Mr. Strapp was not, that independent of the thirty-six Salmon Cove votes, Nowlan and Byrne had a majority of sixteen. I can't say whether there were many people about Father Walsh's house—I was in the parlour or in the hall that night, and could not see. Mr. Strapp said he was afraid the Salmon Cove voters were illegal.

C. H. RENOUF.

Mr. Hogsett *cross-examined*.—Father Walsh was one of my most influential supporters at Harbor Main, as well as Father O'Connor. Mr. Crawley was an active supporter of me, Mr. Rourke was a supporter of mine, John Kennedy, Con. Kennedy and James Woodford and Michael Gorman were active supporters of mine. Gorman was a Poll-clerk at Holyrood. I do not know who was in the seventeen carriages mentioned in my examination-in-chief—I did not see them at all—I only learnt it by a rumour, as they passed through—that is my only knowledge of the carriages or their occupants. When I found strangers were introduced into the District, I introduced them. I know of only one stranger, Murray from St. Mary's. Mr. James Kelly was there too—he was the driver of my carriage. Mr. Murray made a speech for me in Harbor Main. I have heard it stated that seventy or eighty men left St. John's on behalf of Hogsett and Furey on the Polling-day. I do not know where these men went, or what they did in the District on our behalf. I was instrumental in getting these men to go from St. John's—I never went to the Water Works for men—the men that went volunteered. I told them I would have carriages and vehicles provided for them, as far as I could—they were provide on my behalf. I did not go to the Water Works. I never told persons that Mr. Nowlan had changed his religion. Mr. Neagle, who was present the other evening, was one of the volunteers. I am familiar with the faces of the greater part of the people in the District of Harbor Main, from my previous canvass—have known, familiarly, the people of Holyrood, Harbor Main, and the South Shore, for the last ten years. I should say that out of the crowd that went for Byrne and Nowlan, on the day of Nomination, there were sixty St. John's men. This is the gang that I referred to in my examination-in-chief. I don't know the Collier's men. There was no riot or disturbance on the part of Mr. Nowlan's gang. Mr. Michael Nowlan kept order on his part, and Mr. Woodford on the part of Hogsett and Furey. Mr. Strapp never entertained

Harbor Main Election.

me. I do not know that he generally entertains parties. When I say that there were not forty y voters for Nowlan and Byrne, I did not know it of my own knowledge, but from what I was told by parties who knew the District well. I was active in organizing meetings. I was not present at the meeting at Salmon Cove referred to in my examination-in-chief—I had some of my emissaries and supporters there—all the circumstances I deposed to with reference to the meeting at Salmon Cove were matters of rumour. On the Sunday evening that Mr. Nowlan and his friends returned from the Salmon Cove meeting, I saw them attacked near Furey's house. At the time we got as far as Mr. Strapp's, a large number of persons collected. I think I passed Mr. Nowlan on the road, at the end of Furey's house, as I was coming from Father Walsh's house. I passed Mr. Furey's house—I do not think I did. I did not excite the people—I tried to make peace. The attack had taken place before I appeared. Strapp's son was knocked down opposite Mr. Holden's, and he deserved it, for his violent conduct. It was the only blow I saw struck—this was after I appeared. I saw the people following from the corner. I did not advise the people to follow Mr. Nowlan and his friends. Mr. Furey and I followed after—I did not see Mr. Strapp come and make peace. Mr. Furey and I followed as far as Mr. Strapp's—I did not see Mr. Strapp—I was not long opposite Mr. Strapp's. I did not ask Mr. Nowlan how he made his money. Previous to the day of nomination, I am not aware of any strangers, to any number, on either side, in Harbor Main. I saw Mr. Nowlan's uncle and brothers there. James Hackett was not an active supporter of me—Gorman was. I used no persuasion or argument to Mr. Strapp, to induce him to take the Salmon Cove voters. The letter produced, of May 3rd, is not, in my opinion, in Mr. Strapp's hand-writing. On the day of polling, I did not see Mr. Strapp until seven or eight o'clock. Can't say where I saw him—most likely in his own house. I went to see whether he had got the returns. I don't think I saw him more than once on the evening of polling. Mr. Strapp did not express a doubt about the legality of taking the Salmon Cove voters, to me. The only time I heard Mr. Strapp express a doubt as to the legality of taking the Salmon Cove voters, was at Father Walsh's. I saw him on the next morning. I suggested to the Returning Officer the manner in which he could make up the returns, on the Friday evening I do not know what induced the Returning Officer to make up his returns as he did, except what he himself said, that he feared the opposing Candidates were not acting fairly with the returns. The missing books were Collier's, Kelligrews and Cat's Cove, places favorable to Byrne and Nowlan. I was informed on Friday morning that the Lance Cove and Topsail Poll-books were taken from the Deputy Returning Officers, on their arrival at Harbor Main. I found them in possession of supporters of Hogsett and Furey—I found them in possession of men named Gorman and Keating—I forget their Christian names. Mr. Thomas Strapp, the Deputy Returning Officer at Lance Cove, and Mr. Hackett, the Deputy Returning Officer at Topsail, gave me this information. I then went and enquired for the Poll-books. I did not know to whom to go. I do not know who told me they had them. I delivered them to the Returning Officer.

GEO. JAS. HOGSETT.

Harbor Main Election.

COMMITTEE ROOM,
House of Assembly,
June 10, 1861.

P R E S E N T :

MR. RENDELL, *Chairman*,

“ McGRATH,

“ FLOOD,

“ PROWSE,

“ WHITEWAY.

JAMES BUTLER sworn and examined.—I witnessed the late election in Harbor Main. On the morning of the Polling-day, about ten o'clock, I was going towards Kelligrews. I was met by John Widdicomb and Matthew Grimsley, coming from the direction of the Polling-booth. I stood and talked with them. After that I took the Water-side, instead of the High-road. I met a person on the way named Elias Delaney—he came along from the direction of the Polling-room—he was cut on the nose, and blood running down his face. The man was a good deal frightened. I went round by the Water-side, with about eight others, and I got into the Polling-booth. The man who was cut, and two of my brothers and myself voted. I did not see the others vote. I saw nothing while I was there but what was fair on both sides. At the time I gave my vote there was a crowd round the door. I was not molested in going in or coming out. I then went from Kelligrews up to Lance Cove. I recollect only, of the seven or eight above named, Elias Delaney, my two brothers, John and Henry Butler and William Graley. I never saw any one to molest me until I got within a quarter of a mile of Lance Cove. I there met six or seven young men on the road. They stopped me, and chatted, and asked me to whom I was going to give my vote. I said I saw liberal on both sides, and I said I would not give any vote. I said this to pass myself along—they asked me my business. The men I met were Holyrood men—know one, named Crawley. I met another lot surrounding the booth. I spoke, and went in—I was there for about fifteen or twenty minutes—I saw it was not safe to go out that way again—so I was put the back door, leading to the woods. I saw no person come to vote while I was there. I did not know any of the persons surrounding the booth. It was about twelve or one o'clock. While I was in the booth, the Holyrood crowd passed down, in the direction of Kelligrews—they turned out as a mob afterwards. There were a good many at Lance Cove before the mob came down. I went down alongshore, through the gullies, and gathered about twenty-three voters. Some went in a punt, and others by the shore—I was one of those that went alongshore—which we went down to the upper part of Kelligrews. We seen that the Holyrood mob had possession—that our flags, that had been up in the morning, had been torn down, and theirs hoisted in their place. While we were in the upper part of Kelligrews, I saw the punt land, with the voters on board. Then I saw the mob run down towards the beach. That discouraged some along with me, and they would not go any farther. Myself and two more took the main road, and went down till we got within one hundred yards of the Holyrood mob—we then went out to the shore again, being afraid to face the mob that was on the road. When we got abreast of them, we went in towards the Polling-booth again. We were met by John Crawley and John Joy, the heads of the mob—these men said that no persons would be allowed to vote there—at Kelligrews—for the day.

Harbor Main Election.

Several times the parties going up to vote were driven back—all those who came from Lance Cove, about twenty-three in number. These were voters from the Gullies. Two of the Seal Cove voters were there. The names are—Isaac Daw, Lance Cove; William Covvey-dack, Seal's Cove; John Daw, Lance Cove; Samuel Daw, Lance Cove; Isaac Daw, Seal's Cove; William Morgan, Lance Cove; Joseph Morgan, Lance Cove; John Warford, Lance Cove; Isaac Warford, Lance Cove; Charles Coate, Jr., Upper Gulley; Charles Coate, Sr., Upper Gully; John Andrews, Upper Gulley; Henry Andrews, (Garland's son,) Upper Gulley; Henry Andrews, (John's son) Upper Gulley; Hector Andrews, Upper Gully; Robert Andrews, Upper Gully; William Scott, (Charles' son) Upper Gulley; William Scott, Sr., Upper Gulley; John Morgan, Upper Gully; Solomon Daw, Upper Gully; George Roberts, Upper Gully; Abraham Daw, Lower Gully; Silas Daw, Lower Gully; John Daw, Lower Gulley; and Richard Porter, of Lance Cove. These were all voters in the District, and were for Byrne and Nowlan. After they saw they could not give their votes in, they then went home. I staid in Kelligrews until six o'clock. After I got down there they would not allow us to come nigh the Polling-booth, till after four o'clock. Crawley had a large stick, with a crooked handle full of barnacles, and seemed determined to use it—every one that I noticed had a stick. I noticed a dozen or fourteen St. John's men, or strangers to the District, round the door of the Polling-booth at Kelligrews, before I went to Lance Cove. When I came back to Kelligrews, I found the crowd greatly increased—I heard Crawley say they were about ninety. When Mr. Hogsett came canvassing, he brought down a lot of drunken fellows from Holyrood, who threatened, when we went for Bait to Holyrood, how they would serve us—they would not allow us to get any Bait—the name of one of the party who threatened was James Maher, another, Larry Barron, another by the name of Walsh. I was told Walsh's name by George Kelly, of Lance Cove, who came there drunk, to speak for Hogsett. There was people at Middle Bight—John and Edward Petten—who were to have gone on a car to vote, and would not go—the mob came down and they were frightened. I saw James Cousins at Kelligrews, that day—can't say he was prevented voting. I do not know of any persons from Fox Trap being prevented from giving their votes.

Cross-examined.—I was a voter for Byrne and Nowlan—I did not promise Furey that if I did not vote for him, I would not vote for any body—I said I would not vote for Hogsett. I went for the twenty-three voters, with the exception of three, to their houses—I went into eight of their houses—these eight were Lance Cove voters. I cannot read writing or write—Can't write my name. I was not molested in going into the Lance Cove Poll-booth—no person said an angry word to me. I saw Mr. Kelly and Mr. Michael Murphy in the Poll-booth. Don't know Mr. Tom Strapp—don't know that I ever saw him—he may know me. Don't know Reddy. I saw no person struck on the road, while I was at Lance Cove—heard no row on the road, while I was in the Booth at Lance Cove. I live at Middle Bight. Upper Gulley voters were to vote at Lance Cove, I believe. I know Charles Coate, Jr., to be a householder, over five years. Robert Andrews is not twenty-one. William Scott (Charles' son) lives in the dwelling-house with his father—his mother is dead. William built the house—it is on what was his father's ground. John Daw is the son of a widow, and lives with his mother—I don't know his age—he is a young chap, tall, slight—he may be twenty-one. I know three of the parties that went in the boat—John Andrews and Henry Andrews and William Scott. I saw them after, down by the Polling-booth. I did not see a blow struck for the day, during the Polling-day—I did not see any person turned away from the Booth-door that day—they could not get in to the door. At the time I was speaking to Crawley, I was about eighty yards from Kelligrews Polling-booth. I did not see per-

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sons pull down the flags spoken off—I do not know who tore them down. I never received pauper-relief. Mr. George Kelly is a respectable man, for aught I know—Crawley was regarded as a respectable man until he turned blackguard—Mr. Crawley is not a planter. George Kelly is a co-religionist of mine. Mr. Hogsett did not threaten me the day he asked for my vote. The men that went to vote with me at Kelligrews in the morning, were John Butler and Henry Butler, of Middle Bight; Elias Delaney and William Graley, from Fox Trap. I did not see William Graley vote. John Butler and Henry Butler and Delaney voted for Byrne and Nowlan. I did not canvass for Byrne and Nowlan. I have not sixpence of an account with Mr. Michael Nowlan. The only supplying merchant I have is Boyd & McDougall.

Re-examined.—I did not promise Mr. Furey to vote for his partner. I carry on the fishery, and build many boats.

his
JAMES X BUTLER.
mark.

COMMITTEE ROOM,
House of Assembly,
June 12, 1861. }

P R E S E N T:

MR. RENDELL, *Chairman,*

“ WHITEWAY

“ KNIGHT,

“ FLOOD,

“ McGRATH,

“ PROWSE,

“ WALBANK.

CHARLES FUREY sworn and examined.—Was a Candidate for the District of Harbor Main at the late election—born there—family resided there not less than one hundred years. I accompanied Harbor Main and Salmon Cove voters to Cat's Cove on the day of polling. The people of Harbor Main and Chapel's Cove and adjoining places were assembled on the morning of polling, to accompany the Salmon Cove voters to Cat's Cove—one or two powder-guns were fired—they were small swivels—as a signal. I left Harbor Main shortly after seven in the morning—about eighty boys and men, joined by Salmon Cove voters and others

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in Salmon Cove. The crowd altogether was about two hundred and fifty—no guns fired by our party, between Harbor Main and Salmon Cove—not one in the crowd had a gun with him. No attack by our people was made on any property between Harbor Main and Salmon Cove. Left Salmon Cove with about two hundred and fifty men and boys—went to Riverhead, Cat's Cove, and turned down the other side. Some of the people had guns when we drew near and stopped—I think there were a dozen people with guns. The whole crowd halted about fifty yards—were within gun-shot. I was foremost man in the crowd. Father Walsh was alongside of me—Father Walsh joined us near Salmon Cove. Our crowd had committed no violence on persons or property, up to the time we halted—they had no weapons of any kind, except two or three old cripples, who required to use them for help. There were guns fired by the Cat's Cove people—the first gun was fired at me—I know the man who fired the gun at me—I had used no violence, by speech or action, towards the Cat's Cove people. I endeavoured to prevent our crowd from proceeding further. One grain of shot from that gun went through my hat, without wounding me. Mr. Michael Gorman and Richard Baker got shot from the same gun. The gun fired at me was rested deliberately on the top rail of a garden road fence. On my retreat, was attacked with stones—was followed about fifty yards—two small stones struck me only—came home alongshore, as far as Salmon Cove, and then took the road to Harbor Main. When the gun was fired, I considered it was intended to shoot me. I turned my side to him, thinking, by so doing, I lessened the risk of being shot. I heard other guns fired, besides the one fired at me. There were stones thrown, and some little spars placed across the road—there was no other road by which the Polling-booth could be approached, except that one. I heard seven or eight guns fired—nine or ten persons were wounded—George Furey was killed. When the Salmon Cove voters seen they had no chance of getting to the Poll, past the guns, they took down a garden road fence, to get down another way. I do not know whose fence it was. No stones were thrown at any house, and no attempt to pull down one, before the guns were fired. There were no stones thrown at the Cat's Cove people. I know there were threats made use of by the Cat's Cove people to the Salmon Cove voters. I heard Thomas St. John told in the presence of some, that he would make the Salmon Cove people and Gaster's eat their votes, by not allowing them to be recorded in Cat's Cove. When he said this to me, there may have been half-a-dozen Salmon Cove voters present. This is the reason Harbor Main people accompanied Salmon Cove people to Cat's Cove. I know that Thomas St. John was an active supporter of Nowlan and Byrne—he is a relation of Mr. Nowlan's—I think he is a cousin. I know nothing of the Salmon Cove voters voting in Harbor Main—I was present when Mr. Strapp declared Hogsett and Furey returned—he did it voluntarily—there was no threat or intimidation practised towards him. There were nearly a score of people present when he made the declaration of their return—the declaration was made in his own lane.

Cross-examined.—When the shot struck my cap I was standing in the field that leads down to the ridge—this was after the fence had been torn down—the men outside the fence were going up over the ridge. I stood between my people and the guns, keeping them from the guns—I was nearer to the guns than most of the people—the crowd was not advancing towards the guns—they were as near the guns while on the road as when in the field. Was present at part of Father Walsh's evidence—I do not remember hearing Cat's Cove people call out to our crowd. Father Walsh left me before the fence was taken down, and had gone to where the guns were—the crowd had halted. After Father Walsh went to the Cat's Cove people, he beckoned to our crowd to come, and they came on; but they did not run. The guns were shown before. I do not know what occurred between Father Walsh and

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the Cat's Cove people—I saw one man jump over the fence, and raise his hand over Father Walsh's head—he did not strike him. I did not advise the man to tear down the fence—I said nothing about it. I advised them to go down by the land-wash—they said they would not, because they would be shot—I was directing the crowd up to that time—it was then time for every body to look out for himself, and get away. No gun had been fired, to my knowledge, before the fence was broken. After the people began going up the ridge, guns were fired—I was with them. There was a couple of powder-guns fired in Salmon Cove, on our way to Cat's Cove—I did not see the guns, nor don't know who fired them. I was a quarter-of-a-mile from Salmon Cove when I heard them—I know the difference of a powder-gun or shot-one, at the distance of a quarter-of-a-mile. I do not know that I heard more than two—there may have been more than two shots fired. John Keating and Maurice Wade came out from Cat's Cove to meet us. Keating was a supporter of Nowlan and Byrne, and Wade, as I understood, up to that morning, supported Hogsett and Furey—he afterwards voted for Nowlan and Byrne. They said to me and Father Walsh that it would be better for us to go back, as they thought harm would be done. I don't know what reply Father Walsh made—I do not know what the effect of Father Walsh's answer was, any more than that we would go to Cat's Cove—do not remember hearing the men say, to let the mob go back, and let Salmon Cove voters come on, and they would be allowed to vote—I cannot swear it was not said, but I did not hear it. Before coming in sight of the barricade, I met another man within about thirty yards of where we stopped—Thomas St. John—he told me I would not be allowed to go down to Cat's Cove—I told him that was not the way I treated him in Harbor Main the day of nomination—I can't help it, he said, if you persist in going down, there will be harm done—I cannot stop these men. I said I would go on. Father Walsh did not speak to St. John, to my knowledge, but said to me—“Come on.” At this time no guns had been fired. His (St. John's) countenance did not look as if he had come to be a peace-maker. The Cat's Cove people looked very much alarmed when our crowd came—there were about forty or fifty in the Cat's Cove crowd—men and boys, and some women, who gathered up stones in their aprons, and were making heaps of them to throw at us. Did not hear any thing of the Certificate of our return from Mr. Hogsett before Mr. Strapp gave it to us, and Mr. Hogsett had not advised or corresponded with me in the matter.

Q.—Are you aware of any letter being sent by the Constable of Cat's Cove, to Father Walsh, a day or two before the Polling?

A.—I saw a letter with Father Walsh, which, he told me, came from Cat's Cove—I was not with him when he received it—I was passing by the road shortly after, when I saw Father Walsh and the Constable who brought it—they did not send for me—they read it aloud to me and those who were present—Mr. Strapp and the two Constables. The Cat's Cove Constable asked for an answer—I cannot say what answer Father Walsh gave—I did not hear it, to my knowledge. Father Walsh did not abuse the Constables in my presence, or any one else—I did not either. I said nothing to the Constable that brought the letter—did not know of any mob going round from Harbor Main.

The evening before the Election, I addressed people at Harbor Main. I addressed people at Harbor Main some days before the election—about a fortnight before, I think. I don't remember addressing any crowd after that, except nomination day. I addressed them on nomination day. I don't know that Michael Keating, John Meaney and George Furey, either by themselves or with others, called at the

Harbor Main Election.

houses of Byrne and Nowlan's supporters in Harbor Main, at any time previous to the election. Don't think that Nowlan and Byrne had more than half a dozen in Harbor Main, supporters at any time. Hogsett and myself went to Holyrood, a few days before the election—I did not go the day before—I do not know that Mr. Hogsett went there the day of election. I can't tell where our mob was organized at Holyrood to go to Lance Cove and Kelligrews—I am not aware that any mob went from Holyrood to Lance Cove. I heard Mr. Hackett say that the Poll-books were taken from the Returning Officer at Topsail—one of the Poll-books was thrown into my house—it was sent over to Mr. Strapp's next day—the other Poll-book did not come into my possession—it was the Lance Cove Poll-book which was thrown into my house. Tom St. John and I met at John McGee's, at Salmon Cove, when he asked me to take a glass of stuff, which I took. We did not stop there more than four or five minutes—I told him I was going down to Cat's Cove then. This was the first week in April. I do not know that at this time Father Walsh had announced his intention of going down to Cat's Cove. Thomas St. John lives at Cat's Cove. I heard a noise outside my house and went out. I heard some boys shouting and hooting Mr. Nowlan and some friends on Sunday evening, when he was passing through Harbor Main—I did not see Nowlan there—there were men coming along after the boys. I saw Stephen Strapp knocked down—his coat was off and on the ground, when he was knocked down—a chap named Lachur did it—I do not know that he was in any house previous to that. I know Nowlan and his friends were in Salmon Cove. I did not know they were coming back to Harbor Main. Saw Edward Lahey in Harbor Main—the three Laheys were not in my house for some time before the mob were shooting at Nowlan and his friends. I had not seen the Laheys shortly before Nowlan and his friends came to Harbor Main—do not know whether I had seen them that day. The only orders I gave the people at Harbor Main and elsewhere were to keep the peace and use no violence, either in words or otherwise. Don't recollect what Thomas St. John said when he passed me by on the road. It was the Salmon Cove voters who broke down the fence—it was mostly Salmon Cove voters who were in the field.

Was present when Mr. Simms arrived in Harbor Main—he had twenty-five or thirty soldiers. When landed, he went to Mr. Strapp's house, accompanied by Major Grant—the soldiers were standing about twenty-five or thirty yards from Strapp's door—none round the door—was present when Simms said “You will come on board the steamer with me and make your return—if you can't do it there, you can go to Harbor Grace, where protection will be afforded to make it according to law.” Major Grant was present. Mr. Strapp refused to go on board the steamer—he and Mr. Simms came out of a small room adjoining the parlour. Mr. Strapp did not then declare Byrne and Nowlan returned, neither did he sign any document in presence of any person at that time. In the parlour the persons present were—Mr. Strapp, Major Grant, Father Walsh, Mr. Lilly and myself. Mr. Strapp appeared frightened very much—he did not then declare any person returned, or sign any document—the doors was closed while he was in the small room—they remained there, the last time, about five or seven minutes. Mr. Simms appeared very angry that day—he did not look frightened. Don't know why Mr. Strapp was frightened, unless it was the presence of Mr. Simms and the soldiers, with guns and bayonets—saw the soldiers when they landed—I was on the street—little boys accompanied them through the street for a short time—they landed at Strapp's wharf.

Q.—Was it not, or might it not have been from fear of after consequences to himself and property, for doing his duty according to Mr. Simms's directions?

Harbor Main Election.

A.—I do not think so—he had no cause, and no reasons for fearing any thing from the people of Harbor Main.

Q.—Was not his house pulled down?

(Question objected to by Mr. Hogsett—objection overruled by Chairman.)

A.—Mr. Strapp's house has been seriously damaged since Mr. Simms was there—cannot say whether by supporters of Hogsett and Furey—was in St. John's at the time.

Some time after Mr. Simms went in I went in. Father Walsh was there—he was standing in Strapp's parlour—heard nothing that passed in the small room between Mr. Simms and Mr. Strapp—no document was produced by Strapp when they came out, or no talk of signing, in my presence. Strapp did not say he was on the point of declaring Byrne and Nowlan returned—did not hear Father Walsh use the expression to Strapp—"Mind I will not guarantee," or any thing of that kind—he did not ask Father Walsh's protection. Strapp said to Father Walsh—"My windows have been broken—you promised to protect me." Father Walsh said he would protect him, but he could not do so when he was in bed, as his windows were then broken. Nothing further was said between them—nothing was said in regard of protection on account of return of members—no consultation, in my presence, about Hogsett and Furey being returned, with the exception of what I have told. Any thing that took place between Mr. Simms, Father Walsh and Mr. Strapp was before I went in. I went in to see what was going on—did not interfere—I never spoke a word to any one—I did not send for Father Walsh to go to Mr. Strapp's house, when I found that Mr. Simms and soldiers had arrived—I do not know who sent for him. My object in going there was to see what was doing. Major Grant did not speak while I was in the room.

CHARLES FUREY.

GEORGE JAMES HOGSETT—*Cross-examination continued.*—At Mr. Strapp's house, I think I suggested the mode of making up the return for Hogsett and Furey—it was after Tom Strapp left Harbor Main for the Cat's Cove and Collier's Poll-books—some four or five hours. It was in Father Walsh's parlour Mr. Strapp said he would declare us returned on the following morning.

Q.—This was on the evening of the same day Mr. Strapp had asked you to allow Father Walsh to see him?

A.—On that day Father Walsh said he would be glad to see any of his neighbours, and I delivered him (Strapp) that message in the course of the day.

