



# JOURNAL

JOURNAL, &c.

OF THE

HIS EXCELLENCY SIR THOMAS JOHN COCHRANE, Knight, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c.

## LEGISLATIVE COUNCIL

PROCLAMATION

OF

NEWFOUNDLAND

**NEWFOUNDLAND.**

THOMAS COCHRANE, His Excellency Sir THOMAS JOHN COCHRANE, Knight, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. By Appointment to His Majesty the King, 1834.

WHEREAS the General Assembly of Newfoundland, assembled on Friday the 14th day of November 1834.

Have resolved that it should be the business of the said General Assembly and Friday the 14th day of January 1835, to meet for the purpose of holding the Session of which all

### THIRD SESSION, FIRST COLONIAL PARLIAMENT.

His Excellency Sir **THOMAS JOHN COCHRANE**, Knight,  
GOVERNOR.

BY ORDER OF THE HONORABLE THE LEGISLATIVE COUNCIL.

St. John's, Newfoundland.

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LEGISLATIVE COUNCIL

JOURNAL, &c.



SIR THOMAS JOHN COCHRANE, *Knight, Governor.*

WILLIAM SELL, *Comptroller.*  
JAMES CROWDY, *General Secretary.*



PROCLAMATION.

NEWFOUNDLAND.

THOS. COCHRANE, *Governor.* By His Excellency SIR THOMAS JOHN COCHRANE, Knight, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. Proclamation for Proroguing the Parliament to Friday, the 10th January, 1834.

WHEREAS, the General Assembly of this Island stands Prorogued to Friday the 1st day of November next;

I have therefore thought fit further to Prorogue the said General Assembly until Friday the 10th day of January next, then to meet for the Despatch of Business: of which all persons concerned are desired to take notice and govern themselves accordingly.

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

By His Excellency's Command,  
JAMES CROWDY,  
*Secretary.*

By a further Proclamation of His Excellency SIR THOMAS JOHN COCHRANE, Governor of Newfoundland, dated the 16th day of December, 1833, the meeting of the General Assembly stands further Prorogued to Wednesday the 29th day of January, then next ensuing. The Parliament further Prorogued to Wednesday 29th January, 1834.

1882 GENERAL MISCELLANEOUS  
THIRD SESSION FIRST COLONIAL LEGISLATIVE COUNCIL

# LEGISLATIVE COUNCIL.

## NEWFOUNDLAND.

WEDNESDAY, 29th JANUARY, 1834.

This being the day appointed for the meeting of the Colonial Legislature,—  
At half-past one of the clock, p. m. the House met.

House meets.

### Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*  
" " WILLIAM SALL, *Commandant,*  
" " JAMES SIMMS, *Attorney-General,*  
" " JAMES CROWDY, *Colonial Secretary,*  
" " Mr. HALY,  
" " " DUNSCOMB,  
" " " THOMAS,  
" " " GARLAND,  
" " " BLAND.

Members present.

At two of the clock, p. m., His Excellency the Governor being seated on the Throne, the Honorable the Speaker of the Legislative Council commanded the Gentleman Usher of the Black Rod to go to the Commons House of Assembly, and inform the Members that it was His Excellency's pleasure that they do forthwith attend at the Bar of this House; who being come thereto, the Speaker of this House said,—

Assembly summoned to attend.

*Honorable Gentlemen, and Gentlemen of the House of Assembly:*

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

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

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

The Assembly retire.

At three of the clock, His Excellency being seated on the Throne, the Speaker commanded the Usher of the Black Rod to acquaint the Assembly that it is His Excellency's pleasure that they attend here immediately in this House: who being come,

The Assembly summoned to attend---

Mr. Hoyles said,

MAY IT PLEASE YOUR EXCELLENCY:

The House of Assembly, in obedience to Your Excellency's commands, have proceeded to the election of a Speaker, and I now have the honor to present to Your Excellency Mr. Bennett, Member for Fogo, whom they have chosen to fill that office.

Mr. Hoyles presents Mr. Bennett as Speaker.

Then the Speaker of the House said—

Mr. BENNETT,

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

The Governor confirms Mr. Bennett as Speaker.

The Speaker of the Assembly then said,—

MAY IT PLEASE YOUR EXCELLENCY:

The very gracious manner in which Your Excellency has been pleased to approve of the choice which the Assembly have made of me as their Speaker, demands my most grateful acknowledgements; and in order that I may be enabled the more satisfactorily to perform the important duties which, as Speaker of the House of Assembly, I shall be called upon to discharge, I must humbly entreat that Your Excellency will be pleased to extend to me the same privileges, which, at the first meeting of the present Parliament, you were pleased to accord to my predecessor.

The Speaker entreats from His Excellency the privileges of his office.

29th & 31st January, 1834.

THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

The Speaker of this House then said,

Mr. SPEAKER,

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

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

His Excellency was then pleased to open the present Session by a gracious Speech to both Houses.

His Excellency retires.

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

House adjourned.

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

FRIDAY, 31st JANUARY, 1834.

The House met pursuant to adjournment.

Present.

*The Honorable* HENRY JOHN BOULTON, *Speaker,*

” ” WILLIAM SALL, *Commandant,*

” ” JAMES SIMMS, *Attorney-General,*

” ” JAMES CROWDY, *Colonial Secretary,*

” ” Mr. HALY,

” ” ” DUNSCOMB,

” ” ” THOMAS,

” ” ” GARLAND,

” ” ” BLAND,

The minutes of the last day were read.

His Excellency's Speech is read.

The Honorable the Speaker informed the House, that he was in possession of a copy of His Excellency's Speech, which he read, and it was again read (pro forma) by the Clerk, and is as follows:

*Mr. President and Gentlemen of His Majesty's Council,*

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

His Excellency's Speech.

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

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

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

This two-fold visitation falling on those already great sufferers, has been severely felt; although I am happy to add, that only one occasion has presented itself on which it has been absolutely necessary to afford relief.

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

I had, until very recently, indulged the hope that it would be in my power to announce to you that a considerable surplus fund arising on the grant voted by the Imperial Parliament, would now be at your disposal to aid your Local Revenue in meeting the necessary expenses of the Government; but a decrease in the Imperial Duties to the extent of more than £3000, in the last nine months, as compared with the same period in 1832, has disappointed my well grounded expectations. Anxious to relieve myself from all pecuniary responsibility, I shall cause an estimate of the probable expenses for the months of February and March, and another for the year commencing on the 1st of April, to be laid before you on an early day, together with a statement of the funds at your disposal to meet them; and you will perceive by the latter, that I have kept inviolate the produce of those duties raised by your own enactment.

31st January, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

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

*Mr. President, and Gentlemen of His Majesty's Council,*

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

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

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

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

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

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

The subject of Savings' Banks is one that merits your early attention. Every year convinces me more strongly, that there is no country where their institution will be attended with such beneficial effects to its inhabitants as your own.

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

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

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

Ordered, that a Committee be appointed to draft an Address to His Excellency the Governor in answer to his Speech at the opening of the Session, and that the Honorable the Attorney General and the Honorable Mr. Garland, be the Committee for that purpose.

Committee appointed to draft an Address in answer to the Speech.

On motion made and seconded the House adjourned until Tuesday next the 4th February, at 1 of the clock, p. m.

House adjourns.

4th &amp; 6th February, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

TUESDAY, 4th FEBRUARY, 1834.

House meets.

The House met pursuant to adjournment.

**Present.**

*The Honorable* HENRY JOHN BOULTON, *Speaker,*  
 " " WILLIAM SALL, *Commandant,*  
 " " JAMES SIMMS, *Attorney-General,*  
 " " JAMES CROWDY, *Colonial Secretary,*  
 " " Mr. HALY,  
 " " " DUNSCOMB,  
 " " " THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

The minutes of the last day were read.

Attorney General reports a draft of an address to the Governor in reply to his Speech

The Honorable the Attorney General reported that the select Committee appointed to prepare an Address in reply to His Excellency the Governor's Speech, had prepared a draft of the same, which was read a first and second time.

Committee of whole on the address.

On motion also made and seconded, the House was put into a Committee of the whole on the Address. After some time the House resumed, the Chairman reported that the Committee had taken the Address into their consideration, had made some progress therein, and asked leave to sit again on Thursday next.

Committee report progress.

Ordered, that the said report be received.

House adjourned.

On motion made and seconded the House adjourned until Thursday at one of the clock, p. m.

THURSDAY, 6th FEBRUARY, 1834.

House meets.

The House met pursuant to adjournment.

**Present,**

*The Honorable* HENRY JOHN BOULTON, *Speaker.*  
 " " WILLIAM SALL, *Commandant,*  
 " " JAMES SIMMS, *Attorney General,*  
 " " JAMES CROWDY, *Colonial Secretary.*  
 " " Mr. HALY,  
 " " " DUNSCOMB,  
 " " " THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

The minutes of the last day were read.

Committee of the whole on Address.

Pursuant to the Order of the day, the House was put into a Committee of the whole on the Address to his Excellency the Governor, in reply to his Speech on the opening of the Session.

The Honorable the Colonial Secretary took the chair.

After some time, the House resumed.

Committee report an Address.

The Chairman reported that the Committee had gone through the Address—had made some amendments thereto, and recommended the same to the adoption of the House.

Ordered, that the said report be received.

Address to be engrossed

Ordered, that the said Address be engrossed, and read a third time on Saturday next.

House adjourned.

On motion made and seconded, the House adjourned until Saturday, at one of the clock, p. m.

8th & 10th February, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

SATURDAY, 8th FEBRUARY, 1834.

The House met pursuant to adjournment.

House meets.

Present.

- The Honorable HENRY JOHN BOULTON, *Speaker*,
- WILLIAM SALL, *Commandant*,
- JAMES SIMMS, *Attorney-General*,
- JAMES CROWDY, *Colonial Secretary*,
- DUNSCOMB,
- THOMAS,
- GARLAND,
- BLAND.

The minutes of the last day were read.

Pursuant to the order of the day, the Address to his Excellency the Governor, in reply to his Speech on the opening of the Session, was read a third time and passed.

Address to the Governor passed.

Whereupon the Speaker signed the same.

Ordered, that a Committee be appointed to wait on his Excellency to know when he would be pleased to receive the same.

Committee appointed to wait on His Excellency

Ordered, that the Honorable the Colonial Secretary and the Honorable Mr. Garland be appointed the Committee for that purpose.

The Honorable the Speaker gave notice, that on Monday he will move an address to His Excellency the Governor to appoint a Master in Chancery.

On motion made and seconded, the House adjourned until Monday, at one of the clock.

House adjourns.

MONDAY, 10th FEBRUARY, 1834.

The House met pursuant to adjournment.

House meets.

Present.

- The Honorable HENRY JOHN BOULTON, *Speaker*.
- WILLIAM SALL, *Commandant*,
- JAMES SIMMS, *Attorney General*,
- JAMES CROWDY, *Colonial Secretary*.
- THOMAS,
- GARLAND,
- BLAND.

The minutes of the last day were read.

The Honorable the Colonial Secretary, from the Select Committee appointed to wait on the Governor to know at what time it would be His Excellency's pleasure to receive the Address of the House, reported that they had done so; and that His Excellency had been pleased to appoint to-day, at the hour of half-past one of the clock, p. m., for that purpose.

The Colonial Secretary reports that the Governor will receive the Address to-day at half-past one.

Pursuant to notice, the Honorable the Speaker moved—

That an humble Address be presented to His Excellency the Governor, praying that His Excellency be pleased to appoint a Master in Chancery to attend the House during the sitting of the Legislature.

Speaker moves an address to the Governor to appoint a Master in Chancery.

Ordered, that a Committee be appointed for the purpose of drafting the Address, and that the Honorable Messrs. Thomas and Garland be the Committee for that purpose.

Committee appointed.

At half-past one of the clock, p. m., the House proceeded to Government House, with their Address, in answer to His Excellency's Speech, which was as follows :

10th February, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

The Address of the  
House to the Governor.

To His Excellency SIR THOMAS JOHN COCHRANE, Knight, Governor and Commander-in-Chief, in and over the Island of Newfoundland and its dependencies.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's most dutiful and loyal subjects the Legislative Council of Newfoundland, in Parliament assembled, return our humble thanks for Your Excellency's Speech from the Throne on the opening of the present Session.

It has caused us the deepest regret to learn from Your Excellency, that the Fishery has, to a considerable extent, failed in its produce during the last season, and that a large portion of the planters and fishermen have been left, in a great measure, unrequited for their labour; and that in consequence of the bad quality of the seed, a very serious defalcation [in the Potato crop, on which the labouring classes of the people in this Island are so greatly dependent, has added to the distress of that industrious and enterprising body of men who constitute the very sinews of our Trade and Commerce.

Under such circumstances of widely extended misfortune, it is with serious concern that we are informed by Your Excellency that the Colonial Revenue has, during the last nine months, experienced a diminution so considerable in the anticipated amount of the duties of Customs, which renders it the more imperative upon us to co-operate with Your Excellency in the desire you have expressed of economizing the Finances of the Colony; and actuated by these feelings, we are fully convinced that no accommodation could have been provided for the use of the Legislature better calculated to afford convenience for the transaction of public business than that which Your Excellency has directed to be prepared for their reception.

In selecting this season of the year for the meeting of the Legislature, we are sensible that Your Excellency has been guided by a desire to consult the convenience of its Members.

The revision of the Laws on which the Judicature of the Colony at present subsists, is an object which we assure Your Excellency we are most anxious to see accomplished, and to which we are desirous to devote our immediate and serious consideration, with the view of rendering our present Laws more perfect in their principles as well as more practically operative and attainable in the remote settlements of the Colony.

We cannot reflect on the tumultuary scenes which we regret to learn from Your Excellency have recently occurred in this Town, without feelings of the most painful nature. But as the disturbance of the public peace to so discreditable an extent, is an event of almost singular occurrence in this Colony, we are led to entertain the hope that such public outrages will not again occur; and that a more extended and efficient system of Police than that which now exists may soon be established, and prove adequate to the protection of the lives and property of all classes of His Majesty's subjects.

We are happy to receive Your Excellency's assurance that the Quarantine Act has answered the object of its enactment; and should it appear to us that any alteration in its provisions can be made with advantage to the public, we shall not fail to give it that consideration which such Laws obviously demand.

The establishment of Savings' Banks and Schools, the extension and improvement of Roads, and the promotion of all other objects tending to ameliorate the condition of our fellow-subjects in this Colony, will undoubtedly receive our best consideration; and we fully rely upon Your Excellency's assurance that you will ever be found ready sincerely and zealously to co-operate with both Houses of the Colonial Parliament in every measure which may ensure their attainment.

The House then returned, when His Honor the Speaker reported that His Excellency had been pleased to receive the said Address, and to return an answer thereto, of which he had obtained a copy, which he read, and it was again read (pro forma) by the Clerk, as follows:

*Honorable Gentlemen,*

I return you my thanks for this Address, and receive with satisfaction the assurances that your best considerations will be given to the subjects to which I have drawn your attention.

Governor's reply.

House adjourns.

On motion made and seconded the House adjourned until Friday at one of the clock, p.m.

14th February, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

FRIDAY, 14th FEBRUARY, 1834.

The House met pursuant to adjournment.

House meets.

Present,

- The Honorable HENRY JOHN BOULTON, *Speaker*,
- ” ” JAMES SIMMS, *Attorney-General*,
- ” ” JAMES CROWDY, *Colonial Secretary*,
- ” ” Mr. HALY,
- ” ” ” DUNSCOMB,
- ” ” ” THOMAS,
- ” ” ” GARLAND,
- ” ” ” BLAND.

The minutes of the last day were read.

The Honorable the Colonial Secretary, with a Message from His Excellency the Governor, presented the following documents :

Colonial Secretary presents some documents.

1st.—Estimate of the Civil Establishment for the year commencing the 1st April, 1834.

2nd.—Estimate for the Two Months of February and March.

3rd.—Account of the amount of Colonial Duties in the Treasury on the 1st February, 1834.

4th.—Comparative statement of the amount of the Imperial Duties collected in the Nine Months ending respectively on the 5th January, 1833, and the 5th January, 1834.

5th.—Account of the amount of Imperial Duties in the Colonial Treasury on the 1st February, 1834.

6th.—Account of the Produce of the Imperial Duties in the year ending 5th January, 1834.

The Honorable Mr. Thomas, from the Committee appointed to prepare an Address to His Excellency the Governor, requesting he would be pleased to appoint a Master in Chancery to attend the House, reported that a draft of the same had been prepared, which was read a first and second time.

Mr. Thomas reports an Address respecting a Master in Chancery.

The House was then put into a Committee of the whole on the Address.

Committee on the Address.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the Address, and recommended it to the adoption of the House.

Committee report an Address, and recommend its adoption.

On motion that it be read a third time, it was—

Proposed that it be re-committed ; which being put, was carried.

The Honorable the Attorney-General took the Chair.

After some time the House resumed.

The Chairman reported the Address without Amendment.

Ordered, that the said report be received, and that the Address be adopted.

Address adopted.

Ordered, that a Committee be appointed to wait on His Excellency the Governor, to know when he would be pleased to receive the Address ; and that the Honorable the Colonial Secretary and the Honorable Mr. Bland, be the Committee for that purpose.

The Honorable the Speaker gave notice that on Tuesday next he would move for leave to bring in a bill for fixing the period up to which the Law of England shall be regarded as in force in Newfoundland.

Ordered, that the Honorable Messrs. Thomas and Garland be a Committee to superintend the arrangements for fitting up the Council Chamber.

Committee appointed to fit up Council Chamber.

On motion made and seconded, the House adjourned until Tuesday, at one of the clock, p. m.

House adjourns.

18th & 21st February, 1834.

THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

TUESDAY, 18th FEBRUARY, 1834.

House meets.

The House met pursuant to adjournment.

**Present,**

*The Honourable* HENRY JOHN BOULTON, *Speaker,*  
 " " JAMES CROWDY, *Colonial Secretary,*  
 " " Mr. HALY,  
 " " " DUNSCOMB,  
 " " " THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

Colonial Secretary reports the Governor will take measures to comply with the request of the House for a Master in Chancery.

The Honorable James Crowdy, Colonial Secretary, from the Committee appointed to wait on His Excellency the Governor, with an Address from this House, requesting His Excellency would be pleased to appoint a Master in Chancery, reported, that they had done so, and that His Excellency would take immediate measures for complying with the request.

Mr. Thomas gives notice that he will bring in a Bill respecting a Water-course called Bell's Shute.

The Honourable Mr. Thomas gave notice, that on Wednesday next he would move for leave to bring in a Bill to assume and declare the Public Right in a certain Water-course or Reservoir in this Town, known by the name of Bell's Shute.

Speaker introduces a Bill respecting the Law of England.

Pursuant to notice, His Honor the Speaker moved for leave to bring in a Bill for removing doubts respecting the introduction of the Laws of England into Newfoundland, and to define the period up to which they shall be regarded as in force in this Island.

Leave granted. Bill read.

Leave was granted, and the Bill was then read. And it was—  
 Ordered, to be read a second time on Friday next.

Bill ordered to be printed. House adjourns.

Ordered, that the said Bill be printed for the use of Honorable Members.  
 On motion made and seconded the House adjourned until Friday at one of the clock, p. m.

FRIDAY, 21st FEBRUARY, 1834.

House meets.

The House met pursuant to adjournment.

**Present,**

*The Honourable* HENRY JOHN BOULTON, *Speaker,*  
 " " JAMES SIMMS, *Attorney-General,*  
 " " JAMES CROWDY, *Colonial Secretary,*  
 " " Mr. HALY,  
 " " " DUNSCOMB,  
 " " " THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

The minutes of the last day were read.

The Honorable the Colonial Secretary stated that he had a Message from His Excellency the Governor, which was read, and is as follows:

THOMAS COCHRANE.

The Governor considers it desirable that the attention of the Legislature should be drawn to the Law relating to the fisheries of this Island, which will expire on the 31st December next.

This Act is in its character partly local and partly bearing upon the Trade and Navigation of the Empire at large; it will therefore be very essential that the Council and Assembly shall, before the recess, consider the above Act in all its relations, and communicate to the Governor their sentiments upon any changes they may deem requisite in its detail, that His Majesty's Government may provide for those alterations in the New Bill it will be necessary to introduce into the Imperial Parliament during the present Session.

Message from the Governor respecting the Laws relating to the Fisheries.

*Government House,*  
 21st February, 1834.

21st &amp; 22d February 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

- It was moved and seconded that a set of Rules for the regulation of the Council be read. Rules of the Council.  
The said Rules were then read.
- A Deputation from the Commons House of Assembly brought up a copy of the Address to His Majesty, praying that He will recommend to the Imperial Parliament to grant a sum of money in aid of the funds of the Colony, and requested the concurrence of this House in the prayer of the said Address, with a recommendation of the same to the favourable consideration of His Majesty's Government. A Deputation from the Assembly bring up a copy of an Address to His Majesty.
- The Address was read. A deputation from the Assembly bring up a Bill to regulate the cutting of Channels in the Ice.
- A Deputation from the Commons House of Assembly brought up a Bill entitled "an Act to regulate the cutting of Channels in the Ice, in the various Ports and Harbours of this Island." Law of England Bill read a second time.
- The Bill was then read, and ordered to be read a second time on Saturday.
- Pursuant to the order of the day, a Bill for removing doubts respecting the introduction of the Law of England into Newfoundland, was read a second time. Law of England Bill read a second time.
- The House resolved itself into a Committee of the whole upon the said Bill.
- The Honorable Mr. Haly took the Chair.
- After some time the House resumed. Chairman reports progress.
- The Chairman reported progress, and asked leave to sit again on Saturday next.
- Ordered, that the said report be received, and leave granted accordingly.
- On motion made and seconded the House adjourned to To-morrow at 1 of the clock, p.m. House adjourns.
- SATURDAY, 22nd FEBRUARY, 1834.
- The House met pursuant to adjournment. House meets.
- Present,**
- The Honorable HENRY JOHN BOULTON, *Speaker,*
- " " JAMES SIMMS, *Attorney-General,*
- " " Mr. HALY,
- " " " DUNSCOMB,
- " " " THOMAS,
- " " " GARLAND,
- " " " BLAND.
- The minutes of the last day were read.
- Ordered, that the Rules for the regulation of the House be referred to a select Committee to report thereon, and—
- Ordered, that the Honorable the Attorney-General, the Honorable Mr. Thomas, and the Honorable Mr. Garland, do compose that Committee. Select Committee appointed to report on the Rules for the regulation of this House.
- Pursuant to the order of the day, the Bill entitled "an Act to regulate the Cutting of Channels through the Ice in the various Ports and Harbours of this Island," was read a second time. Ice Bill read a second time.
- The House then resolved itself into a Committee of the whole upon the said Bill. Committee of the whole on the Ice Bill.
- The Honorable Mr. Bland took the Chair.
- The Honorable the Colonial Secretary enters. Colonial Secretary enters.
- After some time the House resumed.
- The Chairman reported progress, and asked leave to sit again.
- Ordered, that the Report be received and leave granted accordingly. Committee report progress.
- In pursuance of the order of the day, the Address from the Commons House of Assembly to His Majesty was read a second time. Address to His Majesty—read a second time.
- The House was put into a Committee of the whole upon the said Address. Committee of the whole on the Address.
- The Honorable Mr. Thomas took the Chair.
- After some time the House resumed.
- The Chairman reported progress, and asked leave to sit again.
- Ordered, that the said report be received.
- In pursuance of the order of the day, the House was put into a Committee of the whole upon the Bill for removing doubts respecting the introduction of the Law of England into Newfoundland. Committee of the whole on the Law of England Bill.

22nd, 25th & 26th February, 1834.

THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

The Honorable Mr. Haly took the Chair.  
 After some time the House resumed.  
 Committee report progress. The Chairman reported progress, and asked leave to sit again on Tuesday next.  
 Ordered, that the Report be received and leave granted accordingly.  
 House adjourns. On motion made and seconded, the House adjourned until Tuesday next, at one of the clock, p. m.

TUESDAY, 25th FEBRUARY, 1834.

House meets. The House met pursuant to adjournment.

Present.

The Honorable HENRY JOHN BOULTON, *Speaker*,  
 " " JAMES SIMMS, *Attorney General*,  
 " " JAMES CROWDY, *Colonial Secretary*.  
 " " Mr. HALY,  
 " " " DUNSCOMB,  
 " " " THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

The minutes of the last day were read.

A Select Committee on the Ice Bill appointed. In pursuance of a Resolution moved and seconded that the Bill entitled "an Act to regulate the Cutting of Channels through the Ice in the various Ports and Harbours of this Island, be referred to a select Committee.

Ordered, that the Honorable Messrs. Dunscomb, Thomas, Garland, and Bland, do compose the Committee for that purpose.

Duration of Parliament Bill, read a first time. House adjourns. A Deputation from the Commons House of Assembly brought up a Bill entitled "an Act to limit the duration of the present and all future Parliaments of this Colony;" the same was then read a first time, and ordered to be read a second time on Thursday next.

On motion made and seconded the House adjourned to Wednesday next at one of the clock, p. m.

WEDNESDAY, 26th FEBRUARY, 1834.

House meets. The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*,  
 " " JAMES SIMMS, *Attorney-General*,  
 " " Mr. DUNSCOMB,  
 " " " THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

The minutes of the last day were read.

Master in Chancery appointed. The Honorable the Speaker reported that His Excellency the Governor, in compliance with the Address of this House, had been pleased to appoint a Master in Chancery, attendant upon this House; and that he had appointed Bryan Robinson, Barrister-at-Law, Esquire, to that situation.

Address to His Majesty —read a second time. In pursuance of the order of the day, the Address to His Majesty from the Commons House of Assembly was read a second time.

Committee on the Address. Ordered, that the House be put into a Committee of the whole upon the said Address.  
 After some time the House resumed.  
 The Chairman reported the Address.

Ordered, that the said Report be received.

Committee on the Law of England Bill. Moved and seconded, that the House be put into a Committee of the whole on the Bill for removing doubts respecting the introduction of the Law of England into Newfoundland, on To-morrow.

26th & 27th February, & 3rd March, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

Pursuant to the order of the day, the House was put into a Committee of the whole on the Bill entitled "an Act for regulating the Cutting of Channels through the Ice in the various Ports and Harbors of this Island." Committee on the Ice Bill;

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

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

Ordered, that that Report be received.

On motion made and seconded, the said Bill was referred to a select Committee to report.

Ordered, that the Honorable Messrs. Dunscomb, Thomas, Garland, and Bland be the Committee for that purpose. —referred to a Select Committee.

Ordered that the fees to be paid to the Master in Chancery be referred to the Select Committee to consider the Rules for the regulation of this House.

On motion made and seconded the House adjourned until Thursday next, at one of the clock, p. m. House adjourns.

THURSDAY, 27th FEBRUARY, 1834.

At half-past one of the clock, the Honorable the Speaker declared the House adjourned for want of a Quorum, to Monday. Adjourned for want of Quorum.

MONDAY, 3d MARCH, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker.*

" " JAMES SIMMS, *Attorney General,*

" " Mr. DUNSCOMB,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

Members present.

The Minutes of the last day were read.

The Honorable the Speaker brought up the Petition of John Parsons, Thomas Keefe, and Michael Dalton, Prisoners in the Gaol at Harbor Grace, which was laid upon the table. Petition of Parsons, Keefe and Dalton brought up.

The Honorable the Speaker gave notice, that he would, on Monday next, move for leave to bring in a Bill to regulate the admission of Attorneys and of Persons to the Bar in this Island. Notice of bringing in a Bill to regulate the admission of Attornies & Persons to the Bar.

The Honorable the Attorney-General, from the Select Committee appointed to consider the Rules for the Regulation of this House, delivered their Report. Report of Select Committee appointed to consider the Rules.

Ordered, that the said Report be received.

Report received.

The Honorable Mr. Dunscomb, from the Select Committee to whom the Bill entitled "An Act to regulate the Cutting of Channels in the Ice in the various Ports and Harbors of this Island," was referred, delivered their Report. Report of Select Committee appointed to consider the Ice Bill.

Ordered, that the said Report be received.

Report received.

A Deputation from the Commons House of Assembly, brought up a Bill, entitled "an Act to prevent dangerous quantities of Gunpowder being kept within the town of Harbor Grace, and to provide for the safe storing of the same," and withdrew— Harbor-Grace Gunpowder Bill.

The said Bill was then read, and ordered to be read a second time To-morrow.

Pursuant to the order of the day, the House resolved itself into a Committee of the whole upon the Bill entitled "A Bill for removing doubts respecting the introduction of the Law of England into Newfoundland." Committee of the whole House upon the Bill for removing doubts respecting the introduction of the Law of England into Newfoundland.

The Honorable Mr. Dunscomb took the Chair.

The Honorable James Crowdy enters.

A Member enters the House.

After some time the House resumed.

The Chairman reported progress and asked leave to sit again on Thursday next.

Report,—and leave asked to sit again.

Leave granted.

3rd &amp; 4th March, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Committee of the whole upon the Report of the Select Committee on the Rules.

The House was put into a Committee of the whole upon the Report of the Select Committee appointed to take into consideration the Rules for the Regulation of the House.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

Chairman reports that the Rules had been adopted.

The Chairman reported the Rules, as in Appendix.

Ordered, that the said Report be received.

House adjourns.

On motion made and seconded, the House adjourned until Tuesday next, at One of the o'clock, p. m.

TUESDAY, 4th MARCH, 1834.

House meets.

The House met pursuant to adjournment.

Present.

*The Honorable HENRY JOHN BOULTON, Speaker,*

Members present.

” ” *JAMES CROWDY, Colonial Secretary.*

” ” *Mr. HALY,*

” ” *” DUNSCOMB,*

” ” *” GARLAND,*

” ” *” BLAND.*

The minutes of the last day were read.

Notice of bringing in a Bill to regulate the rate of Interest in this Colony.

The Honorable Mr. Bland gave notice, that on Thursday next he would move for leave to bring in a Bill to establish the rate of Interest in this Colony.

Rules ordered to be sent to the Commons House of Assembly. A Member enters the House.

Ordered, that a copy of the Rules adopted by this House for the regulation of its proceedings, be sent to the Commons House of Assembly, by the Master in Chancery.

Ordered that the Rules be printed.

The Honorable Mr. Thomas enters.

Notice of bringing in a Bill to regulate the Descent of Real Property.

Ordered, that Fifty Copies of the Rules be printed for the use of Members.

The Honorable Mr. Thomas gave notice that he would on Friday next move for leave to bring in a Bill to regulate the course of Descent of Real Property in this Island.

Gunpowder Bill read a second time.

In pursuance of the order of the day, the Bill entitled, “An Act to prevent dangerous quantities of Gunpowder being kept within the Town of Harbor-Grace, and to provide for the safe storing of the same,” was read a second time.

The House resolves itself into a Committee of the whole;—

Ordered, that the House be put into a Committee of the whole upon the said Bill.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

Reported, and leave asked to sit again. Leave granted.

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

Ordered, that the Report be received and leave granted accordingly.

House resolves itself into a Committee of the whole upon the Ice Bill.

Ordered, that the House be put into a Committee of the whole upon the Bill entitled “An Act to regulate the Cutting of Channels through the Ice in the various Ports and Harbors of this Island.”

Reported.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

Amendments read.

The Chairman reported the Bill with some Amendments.

Ordered, that the said Report be received.

The Amendments were then read by the Clerk as follows:

At the end of the first section insert as follows:

“Provided always that in every Port or Harbour where no Justice of the Peace may reside, it shall and may be lawful for any Sheriff’s Officer, or for any Three Owners or Agents of Owners of Sealing Vessels, to convene a meeting as aforesaid.”

Section 2. line 3rd.—After the words “until the” insert the words “appointment of a Committee at the.”

Section 2. line 5th.—Expunge the words “and appointment of Committee as aforesaid.”

At the end of the Section insert as follows,

“Which Committee so appointed as aforesaid, shall and may, and they are hereby authorized to, confirm, alter or amend the Rules and all other regulations made by the

4th &amp; 6th March, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

former Committee; and which rules and regulations so confirmed, altered or amended, shall, after due publication as aforesaid, have full force and effect, and be as binding on all persons affected thereby, as though the same were especially enacted herein. Subject, nevertheless, to be repealed, altered or amended by any and every subsequent Committee in like manner."

Section 4. line 2nd.—Strike out the word "one."

Section 5. line 7th.—Between the words "collected under" and the words "any such Rules" insert "the provisions of this act or under."

Ordered, that the amendments be engrossed, and read a third time To-morrow.

The Honorable Mr. Garland gave notice that, on Thursday the 13th instant, he would move for leave to bring in a Bill to constitute Local Courts and Courts of Session of the Peace throughout this Island.

On motion made and seconded the House adjourned until Thursday next at one of the clock, p. m.

Notice for leave to bring in a Bill to constitute Local Courts and Courts of Session of the Peace throughout the Island.  
House adjourns.

THURSDAY, 6th MARCH, 1834.

The House met pursuant to adjournment.

**Present,**

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

" " JAMES SIMMS, *Attorney General,*  
" " JAMES CROWDY, *Colonial Secretary,*  
" " Mr. HALY,  
" " " DUNSCOMB,  
" " " THOMAS,  
" " " GARLAND.

Members present.

The Minutes of the last day were read.

In pursuance of the order of the day, the House was put into a Committee of the whole upon the Bill respecting the removal of doubts concerning the introduction of the Law of England into Newfoundland.

Committee of the whole House upon the Bill for removing doubts respecting the introduction of the Law of England into Newfoundland.

The Honorable Mr. Haly took the Chair.

After some time the House resumed.

The Chairman reported the Bill with Amendments.

Chairman reports the Bill, with amendments.

Ordered, that the said Report be received, and that the Bill be engrossed, and read a third time on Thursday next.

Ordered, that Fifty Copies of the Bill be printed for the use of Members.

Fifty copies of Bill to be printed for use of Members.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the Bill entitled, "An Act to prevent dangerous quantities of Gunpowder being kept within the Town of Harbor-Grace, and to provide for the safe storing of the same."

Committee of the whole upon the Gunpowder Bill.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

The Chairman reported the Bill with Amendments.

