

Legislative Council of Newfoundland

Second Session of the Twenty-Eighth General Assembly

MONDAY, November 27th, 1933

This being the day appointed by Proclamation for the meeting of the Legislature,

The House met.

PRESENT:

The Honourables: M. P. GIBBS, K.C., President
S. MILLEY
SIR M. G. WINTER, Kt., C.B.E.
J. J. MURPHY
F. McNAMARA
T. K. COOK, Kt.
D. A. RYAN
F. H. STEER, M.B.E.
JOHN DAVEY
C. P. AYRE, M.B.E.
R. B. JOB
G. A. BARTLETT
A. KEAN
E. F. SINNOTT
J. V. O'DEA
J. M. STRONG
H. MACPHERSON
I. R. RANDELL
N. ANDREWS
W. S. MONROE
SIR J. R. BENNETT, K.B.E.
J. S. CURRIE

At three o'clock p.m. His Excellency, the Governor, Admiral Sir David Murray Anderson, Knight Commander of the Most Honourable Order of the Bath, Companion of the Most Distinguished Order of St. Michael and St. George, Member of the Royal Victorian Order, having

arrived at the Council Chamber, and being seated on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honourable the President of the Legislative Council, to let the House of Assembly know:

“It is His Excellency the Governor’s pleasure that they attend him immediately in this House.”

Who being come thereto with their Speaker, His Excellency was pleased to speak as follows:

Mr. President and Honourable Members of the Legislative Council:

Mr. Speaker and Members of the Honourable House of Assembly:

The Report of the Royal Commission appointed to examine into the future of Newfoundland was received and published last week and you have been summoned, on the advice of my Ministers, to give immediate consideration to its recommendations.

With the Report was published an exchange of telegrams with the Secretary of State for Dominion Affairs in which it was intimated by the Secretary of State that, if the main recommendations of the Commission should be accepted by the Government and Legislature of Newfoundland, His Majesty’s Government in the United Kingdom would for their part be prepared to accept them and to invite the United Kingdom Parliament to pass the legislation necessary to give them effect. The Secretary of State also gave details of the action which the Government of the United Kingdom, subject to the approval of Parliament, would in that event be prepared to take with a view to ensuring to Newfoundland, in accordance with the recommendations of the Commission, a reduction in the present burden of the public debt.

I need not enter here into the circumstances in which the Royal Commission was appointed. It will suffice for me to say that during the last two years it has become increasingly apparent that the Dominion is unable from its own resources to meet the interest charges on the public debt. Urgent action is therefore required if the Island is to be saved from default, a fate which was averted in December 1932 and June 1933 only by the generous assistance of the United Kingdom and Canada.

The Royal Commission, after impartial and extensive investigation, have declared that the needs of the Dominion are two-fold, financial and political, and in these circumstances they have recommended that an immediate appeal should be made to His Majesty’s Government in the United Kingdom for their sympathetic co-operation in a joint plan of reconstruction. The telegram received from the Secretary of State for

Dominion Affairs indicates that such an appeal, if made, would be assured of a prompt, favourable and indeed generous response.

It is in the belief that the recommendations of the Royal Commission afford the people of Newfoundland not merely the prospect of relief from immediate financial anxiety but an adequate means of freeing themselves from the unprecedented difficulties against which they are now so bravely struggling, that my Ministers will lay before you proposals for giving them immediate effect.

I leave you now to your deliberations with full confidence that they will be inspired by a common desire to seek only the best interests of the country and the welfare of its suffering people.

I pray that Divine Providence will guide and bless your work.

The House of Assembly withdrew.

His Excellency was pleased to retire.

The Hon. the President reported His Excellency's Speech and the same was read by the Clerk.

On motion of Hon. Mr. Monroe, seconded by Hon. Mr. Ryan,

Ordered,—That a Select Committee be appointed to draft an Address to the Governor in reply to His Excellency's Speech at the opening of the present Session of the Legislature.