Do not know if it was at his own house or in the street. I did not, when he asked to see Father Walsh, threaten he had better see Father Walsh—I did not induce him to see Father

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Walsh. I consider James Hackett of Topsail and Ezekiel partizans of Nowlan and Byrne—Ezekiel told me that if he voted for me, he would lose his Poll Clerk-ship. Gorman was a supporter of Hogsett and Furey, and canvassed for them. I never saw either of the Hacketts canvassing for Nowlan and Byrne. Father Walsh told Strapp, if he was satisfied that Hogsett and Furey were returned, to do so—if not, to do his duty, whatever it was. I wrote the Certificate, which Strapp signed, in Father Walsh's parlour that night, and at the request of the Returning Officer. Next morning I went to him with the Certificate. I gave Strapp a written document that I considered the act was a legal one. Mr. Strapp expressed no doubts to me after I said I considered the act was a legal one—the following is a copy:—

“ I, George J. Hogsett, hereby undertake to protect Mr. Strapp, Returning Officer for
“ the Southern Division of Conception Bay, in the discharge of his duty in legally declaring
“ the Polls for the said Election.

“ Harbor Main, May 4, 1861.

“ GEO. JAS. HOGSETT.”

“ Witness—Edward Brennan.”

I believe if Mr. Strapp acted the part of an honest man his house would be standing now—I never saw any disposition to molest the property or person of Mr. Strapp, while in Harbor Main. A window was broken while I was there, by some boys—I consider by his dishonesty, his putting his name to a memorandum, after declaring Hogsett and Furey returned, and to the representation that I have been told he made to the Government. I went to Harbor Main the day before the election—had a meeting there. All the Holyrood people are supporters of mine. I told them there were more coming from Brigus on the part of Nowlan and Byrne; also more from St. John's to the South Shore, and that I would like that a few of the Holyrood single men would go down, and see that Hogsett and Furey should have fair play. In Lance Cove I had a promise of twenty votes—I do not know the names of any but George Kelly and Walsh. George Kelly voted for me—Walsh did not. I had a revolver with me. After nomination day, going down to Kelligrews, when I was followed by some of Nowlan's supporters for half-a-mile, by some twenty men, my companions, Kennedy and Kelly, took pickets out of the fence to protect me. I did not carry a revolver during my canvass. I might have carried a revolver after the nomination day, when Kennedy, Kelly and myself were attacked. Long before that I got a revolver from Mr. Toussaint, and carried it occasionally. I knew one of the twenty men, Tilly, by his voice—he was a tall man. I did not insult the religious feelings of the Kelligrews people at the hustings at Harbor Main. I said Harbor Main was a Catholic District, and Nowlan and Byrne depended on the assistance of two hundred Protestant votes, with the minority of some Catholic votes, for their return. The memorandum on the back of the writ is in the hand-writing of Charles Simms. There was no Court of Revision in Harbor Main.

GEO. JAS. HOGSETT.

(The case of the Petitioners—Messrs. Hogsett and Furey—was then declared by Mr Hogsett to be closed.)

Harbor Main Election.

COMMITTEE ROOM,
House of Assembly,
June 13, 1861. }

P R E S E N T :

MR. RENDELL, *Chairman*,

“ WHITEWAY,

“ WALBANK,

“ KNIGHT,

“ McGRATH,

“ FLOOD,

“ PROWSE.

PHILIP MAHONEY sworn and examined.—I belong to Cat's Cove—a voter there, in the District of Harbor Main—I am a planter there. Before the day of polling, I heard of a mob coming. On the morning of the Polling-day I heard guns in the direction of Harbor Main, the first we heard was between three and four in the morning—after that we heard them handier to us—we took them to be in Salmon Cove. About six or seven o'clock we heard guns at Salmon Cove. I was at work at the time we heard the guns. We went up—fifteen or sixteen of us collected together. We expected there was a mob coming from Harbor Main—we sent a man up on the hill, to see if there was any sign of their coming, he was not long gone when he returned to us—Maurice Wade and John Keating were then sent to meet the mob. Keating was a supporter of Nowlan and Byrne, and Wade a supporter of Hogsett and Furey at that time. I, with others, sent these two men on the road, to advise them not to come on to Cat's Cove, but to go back. I myself did not direct them at that time. About twenty-five or thirty minutes after we sent the two men, we saw the mob coming round the head, on the Cat's Cove road from Harbor Main—we moved down towards my field, two or three hundred yards from where we were. We got a few flake beams, and laid them across the road, from one fence to another. The mob was in sight then—they came on—we went into the meadow when we saw such a large body of people—not less than three hundred men, I should say—and we such a small number—between forty and fifty. I made an offer to go down to stop them, when a man tapped me on the shoulder and said—“Let me go.” This was Tom St. John. Tom St. John went on to the Harbor Main mob—went through them until he got out of my sight. Tom St. John did not come back until all the people were dispersed and all the row over. Not long after this they stopped within about forty or fifty yards of our party. Father Walsh left their mob then. Can't say he was at the head of them—can't say that I knew one man in the mob—they were at such a distance, and the confusion was so great. Father Walsh came to our party, when two or three went to speak to him—stooping under the barricade or longers, two or three of our party were speaking to him. I did not hear what they said. When I saw he was not giving much heed to them, I went and spoke to Father Walsh myself. I told him to turn his mob back, and bring his Salmon Cove voters a head. He told me we were going to have no noise, but all quietness. I asked him what did he want of such a mob or community of people coming there so early in the morning, and the Poll not opened? He said—“Let the people alone—they will

Harbor Main Election.

“come on, and we will have peace and quietness”—I said—“Your Reverence—they won’t be let—you had better turn the mob back.” He said—“You ask what I want a community of people here for—what did you want of such a mob at Harbor Main at the last Election?” I said in reply—“It was the man that is coming before us now (Charles Furey) that sent for us then—we have no noise.” Father Walsh, waving a little stick he had in his hand, said to the Harbor Main mob—“Come on, come on.” I can’t give account of what others said—there was such a confusion—I had not my wits about me—we were so frightened, expecting our houses and premises to be torn down. When Father Walsh said—“Come on,” the crowd made an attempt to come on—stones began to come from both parties. I heard no gun fire up to this time. The Harbor Main mob turned round and tore a fence down, to mount the hill to surround us—a great many of the mob—I dare say one hundred men—went into the field where they threw the fence down, and made up the hill—they were throwing stones—can’t say which party threw the most stones. I did not stir from my own ground, where I was. The guns were fired after they took to the hill, and had got well up the hill, to the back of the Cat’s Cove people. The row lasted some fifteen or twenty minutes, more or less. After that the Harbor Main men went back, and we Cat’s Cove people went and gave our votes. I went to my work, and did not see five men together for the day after. Any man might have gone to the Poll-booth and voted. I saw two men belonging to Salmon Cove, Gaster’s, one named John Sevier, to whom I spoke, the other I don’t know, in Cat’s Cove, when I was coming from the Poll, between nine and ten. Nothing, that I saw prevented their going to the Poll-booth. It was near my place, about thirty yards from the house, that the row took place, about half-a-mile from the Poll-booth.

Cross-examined.—I was building a new boat last winter—I was supplied by Mr. M. Nowlan of St. John’s—I am supplied by Mr. M. Nowlan for the summer. I saw Sevier a long way below where the row took place. When I went to the Polling-booth there was no crowd there. I swear I had no gun—on my oath I had none. I saw no guns in the possession of our crowd at the time the men were sent—saw guns in the hands of our people afterwards. I did not see anything containing powder or shot there—I saw the guns, but did not try whether they were loaded or not—I saw no guns in the hands of the Harbor Main mob. I did not see any stones thrown or property injured, up to the time that the Harbor Main mob halted—I can’t say which party threw the first stone—I cannot give the name of any man in the Harbor Main party who threw a stone. I know the Harbor Main men well, a good deal of them. I was in the Cat’s Cove party when stones were thrown—I did not throw any myself. I heard a report of the guns, but can’t give any account where they were fired. I was standing in my own meadow, my elbow leaning on my upper fence, after the first report of the guns. I seen neither gun after the first firing. After I heard the first guns, some of the Cat’s Cove people left the meadow, and went to follow the Harbor Main people, coming up through the meadow. I did not see any house injured—I was too far from the house that was injured, to see it. There was a house injured—I don’t know by whom. I did not help to put the barricade across the road—don’t know who did it. There were four or five small flake beams put across the road—there was no other road by which the Salmon Cove voters could get to the Cat’s Cove Polling-booth. I was at old Mr. St. John’s that morning—I took a glass of rum there, and then I came home. I have four brothers. Michael Mahoney, my brother, was a supporter of Hogsett and Furey. Mr. Nowlan was in Cat’s Cove on the day of polling. Don’t know if Michael voted for Byrne and Nowlan. I had it from Maurice Wade, on the morning of polling, when he said that he would go to meet the Harbor Main mob, that he was a supporter of Hogsett

Harbor Main Election.

and Furey. There is only one Maurice Wade, householder, in Cat's Cove. Can't tell how long young John St. John's has been a householder, nor how long he has been married. John Wade lives in a house of his own, as far as I know. I saw no persons that were shot in Cat's Cove that day—did not go up that day—was not in old St. John's, or Tom St. John's, the night before the polling. Saw Mr. Patrick Nowlan, and two or three others like him, going towards Collier's on the evening of polling. I did not canvass for Byrne and Nowlan. When I was speaking to Father Walsh, my brother Maurice was standing by—there were others present, but I cannot name them. There were women in our gang—can't say how many. The women were not making heaps of stones. I did not see Mr. Charles Furey there—have known him since a boy. Mr. Furey has relations in Cat's Cove and Bacon Cove, I believe. I had no hand in firing the guns or throwing stones, or any of the rioting. When the men left to follow the Harbor Main men, I did not follow with them.

Re-examined.—Maurice Wade said, as he was of Hogsett and Furey's side, another man "should go with him. Maurice Wade, on his return, said—"They are coming—we must try to keep them back." The people said—"Won't they go back?" He said—"No, they wont—we must try to keep them back, and I will join my own harbor."

his
PHILIP ✕ MAHONEY.
mark.

COMMITTEE ROOM,
House of Assembly, }
June 15, 1861. }

P R E S E N T :

MR. RENDELL, *Chairman*,
" PROWSE,
" KNIGHT,
" WHITEWAY,
" FLOOD,
" McGRATH.

THOMAS ST. JOHN examined—Resident and voter at Cat's Cove—forty-one years resident there. I was a supporter of Byrne and Nowlan at the late election—all the Cat's Cove people supported them. Before the day of polling, there were some who did not promise Nowlan and Byrne their votes. Knows Maurice Wade and Michael Mahoney. Before the day of polling those two were supporters of Hogsett and Furey. On the day of polling, in the morning, as we stood on the cross formed by the main line and the local road, these two men walked up to us, and in amongst us. We told them to go join their own party, the

Harbor Main Election.

Harbor Main men—we did not want them there—they said they would not. (Here Mr. Hogsett, objected to hearsay evidence, on which the Committee-Room was cleared of strangers, and the Committee decided as follows:—“that any observations made directly to the witness by Wade and Mahoney may be taken down.”

Mr. Hogsett then handed in the following Protest:—“The Committee having decided “that any observations made directly to the witness, Thomas St. John, under examination, “by Wade and Mahoney, can be admitted, I must protest to this, as on the first day of “meeting it was solemnly declared by the Committee, that no hearsay evidence should be “admitted, which it clearly is.

“June 15, 1861.

“GEO. JAS. HOGSETT.”)

THOMAS ST. JOHN'S examination continued.—We appointed two men then to go and meet Father Walsh and the Harbor Main mob, Maurice Wade and John Keating—John Keating was a supporter of Byrne and Nowlan. We appointed them to go, deliver a message to Father Walsh, to call out his voters and bring them on, and stop the mob. They went—returned in not much over ten minutes. Wade and told us they delivered the message. When they came back they said—“Run, run, or you will be killed.” We said we would not—we would stand and protect our lives and property. The Harbor Main mob were coming on, at this time, near us—they were such a large mob, between three hundred and fifty and four hundred, and we so small, about fifty men—we were terrified. Philip Mahoney said he would go, meet them, to try and arrange with them to stop the mob and call out the voters. I told him I would go—I went and met them. I begged Father Walsh, for the honor of God, to stop his mob, and call out his voters and send them down to the Poll-booth. He said he would not. Father Walsh and Mr. Furey were at the head of the mob. I spoke to him—he (Furey) said he would give me his hand and word that there would not be a word—I said I would not take it. I passed on towards my own house, away from the Poll-booth and from the Cat's Cove party, and passed through the Harbor Main mob, begging, as I went, for God's sake to call their voters out and let the mob go back. Some of them said—“No—we will go on—don't spare them—trample over them.” Then I met long Joe Penney—I begged him to go back. He asked me were there any guns—I said there were. He asked me how many—I told him I did not know—there might be twenty. I did not know how many guns were there. Joe Penney said—“We will “go back, and we will bring two hundred St. John's men to ye. “It is,” said he “the “worst job ever happened to ye; and we will go back and bring our guns.” With that the Harbor Main mob split. About one hundred men joined Joe Penney, and went towards Harbor Main, twenty-five or thirty feet. When they seen the mob was splitting, beckoned, and told them to come on. In about a minute after, I saw the fences tearing down, the Harbor Main mob saying—“Surround them.” I saw the men run up the hill, getting round the back of the Cat's Cove men. It was not long when I heard a shot fired. I know it was not to stop the voters—it was to stop the mob, the Cat's Cove people stopped them. The voters might go down freely. As soon as the gun fired I ran—I was with the Harbor Main men at this time. I ran to the South-west, towards my own house, to hide myself—I hid myself between a house and store belonging to Tom Larasey, a good deal further away from my own people than the Harbor Main men were. I saw no stones thrown—my back was towards my own people. I remained between the house and store until the row was over. After the row was over I went to the Poll-booth, and all the Cat's Cove people that were there went on then. I gave my vote. Wade said if he promised Furey and Hogsett

Harbor Main Election.

a vote, he was not going to fight against his own harbor. This was before the row commenced—there was no row up to the time I was speaking to Penney. I sent a written message to Father Walsh. I gave it to Daniel O'Connell, Constable. Edward Ryan, Maurice Mahoney, Thomas Connell, Thomas Fahey and James Buck were parties to the letter, as well as myself. The threats we heard from Harbor Main, of a mob coming, induced us to send this note. Michael Walsh of Harbor Main told us that there was a mob coming. No answer came back to our letter, from Father Walsh. I did not hear a gun that morning before the row. I saw Father Walsh amongst the Cat's Cove men—I saw him do nothing while there. At the time the two mobs separated, I did not see Father Walsh do any thing—my back was to him. I heard a man say—"Tear down the fence, and surround them." The first man I saw put a hand to it was William Furey, who is now in the Hospital. They made two gaps—fifty or sixty, at the lowest, went through the gap where I was—can't tell how many went through the other—I could not see them. After the row was over, every person voted and returned to their homes—no hindrance, from that time till four o'clock, for them to go in and vote. I met Mr. Charles Furey before nomination day, and spoke of the elections. He asked me if he would want to go to Cat's Cove on the day of polling—I said I did not know. He said he would wish to be in Kelligrews, but if he thought his voters would be stopped, he would go to Cat's Cove. I told him there was not the slightest danger. "Will you promise me that?" said he. I said I would—"I will give you my hand and word they won't be stopped." I asked him would they allow our voters to go in at Harbor Main and Holyrood and vote—he said—Yes, he would give me his hand and word that no intimidation would be used. We decided upon that. Two days before the nomination I met Harry Cullen, a servant of Father Walsh's, and Maurice Wade and James Wade and Michael Mahoney joined us. Just after, Wade said that I said that I would not allow any voters to vote at Cat's Cove Booth—he said this in the presence of Father Walsh. I told James Wade, he was a liar—I never made use of any such words. I heard John Murray, before the nomination or polling day, say that they would, on the day of polling, take their guns, and take to the skirt—he was a supporter of Hogsett and Furey's.

Cross-examined.—I am a relation of Mr. Nowlan's—first and second cousins. I took an interest in his election—did not canvass, nor asked a single vote for him. I was at the Salmon Cove meeting—I believe Mr. Hackett was there—don't know who he went with—he was amongst our crowd. There was a man by the name of O'Donnell, and he made a fine speech. At the time I spoke to Father Walsh, he was close to the crowd. There was a stick across the street—more than one—don't know how many. There was no other road by which the voters could go to the Booth but this. When I went through the Harbor Main mob I was not insulted by any one. Saw no weapons in their hands, stick or stones. I saw no guns in the hands of the Cat's Cove people when I left them—saw no guns on the ground. I saw guns on the ground in the morning, before that, but not in that place—up at the cross, on the ground, about three or four hundred yards from where the Cat's Cove people stood.

Q.—Did you not say that when you left to go and see Father Walsh, as a peace-maker, the Cat's Cove people were standing in that locality?

A.—I did not say it—there are not two cross roads—what I described in my examination-in-chief—it is this cross road I mean. It was about eight minutes before eight I saw the guns deposited there. When I was speaking to Father Walsh I had my back to the Cat's

Harbor Main Election.

Cove crowd—they may have guns—I saw none. I saw the two gaps after the row was over. I saw one of them tore down myself, the other I did not. None of the guns I saw at the gap were mine, to my knowledge. I don't know who deposited the guns—I did not. I was not in Michael Mahoney's house on the day of polling or the day before. There are two John St. Johns in Cat's Cove who are men—my father and brother—my brother John has occupied a house going on three or four years. This brother is the latest that is a householder. My father has two sons living with him, James and Patrick—they did not vote. My father did—so did John. There is no other John St. John, besides my father and brother, that I know, having a vote, in Cat's Cove. I saw no persons put the sticks across the road, nor deposit the guns—can't name one man. This barricade, from the cross, was over two hundred yards away, I think—I can't exactly say.

Re-examined.—The time I said we were on the cross, was when Wade and Mahoney came amongst us.

his
THOMAS X ST. JOHN.
mark.

The Chairman read a letter with enclosure, addressed to him by William Holden of Harbor Main, also a letter from Henry Westerman of Holyrood, both summoned as witnesses on the part of the Petitioners, Messrs. Nowlan and Byrne.*

HARBOR MAIN, June 12, 1861.

* SPEPHEN RENDELL, Esq.,
Chairman of the Election Committee,
St. John's.

SIR,—With all due respect to you and all the Members of your Committee, having received a Summons to attend before your Committee, to give evidence on the Harbor Main Election, I respectfully beg leave to decline doing so, as others who have been summoned as well as myself are threatened, life and property—and by the inclosed letter of threat; you and your Committee will, I hope, exonerate me of any disrespect towards you or those claiming to be seated.

I remain, Sir,

Your obedient Servant,

WILLIAM HOLDEN.

Holden, I think you ought to make much of your time in Harbor Main now, for I think you have not long to live there. Another thing, you won't have any thing to live in, for before two months is at an end, you will not have a stick or a stump in Harbor Main. You bloody informer—you bugger, it was you who informed on the liberal men that hauled down Strapp's house, although the Harbor Main people did not hear it yet; but they will not be long so, for it will be proved before this day week. Ah, Holden! I would not be in your place for a 10,000 pounds. You are nearly as bad as that murderer Nolan—You are after depriving them men of their summer's earnings for their poor families. What will the Harbor Main people say when they will hear that? Oh, Holden! God forgive you, Tory Rascal of Hell. There is no one to be pitied as your "*liberal wife,*" and that she is to the back bone, and her house full of children. Oh! God help you, you foolish man.

Holden, before two weeks is at an end, your house and all in it will be no more. You Tory vagabond—you informer on rum and men.

Now, Mr. Holden, a few words with you. I send you this letter, to inform you that you ought never be tired giving thanks to God for preserving you from our clutches when you were in St. John's last week. We were looking for you when you were here, but we could not make you out; but as sure as God is in Heaven, if we had happened to catch you, you would never go home alive, you *two-faced Tory w—e-son*. We were not told where you resided until you were gone. If we knew you were at Walsh's house, we would not leave a stick of it standing, you bloody Nolan supporter. You tried *underhand*, with your sneaking

Harbor Main Election.

COMMITTEE ROOM,
House of Assembly,
June 17, 1861. }

P R E S E N T :

MR. RENDELL, *Chairman,*

“ McGRATH,

“ KNIGHT,

“ PROWSE,

“ WHITEWAY.

EDWARD O'BRIEN sworn and examined.—Resides on the North-side of Salmon Cove. I am a voter for the District of Harbor Main, and entitled to vote at Cat's Cove, by Proclamation. I voted for Byrne and Nowlan. On the Polling-day, when I got up in the morning, I heard a cannon firing at Harbor Main—either two or three cannon. I walked a piece of the road towards Salmon Cove, and came back again to my own house. I remained about my place for an hour. I heard some guns then fire at Salmon Cove—I ate part of my breakfast, and left my house—I was afraid of being pinned there by the Harbor Main mob—that was about a quarter of seven. When I left my own house, I walked over as far as Cat's Cove. I saw about twenty or thirty men there. Having ascertained that the Booth was not open at Cat's Cove, I walked back a piece towards my own house. I met Richard Walsh, Check Clerk, going to Cat's Cove—he was on his way from Harbor Main. I went back to Cat's Cove, as far as the cross—there I saw Maurice Wade and

ways, to get him in, you scamp. Only for you were afraid to do it in noon-day, you would speak for Nolan and Byrne on the hustings. You bloody informer, you went and signed a number of names to a petition, and sent it to Byrne, the “old humbug,” to come and oppose Furey, but we know the reason—you were opposed to Furey because he had a shop in opposition to you, and was beginning to take a *little* of the call from you. That is the reason, you big belly tory brute, it is in you, only you are afraid to show it, and it is fear for you. Do you mind the time you informed on the poor people that had not *licence* for selling rum, you selfish tory. Ah! Holden, my boy, if you don't mind yourself, you will rue the day. Faith, if we ever get hold of you in St. John's again, you will never get the better of it. We know where you stop now. You were afraid to stop at Mrs. Bennan's. I don't think you stirred out, on the time you were here. You tory villain, if you meddle or go against a liberal Candidate again, we will not wait to catch you here, the distance is not far to you to Harbor Main. It was you, you cursed informer, that wrote a list of the names of the men, and got them taken, that tore down Strapp's house, although there is not many know it, you villain; but we never intend to make it public, you Nolan bigot.

HOLYROOD, 11th June, 1861.

STEPHEN RENDELL, Esq., M. H. A.,
Chairman of Election Committee.

SIR,—Your note of the 8th, I have received on the 10th, requiring me to appear before a Select Committee of the House of Assembly, on Thursday the 13th instant. In reply, I can only say I gave my vote to Messrs. Hogsett and Furey freely, and without coercion or intimidation of any kind whatever, used towards me. That is all the evidence that I can give in the matter. I would gladly have gone over to St. John's myself, but am unable to walk since I hurt one of my legs but lately. I have tried to get a cart, but could not obtain one in this harbor at this busy season. Hoping that this will be deemed a sufficient apology for my non-attendance,

I remain, Sir,

Your humble Servant,

HENRY WESTERMAN.

Harbor Main Election.