Chairman reports the Bill adopted with amendments.

Ordered, that said Report be received, and that the Amendments be engrossed and read a third time To-morrow.

Amendments ordered to be engrossed, and read a third time to-morrow.

Pursuant to the order of the day, the Ice Bill, as Amended, was read a third time and passed; whereupon the Speaker signed the same, and it was—

Third reading of the Ice Bill, with amendments, and adoption.

Ordered, that the Master in Chancery do go down to the Commons House of Assembly, and acquaint them that this House had passed the said Bill with some amendments, to which they requested the concurrence of that House.

On motion made and seconded, the House adjourned until Friday next, at one of the clock.

House adjourns.

7th &amp; 8th March, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

FRIDAY, 7th MARCH, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*" " JAMES SIMMS, *Attorney-General,*" " JAMES CROWDY, *Colonial Secretary,*

Members present.

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS,

" " " GARLAND.

The minutes of the last day were read.

The Honorable the Speaker reported, that in accordance with the Address of this House, His Excellency the Governor had been pleased to transmit—

A Statement, &amp;c. &amp;c. from the Governor respecting Circuit Vessels constables, Gaolers, &amp;c.

A statement of the number of vessels employed for the conveyance of the Judges and their respective Courts on the Circuit of the Labrador District, and of the Northern and Southern Districts of this Island, in each year since the first institution of the said Courts, shewing the time they were engaged on that service, and the rate of hire respectively; shewing also the sums disbursed to the Judges and Officers of the said Court for their expenses.

And—

A list of all Magistrates, Conservators of the Peace, Coroners, Constables and Gaolers throughout the Island, particularizing the various districts to which they are appointed, and the Fees and Salaries (if any) attached to their respective offices.

Bill brought in to regulate and declare the descent of Property Bill read.

Pursuant to notice, the Honorable Mr. Thomas brought in a Bill to regulate and declare the Descent of Real Property in this Island.

The said Bill was then read, and ordered to be read a second time on Thursday next.

3rd reading of the Gunpowder Bill.

Pursuant to the order of the day, the Bill entitled "an Act to prevent dangerous quantities of Gunpowder being kept within the Town of Harbor Grace, and to provide for the safe storing of the same," was read a third time.

Ordered, that the same be re-committed on Monday next.

Revenue Bill brought up and read.

A Deputation from the Commons House of Assembly brought up a Bill, entitled "an Act for the further increase of the Revenue, to which they requested the concurrence of this House, and then withdrew.

The said Bill was then read a first time and ordered to be read a second time on Tomorrow.

House adjourns.

On motion made and seconded the House adjourned until Saturday at 1 of the clock, p.m.

SATURDAY, 8th MARCH, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*" " JAMES SIMMS, *Attorney-General,*" " JAMES CROWDY, *Colonial Secretary.*

Members present.

" " Mr. THOMAS,

" " " GARLAND.

The minutes of the last day were read.

2nd reading of the Revenue Bill.

Pursuant to the order of the day, the Bill entitled "an Act for the further increase of the Revenue," was read a second time.

Ordered, that this House be put into a Committee of the whole upon the said Bill on Monday next.

Ordered, that the Governor's statement respecting the Circuit Vessels, &amp;c. be printed.

Ordered, that fifty copies of the "Statement of the number of Vessels employed for the conveyance of the Judges and their respective Courts on the Circuit of the Labrador District, and of the Northern and Southern Districts of this Island, in each year since the first

8th &amp; 10th March, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

institution of the said Courts, showing the time they were engaged on that service and the rate of hire respectively; shewing also the sums disbursed to the Judges and Officers of the said Court for their expenses," be printed for the use of Members.

On motion made and seconded, the House adjourned until Monday next, at one of the clock, p. m. House adjourns.

MONDAY, 10th MARCH, 1834.

The House met pursuant to adjournment. House meets.**Present.***The Honorable* HENRY JOHN BOULTON, *Speaker,*" " JAMES SIMMS, *Attorney General,*" " JAMES CROWDY, *Colonial Secretary,*

" " Mr. THOMAS,

" " " GARLAND,

Members present.

The minutes of the last day were read.

The Petition of John Parsons, Michael Keefe, and Thomas Dalton, Prisoners confined for Debt in the Gaol at Harbor Grace, was read. Petition of John Parsons, and others.

The Honorable Mr. Thomas brought up the Petition of George Johnston Hayward, Acting Collector of His Majesty's Customs of the Island of Newfoundland, which was laid on the table. Petition of G. J. Hayward, presented.

A Message from His Excellency the Governor was delivered by the Honorable the Colonial Secretary; the Honorable the Speaker read the same, which is as follows: Message from [the Governor.]

THOMAS COCHRANE.

The Governor acquaints the Legislative Council, that His Majesty's Attorney General of this Island being of opinion, that during the continuance of the Colonial Act of 4th William 4, chap. 1, the duties on Wine and Spirits, imposed by Imperial Acts subsequently to the 18th George 3rd, cannot be collected; and the principal source from whence the reserved fund created by the 2nd and 3rd William 4, chap. 78, is thus cut off; and as it is quite evident that this occurrence has arisen from inadvertence in framing the 3rd and 4th William 4th, chap. 59, His Excellency has no doubt the Legislative Council will see the propriety of anticipating His Majesty's Government by providing for the deficiency thus occasioned in the reserved fund, in any act which it may think proper to pass for the purpose of levying those duties, which would otherwise be lost under the operation of the last-mentioned act.

Governor's Message conveying the Attorney General's opinion upon 3rd and 4th of William 4th chap. 59.

*Government House,*  
10th March, 1834.

Ordered, that an Address be presented to His Excellency, respectfully thanking him for his Message of this day. Address ordered to be presented thanking His Excellency for the above Message. Committee appointed therefor.

Ordered, that the Honorable the Attorney General, and the Honorable Mr. Thomas, be appointed the Committee for the above purpose.

The Honorable Mr. Garland moved for leave to bring in a Bill for declaring all Landed Property in Newfoundland Real Chattels.

Ordered, that the said Bill be read; and—

Ordered, that it be read a second time To-morrow. Real Chattel Bill read.

Ordered, that Fifty copies of the said Bill be printed for the use of Members. Ordered that Real Chattel Bill be printed.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the Bill entitled "an Act for the further increase of the Revenue." Committee on the Revenue Bill.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

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

Leave granted.

On motion made and seconded, the House adjourned until Tuesday next, at one of the clock, p. m. House adjourns.

11th March, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

TUESDAY, 11th MARCH, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*  
 " " JAMES SIMMS, *Attorney-General,*  
 " " JAMES CROWDY, *Colonial Secretary,*  
 " " Mr. HALY,  
 " " " THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

The minutes of the last day were read.

Rate of Interest Bill brought in.

Pursuant to notice the Honorable Mr. Bland brought in a Bill "To Establish the Rate of Interest in this Island."

—read a first time.

The said Bill was then read, and

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

Committee on the Gunpowder Bill.

Pursuant to the order of the day the House was put into Committee of the whole upon the Bill entitled, "An Act to prevent dangerous quantities of Gunpowder being kept within the Town of Harbour Grace, and to provide for the safe storing of the same."

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

Amendments reported.

The Chairman reported the Bill with some Amendments.

Adopted.

Ordered, that the said Report be received.

Ordered, that the Amendments be engrossed and read a third time To-morrow.

Committee on Revenue Bill.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the Bill entitled "An Act for the further increase of the Revenue."

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

Committee report Resolution ;

The Chairman reported that the Committee had taken the said Bill into their consideration, and had agreed to a Resolution which they recommend to the adoption of the House.

—same read ;

The said Resolution was then read as follows :

Resolved,—That it is the opinion of this Committee, that certain Amendments should be made in the Bill sent up from the Assembly entitled "An Act for the further increase of the Revenue," and that a Conference be requested with the House of Assembly upon the subject.

The question of concurrence being put, the said Resolution was agreed to by the House, and it was—

Conference ordered on the Bill.

Ordered, that the Master in Chancery do go down to the Commons House of Assembly and request a Conference with them on the subject-matter of the said Bill ; and—

Conferees appointed.

Ordered, that the Honorable the Colonial Secretary and the Honorable Mr. Garland be appointed the Conferees on the part of this House for that purpose.

Ordered, that the Honorable Messrs. Thomas and Garland be a Committee to draught the Instructions for the Conferees.

Real Chattel Bill read a second time.

Pursuant to the order of the day, the Bill "For Declaring all Landed Property Real Chattels," was read a second time.

Real Chattel Bill committed To-morrow.

Ordered, that the House be put into a Committee of the whole upon the said Bill To-morrow.

House adjourns.

On motion made and seconded the House Adjourned until To-morrow at One of the clock, p. m.

12th &amp; 13th March, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

WEDNESDAY, 12th MARCH, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*,  
 " " JAMES SIMMS, *Attorney General*,  
 " " JAMES CROWDY, *Colonial Secretary*,  
 " " Mr. HALY,  
 " " " THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

The Minutes of the last day were read.

The Petition of George Johnston Hayward, Acting Collector of His Majesty's Customs of this Island, was read.

Petition of Acting Collector read.

Ordered, that the said Petition be referred to a Committee of the whole on the Revenue Bill.

Pursuant to the order of the day, the Amendments on the Bill entitled "An Act to prevent dangerous quantities of Gunpowder being kept within the Town of Harbor-Grace, and to provide for the safe storing of the same," were read a third time, and passed;

Amendments to Gunpowder Bill passed.

Whereupon the Speaker signed the same, and it was—

Ordered, that they be sent by the Master in Chancery to the Commons House of Assembly, for the concurrence of that House.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the Bill declaring Landed Property in Newfoundland Real Chattels—

Committee on Real Chattel Bill.

The Honorable Mr. Haly took the Chair.

After some time the House resumed.

The Chairman reported the Bill with Amendments.

Ordered, that the Report be received.

Ordered, that the Bill be engrossed and read a third time To-morrow.

On Motion made and seconded, the House adjourned until To-morrow at One of the Clock, p. m.

House Adjourns.

THURSDAY, 13th MARCH, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*.  
 " " JAMES CROWDY, *Colonial Secretary*,  
 " " Mr. THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill for declaring all Landed Property in Newfoundland Real Chattels, was read a third time and passed: and it was—

Bill for declaring all Landed Property Real Chattels passed.

Ordered, that the Bill be entitled "An Act for declaring all Landed Property in Newfoundland Real Chattels;"

Whereupon the Speaker signed the Bill; and it was—

Ordered, that the same be sent to the Commons House of Assembly by the Master in Chancery for the concurrence of that House.

Pursuant to the order of the day, the Bill for removing doubts respecting the introduction of the Law of England into Newfoundland, was read a third time and passed.

Law of England Bill passed.

Ordered, that the title of the said Bill be "An Act for removing doubts respecting the introduction of the Law of England into Newfoundland;"

Whereupon the Speaker signed the same, and it was—

13th &amp; 14th March, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Ordered, that the same be sent to the Commons House of Assembly by the Master in Chancery for the concurrence of that House.

The Honorable the Speaker reported that a deputation from the Commons House of Assembly had brought up, and delivered at the Bar of this House, a Message in the following words :

Mr. SPEAKER,

Message from the Assembly consenting to conference on the Revenue Bill.

The House of Assembly consent to the Conference requested by the Honorable the Legislative Council on the subject of the Bill now before the Council entitled "An Act for the further increase of the Revenue;" and have appointed a Committee of Four Members to meet the Committee of the Legislative Council at the time and place for that purpose appointed.

THOMAS BENNETT,  
Speaker.

House of Assembly,  
13th March, 1834.

A Message concurring in the Amendments on Ice Bill.

A deputation from the Commons House of Assembly bring up a Message announcing their concurrence in the Amendments made in and upon the Ice Bill.

A Bill for the Abolition of Labrador Court read a first time.

A deputation from the Commons House of Assembly brought up a Bill entitled "An Act to repeal so much of an Act of the Imperial Parliament, passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, entitled "An Act for the better Administration of Justice in Newfoundland, and for other purposes," as relates to the institution of a Court of Civil Jurisdiction on the Coast of Labrador and the Islands adjacent thereto; to which the concurrence of this House was requested; which was read a first time and—

Ordered to be read a second time To-morrow.

House Adjourns.

On Motion made and seconded, the House adjourned until To-morrow at Twelve of the Clock, Noon.

FRIDAY, 14th MARCH, 1834.

House meets.

The House met pursuant to adjournment.

Present.

The Honorable HENRY JOHN BOULTON, Speaker.

" " JAMES CROWDY, Colonial Secretary.

" " Mr. THOMAS,

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

Governor's Message transmitting copy of letter from the President of the Benevolent Irish Society.

A Message from His Excellency the Governor was delivered by the Honorable the Colonial Secretary, which was as follows :

THOMAS COCHRANE.

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

Labrador Court Abolition Bill read a 2nd time.

Pursuant to the order of the day, the Bill entitled "An Act to repeal so much of an Act of the Imperial Parliament passed in the Fifth Year of the Reign of his late Majesty King George the Fourth, entitled 'An Act for the better Administration of Justice in Newfoundland, and for other purposes,' as relates to the institution of a Court of Civil Jurisdiction on the Coast of Labrador, and the Islands adjacent thereto," was read a second time, and—

Ordered to be committed on Monday.

Instructions to Conferees on Revenue Bill reported.

The Honorable Mr. Thomas, from the Committee appointed to draft instructions for the Conferees upon the Bill entitled "An Act for the further increase of the Revenue," presented a draft of the same—

Committee on same.

The House was put into a Committee of the whole upon the said draft.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Draft.

Ordered, that the Report be received.

14th &amp; 17th March, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

The Bill entitled "An Act for establishing the rate of Interest in this Island," was read a second time, and—

Interest Bill read 2nd time.

Ordered to be committed on Tuesday next.

On Motion made and seconded, the House adjourned until a Quarter before Three o'Clock.

House Adjourns to 2½ o'Clock.

¼ before 3 o'Clock.

The House met pursuant to adjournment.

The Honorable the Colonial Secretary, from the Committee of Conference upon the Bill entitled "An Act for the further increase of the Revenue," reported that they had met the Conferees on the part of the House of Assembly, and delivered to them their instructions.

Ordered, that the Report be received.

The Bill for regulating the practise of the Law was read a second time.

Barristers Bill read 2nd time.

On Motion made and seconded, the House adjourned until Monday next, at One of the Clock, p. m.

MONDAY, 17th MARCH, 1834.

The House met pursuant to adjournment.

**Present,**

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

" " JAMES SIMMS, *Attorney General.*

" " JAMES CROWDY, *Colonial Secretary.*

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

Pursuant to the order of the day, the House was put into a Committee of the whole on the Bill for the abolition of the Labrador Court.

Committee on Labrador Court Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Bill, with some Amendments.

Ordered, that the said Report be received, and that the Bill be read a third time Tomorrow.

A deputation from the Commons House of Assembly brought up a Message, in the following words:

Mr. SPEAKER,

The House of Assembly have had under their consideration the Amendments proposed to be made in the Bill sent up from the House, entitled "An Act for the further increase of the Revenue," as contained in the instructions given by the Honorable the Legislative Council to their Committee of Conference on the said Bill; and which they have asked the consent of this House to make therein; and the House of Assembly do not consent that the Legislative Council should make the proposed Amendments to the said Bill.

THOMAS BENNETT,

*Speaker.*

Moved and seconded, that an humble Address be presented from this House to His Majesty on the state of the Colony.

Address to His Majesty moved.

Ordered, that a Committee be appointed to draft the same, and that the Honorable Messieurs Thomas and Bland be a Committee for that purpose.

Committee to draft the same appointed.

The Honorable Mr. Thomas, from the Committee appointed to prepare an Address to His Majesty, delivered a draft of the same, which was read a first and second time.

Draft of Address presented.

The House was then put into Committee of the whole on the Address.

The Honorable Mr. Garland took the Chair.

Committee on Address.

## 17th, 18th &amp; 19th March, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

After some time, the House resumed.  
 The Chairman reported the Address.  
 Ordered, that the said Report be received, and that the Address be read a third time on Wednesday.  
 Committee on Revenue Bill. The House was put into Committee of the whole on the Revenue Bill:  
 The Honorable the Colonial Secretary took the Chair.  
 After some time, the House resumed.  
 The Chairman reported the Bill, with some Amendments.  
 Ordered, that the said Report be received, and the Bill, as amended, be read a third time on To-morrow.  
 House Adjourns. On Motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

TUESDAY, 18th MARCH, 1834.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*" " JAMES SIMMS, *Attorney General.*" " JAMES CROWDY, *Colonial Secretary.*

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

Labrador Court Bill passed. Pursuant to the order of the day, the Bill for the Abolition of the Labrador Court was, as amended, read a third time and passed:

Whereupon the Speaker signed the same; and it was—

Ordered, to be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House in the said Amendments.

Revenue Bill as Amended passed. Pursuant to the order of the day the Revenue Bill as Amended was read a third time and passed:

Whereupon the Speaker signed the same, and it was—

Ordered to be sent to the Commons House of Assembly by the Master in Chancery for the concurrence of that House in the said Amendments.

Committee on Interest Bill. The House was put into Committee of the whole on the Rate of Interest Bill.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

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

Leave granted.

House Adjourns. On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

WEDNESDAY, 19th MARCH, 1834.

House meets. The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*" " JAMES SIMMS, *Attorney General.*" " JAMES CROWDY, *Colonial Secretary.*

" " Mr. HALY,

" " " THOMAS,

" " " BLAND.

The Minutes of the last day were read.

19th March, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

Pursuant to the order of the day, the Address to His Majesty from this House was read a third time, and passed: Address to His Majesty passed.

Whereupon the Speaker signed the same—and is as follows:

*To the King's Most Excellent Majesty.*

MOST GRACIOUS SOVEREIGN,—

WE, your Majesty's dutiful and loyal Subjects, the Legislative Council of Newfoundland in Parliament assembled, in approaching Your Majesty with sentiments of the most affectionate regard for Your Majesty's Person and Government, beg leave respectfully to represent to Your Majesty the extremely embarrassed condition in which we find the finances of the Colony at the very outset of our first efforts towards Colonial Legislation; and to beseech Your Majesty to extend, for some years at least, and until our resources can be more thoroughly developed and be better understood, that fostering care to the seafaring population of this Island, with which your illustrious predecessors so long cherished our Sister Colonies, and more especially those on the neighbouring Continent, which notwithstanding the fertility of their soil and the more genial character of their climate, were nevertheless in their early settlement unable to sustain the expenditure necessary for the due Administration of their respective Governments.

It appears by the returns laid before the Legislature by His Excellency the Governor, that the net revenue arising from the Duties of Customs during the Year One Thousand Eight Hundred and Thirty Three, under Acts of the Imperial Parliament, amounted to Eight Thousand Eight Hundred and Fifty Pounds, within a fraction, and that the like revenue, derived under the Colonial Act passed on the Twenty-Second Day of July last, up to the First Day of February in this Year, being a period of Six Months, amounts to the Sum of One Thousand Nine Hundred and Thirty-Five Pounds, making together the Sum of Ten Thousand Seven Hundred and Eighty Five Pounds, as the Revenue over which the Legislature have any controul, exclusive of a trifling Sum received for Licenses to Retail Spiritous Liquors, of which we have no precise return.

From this Sum the Salaries of the Governor, the Chief Justice and Assistant Judges, the Attorney-General and Colonial Secretary, amounting to the Sum of Six Thousand Five Hundred Pounds, are deducted, leaving a balance of Four Thousand Two Hundred and Thirty-Five Pounds, to meet the other charges of the Colonial Government, which according to the estimate for the current Year transmitted by the Governor, amounts to the Sum of Thirteen Thousand Five Hundred and Forty One Pounds, Eighteen Shillings and Four Pence, from which deduct the last mentioned Sum of Four Thousand Two Hundred and Thirty-Five Pounds, and there will remain the Sum of Nine Thousand Three Hundred and Six Pounds unprovided for, and this, Your Majesty will perceive, without devoting any part of the public Revenue to general improvement. It is true that some of the charges contained in the estimate may, without detriment to the public service, in some measure be curtailed, if not altogether dispensed with, by the abolition of the offices in which they are incurred, but should any such savings be thus effected, other charges to the same extent will be required to defray the expense of any improved system which may be adopted in place of that which might be superseded, and therefore we are constrained to assure your Majesty, that we see no means of materially diminishing the amount required for the public service.

We are not disposed to draw any invidious comparisons between this and any other Colony which has been the object of Your Majesty's solicitude; but when we see Sierra Leone in Africa, and the British Provinces in America, as opposite in their condition and usefulness as they are in local position, all enjoying either large Grants from Your Majesty's Imperial Parliament, or, upon their discontinuance, deriving considerable Revenues from the territorial possessions of the Crown, which, from their rapid settlement, have become available within their limits, we hope we shall not be regarded as unmindful of the burthens already borne by the parent state, when respectfully urging upon Your Majesty's consideration the necessity of affording this Colony that aid from the Imperial Treasury which our own resources are inadequate to supply without imposing Duties upon the necessaries of life.

19th March, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Those articles of general consumption which are generally called luxuries, are already subjected to Duties which are quite as high as can reasonably be imposed with a view merely to the raising a Revenue ; and we do not think that either the necessaries of life or the marine supplies for the fisheries could, with any advantage to British Interests, be made the object of taxation—to say nothing of the hardship of imposing burthens on the laborious classes, whose avocations are sufficiently perilous in their nature, as well as hazardous in their results, without adding to their privations by raising the price of those commodities which are as necessary to the support of their families, as they are indispensable for the prosecution of their daily calling.

The relations between this Colony and the parent state are of a peculiar nature, and are induced from causes which do not affect the policy of Your Majesty's Government with regard to any other of Your Majesty's Foreign possessions.

Newfoundland is, and must ever remain, a mere fishing station attached to whatever country may be enabled, by its own power, to keep it from falling into the hands of any other ;—that it may always continue to be one of the numerous sources of national wealth as well as maritime greatness of our parent state, is the earnest desire of every inhabitant of the Island.

Agriculture can under no possible circumstances ever become more than an auxiliary to the fishery. It can never subsist as an independent branch of national industry ; and the utmost limit to which it can be carried, will never exceed a precarious growth of vegetables and grass, with occasionally some coarse grain to eke out a scanty supply of provender for the small stock of cattle which it may be necessary to keep during the winter. For bread, and all other necessaries of life, the Inhabitants of Newfoundland will ever be dependent upon a Foreign supply. It is therefore obvious that her population can never be reasonably expected to increase far beyond what the fisheries will afford employment for.

But even these are not our own ;—all our fellow subjects, as well from home as from the neighbouring Colonies, are equally entitled with ourselves to come and fish upon our shores, and Foreign Nations have by treaty not only the right to fish in our waters, but France has the exclusive right along a most valuable part of our Coast.—Thus the Inhabitants of this Colony are not only subjected to the competition of all their fellow-subjects, but are actually excluded by Foreigners from competing with them on their own shores. Under these circumstances, we would humbly urge upon Your Majesty's Gracious consideration, that it is not reasonable that the resident Fishermen and others engaged in the trade of this Island dependent on their success, should be burthened with the whole expense of the Civil Government, while they are not the sole objects of its protection.

In the neighbouring British possessions it is true strangers are entitled to the protection of the law equally with the settled inhabitants ; but the stranger lives in the country, and whatever he expends while there, circulates through the various avenues of public wealth, and adds to the general stock of national prosperity. Not so here :—a ship arrives during the height of the fishing season, brings her own supplies, and without doing aught to the general good, participates equally in the harvest with those who reside in the Island. If one of their men, however, be killed in an affray, our Courts are open for the prosecution of the offender ; or should any civil right be invaded, they are equally ready to afford redress ; and yet the people of Newfoundland are expected to pay the entire charge of that branch of the public service.

The greater the number of Emigrants that arrive in the neighbouring Provinces in any Year, the more the resources of those Colonies are extended and the country is proportionally enriched ; but the greater the number who come here, the more there will be to share those gains which their presence tends in no degree to increase. In the Agricultural Colonies, a few years of patient industry clears the husbandman's allotment of ground, and he is assured of an independence for his declining years ; but the frequent ploughing of the boisterous ocean tends in no degree to smooth its billows or render the last adventure more secure than the first. The life of a Fisherman is one of toil, of danger and uncertainty—each year's exertions being quite independent on that which is past or on those which are to come. One gust of wind may founder a Vessel built and fitted out by the savings of a whole life of patient industry. If the crop of the Agriculturist be occasionally blighted, he has still the

19th March, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

Farm to which he may look with assurance for a better return for his next year's labour: not so the Sea-faring Man;—if his Bark be overset by the gale, he is thankful to escape with his life, although bereaved of his all.

In addition to these natural difficulties with which the people of this Island have to contend, there are others of a political nature which prove equally ruinous to their trade and prosperity.

In so important a light are the fisheries of Newfoundland held by the French Government, as a nursery for seamen, that they have not only been careful at every treaty with England, on the return of peace after their longest and most disastrous conflicts, to secure to themselves the exclusive right to catch and cure fish on extensive portions of our Coast, but knowing that mere permission would not induce their subjects to risk either their lives or their property in such a precarious and hazardous trade, large bounties more than equal to the full value of the article to be reclaimed from the ocean, are granted by that Government to those who will adventure in its prosecution. The gross amount of these bounties on fish bestowed by the French Government on those engaged in the trade, has in many years considerably exceeded One Hundred and Fifty Thousand Pounds sterling, which in truth is a premium given to their people to become seamen.

If it were not for these bounties they could not come in competition with the Inhabitants of the Island, and their right to fish on our Coasts would fall into desuetude;—but at present the British fishermen of Newfoundland have to contend in the Foreign Market with the capital and enterprise of Foreigners, aided and supported by their Government and the resources of their Country.

We do not presume to offer an opinion upon the policy which the parent state has found it necessary, perhaps, to pursue in her Foreign relations, with regard to the fisheries on the Coast of Newfoundland; but we nevertheless feel that the whole of its disastrous consequences falls exclusively upon the people who reside here, and therefore we would humbly again urge upon Your Majesty our earnest request that some portion of the expenses of the Civil Government of this Colony may be defrayed by the Imperial Treasury.

At this moment a prosecution is pending in our Courts for a Murder alleged to have been committed on that part of the Island which, from the exclusive right of the French to Fish there, is called the French shore; and the Revenues of Newfoundland must pay the charge of conducting it to its final result: and yet that part of our Coast had better not be, so far as we are concerned, as it only furnishes means to our rivals to oppose us in every market we enter.

If this Colony, like most others, had all the resources of the country they inhabit, at their own disposal,—if we alone had the right of fishing on our own shores,—we should have no occasion to ask assistance from the mother country; but when we have merely the exclusive right to the cultivation of the soil, which from its inferiority few will desire to participate in, we indulge a strong belief that Your Majesty will be graciously pleased to recommend the condition of this Colony to the favourable consideration of Parliament.

Ordered, that a Select Committee be appointed to prepare an Address to His Excellency the Governor, praying that His Excellency would be pleased to forward the Address to His Majesty, to the Secretary of State for the Colonies, for the purpose of being laid at the foot of the Throne.

Select Committee appointed to prepare Address to the Governor.

Ordered, that a Copy of the Address be sent to the Commons House of Assembly, for their information.

Copy of Address to be sent to the Assembly.

On motion made and seconded, the House adjourned to Monday next.

House Adjourns.

24th &amp; 25th March, 1834.

THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

MONDAY, 24th MARCH, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*" " WILLIAM SALL, *Lieut. Col., Commandant.*" " JAMES SIMMS, *Attorney General.*" " JAMES CROWDY, *Colonial Secretary.*

" " Mr. HALY,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

Committee on Interest  
Bill.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the Bill to regulate the Rate of Interest in this Island.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received, and that the Bill be engrossed and read a third time on Wednesday next.

The Select Committee appointed to draft an Address to His Excellency the Governor, requesting His Excellency to transmit the Address from the Legislative Council of Newfoundland to His Majesty, presented the same, which was read a first time, and having been read a second time, was ordered to be engrossed and read a third time To-morrow.

Governor arrives at  
Council Chamber

At Three of the Clock, p. m., His Excellency the Governor having come to the Legislative Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was ordered to direct the immediate attendance of the Speaker and Members of the Commons House of Assembly in this House; and they being come thereto—

Governor's assent to  
Revenue Bill.

His Excellency was pleased to assent to the following Bill: "An Act for the further increase of the Revenue."

Then the House of Assembly retired, and His Excellency and Suite withdrew.

House Adjourns.

On motion made and seconded, the House adjourned until Tuesday next, at One of the Clock, p. m.

TUESDAY, 25th MARCH, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*" " JAMES SIMMS, *Attorney General,*" " JAMES CROWDY, *Colonial Secretary,*

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS,

" " " GARLAND.

The Minutes of the last day were read.

Address to His Excel-  
lency passed.

Pursuant to the order of the day, the Address to His Excellency the Governor was read a third time and passed:

Whereupon the Speaker signed the same; and it was—

Committee to wait on  
His Excellency.

Ordered, that the Honorable the Attorney General, and the Honorable the Colonial Secretary, do compose a Committee to wait on His Excellency and ascertain when His Excellency would be pleased to receive the Address.

25th & 27th March, & 2nd April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

A Deputation from the Commons House of Assembly brought up a Bill entitled "An Act to Incorporate the Saint John's Mechanics' Society;" also a Bill entitled "An Act for ascertaining the damages to be paid upon Protested Bills of Exchange;" which were severally read a first time, and—

St. John's Mechanics' Society Bill, and Protested Bills of Exchange Bill, brought up and read a first time.

Ordered to be read a second time on Thursday next.

On motion made and seconded, the House adjourned until Thursday next, at One of the Clock, p. m.

House Adjourns.

THURSDAY, 27th MARCH, 1834.

The House met pursuant to adjournment.

House meets.

Present,

- The Honorable HENRY JOHN BOULTON, *Speaker.*
- " " JAMES SIMMS, *Attorney General.*
- " " JAMES CROWDY, *Colonial Secretary.*
- " " Mr. HALY,
- " " " THOMAS,
- " " " GARLAND.

The Minutes of the last day were read.

The Honorable Mr. Dunscomb enters.

Pursuant to the order of the day, the House was put into a Committee of the whole upon a Bill respecting the regulation of the Practice of the Law in this Island."

Committee on Barristers' Bill.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again on Wednesday next.

Ordered, that the said Report be received.

A deputation from the Commons House of Assembly brought up a Bill entitled "An Act to declare the legality of the collection of certain Duties by the Collector of His Majesty's Customs," which was read a first time, and—

Collectors' Bill read a first time.

Ordered to be read a second time on Thursday next.

Pursuant to the order of the day, the Bill for establishing a rate of Interest in this Island, was read a third time and passed:

Rate of Interest Bill read a third time and passed.

Whereupon the Speaker signed the same, and it was—

Ordered to be sent to the Commons House of Assembly, by the Master in Chancery, for their concurrence.

Pursuant to the order of the day, the Bill for ascertaining the damages to be paid upon Protested Bills of Exchange, was read a second time, and—

Protested Bills of Exchange Bill read 2nd time.

Ordered to be committed on Wednesday next.

Pursuant to the order of the day, the Bill entitled "An Act to incorporate the Saint John's Mechanics' Society," was read a second time, and—

St. John's Mechanics' Society Bill, read 2nd time.

Ordered to be committed on Wednesday.

On motion made and seconded, the House adjourned to Wednesday next, at One of the Clock, p. m.

House Adjourns.

WEDNESDAY, 2nd APRIL, 1834.

The House met pursuant to adjournment.

House meets.

Present.

- The Honorable HENRY JOHN BOULTON, *Speaker.*
- " " JAMES SIMMS, *Attorney General.*
- " " Mr. HALY,
- " " " THOMAS,
- " " " GARLAND,
- " " " BLAND.

The Minutes of the last day were read.

2nd &amp; 3rd April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

House wait upon the Governor with the Address to His Majesty.

Pursuant to the order of the day, the House, at the hour of One of the Clock, p. m. proceeded to Government House with the Address, and having returned,

His Honor the Speaker reported that His Excellency had been pleased to receive the same, and would forward the Address to His Majesty from the Legislative Council, by the first eligible conveyance.

Committee on St. John's Mechanics' Society Bill.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the Bill entitled "An Act to incorporate the Saint John's Mechanics' Society.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

The Chairman reported the Bill, without Amendment.

Ordered, that the Report be received; and that the Bill be read a third time To-morrow.

Committee on Protested Bills of Exchange Bill.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the Bill entitled "An Act for ascertaining the damages upon Protested Bills of Exchange."

The Honorable Mr. Thomas took the Chair.

The Honorable the Colonial Secretary enters.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again on Monday 7th Instant.

Ordered, that the said Report be received.

Ordered, that the said Bill be printed for the use of Honorable Members.

Ordered that the Bill be printed.

Pursuant to the order of the day, the House was put into a Committee of the whole on the Law Society Bill.

Committee on Barristers' Bill.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

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

Ordered, that the said Report be received.

Notice for leave to bring in Supreme Court Practice Bill.

The Honorable the Speaker gave notice that on To-morrow he will move for leave to bring in a Bill respecting the Practice of the Supreme Court.

House adjourns.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

THURSDAY, 3rd APRIL, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*" " JAMES SIMMS, *Attorney General.*

" " Mr. THOMAS,

" " " GARLAND.

The Minutes of the last day were read.

St. John's Mechanics' Society Bill passed.

Pursuant to the order of the day, the Bill entitled "An Act for Incorporating the Saint John's Mechanics' Society," was read a third time and passed:

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down and acquaint the House that the Legislative Council had passed the same, without Amendment.

Committee on Barristers' Bill.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the Law Society Bill.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

The Chairman reported the Bill, with Amendment.

Ordered, that the said Report be received, and that the said Bill be engrossed and read a third time on Monday next, 7th instant.

Local Court Bill brought in and read a first time.

Pursuant to notice, the Honorable the Speaker brought in a Bill respecting the institution of Local Courts, which was read a first time, and—

Ordered, to be read a second time on Tuesday next, 8th instant.

3rd & 7th April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

The Honorable the Colonial Secretary enters,

Ordered, that the said Bill be printed for the use of Honorable Members.

