PROCLAMATION.

By his Excellency Henry Prescott, Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

(L. S.)
H. PRESCOTT,

WHEREAS the General Assembly of this Island stands prorogued until Saturday the First day of August next, and whereas I think fit further to prorogue the said General Assembly until Monday the second day of November next ensuing—

I do therefore by this my Proclamation, further prorogue the said General Assembly until Monday the 2d November next. And all persons concerned are required and commanded to take due notice and govern themselves accordingly.

Given under my hand and seal at the Government House at St. John's, the 22d June, 1840, in the 4th year of Her Majesty's Reign.

By His Excellency's command,

JAMES CROWDY,

Secretary.

JOURNAL AND PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY

OF

NEWFOUNDLAND.

SATURDAY, January 2, 1841.

THE House having, by several Proclamations, been prorogued until this day, then to meet for the despatch of business, met accordingly. Meeting of the Assembly.

Mr. Speaker laid before the House the following certificate—

We do certify that by virtue of the authority of a writ of Dedimus Potestatem to us directed, under the Great Seal of this Island, we have this day administered unto Lawrence O'Brien, Esq. the Oath required by law to be by him taken on his Election, to be a Member of the House of Assembly for the district of St. John's. Oath administered to Mr. O'Brien.

Dated the Second day of January,
in the year of Our Lord, 1841.

JAMES SIMMS,
JOHN DUNSCOMB, } Commissioners

Mr. O'Brien took his seat in the House.

A Message from His Excellency the Governor, by the Gentleman Usher of the Black Rod. Message from his Excellency.

Mr. Speaker and Gentlemen of the House of Assembly,

It is the pleasure of his Excellency the Governor that you attend him in the Council Chamber immediately.

Accordingly, Mr. Speaker and the House attended, and being returned— Mr. Speaker reported that his Excellency had been pleased to make a speech House attend his Excellency.

to both Houses, of which Mr. Speaker said he had to prevent mistakes obtained a copy, which he read to the House, and is as follows:

His Excellency's Speech.

Mr. President, and Hon. Gentlemen of the Council—
Mr. Speaker and Gentlemen of the House of Assembly—

Two events of the greatest consequence to us, as loyal subjects, have occurred since our last meeting,—the first, the escape of her Most Gracious Majesty from the furious assault of a wretched maniac,—the second, the auspicious birth of the Princess Royal.

These incidents, though dissimilar in their character, are both calculated to excite deep feelings of joy and gratitude.

I have to acquaint you that of the 10 acts passed in the last session, six have been left to their operation; and that respecting two others, some correspondence has passed which shall be submitted to your inspection. I have not as yet been honored with any commands relative to the remainder.

The despatch which I have received on the subject of a Land Bill is so full and explicit, that in laying it before you I shall feel confident that this matter will at length be settled in a manner suitable to the circumstances of the colony.

I shall cause to be transmitted to you the last report of the Geological Surveyor. His researches have not been productive of any immediate practical benefit, but they are far from unimportant, and I hope before the close of the session to make some further communication in connection with his past operations with a view to their being rendered of permanent utility.

Her Majesty's Government having directed that such buildings in Fort William as may be required for Colonial purposes shall be transferred to the colony, I would propose the appointment of a joint committee of the Council and House of Assembly for the purpose of ascertaining how far this order can be made available for the future accommodation of the Legislature.

Mr. Speaker and Gentlemen of the House of Assembly—

The estimates for the ensuing financial year shall be sent down without delay. —The revenue has been considerably augmented by the fiscal enactments of the last session, and our pecuniary condition is satisfactory; but unless enlarged means of prevention are given to the Customs Department the evil effects of smuggling, already great, will be still further experienced.

I must revert to the observations which I have formerly made from this place, and in repeated messages to the House, respecting the sick and impotent Poor, the Orphans and idiots. For the current year no provision has been made for these unhappy people, and consequently even the Hospital is closed against them.

As affecting applications are often made to me on this subject, I once more recommend it to your benevolent reflection.

From the peculiar nature of our avocations it should seem especially incumbent on us to make a just and guarded provision for the utterly helpless.