Michael Mahoney—they said to the people on the cross that the mob was coming from Harbor Main—they were after seeing them coming. Then I heard the Cat's Cove people telling them to go away and vote for Hogsett and Furey—they said they would not—they would not join the Harbor Main mob to beat down their own harbor. (This evidence objected to by Mr. Hogsett.) The Cat's Cove men told Maurice Wade and John Keating to go on and meet the Harbor Main mob, and make them this offer, that they were satisfied to let the voters go in peaceably—the Salmon Cove voters. These men did not go at once; so I went and took Maurice by the shoulder, and said—"If you are going, go at once." So he and Keating went. The Cat's Cove people walked down the Harbor, until they got to Philip Mahoney's ground—there they stopped until they saw Maurice Wade and John Keating come back—the Harbor Main mob was coming after them, very smart, at the same time. So Maurice Wade and John Keating took a short cut and came up to us in a terrible state of fright, and said "Run, run, or you will be killed—they say not to spare man, woman or child." They came on, and Tom St. John went on to meet the mob—don't know what passed between them—they made no stop as I saw—they came within about seventy yards of where the Cat's Cove people were—they stopped and Father Walsh came ahead. Father Walsh came up to where I was standing—I laid my hand on his left shoulder—I begged him, for God's sake, to go back and pick out his Salmon Cove voters, and drive back his mob; and to bring on his voters and that no man would molest them. He made no answer. I heard ten men ask him, at the same time, for God's sake to do so. I heard Father Walsh then say he would give his word that they would go down peaceably. I asked him, would they come back peaceably? He said he could not tell that. The remark I made to Father Walsh was—"That alters the question altogether." I asked him then—"What brought that mob here to-day?" "So," I said "ne'er a one of you have given your vote in Harbor Main to-day, before you left—you have no vote in this Booth." He made the reply—"What brought the Cat's Cove people to Harbor Main the last election?" I asked him—"Are you going to put yourself on a level with them?" He made no reply. I then left him—I wheeled away from him—I turned myself towards the Harbor Main mob—I saw the most part of them going back. Father Walsh walked along by me, just out clear of us. He says to the Harbor Main mob, waving a small stick he had in his hand, "Come on, come on." So they turned and came on. The fore-part of the mob had not turned at this time. As soon as the party that had turned came back to the party who had not turned, about sixty of the mob moved ahead, and came to a full stand, and then the rest broke Buck's fence and came in. The first thing they did in the field was to take up rocks. At the same time another gang broke in about sixty yards to the South-west, and in about half a minute another gang broke in to the South-west of John Buck's house. They all proceeded up the hill to get to our back. I saw about twenty men (Cat's Cove men) face up the hill—then I saw parties heaving rocks at one another—the rocks from both sides fell like hail. The Harbor Main party were pretty well square up with our party, when I heard a gun fire—in about a minute after I heard another. I could not tell which party fired, as they were up over me. After the second or third gun was fired I saw a man run—after he ran a piece he sat down—a great many others ran at the same time. I then said to Father Walsh—"For God's sake, go and make peace—draw back the mob and don't let any more "murder be committed." He said to me—"I will not." Just before I saw the man fall, I saw the Harbor Main mob that was on the road make a bolt to go ahead—they were attacked by rocks from the Cat's Cove people, and the Harbor Main people threw rocks at the same time. Against that time the Harbor Main people were retreating. I could not distinguish between the two mobs, while in Buck's meadow—one single man from another. I saw Michael Costello throw stones—he is a Salmon Cove man—he has not occupied a

Harbor Main Election.

house since a few days after his wife died—she has been dead over a twelve-month—since her death he has lived with his brother Martin. I then saw Jim St. John and William Walsh and some other parties with him. I saw James Flaraty heave a stone at Jim St. John—he stooped nearly to the ground to escape it. Flaraty ran to the drain and picked up another rock, which he had his hand on—I saw Jim St. John then run and strike Flaraty and knock him down. I saw John Sevier, a Gaster man, then heave a rock at Jim St. John—Jim St. John fell on the ground—I don't know if the rock struck him—saw Flaraty running and throwing rocks as he went. I started from where I was and went after them, to go to my own house before the Harbor Main mob would get to it. As I walked I met a man by the name of Edward Walsh—he looked frightened—a man had hold of him. I took him by the left arm and placed him before me, he being a guard to me in front, and I a guard to him in rear. I proceeded, keeping him before. I took him to prevent him being hurt. I then came up with Jim St. John and passed him. I had passed him about five yards when a gun was fired to the South West of me, not handier than eight yards—I proceeded a little further, when I turned back, with James St. John on the Cat's Cove road, to where the others were standing—saw no more row after that. I saw Charles Furey, the Candidate, standing in front of the Harbor Main mob—can't say I saw him in the field. After about ten minutes I went towards Trahey's house. When I came to it I saw all the windows broken, and about ninety yards of picket fence levelled down. I walked round the house and walked towards where George Furey was. I saw Jim Flaraty, who said to me you w——e's son, I will have your life the first place I catch you. I asked him, for what? He made no reply, but stooped down for a rock. I went backwards, away from him, fearing he would strike me. I walked down, and went and voted. I came up again—I met John Sevier—he asked me to go down the harbor with him, after Father Walsh. I told him he wanted no person to go with him, he would not be molested—I told him he could go, give his vote. I met Flaraty after coming up the road. At the request of Flaraty I went to get a boat to bring William Furey across the harbor, as he would be shaken in a cart. I went to Jim St. John for the boat—I sent a man to get her. James Flaraty is a brother-in-law of Mr. Charles Furey's. The distance from where the row took place is about a mile from the Booth. Jim Flaraty is not a voter—there is no other James Flaraty there. I saw no row for the remainder of the day—the people dispersed. I found, when I got home, the print of rocks in my house. The windows were not smashed. I left my house that night with my family, and stopped away for three nights—used to come back in the day time—it was not injured. I heard Father Walsh abuse Byrne and Nowlan's voters, several times, in a disgraceful manner. Mr. Furey came into my house and asked me for my vote. I asked him how he got on that day canvassing. He told me he never got one, I think it was in Collier's. I said he could not expect my vote—that I told him before, if ever he joined Hogsett I would not vote for him. He said the Devil sweep you at last—he appeared to have a good drop in, and looked very vexed. He told me, if I would not vote for them, not to vote for any person, nor come to the nomination. I said I would go to nomination, and go as stiff as any man there. After this I advised with the Returning Officer to send for the soldiers—I was afraid there was something wrong working. He said there was no occasion, we would have peace. I went there—there was peace and quiet on both sides. I know Con Kennedy—he is a Holyrood man. I don't know who he voted for. He was in Hogsett and Furey's gang. From what Kennedy told me we were induced to send a letter to Father Walsh—I was a party to the letter, Tom St. John, James Buck also. We sent it by Daniel O'Connell, the Constable. Others said they were afraid to go with it. The Salmon Cove voters for Byrne and Nowlan went to Cat's Cove the night before the polling—can't say all went.

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Cross-examined.—I was a supporter of Byrne and Nowlan—I gave them my vote. I can't say I canvassed. I went to bed after eleven o'clock the night before the polling—no loaded guns in my house that night—no gun of any sort. I do not think I was at the cross the evening before. I saw Mr. Patrick Nowlan the evening before the polling in Mr. John St. John's house—I heard nothing about the preparation of guns by the Cat's Cove people that evening or before—I had not a gun in my hands for two months before the polling day. I walked amongst the Cat's Cove men that day—it must have been about eight o'clock—there was no longers or barricade up then—they were putting it up just as Maurice Wade and Jack Keating came back with the answer—it was the Cat's Cove people put it up. Saw no guns in the hands of the people—saw guns on the North West side of the Cat's Cove people—the guns could be seen from the road where the Harbor Main people stood—I would not say there were not ten guns—saw no powder or shot lying about, either before or during the row—saw no person load the guns—don't know to whom they belonged. I remained at St. John's, the night before, about an hour or two. The barricade was about four feet high—I would be able to jump over them—there were three or four—there were rails put across the road in more than one place—they were close together. There was no public road by which the voters could pass but the one on which the barricade was. The twenty men spoken of in my examination-in-chief, that left to go up the hill, can't say if they had guns. I did not see any man take up the guns from where they were deposited. There was no Cat's Cove man, or supporter of Byrne and Nowlan, wounded that day by a gun, as I heard of. When I passed James St. John, can't say whether, at that time, he had a gun or not. I saw Rochford, a Cat's Cove man, wounded with a stone that day—this was before any guns were fired. That's the only person I saw severely wounded. I did not go on the old road at all. Can't say which hove the first stone, the Cat's Cove or Harbor Main men. After the three guns were fired, Father Walsh stood by the whole time. From the time I first spoke to Father Walsh I did not stir from where I stood, further than eleven yards, till after all the guns but one were fired. I think there were between five and seven guns fired—not less than five nor more than seven—I include the one after I was walking down the road. I do not know if I saw the parties that broke Trahey's windows. I saw two or three marks on the shingles of my own house. When I returned to my house, each morning, I saw no damage done. During the time of the row, I did not see a gun in the hands of the Harbor Main people—they could have guns unknown to me. I did not see George Furey, to my knowledge, during the time. I saw William Furey—I saw him running.

Q.—At the time you saw Sevier, was William Furey taken from Buck's house?

A.—He was not—I did not see the boat in which William Furey was starting. Father Walsh was in Cat's Cove when I saw Sevier. I did not see Mr. Patrick Nowlan on the Polling-morning—he was in the Booth when I went to give my vote. I could not see James St. John when the last gun was fired in front, to the South-west of me—my back was towards him when the gun was fired on the road—never saw George Furey for that day. I seen the Returning Officer in his own house, when talking about the soldiers. On the day of polling, while speaking to Father Walsh, most all the Cat's Cove people were near us. I did not hold my hand over Father Walsh in a threatening way. Before the fence was broken down I seen stones thrown by the Harbor Main people. Some of the guns deposited upon the bank may have been put there before and after I came. I saw some deposited after I came—can't say by whom. I am now in prison.

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Re-examined.—I am not found guilty of any thing, and I am sure I shall not. I can swear downright, Jim St. John never fired a gun at George Furey, nor fired any gun during the row.

EDWARD O'BRIEN.

COMMITTEE ROOM,
House of Assembly,
June 18, 1861. }

P R E S E N T :

MR. RENDELL, *Chairman,*

“ KNIGHT,

“ McGRATH,

“ FLOOD,

“ PROWSE,

“ WHITEWAY.

JOHN WALTERS sworn and examined.—I live at Lance Cove—I am a voter and householder in the District of Harbor Main—I was going to vote for Byrne and Nowlan at the last election. I remember the Polling-day—I was on my way to the Polling-booth to vote for Byrne and Nowlan—I met the Holyrood mob—they were all strangers but two, whom I knew—Tim Rourke and John Austin. Tim Rourke, Michael Rourke, John Austin and several others of the mob said I should not go one foot farther—John Austin said if I did, he would smash my face with a stick. I remember no other threat at that time—I turned and went home. Austin said that no other person from Lance Cove should go to the Poll that day. I was not struck or jostled. I did not go to the Poll, because I was not allowed. Richard Porter was with me—he is a Lance Cove man and a Lance Cove voter. We two were hindered. Tim Rourke took Porter by the collar and was going to strike him. My wife said it was a shame to strike an old man, and they let him go. They said he should not go one step further to the Poll than he was—he also turned and went to his house. One of the two men said that there should not be one voter for Byrne and Nowlan go to the Poll that day. I was in Porter's house about an hour after this—some of the same mob, strangers to me, came into Porter's and took Jacob Butler and made him join with them, to give his vote to Mr. Hogsett—they took him out of the house—where they took him I don't know. Jacob Butler belongs to Seal Cove, in the District of Harbor Main—he is a householder and voter. The windows and glass in Porter's house were smashed in—can't tell who did it—they were strangers to me. Only we two were there. They came to my house—they done nothing to my house—they asked me to join them—I would not. They want-

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ed Nowlan's flag that was on my house, to tear it up—I would not give it—there were four men, strangers to me. About forty people were kept back by the Holyrood mob, from voting for Byrne and Nowlan—there are about forty voters between Kelligrews and Indian Pond.

Cross-examined.—I was paid nothing for coming here to-night—I am working about the streets—I was working under Mr. Byrne to get something to eat—I am about three weeks in Street-works, during which time I have been under Mr. Byrne. Mr. Byrne was a stranger to me—I was working with Mr. Allen—I never got work from Mr. Byrne until the last three weeks—I have no family—I am married. I live in Lance Cove for about seven years—I know Rourke and Austin for the whole time I have lived at Lance Cove. Rourke is almost a stranger to me, although I know him—I know the place where Rourke and Austin live. It was about eight o'clock when I met these men on the public road in Lance Cove—they took hold of Porter, not of me—they did not tear his clothes or strike him—they did not molest my wife. I was to give my vote at Mr. Kelly's—I was about one hundred and fifty yards from the Polling-booth—I could not see the booth from where I stood. I slept in Lance Cove that night. My house is on the road leading down to the Eastern end of Kelly's house. I was on the main road, after leaving my own road, when I met the mob. The men that met me were not drunk, neither boisterous nor kicking up a row—I was frightened when I saw them.

By Mr. Hogsett—Why were you frightened?

A.—I have no more to say.

By the Chairman—How much a day do you get from Mr. Byrne?

A.—I have no more to say.

Porter lives in Lance Cove—I met him on the road. Butler walked out after them—they did not lay hands on him or threaten him. I was not out of Lance Cove for that day. I was not in Indian Pond or Kelligrews that day. I did not see the forty voters kept back—I know I was kept back myself, and I allow there was forty more. I do not know what the meaning of the word "carried" is. To the best of my knowledge it is about three shillings a day I am getting from Mr. Byrne—I was paid last Saturday night fifteen shillings. I do not know how much the Saturday before—my wife got the worth of it in flour at Mr. McDougall's. I am certain that it was Rourke and Austin who spoke to me, and no mistake. I never got any pauper relief.

Re-examined.—In the town I am working for Mr. Byrne on the streets. I do not know every man from Indian Pond to Kelligrews—I don't know the names and faces of most of them. I know them by sight.

his

JOHN X WALTERS.

mark.

Harbor Main Election.

THOMAS DUNN sworn and examined.—Lives midway between Topsail and St. John's. I vote in the District of Harbor Main, in the Topsail Booth. I was at Kelligrews at the last election, on the day of polling—I was in company with James Cousins—we were going to give our votes for Byrne and Nowlan—we met a mob at the Poll-booth door—knew only one man in the crowd—the rest were strangers to me. I was going up to the door when one person said—"He is going to vote for Byrne and Nowlan—shove him back." I thought to persevere and seruge in—they would not allow me—a man caught me by the arm and asked me for whom I was going to vote—I told him I would not tell him, that was best known to myself. Some person sang out—"For Byrne, for Byrne." They shoved me away, turned my face towards the road and struck me on the ribs, the effects of which I feel yet. I have got three plasters on now—I am bad. After receiving the blow I went to Topsail. About one half to one quarter of a mile from the Poll-booth I met Patrick Daly and Patrick Grace of St. John's. After passing them, Grace ran after me, and tapped me on the shoulder. He asked me if I came from Kelligrews—I told him I did. He asked me how our side got on there—I told him I did not know his side. He then asked me where I was going—I said—"Home." He asked where I lived—I said—"On the road between Topsail and St. John's." Judging from his talk, he was not my friend—I made a run from him, just opposite the Poll-booth door. He ran after me and caught me at the porch door of the Topsail Poll-booth. I thought to get in, when a man by the name of John Droughnan came and assisted him. They hauled me out into the yard, when another man, a stranger, came with a big stick and threatened me. He swore by God, if I did not get out of that, he would have my life. Droughnan and Grace had hold of me by the collar—the man kicked me with his knees, and shoved me out to the road. I then ran away—it was time for me—I went then to a house in Topsail. Cousins did not get into either the Topsail or Kelligrews booth, to my knowledge. Cousins lives a short distance from Kelligrews brook, towards the Gullies—he is a householder and voter. I did not vote, because I was afraid to venture again. I know a man by the name of Neal that lived in Redmond Brian's house on the Topsail road. I heard his name was James—that man had not a house of his own at the time of the election—he was a servant to Mr. Brian—don't know if he voted or not—he was not with Mr. Brian this summer twelve-months—he was at Labrador. This last winter, and the winter before, he lived with Mr. Brian. Knows Michael Power of Horse Cove—this is the first winter he lived in his house—he went to live in his house last fall—he was on the Water Works last summer, and a servant with Redmond Brian before that. Knows a man by the name of Patrick Kennedy, of Topsail—he lives in a house that belonged to Mary Brian, a widow. Can't say how long he lived there—works with Mr. McDougall—knew Kennedy to live in the same house three years ago.

Cross-examined.—Power is a married man—can't say how long—he is two years—has one child able to walk. Power was living in Redmond Brian's house, as a servant, two years ago, at the same time with Neal. He lives on the Horse Cove road—he went to live there last fall—he built a house of his own. He lived with Redmond Brian, in the house Redmond Brian bought from Mr. Winton. Redmond Brian's family lived there some summers. Redmond Brian lives in St. John's in the winter—he has servants in his house at Topsail. I cannot swear that this man did not rent the house from Redmond Brian. I met Neal on the road, and he told me he did not know whether he would go to the Labrador or not this summer—Mr. Brian wanted him to ship, and he said he did not know whether he would or not. Can't say how long Neal is dead—he was not on the day of election—it is lately he died. I was brother-in-law of Mr. Byrne's, eighteen or twenty years. I canvassed a few hours of a day for Mr. Byrne. I have had strengthening plasters on before, but not from a

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stroke—I have only been able to load one half-load of manure. I went up to Kelligrews with my company, to get as many votes for my friends as I could. I could not tell how many were in it. There were some men from about St. John's and some from St. John's, for Byrne and Nowlan. I saw them going, the morning before the election—I should say, about forty. Did not see any Brigus men at Kelligrews, to my knowledge. Can't tell with what I got the stroke—I did not take my morning—I took one glass of rum. I do not know who struck me. No one went with me from Kelligrews to Topsail—I went alone—I went into Mrs. Tobin's, to know if there was any damage in Topsail—I took one glass of gin. I saw no force or violence on the road—met some persons. I felt the pain at the time I got to Topsail. I went into the house of one George Smith, the windows of which were broken—I got no liquors at that house. Droughnan and Grace did not hurt me—the other man threatened me a good deal. I slept at Mr. Squire's that night. I went to bed sober that night—I took two tumblers of punch and said my prayers. I did not take any thing after I was turned away from the Polling-booth. I was going to Kelligrews, but I did not go, as I heard he was threatened. I helped to make roads—I never got a job from Mr. Byrne, only what I tendered for, except one, many years ago. I was employed a summer by Mr. Allen. I swear that I never received money from Mr. Hogsett's hand under an order of Mr. Byrne's—I never received a penny, but what I earned. There was not a great crowd about Topsail Booth when I was there.

Re-examined.—Saw a great many strangers in Kelligrews from St. John's, the day of polling. Those that hindered the people from voting belonged to Mr. Hogsett.

his
THOMAS X DUNN.
mark.

COMMITTEE ROOM,
House of Assembly, }
June 19, 1861. }

P R E S E N T :

MR. RENDELL, *Chairman*,

“ FLOOD,

“ PROWSE,

“ KNIGHT,

“ McGRATH,

“ WHITEWAY,

“ WALBANK.

JAMES BYRNE sworn and examined. I live on the Topsail road—am a householder and voter for the District of Harbor Main—ten years a householder—at the last election was

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going to vote for Byrne and Nowlan. I was going to vote at Topsail Polling-booth. I did not vote, I was hindered. Opposite the Poll-booth, on the road, I was caught by the collar, by two men, and shoved by another—I did not know them—they were strangers to me—they told me to go away, if not I would be injured. They dragged and shoved me. I went a short distance, and then returned in about a quarter of an hour. I was walking in company with an acquaintance of mine—we were met by two other men—each of them had a large stick. When I declared my intention to vote for Byrne and Nowlan, one of them swore to God I should not vote there that day, when I saw I could not vote there. I was afraid there was too much of a mob there. These parties kept in company with me, and strove to pick a quarrel with me. One of them drew his hand to draw a stroke, when he was prevented by another who walked in between us—the man who prevented him kept company with me for about one-eighth of a mile, until I got clear of the mob. Those parties who hindered me from voting were for Hogsett and Furey.

Cross-examined.—I am the son of Thomas Byrne, the Candidate in the late election. I took as much interest as I could—I canvassed for him—I was on the shore before the day of polling—the night before I was in my own house. About eleven or twelve in the day I left my house, to go to the shore. There were some forty or fifty men on the shore from St. John's for Byrne and Nowlan. When I was molested I went to John Brian's, in Topsail, and remained until next morning. Saw no Brigus men along the shore. None of the men struck, that laid hold of me. There was no row about the Poll-booth when I was there. I went canvassing for my father at Kelligrews. I never promised work to any parties who would vote for my father. I am a sober man. No person paid my expenses for travelling up and down the shore. The two last I met lived in Topsail—I never heard them say they voted for Hogsett and Furey. I know these persons were for Hogsett and Furey, because they tore down Byrne and Nowlan's colours—I did not see them tear down these flags. They told me I should not vote for Byrne and Nowlan. Could not tell the names of the parties that went to Lance Cove. The persons that went from St. John's for Byrne and Nowlan were divided between Topsail, Kelligrews, and Lance Cove. There was no mob around me but the three that caught me first—only three men came close to me. The second time I was not surrounded by any, only the two who had sticks in their hands. I was opposite the Polling-booth door, on the road, distance about fifty yards from the booth. There was not a great crowd about the door—I would not swear there were ten men around the door. I did not know the number—I was too much afraid of my own head. The second time I went up I was about the same distance—can't say how many were about the Polling-room door. The day before the polling some of the parties that came from St. John's accompanied me to the St. John's end of Kelligrews. I left them at Squire's. I don't know but the whole of them were there. I only drank water and tea with these men. I don't know who paid for the refreshments, but I consider Messrs. Byrne and Nowlan did—I did not order it. There was something to eat for them when I went in there. Some kept company with me round the shore—some dropped off—I went on the Manuel's road down the shore. I saw a few go into a house for a dance, but they did not—we went up the shore and came down the road. It may be four or five miles from Manuel's, the place where we struck the water-side, to the place where we left the Beach and took the main road—about twenty men went down with me—can't say Toby Nowlan was with us—parts of it is a populous shore. We had two or three flags with us, with Byrne and Nowlan on them. I did not see the men go into more than three or four houses. Our object in going the shore was to meet the people and speak to them. We had a fiddle with us—can't say who played—the fiddle came from St. John's. The

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other half stopped about Mr. Squire's amusing themselves. I am a married man---I did not dance. I parted with the men at Mr. Squire's and then went home.

Re-examined.—The people from St. John's went down to meet their own friends.

JAMES BYRNE.

PATRICK STRAPP sworn and examined.—I am a resident of Harbor Main, forty-five years a householder and a voter. I was Returning Officer at the late election.—(The writ put in.) Remember nomination day. Mr. Nowlan, Mr. Byrne, Mr. Hogsett and Mr. Furey were put in nomination. Every thing went on quietly. They made speeches. Mr. Hogsett, in the course of his speech, made a remark on one man in the crowd. He said that man wore a glazed cap—he was a Protestant, and he (Hogsett) said the man said he would put him down on the shore. The evening before the Polling-day there were a great many assembled, headed by a man of the name of James Woodford, Michael Gorman and others. George Furey was carrying colours—they marched down the harbor towards Gallows Cove. On their way back they called at my house. I was in the parlour inside—my mistress went out and had some words with them—I went out then and asked them what they wanted. Keating asked me what way I intended to go. I told them I settled that with Furey the same day. They gave me three cheers and went off. On their way up from my house I saw them go into the next dwelling-house to mine, near the Chapel—what they did there I could not tell—it was Walter Power's house. The day before the Polling-day Daniel O'Connell and Tom Keeffe and myself met Father Walsh. Daniel O'Connell gave him the letter, which Father Walsh read loud, enough for us to hear. After Father Walsh read the letter, O'Connell demanded an answer. Father Walsh refused to give an answer—he said he had settled that with them over at Cat's Cove. Mr. Charles Furey, some time after, came along by himself—made it my business to go out and speak to him—I told him I was not going against him—I would not go for either the one side or the other—I said nothing more and went home. I was afraid it would be a bad business.

Q. by Mr. Pinsent—Why was it a bad business?

A.—On account of the way it went on a few days before the Polling—tearing down my fence—slobbering my house with tar and bahahing me frequently.