Bill to be printed.

Pursuant to notice, the Honorable the Speaker brought in a Bill respecting the Practice of the Supreme Court; which was read a first time, and—

Supreme Court Practice Bill read.

Ordered, to be read a second time on Tuesday next, 8th instant.

Ordered, that the said Bill be printed for the use of Honorable Members.

Bill to be printed.

Pursuant to the order of the day, the Bill entitled "An Act to declare the Legality of the collection of certain Duties by the Collector of His Majesty's Customs," was about to be read a second time, when it was—

Collector's Bill read a second time.

Proposed and seconded, that the same be read this day Six Months.

On which amendment the House divided; when there appeared—

Contents—The Honorable Messrs. THOMAS,  
" " DUNSCOMB;

Non-Contents—The Honorable THE SPEAKER,  
" " ATTORNEY-GENERAL,  
" " COLONIAL SECRETARY,  
" Messrs. GARLAND,  
" " BLAND;

So the Amendment was lost.

The Bill was then read a second time, and ordered to be committed on Tuesday next the 8th instant.

On motion made and seconded, the House adjourned to Monday next the 7th instant, at One of the Clock, p. m.

House adjourns.

MONDAY, 7th APRIL, 1834.

The House met pursuant to adjournment.

House meets.

Present,

- The Honorable HENRY JOHN BOULTON, Speaker.
- " " JAMES SIMMS, Attorney-General.
- " " JAMES CROWDY, Colonial Secretary.
- " " Mr. HALY,
- " " " DUNSCOMB,
- " " " THOMAS,
- " " " GARLAND,
- " " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the House was put into Committee of the whole upon the Bill entitled "An Act for ascertaining the Damages to be paid upon Protested Bills of Exchange."

Committee on Protested Bills of Exchange Bill.

The Honorable the Colonial Secretary took the Chair.

A Message being announced, the House formed.

A Deputation from the Commons House of Assembly brought up two Messages, and withdrew.

The House was again put into Committee of the whole on the Protested Bills of Exchange Bill.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported the Bill, with some Amendments:

Expunge the words between "Dependencies," in the fifth line, and the word "upon" in the eleventh line; and also between the word "place," in the twelfth line, and the word "that" in the thirteenth line.

Amendments on Protested Bills of Exchange Bill.

Expunge the word "ten," in the fourteenth line, and insert in the place thereof the word "five."

7th &amp; 8th April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

After the first clause insert the words "together with the Costs of Protesting the same."  
Expunge the last clause.

Ordered, that the said Report be received, that the Amendments be engrossed, and that the Bill, as amended, be read a third time on Wednesday the 9th instant.

Insolvent Debtors' Bill brought up and read.

The Honorable the Speaker reported, that a Deputation from the Assembly had brought up a Bill entitled "An Act for the relief of Insolvent Debtors taken in Execution;" to which the concurrence of this House was requested.

The same was then read, and ordered to be read a second time on Thursday the 10th inst.

Amendments to Real Chattels Bills.

The Honorable the Speaker reported that the same Deputation returned the Bill entitled "An Act for declaring all Landed Property in Newfoundland Real Chattels," with some Amendments, to which the concurrence of this House was requested; and are as follow:

In the Preamble, after the words "this Island" insert the words following—"and hath not hitherto been applied here."

In the first section, after the word "enacted," in the first line, insert the words following—"by the Governor, Council, and Assembly of Newfoundland, in Parliament assembled."

The following section to be added to the Bill—"And be it further enacted, that all rights or claims which have heretofore accrued in respect to any Lands or Tenements in Newfoundland, and which have not already been adjudicated upon, shall be determined according to the provisions of this Act."

The Amendments were then read, and—

Ordered, to be read a second time on Wednesday the 9th instant.

Notice to bring in Punishment Bill.

The Honorable the Speaker gave notice, that on To-morrow he would move for leave to bring in a Bill to alter the mode of punishment of Persons convicted of certain offences.

Notice of Address to His Excellency respecting Copies of Local Acts.

The Honorable Mr. Dunscomb gave notice, that on To-morrow he will move an Address to His Excellency the Governor, requesting that copies of all the Acts of the Colonial Parliament be furnished to the Members of the Legislature, to all Magistrates, and other Public Functionaries throughout the Island.

House adjourns.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

TUESDAY, 8th APRIL, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*,

„ „ JAMES SIMMS, *Attorney General*,

„ „ Mr. DUNSCOMB,

„ „ „ THOMAS.

The Minutes of the last day were read.

The Honorable Mr. Garland enters.

Collector's Bill referred to a Select Committee.

Moved by the Honorable Mr. Thomas, and seconded, that the order of the day for a Committee of the whole on the Bill for declaring the legality of the collection of certain Duties by the Collector of His Majesty's Customs be discharged, that the said Bill be referred to a Select Committee to report on, with power to send for Persons and Papers, and that Mr. Attorney-General and Mr. Dunscomb and Mr. Thomas be a Committee for that purpose.

The Honorable Mr. Haly enters.

Upon which motion being put for the concurrence of the House, it was carried in the affirmative.

Local Court Bill read 2nd time.

Pursuant to the order of the day, the Bill respecting the institution of Local Courts, was read a second time, and—

Ordered to be committed on To-morrow.

Supreme Court Practice Bill read 2nd time.

Pursuant to the order of the day, the Bill respecting the Practice of the Supreme Court, was read a second time, and—

Ordered to be Committed on To-morrow.

8th &amp; 9th April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

Pursuant to the order of the day, the Honorable Mr. Dunscomb moved that an humble Address be presented to the Governor requesting that His Excellency will be pleased to order that the Laws of Newfoundland be printed in numbers sufficient to permit several copies to be furnished to each of the Members of the Legislature, as well as one copy to every Justice of the Peace and Coroner throughout the Island, and that the same be transmitted to the Persons entitled thereto by the Colonial Secretary, immediately after their publication.

Address to the Governor respecting the Laws of Newfoundland.

Ordered, that a Committee be appointed for drafting the said Address, and that the Honorable Messieurs Dunscomb and Thomas be a Committee for that purpose.

Pursuant to the order of the day, the Honorable the Speaker brought in a Bill for altering the mode of punishment of Persons convicted of certain offences, which was read a first time, and—

Punishment Bill read.

Ordered to be read a second time, on To-morrow.

Ordered, that the said Bill be printed for the use of Members.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock,

p. m.

House Adjourns.

WEDNESDAY, 9th APRIL, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker.*

“ ” JAMES SIMMS, *Attorney General.*

“ ” Mr. DUNSCOMB,

“ ” ” THOMAS,

“ ” ” BLAND.

The Minutes of the last day were read.

The Honorable Mr. Dunscomb, from the Committee appointed to draft an Address to His Excellency the Governor, respecting Copies of the Colonial Laws, reported a Draft thereof, which he read in his place.

Draft of Address to Governor respecting Laws of Newfoundland.

Ordered, that the said Report be received.

The Draft was again read by the Clerk; it was then read a second time, and—

Ordered, that the same be engrossed and read a third time To-morrow.

Pursuant to the order of the day, the Law Society Bill was read a third time and passed.

Barristers' Bill passed.

Ordered, that the title be “An Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to Practise the Law in the several Courts of this Island.”

Whereupon the Speaker signed the Bill, and it was—

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Pursuant to the order of the day, the Bill entitled “An Act for ascertaining the damages upon Protested Bills of Exchange,” as amended, was read a third time and passed:

Protested Bills of Exchange Bill passed, as amended.

Whereupon the Speaker signed the same; and it was—

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council had passed the Bill, with Amendments, to which they requested the concurrence of the House of Assembly.

Pursuant to the order of the day, the Amendments on the Bill entitled “An Act to declare all Landed Property in Newfoundland Real Chattels, was read a second time; and it was—

Amendments on Real Chattel Bill read 2nd time.

Ordered, to be committed on Monday next.

Pursuant to the order of the day, the Bill for altering the Punishment of Persons convicted of certain offences, was read a second time, and—

Punishment Bill read 2nd time.

Ordered to be committed on Monday next.

Pursuant to the order of the day, the House was put into Committee of the whole on the Local Court Bill.

Committee on Local Court Bill.

9th &amp; 10th April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

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

Committee on Supreme Court Practice Bill.

Pursuant to the order of the day, the House was put into Committee of the whole on the Supreme Court Practice Bill.

The Honorable Mr. Bland took the Chair.

A Message being announced, the House formed.

Message from the Assembly on the subject of the Fishery Act.

A Deputation from the Commons House of Assembly brought up and delivered at the Bar of this House a Message in the following words ;---and then withdrew :

MR. SPEAKER,

The House of Assembly having taken into their consideration the Message of His Excellency the Governor, of the 21st February last, calling the attention of the Legislature to the Act of the Imperial Parliament 5th Geo. 4, Cap. 51, commonly called the Fishery Act, and suggesting the propriety of the Council and Assembly communicating to His Excellency their sentiments upon any changes they might deem requisite in its detail, in order that His Majesty's Government may provide for those alterations in the new Bill it will be necessary to introduce into the Imperial Parliament, during its present session, have agreed to certain Resolutions upon the subject of the said Message, a copy of which is transmitted to the Honorable the Legislative Council, and to which the House of Assembly desire their concurrence, and request that the Legislative Council will join the House of Assembly in an Address to His Excellency on the subject of the said Resolutions.

(Signed)

THOMAS BENNETT,  
*Speaker.*

Commons House of Assembly,  
5th April, 1834.

The House was again put into Committee of the whole upon the Supreme Court Practice Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again on Friday next.

Ordered, that the said Report be received.

House adjourns.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

THURSDAY, 10th APRIL, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker,*

” ” JAMES SIMMS, *Attorney General,*

” ” Mr. DUNSCOMB,

” ” ” THOMAS.

” ” ” BLAND.

The Minutes of the last day were read.

Insolvent Debtors' Bill read 2nd time.

Pursuant to the order of the day, the Bill entitled “An Act for the relief of Insolvent Debtors taken in Execution” was read a second time.

Ordered that the same be committed on Monday next.

Address to His Excellency on the subject of the Copies of Local Laws.

Pursuant to the order of the day, the Address to His Excellency was read a third time and passed ;

Whereupon the Speaker signed the same---which is as follows :

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

MAY IT PLEASE YOUR EXCELLENCY,

We, His Majesty's dutiful and loyal subjects, the Legislative Council of Newfoundland in Parliament assembled, beg leave respectfully to request that Your Excellency will be pleased to direct that there be printed a sufficient number of Copies of the Laws

10th &amp; 14th April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

of Newfoundland, to furnish each Member of the Legislature with several Copies thereof; together with one copy to every Justice of the Peace and Coroner throughout the Island:--- And further, that Your Excellency will be pleased to direct that such copies of the Laws be transmitted by the Colonial Secretary, with as little delay as possible, to the persons so entitled to them.

(Signed)

HENRY JOHN BOULTON,  
*Speaker.*

Ordered, that a Committee be appointed to wait upon the Governor to ascertain when His Excellency will be pleased to receive the said Address, and to present the same.

Committee appointed to wait on His Excellency.

Ordered, that the Honorable the Attorney General, and the Honorable Mr. Dunscomb, be a Committee for that purpose.

Ordered, that there be a Call of the House on Monday next, at Eleven of the Clock, a. m.

Call of the House.

The Honorable the Speaker reported, that a Deputation from the Commons House of Assembly had, on yesterday, brought up certain Resolutions respecting the 5th Geo. 4, C. 51, commonly called the Fishery Act, for the concurrence of this House.

Fishery Resolutions from the Assembly read

The Resolutions were then read, and—

Ordered, to be read a second time on Monday next.

On motion made and seconded, the House adjourned to Monday next, at Eleven of the Clock, a. m.

House adjourned.

MONDAY, 14th APRIL, 1834.

The House met pursuant to adjournment.

House meets.

*Present,*

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

“ “ Mr. HALY,  
“ “ “ DUNSCOMB,  
“ “ “ THOMAS,  
“ “ “ BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the House was called.

Call of the House.

*Present,*

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

“ “ Mr. HALY,  
“ “ “ DUNSCOMB,  
“ “ “ THOMAS,  
“ “ “ GARLAND,  
“ “ “ BLAND.

*Absent,*

*The Honorable* WILLIAM SALL, *Commandant,*

“ “ JAMES SIMMS, *Attorney-General.*  
“ “ JAMES CROWDY, *Colonial Secretary.*  
“ “ JAMES MORTON SPEARMAN, *Collector H. M. Customs.*

The Honorable the Speaker gave notice, that on To-morrow he will move for leave to bring in a Bill for the Establishment of Savings' Banks in Newfoundland.

Notice to bring in Savings' Bank Bill.

Pursuant to the order of the day, the Resolutions from the Commons House of Assembly respecting the Fishery Act, 5th George 4th, Cap. 51, were read a second time, and—

Second reading of Fishery resolutions.

Ordered to be committed on Thursday next.

The Honorable the Attorney General, and the Honorable the Colonial Secretary, enter.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bill for the alteration of punishment of Persons convicted of certain offences.

Committee on Punishment Bill.

The Honorable Mr. Bland took the Chair.

A Message being announced, the House formed.

14th &amp; 15th April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

A Deputation from the Commons House of Assembly brought up some Bills to which they requested the concurrence of this House, and then withdrew.

The House was again put into Committee of the whole on the Bill for the alteration in punishment of Persons convicted of certain Offences.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Bill, with some Amendments.

Ordered, that the said Report be received, and that the Bill be engrossed and read a third time on Wednesday next.

Committee on Local Court Bill.

Pursuant to the order of the day, the House was put into Committee of the whole on the Local Court Bill.

The Honorable the Colonial Secretary took the Chair.

A Message being announced, the House formed.

A Deputation from the Commons House of Assembly brought up a Bill to which they requested the concurrence of this House, and then withdrew.

The House was again put into Committee of the whole on the Local Court Bill.

The Honorable the Colonial Secretary took the Chair.

A Message being announced, the House formed.

A Deputation from the Commons House of Assembly brought up a Bill to which they requested the concurrence of this House, and then withdrew.

The House was again put into Committee of the whole on the Local Court Bill.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

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

Ordered, that the said Report be received.

House adjourns.

On motion made and seconded, the House adjourned to To-morrow, at Eleven of the Clock, a. m.

TUESDAY, 15th APRIL, 1834.

House meets.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*.

„ „ JAMES SIMMS, *Attorney General*.

„ „ JAMES CROWDY, *Colonial Secretary*.

„ „ Mr. HALY,

„ „ „ DUNSCOMB,

„ „ „ THOMAS,

„ „ „ GARLAND,

„ „ „ BLAND.

The Minutes of the last day were read.

Savings' Bank Bill read.

Pursuant to notice, the Honorable the Speaker brought in a Bill to establish Savings' Banks, which was read a first time, and—

Ordered, to be read a second time on Thursday next.

Ordered, that the said Bill be printed for the use of Honorable Members.

Notice of Fence Bill.

The Honorable Mr. Dunscomb gave notice, that on Thursday next he will move for leave to bring in a Bill for the encouragement of Owners, Lessees, or Occupiers of Fields and Grounds, to inclose the same with Walls, Fences, Rails, or Ditches.

Notice of Seamen's Desertion Bill.

The Honorable Mr. Bland gave notice, that he will on Thursday next move for leave to bring in a Bill to Discourage the Harboursing of Deserters from Shipping in this Port.

Road Bill read.

The Honorable the Speaker reported, that on Yesterday a deputation from the Commons House of Assembly brought up a Bill entitled "An Act to regulate the making and repairing of Roads and Highways in this Island," to which the concurrence of this House was requested.

The said Bill was then read a first time, and—

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

15th &amp; 16th April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

The Honorable the Speaker reported, that a Deputation from the Commons House of Assembly on Yesterday brought up a Bill entitled "An Act to regulate the packing and inspecting of Pickled Fish for Exportation from this Island," to which the concurrence of this House was requested.

Pickled Fish Bill read.

The said Bill was then read, and—

Ordered, to be read a second time on To-morrow.

The Honorable the Speaker reported, that on Yesterday a deputation from the Commons House of Assembly brought up a Bill entitled "An Act to provide for the Maintenance of Bastard Children," to which the concurrence of this House was requested.

Bastard Bill read.

The said Bill was then read, and—

Ordered, to be read a second time on To-morrow.

The Honorable the Speaker reported that on Yesterday a Deputation from the Commons House of Assembly brought up a Bill entitled "An Act to provide for the management of a certain Public Wharf and Landing in the Town of St. John's," to which the concurrence of this House was requested.

Wharf Bill read.

The said Bill was then read, and—

Ordered, to be read a second time on To-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole on the Local Court Bill.

Committee on Local Court Bill.

The Honorable the Colonial Secretary took the Chair.

A Message having been announced, the House formed.

A Deputation from the Commons House of Assembly brought up a Bill to which they requested the concurrence of this House, and then withdrew.

The House was again put into Committee of the whole on the Local Court Bill.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

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

Ordered, that a Conference be requested on the Amendments to the Real Chattel Bill, and that the Honorable Messieurs Dunscomb and Thomas be Conferees for that purpose.

On motion made and seconded, the House adjourned to To-morrow, at Twelve of the Clock, noon.

House adjourns.

WEDNESDAY, 16th APRIL, 1834.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

" " JAMES SIMMS, *Attorney General.*

" " JAMES CROWDY, *Colonial Secretary.*

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill for Banishing Persons convicted of certain offences, was read a third time and passed.

Punishment Bill read.

Ordered, that the title of the said Bill be "An Act to provide for the Banishment of Persons convicted of certain offences, and also to provide certain modes of Punishment in divers Criminal Cases."

Whereupon the Speaker signed the same, and it was—

Ordered, that the said Bill be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Pursuant to the order of the day, a Bill entitled "An Act to regulate the making and repairing of Roads and Highways in this Island," was read a second time; and—

Road Bill read second time.

Ordered, to be committed on Monday next.

16th &amp; 17th April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

- Pickled Fish Bill read 2nd time. Pursuant to the order of the day, the Bill entitled "An Act to regulate the Packing and Inspection of Pickled Fish for Exportation from this Island," was read a second time, and—  
Ordered to be committed on Tuesday next.
- Bastard Bill read 2nd time. Pursuant to the order of the day, the Bill entitled "An Act to provide for the Maintenance of Bastard Children," was read a second time, and—  
Ordered, to be committed on Wednesday next.
- Wharf Bill read 2nd time. Pursuant to the order of the day, the Bill entitled "An Act to provide for the management of a certain Public Wharf and Landing in the Town of Saint John's," was read a second time, and—  
Ordered, to be committed on Tuesday next.
- Increase of Representatives Bill read. The Honorable the Speaker reported, that a Deputation from the Commons House of Assembly on Yesterday brought up a Bill entitled "An Act for increasing the number of Representatives to serve in the General Assembly of this Island;" which was read a first time, and—  
Ordered, to be read a second time on Tuesday next.
- Committee on Local Court Bill. Pursuant to the order of the day, the House was put into a Committee of the whole on the Local Court Bill.  
The Honorable the Colonial Secretary took the Chair.  
A Message being announced, the House formed.  
A Deputation from the Commons House of Assembly brought up a Bill for the concurrence of this House, and then withdrew.  
The House was again put into a Committee of the whole on the Local Court Bill.  
The Honorable the Colonial Secretary took the Chair.  
After some time the House resumed.  
The Chairman reported progress, and asked leave to sit again To-morrow.
- House adjourns. On motion made and seconded, the House adjourned until To-morrow, at Twelve of the Clock, Noon.

THURSDAY, 17th APRIL, 1834.

- House meets. The House met pursuant to adjournment.
- Present,**
- The Honorable* HENRY JOHN BOULTON, *Speaker,*  
" " JAMES SIMMS, *Attorney General,*  
" " Mr. HALY,  
" " " THOMAS,  
" " " GARLAND,  
" " " BLAND.
- The Minutes of the last day were read.
- Savings Bank Bill read 2nd time. Pursuant to the order of the day, the Bill for the Establishing of Savings' Banks was read a second time, and—  
Ordered, to be committed on Monday next.  
The Honorable the Colonial Secretary enters.
- Registry of Voters' Bill read. The Honorable the Speaker reported, that on Yesterday a Deputation from the Commons House of Assembly brought in a Bill entitled "An Act for Registering the names of Persons entitled to Vote at Elections;" which was read, and—  
Ordered, to be read a second time on Tuesday next.
- Sailors' Desertion Bill read. Pursuant to notice, the Honorable Mr. Bland brought in a Bill to Discourage the Desertion of Seamen from Merchant Ships, which was read a first time, and—  
Ordered, to be read a second time on Wednesday next.
- Committee on Local Court Bill. Pursuant to the order of the day, the House was put into a Committee of the whole on the Local Court Bill.  
The Honorable the Colonial Secretary took the Chair.  
After some time the House resumed.  
The Chairman reported progress, and asked leave to sit again To-morrow.

17th &amp; 18th April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

Ordered, that the said Report be received.

Pursuant to the order of the day, the House was put into Committee of the whole on the Amendments on the Real Chattels Bill.

Committee on Amendments to Real Chattel Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee did not accede to the first Amendment, and had adopted the last two Amendments on the said Bill.

Ordered, that the said Report be received.

Ordered, that a Conference be requested with the Commons House of Assembly on the subject of the said Bill; and that the Honorable Mr. Dunscomb and the Honorable Mr. Garland be the Conferees to meet Managers from the Commons House of Assembly on Monday next, at 12 o'clock, Noon, in the Committee Room of the Legislative Council, on the subject.

Conference requested.

Pursuant to the order of the day, the House was put into Committee of the whole on the Resolutions sent up from the House of Assembly respecting the Fishery Act.

Committee on the Fishery Resolutions.

The Honorable Mr. Haly took the Chair.

After some time the House resumed.

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

Pursuant to the order of the day, the House was put into Committee of the whole on the Supreme Court Practice Bill.

Committee on Supreme Court Practice Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Bill, as amended.

Ordered, that the said Report be received.

Ordered, that the said Bill be engrossed and read a third time on Monday next.

On motion made and seconded, the House adjourned to To-morrow, at Twelve of the Clock, Noon.

House adjourns.

FRIDAY, 18th APRIL, 1834.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

" " JAMES SIMMS, *Attorney General.*

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS,

" " " GARLAND.

" " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the House was put into Committee of the whole on the Local Court Bill.

Committee on Local Court Bill.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again on Tuesday next.

Ordered, that the said Report be received.

Ordered, that the said Bill be printed.

Bill to be printed.

Pursuant to the order of the day, the House was put into a Committee of the whole on the Insolvent Debtors' Bill.

Committee on Insolvent Debtors' Bill.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

The Chairman reported the Bill as amended.

Ordered, that the said Report be received.

Ordered, that the said Amendments be engrossed, and the Bill, as amended, be read a third time on Monday next.

18th &amp; 21st April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Committee on Fishery Resolutions.

The House was put into Committee of the whole on the Resolutions from the Commons House of Assembly respecting the Fishery Act.

The Honorable Mr. Haly took the Chair.

A Message being announced, the House formed.

The Speaker reported that a Deputation from the Commons House of Assembly had brought up a written Message, which was read, and is as follows :

Assembly assent to Conference on Real Chattels Bill as Amended.

The Commons House of Assembly agree to the Conference requested by the Honorable the Legislative Council, upon the Amendments made to the Bill entitled " An Act for declaring all Landed Property in Newfoundland Real Chattels," and have appointed Four Managers to meet the Conferees on the part of the Legislative Council, at the time and place appointed.

(Signed)

THOMAS BENNETT,  
*Speaker.*

*House of Assembly,*  
18th April, 1834.

The House was again put into Committee of the whole on the Resolutions respecting the Fishery Act.

The Honorable Mr. Haly took the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again on Monday next.

House adjourns.

On motion made and seconded, the House adjourned to Monday next, at Twelve of the Clock, noon.

MONDAY, 21st APRIL, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

„ „ JAMES SIMMS, *Attorney-General.*

„ „ JAMES CROWDY, *Colonial Secretary.*

„ „ Mr. DUNSCOMB,

„ „ „ THOMAS.

„ „ „ BLAND.

The Minutes of the last day were read.

Instructions to Conferees on Real Chattels Bill.

Pursuant to the order of the day, instructions were given to the Conferees on the subject of the Amendments made by the Commons House of Assembly on the Bill entitled " An Act to declare all Landed Property in Newfoundland Real Chattels," to the following effect :

The Legislative Council has requested this Conference with the House of Assembly upon the Amendments made to the Bill sent up from the Legislative Council entitled " An Act to declare all Landed Property in Newfoundland Real Chattels," for the purpose of acquainting the Assembly that they cannot concur in the Amendment made by the Assembly in the Preamble of the Bill, because the Council are not in possession of any evidence upon which the allegation contained in that Amendment can be supported, and as there may reasonably exist much difference of opinion upon the fact thereby asserted. The Council do not perceive any utility which can result from the introduction of a disputable allegation, and as it cannot affect the necessary construction of the enacting part of the Bill, which is clear and distinct without the aid of any extrinsic matter to lead to a correct interpretation of the meaning of the Legislature.

HENRY J. BOULTON,  
*Speaker.*

*Legislative Council,*  
21st April, 1834.

Ordered, that the Honorable Mr. Bland be substituted as a Conferee on the subject of the Amendment on the said Bill, in the room of the Honorable Mr. Garland, indisposed.

21st & 22nd April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

The Honorable Mr. Dunscomb reported, that the Conferees appointed by this House had met the Managers from the Commons House of Assembly on the subject of the Amendments on the Bill entitled "An Act to declare all Landed Property in Newfoundland Real Chattels," and had delivered the instructions of this House.

Pursuant to the order of the day, the Bill entitled "An Act for the Relief of Insolvent Debtors taken in Execution," was, with the Amendments read a third time.

Insolvent Debtors' Bill read 3rd time.

Ordered, that the said Bill be re-committed.

Insolvent Debtors' Bill re-committed.

Whereupon the House was put into a Committee of the whole on the said Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Bill, as amended.

Ordered, that the said Report be received; that the Amendments be engrossed; and the Bill, as amended, read a third time on To-morrow.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bill entitled "An Act for the making and repairing of Roads and Highways in this Island."

Committee on Road Bill.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received, and that the Bill be read a third time To-morrow.

Pursuant to the order of the day, the House was put into Committee of the whole on the Savings' Bank Bill.

Committee on Savings' Bank Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Bill with some Amendments.

Ordered, that the said Report be received.

Ordered, that the Bill be engrossed and read a third time on Wednesday next.

Pursuant to notice, the Honorable Mr. Dunscomb introduced a Bill to regulate the erection of Fences, which was read a first time, and—

Fence Bill read.

Ordered, to be read a second time on To-morrow.

Ordered, that the order of the day for the third reading of the Supreme Court Practice Bill be discharged, and that the said Bill be re-committed To-morrow.

Order for third reading of Supreme Court Practice Bill discharged. House adjourns.

On motion made and seconded, the House adjourned to To-morrow, at Twelve of the Clock, noon.

TUESDAY, 22nd APRIL, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, Speaker.

" " JAMES SIMMS, Attorney General.

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill entitled "An Act to regulate the making and repairing of Roads and Highways in this Island," was read a third time, and passed:

Road Bill passed.

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down to the Commons House of Assembly, and acquaint that House that the said Bill was passed without Amendment.

Pursuant to the order of the day, the Bill entitled "An Act for the relief of Insolvent Debtors taken in Execution," was read a third time and passed:

Insolvent Debtors' Bill read 3rd time and passed, with amendments.

22nd April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down to the Commons House of Assembly and acquaint that House that the Legislative Council had passed the said Bill, with some Amendments to which the concurrence of that House is requested.

Committee on Local Court Bill.

Pursuant to the order of the day, the House was put into Committee of the whole on the Local Court Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Bill with some Amendments.

Ordered, that the said Report be received; and that the said Bill be engrossed, and read a third time on To-morrow.

Committee on Supreme Court Practice Bill.

Pursuant to the order of the day, the House was put into Committee of the whole on the Supreme Court Practice Bill.

The Honorable Mr. Bland took the Chair.

A Message being announced, the House formed.

Message from Assembly, with the Punishment Bill, amended;

A Deputation from the Commons House of Assembly brought up the Bill entitled "An Act to provide for the Banishment of Persons convicted of certain offences, and also to provide certain modes of Punishment in divers Criminal Cases;" which they had passed, with some Amendments, to which the concurrence of this House was requested.

and Barristers' Bill, amended.

The same Deputation brought up the Bill entitled "An Act to incorporate a Law Society in Newfoundland; and to regulate the admission of Barristers and Attornies to practise the Law in the several Courts of this Island," with some Amendments, to which the concurrence of this House was requested.

Amendments on Barristers' Bill read.

The Amendments on Barristers' Bill were then read.

The same Deputation brought up a Message in the following words:

MR. SPEAKER,

Message announcing that Assembly recede from the Amendment in the Preamble of the Real Chattel Bill.

The House of Assembly recede from the Amendment made by them in the Preamble of the Bill, sent down from the Honorable the Legislative Council, entitled "An Act to declare all Landed Property Real Chattels."

(Signed) THOMAS BENNETT,

Speaker.

House of Assembly,

22nd April, 1834.

The same Deputation brought up a Message in the following words:

MR. SPEAKER,

Message requesting a Conference on the Amendments to the Protested Bills of Exchange Bill.

The House of Assembly request a conference with the Honorable the Legislative Council on the subject of the Amendments made to the Bill sent up from the House of Assembly, entitled "An Act for ascertaining the Damages to be paid upon Protested Bills of Exchange."

(Signed,) THOMAS BENNETT,

Speaker.

House of Assembly,

22nd April, 1834.

The Deputation then withdrew.

Ordered, that the said request of the Commons House of Assembly be acceded to; that the Honorable Messieurs Dunscomb and Garland be Conferees from this House to meet the Managers from the Commons House of Assembly, at Three o'Clock To-day, in the Committee Room of this House, for that purpose; and that the Master in Chancery do go down to the House of Assembly and inform that House of the same.

The House was again put into Committee of the whole on the Supreme Court Practice Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Bill with some Amendments.

22nd April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

Ordered, that the said Report be received; and that the said Bill be engrossed and read a third time To-morrow.

Pursuant to the order of the day, the House was put into Committee of the whole on the Pickled Fish Bill.

Committee on Pickled Fish Bill.

The Honorable the Attorney-General took the Chair.

After some time the House resumed.

The Chairman reported the Bill with some Amendments.

Ordered, that the said Report be received.

Ordered, that the said Bill be read a third on To-morrow.

The Honorable Mr. Dunscomb, from the Conferees appointed to meet the Managers from the Commons House of Assembly on the subject matter of the Amendments to the Bill entitled "An Act for ascertaining the Damages to be paid on Protested Bills of Exchange," reported that they had met the said Managers, who had delivered the instructions of the House of Assembly in the following words:

Report from the Conferees on the Protested Bills of Exchange Bill.

The House of Assembly have requested this Conference with the Legislative Council upon the subject of the Amendments made in and to the Bill sent up from the House of Assembly, entitled "An Act for ascertaining the Damages to be paid upon Protested Bills of Exchange," for the purpose of acquainting the Legislative Council that the House of Assembly cannot concur in the Amendment made in the first section of the Bill, for the following reasons:—Bills of Exchange drawn on Europe are usually remitted by Persons in Business, either to pay Debts due, or to procure Goods for the supply of their Customers. The actual Damages sustained by Parties under such circumstances cannot always perhaps be accurately defined; but besides that, from the nature of the Trade of this Island, which is involved in a course of settlement at particular periods of the Year, such remittances are usually made when exchanges are high, and the Bills returned when exchanges are low. The disappointment to the Holders in not receiving their Goods, the immediate loss of the profits of the Goods, and the more remote but not less certain loss sustained by business diverging into other Channels, must in general, in the opinion of the Assembly, much exceed Ten per Cent."

THOMAS BENNETT,  
Speaker.

House of Assembly,  
22nd April, 1834.

Pursuant to the order of the day, the House was put into Committee of the whole on Beck's Cove Bill.

Committee on Wharf and Beck's Cove Bill.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

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

Ordered, that the said Report be received.

Ordered, that the Amendments on the Real Chattels Bill, as amended, be read a first time, which was done by the Clerk, and are as follows:

Amendments on Real Chattels Bill, as amended.

Amendments made by the House of Assembly to a Bill sent down from the Honorable the Legislative Council, entitled "An Act for Declaring all Landed Property in Newfoundland Real Chattels:"

First Section—After the word "enacted," in the first line, insert the words following, "by the Governor, Council and Assembly of Newfoundland, in Parliament assembled."

The following section to be added to the Bill; "And be it further enacted, that all Rights or Claims which have heretofore accrued in respect to any Lands or Tenements in Newfoundland, and which have not already been adjudicated upon, shall be determined according to the provisions of this Act."

The said amendments were then read a second time, and—

Ordered, to be read a third time on To-morrow.

Pursuant to the order of the day, the Bill to regulate the erection of Fences, was read a second time, and—

Ordered, to be committed on Thursday next.

Amendments to Real Chattel Bill, as amended, read 2nd time. Fence Bill read 2nd time.

On motion made and seconded, the House adjourned to To-morrow, at Twelve of the Clock, Noon.

House adjourns.

23rd April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

WEDNESDAY, 23rd APRIL, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*" " JAMES SIMMS, *Attorney-General.*" " JAMES CROWDY, *Colonial Secretary.*

" " Mr. DUNSCOMB,

" " " THOMAS,

" " " GARLAND.

" " " BLAND.

The Minutes of the last day were read.

Savings' Bank Bill passed.

Pursuant to the order of the day, the Bill to Establish a Savings' Bank in Newfoundland, was read a third time, and passed.

Ordered, that the title of the said Bill be "An Act for the Establishment of Savings' Banks in Newfoundland."

Whereupon the Speaker signed the same, and it was—

Ordered, to be sent down to the Commons House of Assembly by the Master in Chancery for the concurrence of that House.

Local Court Bill read 3rd time and re-committed.

Pursuant to the order of the day, the Bill for establishing Local Courts was read a third time.

Moved and seconded, that the said Bill do not pass, but that the same be re-committed.