Mr. President and Hon. Gentlemen of the Council,
Mr. Speaker and Gentlemen of the House of Assembly,

The approaching period of a General Election, and the scandalous events which have lately occurred in partial elections, the last of which was rendered altogether abortive by the ferocious conduct of a mob at Carbonear, compel me to suggest for your deliberation, as an object of the first importance, the establishment of such a law as may tend to preserve the public peace and secure the free and undistubed exercise of the elective franchise.

For this purpose it seems desirable that our system should be assimilated, as nearly as circumstances will permit, to that of the mother country.

I am anxious to press this matter upon your immediate attention, because if in the two great districts of the Colony which return seven of the fifteen members of which the House is composed, elections can only be carried on under protection of bayonets, if brutal force and lawless violence are to be perpetually resorted to, and, as heretofore, to a degree that can be restrained solely by Military interference, the inevitable inference must be that the Island is unfit for a Representative System and Legislative Institutions, and that this ancient possession of the British Crown is not duly prepared for conducting its own affairs, and watching over its particular interests by means of a General Assembly. I shall have the honor of laying before you a circular despatch from the Secretary of State recommending the formation of roads, with a view to the facilitating post office communications. The completion of the line connecting Placentia and St. Mary's with St. John's would appear best calculated for the fulfilment of this object, and be essentially advantageous in other particulars. A general Road Bill, establishing a complete and uniform mode of preliminary survey, of subsequent supervision and effective audit, would be far preferable to the plan hitherto pursued, of a yearly act constantly varying in its provisions. Under the proposed arrangement it would only be necessary to decide in each Session upon the sums to be expended, and the localities to which they should be applied.

A case occurred early in the recess, which, in consequence of the quarantine act having been allowed to expire, occasioned considerable perplexity. To prevent a repetition of such inconvenience, and to enable the Executive legally to prescribe and enforce such measures as may, under providence, best guard the public from contagious disease, is a matter well worthy of your care.

You are aware that the Education Act will cease in the approaching month of May, and that consequently it will be necessary to continue it for a certain period or to prepare another bill.

Its benefits have latterly been pretty generally extended, and I may here refer to the message with which I last Session recommeneed to your favorable consideration the rules and regulations of the Board of Directors for the District of St. John's, believing that under them Catholic and Protestant children are educated together in habits of friendship, while they receive useful instruction and virtuous admonition.

A very serious fire occurred in this town in the month of September last, the destructive ravages of which were arrested by the ardent zeal and daring courage of the Garrison, of the Fire Companies, and of individuals of every class of Society—their strenuous efforts were, however, much impeded by the want of water, which it would be well to obviate in future by the formation of reservoirs, the construction of floating engines, or such other means as may, on investigation, appear expedient.

The principal legal functionary of the Island having declared it to be, in his opinion, very desirable that the right of the Fisherman and of the trade should be regulated and defined by some express enactment to which the judges might refer, and which would guide their decision; I think it proper to submit this point for your determination.

I shall be happy to assist you to the utmost of my power in every effort for the public good, and it will be a source of the highest gratification to me should this, the concluding Session of the present General Assembly, be remarkable for the harmony of its proceedings, and the beneficial results of its labours.

On motion of Mr. Nugent, seconded by Mr. Kent,

Resolution for address to his Excellency

Resolved,—That an humble address be presented to his Excellency the Governor, in answer to his Excellency's speech at the opening of the Session, and that a committee be appointed to prepare the same.

Committee

Ordered,—That Mr. Nugent, Mr. Kent, the Solicitor General, Mr. Winser, and Mr. M'Carthy do form the said committee.

Notice of address to her Majesty

Mr. Kent gave notice that on an early day he should move that a committee be appointed to frame an address of congratulation to Her Most Gracious Majesty Queen Alexandrina Victoria, on her Majesty's giving birth of a Princess Royal,—also, congratulatory addresses to her Royal Highness the Duchess of Kent, and his Royal Highness Prince Albert.

Then the House adjourned until Tuesday next, at one of the clock.

TUESDAY, January 5, 1841.

MR. Speaker communicated to the House, that in compliance with an order of the House the past Session, the Statutes at Large, from Magna Charta to the last Session of the British Parliament, had boen provided.

Mr. Nugent gave notice that on Thursday next he would move that a general index to the Statutes be ordered.

Notice of bill to establish an academy, &c. &c.