I got up about half-past four or five on Polling-day—I heard cannon firing—two or three on Furey's wharf. I saw a great many people gathering, walking up and down on the hill close alongside of Furey's. On my way down I met a good many more running up. I opened the Poll at seven o'clock, commenced taking votes at eight. Two voted for Byrne and Nowlan at Harbor Main—they voted at about half-past eight. Can't say where the crowd was. These two are Harbor Main people, but live in Salmon Cove the winter, in the woods—one had moved out, the other had not. Late in the day a Gaster's man, about three o'clock, came to give his vote. I did not take it at that time—I said he should go to

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Cat's Cove. The mob returned from Cat's Cove about three or half-past three. Mr. Hogsett came into the Booth about this time—he wrote two or three lines on a slip of paper, and hove it to me, and said I must take Salmon Cove and Gaster's voters. I said I did not think it any service to take them there, as it was not the proper place. I commenced taking them then—the Booth was nearly full of persons. One man said Keeffe and myself were the murderers. Through the fear of threats, I did not like to refuse them—the people in the Booth looked angry enough at me—Mr. Hogsett did not look very pleasant. I took the votes on a separate sheet, not thinking them lawful—a sheet attached to the Harbor Main Poll-book. Some I questioned as to who they voted for—some I did not. Patrick Power, Poll-clerk, took the names down. The hour for closing the Poll was four o'clock—I took a vote about ten minutes after, while I was making up the Poll-book—that was the vote of Charles Furey, uncle of the Candidate—he was put down in the Salmon Cove list—he made the thirty-sixth. I then went home. In the evening, about two hours after, Mr. Woodford called at my house, nearly half drunk—he stopped a little time talking—he said my place ought to be pulled down. I said I thought that would be very wrongful to do so without reason. I apologised a little with him and gave him a horn of stuff. A man by the name of Thomas Penney came in afterwards, a supporter of Hogsett and Furey. Penney told me they had a meeting on Moore's hill—they had seven committees made out—one committee of them to overhaul the house, to look for guns. He said he was the instigator of putting all the trouble down for that day; and they would not go any further with that business until they saw Father Walsh, and heard what he had to say—Penny told me this after Woodford left. No more visitors that evening until Mr. James Hackett came—he was Returning Officer at Topsail—he came about nine o'clock, by himself. He said, about half distance between Furey's house and mine, the Poll-books were taken from him. Some time after that, about half-past eleven at night—we were all in bed at that time—seven, eight or ten beach rocks smashed in the windows, within about six feet of where Hackett slept—I did not hear them myself—my daughter screeched out. Every one in the house got up except Hackett—we stayed up all night, fearing it would be worse for us. My son Thomas, the Returning Officer at Lance Cove, came in about a quarter after this, and a man by the name of Reddy came with him. When they came to the house I demanded the Poll-book—he told me four or five fellows got round him, as he landed on the beach, and took the Poll-book. I asked him if he knew any of the people that had a hand in taking the Poll-book—he said—Yes, Peter Hannon's son pulled it out of his inside jacket—he had struck him, and made his nose bleed—his nose was bleeding when he came in. I seen people outside of my house during the night. The next day (Friday morning) Mr. Hogsett called on me to know if I had the Poll-books—I said there were three wanting—he said I had better send Tom for them—I was quite satisfied. Tom went and accompanied him. We were at Furey's house when they started. There were a great many on the bridge on the evening of this day. I was sent for by Father Walsh about nine or half-past nine. Patrick Grace, who is a servant of Mr. Jordan, and James Brennan brought the message, telling me that Father Walsh wanted me. I went immediately, accompanying them—we went into Father Walsh's. After a little time he wanted to know of me what votes were taken at Collier's. I said I could not tell him, as I had not the Poll-books. After some time he said I should return Hogsett and Furey next day at twelve o'clock. I told him I could not tell—he would know himself, if he had a Check-clerk there, as he had in every other booth. Did not see any person come in the Hall while I was there—heard the noise, and a good deal of talk for three or four minutes. Father Walsh went out to see them, and when he came back, he told me I ought to keep my son in better order. I did not know what it was at this time,

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but I did when I got home. I said I did not think it was proper to return Hogsett and Furey, as they had not a majority of votes. I said I would return them on condition that they would bear me out in case there was any trouble. Mr. Hogsett called on me next morning, Saturday the 4th. He brought a great many persons along with him. Mr. Hogsett gave me a writing—he brought it with him for me to sign. As far as I can judge, it was in his own hand-writing. The document marked B is the one, now shown to me. He did not give me a guarantee at the time I signed that document—he promised one. He did not give it to me. He was in such a hurry to go. He did not give it that day, or after, to my knowledge. He might have given it to my son, unknown to me. My son does the most of my business. At the time Mr. Hogsett came, about fifteen or twenty men and a great many boys came to the door. I went out—Woodford spoke first, and said I should return Hogsett and Furey—I did so. Mr. Hogsett read a part of the declaration, and then handed it to me. I looked at the rest. I said to the people I had signed that, and returned Hogsett and Furey—the people gave me three cheers. I even asked Mr. Hogsett if it was necessary to go down to the hustings—he said it would do anywhere. I joined the people when they gave me the three cheers. Nothing was said to me at that time with regard to the number of votes of each Candidate. I had not the Poll-books—I did not declare the state of the poll—I could not—I had not the Poll-books. Some of the people might have gone in, for aught I know, and have a glass of grog. Some three or four went in and sat down—Mr. Hogsett was one of them. I made this declaration through the threats I got the night before and intimidation. Hogsett and Furey and Father Walsh with us had made a rough calculation, making allowance for the places where we had not the Poll-books, thinking that they had a majority of votes. I wrote a letter to Mr. Byrne, in reply to one from him. On May the 4th I wrote the Government the protest marked S. Mr. Simms came to Harbor Main the day I made the affidavit, the 6th May. The Return shown is the one I signed in Harbor Main, in my own house. I did not hear any one tell him to write it—I told him to write it myself, and that I would sign it. Mr. Simms took the writ and Poll-books with him. I know Henry Shea at Holyrood—I do not think he has a right to vote—he lives in another man's house—he lives in the house with Joseph Penney. Joseph Penney has a family—Shea has none—he is an old man—he boards with him—that's all. There is only one Henry Shea there. Knows Thomas Murphy—lives at the half-way house, Salmonier road—it is half-way to Salmonier, twelve miles from Holyrood. Knows Michael Ezekiel of Holyrood—himself and his brother-in-law, James Furey, live in one house, neither of them have a vote, not living two years in their house. I know Philip Penney, John's son, North side of Holyrood. His father is not dead two years—he lived with his father before his father's death. Can't tell who voted for the house, he or his father—his father owned the house. I had nothing to do with the Booth. I know John Dunphy—he is a householder since he left his father. Don't know Tom, his brother—can't tell whether he lives with him or not. Don't know such a man in Harbor Main as Thomas Dannel—there is no such man there, to my knowledge. I know Richard Lawless of Chapel's Cove—he is schoolmaster there—don't know if he has a vote. Not living two years in the new house, I objected taking his vote—he lives in the school-house—he used to diet in another man's house—don't know if he diets there now or not. It is a public school-house.

* *Cross-examined.*—I have been Returning Officer for the last two elections—I am a friend of Mr. Nowlan's. I stop sometimes at Mr. Deady's, sometimes at Mr. Michael Nowlan's. Mr. Nowlan and his friends generally stay at my house—I keep a Boarding-house in Harbor Main—Mr. Nowlan, as well as any other strangers, would be welcome. Before the Polling-

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day Mr. Byrne staid at my house—don't recollect of Mr. Byrne asking a party to vote for him while in my house. On the nomination day the party flags of Messrs. Byrne and Nowlan were not hoisted on my premises—the children had two or three white flags. Up to the day of polling I was not a supporter of Byrne and Nowlan, nor of Hogsett and Furey—I was more in favour of you (H. & F.) than them latterly. Can't say if Tobias Hackett was a friend of Byrne and Nowlan—I saw him in company with them—they came to my house together, a long time before the Polling. I can't recollect seeing Hackett in the Polling-booth the day of nomination. I don't know if Byrne of Brigus is a friend of Mr. Nowlan or not—they live fourteen miles from me. Holden, Returning Officer at Holyrood, showed no favour to either side—he did not tell me whether he was or was not a supporter of Byrne and Nowlan—I heard him say, once or twice, he was in favour of Byrne and Nowlan. Hackett is not a relation of Mr. Nowlan's. I held a Court of Revision in my own office. Tom Keeffe, the Constable, and my son were present—it was nearly three weeks before the Polling-day.

Q. by Mr. Hogsett—Whether on the day of nomination you had a full list of the Registry made up for Harbor Main?

A.—Yes, and for some time before, and I asked you to come and look at them, and you did not. The books produced are those I refer to.

The hustings were up after you left for St. John's.

I did not read the Certificate to the people—I signed it. I did not call for three cheers for Hogsett and Furey or the new members—I joined you (Mr. H.) when you did it. I did not send for Mr. Furey—don't recollect he was there—to my knowledge, he was not. I asked Dr. McKen and Dr. Rencuf to come in and have a glass of spirits—don't recollect asking you. I did not at any time say to you (Mr. H.) to tell Father Walsh I would be glad to see him. Father Walsh used no threat towards me the evening I was in his house, or any time during the election. I did not hear you (Mr. H.) use any threat towards me. It is my hand-writing to the Certificate. Hackett and I are friendly—I know him four or five and thirty years. He is a respectable man, so far as I know of him. It was Furey told me to take him as Returning Officer—we should share alike. He was Returning Officer at Lance Cove the year before—he was appointed in St John's. I made a rough calculation with Mr. Hackett—it was not a true one—I had not the Poll-books. I did not promise you (Mr. Hogsett) that I would pay Walsh, the Schoolmaster, ten shillings to go for the Poll-books—he brought me no message—I did not send him—you sent him among yourselves—I sent my son Tom, in Furey's carriage, at your request. I never saw the Lance Cove or Topsail Books until the next morning—I did not see them before Tom left—I had only the Harbor Main and Holyrood ones. I think Mr. Simms brought the Collier's, Cat's Cove and Kelligrews Poll-books on the 6th May—he was accompanied by soldiers—can't say how many—did not count them. Major Grant went into my house. The Return was signed inside, in my bed-room—no person present but Mr. Simms and myself. I accompanied you (Mr. H.) with the sick men, to the wharf. I did not say I was afraid, when Tom did not return, that he was injured by the Cat's Cove people. I did not say I was afraid something happened him, he was beyond the time. I did show a rough calculation to Father Walsh that evening, provided there would be so many votes got in Cat's Cove, Collier's and Kelligrews, numbering them up himself. I got the Poll-

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books too late on Friday night to overhaul them—what Hackett told me differed from the Poll-book. I don't recollect that Tom told you, (Mr. H.,) in my presence, the number of votes given—did not know how many were given in Holyrood—I did not open the Poll-books till I got them all—I knew how many votes there were in Harbor Main—I knew nothing at all about Collier's—I did not know how many Registered voters there were there. You (Mr. Hogsett) promised to give me a guarantee, to protect me, provided I would return you and Furey, which you did not give. I do not recollect of your signing any other document but what you signed in the Poll-booth. I sent all the papers you signed to the Government—my son made them up. The paper I referred to, that you signed in the Polling-room, was a demand that the Salmon Cove voters should vote in Harbor Main. I do not recollect your signing any other document, except the one respecting Shipwrecked seamen. I have known Henry Shea fifty-one years—he is about seventy—he lives in Penney's house. I know it is Penney's house—I am as sure it is his house, as that the one I had in Harbor Main, that was torn down, was mine. Michael Ezekiel has not occupied a house two years—he is not three years married. Can't say he is on the Registry—if he is there he has no vote. John Penney, Philip's son, died about a year and a half ago—can't tell if he is on the Registry. Tom Keeffe, the Constable, took the Registry in Harbor Main—he has lived there over forty years. I did not attend a meeting at Salmon Cove for Nowlan and Byrne. Tom went part of the way with Mr. Nowlan—Stephen went part of the way—don't know he may have went all the way—saw the Irish lawyer with them. I never saw him before or since.

Re-examined.—I say I did hold a Court of Revision—I held it open for three weeks, and made up the Registers correctly.

PATRICK STRAPP.

CHARLES SIMMS sworn and examined.—I was verbally directed by the Government to go to Harbor Main relative to the elections there. I was sent in order to afford protection to Mr. Strapp, the Returning Officer there, in the discharge of his duty, in company with Colonel Grant and some troops to be taken from Harbor Grace. I left St. John's with Colonel Grant, for Harbor Grace, on Saturday afternoon, in the *Victoria*, remained at Harbor Grace until six o'clock next morning, and left Harbor Grace with a detachment of troops numbering about seventy, and two officers, called at Brigus, on our way, and took on board two Deputy Returning Officers and some Poll-books, and proceeded to Harbor Main, and arrived there about mid-day—landed a portion of the troops, I should say about half, and proceeded with Colonel Grant to the house of Mr. Strapp. On seeing him I informed him of the object of our visit, that it was to afford him protection in the discharge of his duty, and that he had only to point out to us the way in which we could do it most effectually. I told him we brought the Poll-books from Brigus, to enable him to make his computation. We said we would walk about the settlement for about half or three quarters of an hour, and return again. We did so and returned, and then I asked him if he had come to any con-

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clusion in the matter. He said he had, and that Nowlan and Byrne had a majority of legal votes, but that it was more than he dare do, to make any return. I asked him why. He said—"Oh, Sir, my property or my life would not be safe for one single moment if I did." I said to him we were there to afford him all the protection we could; but he said—"After you are gone, what am I to do?" I proposed to take him and his family in the steamer, or allow him to make any arrangement he chose. Then he said, still his property would be destroyed. By-and-bye Father Walsh came into the room; and after a short time I explained to him the object of our visit, stating the apprehension Mr. Strapp had expressed as to his person and property. He said there was no fear of him—that he (Father Walsh) would guarantee that no harm to either would happen, if he did his duty. I said to Mr. Strapp—"You now hear what Father Walsh says. What is to prevent your making your return?" In the mean time some conversation took place between Father Walsh and Mr. Strapp—in the course of it Mr. Strapp said what amounted to an expression of intention to return Nowlan and Byrne. Then Father Walsh said, with considerable energy—"Then I will not guarantee." "What?" said Colonel Grant. Father Walsh said—"I am not going to say what I won't guarantee." I said—"Father Walsh, I am very sorry to hear you say so, because such words coming from one in your position, in the community here, are just as expressive as if you had given them more fully." I added, alluding to the nearness of Mr. Strapp's house—"So near to your own, if any injury happened to Mr. Strapp's house or person or family, the moral, if not the legal responsibility would attach to you, in the view of the public." He rejoined by saying—"I don't admit that I have that degree of influence that you attribute to me;" and in the course of this Mr. Strapp broke out into several exclamations, saying—"Oh, I can't make any return."—"It is more than my life is worth." He seemed excited and under fear. By-and-bye he took up all the books and papers on the table, and took them into an adjoining room. There was then a good deal of conversation to the same effect as the former. By-and-bye Mr. Strapp signified to me to go into the next room—I went in—then he asked me to stay a moment, and he went out again—then he came in again. Father Walsh and some others—amongst the rest Mr. Furey, were for part of the time in the outer room. He then repeated that he was in dread of his life to make any return. I told him I thought it was his bounden duty to make a return according to his conscience—he had accepted a trust, and he was bound to fulfil it. He said if I would write on the back of the writ what he would say, without making it stronger, he would make some return, at any rate. The indorsation on the back of the writ, I wrote, word for word, at his dictation. He looked over me as I wrote it, and read it carefully before he signed it. He then subscribed it in my presence. I was careful not to add to, or diminish what he said. I am not sure whether it was before or after this he swore to the affidavit attached to his Protest to the Government, marked S. We then left the house. He bundled up a lot of papers, saying, for God's sake take them—I wish I never had them at all.

Cross-examined.—He showed me a slip of paper, (marked T,) I think in the hand-writing of Mr. Power, the Poll-clerk. There is no computation in figures or writing under the name of Salmon Cove voters or Gaster's. The documents from Brigus were in the possession of Mr. Power, and delivered to Mr. Strapp under my view—the figures in the paper are 36. Father Walsh was not violent in his manner. I suggested to Mr. Strapp, that I would frame, in an affidavit, the facts stated by him in his letter to Mr. Hoyles. He looked at it and said he would rather swear to it as it was. The attestation is not written by me—it was sworn to before me. I think the door was closed when I first went in, but whether it was afterwards I don't know. I think Mr. Strapp passed in and out more than once. Mr. Nowlan accompanied me from Brigus to Harbor Main in the steamer. I do not know in

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what other possession the Poll-books had been, except Mr. Power's; nor do I know, nor did I at that time, who was the Returning Officer at Collier's or at Cat's Cove. When I landed at Harbor Main I did not see the slightest exhibition of turbulence or violence. The Attorney General was the medium through which I received these instructions. No persons were present when I wrote the Return, but Mr. Strapp and myself.

(On a question being put by the Chairman to Mr. Simms, in reference to the observation that Mr. Nowlan accompanied him from Brigus, he replied that Mr. Nowlan asked if he could go in the *Victoria* to Harbor Main, when he (Mr. Simms) replied he saw no objection; and that afterwards, on the steamer touching into a Cove to land the Pilot, Mr. Nowlan and Mr. Power went on shore with him at that place.)

Re-examined.—That computation, marked T, showing a majority for Nowlan and Byrne, was shown to me by Mr. Strapp. This computation was made out during the absence I spoke of, when I went with Colonel Grant to look at the settlement.

CHAS. SIMMS.

COMMITTEE ROOM,
House of Assembly,
June 20, 1861.

P R E S E N T :

MR. RENDELL, *Chairman*,

“ FLOOD,

“ PROWSE,

“ WALBANK,

“ McGRATH,

“ WHITEWAY,

“ KNIGHT.

JOHN TILLEY sworn and examined.—I am a resident in the District of Harbor Main—I am a voter—I live in Kelligrews—remember the late Election and Polling-day. I was at William Tilley's door, who kept the Polling-house—I was a Special Constable there. I saw about one hundred men about the Booth. Some belonged to St. John's—some to the South Shore, and some belonged to Holyrood. I saw Mr. Crawley and John Joy—there was Mr. Crawley's son, John. I knew a great many others by their faces. They had a good many weapons of sticks—some had belts around them, with sheathing knives—some had splitting knives. The St. John's people came about nine o'clock in the morning—the others came

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about ten. I seen them coming, about eight o'clock, down the hill above our place—they delayed some time at Mr. William Walsh's. I saw voters coming towards the Poll-booth that day. I seen them all put back from giving their votes, that day, after ten o'clock—there was no stoppage before ten. When the Holyrood men came, about ten, the voters were stopped from going in. I saw over forty put back from the Poll-door. I saw William Mercer to the door of the Poll-house. They seized him hold, and would not let him go in, unless he voted for Hogsett and Furey. William Mercer belongs to Chamberlain—he is a householder and voter. I had him twice to the door, and they would not allow him—he said he would not try any more. I saw Edward Aide of Long Pond, a voter—I had him twice to the door. The mob would not let him in—he did not vote. I saw Richard Mandy of Long Pond, a voter—he came to the door. He and I were hove back bodily together, and would not be let in. He did not vote. I saw Richard Baird of Long Pond, a voter—he was also hove back—he did not vote. I saw Richard Porter of Lance Cove, a voter—he came to the door twice—the mob caught hold of him and would not allow him in—he did not vote. I saw Nicholas Daw of Kelligrews—he is a voter—he came to the door a few minutes before eight—the Poll was not open—he seen the people coming down over the hill—he could not stop any longer—he had to retreat home to his own house—he did not come back to vote. I went to his house—there was no one there. I saw John Mercer of Kelligrews, a voter—came in company with Nicholas Daw—he turned home with him—he did not vote—he saw the mob coming back, and turned with Nicholas Daw. I saw William Butler, Sr., of Long Pond—he is a voter, he and his two sons, (John and James,) voters, belonging to the same place, came to the Poll-booth. They were hove back—the people would not let them go in—the same people—they did not vote that day. I saw James Cousins, belonging to Lower Gulley, a voter—he came to the Poll-booth—he was put back by the mob, the same as the rest. I saw Thomas Dunn, of Topsail Road, a voter—he came there to vote. About eight or ten men took him bodily from the door—he did not vote that day. Saw John Andrews, of Upper Gulley, a voter, came to the Booth—the mob shoved him from the door—would not let him go in. His daughter was afraid her father would be ill-used—she went in amongst them, and told her father to come away—he went straight home, and did not vote for the day. Saw no Morgans or Kennedys there. Michael Ellard did not vote—he belongs to Lower Gulley—can't say the reason he did not vote—seen so many, he went home. He came within about ten yards of the door—he did not vote for the day. These men whose names I have mentioned were going to vote for Byrne and Nowlan. I saw a great many of the shore people, besides those I have named, come up towards the Booth, and were driven back. The mob remained until four, when the Poll was closed. Some three or four of the Holyrood mob went to my house—thought to break in the loft—tore down some boards. Crawley and Joy went up with sticks and drove them off, and told them not to injure this man's house. I canvassed with Mr. Byrne, from Squire's at the lower part of Long Pond, to Indian Pond, and along with him, another time, from Mr. Miller's, the upper part of Topsail, to Squire's. That's the whole shore—there are from two hundred to two hundred and fifty along that shore. Between Kelligrews and Indian Pond there are about fifty voters—I canvassed that with Mr. Byrne—he went to every voter between these two places. The hight (greater portion) of the mob there told us they were there for Hogsett and Furey. The first man I canvassed was Joseph Morgan, of Indian Pond; the next, Abraham Morgan; then Joseph Morgan, Jr.; Joseph Morgan, (3rd.) Abraham Morgan; William Dowden, Seal's Cove; William Corryduck, Seal's Cove; Isaac Daw, Seal's Cove; George Walsh, Lance Cove; Robert Walsh, Lance Cove; Richard Walsh, Lance Cove; George Kelly, Lance Cove; John Kelly, John's son, Lance Cove; Joseph Kelly, Lance

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Cove; Patrick Doyle, Lance Cove; Richard Porter, Lance Cove; John Walters, Lance Cove; Samuel Daw, Lance Cove; John Daw, Lance Cove; Isaac Daw, Lance Cove; Isaac Wawford, Lance Cove; John Wawford, Seal's Cove; Isaac Wawford, (2) Seal's Cove; and two I don't remember; Charles Cote, (1st) and Charles Cote, (2nd) Upper Gulley; John Andrews, Henry Andrews, Henry Andrews (2nd) Hector Andrews, William Scott, Charles Scott, Jonathan Morgan, Elias Roberts, George Roberts. Now the Lower Gulley—Abraham Daw, (1st) Abraham Daw, (2nd) Silas Daw, John Daw, James Cousins, Patrick Brian, Thomas Whelan, Laurence Cousins, Thomas Hibbs, Michael Nugent, John Dunphy, John Nugent, (2nd)—Upper part of Kelligrews—Philip Dwyer, John Hennessey, Edward Nugent, Matthew Nugent, James Hodge, James Wells, Solomon Daw, Solomon Morgan, Nicholas Daw, John Mercer. These are all between Kelligrews and Indian Pond, promised me and Mr. Byrne to vote for Byrne and Nowlan. I voted myself. Not one man below our place, Kelligrews and Topsail, but promised to vote for Byrne and Nowlan. I know there were twenty between Kelligrews and Topsail put back that day. The flags were flying until ten o'clock. All was peaceable until the people came from Holyrood and joined the St. John's party that were there. They tore up all the flags, except the *union jack*—they tore up Byrne and Nowlan's colours—did not touch their own, they left Hogsett and Furey's standing.

Cross-examined.—Don't keep a large establishment. I got a dollar a day for canvassing—I was five days. I went among all the people that were home—there were a few to the ice. I was made a Special Constable by Mr. Parmiter. I was also one on a former occasion, under Mr. Hogsett. George Squires, Robert Haynes and James Butler were also Special Constables. George Squires was a supporter, as he told me, of Byrne and Nowlan—Robert Hynes also—James Butler also. I expect a dollar for that day's pay. The night before the Polling I was down to Mr. Parmiter's, about eight o'clock. I saw no men belonging to Byrne and Nowlan from St. John's. I was not at Mr. Squire's. I saw no crowd from St. John's with a fiddle—I was not dancing. The evening before the Polling I saw a skiff from Brigus, with about ten or twelve men. I know Mr. Robert Leamon, several of the Roberts, Stephen was there, also young Mr. Stentaford, John Antle—don't know the rest of their names. Don't know who they were for. They went into William Tilley's, where the Polling-booth was. They went down on the road leading to Topsail—some went—some stopped back—did not leave until after the Polling. Seen Mr. Michael Nowlan, Mr. Hogsett's brother and others. I do not know who the people were for. The reason I knew they were for Hogsett and Furey was—they had a green ribbon in their button hole—that's the mark they had. There was another party there who had green ribbons in their caps—don't think the number was half of twenty. I saw twenty sheathing knives—did not see them used—one splitting knife fell out—did not see a blow struck that day—saw no stones thrown. I took about half a glass of liquor that day. Know what business I was on. I saw the flags torn down belonging to Byrne and Nowlan—I was at the door. I saw all the parties whose names I have mentioned, with the exception of five or six, who were at the ice. I do not know, of all the parties whose names I have mentioned, whether any voted for Hogsett and Furey. I saw those twenty, from Kelligrews to Topsail, turned back from the door. Can't mention the names of any others, but those I have named, turned away from the door. John (Mr. Hogsett) asked me for my vote. I said, as he had done a good turn for me once, I would give him half my vote, as I had promised the other half to Mr. Nowlan, when he saw how he would get on at the nomination. I was at Harbor Main on the day of nomination. I went with Mr. Hynes and a man from St. John's—he was a stranger to me. I went at Mr. Hogsett's invitation. We went in a boat. Daniel O'Con-

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nell went down and got a boat for myself and Mr. Hynes. There were about twenty people belonging to St. John's in the Cat's Cove gang on the day of nomination, to the best of my knowledge. I gave refreshments to the people that came in the carriages—I gave them bread—they had liquor themselves—I don't expect any thing for what I gave them. I am fishing. Your brother would not give me any dealings if I did not give you (Mr. Hogsett) my vote. Mr. Michael Nowlan has given me supplies—one barrel flour, half a barrel pork, and twenty pounds of butter—that's what I asked him to give me credit for until the first fish came in. I did not pay the balance I owe Mr. John Hogsett—as I did not give you my vote, he overcharged me. Last summer Mr. Hogsett supplied me. Can't say how many carriages—did not see the carriages going. Can't say they were full or not—there was but one skiff. Sure Dunn had a right to vote there—the Proclamations were put up to vote at the Booth they liked, either the Topsail or Kelligrews. The Long Pond people could vote at Kelligrews too, and the Lance Cove people could come down. I cannot read or write. I did not read the Proclamation myself.

Re-examined.—I saw Elias Delaney—the blood was running over his face.

his
JOHN X TILLEY.
mark.

COMMITTEE ROOM,
House of Assembly,
June 20, 1861.
7 o'clock, P. M. }

P R E S E N T :

MR. RENDELL, *Chairman*,
“ WHITEWAY,
“ KNIGHT,
“ FLOOD,
“ McGRATH,
“ PROWSE.

JOHN WIDDICOMBE sworn and examined.—I reside at Long Pond, three miles above Topsail—I am a householder and voter—I was going to the Booth at Kelligrews, to vote for Byrne and Nowlan. Near the Booth the mob turned me back, and would not let me go to vote—a parcel of men that went out from St. John's with big sticks—they had no other

Harbor Main Election.

weapons. Can't say there were any other persons but St. John's men—they were all strangers to me. I went back—I went a second time, and was turned back. The first time I went Matthew Greensted and John Kennedy were with me—they turned back with me. Greensted and Kennedy live at Long Pond—they are voters. The mob did nothing, except to make us go back. The same kind of people turned me back the second time—no person with me.

Cross-examined.—Q. by Mr. Hogsett—What constitutes a voter?

A.—Householders and Planters—they occupied a house two years. They spoke very kindly, and said—“My good old man—you must go back.” They offered no violence towards me—seen no belts round their waists or knives. All that I saw was that they had good stout walking-sticks with them. They did not ask me who I was going to vote for—they did not ask me to vote for any person. They said kindly and good naturedly—“My good old man—you must go back.” When I went the second time they said the same as in the morning. They did not ask me who I was going to vote for, nor to vote for any one. They had no belts or knives either. I got close home to Kelligrews Poll-booth—they stopped me, and told me I must go back again. Whilst amongst them I saw no belt or knife. I got as far the second time as I did the first, and no further. I did not see Tilley there. I was up almost to the Poll-booth.