Whereupon the House was put into a Committee of the whole on the said Bill.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported the Bill as amended.

Ordered, that the said Report be received.

Ordered, that the said Bill be read a third time to-day.

Committee on Bastard Bill.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bastard Bill.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received, and that the Bill be read a third time To-morrow.

Local Court Bill read a 3rd time and passed.

Pursuant to the order of the day, the Local Court Bill was read a third time and passed.

Ordered, that the title to the said Bill be "An Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of An Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, entitled 'An Act for the better Administration of Justice in Newfoundland, and for other purposes,' as relates to the establishment of Circuit Courts, and Courts of Sessions of the Peace, in this Island."

Whereupon the Speaker signed the same, and it was—

Ordered, that it be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Seamen's Desertion Bill read 2nd time.

Pursuant to the order of the day, the Seamen's Desertion Bill was read a second time, and—

Ordered, to be committed on To-morrow.

Registry of Voters Bill read a 2nd time.

Pursuant to the order of the day, the Bill entitled "An Act for Registering the names of Persons entitled to Vote at Elections," was read a second time, and—

Ordered, to be committed on To-morrow.

Ordered, that the order of the day for the third reading of the Amendments to the Real Chattels Bill be discharged, and that the same be committed on To-morrow.

23rd &amp; 24th April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

Proposed by the Honorable Mr. Thomas, and seconded, that a Free Conference be requested with the Commons House of Assembly, on the subject of the Amendments made in and upon the Bill entitled "An Act to ascertain the Damages to be paid upon Protested Bills of Exchange."

Ordered, that a Free Conference be requested on the subject of the said Amendments.

Ordered, that the Honorable the Attorney General, and the Honorable Mr. Thomas, be appointed the Conferees on the part of this House for that purpose.

Ordered, that the Master in Chancery do go down to the Commons House of Assembly and acquaint that House that the Legislative Council do request a Free Conference on the subject of the said Amendments, and that they have appointed the Honorable the Attorney General and the Honorable Mr. Thomas as Conferees to meet the Managers from the Commons House of Assembly, at three of the Clock To-morrow, in the Committee Room of this House, for that purpose.

The Amendments on the Barristers' Bill were read a second time, and—

Ordered, to be committed on Monday the 28th Instant.

Pursuant to the order of the day, the Bill for amending the Practice of the Supreme Court, was read a third time and passed.

Ordered, that the title of the said Bill be "An Act to amend the Practice of the Supreme Court, and for other purposes."

Whereupon the Speaker signed the same.

Ordered, that the said Bill be sent by the Master in Chancery to the Commons House of Assembly, for the concurrence of that House.

Ordered, that the Amendments on the Bill entitled "An Act to provide for the Banishment of Persons convicted of certain offences, and also to provide certain modes of Punishment in divers Criminal Cases," be read a first time, which was done.

The same were then read a second time, and—

Ordered, to be committed on To-morrow.

The Honorable the Attorney General, from the Select Committee appointed to take into consideration and examine Witnesses upon the Bill entitled "An Act to declare the legality of the collection of certain Duties by the Collector of His Majesty's Customs," delivered their Report.

Ordered, that the said Report be received.

The House was put into Committee of the whole on the Bill entitled "An Act to declare the legality of the Collection of certain Duties by the Collector of His Majesty's Customs."

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

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

The Amendments to Barristers' Bill were read a second time, and—

Ordered, to be committed on Monday next.

On motion made and seconded, the House adjourned to To-morrow at Twelve of the Clock, noon.

THURSDAY, 24th APRIL, 1834.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*,  
 " " JAMES SIMMS, *Attorney General*,  
 " " Mr. HALY,  
 " " " DUNSCOMB,  
 " " " THOMAS,  
 " " " GARLAND,  
 " " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill entitled "An Act to provide for the maintenance of Bastard Children," was read a third time and passed:

M

Free Conference on Amendments to Protested Bills of Exchange Bill requested.

Supreme Court Practice Bill, read third time and passed.

Amendments on Punishment Bill read.

Amendments on Punishment Bill read 2nd time.

Report of Select Committee on Collector's Bill.

Committee on Collector's Bill.

Amendments on Barristers' Bill read 2nd time.

House adjourns.

House meets.

Bastard Bill passed.

24th &amp; 25th April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Whereupon the Speaker signed the same, and it was—  
Ordered, that the Master in Chancery do go down and acquaint the Commons House of Assembly of the same.

Message assenting to Conference on the Amendments to Protested Bills of Exchange Bill.

A Deputation from the Commons House of Assembly brought up a Message, which they delivered at the Bar of the House, in these words:

MR. SPEAKER,

The Commons House of Assembly agree to the free conference requested by the Honorable the Legislative Council on the subject matter of the Amendments made in the Bill entitled "An Act for ascertaining the Damages to be paid upon Protested Bills of Exchange;" and have appointed a Committee to meet the Committee on the part of the Legislative Council, at the time and place named.

(Signed)

THOMAS BENNETT,  
*Speaker.*

*Commons House of Assembly,  
23rd April, 1834.*

The Honorable the Colonial Secretary enters.

Committee on Fence Bill.

Pursuant to the order of the day, the House was put into Committee of the whole on the Fence Bill.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

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

Ordered, that the said Report be received.

Pickled Fish Bill passed, as amended.

Pursuant to the order of the day, the Bill entitled "An Act for regulating the Packing and Inspection of Pickled Fish for Exportation from this Island," was read a third time and passed.

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down to the Commons House of Assembly, and request the concurrence of that House to the Amendments.

Committee on Registry of Voters' Bill.

Pursuant to the order of the day, the House was put into Committee on the Bill entitled "An Act for Registering the names of Persons entitled to Vote at Elections."

The Honorable Mr. Garland took the Chair.

After some time the House resumed, during a free conference.

The House was again put into Committee of the whole on the Registry of Voters' Bill.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received, and that the said Bill be read a third time To-morrow.

House adjourns.

On motion made and seconded, the House adjourned until To-morrow, at Twelve of the Clock, noon.

FRIDAY, 25th APRIL, 1834.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

„ „ JAMES SIMMS, *Attorney General.*

„ „ Mr. HALY,

„ „ „ DUNSCOMB,

„ „ „ THOMAS,

„ „ „ GARLAND,

„ „ „ BLAND.

The Minutes of the last day were read.

Registry of Voters' Bill passed.

Pursuant to the order of the day, the Bill entitled "An Act for registering the names of Persons entitled to Vote at Elections," was read a third time and passed:

25th April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do acquaint the Commons House of Assembly that the Legislative Council had passed the said Bill, without Amendment.

Pursuant to the order of the day, the House was put into Committee of the whole on the Amendments to the Punishment Bill.

Committee on Amendments to Punishment Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported that it was the desire of the Committee that a Conference should be requested on the subject of the first Amendment to the said Bill.

Ordered that the said Report be received, and that a Conference be requested with the Commons House of Assembly.

Ordered, that the Honorable Messieurs Thomas and Bland be Conferees on the part of this House.

Ordered, that the Master in Chancery do go down to the Commons House of Assembly, and acquaint that House that the Legislative Council desire a Conference with the Commons House of Assembly on the subject-matter of the Amendments made by that House in and to the Bill sent down from the Legislative Council, entitled "An Act to provide for the Banishment of Persons convicted of certain offences, and also to provide certain modes of Punishment in divers Criminal Cases;" and have appointed the Honorable Messieurs Thomas and Bland to be a Committee on the part of this House, who will be ready to meet a Committee on the part of the Commons House of Assembly, on Monday next, at Two of the Clock, in the Committee Room of this House, for that purpose.

Conference on Amendments to Punishment Bill requested.

Pursuant to the order of the day, the House was put into Committee of the whole on the Seamen's Desertion Bill.

Committee on Seamen's Desertion Bill.

The Honorable Mr. Haly took the Chair.

After some time the House resumed.

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

Ordered, that the said Report be received.

Pursuant to the order of the day, the House was put into Committee of the whole on the Amendments to the Real Chattels Bill.

Committee on the Amendments to Real Chattels Bill.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

The Chairman reported the same, with Amendments.

Ordered, that the said Report be received, and that the Amendments be read a third time on Monday next.

Pursuant to the order of the day, the House was put into Committee of the whole on the Beck's Cove Bill.

Committee on Wharf and Beck's Cove Bill.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

The Chairman reported the Bill with some Amendments.

Ordered, that the said Report be received, and that the Bill be read a third time on Monday next.

The Honorable the Colonial Secretary enters.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bill to legalize the collection of certain Duties by the Collector of His Majesty's Customs.

Committee on Collector's Bill.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received, and that the said Bill be read a third time on Monday next.

The Honorable the Attorney-General, from the Conferees upon the Amendments made on the Bill to ascertain the Damages upon Protested Bills of Exchange, delivered the Report of the Conferees, which is as follows :

Report of Conferees on Protested Bills of Exchange Bill.

Friday, 25th April, 1834.

Your Committee, appointed to meet the Managers deputed by the House of Assembly, in Free Conference, in regard to the objections interposed by the House of Assembly to the

25th &amp; 28th April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Amendments made by the Council in the Bill for ascertaining the Damages upon Protested Bills of Exchange, beg leave to report to your House, that your Committee have accordingly met Four Members of the Assembly in Free Conference thereon, who expressed themselves willing to concur in the adoption of the rates of Five per Cent. Damages, and Six per Cent per annum Interest, to be assessed upon all Protested Bills of Exchange drawn in this Island or its Dependencies upon Persons residing in any British Colonies of America or the West Indies; and that all Protested Bills of Exchange, drawn in this Island or its Dependencies, upon Persons residing in any other places than as aforesaid, shall be subject to Seven and a Half per Centum Damages, and Six per Centum per Annum Interest.

(Signed)

JAMES SIMMS,  
*Chairman of Committee.*

Representatives Bill  
read 2nd time.

The Bill for the Increase of Representatives was read a second time, and—  
Ordered, to be committed on Monday next.

House adjourns.

On motion made and seconded, the House adjourned to Monday next, at One of the  
Clock, p. m.

MONDAY, 28th APRIL, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

” ” JAMES SIMMS, *Attorney-General.*

” ” JAMES CROWDY, *Colonial Secretary.*

” ” Mr. DUNSCOMB,

” ” ” THOMAS.

The Minutes of the last day were read.

Message from Assembly  
consenting to Con-  
ference on Punishment  
Bill.

A Deputation from the Commons House of Assembly brought up a Message in the  
following words :

MR. SPEAKER,

The Commons House of Assembly agree to the Conference requested by the Honorable the Legislative Council on the subject-matter of the Amendments made in the Bill sent down from the Legislative Council entitled “An Act to provide for the Banishment of Persons convicted of certain Offences, and also to provide certain modes of Punishment in divers Criminal Cases,” and have appointed a Committee of Managers to meet the Managers on the part of the Legislative Council, at the time and place appointed.

(Signed) THOMAS BENNETT,  
*Speaker.*

*House of Assembly,*  
*26th April, 1834.*

The same Deputation brought up another Message, in the following words :

Message concurring in  
the Amendments to  
Pickled Fish Bill.

MR. SPEAKER,

The Commons House of Assembly concur in the Amendments made by the Honorable the Legislative Council in the Bill sent up from the House of Assembly, entitled “An Act to provide for the Packing and Inspection of Pickled Fish for Exportation from this Island.”

(Signed) THOMAS BENNETT,  
*Speaker.*

*House of Assembly,*  
*April 26, 1834.*

The Honorable Mr. Bland enters.

Amendments to Real  
Chattel Bill read 3rd  
time and passed.

Pursuant to the order of the day, the Amendments made by the Commons House of  
Assembly to the Real Chattels Bill, were read a third time and passed, and are as follows :

In the First Section, after the word “enacted,” in the first line, insert the words following—  
“by the Governor, Council and Assembly of Newfoundland, in Parliament  
assembled.”

28th April, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

The following Section to be added to the Bill: "And be it further enacted, that all Rights or Claims which have heretofore accrued in respect to any Lands or Tenements in Newfoundland, and which have not already been adjudicated upon, shall be determined according to the Provisions of this Act:"

To which this House added the following:

"Provided always, that nothing herein-contained shall extend to any Right, Title, or Claim, to any Lands, Tenements, or Hereditaments, derived by descent and reduced into possession before the passing of this Act."

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down to the Commons House of Assembly, and acquaint that House of the same, and request their concurrence to the last Amendment.

Pursuant to the order of the day, the Bill entitled "An Act to provide for the Management of a certain Public Wharf and Landing in the Town of St. John's," was, as amended, read a third time and passed;—

Wharf & Beck's Cove Bill read 3rd time and passed, as amended.

The Amendments to which are as follows:

Expunge the 5th and 6th Clauses.

Expunge the words between "aforesaid," in the Fourth line of the Seventh clause, and "Act," in the 6th line of the said Section.

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down to the Commons House of Assembly, and acquaint that House that the same was passed as amended, and to request their concurrence to that Amendment.

Pursuant to the order of the day, the Honorable the Attorney General moved for leave to bring in a Bill for the prevention of Persons absconding and leaving their Families destitute.

Notice for leave to bring in a Bill to prevent Persons absconding &c.

Leave granted.

The Bill was then read, and---

Ordered, to be read a second time on Wednesday next.

Pursuant to the order of the day, the House was put into Committee of the whole on the Amendments made to the Barristers' Bill.

Wives and Children Desertion Bill read a first time.

Committee on Barristers' Bill as amended.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

The Chairman reported that the Committee were of opinion that a Conference should be requested on the subject of the said Amendments.

Ordered, that the said Report be received, and that a Conference be requested.

Ordered, that the Master in Chancery do go down and acquaint the Commons House of Assembly that this House requests a Conference on the subject-matter of the said Amendments.

Conference requested on Barristers' Bill.

Ordered, that the Honorable the Attorney General and the Honorable Mr. Thomas be a Committee to draft instructions for the Conferees.

Moved by Mr. Thomas, and seconded, that this House do recede from its Amendments to the Bill entitled "An Act for ascertaining the Damages to be paid upon Protested Bills of Exchange;" and that the words "Seven and a Half" be substituted for the word "Ten," in the Fourteenth line of the first page of the said Bill.

Moved that this House recede from its Amendments on Protested Bills of Exchange Bill, &c. &c.

Pursuant to the order of the day, the House was put into Committee of the whole on the Increase of Representatives Bill.

Committee on Representatives Bill.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had risen.

Pursuant to the order of the day, the Bill entitled "An Act to declare the Legality of the collection of certain Duties by the Collector of His Majesty's Customs," was read a third time and passed:

Collector's Bill passed.

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down and acquaint the Commons House of Assembly, that the same had been passed without Amendment.

28th &amp; 30th April, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Report from Conferees  
on Punishment Bill.

The Honorable Mr. Thomas, from the Conferees appointed to meet the Managers from the Commons House of Assembly on the subject-matter of the Amendments made in and upon the Punishment Bill, reported that they had met the Managers on the part of the Assembly and had delivered the instructions of this House.

House adjourns.

On motion made and seconded, the House adjourned to Wednesday next, at One of the Clock, p. m.

WEDNESDAY, 30th APRIL, 1834.

House meets.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*.

„ „ JAMES SIMMS, *Attorney General*.

„ „ Mr. DUNSCOMB,

„ „ „ THOMAS,

„ „ „ GARLAND,

„ „ „ BLAND.

The Minutes of the last day were read.

Desertion of Children  
and Wives Bill read  
2nd time.

Pursuant to the order of the day, the Bill to prevent the Desertion of Children and Wives, was read a second time, and—

Ordered, to be committed on Friday next.

Instructions to Confe-  
rees on Barristers' Bill  
adopted.

The Honorable the Attorney-General, from the Committee appointed to draft instructions to the Conferees on the subject of the Amendments made in the Barristers' Bill, reported a Draft, which was adopted, and is as follows :

The Legislative Council have desired this Conference with the House of Assembly, upon the Amendments made by that House to the Bill sent down from the Council, entitled “ An Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to Practise the Law in the various Courts in this Island,” for the purpose of acquainting the Assembly that they do not concur with that House in the two first Amendments made, for the following reasons :

*First*,—Because the introduction of the words proposed by the Assembly to be inserted between the words “ Person” and “ shall,” in the Second line of the Seventh section, would prove altogether superfluous ; that clause now having the full operation that it would have if the words proposed in the Amendment were to be introduced.

*Secondly*,—Because the Council consider that the words proposed by the Assembly, to be introduced at line the Sixth of the same section, *obviously* applying *exclusively* to natives of this Island, would wear an invidious character, by seeming to favor a particular and small number of His Majesty's subjects to the prejudice of the rest, and prove in effect a Legislation for particular individuals.

And the Council are of opinion that, by inserting at the Ninth line, between the words “ England” and “ Provided,” the words “ Scotland, Ireland, or any of His Majesty's Colonies,” as proposed by the Assembly, the Rules of admission to Barristers and Attornies would be placed on as liberal a footing as could well consist with those provisions necessary to promote the due qualifications and respectability of the Members of the Legal Profession.”

Conference on Barris-  
ters' Bill, as amended,  
requested.

Ordered, that the Master in Chancery do go down and acquaint the Commons House of Assembly that the Legislative Council request a Conference with that House on the subject of the said Amendments, and have appointed the Honorable the Attorney-General, and the Honorable Mr. Thomas, as Conferees on the part of this House, who will be ready to meet Managers on the part of the Commons House of Assembly on Friday next, at Two of the Clock, p. m., in the Committee Room of the Legislative Council, for that purpose.

The Honorable the Colonial Secretary enters.

Assembly request Con-  
ference on Amendments  
to Insolvent Debtors'  
Bill.

A Deputation from the Commons House of Assembly brought up a Message, which they delivered at the Bar of this House, in the following words :

30th April &amp; 2nd May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

MR. SPEAKER,

The House of Assembly request a Conference with the Honorable the Legislative Council, on the subject-matter of the Amendments made in the Bill sent up from the Commons House of Assembly, entitled "An Act for the Relief of Insolvent Debtors taken in Execution."

(Signed)

THOMAS BENNETT,

*Speaker.**House of Assembly,*

28th April, 1834.

Ordered, that the request be concurred in; and that the Master in Chancery do acquaint the Commons House of Assembly of the same; and that they have appointed the Honorable Messieurs Thomas and Bland as Conferees on the part of this House, who will be ready to meet the Managers on the part of the Assembly, in the Committee-Room of the Legislative Council, at One of the Clock p. m., on Friday next.

Granted.

Ordered, that the House be put into Committee of the whole, on Friday next, on the Resolutions from the Commons House of Assembly respecting the Fishery Act.

Committee on Friday next, on Fishery Resolutions.

On motion made and seconded, the House adjourned to Friday next, at Twelve of the Clock, noon.

House adjourns.

FRIDAY, 2nd MAY, 1834.

The House met pursuant to adjournment.

House meets.

*Present,**The Honorable HENRY JOHN BOULTON, Speaker,*,, ,, JAMES SIMMS, *Attorney General,*,, ,, JAMES CROWDY, *Colonial Secretary.*

,, ,, Mr. HALY,

,, ,, DUNSCOMB,

,, ,, THOMAS.

The Minutes of the last day were read.

The Honorable Mr. Haly, from the Conferees appointed to meet the Managers from the Commons House of Assembly, on the subject of the Amendments in the Insolvent Debtors' Bill, reported, that they had met the Managers, who delivered the following reasons for their request of the Conference:—

Report from the Conference on Insolvent Debtors' Bill.

The Commons House of Assembly have requested this Conference, for the purpose of acquainting the Honorable the Legislative Council that they cannot concur in the Amendments made by the Honorable the Legislative Council, in the Bill sent up from the Commons House of Assembly entitled "An Act for the Relief of Insolvent Debtors taken in Execution," for the following reasons:

Page 2. Line 1.—The Act 5 Geo. 4th, Cap. 67, only requires that public notice shall be given to Creditors in cases of Insolvency, but this Amendment requires that personal notice shall be served on each individual Creditor, and public notice in certain Newspapers besides.—The necessity of serving personal notice, particularly when the Creditors are numerous, and when they reside at any considerable distance from the place of confinement, would probably often defeat the intentions of this Act, as it is believed that poor and honest Debtors would not possess the means of serving such notices: the intention of the Act would therefore be better fulfilled by the substitution of the word "or" instead of the word "and," between the word "abode" and the word "published," in the Amendment.

Page 2. Line 2.—The Judicature Act above-mentioned requires the appointment of Trustees in all cases of Insolvency, by which Rule it is considered best to abide: the Amendment proposed would leave the course of proceeding uncertain, and make it optional to the Court to appoint Trustees or otherwise.

(Signed)

THOMAS BENNETT,

*Speaker.**Commons House of Assembly,*

28th April, 1834.

1834 2nd May, 1834. 1834

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Committee on Deser-  
tion of Wives and Chil-  
dren Bill.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bill to prevent the absconding of Parents and Wives.

The Honorable Mr. Haly took the Chair.

Assembly assent to  
Conference on Barris-  
ters' Bill.

A Message being announced the House formed.

A Deputation from the Commons House of Assembly brought up a Message assenting to the Conference on the Amendment made in the Barristers' Bill.

Assembly pass Interest  
Bill with Amendments.

The same Deputation brought up a Message announcing that the Commons House of Assembly had passed the Bill entitled "An Act to regulate the Rate of Interest in this Island," with some Amendments, to which the concurrence of this House was requested—and are as follows:

In the Preamble, expunge all the words between "be," in the second line, and "within" in the third line, and insert instead thereof the word "paid."

Add to the Preamble the words following: "in certain cases."

Section first—After the word "same," in the third line, expunge the remainder of the Section.

Section Second—Expunge the words "And be it further enacted," in the first line.

Expunge the words, "the current rate of Interest," in the fifth and sixth lines, and insert instead thereof the words following: "Six Pounds for the forbearance of One Hundred Pounds for a Year, and so after that rate for a greater or less sum, or for a longer or shorter time."

Between the words "interest" and "shall," in the thirteenth line, insert the words following: "at the rate of Six Pounds per centum per annum as aforesaid."

Between the words "cases" and "in" in the fourteenth line, insert the words following: "arising in this Island."

Expunge the word "it," in the fourteenth line, and insert instead thereof the word "interest."

Section Third—Expunge the third section.

The following words to form the Second Section of the Bill: "And be it further enacted, that no part of the Law of England relating to usury, or to the amount to be received or taken for the loan or forbearance of Money, Goods, Wares, or Merchandize, shall be of any force or effect in this Island."

Assembly request a  
Conference on Punish-  
ment Bill.

The same Deputation brought up and delivered a Message requesting a Conference on the Amendments made in the Bill, entitled "An Act to provide for the Banishment of Persons convicted of certain offences, and also to provide certain modes of Punishment, in divers Criminal Cases."

The Honorable the Attorney-General, from the Conferees on the subject of the Amendments made by the Commons House of Assembly in the Barristers' Bill, reported that they had met the Managers on the part of the Assembly, and delivered the instructions of this House.

The House was again put into Committee of the whole on the Bill to prevent Parents and Wives absconding.

The Honorable Mr. Haly took the Chair.

A Message being announced the House formed.

Assembly send up an  
Act to ascertain the  
time of the commence-  
ment of Local Acts.

A Deputation from the Commons House of Assembly, brought up a Message acquainting this House that they had passed a Bill entitled "An Act for ascertaining the time of the commencement of the Acts of the Parliament of this Colony," to which the concurrence of this House was requested.

Assembly consent to  
the Amendments in  
Wharf Bill.

The same Deputation brought up a Message, acquainting this House that the Commons House of Assembly had concurred in the Amendments made in the Bill, entitled "An Act to provide for the Management of a certain Public Wharf and Landing in the Town of Saint John's."

The House was again put into Committee of the whole on the Bill to prevent Parents and Wives absconding.

The Honorable Mr. Haly took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

2nd &amp; 5th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

Ordered, that the said Report be received; and that the Bill be engrossed and read a third time on Monday next.

Pursuant to the order of the day, the House was put into Committee of the whole on the Fishery Resolutions. Committee on Fishery Resolutions.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

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

Ordered, that the said Report be received.

The Bill sent down from the Commons House of Assembly, entitled "An Act for ascertaining the time of the Commencement of the Acts of the Parliament of this Colony," was read a first time; and— Commencement Bill read.

Ordered, to be read a second time on Monday next.

On motion made and seconded, the House adjourned to Monday next, at One of the Clock, p. m. House adjourns.

MONDAY, 5th MAY, 1834.

The House met pursuant to adjournment. House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*

" " JAMES SIMMS, *Attorney General,*

" " JAMES CROWDY, *Colonial Secretary.*

" " Mr. DUNSCOMB,

" " " THOMAS.

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill for the Relief of Wives and Children deserted by their Husbands and Parents, was read a third time and passed. Wives and Children Desertion Bill passed.

Ordered, that the title of the Bill be "An Act to afford Relief to Wives and Children Deserted by their Husbands and Parents."

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do carry down the same to the Commons House of Assembly, and request their concurrence thereto.

Ordered, that the Conference requested by the Commons House of Assembly on the subject of the Barristers' Bill, be acceded to, and that the Master in Chancery do acquaint the Assembly that this House have appointed the Honorable Messrs. Dunscomb and Garland as Conferees, who will be ready to meet Managers from the Commons House of Assembly, at Two of the Clock, p. m., To-day, in the Committee-Room of this House, for that purpose. Conference requested on Barristers' Bill, acceded to.

Pursuant to the order of the day, the Bill for declaring the commencement of Local Acts was read a second time, and— Commencement Bill read 2nd time.

Ordered, to be committed on Wednesday next.

The House was put into Committee of the whole on the Message from the Commons House of Assembly respecting the Amendments made in the Insolvent Debtors' Bill, as reported by the Conferees. Committee on Conferees' Report respecting Amendments on the Insolvent Debtors' Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee were of opinion that a Conference be requested on the subject of the said Report. Conference requested.

Ordered, that the Master in Chancery do go down and acquaint the Commons House of Assembly that a Conference is requested on the subject of the said Amendments, and that the Honorable the Attorney General and the Honorable Mr. Bland be a Committee to draft instructions for the Conferees.

The Honorable Mr. Dunscomb, from the Conferees appointed to meet Managers from the Commons House of Assembly on the Amendments made to the Banishment Bill, reported Report of Conferees on Punishment Bill.

5th &amp; 7th May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

that they had met the Managers from the Assembly, who delivered their instructions in the following words :

“The Commons House of Assembly have desired this Conference with the Honorable the Legislative Council on the subject of the Proviso, by way of Amendment, made by the Assembly in the Bill entitled “An Act to provide for the Banishment of Persons convicted of certain offences, and also to provide certain modes of Punishment in divers Criminal Cases,” for the purpose of acquainting the Legislative Council that this House recedes from the said Amendments, and consents to substitute instead thereof a Proviso exempting Females from the Punishment of Whipping, as proposed by the Legislative Council at the former Conference.

(Signed)

THOMAS BENNETT,  
*Speaker.**House of Assembly,*  
May 5, 1834.

Amendments on Interest Bill read.

The Amendments made in the Bill for regulating the rate of Interest in this Island were read, and—

Ordered to be read a second time on Wednesday next.

House adjourns.

On motion made and seconded, the House adjourned to Wednesday next, at One of the Clock, p. m.

WEDNESDAY, 7th MAY, 1834.

House meets.

The House met pursuant to adjournment.

**Present,***The Honorable* HENRY JOHN BOULTON, *Speaker.*” ” JAMES CROWDY, *Colonial Secretary.*

” ” Mr. DUNSCOMB,

” ” ” THOMAS.

” ” ” GARLAND.

” ” ” BLAND.

The Minutes of the last day were read.

Amendments on Interest Bill read 2nd time.

Pursuant to the order of the day the Amendments made on the Bill for regulating the rate of Interest in this Island, was read a second time, and—

Ordered to be committed on Friday next.

Committee on Commencement Bill.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bill entitled “An Act for ascertaining the time of the commencement of the Acts of the Parliament of this Colony.”

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received, and that the Bill be read a third time on Friday next.

Assembly request Conference on the Amendments to Real Chattels Bill.

A Deputation from the Commons House of Assembly brought up a Message requesting a Conference on the Amendments made to the Bill for declaring all Landed Property in Newfoundland Real Chattels.

Ordered, that the said request be acceded to, and that the Master in Chancery do acquaint the Commons House of Assembly of the same, and that they have appointed the Honorable the Colonial Secretary, and the Honorable Mr. Garland, who will be ready to meet Managers from the Assembly presently in the Committee-Room of this House, for that purpose.

Savings' Bank Bill, as amended, brought up.

A Deputation from the Commons House of Assembly brought up a Message, assenting to the Bill for the Establishment of a Savings Bank, with some Amendments, and requesting the concurrence of this House to them.

Assembly insist on the Amendments to Barristers' Bill.

The same Deputation brought up a Message insisting upon the Amendments of the Assembly to the Barristers' Bill.

7th &amp; 9th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

The Honorable the Colonial Secretary, from the Conferees on the Real Chattels Bill, reported that they had met the Managers from the Assembly, who delivered their instructions in the following words :

The Commons House of Assembly concur in the Proviso added by the Honorable the Legislative Council to the Amendments made by the Assembly in the Bill entitled "An Act to declare all Landed Property in Newfoundland Real Chattels;" but in order to protect any claims already preferred, but not adjudicated upon, the Assembly propose that the following words, by way of amendment, should be inserted in the said proviso, between the words "possession" and "before"—"unless the person or persons in possession shall have had notice of the claim of the adverse party or parties."

(Signed)

THOMAS BENNETT,  
Speaker.House of Assembly,  
5th May, 1834.

A Deputation from the Commons House of Assembly brought up a Bill entitled "An Act for the Establishment of Light Houses;" to which the concurrence of this House was requested.

Light House Bill  
brought up and read.

The said Bill was then read, and ordered to be read a second time on Friday next.

The Amendments to the Savings' Bank Bill were then read, and ordered to be read a second time on Friday next.

Amendments to Sa-  
vings Bank Bill read.

On motion made and seconded, the House adjourned to Friday next, at One of the Clock, p. m.

House adjourns.

FRIDAY, 9th MAY, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, Speaker.

" " Mr. DUNSCOMB,  
" " " THOMAS,  
" " " GARLAND,  
" " " BLAND.

The Minutes of the last day were read.

A Deputation from the Commons House of Assembly brought up a Message informing the House that the Assembly had passed the Bill entitled "An Act for the Relief of Wives and Children deserted by their Husbands and Parents," without amendment.

Message from the As-  
sembly announcing that  
they had passed the  
Wives and Children  
Desertion Bill.

The same Deputation brought up a Bill entitled "An Act for appropriating the Supplies granted to His Majesty during the present Session of the Colonial Parliament."

Appropriation Bill  
brought up.

The Deputation then withdrew.

A Deputation from the Commons House of Assembly brought up a Message acquainting this House that the Assembly consented to the Conference on the Insolvent Debtors' Bill.

Assembly consent to  
Conference on Insol-  
vent Debtors' Bill.

Pursuant to the order of the day, the Bill for regulating the commencement of the Acts of the Colonial Legislature, was read a third time and passed :

Commencement Bill  
passed.

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down and acquaint the Commons House of Assembly thereof.

The Honorable the Colonial Secretary enters.

Pursuant to the order of the day, the Amendments to the Bill for the Establishment of a Savings' Bank, were read a second time.

Amendments to the  
Savings Bank Bill read  
2nd time.

Ordered, that the same be read a third time on Monday.

Pursuant to the order of the day, the Bill for the Establishment of Light Houses, was read a second time.

Light House Bill read  
2nd time.

Ordered, that the same be committed on Monday next.

The Honorable Mr. Bland, from the Committee appointed to draft Instructions for the Conferees on the Amendments to the Insolvent Debtors' Bill, reported a Draft, which is as follows:

Draft of Instructions to  
Conferees on Insolvent  
Debtors' Bill.

The Legislative Council have desired this Conference upon the subject of the last Conference concerning the Bill entitled "An Act for the Relief of Insolvent Debtors taken

9th &amp; 12th May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

in Execution," and to acquaint the House of Assembly that the Legislative Council do insist upon the first amendment made by them to that Bill, and which the House of Assembly do not concur in, for the following reasons:—The object of the Bill being to afford relief to Debtors charged in Execution, it is necessary, while extending to them indulgence, that reasonable provision be made for the protection of the Creditor, and that due care be taken to inform him of the application of his Debtor to the Court for his discharge, which the Legislative Council are of opinion a notice in the *Gazette* does not sufficiently ensure. By the Amendments made by the Legislative Council, the party applying to be discharged is required to cause all his Creditors named in the Schedule to be individually notified of the Debtor's intention; but to provide against any omission of the Debtor in not stating the names of his Creditors in such Schedule, notice is required to be inserted in the *Gazette*, and also in any Local Paper where the Debtor may reside. The object of inserting the notice in the *Gazette* is, that the Public may know where to find every notice of the kind, if they desire to make inquiry, although the individual may not be in the habit of seeing the *Gazette*; and the Debtor is also required to insert the notice in the Paper published in his neighborhood, if there be one, to afford a further chance to his Creditors to be informed of his application. There is no particular mode required for notifying the Creditors individually; and therefore it will be open to the Debtor to adopt any method he may find most convenient for attaining that object, and which, generally speaking, there can be little difficulty in doing: the course thus prescribed is substantially the same as that adopted in the various Acts passed in England for the relief of Insolvent Debtors; and the Legislative Council see no reason for deviating therefrom. The Legislative Council will recede from the second amendment objected to by the House of Assembly at the last Conference, upon condition that the following proviso be added to the clause: "Provided always, that it shall be lawful for the said Court to appoint Trustees of the Estate and Effects of Debtors declared Insolvent, other than Creditors of any such Debtor or Debtors, if the Court shall deem it expedient so to do."

Committee on Interest Bill, as amended.

Pursuant to the order of the day, the House was put into Committee of the whole on the Amendments to Interest Bill.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again on Monday.

Select Committee appointed to Report on the Contingencies of this House.

Ordered, that a Select Committee be appointed to take into consideration and report upon the Contingent Expenses of this House, and that the Honorable Messieurs Garland, Thomas and Bland be the Committee for that purpose.

Appropriation Bill read.