Ordered,—That the Hons. Messrs. Monroe, Ryan, Milley, Sir M. G. Winter, C.B.E., and Sinnott, be a Committee for that purpose.

The Hon. the President informed the House that the following communication had been received from Government House:

The Governor has the honour to communicate to the Honourable Legislative Council the appointment of the Commissioners of Internal Economy of the Legislature in accordance with the provisions of Section 4, Cap. 7, Consolidated Statutes (3rd Series) as set forth in the accompanying certified copy of a Minute of the Honourable Executive Council approved on the 22nd November, 1933.

(Sgd.) D. MURRAY ANDERSON, Admiral,
Governor.

Government House,
St. John's, Newfoundland,
24 November, 1933.

**Certified Copy of Minutes of the Honourable Executive Council Approved
By His Excellency the Governor on November 22, 1933**

November 21, 1933.

Under the provisions of Cap. 7, Section 4, Consolidated Statutes, "Of the Internal Economy of the Legislature," it was ordered that the following shall be the Commission of Internal Economy of the Legislature, namely,

The Hons. The President of the Legislative Council
F. McNamara
Sir John R. Bennett, K.B.E.
The Speaker of the House of Assembly
The Secretary of State
The Minister of Justice, and
K. M. Brown

Certified true copy.

(Sgd.) ARTHUR MEWS,
Deputy Secretary of State.

Hon. Mr. McNamara tabled copies of Report of Newfoundland Royal Commission, 1933, together with copies of White Paper accompanying the Report.

On motion made the House adjourned until Wednesday, the 29th day of November instant, at 3.30 p.m.

WEDNESDAY, November 29th, 1933

The House met pursuant to adjournment.

PRESENT:

The Honourables: M. P. GIBBS, K.C., President
S. MILLEY
SIR M. G. WINTER, Kt., C.B.E.
J. J. MURPHY
F. McNAMARA
SIR T. K. COOK, Kt.
D. A. RYAN
F. H. STEER, M.B.E.
JOHN DAVEY
C. P. AYRE, M.B.E.
R. B. JOB
G. A. BARTLETT
A. KEAN

E. F. SINNOTT
J. V. O'DEA
J. M. STRONG
H. MACPHERSON
I. R. RANDELL
N. ANDREWS
W. S. MONROE
SIR J. R. BENNETT, K.B.E.
J. S. CURRIE
W. J. HALLEY

The Minutes of Monday, November 27th, were read and confirmed.

The Hon. the President informed the House that the following Message had been received from the House of Assembly:

Mr. President,

The House of Assembly acquaint the Legislative Council that they have passed the accompanying Resolutions respecting "An Humble Address to His Majesty the King" in which they request the concurrence of the Legislative Council.

(Sgd.) J. A. WINTER,
Speaker.

House of Assembly,
November 28th, 1933.

Hon. Mr. McNamara, seconded by Hon. Sir J. R. Bennett, moved the following Resolution:

BE IT RESOLVED: That an humble Address be presented to His Majesty the King in the following words:—

TO THE KING'S MOST EXCELLENT MAJESTY:

Most Gracious Sovereign:

We, Your Majesty's most Dutiful and Loyal Subjects, the Legislative Council and Assembly of Newfoundland, humbly approach Your Majesty praying that—

WHEREAS in the present emergency Your Majesty's Island of Newfoundland is unable from its own resources to defray the interest charges on the public debt;

AND WHEREAS the Royal Commission appointed by Your Majesty's Warrant bearing date the Seventeenth day of February, 1933, to examine into the future of Newfoundland, has recommended that for the time

being, until such time as the Island may become self-supporting again, the administration of the Island shall be vested in His Excellency the Governor acting on the advice of a specially created Commission of Government and that during such period Your Majesty's Government in the United Kingdom should assume general responsibility for the finances of Newfoundland and should, in particular, make such arrangements as may be deemed just and practicable with a view to securing to Newfoundland a reduction in the present burden of the public debt;