Re-examined.—I can't tell how many—there was a great gang of men—fifteen years living at Long Pond—I could not get through the crowd—they would not let me—it was hard for me to tell what was there.

his
JOHN ~~X~~ WIDDICOMBE.
mark.

TOBIAS NOWLAN sworn and examined.—I was at Lance Cove on the day of Polling, the 2nd May, about four o'clock in the morning, before the Booth was opened. About six or seven o'clock a mob of people came there—these people belonged to Holyrood. I stopped inside the Poll-booth. I looked out of the window, and counted them as they came along the house. There were between fifty and sixty—they all had sticks—some had belts around them and sheathing knives. There was a Special Constable, Mr. Kelly, at the door. The other I did not know—ran away when they threatened to pull down the Booth. The Returning Officer came to me and asked me if I knew any person who would go Special Constable at the door. I asked James Malone, John Long, John Sullivan—they refused to do so—they told me they were in dread. I heard plenty of threats used—I myself asked a staff of the Returning Officer—he gave it to me—I went outside, and commanded a little order amongst the mob. The Returning Officer came outside—they threatened him severely—I advised him to go in—he went in. A man by the name of Michael Rourke threatened him, also another by the name of Edward Duff, and Arthur Duff, John Crawley, Barrett

Harbor Main Election.

and Maher—I think his name is James Maher. I heard Michael Rourke abuse the mob, and ask the mob what they were doing—why they had not done as they had done in Cat's Cove at that hour, tearing down houses and murdering every one in it. This was between seven and eight in the morning. He came up to me, and shook his stick in my face—he said—“If my bidding was done, the day of nomination, there would be no occasion for this work—if every man of ye were murdered, carriages and horses, it would be all right.” That morning, in the kitchen of the house in which the Poll-booth was, there were from five to seven voters for Byrne and Nowlan, because I heard them say so. I don't know their names. The Holyrood mob forced into the house, and threatened them, that if they voted for Byrne and Nowlan they would lose their lives. Elias Roberts, one of the seven, voted. When he came outside of the door, he was struck with a fist and knocked down—he got up—they ran him for about one hundred yards from the Booth, and knocked him down again. I came up and said, if they abused the man, that I knew every one of them, and would know where to find them. Jacob Butler was brought in by the mob, forced into the Booth, and made to vote for Hogsett and Furey. The men who forced him in, came close up to the table, where the Returning Officer was, in spite of myself and Kelly. I did not see Butler until they (the crowd) forced him in. I was in the door-way of the Poll-booth at the time. The words I heard pass were—“If you don't vote for Hogsett and Furey, your life is at an end when you come out.” He replied—“I don't care—to save my life I'll vote for Hogsett and Furey.” The Poll closed at four or five o'clock. There were no votes given there after half-past eight, except for Hogsett and Furey. Any person for Byrne and Nowlan dared not come in. The mob remained about this Booth from about six or seven in the morning until it closed. After that the Returning Officer and myself went to Kelligrews—on our way there I met a mob on their return from Kelligrews—they were breaking in a house—the next house to the Polling-booth—Richard Porter's house. I done my best to save the house, and got the mob to go off, by threatening them that I knew a great many of them. I then went on to Kelligrews.

Cross-examined.—I am not a voter in the District of Harbor Main—I am a relation of Patrick Nowlan—it would be too hard to trace up what relation I am to him. James Malone is not a voter—he is a single man—he generally resides in St. John's when at home. John Long belongs to St. John's. John Sullivan belongs to St. John's. There were others in the Booth, from St. John's, for Byrne and Nowlan, as well as the three I have named. There was a man by the name of Reddy there also for Byrne and Nowlan. Can't say there was any from Brigus for Byrne and Nowlan—I saw Ned Dunn of Brigus. On my oath I think he was more for Byrne and Nowlan than for you (Mr. H.) and Furey. I don't know what Ned Dunn is, whether butcher, baker, or lawyer. I slept at Lance Cove the night before Polling. I left St. John's on the last day of April. I was accompanied by about thirty persons. I took a great interest in Nowlan and Byrne's election. Eight accompanied me to Lance Cove, all residents of St. John's. I was at Harbor Main on the day of nomination. About forty-six accompanied me from St. John's. While going to Harbor Main we were not insulted, nor did we insult any person, except a few children throwing stones at us. A couple of windows and sashes were broken in Porter's house. I should say it was about half-past seven in the evening. The carriages that brought us up to Lance Cove, were attacked and put in chokey by your mob, the wheels taken off, and the horses left to starve—so I was told—I did not see it myself. The night of Polling I travelled back from Kelligrews to Lance Cove, and slept there. I was not molested on the road, going or coming. Joseph Kelly was a supporter of Byrne and Nowlan—believe he voted for them. I was not sworn a Special Constable—I was appointed by the Returning Officer. He took

Harbor Main Election.

down my name. I did not see a blow struck that day, around the Booth, but the man I named. Who had they to strike unless themselves? I became Special Constable between seven and eight o'clock. I swear that Crawley, Barrett and Maher were in the mob at seven or eight o'clock.

TOBIAS NOWLAN.

COMMITTEE ROOM,
House of Assembly,
June 21, 1861.

P R E S E N T :

MR. RENDELL, *Chairman*,

“ WHITEWAY,

“ FLOOD,

“ McGRATH,

“ KNIGHT,

“ WALBANK.

THOMAS BOYD sworn and examined.—Patrick Kennedy, of Topsail, lives in our house at Topsail, the past two winters, during our absence. He and family were requested to take charge of the house during the winter, in our absence, for which he receives a small consideration. He is the only man of that name that has lived in our house—know no other man of that name in Topsail.

Cross-examined.—He may occupy our house next winter, if he lives. I don't think he goes to the fishery—I think his family live in a house in Topsail. I believe they live in Topsail at present. Don't know what he is doing at present—think he has one or two children. I think he is considered a Topsail man. Don't know him over two years. Mr. McDougall made the agreement with him—he has two or three children.

Re-examined.—It was Mr. Brian's house he lived in—don't know whether tenant or not—it was Mr. Brian's house—I have not known him two years until next fall.

THOMAS BOYD.

Harbor Main Election.

THOMAS KEEFFE sworn and examined.—I am a resident and voter in Harbor Main—live in the lower side of Harbor Main. I was a supporter of Byrne and Nowlan at the late election. I did not vote through dread. I heard Edmond Lacour—they call him the old boy—say that the blood of the people killed at Cat's Cove should fall on the Keeffes and Strapps. Lacour was a supporter of Furey and Hogsett. William Parsley, a voter of Harbor Main, was inclined to vote for Byrne and Nowlan, so he told me—he came there in care of William Woodford of Harbor Main, and gave his vote to Hogsett and Furey. Woodford brought him into the house. I can't say he gave his vote willingly to Hogsett and Furey—he was inclined before to give it to Byrne and Nowlan. On the evening of the first day of May, after the statement was sent over to Harbor Main, while I was standing at my own door, about four or five in the evening, I heard the cheering and huzzaing up the harbor—the mob came on towards me, cheering and huzzaing in three or four different places. They passed me, without saying any thing—they went down to William Parsley's, and they cheered and huzzaed there. They came back, and went up past my house—some of the party looked at my house. I knew Philip Hawko, Jr., of Chapel's Cove—he died some time last winter—he was about fifty years of age. I used to register him as a voter. Philip Hawko, Sr., is alive—he is not a voter. William Hawko, his son, is the owner of the house, and a voter. I did not see Philip Hawko, Sr., vote at Harbor Main. To the best of my knowledge, two William Hawkos, of Chapel's Cove, have votes. I took the Chapel's Cove Register. Henry Shea, of Holyrood, has no vote. I know Philip Penney, John's son. I don't know whether he has a vote or not—his father died last summer—he was living with his father, in his father's house, before that. I know Michael Ezekiel, of Holyrood—he has a brother-in-law, James Furey, living in the same house. Furey has the vote—he is first cousin to Charles Furey. Don't know such a man as Thomas Dannel, living in Harbor Main—there is not such a man there, a householder, as I know of. Two Thomas Hawkos only, in Chapel's Cove, have votes. There is one John Mackey in Chapel's Cove having a vote. I know the Mallowneys of Holyrood—I do not know James—I know Philip.

Cross-examined.—I am a Constable—I took the Registry of voters at Holyrood, Chapel's Cove and Harbor Main, and handed the Registry to the Returning Officer. I have been twenty years Constable, and in the habit of taking the Registry during that time. While taking the Registry I never asked any man, or canvassed for any one. Perhaps, during the time I was taking the Registry, I may have recommended Messrs. Byrne and Nowlan. I thought them honest men—they proved themselves so. My son is not a voter in the District. My son-in-law, Thomas Ezekiel, was Poll-Clerk at Lance Cove. Nobody said much to me on the day of Polling, but I was frightened at them—they would frighten the Dickens—they were frightened themselves.

THOMAS KEEFFE.

MARGARET MURRAY sworn and examined.—I live in Harbor Main—I am daughter of Walter Power—he is a householder and voter there. He intended to vote for Byrne and

Harbor Main Election.

Nowlan—I heard him say so. On Polling-day his house was threatened to be torn down. A mob of people came to his house—the house was full. I know a few of them—I know three of their names—Joseph Penney, Peter Ezekiel, John and William Woodford, of Broad Cove. They said if he did not go and vote for Hogsett and Furey, they would tear down the house. My father said nothing—he was too much frightened. They took him and carried him down to the Poll-booth. I do not know of any one else who was threatened, or treated in the same way. I did not see the mob go to any other houses. They came to the door the evening before—they said they would tear down the house—my father then said he would give no vote to either side—did not see them go to other houses—I was not outside the door.

Cross-examined.—This was on the day of Polling, after the crowd had returned from Cat's Cove. The body of George Furey had not passed through Harbor Main before this. I saw the body of George Furey go through Harbor Main, that day, on a cart. I was not at the wake—I would not be allowed to go there—I did not see William Furey that day. I saw no man wounded, or that had been wounded by shot, that day. My father is at home—he is not able to come, because he was frightened to death—he is not dead. I am not paid a penny for giving my evidence—I am no relation to Mr. Byrne, Mr. Nowlan or Mr. Strapp. I am a married woman. I did not see Mr. Hogsett or Mr. Furey in the crowd, on either occasion. The mob did not strike my father—they shook him—he is an old man—he has not done anything since.

her
MARGARET X MURRAY.
mark.

Mr. PINSENT, Counsel for the Petitioners, Messrs. Nowlan and Byrne, then stated that the case of the Petitions was closed.

NOTE 1.

LIST OF DOCUMENTS LAID BEFORE THE COMMITTEE.

- Election Writ and Return thereto.
- List of Registered Voters for the Harbor Main District.
- Oaths taken and subscribed by the Returning Officer and his Deputies.
- Oaths taken and subscribed by the Poll-clerks.
- Certificate from Returning Officer of the due nomination of Candidates, with the names of their movers and seconders.
- Poll Books.
- Certificates of the Returning Officer and Deputies and of Poll-clerks.
- Statement of the State of the Poll, signed by Patrick J. Power, Poll-clerk.
- Requisition to Returning Officer, that the votes of Salmon Cove voters be received at Harbor Main Poll-booth.
- Undertaking from G. J. Hogsett, to protect Patrick Strapp, Returning Officer, in the discharge of his duty.
- Letter from the Returning Officer to the Attorney General, acquainting him that he had made a false Return under intimidation.
- Letter addressed by the Candidates, Messrs. Nowlan and Byrne, to the Colonial Secretary, requesting that they should be Gazetted as Members for Harbor Main, sworn in and take their seats as such Members.
- Letter from the Candidates, Messrs. Hogsett and Furey, to the same effect.
- Bonds of Messrs. Hogsett and Furey, with Securities.
- Bonds of Messrs. Nowlan and Byrne, with Securities.
- Petition of Messrs. Hogsett and Furey, to the House of Assembly, praying for an inquiry into the Harbor Main Election Proceedings.
- Petition of Messrs. Nowlan and Byrne to the same effect.
- List of votes for Messrs. Nowlan and Byrne, objected to by Messrs. Hogsett and Furey.
- List of votes for Messrs. Hogsett and Furey, objected to by Messrs. Nowlan and Byrne.

Harbor Main Election.

NOTE 2.

DOCUMENTS REFERRED TO IN THE EVIDENCE AND MARKED.

B.

I, Patrick Strapp, Returning Officer for the Southern Division of Conception Bay, do hereby declare that Charles Furey and George James Hogsett have been duly returned Members of the House of Assembly for the said Southern Division, and I have publicly declared them returned accordingly.

Harbor Main, May 4, 1861.

PATRICK STRAPP,
Returning Officer.

Witness,

C. H. RENOUF,
JAMES HACKETT,
THOMAS MCKEN.

T.

BOOTHES.	CANDIDATES VOTED FOR.			
	Nowlan.	Byrne.	Furey.	Hogsett.
Harbor Main - - -	2	2	135	135
Holyrood - - -	1	3	103	104
Cat's Cove - - -	97	90	0	0
Lance Cove - - -	2	2	10	10
Topsail - - -	30	31	51	54
Kelligrews - - -	110	112	11	13
Colliers - - -	83	82	0	0
	325	322	310	316

Made up in the presence of, and agreed to by the Returning Officer, at Harbor Main.

May 6, 1861.

PATRICK J. POWER,
Poll Clerk.

C.

I, George Jas. Hogsett, hereby undertake to protect Mr. Strapp, Returning Officer for the Southern Division of Conception Bay, in the discharge of his duty, in legally declaring the Polls for the said Election.

Harbor Main, May 4, 1861.

GEORGE JAS. HOGSETT.

Witness,

EDWARD BRENNAN.

Harbor Main Election.

A.

To the Returning Officer of Harbor Main.

I demand on the part of the voters of Salmon Cove, that these votes be taken for the several Candidates now in nomination for the District of Harbor Main.

GEORGE JAS. HOGSETT,
Candidate.

S.

Harbor Main, May 4, 1861.

SIR,—On this day I signed a Return written by Mr. Hogsett, which I was compelled to sign, from threats made towards me that the lives of myself and family would be taken and my property destroyed if I did not do so, and I solemnly declare that I would not have done so if I had not been threatened, and kept the Books I received that the Return was wrong, and to show that I did so under such awful threats, and to save myself and family from death and my property from destruction.

I am, Sir,
Your humble Servant,

PATRICK STRAPP, J. P.,
Returning Officer.

Patrick Strapp, of Harbor Harbor Main, Returning Officer, maketh oath and saith, that the foregoing statement is in every particular true.

PATRICK STRAPP,
Returning Officer.

Sworn before me at Harbor Main, this }
Sixth day of May, A. D., 1861. }

CHARLES SIMMS, J. P., and Commissioner.

I.

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

A. BANNERMAN, Governor,
[L. S.]

TO PATRICK STRAPP, OF HARBOR MAIN, GREETING :

Whereas, by our Proclamation, bearing date the 12th day of March, in the Twenty fourth Year of Our Reign, We have made known to all our loving subjects within our Island of Newfoundland, our intention to issue our Writs for a General Election of Members to serve in the General Assembly of Our said Island: we command and strictly enjoin you that within the period of Ten complete days, from the day of the receipt by you of this Writ, within the Southern Division of the Electoral District of Conception Bay, in our said Island, to wit at Harbor Main, Kelligrews, Cat's Cove and Holyrood. Two Members of the General Assembly of Freeholders and Householders for the said Division of the said Electoral District of Conception Bay, you cause to be duly elected, according to the forms and provisions by law established; and the person, so to be elected, being by you publicly declared to be duly elected Members as aforesaid, you shall certify them of the same, so that they may duly come to the said General Assembly, when they shall be thereunto called by us or by our Governor of our said Island; and

Harbor Main Election.

you are hereby further commanded to certify us, under your Hand and Seal, the names of the persons who shall be by you so publicly declared to be duly elected as such Members, or of what else you shall do in execution of the premises, remitting the same, together with this Writ, unto Robert Carter, Esq., our Acting Colonial Secretary of our said Island, or to such other person who shall, for the time being, be our Colonial Secretary of our said Island, at his Office, in Saint John's, without delay.

WITNESS our trusty and well-beloved Sir ALEXANDER BANNERMAN, Knight, our Governor and Commander-in-Chief, in and over our said Island and its Dependencies, at St. John's, in our said Island, the Twenty-third day of March, One Thousand Eight Hundred and Sixty-one, in the Twenty-fourth year of our Reign.

By His Excellency's Command,

ROBERT CARTER,
Acting Colonial Secretary.

ENDORSEMENT.

This Writ was received by me at Harbor Main, on the morning of this 26th day of April, A. D., 1861.

PATRICK STRAPP,
Returning Officer.

RETURN.

I am afraid of injury to my property and life, so that I cannot make a Return to this Writ. Patrick Nowlan and Thomas Byrne have the majority of votes, leaving 36 votes out that were taken in the wrong place and in a separate list.

PATRICK STRAPP,
Returning Officer.

Harbor Main, 6th May, 1861.

Coroner's Inquest on the Body of James Fitzpatrick.

**EVIDENCE TAKEN IN THE MATTER OF THE INQUEST ON THE BODY OF
JAMES FITZPATRICK.**

NEWFOUNDLAND,
Central District.

In the matter of the }
Inquest on the body }
of James Fitzpatrick. }

St. John's, } The Examination of PETER W. CARTER, Esq., Stipendiary Magistrate, taken
To wit. } upon oath before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 14th
day of May, A. D., 1861.

I was on duty yesterday, about one o'clock. I had reason to apprehend a breach of the peace. I had no actual knowledge, had heard a rumour that such would take place. After I had been on duty for a long time I saw a crowd outside the Colonial Building, endeavouring to force in the front door of the Building. I requested the people to stand back, and had Special Constables and other Constables stationed there to prevent the people from entering in in too great numbers. When the Constables could not keep the steps clear of the crowd, and prevent the people from going in, I told them that I should have the necessity of employing a force to protect the public peace. Finding that they were still evincing a desire to be violent, I had recourse to reading the Riot Act, believing from what I had read that there would be nothing in the words of the Proclamation that would be offensive. I read it, and told them that they would have just as much right to go to the House of Assembly as I had, if they conducted themselves orderly. Finding that my wishes and desires were not attended to, respecting the keeping of the peace, I communicated with Colonel Grant, and told him that as I found the crowd would not obey my commands, I would leave the power in his hands, to disperse them as he might think proper. Colonel Grant, shortly afterwards, ordered his men to load their muskets, which they did in my presence, and after their having done so, I again admonished the crowd, telling them of the serious consequences and danger that would arise to themselves and their families. The crowd appeared to be increasing, and acting with more hostility, and said they had a right to go into the House of Assembly. Some little time after that Mr. George Hogsett came out of the door of the Colonial Building, and got in with the crowd; and cheering took place, and the men expressed themselves with great noise. He returned again into the House of Assembly by the front door, and did not remain long within, when he came out and got in amongst the crowd, when he was forcibly taken by the crowd and carried towards the Colonial Building. The crowd, finding that they could not get him in, brought him back; and the crowd still continued to act in a very violent manner; during which time no order was given by me to the military to do any evolution, but I left it all to Colonel Grant—nor did I, during the whole time I was there, see the military attempt to do any injury to any person whatever. The military who were posted at the gate did every thing in their power to prevent too great a number entering the yard before the Colonial Building. I did not see or hear that the military did any thing offensive to the people, but merely prevented them coming in in

Coroner's Inquest on the Body of James Fitzpatrick.

too great a number. There were two or three of the Roman Catholic Clergy there, I think Father Walsh, Father O'Donnell and Father Condon, who also used every exertion to protect the peace, and ultimately succeeded in getting the men to leave the ground in front of the Building.

After the crowd had left, Colonel Grant told me that the men had nothing to eat since breakfast, and thought that he would withdraw half the men, to which I could have no objection, as I had no authority over the military, but agreed with him that at that time there was no appearance of any danger. I then requested Captain Hanrahan to ascend the steps, which he did, and during the time the soldiers were there I saw no violence committed by the towns-people or the soldiers. About half an hour afterwards, I heard that the mob were breaking the windows of Mr. Kitchin. I had previously heard that they attacked the windows of Mr. Nowlan, and hearing of that, I got four Constables and proceeded to Mr. Kitchin's upper premises, having no military left with me. I there again exhorted the people to be peaceable and orderly; and they shouted in defiance and threw several stones at me. Father Walsh and Father O'Donnell were both there at the time, and begged the people to be quiet, and used every effort to make peace. After remaining there about half an hour, and many stones being thrown at me, some of which struck me, Father Walsh begged of me to retire, but before doing so the soldiers came up, under command of Lieut. Quill, and I think Mr. Bennett was with them. The mob were then calling out loudly—the windows of Mr. Kitchin were smashed, and I suppose they had nothing further to do. I gave no direction whatever to the troops. While there the people were more orderly, and they remained there four or five minutes and returned down town. After the troops left I remained there some time, the people occasionally throwing stones at me, when Father Walsh begged me to go, as I could do nothing with four men, and as he was standing near me they would likely strike him. When I had returned from the crowd and proceeded a few yards, I received a violent blow from a large stone, on the left side of my head, which partly stunned me. Father Walsh remained with me until I got to Beck's Cove, and the mob were throwing stones at me all the way along. I saw nothing whatever that took place afterwards—I was too much injured. During the whole time I was on duty I did not see any injury done to any man by a soldier. The crowd had left the ground at the request of the Clergymen, and what was done afterwards I don't know. (Deponent here read the Riot Act to the Jury.) The members of the House of Assembly had previously requested me to prevent too great an ingress into the Building. I could not recognize any one of the crowd committing violence. The crowd did not disperse after I read the Riot Act. Before I had read the Riot Act I saw no actual breach of the peace committed, except that they would not disperse themselves, but expressed themselves in a violent manner.

P. W. CARTER, J. P.

Sworn before me at St. John's, this Fourteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

Coroner's Inquest on the Body of James Fitzpatrick.

St. John's, } The Examination of THOMAS BENNETT, Esq., of St. John's, Stipendiary Ma-
To wit. } gistrate, taken upon oath before me, JOSEPH SHEA, Esq., of St. John's, Coro-
ner, this 15th day of May, A. D., 1861.

I was at the opening of the House of Assembly on Monday last, as one of the Magistrates. From various reports made to the Magistrates, that some serious public disturbances would likely arise on the opening of the Legislature, and knowing the insufficiency of the Police force under any great emergency, it was deemed advisable as a precautionary measure for the maintenance of peace and good order, to send a requisition to Colonel Grant for the aid and assistance of the Military. Whilst in attendance on the Governor, in the Council Chamber, soon after His Excellency's arrival, I heard a noise in front of the Building—I went out and found my Brother Magistrate, Mr. Carter, about to read the Riot Act, and this he did in an audible voice, to a large and disorderly assembly of persons around him. The mob, for a time, then became somewhat more quiet. Subsequently an attempt was made to take Mr. George Hogsett into the House of Assembly by force, on the shoulders of the people. This was resisted by the Police, the front entrance being secured inside. There was increased and alarming excitement at this time, and I observed the Rev. Mr. Condon and another Roman Catholic Priest using their best efforts to disperse the crowd. This was accomplished after damage being done to the windows on the west-side of the Building. I was then informed, after the mob had dispersed, that the Honorables Mr. McLea, Mr. White and Mr. Tessier, who took their departure for home soon after the Governor had left, had been severely treated on the high road. Mr. McLea happily got shelter and protection in the house of Mr. Parsons (the member)—the other gentlemen, I was told subsequently, made their retreat to the Colonial Building. Shortly after the occurrence, intimation was made to Mr. Carter and myself, that serious damage had been done to the premises of Messrs. Nowlan and Kitchin, in Water-street, and suggesting the necessity of military protection. With the concurrence of Mr. Carter, I promptly notified the intimation to Colonel Grant, who had gone to Fort William with a part of the troops, under the impression that the mob had been dispersed, but leaving at the Colonial Building a detachment under the command of Captain Hanrahan, and intimating to me that he would be ready at a moment's notice, should he and the soldiers that had then retired be required. The Colonel lost no time in ordering out a detachment from Fort William, under the orders of Lieut. Quill, saying that he himself would follow immediately. I went with the troops up Water-street. They halted at Kitchin's for a short time, and then proceeded up the town; and on our return I was struck with a large stone on the wrist. Some of the soldiers, at the same time, were also struck by stones. We continued down Water-street, to Kitchin's lower premises, where the troops again halted. For a time all remained apparently quiet, when the Roman Catholic Priests urged the withdrawal of the soldiers, assuring Colonel Grant, who had a little before taken the command, and myself, that the mob would then be influenced to disperse. With the hope that this would happily be effected, a movement was made to the Market-house, when the troops again halted, the mob following at some distance. In front, down Water-street, there was a large assemblage of persons, as also on Church-hill and on either side of the soldiers. All appeared apparently quiet for some time, when a man rushed violently over to Colonel Grant, as if with an effort to unhorse him, and seizing the Colonel, a she told me, by the leg. The Colonel called my attention to this assault, enquired the situation of the Lock-up, and asked me if the man should not be arrested. I replied—"Certainly"—he was then seized by a Police Constable; and seeing a disposition on the part of several in the crowd to rescue the prisoner, a file of soldiers was ordered by the Colonel to assist in securing him. On their taking the man round the corner, near the Lock-up, showers o

Coroner's Inquest on the Body of James Fitzpatrick.

stones were thrown down Church-hill, inflicting injury, as I subsequently learnt, both to the Colonel, who was struck on the head, and the soldiers. On the Colonel observing a large body of men congregated on the hill, some apparently armed with pickets, he asked me what I would wish should be done. I replied—"Whatever, Sir, is for the best." This was the last and only communication I had with the Colonel, just previously to the fatal firing. Stones still continued to be thrown from the hill on the troops. The Colonel, at this trying moment, as he had been during the whole of the day, was most forbearing, as were also his Officers and men; and it was not until a shot or shots had been fired on the troops from the mob on Church-hill, that Colonel Grant gave the order to his men to fire. Immediately after there was a lull for a short time, when Judge Little and the Italian Priest came to Colonel Grant and myself, and urged the propriety of the troops returning to barracks—that the Roman Catholic Bishop would put on his vestments and advise the people to peace, that his Clergy were exerting themselves, and that he (the Judge) would guarantee this. The Colonel said that if this was the wish of the Judge and myself, and that no further molestation was offered to the troops, he would do so, with our sanction. The Judge and myself then accompanied the troops, and on passing a lane, through Water-street, near Thomas & Co's., stones were again thrown at the troops, when several of the soldiers behind, without orders from the Colonel, fired up the lane. The Judge then left me, and ran up Prescott-street, before the troops, and used his best efforts with the crowd who had been throwing stones down the lane, to disperse. On the troops proceeding further up Prescott-street, heavy showers of stones were thrown from a vacant spot of ground on the right, as also from the road to the left, a little further up, where another shot or two were fired by the soldiers in the rear, who had been assailed by the stones. From thence we reached Fort Townsend, without any further interruption, to my knowledge. I then left the Colonel, and went to my Brother Magistrate, to make my report of what had occurred. When all seemed quiet in the town I went home. When the Colonel was laid hold of he was in Water-street, just covered by the Building. The man who laid hold of the Colonel was apparently somewhat under the influence of liquor. As we first entered Water-street there was a crowd there, but no violence being committed. At this time Mr. Kitchin's premises were attacked, and the noise over. I did not notice, when we passed Mr. Nowlan's premises, of any damage being done. I saw no breach of the peace being committed when Mr. Carter was about reading the Riot Act, but saw every disposition that such would take place. I heard the report of a gun being fired from the hill before the soldiers fired. I heard a shot, if not shots—I heard the report of a shot, if not shots, distinctly coming from the crowd on the hill, on the soldiers. It is not unusual, at the opening of the House of Assembly, to have a large assembly of persons. I saw no effect from the firing of the troops.