The Appropriation Bill from the Assembly was read a first time, and—

Ordered, to be read a second time on Monday next.

The Honorable Mr. Bland, from the Conferees appointed on the subject of the Amendments to the Insolvent Debtors' Bill, reported that they had met the Managers from the Assembly, and delivered to them the instructions of this House.

House adjourns.

On motion made and seconded, the House adjourned to Monday next, at One of the Clock, p. m.

MONDAY, 12th MAY, 1834.

House meets.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*,

" " JAMES SIMMS, *Attorney-General*.

" " JAMES CROWDY, *Colonial Secretary*,

" " Mr. DUNSCOMB,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

12th &amp; 13th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

Pursuant to the order of the day, the Bill for the appropriating of certain Monies granted to His Majesty, was read a second time, and—

Appropriation Bill read 2nd time.

Ordered to be committed on Wednesday.

Pursuant to the order of the day, the Amendments on the Bill for the Establishment of a Savings' Bank, was read a third time and passed.

Amendments on Savings' Bank Bill passed.

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down and acquaint the Commons House of Assembly of the same.

Pursuant to the order of the day, the House was put into Committee of the whole on the Light House Bill.

Committee on Light House Bill.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

The Chairman reported the Bill, with some Amendments.

Ordered, that the said Report be received; that the Amendments be engrossed; and the Bill, as amended, be read a third To-morrow.

Pursuant to the order of the day, the House was put into Committee of the whole on the Amendments to the Interest Bill.

Committee on Amendments to Interest Bill.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again on Wednesday.

Ordered, that a Free Conference be requested with the Commons House of Assembly on the subject of the Amendments made to the Barristers' Bill;—that the Master in Chancery do inform the Assembly of the same, and that the Legislative Council have appointed the Honorable the Attorney-General and the Honorable Mr. Thomas, as Conferees, who will be ready to meet Managers from the Assembly on Wednesday at Two of the Clock, p. m.

Free Conference on Amendments on Barristers' Bill ordered to be requested.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

House adjourns.

TUESDAY, 13th MAY, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*.

„ „ JAMES SIMMS, *Attorney General*.

„ „ JAMES CROWDY, *Colonial Secretary*.

„ „ Mr. HALY,

„ „ „ DUNSCOMB,

„ „ „ THOMAS.

„ „ „ GARLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill for the establishment of Light Houses was read a third time.

Light-House Bill read a third time, and re-committed.

Ordered, that the said Bill be re-committed.

Whereupon the House was put into Committee of the whole on the said Bill.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

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

Leave granted.

The Honorable Mr. Thomas, from the Select Committee appointed to report on the Contingencies of this House, delivered his Report, which is as follows:

Report of Committee on Contingencies.

The Select Committee appointed to take into consideration the Contingencies of this Honorable House, beg leave to report, that they have carefully examined the accounts of the Clerk, and of the Usher of the Black Rod—the former amounting to Seventy-Six Pounds Seventeen Shillings and Ten Pence Sterling, and the latter to Fifty-One Pounds Five Shil-

1834 *13th May, 1834.*

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

lings and Eight Pence Sterling, making together One Hundred and Twenty-Eight Pounds Three Shillings and Six Pence Sterling—which they recommend to be paid.

Your Committee recommend the sum of Fifty Pounds Sterling to be paid to the Master in Chancery, for his services. Your Committee further recommend that the Clerk, Usher of the Black Rod, and Doorkeeper, of this House, be placed, in point of emolument, on a footing with the corresponding Officers of the House of Assembly.

(Signed) **WILLIAM THOMAS,**  
*Chairman.*

Ordered, that the House be put into Committee of the whole on the said Report.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported the said Report, with some Amendments, which are as follows :

At the end of the said Report insert as follows : “ And that there be paid to the Clerk of this House the Sum of One Hundred and Fifty Pounds Sterling; to the Gentleman Usher of the Black Rod the Sum of Fifty Pounds Sterling; and to the Doorkeeper of this House the Sum of Twenty Pounds Sterling.”

Ordered, that the said Report, as amended, be adopted, and an account of the amount, in gross, be sent to the Assembly.

A Deputation from the Commons House of Assembly brought up a Message in the following words :

MR. SPEAKER,

The Commons House of Assembly consent to the Free Conference requested by the Legislative Council, on the subject of the Amendments made in the Bill entitled “ An Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to Practise the Law in the various Courts of this Island;” and have appointed a Committee to Manage the said Conference, on the part of the Commons House of Assembly, who will be ready to meet the Conferees on the part of the Legislative Council at the time and place named.

(Signed) **THOMAS BENNETT,**  
*Speaker.*

*House of Assembly,*  
*13th May, 1834.*

The Honorable the Attorney-General, from the Conferees on the subject of the Free Conference on the Barristers' Bill, reported that they had met the Managers from the Assembly, who stated that they would re-consider their Amendments.

A Deputation from the Commons House of Assembly brought up a Message, in the following words :

MR. SPEAKER,

The Commons House of Assembly desire to be furnished with a statement of the items composing the Contingencies of the Honorable the Legislative Council, during the present Session of the Legislature.

(Signed) **THOMAS BENNETT,**  
*Speaker*

*House of Assembly,*  
*13th May, 1834.*

A Deputation from the Commons House of Assembly brought up a Message in the following words :

MR. SPEAKER,

The Commons House of Assembly recede from their disagreement to the Amendment made by the Legislative Council in the Bill entitled “ An Act for the Relief of Insolvent Debtors taken in Execution,” and do concur therein; and they consent to the insertion in the said Bill of the Proviso proposed by the Legislative Council.”

(Signed) **THOMAS BENNETT,**  
*Speaker.*

*House of Assembly,*  
*13th May, 1834.*

Committee on said Report.

Message from Assembly consenting to Free Conference on Barristers' Bill.

Attorney-General's Report from Free Conference.

13th &amp; 14th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

Ordered, that there be a Committee appointed to draft a remonstrance to the Commons House of Assembly on the subject of their Message requiring the items of the Contingencies of this House, and that the Honorable the Attorney-General, and the Honorable Mr. Thomas, be a Committee for that purpose.

Committee appointed to draft remonstrance to the Assembly on the subject of their Message respecting the Contingencies.

On motion made and seconded, the House adjourned to To-morrow, at Twelve of the Clock, Noon.

House adjourns.

WEDNESDAY, 14th MAY, 1834.

The House met pursuant to adjournment.

House meets,

*Present,*

*The Honorable* HENRY JOHN BOULTON, *Speaker,*  
 " " JAMES SIMMS, *Attorney General,*  
 " " JAMES CROWDY, *Colonial Secretary.*  
 " " Mr. DUNSCOMB,  
 " " " THOMAS.  
 " " " GARLAND,  
 " " " BLAND.

The Minutes of the last day were read.

Moved by the Honorable the Attorney-General, and seconded, that the order of the day for a Message to the House of Assembly on the subject of the Message sent up from the Assembly relating to the Contingent Expenses of this House, be discharged.

Order of the day for a Message to the Assembly on the subject of the Contingencies discharged.

Which being put, was carried.

Ordered, that a Conference be requested with the Commons House of Assembly on the subject of the said Message—that the Master in Chancery go down and acquaint that House that the Legislative Council request a Conference on the subject, and have appointed the Honorable the Attorney-General, and the Honorable Mr. Thomas, as Conferees, who will be ready to meet Managers from the Assembly presently, in the Committee-Room of the Legislative Council, for that purpose.

Conference requested on subject of the Contingencies. Committee appointed.

Ordered, that the Honorable the Attorney-General, and the Honorable Mr. Thomas be a Committee to draft instructions for the said Conferees.

The Honorable the Attorney-General, from the Committee appointed to draft instructions for Conferees on the said Message, reported a Draft, which is as follows:—

Report of instructions to Conferees on Contingencies.

The Legislative Council have desired this Conference upon the Message sent up Yesterday from the House of Assembly, relating to the Contingencies of the Legislative Council, with a sincere desire to preserve that good correspondence between the two Houses which is so essential to the public interests of the Colony, but which any attempt on the part of the Assembly to interfere with the Privileges of the Legislative Council necessarily tends to disturb; and to acquaint the Assembly that the Legislative Council regard the privilege of Auditing their own Contingent Expenses to be one of such vital importance to their independence as a Co-ordinate Branch of the Legislature, that they cannot permit it to be called in question, or argued upon.

It is a Privilege which the Higher House of Parliament have at all times exercised, and can never relinquish.

The Legislative Council are sensible of the haste with which the Assembly must have come to the Resolution ordering their Message to be sent to the Legislative Council, inasmuch as the amount of the Contingent Charges incurred for the service of the Legislative Council was communicated to the Assembly but a short time before on the same morning that the Message relating to those charges was sent up; and the Legislative Council are therefore the less desirous of remarking upon the terms of the Message, which they would otherwise be at a loss to account for.

Ordered, that the same be adopted.

Pursuant to the order of the day, the House was put into Committee of the whole on the Appropriation Bill.

Committee on Appropriation Bill.

14th &amp; 15th May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

- The Honorable Mr. Haly took the Chair.  
After some time the House resumed.
- The Chairman reported that the Committee were of opinion that a Free Conference be requested with the Assembly on the subject of the said Bill.
- Free Conference requested on Appropriation Bill.  
Ordered, that the said Report be received, and that the Master in Chancery do acquaint the Assembly thereof, and that they have appointed the Honorable Mr. Thomas and the Honorable Mr. Garland as Conferees on the part of this House, who will be ready to meet the Managers from the Assembly on the subject, in the Committee-room of this House, at Two o'Clock To-morrow.
- Report from Conferees on the subject of Contingencies.  
The Honorable the Attorney-General, from the Conferees on the subject of the Message from the Assembly, respecting the Contingent Expenses, reported that they had met the Managers from the Assembly, and delivered the Instructions of this House.
- Weights and Measures Bill brought up.  
A Deputation from the Assembly brought up a Bill to regulate the Standard of Weights and Measures and the Surveying of Lumber, to which the concurrence of this House was requested, and then withdrew.
- House adjourns.  
On motion made and seconded, the House adjourned to To-morrow, at Twelve of the Clock, noon.

THURSDAY, 15th MAY, 1834.

- House meets.  
The House met pursuant to adjournment.
- Present,  
The Honorable HENRY JOHN BOULTON, *Speaker*.  
" " JAMES SIMMS, *Attorney-General*.  
" " Mr. DUNSCOMB,  
" " THOMAS,  
" " GARLAND,  
" " BLAND.
- The Minutes of the last day were read.
- Message from Assembly acceding to Free Conference on Appropriation Bill.  
A Deputation from the Commons House of Assembly brought up a Message acceding to a Free Conference on the subject of the Appropriation Bill.
- Light-House Bill passed with amendments.  
Pursuant to the order of the day, the Bill for the Establishment of Light Houses, was read a third time, and passed:  
Whereupon the Speaker signed the same, and it was—  
Ordered, to be sent to the Commons House of Assembly, by the Master in Chancery, for their concurrence in the Amendments to the said Bill.
- Report from Conferees on the Appropriation Bill.  
The Honorable Mr. Thomas, from the Conferees on the subject-matter of the Appropriation Bill, reported, that they had met the Managers, and had delivered the Instructions of this House on the subject.
- Weights and Measures Bill read a first time.  
The Bill for the Establishment of Standard Weights and Measures, was read a first time, and—  
Ordered, to be read a second time To-morrow.
- Conference on Amendment to Real Chattels Bill.  
Ordered, that a request be sent to the Commons House of Assembly, by the Master in Chancery, for a Conference on the subject-matter of the Amendment made by the Assembly to the Amendment on the Real Chattels Bill; and that the Honorable Messieurs Garland and Bland be Conferees on the part of this House, who will be ready to meet Managers from the Assembly, in the Committee-room of the Legislative Council, on To-morrow, at Two of the Clock.
- Committee on Amendments on Interest Bill.  
The House was put into a Committee of the whole on the Interest Bill.  
The Honorable Mr. Dunscomb took the Chair.  
After some time the House resumed.
- Conference on Interest Bill Amendments recommended.  
The Chairman reported, that the Committee were of opinion that a Conference should be requested, on the subject of the said Bill.  
Ordered, that the said Report be received.
- House adjourns.  
On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

16th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

FRIDAY, 16th MAY, 1834.

The House met pursuant to adjournment.

House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*" " JAMES SIMMS, *Attorney General,*" " JAMES CROWDY, *Colonial Secretary.*

" " Mr. DUNSCOMB,

" " " THOMAS.

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill to regulate the Standard of Weights and Measures in this Colony, and to provide for the surveying of Lumber, was read a second time, and—

Weights and Measures Bill read 2nd time.

Ordered to be committed on Monday next.

The House was put into Committee of the whole on the Amendments to the Bill for the Relief of Insolvent Debtors.

Committee on Insolvent Debtors' Bill Amendments.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Bill, with an Amendment, which is as follows :

Provided always, that it shall be lawful for the said Court to appoint Trustees of the Estate and Effects of Debtors declared Insolvent, other than Creditors of any such Debtor or Debtors, if the Court shall deem it expedient so to do.

Ordered, that the said Report be received ; that the Amendments be engrossed ; and the Bill, as amended, be read a third time on Monday next.

The House was put into Committee of the whole on the Amendments to the Bill entitled " An Act to provide for the Banishment of Persons convicted of certain offences, and also to provide certain modes of Punishment in divers Criminal Cases."

Committee on Amendments to the Punishment Bill.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

The Chairman reported the Bill, with an Amendment, which is as follows :

After the third Section insert—

" Provided nevertheless, that the Punishment of Whipping, shall not in any case be inflicted on a Female."

Ordered, that the said Report be received ; that the Amendments be engrossed, and the Bill, as amended, be read a third time on Monday next.

A Deputation from the Commons House of Assembly brought up a Message requesting a Free Conference on the subject of the last Conference relating to the Appropriation Bill.

Message from Assembly requesting Free Conference on Appropriation Bill.

Ordered, that the said Request be acceded to.

Ordered, that the Master in Chancery do go down and acquaint the Assembly of the same, and that they have appointed the Honorable Messieurs Thomas and Garland as Conferees on the part of this House, who will be ready to meet Managers from the Assembly presently, in the Committee-room of the Legislative Council.

Conference granted.

A Deputation from the Assembly brought up a Message agreeing to the Conference requested on the Bill for declaring all Landed Property in Newfoundland Real Chattels.

A Message from Assembly agreeing to Conference on Real Chattels' Bill.

The Honorable the Attorney-General gave notice that he would on Monday move for leave to bring in a Bill to remove doubts respecting the application of certain Local Laws to the Powder Magazines belonging to Government.

A Deputation from the Assembly brought up a Message requesting a Conference on the subject of the last Conference relating to the Message sent up respecting the Contingencies of the Legislative Council.

Message from Assembly requesting Conference on Contingencies.

16th May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Ordered, that the same be acceded to; that the Master in Chancery do acquaint the Assembly of the same, and that they have appointed the Honorable the Attorney-General, and the Honorable Mr. Thomas, as Conferees on the part of this House, who will be ready to meet Managers from the Assembly, in the Committee-room of the Legislative Council, presently.

Message from Assembly concurring in Amendments to Light House Bill.

A Deputation from the Assembly brought up a Message concurring in the Amendments made in the Light House Bill.

Report of Conferees on Appropriation Bill.

The Honorable Mr. Thomas, from the Conferees on the Free Conference upon the Appropriation Bill, reported, that the Conferees appointed by this House had met the Managers from the Assembly, who consent to the following Amendments to the Bill entitled "An Act for Appropriating Supplies granted to His Majesty, during the present Session of the Colonial Legislature."

Assembly consent to Amendments.

Expunge the Preamble, and insert instead thereof—

"May it please Your Excellency,

"We, His Majesty's dutiful and loyal subjects the Commons of His Majesty's Island of Newfoundland, in Parliament assembled, having freely and voluntarily resolved to give and grant to His Majesty a supply to defray certain charges for the Administration of Justice, and the support of the Civil Government of this Island, do humbly beseech Your Excellency that it may be enacted, and."

Page 5.—Expunge words between "of," in the Eleventh line, and "and," in the Thirteenth line, and insert instead, "Ninety Pounds to Peter Weston Carter, Esquire, for his past services as Police Magistrate."

Report of Conferees on Contingencies.

The Honorable the Attorney-General, from the Conferees on the subject-matter of the last Conference respecting the Message sent up by the Assembly relative to the Contingent Expenses of this House, reported, that they had met the Managers from the Assembly, who delivered their instructions in the following words:

The Commons House of Assembly have requested this Conference with the Legislative Council, on the subject of the Message sent up by the Commons House of Assembly, on Tuesday last, respecting the Contingencies of the Legislative Council, equally desirous with the Legislative Council of maintaining and continuing that good correspondence between the two Houses without which it would be impossible to transact the public business of the Legislature, and which the Assembly are far from wishing to disturb.

The House of Assembly regret that the Legislative Council should have considered the Message sent up by them as an attempt to interfere with the privileges of the Council; for the Assembly assure the Legislative Council that their object in sending up the said Message was not for the purpose of enquiring into the details of the actual Contingencies of the Upper House, nor to presume to meddle with its privileges in auditing the same, (if such be the privilege of the Legislative Council, which this House will not take upon itself to determine); but as there are attached to the Upper House several Officers whose salaries the House of Assembly cannot regard as ranking under the head of Contingencies, the Assembly were desirous, in order to avoid unnecessary discussion upon voting a supply for the payment thereof, to ascertain merely the heads of the various Contingencies of which the amount stated in the Message of the Legislative Council is composed.

On reference to the proceedings of the Legislatures of several of the Neighbouring Colonies, whose circumstances are analagous to those of this Island, the Assembly observe that it is the practice of the Houses of Assembly in those Colonies to vote separate and distinct sums for the payment of each branch of the Contingencies, as well as the specific salaries of the Officers, of the Legislative Council; and in desiring to pursue the same course, the Assembly, as they seek not to introduce any novelty, cannot justly be suspected of attempting to invade the privileges of the Legislative Council, as a Co-ordinate Branch of the Legislature: it would, therefore, be a source of extreme regret to the House of Assembly if, from their desire to obtain more ample information as to the nature of the Expenses connected with the Legislative Council, without wishing to interfere in the auditing of their actual Contingencies, any misapprehension on the part of the Legislative Council, as to the

16th &amp; 19th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

intentions of the Assembly, should tend to interrupt the good understanding between the two Houses, which it will at all times be the endeavour of the Assembly to cultivate.

(Signed)

THOMAS BENNETT,  
*Speaker.*House of Assembly,  
16th May, 1834.

The House was put into Committee of the whole on the Appropriation Bill.

Committee on Appropriation Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

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

Leave granted.

On motion made and seconded, the House adjourned to Monday next, at One of the Clock, p. m. House adjourns.

MONDAY, 19th MAY, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker,*" " JAMES SIMMS, *Attorney General.*" " JAMES CROWDY, *Colonial Secretary,*

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill for the Relief of Insolvent Debtors taken in Execution, as amended, was read a third time and passed.

Insolvent Debtors' Bill, as amended, passed.

Whereupon the Speaker signed the same, and it was—

Ordered, to be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House to the said Amendment.

Pursuant to the order of the day, the Bill to provide for the Banishment of Persons convicted of certain Offences, and also to provide certain modes of Punishment in divers Criminal Cases, as amended, was read a third time and passed:

Punishment Bill, as amended, passed.

Whereupon the Speaker signed the same, and it was—

Ordered, to be sent to the Commons House of Assembly, by the Master in Chancery, for their concurrence to the said Amendments.

Pursuant to the order of the day, the Honorable the Attorney-General moved for leave to bring in a Bill to remove doubts respecting the application of certain Local Laws to the Government Gunpowder Magazines, which was read a first time.

Government Gunpowder Magazine Bill read.

Ordered, that the Thirty-Eighth of the Standing Rules and Orders of this House be dispensed with on the present occasion, and that the said Bill be read a second time.

read 2nd time—38th Rule dispensed with.

Whereupon the said Bill was read a second time.

The House was then put into Committee of the whole on the said Bill.

Committee on same.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received; that the Bill be engrossed, and read a third time on To-morrow.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bill for the regulation of Weights and Measures, and admeasurement of Lumber.

Committee on Weights and Measures Bill.

The Honorable Mr. Garland took the Chair.

A Message being announced, the House formed.

A Deputation from the Commons House of Assembly brought up a Bill entitled "An

1834 19th May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Passengers' Bill brought up. Act to regulate the introduction of Passengers in Vessels arriving in this Colony," and then withdrew.

The House was again put into Committee of the whole on the Bill for regulating Weights and Measures and admeasurement of Lumber.

The Honorable Mr. Garland took the Chair.

A Message being announced, the House formed.

Message returning Local Court Bill amended.

A Deputation from the Commons House of Assembly brought up a Message acquainting this House that they had passed the Bill entitled "An Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, entitled 'An Act for the better administration of Justice in Newfoundland, and for other purposes,' as relates to the establishment of Circuit Courts and Courts of Sessions of the Peace in this Island;" and then withdrew.

The House was again put into Committee of the whole on the Bill for regulating Weights and Measures and admeasurement of Lumber.

The Honorable Mr. Garland took the Chair.

A Message being announced, the House formed.

Message from Assembly requesting Free Conference on the Barristers' Bill. Granted.

A Deputation from the Assembly brought up a Message requesting a Free Conference on the Barristers' Bill, and then withdrew.

Ordered, that the same be granted; that the Master in Chancery do acquaint the Assembly of the same, and that this House have appointed the Honorable the Attorney-General, and the Honorable Mr. Thomas, as Conferees on the part of this House, who will be ready to meet Managers from the Assembly, in the Committee-Room of the Legislative Council, for that purpose, To-morrow, at Two of the Clock, p. m.

The House was again put into Committee of the whole on the Bill for regulating Weights and Measures and admeasurement of Lumber.

The Honorable Mr. Garland took the Chair.

A Message being announced, the House formed.

Conference on Real Chattel Bill requested.

A Deputation from the Assembly requested a Conference on the Bill for declaring all Landed Property in Newfoundland Real Chattels, and then withdrew.

Granted.

Ordered, that the same be granted; that the Master in Chancery do acquaint the Commons House of Assembly thereof; and that this House have appointed the Honorable the Colonial Secretary, and the Honorable Mr. Garland, as Conferees on the part of this House, who will be ready to meet Managers from the Assembly in the Committee-Room of the Legislative Council, To-morrow, at Half-past One of the Clock, for that purpose.

The House was again put into Committee of the whole on the Bill for regulating Weights and Measures, and admeasurement of Lumber.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

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

Ordered, that the said Report be received.

Amendments to Local Court Bill read.

The Amendments to the Bill for the Establishment of Courts of Common Pleas, were read a first time, and—

Ordered, to be read a second time on Thursday, and are as follows:

Page 1.—Expunge the word "and," in the first line, and the whole of the second line.

" " line 8.—Between the word "Courts" and the word "and," insert "and also so much of the said Act as requires the Supreme Court to consist of more than one Judge, or to prevent the said Court from sitting in any other place than St. John's."

" " line 14.—Between the figures "14" and "15" insert the word "and."

" " line 15.—Expunge the words "and 22nd."

Page 2. line 1.—Between the word "Courts" and the word "shall," insert "and also so much of the said Act as requires the Supreme Court of this Island to be constituted of more than one Judge, or as prevents the same from sitting in any other place than Saint John's."

" " line 4.—Expunge the word "nine," and insert instead thereof "six."

" " line 7.—Expunge the word "St. John's."

19th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

- Page 2. line 8.—Expunge the word “ Bay,” and insert instead thereof the word “ and ;” and after “ Bonavista,” add the word “ Bay.”
- “ “ line 9.—Expunge “ Saint Mary’s ;” and after “ Fortune Bay” add the words “ and Burin.”
- “ “ line 10.—Between the words “ Judge” and “ shall,” expunge the word “ who,” and insert the words following—“ who shall have been duly admitted a Barrister of this Island, or who shall, by the Chief Justice or Acting Chief Justice of the Supreme Court, (after examination) be certified as a fit and proper Person for such Office, which Judge.”
- “ “ line 13.—Expunge the word “ who.”
- “ “ line 14.—Expunge the words “ Saint John’s.”
- “ “ line 15.—Expunge the word “ Bonavista,” and the words “ Saint Mary’s.”
- “ “ line 16.—Expunge the words “ Harbor Briton,” and insert instead thereof the words “ Fortune Bay and Burin.”
- Page 3. line 1.—Expunge the whole of the third Section of the Bill.
- “ “ line 10.—Between the words “ that” and “ the,” insert the words following—“ besides the places at which they respectively reside, where Courts shall be held as often as may be necessary.
- “ “ line 13.—Between the words “ Fortune Bay” and “ at,” insert the words “ and Burin ;” and add to this line the words “ and Harbor Briton.”
- “ “ line 14.—Between the words “ Placentia” and “ at,” insert the word “ Bay.”
- “ “ “ “ Expunge the words “ Burin and,” and add to this line the words “ Barren Island and Saint Mary’s.”
- “ “ line 15.—Expunge the whole of this line.
- “ “ line 16.—Add to this line the words “ and Trepassy.”
- “ “ line 17.—Add to this line the words “ and New Perlican.”
- “ “ line 18.—Expunge the words “ Old Perlican” and insert instead thereof the words “ Bonavista and Greenspond.”
- “ “ line 19.—Expunge the whole of this line.
- “ “ line 22.—Expunge the words “ said place” and insert instead thereof the words “ district in which the residence of the said Judges is fixed.”
- “ “ line 26.—Expunge the 5th Section of the Bill, and insert instead thereof the following words : “ And be it further enacted, that as often as any action shall be commenced in either of the said Courts of Common Pleas, and it shall be made to appear to the Judge thereof, by affidavit, at any time before the trial of such action, that the same may be more conveniently heard and determined in some other of the said Courts, it shall and may be lawful for such Court to permit and allow the said action to be removed into such other Court, and such allowance shall be certified by the Judge, together with the Writ or Process and proceedings in such action, to the Court into which the same shall be intended to be removed ; and thereupon it shall be lawful for such last-mentioned Court, and such Court is hereby required to proceed in such action in like manner as if the same had been originally commenced and prosecuted in such last-mentioned Court, and to make such order for payment by the Plaintiff or Defendant of Costs incurred in the Court in which such action was originally commenced, as shall appear just.
- Page 4. line 9.—Expunge the whole of the Sixth Section of the Bill.
- “ “ line 22.—Between the words “ party” and “ of,” insert the words “ upon application made to the Judge before trial,” and expunge all the words between “ all,” in this line, and “ provided,” in the second line of the fifth page, and insert instead thereof the words following : “ actions of a civil nature, except matters of Tort, wherein the damages sought to be recovered shall not exceed the sum of Twenty Pounds.”
- Page 5. line 6.—After the word “ play,” expunge the remainder of the 7th Section, and insert instead thereof the words following : “ And that in all cases where

19th May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

the sum sued for shall amount to or exceed Forty Shillings Sterling, and shall be sworn to, in an affidavit to be made by the Plaintiff or Plaintiffs, or his, her, or their Agent or Attorney; and in all cases where the sum sued for shall exceed Twenty Shillings Sterling, and it shall be made to appear in the affidavit of Debt that the Defendant or Defendants is or are about to depart from the place of his or their residence, and that such Debt has been demanded from him or them, such Defendant or Defendants shall be made to appear, by Attachment of his, her, or their Lands and Tenements, Goods, Debts or Effects."

- Page 5. line 10.---Expunge the word "Judges," and insert instead thereof "Chief Justice."  
 " " line 14.---Expunge all the words between "therein," in this line, and the words "the Costs," in the 16th line.  
 " " line 20.---Expunge the words "to them shall seem," and insert instead thereof the words "he shall deem."  
 " " line 25.---Between the words "Shillings" and "nor," insert the words "except in the cases hereinbefore mentioned."
- Page 6. line 1.---Expunge the words "during the season of the Fishery," and insert instead thereof the words "between the first day of May and the thirty-first day of October."  
 " " line 4.---Add to the 8th Section the words following: "Provided also that no such Fees or Poundage shall be taken until the Table thereof shall have been approved of by the Governor or Acting Governor in Council."  
 " " line 25.---Expunge the 10th, 11th, 12th, and 13th Sections of the Bill, and insert instead thereof the following Section: "And be it further enacted, that it shall and may be lawful for the Governor, or Acting Governor, for the time being, to appoint a fit and proper Person to act as, and be, the Clerk of the Court of Conception Bay, who shall hold his Office during pleasure; and for the Judges of the said Courts respectively to appoint fit and proper Persons at each of the Places in which they may be appointed to hold their Courts, to issue Mesne Process, and to do all acts appertaining to such Courts respectively, save and except the inquiring, hearing and determining of any action or complaint; which Persons shall respectively hold their appointment during the pleasure of such Judge, and, as well as the Clerk of the Court of Conception Bay, shall be authorized to take any Affidavit pending in the said Courts respectively, or which it may be necessary should be taken before any Attachment be issued in Mesne Process for the commencement of any suit in any of the said Courts; and the Process of the Court shall be carried into effect by the Sheriff of Newfoundland, his Deputy, or Bailiff."
- Page 9. line 14.---Expunge all the words between "that," in the 14th line, and "the Party" in the 19th line, and insert instead thereof the words following "where the cause of action upon which any judgment shall be given or pronounced in any of the said Courts of Common Pleas, shall exceed the sum of £10, or shall involve the title to any Lands or Tenements, or any right of Fishery."
- Page 11. line 14.---Expunge all the words of the 16th Section of the Bill, after the word "same," in this line.  
 " " line 19.---Between the words "before" and "any," insert the words "the said Supreme Court or."  
 " " line 23.---Add the letter "s" to the word "Court," and between the same word and the word "and" insert the word "respectively."  
 " " line 26.---Expunge all the words between "Costs," in this line, and "provided," in the first line of page 12.
- Page 12. line 27.---Between the words "shall" and "apply," insert "before the commencement of the trial."
- Page 13. line 3.---Expunge the words "be the duty of," and insert instead thereof the words "and may be lawful for."

1834. 19th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

Page 13, line 13.---Add to the 20th section of the Bill the following words---“and shall also be Registrar of Deeds for the District in which such Court of Sessions has Jurisdiction;”

„ „ line 14.---Between the words “it” and “may” insert “shall and.”

„ „ line 17.---After the word “Pleas” expunge the remainder of the 21st section of the Bill, and insert instead thereof the words “except the Judge of the Court of Conception Bay every four years.”

Add to the Bill the following sections :

And be it further enacted, that no Court of Sessions shall hold plea of any civil cause, at any place within fifteen miles of the place of residence of any Judge of such Court of Common Pleas, or within the like distance of any such Courts, during the sittings thereof, at any of the places appointed as aforesaid for such sittings.

And be it further enacted, that the Court of Sessions, for the District of St. John's, shall hold plea in a summary way, or, upon the application of either party, by the intervention of a Jury, of all matters of debt or liquidated damages to the amount of £50; and all matters of mutual and open account, where the balance claimed to be due shall not exceed the like sum of £50, and also that the judgments of the said Court in such causes shall be carried into effect in the same manner as is hereinbefore prescribed for carrying into effect the Judgments of the said Courts of Common Pleas; Provided always, that nothing herein-contained shall extend, or be construed to extend, to authorise the holding plea in the said Courts for the recovery of any Sum or Sums of Money won at play; Provided also, that when the cause of action shall exceed £10, any party feeling aggrieved may appeal therefrom to the Supreme Court, upon the like conditions, and upon giving the like notices and securities, herein-before directed in cases of appeal from the Courts of Common Pleas.

And be it further enacted, that as often as any Writ of Attachment, or other process, for the recovery of any Debt or Sum due, shall be issued by either of the said Courts of Common Pleas respectively, against any Person or Persons who, if such Process were depending in the Supreme Court might then be declared Insolvent, and it shall be made to appear to the Court out of which such Process issued, that the Person or Persons against whom such Writ or Process hath issued, is or are unable to pay Twenty Shillings in the Pound to all his, her, or their Creditors, it shall be lawful for such Court to cause such Person or Persons to be declared Insolvent, and for appointing Trustees, and for discovering, collecting and selling the Estate or Estates and Effects of such Person or Persons as are or may be directed to be taken in like cases by the Supreme Court, or by any Act or Acts now or hereafter to be in force, and to declare such Person or Persons Insolvent accordingly; and also, under such and the like regulations as are or may be prescribed for the Supreme Court, and with the consent of the same proportion of the Creditors in number and value, to grant the Insolvent a Certificate of discharge, which shall have the like effect as a Certificate of the Supreme Court; and such Insolvent shall likewise be liable to the same punishment in case of failing to make a true disclosure and discovery of his, her, or their Estate or Estates, and Effects, and be subject to the like orders of such Court of Common Pleas, as he, she, or they would have been subject to in the Supreme Court, if such Insolvency had been declared in the said last-mentioned Court: Provided always, that if the major part, in number or value, of the Creditors of such Insolvent or Insolvents reside elsewhere than in the District of the Island in which such Court of Common Pleas is held, it shall and may be lawful for the Judge of such Court of Common Pleas, and he is hereby required, to certify such declaration of Insolvency into the Supreme Court, which shall thenceforth have the sole jurisdiction thereof, and shall take all further order in and concerning the same, in like manner as if such Insolvency had been originally declared therein.

And be it further enacted, that no Person who has heretofore occupied any public situation in, or connected with, any (other than a Magistrate or Conservator of the Peace) of the Courts of this Island, shall be appointed Judge of the Court of Common Pleas for the place in which he has resided whilst filling such situation.

And be it further enacted, that as soon as His Excellency the Governor, or Acting Governor, for the time being, shall by Proclamation have notified to the Inhabitants of this Colony the time when the said Courts shall be intended to be opened, and the Judges thereof

19th, 20th, &amp; 21st May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

shall have respectively assumed and entered upon the exercise of their jurisdiction therein, then and from thenceforth any suit, action, complaint, or thing, which shall be depending in the Circuit Courts of this Island respectively, and which shall be cognizable in the said Courts of Common Pleas, shall and may, upon due notice to the Parties interested, be proceeded upon in the Supreme Court, or either of the Courts of Common Pleas instituted by virtue of this Act, having jurisdiction within such part of the District or Districts of this Colony where the Writ or Process was made returnable; and all proceedings which shall thereafter be had in such action or suit respectively, shall be conducted in like manner as if such action or suit had been originally commenced in the said Courts instituted under this Act, and all Records, Muniments, and proceedings whatsoever of and belonging to the said Circuit Courts respectively shall from and immediately after the opening of the said Courts of Common Pleas be delivered over, and be deposited in the Supreme Court, and all Parties shall and may have recourse to the said records and proceedings so deposited in the said Supreme Court.