The Solicitor General gave notice that on an early day he would move for leave to bring in a bill to establish an academy in St. John's, and a bill to regulate the mode of election of Members of the House of Assembly.—Also, that a committee be appointed to enquire into the expiring laws.

Notice of bill to regulate payment of Servant's wages

Mr. Moore gave notice that on an early day he would move for leave to bring in a bill to regulate the payment of Servant's wages.

Petition of Michael Keating and others

A petition of Michael Keating, Francis Taylor, and others, Shipowners, Planters, and Fishermen, resident in the Island, was presented by Mr. Moore, and the same was received and read—

Praying that the House would amend the Act to encourage the Whale Fishery in this Colony, so that Vessels of fifty tons new measurement, and upwards, may be entitled to the bounty.

To lie on the table

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

Then the House adjourned until Thursday next at one of the clock.

THURSDAY, January 7, 1841.

Notice of committee to audit the public accounts, &c.

MR. Winser gave notice that to-morrow he would move that a committee be appointed to examine into, and audit the public accounts,—and on Sa-

turday next he would present the draft of an address to his Excellency the Governor, praying his Excellency to order the Colonial Treasurer, and the Board of Control, to furnish the House with such documents as the committee of audit shall from time to time require. Also, on an early day, he would move for leave to bring in a bill to provide for the contingent expenses of the Legislature for the last two Sessions.

Mr. Kent moved, pursuant to notice, seconded by Mr. Nugent,

Resolved,—That a committee be appointed to prepare an address of congratulation to Her Most Gracious Majesty Queen Alexandrina Victoria, on her Majesty's giving birth of a Princess Royal, and congratulatory addresses to their Royal Highnesses the Duchess of Kent, and Prince Albert. Committee to prepare addresses, &c

Ordered,—That Mr. Kent, Mr. Nugent, and Mr. Moore do form the said committee.

Mr. Nugent from the committee appointed to prepare an address to his Excellency the Governor, in reply to his Excellency's speech at the opening of the Session, reported that they had prepared a draft thereof accordingly, which he read in his place. Report of committee on address to his Excellency.

On motion of Mr. Nugent, seconded by Mr. Kent,

Resolved,—That this House do now resolve itself into a committee of the whole House on the consideration of the said address. House in commte. thereon

And the House resolved itself into the said committee accordingly.

Mr. Speaker left the chair.

Mr. O'Brien took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had under their consideration the address referred to them, and had come to a certain resolution thereon, which they had directed him to report to the House; and he read the said resolution in his place, and afterwards delivered the same in at the Clerk's table, where it was again read. Report

Resolved,—That the said address be referred to the original committee for re-consideration.

And the said resolution having been read throughout, was, upon the question put thereon, agreed to by the House.

Mr. Kent reported from the committee appointed this day to prepare congratulatory addresses to Her Most Gracious Majesty the Queen, and their Royal Highnesses the Duchess of Kent and Prince Albert, that they had prepared drafts of the same, which he read in his place, and afterwards delivered them in at the Clerk's table, where they were again read as follow— Address to Her Majesty

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please your Majesty—

We your Majesty's loyal subjects, the Commons of Newfoundland, in General Assembly convened, beg leave respectfully to tender to your Majesty our

heartfelt congratulations upon that happy event whereby these realms have been blessed with a promise of the continuance of your Majesty's illustrious line.

We humbly pray that the Princess Royal may inherit all the virtues of her August Parent, and that your Majesty may long live to impart to her all that wisdom, prudence, and judgment which have distinguished your Majesty, and may she learn from your Majesty to cultivate those sound principles of constitutional Government which have always prompted your Majesty in your gracious administration of your exalted duties, to acknowledge no difference of creed or color, giving freedom to the slave and liberty to the oppressed in every country within your Majesty's dominions.

---

ince Albert

TO HIS ROYAL HIGHNESS PRINCE ALBERT.

We, her Majesty's loyal subjects, the Commons of Newfoundland, in general Assembly convened, beg leave to offer your Royal Highness our warmest congratulations on the auspicious event that has bestowed upon these realms an heiress to the throne.

We humbly hope that your Royal Highness may enjoy a long life, blessed with an offspring destined by their virtues to bring to their illustrious parents all the delights of domestic life, and to her Majesty's people, peace, happiness, and prosperity.