THOS. BENNETT, J. P.

Sworn before me, at St. John's, this Fifteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

Coroner's Inquest on the Body of James Fitzpatrick.

St. John's, } The Examination of JOHN JAMES GRANT, Lieutenant Colonel and Com-
To wit. } mandant, taken on oath before me, JOSEPH SHEA, Esq., of St. John's, Coroner,
this 15th day of May, 1861.

I am Commandant of the Garrison here. Whilst at the House of Assembly, in attendance on the Governor, on Monday last, I received a Requisition from the Magistrates for the assistance of the Military, in aid of the Civil Power. Previous to the departure of his Excellency, and whilst in the Council Chamber, I heard a noise of shouting outside, and, with his Excellency's permission, I withdrew. Mr. Carter met me in the lobby and subsequently accompanied me outside the Building, when he handed me a written Requisition for the Military. There was an assemblage of persons outside, on the steps and in the inclosure which surrounds the Building: there was an assemblage of persons present; likewise a large assemblage of persons on the Military-road, where the troops had extended files, and were keeping a free transit from the Colonial Building to the gate of Government-house. When I had reason to expect that the Governor would be coming out of the Council Chamber, I directed Captain Harahan to make such a disposition of the troops as would leave sufficient space for his carriage to turn—this I did because I observed the crowd to be very disorderly—the crowd were shouting and pressing on the Military—seeing that they were in closer contact than I wished to see them. One time I saw an attempt made by Mr. Carter to read what I believed to be the Riot Act, but he was interrupted, and my attention was then turned elsewhere. I saw a paper produced by him, from which he commenced reading, and that was all I took notice of. I had, previous to this, having occasion to transfer a letter from my pocket to my holster, several of the crowd commenced shouting—“Read it, read it;” to which I replied that I had nothing to read which concerned them. At one time I saw Mr. George Hogsett carried up on the shoulders of the people up the steps of the Colonial Building—probably at that period the mob was most excited. Several of the Roman Catholic Clergy were present, and used their best endeavours to allay the irritation, and I also co-operated by remonstrating with them. I heard from one of the Roman Catholic Clergy that Mr. Hogsett was going to address the people from the Cathedral steps, and the mob dispersed—a large crowd, however, remained around the Colonial Building—I remained until about a quarter to five o'clock, outside the Building, and then returned home, leaving a party of Military, under command of Captain Hanrahan. Soon after six o'clock, Mr. Bennett called on me at my quarters at Fort William, and required a Military force, in aid of the Civil Power, to proceed with him to Water-street.—Lieut. and Adjutant Quill chanced to be at my quarters at the time. I directed him to proceed with a small available force, then at Fort William, in company with Mr. Bennett. I sent orders to Fort Townsend for a reinforcement from thence to join Mr. Quill. I subsequently proceeded myself on horse-back by McBride's hill into Water-street, and about a short distance in advance met the Military approaching me. They were followed and flanked by a mob which I would estimate to be about ten thousand persons, and there was another mob in front. I put myself in communication with Mr. Bennett, and Mr. Quill, who had previously been in command of the troops, acquainted me that the leading section was loaded—there were six sections. There were several Roman Catholic Clergymen present, with whom I entered into conversation. They used their persuasion with the mob to disperse; but neither then, nor at any subsequent period, were their endeavours attended with success. I watched them closely, and my belief is that those who did go away, merely went up one cross-street, and down another, as I observed no diminution of the number. The mob were angry and excited. I was personally insulted frequently, with such expressions as—“Go home, you hound”—“Go home with your horse, you scoundrel.”

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My horse was repeatedly struck with stones at this time, which was noticed by one of the Clergymen. I expostulated with the crowd myself and moved amongst them. Application was made by some of the Clergy to me, more than once, to withdraw the troops, but my answer was, that being there by requisition from the Civil Power, and acting under the instructions of the Magistrate, I could not leave, except at his desire. Mr. Bennett was present on one of these occasions, if not more, and declined the removal of the troops, in presence of so numerous and excited a mob. On one occasion, as an experiment, and, I believe, at the suggestion of one of the Roman Catholic Clergy, I put the troops in motion, but finding that our advance only produced a corresponding movement in the mob, I halted under the Market-house. About an hour was passed in this parleying, endeavouring to disperse the mob. About this time one of the mob rushed from the side of the street and jostled me, seizing me by the right leg, with the intention, as I supposed, of unhorsing me. I reined back and disengaged myself, keeping my eye upon the man, who crossed to the opposite side. I called to Mr. Bennett, who was near me, and said there is a man who has assaulted me. A policeman who was standing by, thereupon seized the individual, whom I had pointed out. He resisted violently, and was assisted by, the mob; whereupon I called a file of soldiers to assist the constable in effecting a capture, which they did; and under instructions from the Magistrate were escorting him to the Lock-up. They had scarcely passed the corner when a more desperate attempt was made by a mob from the hill to effect a rescue of the prisoner, which rendered it necessary for me to order the leading section to advance at the charge to frustrate this attempt. The prisoner was secured and placed in the centre of the Military, where he remained until he was conducted by the guard to Fort Townsend, being reclaimed by the Civil power yesterday. During the whole of this time the troops had been exposed to showers of stones and other missiles, which took effect on several of the soldiers, inflicting severe cuts and contusions. Two of my Officers had been struck, and I myself was bleeding profusely from a blow on my head. The terrace over the Market-house was now occupied by the mob, who were pelting the soldiers, compelling me to clear that place, and occupy it with a section under an Officer. There could not have been less than three thousand persons in front and rear of us, and I now first observed a larger crowd gathering on top of Court-house hill, some of them armed with pickets. I represented this circumstance to Mr. Bennett, and pointed out to him that I considered the safety of the troops endangered if they continued longer inactive—pointed out likewise that many of the troops had been severely cut with stones. I saw that the attitude and acts of the mob demanded energetic measures, and requested his orders, he having declined to allow the troops to withdraw, and very properly, as I believe. When asking for orders, to the best of my recollection, I added—"Am I to fire?" Mr. Bennett's reply was—"Well, Sir, you must use whatever measures you think necessary." The quarter from which we were chiefly assailed, at this moment, was Court-house hill. I considered it essential for the safety of the troops to clear it. About this time I heard a shot fired from the hill, and Mr. Quill, who was at the leading section, called out to me—"Sir, they have fire-arms, and are firing at us." I ordered an advance up the hill, which was a signal for a more vigorous discharge of stones. At this moment I noticed a party of the mob descending the hill, and I called out to the leading section file—"Fire," addressing myself to Mr. Quill, who has since informed me that he did not hear any such instruction. I would here add that there is no such a word of command for infantry as "fire." The words are "ready"—"present," and these words were never given by myself, or any one within my hearing. Hearing a discharge of fire-arms, I, of course, assumed they had been given. I was, at this time, about the centre of the column, and Mr. Quill was at the leading section. The effect of the fire was a temporary disappearance of the mob from

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the top of the hill; and I observed, about mid-way up the hill, some individuals on the ground. I immediately called out—"Cease firing," and the bugler at my side sounded the call to that effect more than once. Several dropping shots succeeded the first discharge. My attention was entirely devoted now to reforming the leading section, which had opened out, probably for the facility of reloading. As the position I now occupied at the foot of the hill was an inconvenient and exposed one, I resumed my position in Water-street, somewhat in advance of my former one. I was here rejoined by Mr. Bennett, and shortly afterwards by Mr. Justice Little and a Roman Catholic Clergyman, I think Father Carfagnini, and another gentleman, who said he was a Magistrate, and whom I did not know. I observed the mob again gathering on the hill, and that in our rear still continued—stones were likewise being thrown. I again consulted with Mr. Bennett on the subject of withdrawing the troops, for whose safety I entertained apprehensions. Judge Little and the gentleman whom I have mentioned, undertook to use their best endeavours to secure quiet in the town, in the event of the troops returning to barracks, to which measure Mr. Bennett consented. I immediately put the troops in motion, accompanied by Mr. Bennett and Judge Little, returned to Fort Townsend by the route of Prescott-street. We were assailed by stones from every cross-street and lane that we passed, and from every point of advantage which the mob occupied, notwithstanding the exertions of Judge Little, to whom we were much indebted—the last volley of stones was within a few yards of Fort Townsend. I heard some shots fired in my rear, whilst returning, and on our route to barracks; and one or more of these, I regret to say, proceeded from the military. One man is now a prisoner, charged with this breach of discipline. About the time that the attempt was made to rescue the prisoner, I deemed it necessary to cause the remaining sections to load, the leading section only having hitherto been loaded. The troops fired from the bottom of the hill, up the hill. I think that there were between seventy and eighty soldiers in Water-street. In front of the Colonial Building I saw a disorderly crowd, and heard Father Condon exhorting them, in the name of God, to disperse; but I saw no blows struck. I don't know whether a breach of the peace was committed before the reading of the Riot Act; but saw a disorderly crowd.

J. J. GRANT,

Lieut. Colonel.

Sworn before me, at St. John's, this Fifteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

Coroner's Inquest on the Body of James Fitzpatrick.

St. John's, } The Examination of ARTHUR SAUNDERS QUILL, of St. John's, Adjutant,
To wit. } taken upon oath before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this
16th day of May, A. D., 1861.

I am an Officer—Adjutant in the Royal Newfoundland Companies. I was on duty with the soldiers on the opening of the Legislature on Monday last. I was not there as Guard of honor—I was in charge of the line of soldiers who were stationed between the Colonial Building gate and Government-house gate, where his Excellency's carriage was to pass. My duty was to keep the street clear, to prevent a stoppage; and I kept that line until his Excellency's return from the Colonial Building. I cannot say I experienced very much difficulty. At some time the men had to point their bayonets towards the crowd. There were some disorderly intoxicated people where the soldiers were stationed, but the rest of the people kept order. I withdrew the portion of men under my command about five o'clock, by order from Colonel Grant. Just after the Governor withdrew, I saw two stones thrown at his Excellency's carriage, as it was passing out; and one struck, and the other went through the open window of the carriage; and at least one stone struck the horses in the carriage. These stones came from the direction of the crowd. The soldiers were subsequently called out of Fort Townsend. At about six o'clock in the afternoon, I happened to be at Colonel Grant's quarters, when Mr. Bennett came in, and made a communication to Colonel Grant, to the effect that the presence of a military force was necessary in the town as soon as possible, in aid of the Civil Power. Colonel Grant ordered me to assemble the men who were quartered at that post, and with them accompany Mr. Bennett to town, which I did. Mr. Bennett's requisition, in writing, which was also signed by Mr. Carter, was placed in my hands. I, at the same time, by Colonel Grant's desire, transmitted orders to Fort Townsend for the troops quartered there to meet me in town. I went, accompanied by Mr. Bennett, along the Military-road, turning down the King's-road, and so into Water-street, near the Custom-house, and, at Mr. Bennett's request, went along Water-street in a westerly direction. At a street which leads into Water-street, opposite the premises of Messrs. McBride & Kerr, I met the Fort Townsend party with two officers. I halted the men, in order to form them. Mr. Bennett having still expressed his desire that I should move in the same direction, I continued to do so. The crowd had by this time very much increased, both in front and in rear of my column, and accompanied it in its march. On arriving near the premises of Messrs. Newman & Co., Mr. Bennett said he thought I might return, which, after a momentary halt, I did. The crowd, which had been still increasing at every moment, uttered cries and hisses of derision, and stones were thrown at the troops. I cautioned the men personally as to the necessity of keeping steady, and desired the two officers under my command to do the same. After we had retired about forty yards, a stone of about three or four pounds weight struck Mr. Bennett, who was walking close by my stirrup, a violent blow on the left arm, between the elbow and the wrist—stones also continued to be thrown at the troops. I saw several of my men struck by the stones. I continued to retire, and met Colonel Grant on my way, and reported myself and party to him, and he assumed command. By Colonel Grant's order I halted the column about Messrs. Bowring's premises—I was then coming eastward again. We remained at the halt for some time, between ten minutes and a quarter of an hour. Colonel Grant moved away on horseback, at some distance from the column, accompanied by Mr. Bennett. He afterwards desired me to continue the march of the men eastwards, and I did so—Colonel Grant's words to me were—"Retire the column"—and again halted, by his order, near the Market-house, where we remained a considerable time. At about a quarter to eight, as nearly as I recollect, I saw one of the crowd run against Colonel Grant's horse,

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and passing under its head, struck it violently on the nose with his fist or clenched hand—he was not quite sober—which caused the animal to start and plunge. He then jostled against the Colonel's orderly bugler. Colonel Grant immediately turned to Mr. Bennett and drew his attention to the circumstance—Mr. Bennett ordered the man's apprehension, and a constable proceeded to make him a prisoner. A general rush was made by the crowd, at that instant, towards the two, and Colonel Grant ordered a file from one of the sections to assist in the capture, and gave me directions to clear the front of the column by a charge, which I immediately did with one of the sections—about fourteen men composed that section. I also cleared the flank of the column; and personally desired several people to go away, representing to them, in as strong terms as I could use, the necessity of doing so. Colonel Grant then ordered the prisoner to be taken to the Lock-up, which was close at hand; and the men proceeded to do so. The column was then ordered to front, on account of the menacing aspect of the people in the western direction—they went right about face, and looked westwardly. I saw, at that time, the escort of the prisoner at the foot of Church-hill, one of them down with the prisoner on the ground, and surrounded by a number of people who were endeavouring to rescue him. The prisoner was also endeavouring to escape. Assistance was given to them; and the prisoner, after struggling about the street, was finally brought into the centre of the column. During this occurrence showers of stones were thrown at the troops, from every direction, by the people. One man of the escort appeared to me to be so seriously injured, and bleeding so profusely, as to cause me to ask if he could stand. I then, by Colonel Grant's order, caused the men to load with ball-cartridge. I then went and corrected the formation of every one of the six sections, which had become slightly loosened; and used the most impressive language to each one of the six sections in detail, in desiring them not to fire without order from the Senior Officer, and I directed the two officers under me to do the same, which I heard and saw them do. There were six sections altogether, two of them having previously loaded. The men were at the shoulder after the loading had been completed. I also endeavoured to keep the men steady, they being much exasperated on account of the cuts and contusions that many of them had received. After a short interval Colonel Grant ordered me to move the column up Church-hill. I asked Colonel Grant what were to be my orders, in case of being attacked in the movement up the hill, and which I clearly foresaw. Colonel Grant referred to the Magistrate, saying—“You hear the words of the Executive Officer in command,” or words to that effect. After an apparent consultation, Colonel Grant again desired me to perform the movement referred to. I said to him—“My question still remains unanswered,” and Colonel Grant replied—“You will receive orders.” I then commanded the movement. The whole force, under my immediate command, about eighty-four men, then proceeded to move up the hill. I placed myself on the flank of the leading section, and kept exhorting the men to steadiness under the volleys of stones, which struck, not only almost every man of the leading section, but individuals in every section of the column. The stones were thrown from the summit of the hill, and from Water-street, and from the rear of the column. I noticed several men of the troops bleeding profusely from severe head-wounds. At about a third of the way up the hill the leading section halted and fired a volley at the crowd on the crest and summit of the hill. They fired without any order from me—I did not hear any order. Colonel Grant was on the other flank of the section. I heard, instantaneously after the first fire, Colonel Grant give the order to cease firing. I immediately rode out in front of the section, and ordered it to cease firing immediately. My horse, which had been struck several blows by the stones, became very unruly, backing towards an excavation in the face of the hill, into which its hind quarters slipt. I was myself struck at this time by a stone, while reiterating my command to the men to cease firing. I again approached close in

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front of the section, and seeing that it would be difficult, if not impossible, to enforce the order to cease firing, whilst it remained in that position, (I refer to the section,) I, in conjunction with Colonel Grant, moved the men down again into Water-street. The difficulty I allude to was rendered much greater from the circumstance of fire-arms being discharged from the summit of the hill. I saw the flash, and heard the report, of a gun on the hill, instantaneously with the firing on the part of the troops. I am not aware that any of our men were wounded by the fire-arm I heard. I knew by the flash that it was presented down the hill. I only saw one—my whole attention was then directed towards my men. While riding down the hill, behind the men, I saw the Rev. Mr. O'Donnell, in a recumbent attitude, on the ground, on the slope of the hill. In passing him he said to me—"Sir, I am shot." I also noticed another gentleman in a somewhat similar attitude, close to him, but at this moment I am unaware whether he was shot or struck by a stone. I also saw, a little lower down, I think three men lying, as if shot. The whole column did not move up the hill. A section under command of an Officer was posted on the steps and balcony of the Market-house, which it was ordered to hold, after dislodging a number of men from there. I superintended the reformation of the column, which had become somewhat disordered, on the spot from which it had originally moved. Colonel Grant and the two other Officers used the most strenuous efforts to stop the firing on the part of the troops. I mentioned about this time to Colonel Grant the circumstance of the Rev. Mr. O'Donnell having been wounded, I being much horror-struck at it, not having heard the order to fire. The section on the balcony was then ordered to take its place in the column, and, after some delay, I was ordered to move the column along Water-street, eastward, which I did; and moved up Prescott-street, towards Fort Townsend, bringing the prisoner along with us. From every point along the route, where it was possible to assail the troops, they were assailed with volleys of stones. On the way up Prescott-street I posted myself in the rear of the column, and so proceeded to barracks. Stones continued to fall among the troops until they had arrived opposite the Nunnery, near the Roman Catholic Cathedral. I had a written requisition from Mr. Bennett, the Magistrate, for the aid of the troops. (The Requisition was here produced and read.) The two other Officers in command were Lieut. Coen and Ensign Kavanagh. I saw one constable on the ground—I think I saw other constables at the balcony—I did not see Mr. Mitchell. We had not advanced five paces down the hill when I saw the Rev. Mr. O'Donnell. After we had returned to barracks I saw the Doctor dress the wounds of four men. Colonel Grant was wounded on the left side of the head. It is not usual for soldiers to fire without orders. When I passed along the Custom-house, through Water-street, I saw no crowd until we came to Mr. McBride's. I saw no depredations being committed. I don't recollect seeing any Constabulary-force. After we had turned at Newman's, and had not gone far, stones were thrown at us, and the crowds increasing as we went along, until we came to the Market-house. I don't know that my men made use of any expressions to the crowd—my men charged with the bayonet, as commanded. The mob did not attempt to tear down any buildings, in my presence. The only disturbance I saw—the men were throwing stones at us. When the man was made a prisoner in Water-street, he was about fifty yards from the steps of the Market-house. When the Guard of honor loaded, there was a disturbance at the time at the Colonial Building. I heard three or four straggling shots from the rear of my men at Church-hill, not volleys—I believe they came from my men. The men might have heard Colonel Grant's order to me—I have no doubt but that they did hear. I heard Colonel Grant since say that he gave the word of command to me. A little before the troops were ordered to retire, I saw Mr. Bennett and Judge Little consulting with Colonel Grant, and believe that they were consulting of the propriety of withdrawing the troops. A Roman Catholic Clergyman

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addressed me to withdraw the troops, and said they (the Clergy) would secure peace. There were two of our men fired without orders, going up Prescott-street. One man's name is James Thompson. I don't recollect, while passing Messrs. Thomas's, that a gun was fired from our men. Mr. Bennett and Judge Little accompanied the troops as far as the barracks. It is not a fact that the soldiers fired into every lane on their way to barracks. The man in the crowd, who fired, was in front. The men whom I saw wounded on the hill, may have been abreast of the leading section when they fired, and about twelve or fifteen yards on one side. I informed Colonel Grant that they were using fire-arms upon us. At that time none of our soldiers were shot, that I am aware of. I saw a shop-front and house windows destroyed in Water-street, I believe Mr. Nowlan's, near Toussaint's. I also saw property lying near Mr. Kitchin's, and windows broken of Mr. Kitchin's premises.

ARTHUR S. QUILL,

Lieut. and Adjutant,

Royal Newfoundland Companies.

Sworn before me, at St. John's, this Sixteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of HENRY SHEA, of St. John's, Doctor of Medicine, taken
To wit. } on oath before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 14th day of
May, A. D., 1861.

I was sent for last evening at Mr. Dearn's shop—there were two or three wounded people there when I got there. I there saw James Fitzpatrick—he was sinking fast, and perfectly pulseless and dying. I assisted Dr. McKen in holding a *post mortem* examination on the body of deceased, and found a wound in the back of the hand, between the thumb and the next finger. There was also a wound in the left flank; and on opening the body I found a large quantity of blood in the cavity of the abdomen, which evidently had been caused by the rupture of the larger blood-vessels, which I had found wounded. Death was, no doubt, caused by the bleeding of the larger blood-vessels of the abdomen. From the appearance of the wound, I think it was caused by a bullet, but I did not find the bullet—I made a search for it, but did not find it. He was dead three or four minutes after I saw

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him. When I saw him, last evening, I did not examine the wound, as he was dying. I was attending others wounded there. I do not think the wound was produced by a stab—I think he was fired at, the left side.

HENRY SHEA,

Surgeon.

Sworn before me, at St. John's, this Fourteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of THOMAS MCKEN, of St. John's, Doctor of Medicine,
To wit. } taken upon oath before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this
14th day of May, A. D., 1861.

I attended at the *Post mortem* examination of James Fitzpatrick, this day. A number of the larger blood vessels of the abdomen were lacerated. I have not the least doubt but that the wound was caused by a bullet, and that death was the result of such wound.

THOMAS MCKEN, M. D.

Sworn before me, at St. John's, this Fourteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of the Rev. RICHARD O'DONNELL, of St. John's, Clerk,
To wit. } taken upon oath before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th
day of May, A. D., 1861.