AND WHEREAS Your Majesty's Government in the United Kingdom have signified their readiness, subject to the approval of Parliament, to accept the recommendations of the Royal Commission, and have made detailed proposals for carrying those recommendations into effect;

NOW, THEREFORE, Your Majesty may be graciously pleased to suspend the Letters Patent under the Great Seal bearing date at Westminster the Twenty-eighth day of March 1876, and the Letters Patent under the Great Seal bearing date at Westminster the Seventeenth day of July, 1905, and to issue new Letters Patent which would provide for the administration of the Island, until such time as it may become self-supporting again, on the basis of the recommendations which are contained in the Report of the Royal Commission, and of which a summary is set out in the Annex hereto.

AND FURTHER that Your Majesty may be graciously pleased to cause to be laid before the Parliament of the United Kingdom at its present Session such a measure as may enable them to be given immediate effect.

ANNEX

Extract from the Report of the Royal Commission Appointed by His Majesty's Warrant Bearing Date the Seventeenth Day of February, 1933

634. (4) We therefore recommend that the Newfoundland Government, recognising that it is impossible for the Island to surmount unaided the unprecedented difficulties that now confront it, should make an immediate appeal for the sympathetic co-operation of Your Majesty's Government in the United Kingdom in the adoption and execution of a joint plan of reconstruction, of which the following would be the main features:—

(a) The existing form of government would be suspended until such time as the Island may become self-supporting again.

- (b) A Special Commission of Government would be created which would be presided over by His Excellency the Governor, would be vested with full legislative and executive authority, and would take the place of the existing Legislature and Executive Council.
- (c) The Commission of Government would be composed of six members, exclusive of the Governor, three of whom would be drawn from Newfoundland and three from the United Kingdom.
- (d) The Government Departments in the Island would be divided into six groups. Each group would be placed in the charge of a Member of the Commission of Government who would be responsible for the efficient working of the Departments in the group, and the Commission would be collectively responsible for the several Departments.
- (e) The proceedings of the Commission of Government would be subject to supervisory control by Your Majesty's Government in the United Kingdom and the Governor-in-Commission would be responsible to the Secretary of State for Dominion Affairs in the United Kingdom for the good government of the Island.
- (f) Your Majesty's Government in the United Kingdom would, for their part, assume general responsibility for the finances of the Island until such time as it may become self-supporting again, and would, in particular, make such arrangements as may be deemed just and practicable with a view to securing to Newfoundland a reduction in the present burden of the public debt.
- (g) It would be understood that, as soon as the Island's difficulties are overcome and the country is again self-supporting, responsible government, on request from the people of Newfoundland, would be restored.

Ordered,—That a Message be sent to the House of Assembly acquainting that body that this House had concurred in the said Resolutions unanimously.

On motion made the House adjourned until Friday, the first day of December, prox., at 3 o'clock p.m.

THURSDAY, November 30th, 1933

The House met in Special Session.

PRESENT:

The Honourables: M. P. GIBBS, K.C., President
S. MILLEY
SIR M. G. WINTER, Kt., C.B.E.
J. J. MURPHY
F. McNAMARA
SIR T. K. COOK, Kt.
D. A. RYAN
F. H. STEER, M.B.E.
JOHN DAVEY
C. P. AYRE, M.B.E.
R. B. JOB
G. A. BARTLETT
A. KEAN
E. F. SINNOTT
J. V. O'DEA
J. M. STRONG
H. MACPHERSON
I. R. RANDELL
N. ANDREWS
W. S. MONROE
SIR J. R. BENNETT, K.B.E.
J. S. CURRIE
W. J. HALLEY

At 3.30 p.m. His Excellency the Governor, Admiral Sir David Murray Anderson, having arrived at the Council Chamber and being seated on the Throne, commanded the Gentleman Usher of the Black Rod, through the Hon. the President of the Legislative Council, to let the Honourable the House of Assembly know:

“It is His Excellency the Governor’s pleasure they attend him immediately in this House.”