Address to the Duchess of Kent

TO HER ROYAL HIGHNESS THE DUCHESS OF KENT.

We, her Majesty's loyal subjects, the Commons of Newfoundland, in general Assembly convened, most respectfully beg leave to present to your Royal Highness our heartfelt congratulation on the birth of the Princess Royal.

We regard this event as bearing auspicious promise of the continuance of the succession to the Crown of England in the line of the great and good Victoria, and sincerely offer up our prayers that your Royal Highness may live to see those virtues fully developed in the Royal Heiress which your illustrious example has imparted to her Royal Parent.

Adopted

Resolved,—That the said several addresses be adopted by the House.

On motion of Mr. Kent, seconded by Mr. Winser,

Engrossed

Resolved,—That the said addresses be engrossed, and that Mr. Speaker and the whole House do wait upon his Excellency the Governor with the same, and request that his Excellency will be pleased to transmit them.

Mr. Nugent moved, pursuant to notice, seconded by Mr. Moore,

Resolved,—That the best general indexes to the Statutes at large be procured by the Clerk of this House.

The Solicitor General gave notice that on an early day he would move for leave to bring in a bill to provide for the poor of the colony, and a bill to amend an act passed in the fifth year of the reign of his late Majesty King William IV. entitled "An act to amend the law of attachment, and to facilitate the recovery of debts from absent or absconding debtors." Notice of Poor Bill.

Then the House adjourned until to-morrow at one of the clock.

FRIDAY, January 8, 1841.

MR. Nugent, from the committee to whom was referred the address to his Excellency the Governor in answer to his Excellency's speech at the opening of the session, for re-consideration, reported that they had re-considered the said address, and he read the same in his place. Report of committee on address to his Excellency.

On motion of Mr. Nugent, seconded by Mr. Winser,

Resolved—That this House do now resolve itself into a committee of the whole House on the consideration of the said address. House in committee

And the House resolved itself into the said committee accordingly.

Mr. Speaker left the chair

Mr. O'Brien took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said address, and had agreed to the same without amendment, and he delivered the said address in at the Clerk's table, where it was read as follows— Report

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. Address

May it please your Excellency,

We, Her Majesty's faithful Commons of Newfoundland, in General Assembly convened, thank your Excellency for the speech with which your Excellency has been pleased to open the present session of the Legislature.

With your Excellency we feel the deepest gratitude to God who has preserved her august Majesty from the wild attempt made upon her life by an unhappy maniac, and we participate strongly in those feelings of joy and happiness excited in your Excellency's bosom by the auspicious circumstance of the birth of a Princess Royal.

Address

We thank your Excellency for the intimation that six of the acts passed in the last session have been by her Majesty "left to their operation," and for your Excellency's intention to submit to our inspection the correspondence that has passed respecting two others, which we shall not fail to take into our early consideration.

We are happy to learn from your Excellency that the views of her Majesty's Government are so fully and satisfactorily laid down in the despatch from Her Majesty's Secretary of State on the subject of the Land Bill, as to afford grounds for expecting the immediate settlement of that important subject in a manner suiting the circumstances of the colony.

We also thank your Excellency for proposing to lay before us the last report of the Geological Surveyor, and we shall be happy to take your Excellency's suggestion upon the practicability of rendering his past operations permanently useful into consideration.

We shall not fail to adopt your Excellency's recommendation of appointing a committee to act with a committee of her Majesty's Council, in order to the consideration of how far the gracious permission of her Majesty to use, for the purposes of the colony, such buildings in Fort William as may be rendered available to the accommodation of the Legislature.

We also thank your Excellency for your Excellency's promise to send down the estimates for the ensuing financial year without delay. It affords us gratification to find that the augmentation of the Revenue by the fiscal enactments of the last session, has rendered our pecuniary condition satisfactory, and we shall consider the best means of preventing smuggling.

We shall apply with anxious solicitude to the subject of providing a suitable and permanent provision for the sick and disabled and helpless poor. It is with pain we learn that the absence of a Legislative provision for the sick poor of the colony has had the effect of closing the hospital against them. We regret, too, that by the recent arrangement respecting the hospital, a large portion of the population are excluded from its advantages, and shall consider of the best means of rendering it generally useful.