On the thirteenth instant, the day of the opening of the House, shortly after two o'clock, I reached the Colonial House, but did not enter. The Governor and other Officials had

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then entered the Colonial Building. The ground in front was occupied by a portion of the soldiers and people—by degrees people increased, which caused the space occupied by the military to be encroached upon. I saw nothing that I could call actual excitement at the time. After some time the military found it difficult to prevent the people from trespassing upon the space occupied by them, and unexpectedly charged with fixed bayonets—this was inside the Colonial Building gate—I had been then among the crowd, and told Colonel Grant that I considered it rather an imprudent step, at a time when the public mind was excited. After the Governor and his Suite had left the Colonial Building, I remained there until almost the entire people had dispersed; at the same time, using my exertions to have them retire. On my return to the Palace, the road was thronged with persons. I was informed that Mr. McLea would have been injured if it were not for the interference of my brother. After reaching the Palace, and having dined, I was told the military had gone down town, where I also hastened. The soldiers were then returning from River-head, in Water-street. Remaining for some time opposite Mr. O'Dwyer's, I saw there Mr. Carter, the Magistrate, accompanied by a policeman. I saw some small few stones thrown at him, not with any violence, that I could judge. I then addressed Mr. Carter, and told him, in a very inaudible voice, I considered it more prudent for him to retire, as several were intoxicated and might injure him. He conceded, and I accompanied him a part of the way. At our departure he thanked me. I went into my brother's, opposite Mr. O'Dwyer's, in order that I might be at hand, to use my exertions, if required. I had been resting on the sofa about five minutes, when I heard a discharge of fire-arms. I instantly hastened down stairs, running down Water-street as quick as possible, and met several persons on my way, telling me that several had been shot. I reached Mr. Lawlor's, and Mrs. Lawlor, I think, got hold of me, telling me that my brother was dying from the effects of a ball that he had received. I asked her if he had been visited by a Priest—she replied in the affirmative. I did not then visit my brother, but went on as quickly as possible to speak to the Colonel, or any other Officer in command, to tell him to cease firing; and when I reached a little further on, to Mr. Molloy's, in Water-street, before they turned up Prescott-street, I addressed Colonel Grant on the impropriety of shooting down a few defenceless people—this was on their way to barracks. When I reached them I think several shots were fired. I left them at Prescott-street and returned—the soldiers continued their march. At that time some stones were being thrown by a few persons, with whom I had some difficulty in making them cease. After this I returned to see my brother and others who had shared the same fate.

RICHARD O'DONNELL, C. C.

Sworn before me, at St. John's, this Eighteenth }
 day of May, A. D., One Thousand Eight }
 Hundred and Sixty-one. }

J. SHEA,

Coroner.

Coroner's Inquest on the Body of James Fitzpatrick.

St. John's, } The Examination of the Rev. JOHN VEREKER, of St. John's, Clerk, taken
To wit. } upon oath before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th
day of May, A. D., 1861.

On the evening of Monday last, while on my way to the Palace, through the Cathedral ground, a gentleman named Jas. Walsh informed me that Kitchin's premises were being destroyed. I immediately accompanied him to Mr. Kitchin's premises, and succeeded in preventing any further destruction. Judge Little was present at the time when I repelled them from assailing the house, and by the aid with some others who were present, put up the shutters. On hearing their intention to go to Kitchin's upper place, I followed them immediately after. A part of the crowd turned to Byrne's, instead of going to Kitchin's, whom I accompanied and prevented their doing much damage to Byrne's place at the time. On approaching to the house I saw some few stones thrown at the upper windows, and the shutters partly torn from the lower windows. I remained a very short time at Mr. Byrne's, and proceeded, without delay, to Kitchin's upper premises, and there prevented them also, in a great measure, doing much damage to the place; and was soon assisted by Father Byrne and Father Condon and some other Priests. On leaving Kitchin's upper premises I requested Father Byrne to remain there, to prevent the people from doing further injury. Shortly after this the troops were reported to be brought out, and I met them opposite McBride's, on my return. Before the arrival of the soldiers all things were quiet and calm in the place. As soon as the soldiers arrived on the spot I went back to Kitchin's upper premises, and was there but a very short time when a section of the soldiers had passed westwardly, and appeared to have gone as far as Mr. Morry's. On their return through the crowd where I stood stones were pelted, probably by unruly boys, from ten to eighteen years old, and these I, in a great measure, prevented from continuing their pelting—I could not call these a violent volley of stones—they did not appear large. Mr. Carter, while in my company, received a blow of a stone—he was neither wounded nor probably hurt, as far as I could judge. The troops having passed on their way eastwardly through Water-street, I remained behind and used my exertions, and prevented the people from following them, lest any provocation might be given them, (the troops,) and on the street remained the entire evening, using the same efforts and exertions, by which exertions I prevented a large concourse of people from crowding and approaching the soldiers. A little time before the firing of the guns I received information that the soldiers and people were quarreling; and it was only after that I heard that a man had been stabbed by a soldier, I determined to go to the scene of collision. Before reaching the Market-house hill, where, I believe, this occurrence took place, I heard the firing of guns, and saw the people running in a westwardly direction. I retired for a few minutes, with Mr. Goss, into his house, imagining, with him, that the troops were coming in the direction in which the people were running. The firing now ceased. I immediately came to Market-house hill, which was a little east of Mr. Goss's—there were neither firing nor stone-throwing when I arrived. I remonstrated on the necessity or propriety of withdrawing the troops to barracks, guaranteeing that I would preserve the peace of the town, or words to that effect. I remonstrated with Colonel Grant on the propriety of withdrawing the troops, in the course of the evening before, and believe with Mr. Carter and Mr. Tunbridge, The troops did not remain long after the firing, and had withdrawn to barracks by the advice, I believe, of Judge Little, who, in my opinion, as far as I can recollect, had promised the same security for the peace of the town. When the soldiers left their position, and marched off, on the way to barracks, taking an easterly direction through Water-street, they were pelted by a few who were on the hill at the time, but could not, in my opinion, have received any

Coroner's Inquest on the Body of James Fitzpatrick.

serious wounds. I went between the soldiers and the people while the stones were being thrown. They had only a few yards to pass from the place they left on Church-hill when they were sheltered by houses. At this moment I ascended the hill in order to prevent the people and boys who were there from meeting the soldiers on their march to the barracks. At this time the crowd was not very large. Believing that the soldiers had reached the barracks, I left the place and called on the Rev. Jeremiah O'Donnell, whom I saw wounded, for the first time at the house of Mr. Lawlor. While there I heard the bells of the Cathedral ring, but knew not the cause of their ringing. Shortly after leaving Lawlor's house I met Judge Little, who informed me that the bells had been rung by order of Dr. Mullock, with the intention of addressing the people on the propriety and necessity of the people keeping the peace; and asking him if the people had left the Cathedral; and, as far as I could recollect, he answered me—all had promised to retire to their homes peaceably; and Dr. Mullock and he had guaranteed the peace of the town for the night. Shortly after, the Judge and I visited the Lock-up, and we there saw Mr. Mitchell, who had promised to keep a few policemen on the watch, that they might be able to report to me if any disturbance or riot should take place during the night. About eleven o'clock in the night I reached home, and was not called on nor received any information of any disturbance in the town that night. To the best of my opinion, if the troops had remained in barracks, no ten pounds' worth of property would have been damaged or destroyed after the Priests had arrived on the scene of destruction—no life would have been lost, and the peace of the town would have been preserved.

JOHN VEREKER, C. C.

Sworn before me, at St. John's, this Eighteenth }
 day of May, A. D., One Thousand Eight }
 Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of EDWARD LLOYD, of St. John's, Surgeon, taken upon
 To wit. } oath, before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th day of
 } May, A. D., 1861.

I am Staff Assistant Surgeon in the Garrison here. On Monday evening last I dressed the cuts and wounds of the Serjeant Major and six other men—none of them were severe wounds. I saw a wound on the Serjeant Major's head—the wound was not, in my opinion, caused from a shot, but, I should imagine, it was caused by a stone. The next morning I saw two or three other men cut, but they were not sufficiently injured for medical aid. The men told me they were wounded down in Water-street. The wound, in my opinion, on the

Coroner's Inquest on the Body of James Fitzpatrick.

Serjeant Major's head, was not caused by a shot or a bullet, but had the appearance of being caused by a stone. I cannot positively assert it was not caused by a shot. It could not have been caused by a smaller shot than a bullet.

EDWARD W. LLOYD, M. B.,

Staff Assistant Surgeon.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of PATRICK MATTHEWS, Serjeant Major, taken upon oath,
To wit. } before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th day of May,
A. D., 1861.

I am Serjeant Major in the Royal Newfoundland Companies. I was on duty on Monday last, rather late in the evening. I was called out—I went from Fort Townsend, and proceeded down McBride's hill, until we came to Water-street, and marched up the town. Mr. Bennett, the Magistrate, was with us. As we went along up Water-street, I saw an immense assemblage of people, and until we halted we were met with most abusive language, and stones from the people were thrown at us, when we arrived up River-head, and particularly when we were halted, on our way back, opposite Baird, Brothers'. We halted for some time near the Marker-house—whilst standing there I heard no shot fired from the hill. Before the military fired there was a shot fired from the hill. I did not see it, but heard it. I remarked the men around me were saying that I was wounded, and some of them asked me if I was shot. I had not then my cap on—it was just before that it was knocked off with a stone. I had it in my hand, but had not replaced it. My sword was struck—I don't know by what. The mark on the guard was done at the same time. Simultaneously with the firing of the gun I received a wound in the head, which I now show. As we were marched up the hill I was on the left of the leading section, and in advance a little, when my cap was knocked up by a stone. It was after hearing this gun that the military fired. When the gun fired from the hill the troops had not received the order to fire. Mr. Quill gave the order to advance up the hill. I did not hear the order to fire. Mr. Quill was on the left flank. I did not hear any order given by Colonel Grant—I heard no order given by Mr. Quill—it was nearly impossible for me to hear any order given, in consequence of a blow on the head, and I was in the act of stooping to recover my cap. It was within five minutes from the time the first shot was fired till the last shot fired. I was present during the arrest of the prisoner. Previous to his arrest I had to order him away several times—

Coroner's Inquest on the Body of James Fitzpatrick.

He appeared to be drunk, and he was attempting to hold conversations with the men on the flanks of the sections, and one section, in particular; and to force himself between the ranks. I warned him off several times. Through the conduct of him and others Colonel Grant had to apply for a police constable. I went myself in search of one, and brought him to where Mr. Bennett, the Magistrate, and Colonel Grant were standing; and shortly after that I noticed the civilian before mentioned jostle violently against Colonel Grant's horse, and otherwise act in a ruffianly manner, calculated to excite the minds of the people, when he was ordered into custody by Mr. Bennett, and I believe, by Colonel Grant. Immediately on his apprehension, he was ordered to be conveyed to the Lock-up, and as demonstrations were made by the people to prevent his being taken there, Colonel Grant ordered a file or two of soldiers to assist the constable. I saw the prisoner and escort go around the corner of the Market-house; and they had scarcely done so when they were forced to retreat, followed by a number of civilians, who attempted to rescue the prisoner by every means in their power. I saw the soldiers on the ground who formed part of the escort, still holding the prisoner. At this time the troops had been faced about, for the purpose of proceeding up Water-street, or some other purpose—they were faced from Market-house hill, with their backs to it, when I pointed out to Mr. Quill that an attempt to rescue had been made. The men were then faced about, and the order to charge was given, for the purpose of recovering the prisoner. The prisoner was brought back, and as it was considered unsafe to attempt again to lodge him in the Lock-up, he was kept in the custody of the troops. During the whole of this time the excitement on the part of the populace was intense, and I saw four or five soldiers bleeding profusely, from wounds inflicted by some missiles. After recovery of the prisoner we were put in motion, and the order given to proceed up Market-house hill. We had proceeded up some paces, under showers of stones, when a shot was fired from the top of the hill. There was a dense crowd, of between five hundred and a thousand people in our immediate vicinity, and stones were thrown by them. I saw the air darkened with stones, at one time, just around the soldiers' and my head—there were several soldiers wounded who did not put themselves under the care of the Doctor. The soldiers' pouches and rifles were cut with stones. It is not usual for soldiers to fire without the order—"Ready"—"present." I did not hear the order given.

P. MATTHEWS,

Serjeant Major, R. N. C.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

Coroner's Inquest on the Body of James Fitzpatrick.

St. John's, }
To wit. } The Examination of Serjeant JOHN MAWHINNEY, Royal Newfoundland Com-
panies, taken upon oath before me, JOSEPH SHEA, Esq., of St. John's, Coroner,
this 18th day of May, A. D., 1861.

I was on duty on Monday evening last. We marched from Fort Townsend to town. I was in the neighbourhood of the Market-house. I saw a gun fired from the hill—I mean I saw a flash. This was before the soldiers fired, and about a minute or two minutes afterwards the troops fired. I heard Colonel Grant give the order to fire—I was with the leading section, advancing up the hill, and we were struck with stones, which came from our top and right front. Immediately afterwards I saw the flash of fire-arms from our front—immediately the gun fired, a rumour went through the ranks that “they are firing at us, and the Serjeant Major is shot. I then heard a voice in the rear of me, which I believe to be Mr. Bennett's voice, saying—“Let the men fire.” Immediately after, Colonel Grant being to my right rear, said—“Let the leading section only fire.” Then I expected the order to be given by Mr. Quill, and I repeated the order to the men as it was given. After I repeated the order the leading section fired—I think there were fourteen men in that section. They then ceased firing—the Colonel called out—“Cease firing.” When we proceeded to advance into Water-street, I saw a man on the hill, to my left—I can't say whether he was killed or wounded—I saw one man down, and another, I think, in the act of being lifted up. This was some few minutes after we retired. We were then moved to our former position, opposite the Market-house. Shortly afterwards we marched on, in the direction of Prescott-street. I know, and am certain, that no section fired before the section fired that I was in. The volley was fired, as we would term it, in a straggling way, not exactly compact together—the firing was within five minutes—not more. I am not aware that any shots by the military were fired either opposite Thomas's or Job's; but a shot was fired at us from Prescott-street. After we had left the Market-house we were assailed with stones from every place where there was any cover, until we reached opposite the Roman Catholic Cathedral. I heard a report of a gun on my left, while going up Prescott-street, and felt as if it were dead shot about my legs, but it did me no injury. I cannot swear that any military man fired a shot after leaving the Market-house. I cannot swear that the voice I heard, as before stated, was Mr. Bennett's voice—I believe it to be Mr. Bennett's—I might be mistaken, as I don't know him. I repeated the order that Colonel Grant gave, for the men to hear, I considered that Mr. Quill was a casualty, or that he had not heard the Colonel's order or permission to fire, and that then it was my duty to confirm and carry out the order which proceeded from the Commanding Officer.

JOHN MAWHINNEY,

Serjeant, R. N. C.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

Coroner's Inquest on the Body of James Fitzpatrick.

was an angry and furious mob in front of my premises, throwing heavy rocks, and smashing my premises. I saw some of my property outside, candles and sugar, so that I know some of them must have gone inside. I saw a stout man break the doors with a heavy stone, which broke the bar. My sight is not good—I could not make out a person on the opposite side of the street. I could identify some of the children and their mothers. We had fire-arms in our house, but I surrendered them to Mr. O'Mara and his son; and they took them in charge, and have them still. I was afraid, if I fired, that they would burn the premises. They were about an hour and a quarter doing this destruction. They wanted to get up stairs, but the men and girls in the house prevented them. In the crowd, I suppose there were three hundred men, women and children that I saw—there must have been more; but I did not see all of them. There was a large amount of property destroyed. Before this damage was done, I sent my man up to the Police-court, about twelve o'clock, to the Magistrates, and he met Mr. Mitchell and told him he came up to look for protection, but Mr. Mitchell said he could not raise a sufficient force for other places, that he wanted, and he could not send them. There was a good deal of glass destroyed on the day of Elections, in my house, by the mob. I was in my room when the stones were thrown at the window. I could name one who threw stones. After the last damage was done, on Monday last, I believe Mrs. Nowlan sent up to the Magistrates for the assistance of the police, and I believe some constables did go down.

MICHAEL NOWLAN.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of WILLIAM KITCHIN, of St. John's, Shopkeeper, taken
To wit. } upon oath, before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th
day of May, A. D., 1861.

My house was attacked on Monday last, about four o'clock, and after Mr. Nowlan's premises were destroyed. I heard that the mob were going to Mr. Kitchin's, and as quick as we could I removed my family, some into one house and some into another, and some into a third; and hardly that was done, when a furious mob made their appearance. Myself and my son remained in the shop, and my son, who was looking out at the east window, in the end of the house, said that we had better leave, as a numerous and furious mob were coming up, who would destroy us. We left, and went into Mr. Blackwood's, fearing very much

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that they would follow us, and take our lives. We went up into the upper part of Mr. Blackwood's house, and looking out of one of the upper windows, I saw men, women and children pelting stones at the lower and upper windows of my house. They broke off one of the iron bars which secured the window-shutters, broke the windows, and smashed the sashes, tore down the gas-lamps, and broke three of them, the first cost of which was sixteen pounds sterling—they entered the shop, threw out large quantities of goods, stole a great quantity, trampled upon and tore a large quantity inside—entered the rear shop, smashed the door, smashed the window of the rear door, and stole a large quantity in that shop—left several old boots and bluchers, and took new ones on their feet—left some of their old clothes, and took new ones on their backs, as well as about their persons. I did not apply for any assistance to the Magistrates, as I did not consider it safe for myself or my son to go out; but I think my neighbours did. I saw Capt. Halern standing by. I cannot tell what amount of property was destroyed, but it was very considerable. I have not gone near my upper premises since this occurred—what I have stated refers to my lower premises. There were four hundred and eighteen panes of glass smashed altogether, in both of my premises. I think there were not less than two large wheel-barrows of stones in my house. The counter in my shop is of mahogany, and it was cut with rocks as if it had been done with a hatchet. About fifteen to thirty minutes after the mob left my lower premises, I saw the military pass up. There was a large mob, both up and down the town. The soldiers halted towards my lower premises, on their way back, and went down town, and the crowd followed them.

WM. KITCHIN.

Sworn before me, at St. John's this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of JOHN J. KITCHIN, of St. John's, Gentleman, taken upon
To wit. } oath, before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th day of
May, A. D., 1861.

There was no member of our family went to the Police-office for assistance, but a young man named Devereux, in our service, immediately after receiving the news, that the mob from Mr. Nowlan's were coming, went to the Court-house, and not finding Mr. Carter there, went to the Colonial Building, and saw Mr. Mitchell, who told him that he could spare no one. I believe it was Mr. Tunbridge who saw the people do the destruction, and returned and brought these soldiers. The military drew up, one section on the side of the hill, and two sections fronting each other, in front of the house. They then closed in, and moved

Coroner's Inquest on the Body of James Fitzpatrick.

SSSt. John's, } The Examination of PATRICK MURNICK, Drummer in the Royal Newfound-
To wit. } land Companies, taken upon oath before me, JOSEPH SHEA, Esq., of St. John's,
Coroner, this 18th day of May, A. D., 1861.

I was on duty on Monday last, with the other troops, in Water-street, opposite the Market-house. I saw one discharge from a gun proceed from the corner of the wall on the hill, at three soldiers. I am bugler, but was acting as a supernumerary. I was in rear of the fourth section—I was not struck with stones, but the men were. I saw their wounds dressed. While on our way home I heard reports of guns, but could not tell from whence they came—I can't say that they were fired at us, except the first one. I was standing by the Market-house when I saw the flash of the gun. When the order to advance was given, the sections in front of me moved. I saw the flash from the hill before the military fired—I did not hear the order from the Commanding Officer to fire.

D. P. MURNICK.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one.

J. SHEA,

Coroner.

SSSt. John's, } The Examination of JAMES DUFFY, a Private in the Royal Newfoundland
To wit. } Companies, taken upon oath, before me, JOSEPH SHEA, Esq., of St. John's,
Coroner, this 18th day of May, A. D., 1861.

I was on duty, with the other troops, on Monday evening last, opposite the Market-house. I heard no one give the order to fire. I was in the second section. I saw a flash, and heard the report of a gun from the corner of the Pound, before the military fired. There were a great many stones thrown, and I was struck on the forehead, on the thigh and arm; and the marks are about my body now. When I was returning down the hill I saw two men on the hill down on the ground. I can't say that they were dead. The section I was in fired up the hill—I am not aware that all our section fired. I heard the report of fire-arms while on our way down Water-street, about James' premises. I heard, while going up Prescott-street, reports of fire-arms. Serjeant Mullelen was commander of our section. After leaving the Market-house, at every opening, we were assailed with stones.

JAMES DUFFY.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one.

J. SHEA,

Coroner.

Coroner's Inquest on the Body of James Fitzpatrick.

St. John's, } The Examination of DANIEL COURNANE, Private in the Royal Newfoundland
To wit. } Companies, taken upon oath, before me, JOSEPH SHEA, Esq., of St. John's,
Coroner, this 18th day of May, A. D., 1861.

I was on duty on Monday evening last in Water-street, in front of the Market-house. There was a great number of people in the street—a larger crowd than usual. A great many stones were thrown at the soldiers. I was so placed that I could see up the hill—I was in the second section, and saw a gun fired from the corner of the wall, up the hill. This was before the soldiers fired. I could see the man standing, and saw the flash. It must have been some kind of fire-arm he had. Our section was not ordered to fire, and we did not fire. I did not hear any order to fire given by Colonel Grant. I heard the Commander of the section, Serjeant Mawhinney, repeat the order to fire. After the gun was fired, I heard the soldiers saying that it could not have been heavy shot, or else it would have injured the men. I was hit more than once with stones during the time. I was not cut, but received blows about the body. There were a great number of people on the top of the hill, and all the way down.

his
DANIEL ✕ COURNANE.
mark.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one, the same having first }
been read over to the said Daniel Cournane. }

J. SHEA,

Coroner.

St. John's, } The Examination of MICHAEL NOWLAN, of St. John's, Merchant, taken upon
To wit. } oath, before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th day of
May, A. D., 1861.

My house was assaulted on Monday evening last, about five o'clock. I was walking up and down my premises with Mr. O'Mara. I went up into his drawing-room with him; and when I was there about threeminutes, Mr. O'Mara's son Robert came up and said—"Oh, Papa, the mob (or boys) are coming down to attack Mr. Nowlan's house." We then went out into the front, and men, women and children were throwing rocks, gravel and every thing else, against the windows and doors—the shutters were not up. I went back again, into Mr. O'Mara's room with my wife; and when my wife came into the room, she told me a person ran down before the mob, to tell her to put the shutters up, as the mob were going to attack the premises. It was mentioned by a voice in the crowd, to go down and smash Nowlan up. He said he believed it to be Mr. Hogsett's voice, but did not see him. There

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up the town; and the mob bahed at them and hooted, but I don't know that any stones were thrown. The amount of property destroyed in our house, I believe to be from between seven hundred and a thousand pounds, if not more. I was up to the upper premises this evening, and I think from one hundred and fifty to one hundred and eighty panes of glass were destroyed. Great efforts appeared to have been made to break in the doors, but no property inside was taken. The mob before our house appeared to be very furious. Two or three young men were assisting to put up the shutters, when they were prevented by two or three men outside, and were beaten severely after the damage was over.

JOHN J. KITCHIN.

Sworn before me, at St. John's, this Eighteenth
day of May, A. D., One Thousand Eight
Hundred and Sixty-one.

J. SHEA,

Coroner.

St. John's, } The Examination of THOMAS W. MABIN, of St. John's, Broker, taken upon oath,
To wit. } before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th day of May,
A. D., 1861.

On Monday evening last, I was sitting in the back room in our own house, facing Church-hill, and my brother was in the front room, when I heard my brother say, oh! there will be murder; at the time I inferred it was the soldiers he meant—on his saying that, I went to the same window where my brother was and looked out, and saw a square of soldiers drawn up opposite Elmsly & Shaw's, the mob were pelting them in every direction, and many of the mob running across the soldiers, bahing, saying,—“Fire, fire,” and doing everything to aggravate the soldiers. I saw some of the soldiers detached from the square, and placed on the top of the Market-house steps. As they were proceeding towards the Market-house steps, they were pelted at with rocks, and they fairly bent under the stones thrown at them. The hill at this time was crowded with people, and were throwing stones at the remaining portion of soldiers left at Elmsly & Shaw's. That continued for about five minutes, and it was a bitter sight to see the soldiers pelted at so. I saw a gentleman with black clothes go up the hill and order them off; he reached the top of the hill, driving them back with a stick in his hand—I think it was Mr. Tunbridge—and when he reached the top of the hill the mob again came down. A few minutes after I saw an Officer on horse-back, give the order to advance. I saw a flash above the soldiers' heads, which I took to be one of the military signals, a moment afterwards there was a volley fired, and I saw the men fall—the mob then rushed away, and a few men lying down, some slightly moving—there was then a rush made, a number of women with them, they were carried off I hear—

Coroner's Inquest on the Body of James Fitzpatrick.

five or six minutes after that I saw the military pass the door—I then resumed my work, and saw nothing more that night. I heard the report and saw a flash, and immediately, almost simultaneously, the volley went off, the flash appeared to be ten or fifteen feet higher up than the soldiers. The window I was looking out at was not open—it was about seven o'clock when these occurrences took place. After the firing, I saw several of the Priests driving the mob away and trying to keep them off. I did not see any Magistrate there—it was a gloomy evening. The men whom I saw fall, were in front of the soldiers, and nearly on a line with the rear of Mrs. Cash's house—one man who was down, was in his shirt-sleeves, I believe, for I saw him move his arm after he was down. I can't say I saw Colonel Grant there, but I saw two Officers a minute or two before. I did not see Mr. Bennett. When I saw the stones being thrown at the soldiers, my servant girl exclaimed, "What patience and forbearance the poor fellow shave."

THOMAS R. MABIN.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of JOHN R. MABIN, of St. John's, Accountant, taken upon
To wit. } oath, before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th day
of May, A. D., 1861.