Who being come thereto with their Speaker, His Excellency was pleased to give his assent to a joint Address to The King’s Most Excellent Majesty from both Houses of the Legislature.

On motion made the House adjourned until Friday, the first day of December, prox., at 3 o’clock p.m.

FRIDAY, December 1st, 1933

The House met pursuant to adjournment.

PRESENT:

The Honourables: M. P. GIBBS, K.C., President
S. MILLEY
SIR M. G. WINTER, Kt., C.B.E.
J. J. MURPHY
F. McNAMARA
D. A. RYAN
F. H. STEER, M.B.E.
C. P. AYRE, M.B.E.
R. B. JOB
G. A. BARTLETT
A. KEAN
E. F. SINNOTT
J. V. O'DEA
H. MACPHERSON
N. ANDREWS
W. S. MONROE
SIR J. R. BENNETT, K.B.E.
J. S. CURRIE
W. J. HALLEY

The Minutes of Wednesday, November 29th, and of Thursday, November 30th, were then confirmed.

The Hon. Mr. Monroe from the Select Committee appointed to prepare an Address in Reply to the Speech of His Excellency the Governor, reported a draft of the same, which was read a first time (short) and

On motion of Hon. Mr. Monroe, with the unanimous consent of the House, the said Address was read a second time (at length).

On motion of Hon. Mr. Monroe, with the unanimous consent of the House,

Ordered,—That the Address in Reply do now pass, and

Ordered,—That the said Address be engrossed and presented to His Excellency the Governor by a deputation of the Whole House.

To His Excellency Admiral Sir David Murray Anderson, Knight Commander of the Most Honourable Order of the Bath, Companion of the Most Distinguished Order of Saint Michael and Saint George, Member of the Royal Victorian Order, Governor and Commander-in-Chief in and Over the Colony of Newfoundland.

MAY IT PLEASE YOUR EXCELLENCY:

We, the Legislative Council of Newfoundland in Session convened, beg leave to thank Your Excellency for the Gracious Speech which Your Excellency has addressed to both Houses of the Legislature.

(Sgd.) M. P. GIBBS,
President.

Council Chamber.

November 29th, 1933.

The Hon. the President informed the House that His Excellency the Governor would receive the Address in Reply to His Speech at the opening of the present Session of the Legislature at 3.35 p.m. to-day.

At 3.30 o'clock the Council proceeded to Government House with the Address in Reply to the Speech of His Excellency the Governor.

At 4 o'clock, the Members having returned to the House, the Honourable the President reported that His Excellency the Governor had been pleased to receive the said Address in Reply and return an answer thereto in the following words:

Mr. President and Honourable Gentlemen of the Legislative Council:

I thank you for your Address in Reply to the Speech with which your present Session was opened.

(Sgd. D. MURRAY ANDERSON, ADMIRAL,
Governor.

Government House,
St. John's, Newfoundland,
1st December, 1933.

The Hon. the President informed the House that the following Message had been received from the House of Assembly:

Mr. President:

The House of Assembly acquaint the Legislative Council that they have passed the Bill entitled "An Act to Provide for the Issue of Certain Securities on the Credit of the Dominion, for the Postponement of Certain Securities of the Dominion and for the Giving of Priority to Certain Other

Securities Thereof" in which they request the concurrence of the Legislative Council.

(Sgd.) J. A. WINTER,
Speaker.

House of Assembly.

On motion of Hon. Mr. McNamara the Bill sent up entitled "An Act to Provide for the Issue of Certain Securities on the Credit of the Dominion, for the Postponement of Certain Securities of the Dominion and for the Giving of Priority to Certain Other Securities Thereof" was read a first time, and

On motion of Hon. Mr. McNamara, with the unanimous consent of the House, the said Bill was read a second time, and

On motion of Hon. Mr. McNamara, with the unanimous consent of the House, the House went into Committee on the said Bill.