We regret to learn from your Excellency that any circumstances should have arisen in Conception Bay to render necessary in the opinion of your Excellency the exercise of the Legislative authority, but cannot refrain from most respectfully expressing our dissent from the correctness of the opinion of the existence in the Executive of a right to issue a writ for the election of a member to serve in the Assembly in the room of a member deceased, without the official intimation of such death by the Assembly.

We entertain feelings of unmixed gratitude to her Majesty's Government for the lively interest manifested by her Majesty's Principal Secretary of State for the Colonies for the promotion of the making of roads in this colony, and to your Excellency for urging upon the Legislature the importance of a subject, an act to provide for which had been introduced and discussed, and had passed in this branch of the Legislature in two successive sessions ; we shall therefore enter upon the consideration of that subject with an earnest desire to promote the public good.

We are sorry to find that the expiring of the Quarantine Act has led to in-

convenience, and as its provisions would seem not to have been onerous, we shall consider of its re-enactment. The subject of Education, too, shall occupy our deliberations.—We shall, by considering of the construction of tanks or reservoirs seek to afford the most effectual means of checking the ravages of fires, and shall devote all our energies to the consideration of the facilitating the recovery of the wages of fishing servants in a manner the most consonant with the maintenance of the rights of the fisherman and of the trade. And in conclusion, shall no exertion on our part be wanted to secure the harmonious working of the Legislature during the present session.

And the said address having been read throughout a first and second time, was, upon the question put thereon, agreed to by the house.

On motion of Mr. Nugent, seconded by Mr. Kent,

Resolved,—That the said address be engrossed, and presented to his Excellency the Governor by Mr. Speaker and the whole House. Engrossed

Ordered,—That the Solicitor General and Mr. Doyle be a committee to wait on his Excellency to ascertain his Excellency's pleasure when he would be attended by the House with the said address. Committee

A petition of Lawrence Burke, Patrick Wicken and others, residing at Fresh Water, in the district of St. John's, was presented by Mr. Kent, and the same was received and read, praying the House to grant such a sum as it may deem reasonable for making a road in that part of the country leading from Moses Neil's towards Wigmore's Gully, and Broad Cove, and for erecting the necessary bridges thereon. Petition of L. Burke and others

On motion of Mr. Kent, seconded by Mr. Nugent,

Resolved,—That the said petition be referred to the committee on roads and bridges. Referred to committee on roads and bridges

Mr. Winser moved, pursuant to notice, seconded by Mr. M'Carthy,

Resolved,—That a committee be appointed to examine and audit the public accounts, with liberty to send for persons, records, and papers. Resolution for committee of audit

Ordered,—That Mr. Winser, Mr. M'Carthy, the Solicitor General Mr. Kent and Mr. O'Brien, do form the said committee.

The Solicitor General moved, pursuant to notice, seconded by Mr. Kent,

Resolved that a committee be appointed to examine what laws have lately expired, or are near expiring, and report thereon to the House. Resolution for committee to enquire into expiring laws

Ordered,—That the Solicitor General, Mr. Kent and Mr. Nugent do form such committee.

Mr. Winser gave notice that on Monday next, he would move for a committee of the whole House on the consideration of roads and bridges; and on an early day for leave to bring in a bill to repeal in part an act passed in the reign of Notice for committee on roads and bridges

his late Majesty Wm. IV. entitled " An act for the relief of sick and disabled seamen, fishermen and other persons."

Then the House adjourned until Monday next, at one of the Clock.

MONDAY, January 11, 1841.

Report of committee on address to his Excellency.

THE Solicitor General from the committee appointed to wait on his Excellency the Governor to know when it would be his Excellency's pleasure to receive the House with the address in answer to his Excellency's speech at the opening of the session, reported that they had attended to that duty, and that his Excellency was pleased to say he would receive the House with their address on Wednesday next, at one o'clock.

Notice for address to his Excellency

Mr. Nugent gave notice that to-morrow, he would move that an address be presented to his Excellency the Governor, praying his Excellency to cause to be laid before this house copies of any Report or reports made by the returning Officer at the late Election in Conception Bay, on matters connected with the said respective Elections.

Also,

For the issue of the warrant of Mr. Speaker for a new writ for the election of a member for the district of Conception Bay in the room of Anthony Wm. Godfrey, deceased.