On Monday evening last, I saw the military first up by Bowring, Brothers, and then followed them down to Clift's cove—during which time I saw showers of stones thrown at the soldiers. There were a great number of the people on the hill, and also in Water-street—considerably more than usual. I was looking out from our window when the volley was fired at the people. Before the volley was fired, I saw showers of stones thrown at the soldiers from the Market-house steps, (before the soldiers were stationed there who dispersed the mob), and from the hill, and from Water-street. I heard a gun fired, but do not know whether it proceeded from the military or the mob; I don't think it was from the military—the sound did not appear to come from that quarter. Before the soldiers fired, I saw some soldiers advance a little up the hill to the rear of Mrs. Cash's House. The mob I saw were anything but quiet, and the air was nearly darkened with stones. I saw two or three soldiers run out to take a man, with one constable, and when they got as far as the Market-house, there was a mob ran from different directions, and at the same time throwing stones, and crying out—"Will you allow him to be taken;" and language of that kind, trying to

Coroner's Inquest on the Body of James Fitzpatrick.

rescue him from the hands of the soldiers ;—and when they saw they were overpowered, they (the soldiers) dragged him back, and they fell into their places. I did not see Colonel Grant struck, but I saw his horse surrounded by the mob. If the gun shot was fired from the hill, I might not have seen it—my window is opposite the hill. I did not see the flash, because my attention was directed to the soldiers and the mob. All the time the soldiers came down the street, the mob were using most insulting language towards the soldiers and Colonel Grant, bating him, saying—“ Pull him off his horse.” After the military fired, I observed three or four on the ground, a little up the hill. I don't know the names of them.

J. R. MABIN.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of JAMES HEALY, of St. John's, taken upon oath, before
To wit. } me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th day of May, A. D.,
1861.

I am employed in the General Post Office, and reside in the Building. On Monday evening last, from the front westernmost window, looking South of the Building, I witnessed a large assemblage of troops in Water-street, and civilians passing in and out of the shops in Water-street, between seven and eight o'clock—I saw four of the soldiers appearing to take a man to the Lock-up—they were resisted, and immediately returned with the man and took him into their ranks as a prisoner—I also saw some civilians endeavouring to rescue the prisoner, but the soldiers at last succeeded in taking the man into their ranks. The body of soldiers were opposite LeMessurier's premises, looking east—I saw no attempt made to take the men in charge who attempted to rescue the prisoner, they might have easily done so. Shortly after securing the prisoner, I saw a file of soldiers advance to the foot of Church-hill and fire up the hill—I could not see who they fired at—they immediately ran back to the rest of their comrades—I then saw the soldiers loading, and saw them fire several shots up the hill, and down the hill—they did not fire regularly, but opened out. It appeared to me that the last firing I saw was not intended to take effect. I saw some of them lift their muskets and fire high ; the first file who fired up the hill, appeared to take deliberate aim. Shortly after the first firing I saw two men on the hill—one appeared to be in much pain, as if he was dangerously wounded. I did not see him struck or fall. I saw several Roman Catholic Priests about Colonel Grant and Mr. Bennett, the Magistrate, after the first firing, appearing to be entreating him to take away the troops ; and, before the firing, I saw Judge Little leaving Colonel Grant and Mr. Bennett, and went up the hill,

Coroner's Inquest on the Body of James Fitzpatrick.

and appeared to be persuading the people to go away, by beckoning to them with his stick. This was just immediately after the attempt to rescue the man. I saw, from the window, the first appearance of the troops till their departure, except when I saw the man wounded on the hill. I attempted to go out, but there were some soldiers on the balcony, and I went back again, finding that the door was barred and bolted, and I was informed that I would not be permitted to go out that way. After the first firing the section immediately went back to their places with the other soldiers, and then it was that I saw some of them loosen out and fire irregularly. The soldiers, after the firing, remained about a quarter of an hour after the first firing, and then marched down the street; and as they proceeded along Water-street I heard several shots fired; and about Messrs. Thomas's & Co's. premises I heard several shots fired—I did not see the soldiers then fire. When the soldiers were taking the man I saw no constable with them. I could see from the window, on a line up the hill, a little to the rear of Cash's. I saw no assault committed by the man. The man I saw wounded on the hill I heard moaning before any one came to him—the other appeared to be limping. I afterwards saw a man down and a crowd around him, just at the corner of Cash's house. When I saw the soldiers taking back the prisoner, I saw a few stones thrown, but they fell short of the soldiers. I heard no gun fire before the body of soldiers fired up the hill. The first soldiers I saw fire brought their guns to the shoulder; but the others, some did, and some did not. What was passing at the brow of the hill I could not tell. When I saw the first volley fire my head was out of the window. I did not hear any gun fire before the troops fired. Just before the soldiers fired there was noise and confusion in putting up shutters in Water-street. The soldiers were standing at ease at the time the rescue was attempted, of the civilian in charge of the soldiers; and numbers of people, men, women and children, were passing up and down the street, and entering and leaving the shops. No stone thrown, or gun fired from the top of Church-hill could have struck the soldiers where I saw them drawn up. At the time the file of soldiers advanced from the ranks, to the foot of Church-hill and fired up, I saw a few stones thrown, but saw no soldiers struck. Stones thrown from the Church-hill at the soldiers, where they were drawn up, would have damaged LeMessurier's and Steer's shop-windows, and I saw no glass broken. I saw no demonstrations on the part of the populace to warrant the military firing up Church or Market-house hill. The men who did not put their musket to the shoulder were standing at the bottom of the hill. I saw one ball lift the dust in the Cove, and saw three soldiers face the Union Bank and fire. I saw what I took to be the main body fire without their musket to the shoulder—they appeared to be firing up in the air. I heard an order before the firing to ground or "Order arms," and then "Stand at ease." The butts of the muskets were on the ground, and the barrels against the shoulders. When the mob attempted to rescue the prisoner, I saw four or five soldiers charge. I don't know why the man was taken prisoner—I was not looking out at the commencement. O'Brien's house sheltered my view, and I could not see when they first took the prisoner. I can't say what number of people were up the hill, or what they were doing. I could not see people standing opposite Messrs. Baird, Brothers—I could not see beyond that. I could only see a portion of the soldiers drawn up there. What occurred in the rear I can't tell.

JAMES HEALY.

Sworn before me, at St. John's, this Eighteenth }
 day of May, A. D., One Thousand Eight }
 Hundred and Sixty-one, }

J. SHEA,

Coroner.

Coroner's Inquest on the Body of James Fitzpatrick.

St. John's, } The Examination of MICHAEL O'NEILL, of St. John's, taken upon oath, be-
To wit. } fore me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th day of May,
A. D., 1861.

On Monday last, I was present in the neighbourhood of the Market-house when the soldiers were there—saw the soldiers first about seven o'clock, in Water-street, on the move coming east. When I was by Mr. Allen's shop I saw them halt, and some turned and faced west. I also saw an Officer on horse back. I believe he was Mr. Quill. A little to the eastward of Mr. Allen's door I saw a man in custody with the soldiers—I saw two soldiers have him in custody, and two soldiers assisting the constables, and I walked after them towards the Lock-up; and when I came to the steps of the Market-house I saw soldiers there. I saw the man making his way clear, and heard the Commanding Officer give an order, and the soldiers came up with their bayonets and took the prisoner. I saw no men assisting the prisoner when he was struggling to get away. I saw Colonel Grant give the first section orders to right about face, present and fire, with a loud voice; and the volley fired immediately. I saw three or four stones fall before the soldiers fired, but did not see from what quarter they came. I was a little to the east of Captain O'Brien's shop when I heard the guns fired. It was the man on the white horse who gave the order to fire. I was about twenty yards from him when he gave the order to fire. The man on the brown horse was next to me. When I was at Mr. Allen's shop-door I saw about thirty men and boys. When I got to the foot of Church-hill I did not see a man on the brow of the hill. When Mr. Allen put up his shutters there were not many people in the street, only about thirty. I live in St. John's, in Water-street. When I saw the soldiers facing up Water-street I did not see many people in the street. I stood opposite Hogan's about ten minutes. I did not see any stones thrown then. It was when the man was taken up I saw three or four stones thrown, but could not tell from whence they came. I heard and saw the first volley fire, and heard no gun before that. After the first volley fired, and when they turned down the hill, I heard, at least six shots fired. When the firing was going on I tried to get into Captain O'Brien's, but could not—I was then by his door. The soldiers I saw in Water-street fired a volley up the hill. There were other soldiers a little up the hill, on the Court-house side. The first volley that fired was from Water-street—it was the party in Water-street who first fired. There was another party up the hill, on the Court-house side, facing east. When I left the steps, they (the soldiers) were against the Market-house. I did not see them fire, but I did see the soldiers in Water-street fire. The first rank I saw fire presented their guns, but the others did not. The first rank in Water-street were wheeled round and advanced a little up the hill.

MICHAEL O'NEILL.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one. }

J. SHEA,

Coroner.

Coroner's Inquest on the Body of James Fitzpatrick.

St. John's, } The Examination of MARY SANKEY, of St. John's, taken upon oath, before
To wit. } me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 18th day of May, A. D.,
1861.

I knew James Fitzpatrick—he was brought to my house dead, about twenty minutes to ten o'clock, on Monday night last. He was brought from Dr. Dearin's shop—five or six brought him home. They said he was killed at the corner of Mrs. Cash's house by a shot in the leg. He was wounded in the hand and side. He left my house between five and six o'clock, and I never saw him alive afterwards. I have known him since I came to the country. Before he went out a man came to the house, and said that they were breaking Nowlan's windows. James Fitzpatrick, when he went out, went down St. John's lane. The last words I heard him say, were—"It is a shame for the boys to break the windows." He was up to the House of Assembly all day, and had no dinner. I was about getting him his tea when he went out. He was a quiet inoffensive man. It was about eleven o'clock, the same day, that he came out from the hospital. He had on a black cloth coat and vest, and white moleskin trousers and a regatta shirt. He has no relations in this country.

her
MARY X SANKEY.
mark.

Sworn before me, at St. John's, this Eighteenth }
day of May, A. D., One Thousand Eight }
Hundred and Sixty-one, the same having first }
been read over to the said Mary Sankey. }

J. SHEA,

Coroner.

VERDICT.

An Inquisition taken at St. John's, in the Central District of the Island of Newfoundland, on the Fourteenth day of May, and by adjournment until the Twentieth day of May, in the Twenty-fifth year of the Reign of Our Sovereign Lady VICTORIA, before me, JOSEPH SHEA, Esq., one of the Coroners for Our Lady the Queen, for the District aforesaid, upon the view of the body of James Fitzpatrick, then and there, and within the jurisdiction of the said Coroner, lying dead, upon the oaths of Stephen Rendell, Henry K. Dickinson, James Bryden, Thomas O'Brien, John Hogsett, Samuel G. Carnell, James Murray, Patrick Hearn, Thomas Stevenson, Michael Smith, Thomas Raftis, James Lynch, good and lawful men, of

Coroner's Inquest on the Body of James Fitzpatrick.

the District aforesaid, who being now here sworn and charged to inquire on the part of our said Lady the Queen, when, where, and how and after what manner the said James Fitzpatrick came to his death, do say, upon their oath, that "We find the deceased James Fitzpatrick came by his death from a bullet wound, on the evening of Monday, the Thirteenth instant; but there is no evidence produced before us to show where and by whom he received the wound which caused his death.

JURY ROOM,
St. John's,
May 20th, 1861. }

S. RENDELL, (L. S.)
HENRY K. DICKINSON, (L. S.)
JAMES BRYDEN, (L. S.)
THOMAS O'BRIEN, (L. S.)
JOHN HOGSETT, (L. S.)
SAMUEL G. CARNELL, (L. S.)
JAMES MURRAY, (L. S.)
PATRICK HEARN, (L. S.)
THOS. STEVENSON, (L. S.)
MICHAEL SMITH, (L. S.)
THOMAS RAFTIS, (L. S.)
JAMES LYNCH, (L. S.)

In witness whereof, as well the aforesaid Coroner, as the Jurors aforesaid, have to this Inquisition put their seals this Twentieth day of May, at St. John's, aforesaid, in the year of Our Lord One Thousand Eight Hundred and Sixty-one.

J. SHEA,

Coroner, (L. S.)

Coroner's Inquest on the Body of John Hunt.

EVIDENCE TAKEN IN THE MATTER OF THE INQUEST ON THE BODY OF JOHN HUNT.

NEWFOUNDLAND,

Central District.

In the matter of the
Inquest on the body
of John Hunt. }

St. John's, } The Examination of JOHN LUNBRIDGE, of St. John's, Assistant Military
To wit. } Storekeeper, taken upon oath, before me, JOSEPH SHEA, Esq., of St. John's,
Coroner, this 28th day of May, A. D., 1861.

I was down in town in Water-street on Monday evening, the Thirteenth instant, about six o'clock, and was about Mr. Kitchin's corner, trying to pass, but was unable, from the crowd; and saw property being thrown up in the air, the shutters taken down, and glass broken of Mr. Kitchin's shop. I left Water-street, and passing up by the Court-house, I met Judge Little and asked him if he was a Magistrate; and he replied—"I believe all Judges are." I said it would be a charity for him to go into Water-street and use his influence to quell the riot and destruction of property going on there. He said—"Come along." As we proceeded together we met Father O'Donnell coming down Church-hill. I asked him to accompany the Judge into Water-street and stop the rioting. The Rev. John O'Donnell promptly consented. The Judge then turned to me, saying—"Is there any one who will go to the Colonial Building—the Magistrates and Police are all there." As there was no person except ourselves in the street I volunteered to go; and running up to the top of the hill, I met Dr. McKen, whom I asked to drive me to the Colonial Building. He said he was sent for to see Mr. Kenneth McLea, who was hurt, and he was going in that direction. He drove me within a few hundred yards of the Building, and throwing me his reins, jumped out, and said I might take his waggon where I pleased. I then drove to the Colonial Building, and saw Mr. Carter, and told him that the Judge and Father O'Donnell were in Water-street, quelling a riot and stopping the destruction of property there, and required his assistance. He conferred with his brother Magistrate, Mr. Bennett, and said he could not take away the Police, and asked me where Colonel Grant was to be found. I told him, at Fort William, when he ordered Mr. Bennett to proceed there and obtain a Military force to go into Water-street. The Military force accompanied the Magistrate into Water-street, as required by him. I was present when the firing took place, and went out of the line of fire into Market-house gate, and came out into the upper street. My back was to the Military when they fired—I was going up the steps of the Market-house gate. I saw rioting before the firing took place. I saw several stones thrown at the Military, and saw some soldiers struck. When I saw Mr. Carter, at the Colonial Building, he said he could not take away any of the police-force. It was from a sense of the shame I felt at having witnessed the destruction of property that I conferred with Judge Little. When I saw Father O'Donnell fall he appeared to me to fall from withstanding the mob of stone-throwers rush-

Coroner's Inquest on the Body of John Hunt.

ing down the hill; but it is not unlikely that when down he was hit on the ankle. I heard two shots fired from the left and rear of the stone-throwers, just before the advance of the Military.

JOHN TUNBRIDGE.

Sworn before me, at St. John's, aforesaid, this }
 Twenty-eighth day of May, A. D., One Thousand }
 Eight Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of ARTHUR SAUNDERS QUILL, Adjutant, taken upon oath:
 To wit. } before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 28th day of May,
 A. D., 1861.

I can swear positively that the flash I saw was the flash of a gun. If a stone struck the percussion cap of a gun, it might probably act as a hammer and explode it. In proceedings against rioters it is usual to load with ball cartridge.

ARTHUR S. QUILL,

Lieut. & Adjutant,

Royal Newfoundland Companies.

Sworn before me, at St. John's, aforesaid, this }
 Twenty-eighth day of May, A. D., One Thou- }
 sand Eight Hundred and Sixty-one. }

J. SHEA,

Coroner.

Coroner's Inquest on the Body of John Hunt.

St. John's, } The Examination of the Rev. JOHN VEREKER, of St. John's, taken upon
To wit. } oath, before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 28th day
of May, A. D., 1861.

On the evening of the Thirteenth instant, on which the occurrence took place of which I have already given evidence, in the case of Fitzpatrick, I saw the deceased, John Hunt, in the house of Dr. Dearin, laid on the floor wounded; and attended him at the same time. In the shop of Mr. Dearin I also saw Fitzpatrick dead; neither of whom had I known before this; and understood from them in the shop that he who was dead was Fitzpatrick, and the man whom I attended was Hunt, and was, I believe, dying, and who died on the following morning.

JOHN VEREKER, C. C.

Sworn before me, at St. John's, aforesaid, this }
Twent-eighth day of May, A. D., One Thou- }
sand Eight Hundred and Sixty-one.

J. SHEA,

Coroner.

St. John's, } The Examination of HENRY SHEA, Surgeon, of St. John's, taken upon oath,
To wit. } before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 28th day of May,
A. D., 1861.

I saw the deceased John Hunt in Mr. Dearin's shop on the Thirteenth May, about ten minutes after the firing took place. He was severely injured—he was dying. I told Mr. Dearin to give him a little stimulus of spirits of ammonia, and brandy and water. I examined his body, but his case was hopeless. The following morning I heard that he lingered until one o'clock. I subsequently, viz., on Wednesday, the Fifteen, saw his body, and performed a *post mortem* examination with Dr. McKen. On examining the body we found two wounds externally—one was situated a little above the outer third of the collar-bone, on the left side, and the other was situated on the right side, a little above the fourth rib, about four inches from the back bone. On opening the body we found the left collar bone fractured, also the first rib—the superior and posterior parts of the left lung were torn, and posterior parts of the right lung. There was a very small amount of blood in the cavity of the chest; but his shirt and clothes were saturated with blood. The wound was produced by a rifle ball, not by slugs. I am of opinion that the injury was inflicted by one ball only—the ball entered on the left shoulder, wounded the superior and posterior parts of the left lung, and the posterior part of the right lung; and the wound on the right side was caused by the

Coroner's Inquest on the Body of John Hunt.

exit of the ball. I have seen four or five cases of injuries received from minie-rifle-balls. There were two holes in his coat, but one only went partly through, not through the lining. The deceased must have been stooping down when he was shot. I have no hesitation in saying that the deceased came to his death by reason of that wound. I think he was stooping at the time, for that is the only reason I can account for the course the ball took.

HENRY SHEA,

Surgeon.

Sworn before me, at St. John's, aforesaid, this }
 Twenty-eighth day of May, A. D., One Thou- }
 sand Eight Hundred and Sixty-one.

J. SHEA,

Coroner.

St. John's, } The Examination of Serjeant JOHN MAWHINNEY, of the Royal Newfound-
 To wit. } land Companies, taken upon oath, before me, JOSEPH SHEA, Esq., of St.
 John's, Coroner, this 28th day of May, A. D., 1861.

I am positive that no section fired but the leading section—at least I did not hear it. I think that there was sufficient provocation given by the mob to the Military, for the Military to fire. If we were called out for riotous proceedings, we would take nothing but ball cartridge. I would not swear positively that I heard the Riot Act read. When we first arrived at Kitchin's premises I heard nothing but insulting language used by the people, but when we reached further up town, stones were thrown at us and the mob hissed us.

JOHN MAWHINNEY,

Serjeant, R. N. C.

Sworn before me, at St. John's, aforesaid, this }
 Twenty-eighth day of May, A. D., One Thou- }
 sand Eight Hundred and Sixty-one.

J. SHEA,

Coroner.

Coroner's Inquest on the Body of John Hunt.

St. John's, } The Examination of PATRICK MURNICK, Drummer in the Royal Newfound
To wit. } land Companies, taken upon oath before me, JOSEPH SHEA, Esq., of St. John's
Coroner, this 28th day of May, A. D., 1861.

I saw the man on the hill deliberately aim, and saw him fire.

D. P. MURNICK.

Sworn before me at St. John's, aforesaid, this }
Twenty-eighth day of May, A. D., One Thou- }
sand Eight Hundred and Sixty-one. }

J. SHEA,

Coroner.

St. John's, } The Examination of PATRICK DWYER, of St. John's, Fisherman, taken upon
To wit. } oath, before me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 28th day of
May, A. D., 1861.

I knew John Hunt, the deceased—I was with him, on Monday the Thirteenth instant, from ten o'clock in the morning of that day until he died. I was with him when the soldiers fired—they were firing from below the hill, and I was walking down Market-house hill when they fired. The deceased was walking partly sideways when he said he was shot. He was carried to Dr. Dearin's and he was kept there until about ten o'clock on the same evening, and we carried him upon a board home. The firing commenced a little before dark. The deceased died between one and two o'clock on Tuesday, the following morning. Before the soldiers fired we were standing on the hill—neither of us were throwing stones, as far as I could see. He only drank, that day, one naggon of rum and a pint of Anderson's beer. When he was in Mr. Dearin's shop I turned him over seven or eight times. I heard the man on the white horse (Colonel Grant) give the order to fire. He fell from one of the very first shots that were fired. He was nearer the foot of the hill than the top of the hill, when he fell. I was distant from Colonel Grant about twice the length of this room; and when I heard the order to fire, I let go hold of his hand. I saw him in the Doctor's shop—I saw the two wounds on him. I did not see or hear the report of a gun, that day, before the soldiers fired. Before the soldiers fired, we were, as all day, standing quietly, and looking quietly at what was going on. I did not see or hear the Riot Act read that day. The Priest told us to go away, several times. I heard Colonel Grant advise and tell the people to go away, or if they did not, some of them would be carried home.

APPENDIX,

LIST OF DOCUMENTS CONTAINED IN.

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Coroner's Inquest on the Body of John Hunt.

It was Father O'Donnell I saw there that day. I also heard the man on the black horse (Mr. Quill) advise the people to go home that day. I have not the least doubt but that Hunt was shot by a soldier. I was a little further up the hill, but just alongside, when Hunt was shot.

his
PATRICK X DWYER.
mark.

Sworn before me, at St. John's, aforesaid, this }
Twenty-fifth day of May, A. D., One Thou- }
sand Eight Hundred and Sixty-one, the same }
having first been read over and explained to }
the said Patrick Dwyer.

J. SHEA,

Coroner.

St. John's, } The Examination of JAMES LAWLOR, of St. John's, taken upon oath, be-
To wit. } fore me, JOSEPH SHEA, Esq., of St. John's, Coroner, this 28th day of May,
A. D., 1861.

I live in this neighbourhood—I recollect Monday, the Thirteenth—I recollect on the same evening the soldiers were in Water-street. I also saw a great many people. I was on Church-hill on the same evening, and previous to the firing. I came down the hill, just before the firing. When I came down the hill I did not see a man, but a few boys on the left side of the hill. I again went up the hill with Judge Little, and assisted in driving a few of the boys away; and we then went along by Mr. Walbank's, and the Judge and I met Father O'Donnell. When I came just down by the wall of Church-hill I saw the soldiers at the bottom of the hill in Water-street, who appeared to me to be ramming home their ramrods, as if loading. I thought then that they were preparing to fire, and turned and went down Scanlan's lane; but, on a second thought, I again turned, as I saw there was no one to fire at, and I went down the hill; and when I got as far as Mrs. Cash's front corner, the first firing took place. I can't tell whether there were many behind me. Father O'Donnell must have come down the hill immediately after me. When the firing took place I do not think that there were more people than usual in the streets. When Judge Little went up the hill with me there were a good many stones being thrown, but none of them struck me. I did not hear the report of a gun, or see a flash, before the Military fired.

JAMES LAWLOR.

Sworn before me, at St. John's, aforesaid, this }
Twenty-eighth day of May, A. D., One Thou- }
sand Eight Hundred and Sixty-one.

J. SHEA,

Coroner.

Coroner's Inquest on the Body of John Hunt.

V E R D I C T .

An Inquisition taken at St. John's, in the Central District of the Island of Newfoundland, on the Twenty-fifth day of May, and by adjournment until the Twenty-eighth day of May, in the Twenty-fifty year of the Reign of Our Sovereign Lady VICTORIA, before me, JOSEPH SHEA, Esq., one of the Coroners of Our Lady the Queen, for the District aforesaid, upon the view of the body of John Hunt, then and there, and within the jurisdiction of the said Coroner, lying dead, upon the oaths of William Boyd, Robert H. Prowse, Thomas R. Job, Andrew P. Jordan, G. Ehlers, W. B. Bowring, James Baird, H. W. Seymour, W. D. Halley, James Byrne, Michael Cahill, Edwin Duder, good and lawful men, of the District aforesaid, who being now here sworn and charged to inquire on the part of our said Lady the Queen, when, where, and how and after what manner the said John Hunt came to his death, do say, upon their oath "That the deceased John Hunt died from the effects of a bullet fired by the Military, in the discharge of their duty, in aiding and assisting the Civil Power in quelling a riot."

JURY ROOM,
St. John's,
May 28th, 1861. }

WILLIAM BOYD, *Foreman*, (L. S.)
ROBERT H. PROWSE, (L. S.)
THOS. R. JOB, (L. S.)
ANDREW P. JORDAN, (L. S.)
G. EHLERS, (L. S.)
W. B. BOWRING, (L. S.)
JAMES BAIRD, (L. S.)
H. W. SEYMOUR, (L. S.)
WM. D. HALLEY, (L. S.)
JAMES BYRNE, (L. S.)
MICHAEL CAHILL, (L. S.)
EDWIN DUDER, (L. S.)

In witness whereof, as well the aforesaid Coroner, as the Jurors aforesaid, have to this Inquisition put their hands and seals this Twenty-eighth day of May, at St. John's, aforesaid, in the year of Our Lord One Thousand Eight Hundred and Sixty-one.

J. SHEA,

Coroner, (L. S.)

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