In the title of the Bill expunge the words "and Courts of Sessions of the Peace."

House adjourns.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

TUESDAY, 20th MAY, 1834.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

„ „ JAMES SIMMS, *Attorney-General.*

„ „ Mr. DUNSCOMB,

„ „ „ THOMAS,

House adjourns for want of a Quorum.

The Honorable the Speaker declared the House adjourned for want of a Quorum to To-morrow at One of the Clock, p. m.

WEDNESDAY, 21st MAY, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*

„ „ JAMES SIMMS, *Attorney General,*

„ „ JAMES CROWDY, *Colonial Secretary.*

„ „ Mr. DUNSCOMB,

„ „ „ THOMAS.

„ „ „ GARLAND,

„ „ „ BLAND.

The Minutes of the two last days were read.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bill to regulate Weights and Measures, and the admeasurement of Lumber.

The Honorable Mr. Garland took the Chair.

A Message being announced the House formed.

Assembly concur in Amendments to Insolvent Debtors' Bill.

A Deputation from the Assembly brought up a Message concurring in the Amendments made by the Legislative Council in the Bill for the relief of Insolvent Debtors taken in Execution.

Assembly concur in last Amendment to Punishment Bill.

The same Deputation brought up a Message concurring in the last Amendment made by the Legislative Council in and to the Bill entitled "An Act to provide for the Banishment of Persons convicted of certain offences, and also to provide certain modes of Punishment in divers Criminal Cases," and then withdrew.

The House was again put into Committee of the whole on the Bill for regulating Weights and Measures and the admeasurement of Lumber.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

21st &amp; 22nd May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

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

Ordered, that the said Report be received.

The Honorable the Colonial Secretary, from the Conferees on the subject-matter of the Bill for declaring all Landed Property in Newfoundland Real Chattels, reported that they had met the Managers from the Assembly, who delivered their instructions as follows:

Report of Conferees on Amendments to Real Chattel Bill.

The Commons House of Assembly have desired this Conference with the Legislative Council, upon the Amendments made in the Bill entitled "An Act for declaring all Landed Property in Newfoundland Real Chattels," for the purpose of acquainting the Legislative Council that the House of Assembly recede from the Amendments made by them in the Proviso added by the Legislative Council to the Amendments made in the said Bill.

(Signed)

THOMAS BENNETT,

*House of Assembly,*  
19th May, 1834.

*Speaker.*

The Honorable the Attorney-General, from the Free Conferees on the subject-matter of the Barristers' Bill, reported as follows:

Report of Conferees on Barristers' Bill.

Your Committee, appointed to meet the Conferees of the House of Assembly in Free Conference upon the Bill entitled "An Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to practise the Law in the various Courts of this Island," beg leave respectfully to report to Your Honorable House, that they have met the said Conferees in Free Conference upon the said Bill, who have made known to Your Committee that the House of Assembly consent to the withdrawing of their Amendments proposed to the said Bill, provided the said Bill be only amended by inserting in the 7th section, at the 9th line, between the words "England" and "provided," the words "Scotland, Ireland, or any of His Majesty's Colonies."

(Signed)

JAMES SIMMS,

*Chairman.*

The Bill sent up from the Assembly to regulate the introduction of Passengers in Vessels arriving in this Colony, was read a first time, and—

Passengers' Bill read.

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

The House was put into Committee of the whole on the Barristers' Bill, as amended.

Committee on Barristers' Bill, as amended.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

The Chairman reported the Bill with the following Amendment.

Section 7. line 9.—Between the words "England" and "provided," insert the words "Scotland or Ireland, or any of His Majesty's Colonies."

Ordered, that the said Amendment be adopted.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

House adjourns.

THURSDAY, 22nd MAY, 1834.

The House met pursuant to adjournment.

House meets.

*Present,*

The Honorable HENRY JOHN BOULTON, *Speaker,*

" " JAMES SIMMS, *Attorney General.*

" " JAMES CROWDY, *Colonial Secretary,*

" " Mr. HALY,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill for removing doubts respecting the Government Powder Magazines, was read a third time and passed.

Government Gunpowder Magazine Bill passed.

22nd May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Ordered, that the title of the said Bill be "An Act to explain certain Acts passed for the safe-keeping of Gunpowder, and to remove doubts respecting the same."

Whereupon the Speaker signed the same, and it was—

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Registration of Deeds  
Bill brought up.

A Deputation from the Commons House of Assembly brought up a Bill entitled "An Act concerning the Registration of Deeds, and to Repeal so much of An Act of the Imperial Parliament entitled 'An Act for the better Administration of Justice in Newfoundland and for other purposes,' as relates to the Registration of Deeds."

Committee on Weights  
and Measures Bill.

Pursuant to the order of the day, the House was put into Committee of the whole on the Bill for regulating Weights and Measures and the admeasurement of Lumber.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

The Chairman reported the Bill, as amended.

Ordered, that the said Report be received; that the Amendments, which are as follows, be engrossed, and read a third time To-morrow.

Amendments on  
Weights and Measures  
Bill.

Page 1. line 18 to 20.—Expunge the words between "and," in 18th line, and "of," in 20th line, and insert instead thereof "that the Clerks of the Peace for the several Districts of the Island shall be the Assayers."

Page 2. line 1.—After the word "District" insert "s," and expunge the words "of Saint John's" and insert instead thereof "respectively, and for such Ports or Harbours where no such Clerk of the Peace shall reside, it shall be lawful for the Justices in General Sessions to appoint fit and proper Persons to be Assayers of Weights and Measures for such Port or Harbour, shall they deem it expedient so to do."

" " line 2.—Expunge "his," and insert "their."

" " line 3.—Expunge "his," and insert "their."

" " line 4.—After "shall," insert "respectively," and after "deposited," expunge the remainder of the Section.

" " line 9.—After "Assayer," insert "s;" in the same line expunge "he is," and insert "they are."

" " line 11.—Expunge "his" and insert "their."

" " line 18.—Expunge "he" and insert "they;" after "shall," insert "respectively."

Expunge the third Clause.

Page 4. line 1.—Expunge "such," and insert instead thereof "a Constable or;" expunge the words of the line after "Constables."

" " line 2.—Expunge the words "think proper;" after the word "visit," insert "in the day time."

" " line 5.—Expunge "and Coals."

" " line 8.—Expunge "Coals or."

" " line 11.—After this section insert as follows: "And be it further enacted, that every Hogshead, for the measurement of Coals, shall contain sixty-three Gallons Imperial Measure, to be not less than thirty-nine inches wide at the top, and thirty-five inches at the bottom."

Page 9. line 3.—After the word "Colony," expunge the remainder of the section, and insert instead thereof "and all such Fines, Penalties, and Forfeitures, shall be paid to His Majesty, his Heirs and Successors, to be applied in their several moieties to the Person or Persons who shall respectively inform and sue for the same, and their other several moieties to the Public uses of this Colony."

Local Court Bill, as  
amended, read 2nd time.

Pursuant to the order of the day, the Bill for the Establishment of Local Courts, as amended, was read a second time, and—

Ordered, to be committed on To-morrow.

Passengers Bill read  
2nd time.

The Bill for regulating the admission of Passengers, was read a second time, and—

Ordered to be committed To-morrow.

22nd &amp; 23rd May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

The House was put into Committee of the whole on the Bill entitled "An Act for increasing the number of Representatives to serve in the General Assembly of this Island."

The Honorable Mr. Haly took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received, and the Bill be read a third time To-morrow.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m. House adjourns.

FRIDAY, 23rd MAY, 1834.

The House met pursuant to adjournment. House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*,

" " JAMES SIMMS, *Attorney General*,

" " JAMES CROWDY, *Colonial Secretary*.

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS.

" " " GARLAND,

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill entitled "An Act for increasing the number of Representatives to serve in the General Assembly of this Island," was read a third time and passed : Increase of Representatives Bill passed.

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do acquaint the Commons House of Assembly of the same.

Pursuant to the order of the day, the House was put into Committee of the whole on the Passengers' Bill. Committee on Passengers' Bill.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

The Chairman reported progress, and asked leave to sit again on Monday.

Ordered, that the said Report be received.

Pursuant to the order of the day, the House was put into Committee of the whole on the Common Pleas Bill, as amended. Committee on Local Court Bill, as amended.

The Honorable Mr. Garland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee were of opinion that a Conference should be requested on the said Amendments, some of which they had adopted, and are as follows : Amendments on Local Court Bill adopted.

Page 2. line 8.—Expunge the word "Bay," and insert instead thereof the word "and;" after "Bonavista," add the word "Bay."

" " line 9.—Expunge "Saint Mary's;" and after "Fortune Bay," add the words "and Burin."

" " line 15.—Expunge the word "Bonavista," and the words "Saint Mary's."

Page 3. line 13.—Between the words "Fortune Bay" and "at," insert the words "and Burin;" and add to this line the words "and Harbor Briton."

" " line 14.—Between the words "Placentia" and "at," insert the word "Bay;" expunge the words "Burin and," and add to this line the words "Barren Island and Saint Mary's."

" " line 15.—Expunge the whole of this line.

" " line 16.—Add to this line the words "and Trepassy."

" " line 17.—Add to this line the words "and New Perlican."

" " line 18.—Expunge the words "Old Perlican," and insert instead thereof the words "Bonavista and Greenspond."

" " line 19.—Expunge the whole of this line.

23rd May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Page 6. line 1.—Expunge the words “during the season of the Fishery,” and insert instead thereof the words “between the first day of May and thirty-first day of October.”

Page 13. line 13.—Add to the 20th Section of the Bill the following words—“and shall also be Registrar of Deeds for the District in which such Court of Sessions has jurisdiction.”

Section to be added to the Bill :

“And be it further enacted, that as soon as His Excellency the Governor, or Acting Governor, for the time being, shall by Proclamation have notified to the Inhabitants of this Colony the time when the said Courts shall be intended to be opened, and the Judges thereof shall have respectively assumed and entered upon the exercise of their jurisdiction therein, then and from thenceforth any Suit, Action, Complaint, or Thing, which shall be depending in the Circuit Courts of this Island respectively, and which shall be cognizable in the said Courts of Common Pleas, shall and may, upon due notice to the Parties interested, be proceeded upon in the Supreme Court, or either of the Courts of Common Pleas instituted by virtue of this Act having jurisdiction within such part of the District or Districts in this Colony where the Writ or Process was made returnable ; and all proceedings which shall thereafter be had in such Action or Suit respectively, shall be conducted in like manner as if such Action or Suit had been originally commenced in the said Courts instituted under this Act ; and all Records, Muniments and Proceedings whatsoever, of and belonging to the said Circuit Courts respectively, shall, from and immediately after the opening of the said Courts of Common Pleas, be delivered over and deposited in the Supreme Court, and all parties shall and may have recourse to the said Records and Proceedings so deposited in the said Supreme Court.”

Ordered, that the said Report be received.

Ordered, that a Committee be appointed to draft instructions to the Conferees on the said Amendments, and that the Honorable the Colonial Secretary and the Honorable Mr. Thomas be a Committee for that purpose.

Committee appointed to Draft instructions for Conferees.

Pursuant to the order of the day, the Bill entitled “An Act to regulate the Standard of Weights and Measures in this Colony, and to provide for the admeasurement of Lumber,” was read a third time and passed, with the Amendments, which are as follows :

Weights and Measures Bill passed, amended.

Page 1. line 18 to 20.—Expunge the words between “and,” in 18th line, and “of,” in 20th line, and insert, instead thereof, “that the Clerks of the Peace for the several Districts of the Island, shall be the Assayers.”

Page 2. line 1.—After the word “District” insert “s,” and expunge the words “of Saint John’s,” and insert instead thereof “respectively, and for such Ports or Harbours where no such Clerk of the Peace shall reside, it shall be lawful for the Justices in General Sessions to appoint fit and proper persons to be Assayers of Weights and Measures for such Port or Harbour, shall they deem it expedient so to do.”

“ “ line 2.---Expunge “his,” and insert “their.”

“ “ line 3.---Expunge “his,” and insert “their.”

“ “ line 4.---After “shall,” insert “respectively;” after “deposited,” expunge the remainder of the section.

“ “ line 9.---After “Assayer,” insert “s;” in the same line expunge “he is,” and insert “they are.”

“ “ line 11.---Expunge “his,” and insert “their.”

“ “ line 18.---Expunge “he,” and insert “they;” after “shall,” insert “respectively.”

Expunge third clause.

Page 4. line 1.---Expunge “such,” and insert instead thereof “a Constable or;” expunge the words of the line after “Constables.”

“ “ line 2.---Expunge the words “think proper;” after the word “visit,” insert “in the day time.”

Page 6. line 5.---Expunge “and Coals.”

“ “ line 8.---Expunge “Coals or.”

23rd &amp; 26th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

Page 6. line 11.—After this section insert as follows: “And be it further enacted that every Hogshead for the measurement of Coals shall contain sixty-three gallons Imperial Measure, to be not less than thirty-nine inches wide at the top, and thirty-six inches wide at the bottom.”

Page 9. line 3.—After the word “Colony,” expunge the remainder of the section, and insert instead thereof, “and all such Fines, Penalties, and Forfeitures shall be paid to His Majesty, his Heirs and Successors, to be applied in their several moieties to the Person or Persons who shall respectively inform and sue for the same, and their other several moieties to the Public uses of this Colony.”

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

On motion made and seconded, the House adjourned to Monday, at One of the Clock, p. m. House adjourns.

MONDAY, 26th MAY, 1834.

The House met pursuant to adjournment. House meets.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

” ” JAMES SIMMS, *Attorney-General.*

” ” JAMES CROWDY, *Colonial Secretary.*

” ” Mr. HALY,

” ” ” THOMAS.

” ” ” GARLAND,

” ” ” BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day, the House was put into Committee of the whole on the Passengers' Bill. Committee on Passengers' Bill.

The Honorable Mr. Thomas took the Chair.

A Message being announced the House formed.

A Deputation from the Commons House of Assembly brought up a Message acquainting this House that they had passed the Bill sent down from the Council, entitled “An Act to explain certain Acts passed for the safe-keeping of Gunpowder, and to remove doubts respecting the same,” without Amendment. Message announcing that Government Gunpowder Magazine Bill passed.

The same Deputation brought up a Message acquainting this House that the Assembly had concurred in the Amendment made by the Council to the Amendments made by the Assembly to the Bill entitled “An Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attornies to practise the Law in the various Courts of this Island,” and then withdrew. Assembly concur in the Amendment on the Amendments to the Barristers' Bill.

The House was again put into Committee of the whole on the Passengers' Bill.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

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

Ordered, that the said Report be received.

The Bill entitled “An Act concerning the Registration of Deeds, and to repeal so much of an Act of the Imperial Parliament entitled ‘An Act for the better administration of Justice in Newfoundland, and for other purposes,’ as relates to the Registration of Deeds,” was read a first time, and— Registration of Deeds Bill read.

Ordered, to be read a second time on To-morrow.

The Honorable the Colonial Secretary announced to the House that he had a Message from His Excellency the Governor to this House, which is as follows:

THOMAS COCHRANE.

The Governor acquaints the Council that His Majesty has been pleased, by an order in

Message from the Governor acquainting this House that His Majesty had given his consent to certain Acts, viz.

26th & 27th May, 1834.

THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Council, to direct that the undermentioned Acts, passed in the last session of the Legislature of this Colony, should be left to their operation :

Viz.

- Quarantine Act. No. 1.—An Act to provide for the performance of Quarantine, and more effectually to provide against the introduction of Infectious and Contagious Diseases, and the spreading thereof in this Island.
- Saint John's Fire Company Act. No. 3.—An Act for the establishment and regulation of Fire Companies in the Town of Saint John's.
- Harbor-Grace Fire Company Act. No. 4.—An Act to establish and regulate Fire Companies in the Town of Harbor-Grace.
- Harbor-Grace Street Act. No. 5.—An Act to regulate the Streets in the Town of Harbor-Grace.
- Barristers' Act. No. 6.—An Act to declare the qualification and character of Persons admitted to practise as Barristers and Attornies of the Supreme Court of this Island.
- Pilots' Act. No. 7.—An Act for the regulation of Pilots and the Pilotage of Vessels at the Port of Saint John's.
- Nuisance Act. No. 8.—An Act for the more speedy abatement of Nuisances.
- Act for opening a new Street in St. John's. No. 9.—An Act for the opening a Public Street and Fire Break in the Town of Saint John's.
- Marriage Act. No. 10.—An Act to repeal the Laws now in force concerning the celebration of Marriages, and to regulate the future celebration of Marriages in this Island.
- Revenue Act. No. 11.—An Act for granting to His Majesty certain Duties on all Wines, and on all Brandy, Rum, Gin, and other Spirituous Liquors, imported into this Island and its Dependencies.
- Act to amend Harbor-Grace Street Act. No. 12.—An Act to amend an Act of the General Assembly, entitled "An Act to regulate the Streets of the Town of Harbor-Grace.
- Water Street House Bill. No. 13.—An Act to regulate the Building of Houses in Water-Street, in the Town of Saint John's.
- An Act to amend An Act for the Establishment of Fire Companies in Harbor-Grace. No. 15.—An Act to amend the Act of the General Assembly of this Island passed in the third Year of His Present Majesty's Reign, entitled "An Act to establish and regulate Fire-Companies in the Town of Harbor-Grace."
- Broad Cove annexation Act. No. 16.—An Act to annex Broad Cove, and other Places, to the District of Saint John's.

*Government-House,*  
26th May, 1834.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

TUESDAY, 27th MAY, 1834.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*  
" " JAMES SIMMS, *Attorney General,*  
" " JAMES CROWDY, *Colonial Secretary.*  
" " Mr. HALY,  
" " " DUNSCOMB,  
" " " THOMAS.  
" " " GARLAND,  
" " " BLAND.

The Minutes of the last day were read.

Registration of Deeds Bill, read 2nd time. Pursuant to the order of the day the Bill to provide for the Registration of Deeds in this Island, was read a second time, and—

Ordered, to be committed To-morrow.

Report of Draft of instructions to Conferees on Local Court Bill. The Honorable the Colonial Secretary, from the Committee appointed to Draft instructions for the Conferees on the subject of the Amendments on the Common Pleas Bill, reported a Draft, which is as follows :

27th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

The Legislative Council have requested this Conference with the Commons House of Assembly, for the purpose of acquainting the Assembly that they cannot concur in certain of the Amendments made by that House in and upon the Bill entitled "An Act to Establish Courts of Common Pleas in Newfoundland, and to repeal so much of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, entitled 'An Act for the better Administration of Justice in Newfoundland, and for other purposes,' as relates to the establishment of Circuit Courts, and Courts of General and Quarter Sessions of the Peace," for the following reasons:

A leading principle of the Bill, as sent down by the Legislative Council, was the separation of the Civil from the Criminal Jurisdiction of the Inferior Courts of the Island, and the vesting in a competent tribunal all Civil Jurisdiction, and the restoration of the Courts of General Sessions of the Peace to their proper and appropriate functions as Criminal Courts, of which for many years they have been deprived under circumstances which the Legislative Council presume were thought sufficient, at the time, by those who recommended the restriction of their authority.

By the Judicature Act, 5 Geo. 4. c. 67, power is given to the Courts of Sessions to take cognizance of Debts not exceeding Forty Shillings, and to determine disputes concerning Seamen's Wages, and certain other matters relating to the Fishery. In suits of this description, it is evident that the whole Commercial Population of the Island must be interested; and therefore Mercantile Men could not with any propriety be placed in the Commission of the Peace: And yet, in a Colony like Newfoundland, it is equally evident that the Police of the Colony must materially suffer by the exclusion of nine-tenths of the property and intelligence of the Community from any share in its local Magistracy.

To obviate an evil so apparent, the Legislative Council proposed to vest in Courts of Common Pleas, to be held in such places as might be thought necessary, a Civil Jurisdiction, limited in its extent, though far greater than that heretofore exercised by the Sessions, whereby an objection would be removed to the Merchants and other respectable Men in Business being placed in the ordinary Commission of the Peace—a distinction most honorable in itself, and conferring the power of doing essential service to the Colony.

The first Amendment, however, made by the Assembly, not only destroys this first principle of the Bill as sent down by the Council, but the provisions subsequently adopted by the Assembly, extending the jurisdiction of the Sessions in Saint John's, materially aggravates the evil sought to be redressed by the Legislative Council.

The Legislative Council are the more at a loss to discover upon what principle the Sessions in Saint John's, in preference to any of the Outports, should be upheld in its Civil Jurisdiction, when it is recollected that the objection to the Sessions taking cognizance of Civil Suits gains strength in proportion to the accumulation of Civil Business, as well as in proportion to the increase of Commercial Population, who are excluded from the Commission of the Peace because it would be improper for them to try their own causes, while their services are much required as Magistrates for the purposes of Police in the Capital of the Island.

On the principle of economy, also, the Legislative Council cannot concur in upholding the Courts of Sessions as a Civil Court, and instituting Courts of Common Pleas, which necessarily creates the incidental expenses of two establishments, where one will answer the purpose. In Saint John's, especially, the expense of the Court of Sessions is far greater than the circumstances of the Colony require: there are at present three Magistrates, whose salaries in the aggregate amount to £770, including the additional grant to the Junior Magistrate, with a Clerk receiving considerable emolument from Fees, and nine Constables, at salaries amounting to £324, who likewise receive Fees for the performance of their duties. These Salaries, with the Fees, may fairly be estimated at £1500, to which, if the salary of the Clerk of the Central Circuit Court, amounting to £250, be added, there will appear to be expended in the administration of Justice, in the Inferior Courts of the Central District alone, £1750; all which expenses the Amendments made by the House of Assembly tend to uphold: whereas if a Court of Common Pleas be established in Saint John's, and an efficient Bench of Magistrates be appointed, the charges upon the Public Revenue need not exceed Six Hundred Pounds.

27th May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

The Judge of the Common Pleas, at Saint John's, may be the Chairman of the Sessions, and may generally be in attendance at the Police Office, or Room appointed for him to hold his Court in, where, for the hearing of Criminal matters, he may be assisted by such Gentlemen in the Commission of the Peace, as can from time to time attend, according to such rotation as they may arrange amongst themselves; but should it be thought inexpedient to trust at all to the gratuitous services of the Gentlemen of the Town, the establishment of the Inferior Court for the trial of Civil causes, will not prevent the payment of any additional Magistrate whose services may, upon experiment, be found necessary to assist the Judge of the Common Pleas in his Criminal Duties.

There is also an invidious distinction drawn by the provisions introduced by the Assembly relative to the qualification of Judges. The Judges for the Outports are to be Barristers, or otherwise they must be approved of by the Chief Justice as duly qualified; but no such provision is extended to the Magistrates of Saint John's, although they, without any stipulated qualification, would, under the contemplated arrangement, try many more causes in a year than most of the Judges whose fitness for the office seems to have been so scrupulously required.

By a subsequent Amendment the Assembly propose, for the sake of economy it is presumed, to abolish the office of, at least, one of the Assistant Judges of the Supreme Court; and yet, so far from diminishing the number of stipendiary Magistrates in Saint John's, the Assembly have found it necessary, as an act of Justice, to vote an addition to the salary of one of the Justices.

If one or two Judges can be dispensed with in the Supreme Court of the Island, surely as many Justices might be spared from the most inferior, particularly when it is believed that the reason for increasing the salary of the Justice before-mentioned was, his having, for a long time past, discharged the chief duties of that office; and therefore, while the House of Assembly urge the dispensing with the services of some of the Judges of the highest tribunal, on the score of economy, they cannot refuse to concur with the Legislative Council in diminishing the number of Police Magistrates, which in the opinion of the Legislative Council is quite disproportioned to the duties required, and to the other judicial establishments of the Colony.

If, after an economical application of the Revenue to the various departments of the public service, it should be found that the resources of the Island are not adequate to sustain the charges of the present number of Judges in the Supreme Court, the Legislative Council will cheerfully acquiesce with the Assembly in passing an Act for the repealing so much of the Act of the Judicature as requires the Supreme Court to be held by three Judges; but the Legislative Council feel that they would but ill discharge the important duties with which the constitution of this Island has invested them, did they not earnestly endeavour to press upon the House of Assembly their sense of the propriety of leaving inviolate the highest tribunal of the Colony, until all other branches of the public service have been curtailed to the lowest point consistent with the efficient discharge of their necessary duties.

The Legislative Council, after the most deliberate consideration which they have been enabled to give the subject, are clearly of opinion that it is quite incompatible with a wholesome administration of Justice, as well criminal as civil, that the present jurisdiction of the Sessions in civil suits, should be any longer continued; therefore they cannot concur in the first and subsequent amendments of the Bill, which tend to uphold the civil jurisdiction of the Sessions in any particular.

In the present state of the Bar in this Colony, it is not probable that a sufficient number of Professional Gentlemen can be selected to fill the office of Judge in the several parts of the Island where it is contemplated to place them; and the Legislative Council are of opinion that it would be throwing very invidious and disagreeable duty upon the Chief Justice, were he required to certify the fitness of any other persons whom it might be desirable to appoint; and therefore the Legislative Council do not concur in the Amendment respecting the qualification of the Judges, conceiving that the King's Instructions upon this point, directing that no Person be appointed a Judge without the advice and consent of the majority of the Council, to be a more convenient method of arriving at the same object—an Amendment to which effect the Legislative Council will be ready to concur in.

27th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

The Amendment requiring a Judge to reside at Fortune Bay and Burin, must have arisen from inadvertence, as the Judge cannot reside in both places; perhaps requiring him to reside at Burin would be the best arrangement.

The Legislative Council do not concur in the Amendment to expunge the third clause of the Bill, or in the Amendments to the fourth, except in so far as the names of places for holding the Courts are altered.

The Legislative Council do not concur in expunging the fifth clause, because they are of opinion that it will be less expensive to, and more convenient for parties to have the place of trial named in the first instance, than after Witnesses and Parties have come to the Court with an expectation of proceeding to trial, when after waiting some time they may be required to attend again at some other Court.

The sixth clause, the Legislative Council think, had better not be expunged, although they are willing upon this point to concur with the Assembly, if, upon further consideration, they shall adhere to their first determination with regard to it.

The first Amendment to the seventh clause the Legislative Council do not concur in, because the Jurisdiction of the Inferior Courts would be thereby rendered far too extensive; neither do they concur in the last, because they consider it of the very first importance to repress credit sales of Spirituous Liquors by retail.

By the 24th Geo. 2. Cap. 40, Sec. 12, the recovery at law, for the amount of Sales of Spirituous Liquors, to a less amount than 20s. at one time, is expressly prohibited.

The Amendments to the eighth clause the Legislative Council do not concur in, with the exception of that which fixes a precise period, instead of the doubtful expression of "the season of the Fishery."

The Legislative Council do not concur in the expunging of the 10th, 11th, 12th, and 13th clauses, or in the clause introduced in lieu thereof.

The Legislative Council cannot concur in the Amendment to the 15th clause, whereby the cause of action is substituted for the sum recovered, which latter ought to be the criterion, and not the *cause* of action, which in many instances is not a sum of Money, but an injury for which damages are sought to be recovered; and moreover, where Money is clearly the cause of action, yet there may be a large sum claimed, although very little be due; and therefore the Legislative Council conceive the provision relative to appeal was better as it stood before the Amendment.

The object the Legislative Council had in view, in framing the provision at the end of the sixteenth section, was the prevention of vexatious suits, not intended to be urged, or, if prosecuted, which should be persevered in without any reasonable or probable cause, to harrass the defendant, who, if successful, would be often put to much trouble and expense, while the costs of the suit would be but a slight restraint upon a Plaintiff who might be vindictively inclined. In the higher Courts, the Costs incident to the loss of a cause are generally a sufficient restraint upon Parties not to continue litigation hopelessly.

In the lower Courts, the trifling and consequently litigious people may indulge their propensity with less expense, and to the great annoyance of their more peaceful neighbour.

The Amendments to the seventeenth section the Legislative Council do not concur in; the object of the Proviso which the Assembly have expunged, is to restrain the Jurisdiction of the Inferior Courts to the same bounds in relation to the Defendant's set off, which are set to the Plaintiff's right of Action before the same tribunal.

In Courts exercising a summary Jurisdiction in places where ignorant people often conduct and defend their own causes, it may frequently happen that after a suit has been heard in part, the Judge may see that it would tend to the ends of Justice to adjourn the final hearing until a future day, to enable a party to get evidence to meet some unexpected matter; and therefore the Legislative Council conceive that the Judge should be allowed to exercise his discretion in adjourning the final hearing to a future day at any time before Judgment; consequently they do not concur in the Amendments to the 19th section.

In the Amendment to the 20th section, the Legislative Council concur, although they are of opinion that the provision respecting the Registration of Deeds would have more appropriately formed a part of the Registry Bill sent up from the Assembly.

27th &amp; 29th May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

The Legislative Council do not concur in the Amendment made to the 21st section, although they would have no objection to have the words "and Council," inserted after the word "Governor," in the 2nd line of the said clause.

As the Legislative Council do not approve of the continuance of the Civil Jurisdiction in the Sessions, they of course do not concur in the latter clauses, introduced by way of Amendment, relating to that Court.

Upon the subject of Insolvencies being declared in the Inferior Courts, the Legislative Council are of opinion that it will not be proper to intrust those tribunals with the authority contemplated by the Amendment made by the Assembly, although they will have no objection to the introduction of a provision authorising the Judges of the Courts of Common Pleas to receive declarations of Insolvency, and to examine the Insolvents, and to take any evidence relating thereto,—that the Party alledged to be Insolvent ought to be so declared, he shall certify the whole proceeding to the Supreme Court, who shall hear and determine the matter, and take such order for the settling the Estate and Effects of the Party, as if he had been sued originally in the Supreme Court.

The Legislative Council do not concur in the clause restricting the appointment of the Judges, it not being sufficiently general in its application to be a fit subject for a Public Act of the Legislature.

Ordered, that the said instructions be adopted.

The House was put into a Committee of the whole on the Amendments to the Interest Bill.

Committee on Interest Bill as amended.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

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

Ordered, that the said Report be received.

House adjourns.

On motion made and seconded, the House adjourned to Thursday next, at One of the Clock, p. m.

THURSDAY, 29th MAY, 1834.

House meets.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*,

" " JAMES SIMMS, *Attorney General*,

" " JAMES CROWDY, *Colonial Secretary*.

" " Mr. HALY,

" " " DUNSCOMB,

" " " THOMAS.

" " " GARLAND,

" " " BLAND.

The Minutes of the last day were read.

Order for Committee on Registration Bill discharged. Committee on Passengers' Bill.

On motion made and seconded, the order of the day for the Committee of the whole on the Registration Bill, was discharged.

The House was put into Committee of the whole on the Passengers' Bill.

The Honorable Mr. Thomas took the Chair.

A Message being announced the House formed.

Assembly request Conference on the Amendments on Local Court Bill. Granted.

A Deputation from the Commons House of Assembly brought up a Message requesting a Conference on the subject of the Amendments made on the Bill for the Establishment of Courts of Common Pleas.

Ordered, that the said request be acceded to; that the Master in Chancery do acquaint the Assembly of the same, and that they have appointed the Honorable the Colonial Secretary and the Honorable Mr. Thomas to meet Managers from the Assembly presently on that subject.

Report of Conferees on Amendments to Local Court Bill.

The Honorable the Colonial Secretary, from the Conferees on the subject of the Common Pleas Bill, reported that they had met the Managers from the Assembly, who delivered the instructions of that House as follows:

29th May, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

The Commons House of Assembly have requested this Conference with the Legislative Council on the subject of the last Conference respecting the Amendments made in and upon the Bill sent down from the Legislative Council, entitled "An Act to establish Courts of Common Pleas in Newfoundland, and to repeal so much of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, entitled 'An Act for the better administration of Justice in Newfoundland, and for other purposes,' as relates to the Establishment of Circuit Courts and Courts of Sessions of the Peace in this Island," for the purpose of acquainting the Legislative Council that as the Bill embraces objects of the deepest importance to the interests of this Colony, the Assembly are of opinion, considering the protracted period of the Session, and the great difference of sentiment, upon the detail of the measure, existing between the two Houses, that there will not now be sufficient time to bring the same to a satisfactory conclusion; and the Assembly therefore recommend that the further consideration of the Bill be postponed until the next Session of the Colonial Parliament.

A Deputation from the Assembly brought up a Message requesting a Conference on the Amendments made upon the Bill to regulate Weights and Measures, and to provide for the Surveying of Lumber.

Assembly request Conference on Amendments made to the Weights and Measures Bill.

Ordered, that the said request be acceded to; that the Master in Chancery do acquaint the Assembly thereof; and that this House have appointed the Honorable Messieurs Thomas and Garland to be Conferees, who will be ready to meet Managers from the Assembly presently.

The Honorable Mr. Thomas, from the Conferees on the subject of the Amendments to the Bill for regulating Weights and Measures, reported that they had met the Managers from the Assembly, who delivered the Instructions of that House as follows:—

Report of Conferees on Amendments to the Weights and Measures Bill.

The Commons House of Assembly have desired this Conference with the Legislative Council, on the subject of the Amendments made in the Bill entitled "An Act to regulate the Standard of Weights and Measures in this Colony, and to provide for the surveying of Lumber," for the purpose of acquainting the Legislative Council that they do not concur in the Amendment made in the said Bill, by which it is proposed to make the Clerks of the Peace the Assayers of Weights and Measures.