Notice of bill to regulate persons employed in Seal Fishery.

Mr. Dwyer gave notice that on Friday next, he would move for leave to bring in a bill for the regulation of persons employed in the Seal fishery of this colony.

Notice of Message to H. M. Council.

Mr. Moore gave notice that on Wednesday next he would move that a message be sent to her Majesty's Council, requesting that a committee of the Council be appointed to act with a committee of this House, in the consideration of the best mode of regulating and defining the rights of the Fisherman, and of the trade, with respect to servants wages.

Mr. Winser gave notice that on an early day he move for leave to bring in a bill to give summary protection to persons employed in the publication of any report, paper, notes, or proceedings in either branch of the Legislature of this colony.

Mr. Moore gave notice that to-morrow he would move that William Hanrahan be appointed assistant Doorkeeper to this House.

Mr. Winser, pursuant to notice on the 7th instant, presented to the House the draft of an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows— Address to his Excellency presented and read

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c &c.

May it please your Excellency,

The House of Assembly most respectfully request that your Excellency will be pleased to order that the Colonial Treasurer and the Board of Control do furnish the House with such documents as the committee of Audit shall from time to time require.

On motion of Mr. Winser, seconded by Mr. M'Carthy,

Resolved,—That the said address be adopted and engrossed. Adopted

Ordered,—That Mr. Winser, and Mr. M'Carthy be a committee to present the said address to his Excellency. Committee

Ordered,—That the Solicitor General and Mr. Doyle be a committee to wait on his Excellency the Governor, to know when his Excellency will be pleased to receive the House with the address of congratulation to her Majesty and their Royal Highnesses Prince Albert and and the Duchess of Kent.

Then the House adjourned until Wednesday next at twelve of the clock.

WEDNESDAY, January 13, 1841.

THE Solicitor-General, from the committee appointed to wait on his Excellency the Governor to know his Excellency's pleasure when he would Report of committee on Addresses &c.

receive the House with the address of congratulation to her Majesty and their Royal Highnesses Prince Albert and the Duchess of Kent—reported that they had attended to that duty, and that his Excellency was pleased to say he would receive the House with the said address this day at one o'clock.

Mr. Speaker and the House waited on his Excellency the Governor at the hour appointed, and presented the address in answer to his Excellency's speech at the opening of the Session.

And being returned, Mr. Speaker reported that the house had been in attendance upon his Excellency with the address in answer to his Excellency's speech at the opening of the Session, and that his Excellency was pleased to reply as follows—

His Excellency's reply

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

I am much gratified by the expression of your intention to take into consideration the matters which I have recommended to your notice.

Government House,
13th Jan. 1841.

Mr. Speaker further reported that the House had also waited on his Excellency with the address to her Majesty, and their Royal Highnesses Prince Albert and the Duchess of Kent, and that his Excellency was pleased to say he should transmit them by the first opportunity to England.

Notice of bill to establish a fire company in Carbonear

Mr. M'Carthy gave notice that on an early day he would move for leave to bring in a bill to establish a Fire Company in the town of Carbonear.

Notice for committee on state of Hospital

Mr. Nugent gave notice that to-morrow he should move for the appointment of a committee to enquire into the state of the St. John's Hospital.

Address

Mr. Nugent, pursuant to notice yesterday, presented to the House the draft of an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows—

To his Excellency Henry Prescott, Esq., Companion of the most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,—

The House of Assembly respectfully request your Excellency will be pleased to order that the following documents be laid before the House without delay, viz.—

Copies of all correspondence between the Executive and the Returning Officer, on the occasion of the late election in the district of St. John's.

A similar return of correspondence on the occasion of the late election in Conception Bay.

A copy or copies of any report or reports made by the Returning Officer on the occasion of the late election for the district of St. John's—and a similar return of report or reports on the occasion of the late election in Conception Bay.

On motion of Mr. Nugent, seconded by Mr. Winser,

Resolved,—That the said address be adopted. Adopted

Ordered,—That the same be engrossed and presented to his Excellency by Mr. Nugent and Mr. Winser.

Then the House adjourned until to-morrow at one of the clock.

THURSDAY, January 14, 1841.