Hon. Mr. Milley in the Chair.

After some time the House resumed.

The Chairman reported the Bill without amendment.

Ordered,—That the Report be received, and

On motion of Hon. Mr. McNamara, with the unanimous consent of the House, the said Bill was then read a third time, and passed, and

The Hon. the President signed the same.

Ordered,—That the said Bill be sent to the House of Assembly with a Message that this House had passed the same without amendment.

Hon. Mr. McNamara, seconded by Hon. Mr. Currie, moved the following Resolutions:

BE IT RESOLVED THAT:

1. The Legislative Council and the House of Assembly of Newfoundland do place on record their appreciation of the generosity of the provision proposed to be made by His Majesty's Government in the United Kingdom for the immediate needs of Newfoundland, and do express their confidence that all measures calculated to further the restoration of the prosperity of the Island will have the grateful and hearty co-operation of all patriotic citizens.

2. His Excellency the Governor be requested to transmit a copy of

these Resolutions to His Most Gracious Majesty with an expression of the unflinching loyalty of Newfoundland to His Throne and Person.

The Resolutions were unanimously agreed to.

On motion made the House adjourned until Saturday, the second day of December instant, at 3 o'clock p.m.

SATURDAY, December 2nd, 1933

The House met pursuant to adjournment.

PRESENT:

The Honourables: M. P. GIBBS, K.C., President
 S. MILLEY
 SIR M. G. WINTER, Kt., C.B.E.
 J. J. MURPHY
 F. McNAMARA
 SIR T. K. COOK, Kt.
 D. A. RYAN
 F. H. STEER, M.B.E.
 JOHN DAVEY
 C. P. AYRE, M.B.E.
 R. B. JOB
 G. A. BARTLETT
 A. KEAN
 E. F. SINNOTT
 J. V. O'DEA
 J. M. STRONG
 H. MACPHERSON
 I. R. RANDELL
 N. ANDREWS
 W. S. MONROE
 SIR J. R. BENNETT, K.B.E.
 J. S. CURRIE
 W. J. HALLEY

The Minutes of Friday, December 1st, were read and confirmed.

At 3.30 p.m. His Excellency the Governor, Admiral, Sir David Murray Anderson, having arrived at the Council Chamber and being seated on the Throne, commanded the Gentleman Usher of the Black Rod, through the Honourable the President of the Legislative Council, to let the Honourable the House of Assembly know—

“It is His Excellency the Governor’s pleasure they attend him immediately in this House.”

Who being come thereto with their Speaker, His Excellency was pleased to give his assent to the following Bill, entitled, namely,

“An Act to Provide for the Issue of Certain Securities on the Credit of the Dominion, for the Postponement of Certain Securities of the Dominion and for the Giving of Priority to Certain Other Securities Thereof.”

After which His Excellency was pleased to speak as follows:

Mr. President and Honourable Members of the Legislative Council:

Mr. Speaker and Members of the Honourable House of Assembly:

I thank you for the earnest consideration that you have given to the important matters which have come before you. The Address to His Majesty the King has been sent forward, and His Majesty's Government in the United Kingdom have been informed of the legislation that you have passed. Should the Parliament of the United Kingdom take the desired action, it will provide a means of relief from our financial anxiety, and I hope enable us to enter upon an era of prosperity.

In relieving you from the duties of the present Session, I pray that you may have the guidance and blessing of Divine Providence.

The Hon. the President then said:

It is His Excellency the Governor's Will and Pleasure that this General Assembly stand prorogued until Wednesday, the seventeenth day of January, 1934, then and here to be holden, and this General Assembly stands prorogued accordingly.

H. G. PUDDISTER,
Clerk.