As the Clerks of the Peace in the several Districts in the Island, would most probably be Officers of those Courts in which in almost all instances the Fines and Penalties imposed by the Act would be sued for, a temptation would thus be thrown in their way oppressively to exercise an authority which would in various ways be productive of emoluments to them; and to say the least, it would be throwing an unpleasant and invidious duty upon the Assayers, if Clerks of the Peace, which might be ultimately prejudicial to the interests of the public. In some of the Districts of the Island, moreover, it would be next to impossible for a Clerk of the Peace, within his Jurisdiction, to discharge the duty required of him by the Act; and the Assembly are therefore of opinion that it would be highly desirable that Persons other than those filling the office of Clerk of the Peace should be appointed Assayers of Weights and Measures.

The House of Assembly will concur in the Amendment by which Coals are excepted from the operation of the 9th section of the Act; and also to the following Amendment, regulating the size and dimensions of the Hogshead in which Coals are to be measured, provided the following words be added to the last mentioned Amendment—"and all Coal sold in such Measure as aforesaid, shall be heaped to a height of at least sixteen inches above the edge or brim thereof."

The House was again put into Committee on the Passengers' Bill.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

The Chairman reported the Bill with some Amendments.

Ordered, that the said Report be received.

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

The Amendments are as follows:

Expunge the first section of the Bill.

Amendments to Passengers' Bill.

29th &amp; 30th May, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

After the third section insert the words "And if the Master or other Person having charge of such Vessel, shall permit or suffer any Passenger to be landed from on board any such Vessel before such Bond shall have been entered into as aforesaid, such Vessel, together with her Tackle, Apparel, and Furniture, shall be forfeited to His Majesty, and the net proceeds of the Sales on such Forfeitures shall be applied to the relief of the destitute and infirm Poor of the place where such seizure shall be made. Provided always, that such Vessel, with her Tackle, Apparel, and Furniture, shall and may be restored to the Master at any time within Sixty Days after such seizure, upon such Bond as is hereinbefore mentioned being given in relation to all such Persons as shall have so landed without permission as aforesaid, and upon payment of all such Costs and Charges as the Collector may have been put to by reason of such seizure."

Section 4. line 2.—After the word "shall," insert the words "become destitute, be found begging, or."

" " line 3.—Expunge "chargeable," and insert "burthensome."

" " line 11.—After "become," insert "destitute, or be found begging, or become."

Same line.—Expunge "chargeable," and insert "burthensome."

Sec. 5. line 7 to 10.—Expunge the words between "to," in the 7th line, and "the said," in 10th line, and instead thereof insert "seize."

" " line 12.—After "and," insert "until": expunge the words between "expenses" and "of," and insert "attending."

" " line 13.—After "such," insert "seizure and": after "shall," expunge the remainder of the section, and insert instead thereof "have been fully paid and satisfied."

Expunge the Sixth Section.

Expunge the Ninth Section.

Schedule A. line 5.—After "Fourth," insert "by the Grace of God."

" " line 6.—After "King," insert "Defender of the Faith."

" " line 18.—After "become," insert "burthensome or."

" " line 19.—After "Public," insert "or other charitable."

" " line 20.—After "indigence," insert "or be found begging within this Island."

At the end of the Bill insert "And be it further enacted, that this Act shall not come into operation before the first day of January now next ensuing."

The House was put into Committee of the whole on the report of the Conferees on the subject of the Weights and Measures Bill.

The Honorable Mr. Thomas took the Chair.

After some time the House resumed.

The Chairman reported that the Committee could not recede from their Amendments constituting the Clerks of the Peace the Assayers of Weights and Measures, but that they adopted the proviso respecting the measurement of Coal, and recommending that a Conference be requested on the subject.

Ordered, that a Committee be appointed to draft instructions to the Conferees on the said subject; and that the Honorable the Colonial Secretary and the Honorable Mr. Thomas be a Committee for that purpose.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

FRIDAY, 30th MAY, 1834.

The House met pursuant to adjournment.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*,

" " JAMES SIMMS, *Attorney General*.

" " JAMES CROWDY, *Colonial Secretary*,

" " Mr. DUNSCOMB,

" " " THOMAS,

" " " GARLAND,

" " " BLAND.

Conference on Amendments to Weights and Measures Bill recommended.

Committee appointed to draft instructions for Conferees.

House adjourns.

House meets.

30th May, &amp; 2nd June, 1834.

71 MALL SIR THOMAS JOHN COCHRANE, KNIGHT, Governor. THIRD

The Minutes of the last day were read.

Pursuant to the order of the day, the Bill to regulate the introduction of Passengers in Vessels arriving in this Colony, as amended, was read a third time and passed :

Passengers' Bill, as amended, passed.

Whereupon the Speaker signed the same, and it was—

Ordered, to be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House to the Amendments.

The Honorable Mr. Garland asked leave of the House to absent himself from his Parliamentary Duties.

The Honorable Mr. Garland asks and obtains leave of absence.

Ordered, that leave be granted.

The House was put into Committee of the whole on the Interest Bill.

Committee on Interest Bill.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported the Amendments with an Amendment which is as follows :

At the end of the last Amendment insert " And be it further enacted, that no claim for Interest exceeding six per centum per annum, shall be recoverable against any Insolvent Estate in this Island."

Amendment on the Amendments to the Interest Bill.

Ordered, that the said Report be received, and that the Amendments be engrossed and read a third time on Monday next.

On motion made and seconded, the House adjourned to Monday next, at One of the Clock, p. m.

House adjourns.

MONDAY, 2nd JUNE, 1834.

The House met pursuant to adjournment.

House meets

Present,

The Honorable HENRY JOHN BOULTON, *Speaker,*

" " JAMES SIMMS, *Attorney General,*

" " JAMES CROWDY, *Colonial Secretary.*

" " Mr. DUNSCOMB,

" " " THOMAS.

" " " BLAND.

The Minutes of the last day were read.

Ordered, that a Conference be requested with the Commons House of Assembly, on the subject of the Amendments made in the Bill to regulate the Weights and Measures, and to provide for the surveying of Lumber.

Conference on the Amendments to the Weights and Measures Bill requested.

Ordered, that the Master in Chancery do acquaint the Commons House of Assembly thereof, and that this House have appointed the Honorable the Colonial Secretary and the Honorable Mr. Thomas as Conferees, who will be ready to meet Managers from the Assembly at half-past Two of the Clock, for that purpose.

The Honorable Mr. Thomas, from the Committee appointed to draft instructions to Conferees on the subject of the Bill for regulating Weights and Measures, and surveying of Lumber, reported a draft as follows :

Report of Instructions to Conferees on the Amendments on the Weights and Measures Bill.

The Legislative Council have desired this Conference with the Commons House of Assembly for the purpose of informing the Assembly that they insist on their Amendment to the Bill entitled " An Act for the regulation of Weights and Measures in this Colony, and to provide for the surveying of Lumber," which nominates the Clerks of the Peace to be Assayers of Weights and Measures in their respective Towns or Harbours.

The Bill gives to the Assayers such extensive powers as should only be entrusted to Persons of known character and respectability, and in whose keeping the Standard Weights and Measures may with safety be reposed. Such Persons could not be found to undertake so responsible a situation, unconnected with any other place of emolument under Government, unless a remuneration were made to each beyond what the Revenues of the Colony could afford; while a small additional salary to the Clerks of the Peace would compensate them for the extra duty here imposed on them.

The second Amendment made by the Legislative Council provides for the appointment of Assayers where no Clerks of the Peace reside.

1834 2nd June, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Ordered, that the said instructions be adopted.

Conference on Contingencies requested.

Ordered, that a Conference be requested with the Assembly on the subject of the last Conference respecting the Message sent up from the Assembly relating to the Contingencies of this House—that the Master in Chancery do acquaint that House of the same; and that the Honorable the Attorney General, and the Honorable Mr. Thomas, be the Conferees, who will be ready to meet Managers from the Assembly, presently, for that purpose.

Instructions for Conferees on the Contingencies.

Instructions for the said Conferees were then proposed and carried, and are as follows:

The Legislative Council have requested this Conference, upon the subject of the last Conference on the Message sent up from the House of Assembly respecting the Contingencies of the Legislative Council, for the purpose of expressing their entire satisfaction with the declaration on the part of the Assembly, at the last Conference, that they had no desire to interfere with the privileges of the Legislative Council; and they can assure the Assembly that the same anxious desire to preserve a good correspondence between the two Houses which has at all times been felt by the Legislative Council, will ever continue to guide their proceedings.

As the Legislative Council do not precisely comprehend the object which may have influenced the Assembly in alluding to certain Salaries supposed to be attached to the Officers of the Legislature, or to the proceedings of the Legislatures of some neighbouring Colonies, the Legislative Council take this opportunity of stating their sentiments upon the points referred to; that they may not appear to treat with inattention any topic to which the Assembly have thought proper, however incidentally, to notice.

With reference to the Officers attached to their House, the Legislative Council perfectly concur with the Assembly in the opinion that they ought, in common with the officers of the Assembly, to be remunerated for their services by salaries; but until proper Salaries shall have been fixed by an Act of the Legislature, the Legislative Council cannot regard any gratuity which they may have thought it proper to award to those Officers, in any other light than a contingency; and it is quite clear that consistently with the ordinary meaning of terms, no payment for an uncertain duty performed, without any stipulation as to remuneration or length of service, can be regarded in that light.

Had the Assembly proposed to place the Salaries of the Officers of the two Houses upon a permanent footing, and with that view had been desirous of knowing what Sums the Legislative Council had voted to their Officers as temporary allowance for the present Session, the Legislative Council are at a loss to discover why the Assembly did not adopt the usual Parliamentary method of searching their Journals for that purpose.

As the Legislative Council have no authentic information before them relative to the constitution of the Legislatures of the neighbouring Colonies, to which probably the Assembly allude, they do not intend to express any opinion upon the Parliamentary character of their proceedings; but as the Legislative Council desire to follow the usages of the British Parliament, in all their intercourse with the other Branches of the Legislature, they do not see what useful end can be attained by examining into precedents elsewhere.

The House was put into Committee of the whole on the Appropriation Bill.

The Honorable the Colonial Secretary took the Chair.

A Message being announced the House formed.

Committee on the Appropriation Bill.

Assembly accede to the Conference requested on the Contingencies.

A Deputation from the Assembly brought up a Message acceding to the Conference requested on the subject of the last Conference respecting the Message upon the Contingencies of this House.

Report from Conferees.

The Honorable the Attorney General, from the Conferees on the subject of the last Conference, respecting the Message on the Contingencies, reported that they had met the Managers from the Assembly to whom they had delivered the instructions of this House.

The House was again put into Committee of the whole on the Appropriation Bill.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

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

Amendments on Appropriation Bill.

Expunge the Preamble, and insert instead thereof, "May it please Your Excellency, We His Majesty's dutiful and loyal subjects the Commons of His Majesty's Island of Newfoundland, in Parliament Assembled having freely and voluntarily resolved to give and grant

2nd & 3rd June, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

to His Majesty a supply to defray certain charges for the Administration of Justice, and the support of the Civil Government of this Island, do humbly beseech Your Excellency that it may be enacted, and."

In the last line but six of the first section, expunge the words between "Pounds" and "as," in the following line, and insert instead thereof the words "to Peter Weston Carter, Esquire, for his past services."

In the last line of the Fourth Section, expunge "House of Assembly," and insert instead thereof "Legislature."

Expunge, in the said line, "for approval."

Ordered, that the said Amendments be engrossed, and the Bill, as amended, be read a third time To-morrow.

A Message being announced the House formed.

A Deputation from the Assembly brought up a Message acceding to the Conference requested on the Bill for regulating Weights and Measures.

The Honorable the Colonial Secretary, from the Conferees on the Weights and Measures Bill, reported, that they had met Managers from the Assembly, to whom they delivered the Instructions of this House.

The Honorable the Speaker moved for leave to bring in a Bill to remove doubts respecting the necessity of three Judges attending during the term of the Supreme Court of this Island.

Leave granted.

Ordered, that on the present occasion the Thirty-Eighth Rule be dispensed with.

The said Bill was then read a first and second time; then—

The House was put into Committee of the whole on the said Bill.

The Honorable Mr. Bland took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

TUESDAY, 3rd JUNE, 1834.

The House met pursuant to adjournment.

Present,

- The Honorable HENRY JOHN BOULTON, Speaker,
- " " JAMES SIMMS, Attorney General.
- " " JAMES CROWDY, Colonial Secretary,
- " " Mr. HALY,
- " " " DUNSCOMB,
- " " " THOMAS,
- " " " BLAND.

The Minutes of the last day were read.

Pursuant to the order of the day the question for the third reading of the Amendments to the Bill entitled "An Act to regulate the rate of Interest in this Island," was put; when there appeared—

Contents,

- The Honorable the ATTORNEY-GENERAL,
- " " " COLONIAL SECRETARY,
- " " " Mr. HALY,
- " " " BLAND.

Non-Contents,

- The Honorable the SPEAKER,
- " " " Mr. DUNSCOMB,
- " " " THOMAS.

Assembly assent to Conference on the Weights and Measures Bill.

Report from Conferees on the Weights and Measures Bill.

Notice for leave to bring in a Bill respecting the attendance of the 3 Judges in the Supreme Court.

38th Rule dispensed with.

The Bill respecting 3 Judges attending in the Supreme Court, read 1st and 2nd time, and committed.

House adjourns.

House meets.

Amendments on Interest Bill read 3rd time, and passed.

3rd &amp; 4th June, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

So the Amendments were read a third time, and passed.

Whereupon the Speaker signed the same, and it was—

Ordered, that the Master in Chancery do go down and acquaint the Assembly that this House had passed the Amendments made by them to the said Bill, with an Amendment to which the concurrence of that House is requested.

Pursuant to the order of the day, the question for the third reading of the Bill to remove doubts respecting the necessity of three Judges attending during the term of the Supreme Court, was put; when there appeared a majority against the third reading; so the same was carried in the negative.

3rd reading of the Bill respecting the necessity of 3 Judges attending in the Supreme Court, lost.

Free Conference on Weights and Measures Bill, as amended, requested.

A Deputation from the Commons House of Assembly requested a Free Conference on the subject of the Amendments made by this House to the Bill for regulating the Weights and Measures in this Colony, and to provide for the surveying of Lumber.

Ordered, that the same be granted.

Ordered, that the Master in Chancery do acquaint the Assembly thereof, and that this House have appointed the Honorable the Colonial Secretary, and the Honorable Mr. Thomas, as Conferees, who will be ready to meet Managers from the Assembly presently.

Appropriation Bill, as amended, passed.

Pursuant to the order of the day, the Appropriation Bill was, with its Amendments, read a third time and passed.

Whereupon the Speaker signed the Amendments, and it was—

Ordered, to be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House to the Amendments.

House adjourns.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

WEDNESDAY, 4th JUNE, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

” ” JAMES SIMMS, *Attorney-General.*

” ” JAMES CROWDY, *Colonial Secretary.*

” ” Mr. HALY,

” ” ” DUNSCOMB.

The Minutes of the last day were read.

Report of Conferees on the Amendments to Weights and Measures Bill.

The Honorable the Colonial Secretary, from the Conferees on the subject of the Amendments made in the Bill for regulating Weights and Measures, reported that they had met the Managers from the Commons House of Assembly on the said Amendments, who are unwilling to adopt the Amendments of this House constituting the Clerks of the Peace, in the several Towns of this Island, Assayers of Weights and Measures; as they are of opinion that many objections and difficulties exist to such a system, inasmuch as in some cases, an inducement would be held out to the Clerks of the Peace to institute prosecutions against Parties, on a charge of using false Weights, for the emolument to be derived to themselves by such prosecutions; and in others, particularly in the Town of Saint John's, the Clerks of the Peace could not attend to the duties of Assayers of Weights and Measures consistently with a necessary attention to their own Offices.

The Honorable Mr. Thomas enters.

House recedes from certain Amendments made in the Weights and Measures Bill.

Moved by Mr. Haly, and seconded, that this House do recede from its Amendments on the Bill, entitled “An Act to regulate the Standard of Weights and Measures, and to provide for the Surveying of Lumber,” as far as they relate to the appointment of Clerks of the Peace in the several Districts of the Island to be Assayers of Weights and Measures.

Ordered, that a Message be sent to the Commons House of Assembly, by the Master in Chancery, to that effect.

Assembly concur in the Amendment on the Amendment to the Interest Bill.

A Deputation from the Commons House of Assembly brought up a Message concurring in the Amendment made by this House, to the Amendment made on the Rate of Interest Bill.

4th &amp; 5th June, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

A Deputation from the Commons House of Assembly brought up a Message consenting to the Amendments made on the Appropriation Bill.

Assembly consent to Amendments on the Appropriation Bill.

A Deputation from the Commons House of Assembly brought up a Message requesting a Conference on the subject of the last Conference respecting the Contingencies of this House.

Assembly request a Conference on the subject of the Contingencies.

The Honorable the Attorney-General, from the Conferees on the subject of the Contingencies of this House, reported that they had met Managers from the Assembly, who delivered the instructions of that House.

Report of the Conferees.

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

House adjourns.

THURSDAY, 5th JUNE, 1834.

The House met pursuant to adjournment.

House meets.

*Present,*

*The Honorable* HENRY JOHN BOULTON, *Speaker,*

„ „ JAMES SIMMS, *Attorney General.*

„ „ JAMES CROWDY, *Colonial Secretary,*

„ „ Mr. THOMAS,

„ „ „ BLAND.

The Minutes of the last day were read.

A Deputation from the Assembly brought up a Message, acquainting this House that they had passed the Bill sent down from this House entitled “An Act to remove doubts respecting the introduction of the Law of England into Newfoundland;” with some Amendments, which were read a first time, and are as follows:—

Assembly pass Law of England Bill with some Amendments which were read.

Section first—After the word “extend,” in the fourth line, expunge the remainder of the Section, and insert instead the words following—“to introduce into this Island the English Law of Inheritance, nor any part of the Statute Law of England not expressly relating to Newfoundland, or not by the express terms thereof made applicable to His Majesty’s Colonies generally, which previous to the first day of January 1833, had not been adopted by the Superior Courts of Judicature of this Island; nor to introduce any part of the Statute Law of England which has been enacted since the said first day of January 1833; nor to alter, vary, or affect any customs or usages of this Island, which have heretofore been established by the decisions of the said Courts.”

Amendments.

Expunge the last section of the Bill.

Ordered, that the same be read a second time this day three months.

Ordered that the said Amendments be read this day three months.

The Honorable Mr. Dunscomb enters.

The same Deputation brought up the Amendment made by the Legislative Council to the Bill entitled “An Act to regulate the Standard of Weights and Measures in this Colony, and to provide for the surveying of Lumber,” with an Amendment to which the concurrence of this House is requested.

Assembly send up an Amendment to the Amendment on the Weights and Measures Bill, which was read.

The same was then read, and is as follows:

Add to the section proposed to be inserted in the Bill, after the ninth clause thereof, the words following—“and all Coals sold in such Measure as aforesaid, shall be heaped to a height of Sixteen Inches above the edge or brim thereof.”

Ordered, that the same be concurred in, having been suggested by this House; and that the Master in Chancery do acquaint the House of Assembly of the same.

On motion made and seconded, the House adjourned to To-morrow at One of the Clock, p. m.

House adjourns.

6th &amp; 7th June, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

FRIDAY, 6th JUNE, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*  
 " " JAMES SIMMS, *Attorney General,*  
 " " JAMES CROWDY, *Colonial Secretary.*  
 " " Mr. DUNSCOMB,  
 " " " THOMAS.  
 " " " BLAND.

The Minutes of the last day were read.

Instructions to the Managers on the part of the Assembly at the last Conference on the Contingencies, ordered not to be entered on the Journals.  
 Supply Bill brought up and read.

Ordered, that the Instructions furnished by the House of Assembly to their Managers upon the last Conference had on the subject of the Message sent by that House relative to the Contingencies of the Legislative Council, and reported to this House through its Conferees, be not entered upon the Journals of this House.

A Deputation from the Commons House of Assembly brought up a Bill entitled "An Act to provide for the payment of certain expenses for the year 1834."

The same was then read.

38th Rule dispensed with, and the Bill read 2nd time and committed.

Ordered, that the thirty-eighth Rule of this House be on the present occasion dispensed with---

Whereupon the said Bill was read a second time.

The House was then put into Committee of the whole on the said Bill.

The Honorable Mr. Dunscomb took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had concurred in the Bill, with some Amendments which are as follows :

Amendments to the Supply Bill.

The words in the first clause---"to aid Walter Walsh, a sufferer by fire, in rebuilding his House, the Sum of Twenty Pounds," not concurred in.

In the last line but one of the second page, after "Speaker," insert "of the Legislative Council, and to the Speaker."

Conference recommended.

And were of opinion that a Conference should be requested with the Commons House of Assembly on the same.

Ordered, that the said Report be received.

Committee to draft instructions for Conferees on the subject of the same.

Ordered, that a Committee be appointed to draft instructions to the Conferees on the said subject ; and that the Honorable the Colonial Secretary and the Honorable Mr. Thomas be a Committee for that purpose.

House adjourns,

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

SATURDAY, 7th JUNE, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*  
 " " JAMES SIMMS, *Attorney-General.*  
 " " JAMES CROWDY, *Colonial Secretary.*  
 " " Mr. DUNSCOMB.  
 " " " THOMAS,  
 " " " BLAND.

The Minutes of the last day were read.

Draft of instructions for Conferees on the subject of the Supply Bill reported.

The Honorable the Colonial Secretary, from the Committee appointed to draft instructions for the Conferees on the subject of the Bill to provide for the payment of certain expenses for the services of the year 1834, reported a Draft.

7th &amp; 9th June, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

Ordered, that the House be put into a Committee of the whole on the said Report.

Committee on the Report.

After some time the House resumed.

The Chairman reported instructions, which are as follows :

Instructions to the Conferees, on the part of the Legislative Council, on the subject of the Bill entitled "An Act to provide for the payment of certain expenses for the service of the year 1834."

Instructions.

The Legislative Council have requested this Conference with the Commons House of Assembly, on the subject of the above-named Bill, for the purpose of acquainting the Assembly that they do not concur in that part of the first section of the Bill, whereby the Sum of One Hundred Pounds is proposed to be granted to the Speaker of the House of Assembly, to be applied to the purchase of Books for the use of the Legislature; for while the Legislative Council approve of the end sought to be obtained by the Assembly, they do not agree with them in the propriety of the means proposed, as they are of opinion that the Books being intended for the use of both Branches of the Legislature, the Grant should be made to the Speaker of the Legislative Council, conjointly with the Speaker of the House of Assembly.

The Legislative Council do not concur in that part of the same section, whereby the Sum of Twenty Pounds is proposed to be granted to Walter Walsh, a sufferer by fire,—to aid him in rebuilding his House; for although the Legislative Council, on the authority of the House of Assembly, are willing to believe that that Individual may be in distress, and deserving of assistance; yet they are sensible that the allowing the Sum in question, under such circumstances, would, independently of its Unparliamentary Character, furnish an inconvenient and dangerous precedent, and one which, in justice, would entitle every Person similarly situated to a like relief.

The Legislative Council feel the less reluctance in opposing this Vote, as, by the provisions proposed to be made by the Legislature, the Executive will be enabled to extend to the Individual in question that relief which the circumstances of his case may require.

Ordered, that the said Report be adopted.

Ordered, that a Message be sent by the Master in Chancery to the Commons House of Assembly, requesting a Conference on the subject of the Bill to provide for the payment of certain expenses for the services of the year 1834, and acquainting that House that the Legislative Council have appointed the Honorable the Colonial Secretary, and the Honorable Mr. Thomas, Conferees, who will be ready to meet Managers from the Assembly presently.

Conference requested on Supply Bill.

The Honorable the Colonial Secretary, from the Conferees on the subject of the said Bill, reported that they had met the Managers from the Assembly, and had delivered the Instructions of this House.

Report of Conferees on said Bill.

On motion made and seconded, the House adjourned to Monday, at One of the Clock, p. m.

House adjourns.

MONDAY, 9th JUNE, 1834.

The House met pursuant to adjournment.

House meets.

Present,

The Honorable HENRY JOHN BOULTON, *Speaker*,

" " JAMES SIMMS, *Attorney General*,

" " JAMES CROWDY, *Colonial Secretary*,

" " Mr. DUNSCOMB,

" " " THOMAS,

" " " BLAND.

The Minutes of the last day were read.

A Deputation from the Assembly brought up a Message, requesting a Conference on the subject of the Supply Bill.

Assembly request a Conference on the Supply Bill.

Ordered, that the same be granted; and that the Master in Chancery acquaint the Assembly of the same; and that this House have appointed the Honorable the Colonial Secretary and the Honorable Mr. Thomas as Conferees, who will be ready to meet Managers from the Assembly presently.

Granted.

9th, 10th &amp; 11th June, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Report of Conferees on  
Supply Bill.

The Honorable the Colonial Secretary, from the Conferees on the subject of the Supply Bill, reported that they had met Managers from the Assembly, who delivered the Instructions of that House, as follows :

The House of Assembly have desired this Conference with the Legislative Council, on the subject of the last Conference respecting the Bill entitled "An Act to provide for the payment of certain Expenses incurred for the service of the Year 1834," for the purpose of acquainting the Legislative Council that they do not concur in the objections made by the Legislative Council to the said Bill, because they desire to preserve unimpaired their right of granting such Supplies for the Public Service as they may deem necessary, and of limiting and appointing the application thereof.

With reference to that part of the said Bill by which the sum of Twenty Pounds is proposed to be granted to Walter Walsh, the House of Assembly do not perceive in it anything of an unparliamentary character, as alleged by the Legislative Council; nor are they aware of any other Funds out of which any allowance could properly be made to the individual in question, without a misappropriation of some other Monies granted by this House.

(Signed) **THOMAS BENNETT,**  
*Speaker.*

*House of Assembly,*  
9th June, 1834.

Supply Bill, as amended,  
passed.

The Bill for providing for the payment of certain Expenses for the service of the Year 1834, was, as amended, read a third time and passed :

Whereupon the Speaker signed the said Amendments, and they were sent by the Master in Chancery to the Commons House of Assembly for the concurrence of that House.

House adjourns.

On motion made and seconded the House adjourned to To-morrow at One of the Clock, p. m.

TUESDAY, 10th JUNE, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker.*

„ „ JAMES SIMMS, *Attorney-General.*

„ „ JAMES CROWDY, *Colonial Secretary.*

„ „ Mr. DUNSCOMB.

„ „ „ THOMAS,

„ „ „ BLAND.

The Minutes of the last day were read.

House adjourns

On motion made and seconded, the House adjourned to To-morrow, at One of the Clock, p. m.

WEDNESDAY, 11th JUNE, 1834.

House meets.

The House met pursuant to adjournment.

Present,

*The Honorable* HENRY JOHN BOULTON, *Speaker,*

„ „ JAMES SIMMS, *Attorney General,*

„ „ JAMES CROWDY, *Colonial Secretary.*

„ „ Mr. HALY,

„ „ „ DUNSCOMB,

„ „ „ THOMAS.

„ „ „ BLAND.

The Minutes of the last day were read.

11th & 12th June, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, Governor.

A Deputation from the Commons House of Assembly brought up a Bill entitled "An Act for granting to His Majesty certain Monies for the service of the year of our Lord One Thousand Eight Hundred and Thirty Four."

The same was then read a first time.

Ordered that the 38th Rule be, on the present occasion, dispensed with.

Whereupon the said Bill was then read a second time.

Ordered that the House be put into Committee of the whole on the said Bill.

The Honorable the Colonial Secretary took the Chair.

After some time the House resumed.

The Chairman reported the Bill.

Ordered, that the said Report be received.

The said Bill was then read a third time and passed.

Whereupon the Speaker signed the same, and it was sent by the Master in Chancery to the Commons House of Assembly.

Moved and seconded, that the Sum of Fifty Pounds be allowed out of the Contingencies voted for this House, to the Clerk, for extra services to be performed by him in preparing for publication the Journals of this House for this and the last Session, with an index to each; and also for superintending the printing of the said Journals, during the recess.

On motion made and seconded, the House adjourned to To-morrow, at half-past One of the Clock, p. m.

THURSDAY, 12th JUNE, 1834.

The House met pursuant to adjournment.

Present,

- The Honorable HENRY JOHN BOULTON, Speaker,
- " " WILLIAM SALL, Commandant,
- " " JAMES SIMMS, Attorney General,
- " " JAMES CROWDY, Colonial Secretary,
- " " Mr. HALY,
- " " " DUNSCOMB,
- " " " THOMAS,
- " " " BLAND.

The Minutes of the last day were read.

At Two of the Clock, p. m., His Excellency the Governor having come to the Legislative Council Chamber, and having been seated on the Throne, the Gentleman Usher of the Black Rod was ordered to desire the immediate attendance of the House of Assembly at the Bar of this House; and they having come thereto, His Excellency was pleased to assent to the following Bills:

An Act for the further increase of the Revenue.

An Act to regulate the Standard of Weights and Measures in this Colony, and to provide for the Surveying of Lumber.

An Act to ascertain the Damages to be paid upon Protested Bills of Exchange.

An Act for increasing the number of Representatives to serve in the General Assembly of this Island.

An Act to incorporate a Law Society in Newfoundland, and to regulate the admission of Barristers and Attorneys to practise the Law in the several Courts of this Island.

An Act to afford relief to Wives and Children deserted by their Husbands and Parents.

An Act for establishing Savings' Banks in Newfoundland.

An Act to regulate the Rate of Interest in this Island.

An Act for registering the names of Persons entitled to Vote at Elections.

An Act to provide for the Banishment of Persons convicted of certain Offences, and also to provide certain modes of Punishment in divers Criminal Cases.

An Act to regulate the making and repairing of Roads and Highways in this Island.

An Act to declare all Landed Property in Newfoundland Real Chattels.

Supply Bill brought up.

Supply Bill read 1st time.  
38th Rule dispensed with.  
Supply Bill read 2nd time and committed.

Supply Bill passed.

Fifty Pounds allowed Clerk for extra services.

House adjourns.

House meets.

Governor comes to the House.  
Commons are summoned.  
Assent given to Bills, videlicet—

Revenue Act.

Weights and Measures Act.

Protested Bills of Exchange Act.

Increase of Representatives Act.

Law Society Act.

Wives and Children desertion Act.

Savings' Bank Act.

Interest Act.

Registry of Voters' Act.

Punishment Act.

Road Act.

Chattels Real Act.

12th June, 1834.

## THIRD SESSION FIRST COLONIAL PARLIAMENT, 4th WILLIAM IV.

Pickled Fish Act.	An Act to regulate the Packing and Inspection of Pickled Fish for Exportation from this Island.
Wharf Act.	An Act to provide for the management of a certain Public Wharf and Landing in the Town of Saint John's.
St. John's Mechanics' Society Act.	An Act to incorporate the Saint John's Mechanics' Society.
Labrador Court abolition Act.	An Act to repeal so much of an Act of the Imperial Parliament, passed in the Fifth Year of the Reign of his late Majesty King George the Fourth, as relates to the institution of Courts of Civil Jurisdiction on the Coast of Labrador and the Islands adjacent thereto.
Insolvent Debtors' Act.	An Act for the relief of Insolvent Debtors taken in Execution.
Light House Act.	An Act for the establishment of Light Houses.
Harbor Grace Gunpowder Act.	An Act to prevent dangerous quantities of Gunpowder being kept within the Town of Harbor-Grace, and to provide for the safe storing of the same.
Bastard Act.	An Act to provide for the maintenance of Bastard Children.
Commencement Act.	An Act to ascertain the time of the Commencement of the Acts of this Colony.
An Act explaining certain Acts relating to Gunpowder.	An Act to explain certain Acts passed for the safe keeping of Gunpowder, and to remove doubts respecting the same.
Ice Act.	An Act to regulate the Cutting of Channels through the Ice in the various Ports and Harbours of this Island.
Collector's Act.	An Act to declare the Legality of the Collecting of Certain Duties by the Collector of His Majesty's Customs.
Appropriation Act.	An Act for appropriating the Supplies granted to His Majesty during the present Session of the Colonial Parliament.
An Act for granting supplies.	An Act for granting to His Majesty certain Monies for the service of the Year of our Lord One Thousand Eight Hundred and Thirty-Four. After which His Excellency was pleased to address the two Houses of the Legislature in the following words :

*Honorable Gentlemen,  
and Gentlemen :*

Governor's Speech.

Although the present, strictly speaking, is the third Session of the Colonial Parliament, yet, from the various impediments which interrupted your former deliberations, as well as the natural embarrassments attending the first introduction of so important a change in the Constitution as that which has taken place, your labours could not be considered effectively to begin until the period of my last calling you together.

I have therefore been the more anxious to remove every impediment to your giving your entire time and attention to the important duties that devolved on you ; and although the Public Service has been put to some inconvenience by the length to which the Session has been protracted, and I fear not less so to the private interests of some of your Members, yet I would not bring it to a close until I had been given to understand that no further matters were under your consideration.

During the nineteen weeks that you have been in deliberation, some well-advised and important acts have been the result of your labours ; yet it is much to be regretted that no measure has been presented for my acceptance on the two most important subjects that could come before you—the Jurisprudence and Judicature of the Country.

The uncertainty as to the Laws applicable to this Island, and the diversity of opinion in those who administered them, as to what portion of the Laws of the Parent State (particularly of the Criminal Law) was operative in this Country, has been a theme of long and constant animadversion ; and the impunity with which perpetrators of the most atrocious crimes have, in consequence, escaped the just reward of their deeds, rendered it most desirable that some enactment should have removed all doubts upon the subject.

If the Laws have been ill-defined, the administration of them, under the existing Judicatory Act, is equally open to complaint. For several years there has been no difference of opinion as to the Act 5th George IV., Cap. 67, commonly called the Judicatory Act, having failed to attain the great object of legislation ; that of bringing justice home, and with moderate expense, to the poor man's door ; and it is therefore to be lamented that one of the great objects which a Local Legislature was sought for and obtained, has yet to be accomplished.

12th June, 1834.

SIR THOMAS JOHN COCHRANE, KNIGHT, *Governor.*

I have given my assent to the abolition of the Labrador Court, from feeling that the advantage derived from it was not commensurate with the expense; at the same time, I am not prepared to say how far it is advisable that justice should not in any shape reach those shores. The conclusion of the Fishery in the Autumn may probably bring with it further information on the subject to guide your proceedings in legislating for that portion of the Government.