THE Solicitor-General gave notice that to-morrow he would move for leave to bring in a bill to establish a Catholic Academy in St. Johns. Notice of academy bill

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR. Message from his Excellency

The hon. Mr. Secretary Crowdy being admitted within the bar, acquainted the House that he had a message from his Excellency the Governor, signed by his Excellency, and he presented the same to the House.

He also presented to the House copies of the undermentioned despatches, viz,—

Leaving certain acts to their operation, and respecting act for incorporating Benevolent Irish Society.—Disallowing act for collection and safe keeping Colonial Revenue.—On Act regulating fees in Court of Session, and Mr. Hogsett's Memorial.—On Land Bill.—On Poor Bill of last Session.—On the transfer of Fort William to the colony.—On improving Main Roads.—On Steam Communication.—On production of correspondence between the Lords of the Treasury, or Commissioners of Customs, and Collector.—Respecting Light House on island of St. Peter's.—On commission to prepare bill for introducing the Criminal Law of England.—On retiring pension to Mr. Justice Brenton.—On transmission by the Speaker of an address to the Queen, and on address to the Queen on refusal of the Council to allow their Journals to be searched.

Copy of the Writ issued for the election of a representative of the district of Conception Bay, in the room of the late Anthony William Godfrey, Esq., deceased, and of the return made thereof by the Returning Officer.

The accounts of expenses of Conception Bay Election, 1840.

Extract of letter of Returning Officer of St. John's, and accounts connected with St. John's Election, 1840—and return of Fines and Penalties from Placentia, Bonavista, Burin, Trinity, Harbor Britain, Fortune Bay, and Grand Bank, during the year ending 30th June 1839—and from 30th June 1839, to the 12th February, 1840.

And then the Messenger withdrew.

The said Message was read by Mr. Speaker as follows :—

H. PRESCOTT,—

The Governor in transmitting documents connected with the Acts of the first Session of the 3d Victoria, requests the attention of the House of Assembly to that part of Lord John Russell's despatch of the 15th March, 1840, which has relation to the act for incorporating the Benevolent Irish Society.

Government House,
14th Jan. 1841.

The documents accompanying the said Message, as also the said several Despatches and papers were then read by the Clerk—(for which see *Appendix*.)

On motion of the Solicitor General, seconded by Mr. Nugent,

To lie on the table

Ordered,—That the said several documents and despatches do lie upon the table, to be perused by the Members of the House.

Notice of address to her Majesty

Mr. Kent gave notice that on an early day he would move an address to her Majesty to separate the Executive from the Legislative Council.

The Solicitor General gave notice that to-morrow he would move for the appointment of a committee to act with a committee from her Majesty's Council, to ascertain how far the buildings at Fort William, adverted to in his Excellency's speech at the opening of the Session, may be made available for the purposes of the Legislature.

Mr. Doyle gave notice that on an early day he would move for leave to bring in a Bill to define the purposes for which the Benevolent Irish Society has been incorporated, and to limit the proceedings of the said Society.

Notice of bill to incorporate Native Society

Mr. Moore gave notice that on an early day he would move for leave to bring in a bill to incorporate the Native Society.

Notice of address to her Majesty

Mr. Nugent gave notice that on Monday next he would move that a committee be appointed to prepare an address to her Majesty, praying the erection of a Light House on Cape Pine.

Academy bill read 1st time

The Solicitor General, pursuant to notice and leave granted, presented a bill to establish an academy in St. John's, and the same was read a first time.

Ordered,—That the said bill be read a second time on Saturday next.

Petition of W. Williams & others

A petition of William Williams, John Sullivan and others, inhabitants of Pouch Cove, was presented by Mr. Nugent, and the same was received and read—

Praying for a grant to finish the line of Road between Pouch Cove and Flat Rock.

Moved by Mr. Nugent, seconded by Mr. Winser,

That the said petition be referred to the committee on roads and bridges.

Which being put, and the house dividing thereon, there appeared for the motion, seven, against it, one.

For the motion.	Against the motion.
Mr. Nugent	Mr. Moore
Winser	
Dwyer	
O'Brien	
Kent	
Doyle	
Solicitor General.	

So it passed in the affirmative, and ordered accordingly.