*Gentlemen of the House of Assembly:*

I thank you for the supply you have granted for the public service, which shall be dispensed with every frugality consistent with the efficient performance of the services for which it is intended.

*Honourable Gentlemen,  
and Gentlemen:*

The Road Bill which has now been enacted is well calculated to attain the object it has in view; and I have no doubt will be very beneficial to the different districts of the Island. I understand however that undue means have been taken to render it unpopular, and excite a feeling against it. It is always to be regretted when individual opinion sets itself up in opposition to the Councils of those whose particular duty it is to provide for the welfare of the community, and who, from the attention they must have given the subject and the discussion it must have undergone, are most likely to form a just and unbiassed decision upon it; and it will be for you, Gentlemen, to avail yourselves of every opportunity to remove any misapprehension that may exist, and to point out the advantage proposed in this measure.

Of the various Bills presented for my assent, there is no one to which I have given it with more satisfaction than to that which proposes the establishment of Savings' Banks—an institution which has in other countries, tended greatly to the improvement of the condition of the lower orders of Society, and which is peculiarly adapted to the state of the Inhabitants of this Island, whose earnings, when industrious, exceed, in the year, that of most other countries—but which being received in large payments, is too often improvidently spent, from the individual not knowing where he can deposit it with confidence, and withdraw it at pleasure. That inducement to dissipate no longer exists—the labourer can now secure his hard-earned gains with perfect facility, and still maintain an entire control over them without expense or trouble. I trust, Gentlemen, that in visiting the different Districts in which you reside, you will avail yourselves of every opportunity to impress upon the lower orders the advantages that are now placed within their reach; explain to them the nature of the institution, and the opening that is afforded them of making a provision for the time of sickness or old age; and thus remove from their minds any misconceptions that may have been instilled into them by others: for it is possible there may be those—although, I trust, few in number—who may be inclined, from interested motives, to counteract the beneficent intentions of the Legislature; and who have not reflected that a partial and trifling loss from no longer being the holders of the poor man's earnings, will be far outweighed by the advantages to be derived from the increased industry and frugality which may be hoped to result from this institution—and who have yet to be convinced that that which ensures the happiness and well-being of the community at large, can never be permanently hostile to individual prosperity.

The Honorable the Speaker of the Legislative Council then said, it is His Excellency Parliament prorogued. the Governor's will and pleasure that this Colonial Parliament be Prorogued to Monday the Twenty-first day of July next, to be then and here holden; and this Colonial Parliament stands prorogued accordingly.

## APPENDIX.

THE Select Committee appointed to inspect the Code of Rules proposed for the adoption of the Council, have taken the same under their consideration, and Report thereon as follows :

That the Committee approve generally of the Rules, and recommend their adoption by this House, with the following exceptions, viz.

Exception 1st—That in the 5th Rule the five last words, “to the Chair of State,” be expunged.

„ 2nd—That in the 6th Rule the two last words, “of State,” be also expunged.

That while the Committee concur in the principle that Five Members of the House would form a convenient Quorum, they do not consider that this House can with propriety make such a Rule as is proposed by the 49th Article ; because it would be, in the opinion of this Committee, in contravention of His Majesty’s Instructions and Orders.

The Committee recommend that to the Rules now reported on, there be also added the following : viz.

That any Member of this House being desirous to introduce any Bill, shall be at liberty to call upon the Master in Chancery, attendant upon this House, to digest and draft the same ; who shall be allowed, as his fee for the same, the sum of Three Guineas.

(Signed) JAMES SIMMS,

Chairman.

3rd March, 1834.

### RULES & REGULATIONS

TO BE OBSERVED IN

### THE LEGISLATIVE COUNCIL OF NEWFOUNDLAND.

#### I.

The Members of the Legislative Council are to sit in the order prescribed by His Majesty.

#### II.

The Speaker, when he speaks to the House, is always to be uncovered, and is not to adjourn the House, or do any thing else as mouth of the House, without the consent of the Members first had, excepting the ordinary things about Bills which are of course, wherein the Members may likewise over-rule, as for preferring one Bill before another, and such like. And in case of difference among the Members, it is to be put to the question ; and if the Speaker will speak to any thing particular, he is to go to his own place as a Member.

#### III.

That immediately after the Speaker shall have taken the Chair, the doors shall be closed, and the Journals of the preceding day be always read.

#### IV.

That any Member may at any time desire the House to be cleared of strangers, and the Speaker shall immediately give directions to execute the order, without debate.

#### V.

When the House is sitting, every Member that shall enter, is to give and receive salutations from the rest, and not to sit down in his place unless he has made his obeisance.

#### VI.

The Members in the Upper House are to keep their dignity and order, in sitting, as much as may be, and not remove out of their places without just cause ; but when they must needs go across the House, they are to make obeisance to the Chair.

#### VII.

When any Members speak, they address their speech to the rest of the Members in general.

## APPENDIX.

### VIII.

No Member is to speak twice to any Bill at any one time of reading it, or to any other proposition, unless it be to explain himself in some material point of his speech, but no new matter, and that not without leave of the House first obtained. Every Member speaks standing and uncovered, and names not the Members of the House commonly by their names, but "the Member that spoke last"—"last but two," etc.—or some other note of distinction.

### IX.

That such Members as shall make protestations, or enter their dissents to any votes of the House, as they have a right to do, without asking leave of the House, either with or without their reasons, shall cause their protestations or dissents to be entered in the Clerk's book on the next sitting day of this House, before the rising of the House, otherwise the same shall not be entered; and shall also sign the same before the rising of the House on the same day.

### X.

That all orders of the day, which by reason of any adjournment shall not have been proceeded upon, shall be considered only as postponed to the next day on which the House shall sit.

### XI.

To prevent misunderstanding, and for avoiding offensive speeches when matters are debating, either in the House or at Committees, it is for honor's sake thought fit, and is so ordered, that all personal, sharp, or taxing speeches be forborne, and that whosoever answereth another man's speech shall apply his answer to the matter without wrong to the person; and as nothing offensive is to be spoken, so nothing is to be ill-taken, if the party that speaks it shall presently make a fair exposition or clear denial of the words that might bear any ill construction; and if any offence be given in that kind, as the House itself will be very sensible thereof, so it will censure the offender, and give the party offended a fit reparation and a full satisfaction.

### XII.

That for avoiding all mistakes, unkindness, or other differences, which may grow to quarrels tending to the breach of the Peace, if any Member shall conceive himself to have received an affront or injury from any other Member of the House, either in the Parliament House, or at a Committee, or in any of the rooms belonging to the Legislative Council, he shall appeal to the House for his reparation; which if he shall not do, but occasion or entertain quarrels, declining the justice of the House, then the Member that shall be found therein offending shall undergo the severe censure of the House.

### XIII.

That when a question is under debate, no motion shall be received in the House, unless to amend it, commit it, postpone it to a certain day, or for the order of the day, or to adjourn.

### XIV.

That all motions deemed special, two days' notice thereof be given to the House; and any motion (with leave of the House) may be withdrawn at any time before amendment or decision.

### XV.

That no motion prefaced by a written preamble, shall be received by this House.

### XVI.

That when the question hath been entirely put by the Speaker, no Member is to speak upon the question before voting.

### XVII.

That after a question is put, and the House hath voted thereon, no Member shall depart out of his place until the House hath entered upon some other business.

### XVIII.

That at votes, the contents do rise in their places, and the non-contents continue to sit; and that the contents and non-contents shall be taken and entered on the minutes at the request of any one Member.

### XIX.

That the Clerk is to enter no order until the Speaker first demand the assent of the House; and the Clerk is to read every order first in the House, before it be entered.

### XX.

That each Member has a right to require that the question, or motion, in discussion, be read for his information, at any time of the debate.

## APPENDIX.

### XXI.

To have more freedom of debate, and to facilitate business, Committees are appointed, either of the whole House, or of individuals: Committees of the whole House sit in the House, but then the Speaker sits not in the Chair as Speaker.

### XXII.

That when the House shall be put into a Committee of the whole House, the House be not resumed without the unanimous consent of the Committee, unless upon a question put by the Member who shall be in the Chair of such Committee.

### XXIII.

That in a Committee of the whole House, the Rules of the House shall be observed in so far as they may be applicable, excepting the Rule limiting the times of speaking; and that no motion for the previous question, or for adjournment, can be received, but a Member may at any time move that the Chairman do leave the Chair, or report some progress made, and ask leave to sit again.

### XXIV.

That Select Committees usually meet in one of the Committee Rooms, as the Members like. The Members of the Committee speak to the rest uncovered, but may sit still if they please.

### XXV.

Every Member to sit in his due place when the House is put into a Committee.

### XXVI.

At any Committee, Members of the House, though not of the Committee, are not excluded from coming in and speaking, but they must not vote; they shall also give place to all that are of the Committee, and shall sit behind them.

### XXVII.

When any thing that hath been committed is reported, the Members of the Committee stand up.

### XXVIII.

No man is to enter at any Committee or Conference, unless it be such as are commanded to attend, but such as are Members of the House, upon pain of being punished severely, with example to others.

### XXIX.

That no Message from the Assembly be received in this House, with a Bill or otherwise, unless the object of it be expressed verbally, as hath hitherto been practised.

### XXX.

When notice is given to the House by the Usher of the Black Rod, that a Message or Deputation is sent by the House of Assembly, they attend until the House is prepared to receive them; he being seated, they are then admitted. On their coming up to the Bar, with three obeisances, the Speaker goes down to the Bar, and receives their Message uncovered; the Message is then read and delivered to the Speaker by one of the Members of the Deputation: on their retiring with three obeisances to the House, the Speaker resumes the Chair, and, standing uncovered, reports the Message for the information of the Members: the House then resumes the business it had before it.

### XXXI.

None are to speak at a Conference with the Lower House, but those that be of the Committee; and when any thing from such Conference is reported, all the Members of that Committee present are to stand up.

### XXXII.

As it might deeply intrench on the privileges of this House for any Member to answer an accusation in the House of Assembly, either in person or by sending his answer in writing, or by his Counsel there, upon serious consideration had thereof, and perusal of the precedents in the Upper House of the Imperial Parliament, it is ordered, that no Member of this House shall either go down to the House of Assembly, or send his answer in writing, or appear by Counsel to answer any accusation there, upon penalty of being committed to the Black Rod, or to prison, during the pleasure of this House.

### XXXIII.

That no Member or Officer of this House, without leave of this House, shall, by order of the Assembly, go into that House whilst the House, or any Committee of the whole House, is sitting there; or appear before any Committee of that House sitting there or elsewhere.

### XXXIV.

That the Members of the Assembly be admitted as auditors of the debate of this House, or any other persons introduced by a Member of this House.

## APPENDIX.

### XXXV.

That it is the right of every Member of this House to bring in a Bill, and pray that it may be read.

### XXXVI.

Bills are seldom opposed at the first reading, but are generally committed, upon motion at the second reading, at which time the principle is usually debated.

### XXXVII.

That no arguments against the principle of a Bill shall be had or admitted in any Committee of the whole House upon such Bill.

### XXXVIII.

That no Bill shall be read twice on the same day; that no Committee of the whole House shall proceed on any Bill on the same day in which the Bill is committed, unless the House, upon motion, shall see special cause for the common utility to change the same course in any particular instance.

### XXXIX.

That in a Committee of the whole House, a Member may, at any time previous to a Bill being passed entirely, that is to say, all the clauses, preamble and title of the same, move to have any particular clause thereof, that may have been passed, re-considered.

### XL.

That to annex any clause or clauses to a Bill of Aid or Supply, the matter of which is foreign to and different from the matter of the said Bill of Aid or Supply, is unparliamentary.

### XLI.

That proof that notice of the intention of any person or persons to apply to the Legislature, for its interference, respecting any local matter, should be given in the *Royal Gazette* of Newfoundland at least once in each month for Six Months preceding the Session in which such application is to be made.

### XLII.

That every Petition which is brought up shall lay on the table two days before it is read.

### XLIII.

That the allegations in every Petition for a Private Bill, meant to originate in this House, shall be first referred to a Select Committee, and the matter thereof reported upon, before the introduction of any such Bill.

### XLIV.

That every Member who shall introduce a Bill, Petition, or Motion, upon any subject which may be referred to a Committee, shall be one of the Committee without being named by the House.

### XLV.

That when a Private Bill is brought from the other House, the principle of which is admitted, this House, by Message, may either request a communication of the evidence received in proof of the allegations or matter whereon the Bill is founded, or the Committee of this House to whom it may be referred shall examine the said allegations, and on reporting the Bill, state whether the same or matter thereof be founded, and whether the parties concerned in interest or property therein, have given the consents to the satisfaction of the Committee.

### XLVI.

That the foregoing be considered a standing instruction at all Committees who shall meet upon Private Bills; and further, that they require all Persons, whose interest or property they shall consider to be affected thereby, to appear in person before them, to give their consent thereto; and if they cannot personally attend, they may send their consent in writing, which shall be proved to the satisfaction of the Committee; and that when any Committee shall be appointed on a Private Bill, notice thereof shall be set up in the lobby of this House, seven days before the meeting of the said Committee.

### XLVII.

That when a Bill originating in this House, has once passed through its final stage in this House, no new Bill for the same object can afterwards be originated in this House during the same Session.

### XLVIII.

That for the future no motion shall be granted for making any order of this House a standing order, or for dispensing with a standing order, the same day it is made, nor before the Members of this House in town shall be summoned to consider of the said motion.

### XLIX.

That four Members, with the Speaker, shall constitute a Quorum.

### L.

That any Member of this House being desirous to introduce any Bill, shall be at liberty to call upon the Master in Chancery, attendant upon this House, to digest and draft the same; who shall be allowed, as his Fee for the same, the sum of Three Guineas.

# INDEX.

## ADDRESSES,

- To Governor, in reply to his Speech, 7, 8, 8, 9, 10.
- To Governor, to appoint a Master in Chancery, 9, 11, 11, 11.
- To King, from Assembly, 13, 13, 13, 14.
- Of thanks to Governor for Message, 19.
- To His Majesty on the State of the Colony, 23, 25, 27.
- To Governor, respecting the Address to His Majesty, 27, 28, 28, 30.
- To Governor, respecting Laws of Newfoundland, 32, 33, 34, 35.

## AMENDMENTS,

- On Ice Bill, 16, 22.
- On Harbour Grace Gunpowder Bill, 17, 20, 21.
- On Revenue Bill, 20, 23, 24.
- On Labrador Court Abolition Bill, 23, 24.
- On Real Chattels Bill, 32, 33, 37, 39, 40, 40, 41, 42, 43, 44, 47, 48, 49, 54, 55, 60, 61, 69.
- On Insolvent Debtors' Bill, 39, 41, 42, 51, 53, 55, 55, 56, 58, 61, 63, 68.
- On Protested Bills of Exchange Bill, 31, 33, 42, 43, 45, 46, 47, 49.
- On Punishment Bill, 42, 45, 47, 48, 50, 52, 53, 61, 63, 68.
- On Savings' Bank Bill, 54, 55, 55, 57.
- On Local Court Bill, 64, 70, 71, 72, 74, 78.
- On Pickled Fish Bill, 43, 46, 48.
- On Wharf Bill, 47, 49, 52.
- On Rate of Interest Bill, 52, 53, 54, 56, 57, 78, 81, 83, 84.
- On Light House Bill, 57, 60, 62.
- On Report on Contingencies, 58.
- On Appropriation Bill, 62, 82, 84, 85.
- On Weights and Measures Bill, 70, 72, 79, 80, 81, 84, 85.
- On Passengers' Bill, 79, 81.
- On Law of England Bill, 85.
- On Supply Bill, 86, 87, 88, 88.

## ASSEMBLY—Commons House of,

- Summoned to Council Chamber, 5, 28, 89.
- Directed to choose a Speaker, 5.
- Choose Thomas Bennett, Esquire, 5.

## BENEVOLENT Irish Society,

- Copy of letter from President of, transmitted by Governor, 22.

## BENNETT, Thomas, Esquire,

- Confirmed Speaker of Assembly, 5.
- Requests privilege of Office, 5.

## BILLS,

- Law of England, 11, 12, 13, 13, 13, 14, 15, 17, 21, 85.
- Ice, 13, 13, 13, 15, 15, 15, 16, 17, 90.
- Duration of Parliament, 14.
- Barristers', 15, 23, 29, 30, 30, 33, 42, 45, 49, 50, 52, 53, 54, 57, 58, 64, 69, 73, 89.
- Harbour-Grace Gunpowder, 15, 16, 16, 17, 18, 20, 21, 90.
- Rate of Interest, 16, 20, 23, 24, 28, 29, 29, 52, 53, 54, 56, 57, 60, 78, 81, 83, 84, 84, 89.
- Descent of Real Property, 16, 18.
- Revenue, 18, 18, 19, 20, 22, 23, 24, 24, 24, 28.

## INDEX.

### BILLS, (*Continued.*)

- Real Chattels, 19, 20, 21, 21, 32, 33, 37, 39, 40, 40, 41, 42, 43, 44, 47, 48, 49, 54, 55, 60, 61, 64, 69, 89.  
Labrador Court Abolition, 22, 22, 23, 24, 24, 90.  
Saint John's Mechanics' Society, 29, 29, 30, 30, 30, 90.  
Protested Bills of Exchange, 29, 29, 30, 31, 31, 33, 33, 42, 43, 45, 46, 47, 49, 89.  
Collector's, 29, 31, 31, 32, 45, 47, 49, 90.  
Supreme Court Practice, 30, 31, 32, 34, 39, 41, 42, 45, 45.  
Local Courts', 17, 30, 32, 33, 36, 37, 38, 38, 39, 42, 44, 44, 44, 64, 64, 70, 71, 71, 72, 74, 78.  
Punishment, 32, 33, 33, 35, 36, 37, 37, 42, 45, 47, 48, 50, 52, 53, 61, 63, 68, 89.  
Insolvent Debtors', 32, 34, 39, 41, 41, 41, 50, 51, 53, 55, 55, 56, 58, 61, 63, 68, 90.  
Savings' Bank, 35, 36, 38, 41, 44, 44, 54, 55, 55, 57, 89.  
Fence, 36, 41, 43, 46.  
Seamen's Desertion, 36, 38, 44, 47.  
Road, 36, 37, 41, 41, 89.  
Pickled Fish, 37, 38, 43, 43, 46, 46, 48, 90.  
Bastard, 37, 38, 44, 45, 90.  
Wharf, 37, 38, 43, 47, 49, 52, 90.  
Increase of Representatives, 38, 48, 49, 71, 71, 89.  
Registry of Voters, 38, 44, 46, 46, 89.  
Wives' and Children's Desertion, 49, 50, 52, 52, 53, 55, 89.  
Commencement of Local Acts, 52, 53, 53, 54, 55, 90.  
Light House, 55, 55, 56, 57, 57, 60, 62, 90.  
Appropriation, 55, 56, 57, 59, 60, 60, 61, 62, 63, 82, 84, 85, 90.  
Weights and Measures, 60, 60, 61, 63, 64, 68, 70, 72, 79, 80, 80, 81, 82, 83, 83, 84, 84, 85, 89.  
Government Gunpowder Magazine, 61, 63, 63, 69, 73, 90.  
Passengers', 63, 69, 70, 71, 72, 73, 78, 79, 81.  
Registration of Deeds, 70, 73, 74, 78.  
Respecting attendance of Three Judges in Supreme Court, 83, 83, 84.  
Supply, 86, 86, 87, 87, 88, 90.  
Supply, 89, 89, 89, 90.

### CALL of the House, 35.

### COLONIAL Secretary,

- Presents some Documents, 11.  
Presents Message from Governor, 12, 73.

### COMMITTEES,

- Select—to Draft Address to Governor in reply to his Speech, 7, 8.  
On Address to Governor in reply to his Speech, 8, 8.  
Select—to wait on Governor to know when he would receive Address in reply to Speech, 9, 9.  
Select—to Draft Address respecting appointment of Master in Chancery, 9, 11.  
On Address respecting Master in Chancery, 11.  
Select—to wait on Governor to know when he would receive Address respecting Master in Chancery, 11.  
Select—to fit up Council Chamber, 11.  
On Law of England Bill, 13, 13, 14, 15, 17.  
Select—on Rules of Council, 13, 15.  
On Report of Select Committee on Rules of Council, 16.  
On Ice Bill, 13, 15, 16.  
On Address from Assembly to the King, 13.  
Select—on Ice Bill, 15, 15.  
On Harbour Grace Gunpowder Bill, 16, 17, 20.  
Select—to present Address of thanks to Governor for his Message, 19.  
On Revenue Bill, 19, 20, 24.  
Select—to Draft Instructions for Conferees on Revenue Bill, 20, 22.  
On Draft of Instructions to Conferees on Revenue Bill, 22.  
On Labrador Court Abolition Bill, 23.

## INDEX.

### COMMITTEES, (*Continued.*)

- Select—to Draft an Address to His Majesty on the state of the Colony, 23, 23.  
On Draft of Address to His Majesty on the state of the Colony, 23.  
On Rate of Interest Bill, 24, 28, 56, 57, 60, 78, 81.  
Select—to Draft an Address to His Excellency respecting Address to His Majesty, 27, 28.  
Select—to wait on His Excellency to know when he would receive the Address, 28.  
On Barristers' Bill, 29, 30, 30, 49, 69.  
On Saint John's Mechanics' Society Bill, 30.  
On Protested Bills of Exchange Bill, 30, 31.  
Select—on Collector's Bill, 32, 45.  
Select—to Draft Address to Governor respecting the Laws of Newfoundland, 33, 33.  
On Local Court Bill, 33, 36, 37, 38, 38, 39, 42, 44, 71.  
On Supreme Court Practice Bill, 34, 34, 39, 42, 42.  
Select—to wait on Governor with Address respecting Laws of Newfoundland, 35.  
On Punishment Bill, 35, 36, 47, 61.  
On Resolutions respecting Fishery Act, 39, 40, 53.  
On Insolvent Debtors' Bill, 39, 40, 41, 53, 61.  
On Road Bill, 41.  
On Savings' Bank Bill, 41.  
On Pickled Fish Bill, 43.  
On Wharf Bill, 43, 47.  
On Bastard Bill, 44.  
On Collector's Bill, 45, 47.  
On Fence Bill, 46.  
On Registry of Voters' Bill, 46.  
On Real Chattels Bill, 21, 39, 47.  
On Seamen's Desertion Bill, 47.  
On Increase of Representatives Bill, 49, 71.  
Select—to Draft Instructions for Conferees on Barristers' Bill, 49, 50.  
On Wives' and Children's Desertion Bill, 52, 52.  
On Commencement of Local Acts' Bill, 54.  
On Report of Conferees on Insolvent Debtors' Bill, 53.  
Select—to Draft Instructions for Conferees on Insolvent Debtors' Bill, 53, 55.  
Select—on Contingencies of Council, 56, 57.  
On Light House Bill, 57, 57.  
On Report of Select Committee on Contingencies, 58.  
Select—to Draft Remonstrance to Assembly on the subject of their Message respecting the Contingencies, 59.  
Select—to Draft Instructions for Conferees on Contingencies of Council, 59, 59.  
On Appropriation Bill, 59, 63, 82.  
On Government Gunpowder Magazines Bill, 63.  
On Weights and Measures Bill, 63, 64, 64, 68, 70.  
On Passengers' Bill, 71, 72, 73, 78, 79.  
Select—to draft Instructions for Conferees on Local Court Bill, 72, 74.  
On report of Conferees on Weights and Measures Bill, 80.  
Select—to draft Instructions for Conferees on Weights and Measures Bill, 80, 81.  
On Bill respecting the attendance of 3 Judges in the Supreme Court, 83.  
On Supply Bill, 86.  
Select—to draft Instructions for Conferees on Supply Bill, 86, 86.  
On draft of Instructions for Conferees on Supply Bill, 87.  
On Supply Bill, 89.

### CONFERENCES,

- On Revenue Bill, 20, 22, 23.  
On Real Chattels Bill, 37, 39, 40, 40, 41, 54, 55, 60, 61, 64, 69.  
On Protested Bills of Exchange Bill, 42, 42, 43, 45, 46, 47.  
On Punishment Bill, 47, 48, 50, 52, 53.  
On Barristers' Bill, 49, 50, 52, 53, 57, 58, 64, 69.  
On Insolvent Debtors' Bill, 50, 51, 51, 53, 55, 56.  
On Contingencies of Council, 59, 59, 60, 61, 62, 62, 82, 82, 85, 85, 86.

## INDEX.

### CONFERENCES, (*Continued.*)

- On Appropriation Bill, 60, 60, 60, 61, 62.
- On Rate of Interest Bill, 60.
- On Local Court Bill, 71, 72, 74, 78, 78.
- On Weights and Measures Bill, 79, 79, 80, 80, 81, 83, 83, 84, 84.
- On Supply Bill, 86, 86, 87, 87, 87, 88.

### CONTINGENCIES,

- Of Council, 56, 57, 58, 58, 59, 59, 60, 61, 62, 62, 82, 85, 85, 86, 89.

### DALTON, Michael,

- Petition of, 15, 19.

### ESTIMATES,

- Presented by Colonial Secretary, 11.

### FISHERY Act,

- Message from Governor respecting, 12.
- Resolutions respecting, brought up from Assembly, 34, 35, 39, 40, 53.

### GARLAND, Honorable Mr.

- Asks and obtains Leave of Absence, 81.

### GOVERNOR,

- Arrives at Legislative Council Chamber, 5, 28, 89.
- Directs that the Assembly do elect a Speaker, 5.
- Confirms T. Bennett, Esquire, as Speaker, 5.
- Grants privileges of Office to Speaker of Assembly, 6.
- Speech, 6, 90.
- Answer to Address in reply to his Speech, 10.
- Assents to Revenue Bill, 28.
- Assents to certain Bills, 89.

### HAYWARD, George J.

- Petition of, 19, 21, 21.

### JOURNALS of Council,

- Fifty Pounds granted to Clerk for preparing for publication and indexing, 89.

### KEEFE, Thomas,

- Petition of, 15, 19.

### KING, The

- Address to, from Assembly, 13, 13, 13, 14.
- Address to, on State of the Colony, 23, 23, 25, 27.

### MAGISTRATES,

- Statement of number of, 18.

### MASTER in Chancery, 9, 9, 11, 14, 15.

### MESSAGES, from Governor,

- Respecting Fishery Act, 12.
- Transmitting certain Papers, 18.
- Transmitting Attorney General's opinion on Act 3rd and 4th Wm. 4. Cap. 59, 19.
- Transmitting copy of a letter from President of Benevolent Irish Society, 22.
- Acquainting Council that His Majesty had given his assent to certain Acts, 73.

### MESSAGES, from Assembly,

- With an Address to the King, 13.
- With Ice Bill, 13.
- With Duration of Parliament Bill, 14.
- With Harbour-Grace Gunpowder Bill, 15.
- With Revenue Bill, 18.
- Consenting to Conference on Revenue Bill, 22.
- Consenting to Amendments on Ice Bill, 22.
- With Labrador Court Abolition Bill, 22.
- Not consenting to Amendments on Revenue Bill, 23.
- With Saint John's Mechanics' Society Bill, 29.

## INDEX.

### MESSAGES from Assembly, (Continued.)

- With Protested Bills of Exchange Bill, 29.
- Collector's Bill, 29.
- Insolvent Debtors' Bill, 32.
- Returning Real Chattels Bill, 32.
- On the subject of the Fishery Act, 34.
- With Road Bill, 36.
- With Pickled Fish Bill, 37.
- With Bastard Bill, 37.
- With Wharf Bill, 37.
- With Increase of Representatives Bill, 38.
- With Registry of Voters Bill, 38.
- Assenting to Conference on Real Chattels Bill, 40.
- Returning Punishment Bill, 42.
- Returning Barristers' Bill, 42.
- Receding from Amendment in Preamble of Real Chattels Bill, 42.
- Requesting Conference on Amendments to Protested Bills of Exchange Bill, 42.
- Consenting to Conference on Punishment Bill, 48.
- Concurring in Amendments on Pickled Fish Bill, 48.
- Requesting Conference on Insolvent Debtors' Bill, 51.
- Assenting to Conference on Barristers' Bill, 52.
- Returning Rate of Interest Bill, 52.
- Requesting Conference on Punishment Bill, 52.
- With Commencement of Local Acts Bill, 52.
- Consenting to Amendments on Wharf Bill, 52.
- Requesting Conference on Real Chattels Bill, 54.
- Returning Savings' Bank Bill, 54.
- Insisting on Amendments to Barristers' Bill, 54.
- With Light House Bill, 55.
- Assenting to Wives' and Children's Desertion Bill, 55.
- With Appropriation Bill, 55.
- Assenting to Conference on Insolvent Debtors' Bill, 55.
- Assenting to Free Conference on Barristers' Bill, 58.
- Respecting Contingencies of Council, 58.
- Assenting to Amendments on Insolvent Debtors' Bill, 58.
- With Weights and Measures Bill, 60.
- Acceding to Free Conference on Appropriation Bill, 60.
- Requesting Free Conference on Appropriation Bill, 61.
- Agreeing to Conference on Real Chattels Bill, 61.
- Requesting Conference on Contingencies of Council, 61.
- Concurring in Amendments on Light House Bill, 62.
- With Passengers' Bill, 63.
- Returning Local Court Bill, 64.
- Requesting Free Conference on Barristers' Bill, 64.
- Requesting Conference on Real Chattels Bill, 64.
- Concurring in Amendments on Insolvent Debtors' Bill, 68.
- Concurring in last Amendment on Punishment Bill, 68.
- With Registration of Deeds Bill, 70.
- Assenting to Government Gunpowder Magazine Bill, 73.
- Concurring in Amendment to Amendments on Barristers' Bill, 73.
- Requesting Conference on Amendments on Local Court Bill, 78.
- Requesting Conference on Amendments to Weights and Measures Bill, 79.
- Acceding to Conference on Contingencies of Council, 82.
- Consenting to Conference on Weights and Measures Bill, 83.
- Requesting Conference on Weights and Measures Bill, 84.
- Concurring in Amendment to Amendment on Rate of Interest Bill, 84.
- Consenting to Amendments on Appropriation Bill, 85.
- Requesting Conference on Contingencies of Council, 85.
- Returning Law of England Bill, 85.
- With Amendment to Amendment on Weights and Measures Bill, 85.
- With Supply Bill, 86.

# INDEX.

## MESSAGES from Assembly, (*Continued.*)

- Requesting Conference on Supply Bill, 87.
- With Supply Bill, 89.

## NOTICES of Motions, for leave to bring in—

- Law of England Bill, 11.
- Bell's Shute Bill, 12.
- Barristers' Bill, 15.
- Rate of Interest Bill, 16.
- Descent of Real Property Bill, 16.
- Address to Governor to appoint a Master in Chancery, 9.
- Local Court Bill, 17.
- Real Chattels Bill, 19.
- Supreme Court Practice Bill, 30.
- Punishment Bill, 32.
- Address to Governor respecting copies of Local Acts, 62.
- Savings' Bank Bill, 35.
- Seamen's Desertion Bill, 36.
- Fence Bill, 36.
- Wives' and Children's Desertion Bill, 49.
- Government Gunpowder Magazine Bill, 61.
- A Bill respecting the attendance of 3 Judges in the Supreme Court, 83.

## ORDER of the day discharged,

- For Committee on Collector's Bill, 32.
- For third reading of Supreme Court Practice Bill, 41.
- For third reading of Amendments to Real Chattels Bill, 44.
- For a Message to Assembly respecting Contingencies of Council, 59.
- For Committee on Registration of Deeds Bill, 78.

## PARLIAMENT, Colonial, Prorogued—

- To 10th January 1834, 3.
- To 29th January 1834, 3.
- To 21st July 1834, 91.

## PARSONS, John,

- Petition of, 15, 19.

## PETITIONS,

- Of John Parsons, Thomas Keefe, and Michael Dalton, 15, 19.
- Of George J. Hayward, 19, 21, 21.

## PRINTED, ordered to be,

- Law of England Bill, 12, 17.
- Rules of Council, 16.
- Statement of Vessels for Circuit, 18.
- Real Chattels Bill, 19.
- Protested Bills of Exchange Bill, 30.
- Supreme Court Practice Bill, 31.
- Punishment Bill, 33.
- Savings' Bank Bill, 36.
- Local Court Bill, 31, 39.

## PROCLAMATION—

- For Proroguing Colonial Parliament, 3, 3.

## QUORUM,

- Council adjourned for want of, 15, 68.

## ROBINSON, Bryan, Esquire,

- Appointed Master in Chancery, 14.

## RULES for the Council, 13, 13, 15, 16, 16.

- Thirty-Eighth dispensed with, 63, 83, 86, 89.

## SPEAKER of Assembly,

- Directed to be chosen, 5.
- Thomas Bennett, Esquire, confirmed as, 5.
- Privileges of Office granted to, 6.

## INDEX.

---

SPEECH, Governor's, 6, 90.

STATEMENT—

Of Vessels employed on Circuit, 18, 18.

Of Magistrates, 18.

---

### *ERRATA æt CORRIGENDA.*

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Page 14.—Omit the words respecting a Select Committee on the Ice Bill, commencing with the words “in pursuance,” and ending with “that purpose.”

“ “ Omit the words “in pursuance of the order of the day, the Address to His Majesty from the Commons House of Assembly was read a second time.”

“ “ In the last line but six, expunge the word “said,” and insert instead thereof the words “to His Majesty from the Commons House of Assembly.”

Page 30.—Add to the Members present, “the Honorable Mr. Dunscomb.”

“ 45.—Omit the last two lines, but two, of the Minutes for Wednesday 23d April.

“ 49.—For “destitute,” read “destitute.”

“ 53.—In ninth line, for “down,” read “up.”

“ 54.—In 3rd line of Wednesday's Minutes, for “was,” read “were.”

“ 57.—In 5th line, for “was,” read “were.”

“ 89.—Omit the words “An Act for the further increase of the Revenue.”

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BY ORDER OF THE HONORABLE THE LEGISLATIVE COUNCIL.

St. John's, Newfoundland.

PRINTED BY RYAN & WITHERS, PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.