Mr. Nugent gave notice that to-morrow he should move that a select committee be appointed to meet a select committee of her Majesty's Council to consider the best means of regulating and defining the rights of the fisherman, and of the trade, with respect to servants' wages. Notice for committee on fishermen's rights

Then the House adjourned until to-morrow, at one of the clock.

FRIDAY, January 15, 1841.

THE Solicitor General gave notice that on an early day he would move for leave to bring in a bill to regulate the office of Sheriff of the colony. Notice of Sheriffs' Bill

The Solicitor General, pursuant to notice and leave granted, presented a bill to regulate the mode of election of members to serve in the General Assembly of this colony, and the same was received and read a first time. Election Bill

The Solicitor General moved, seconded by Mr. Kent,

That the said bill be read a second time on Tuesday next,—which being put the House divided thereon as follows :

For the motion.	Against the motion.
The Solicitor General	Mr. Kent
Mr. Doyle.	— O'Brien
— Dwyer	— Winser
	— M'Carthy
	— Moore

So it passed in the negative.

Moved by Mr. Dwyer, seconded by Mr. Doyle,

That the said bill be printed for the use of the members, and read a second time this day fortnight,—and the House dividing thereon, there appeared for the motion seven, against it one.

For the motion.	Against the motion.
Mr. Dwyer	The Solicitor General
— Doyle	
— Kent	
— O'Brien	
— Winser	
— M'Carthy	
— Moore.	

So it passed in the affirmative, and ordered accordingly.

Contingency Bill

Mr. Winser, pursuant to notice and leave granted, presented a bill to provide for the contingent expenses of the Legislature in the fourth and fifth sessions of the second General Assembly, and the same was read a first time.

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

Petition of J. Casey and others.

A petition of John Casey, Hugh Hamlin and others, inhabitants of St. John's, was presented by Mr. Nugent, and the same was received and read, praying for a grant of a sum sufficient for repairing the road leading from St. John's to Dreelan's Well, and west of Flower Hill Race Course to Monday's Pond.

On motion of Mr. Nugent, seconded by Mr. Doyle,

Referred to Com. on roads

Ordered,—That the said petition be referred to the committee on roads and bridges.

The Solicitor General moved, pursuant to notice, seconded by Mr. Kent,

Committee on Buildings at Fort William.

Resolved,—That a committee of this House be appointed to act with a committee of her Majesty's Council to ascertain how far the buildings at Fort William may be made available for the purposes of the Legislature.

Ordered,—That the Solicitor General, Mr. Kent, Mr. Doyle, and Mr. O'Brien do form the said committee.

Ordered,—That the Solicitor General and Mr. Kent do communicate the said resolution to her Majesty's Council.

Mr. Nugent moved, pursuant to notice, seconded by Mr. Kent,

Committee on Fishermen's rights

Resolved,—That a committee of this House be appointed to act with a committee of her Majesty's Council in order to consider the best means of regulating and defining the rights of the fishermen and the trade, and that a message be sent to her Majesty's Council to acquaint them of the same.

Ordered,—That Mr. Nugent, Mr. Winser, Mr. Kent, and the Solicitor General, do compose the said committee.

Ordered.—That Mr. Nugent and Mr. Kent do carry the said message up to her Majesty's Council.

Then the House adjourned until Monday next at one of the clock.

MONDAY, January 18, 1841.

Report

MR. Nugent from the committee appointed on the 13th inst. to wait on his Excellency the Governor with an address of the House, praying that the report or reports of the returning officer at the late Elections in St. John's and Conception Bay, &c., be laid before the House, reported that they had waited on his Excellency with the said address, and that his Excellency was pleased to reply as follows:

Gentlemen,—The return to the writ for the district of St. John's was duly made, and the gentleman elected under it has taken his seat.—An extract from a communication made by the returning officer relative to expenses incurred on that occasion, is amongst the documents transmitted herewith.

A copy of the writ for the district of Conception Bay, with the cause of its non-execution, as stated by the returning officer, accompanied by an account of expenses, is also in possession of the House.

Believing that this is all which can at present with advantage to the community be made public, I must decline compliance with this address.

Government House,
16th Jan. 1841.

Report

Mr. Winser reported from the committee appointed on the 11th inst. to present an address of the House to his Excellency the Governor, praying his Excellency to order the Treasurer and Board of Control to furnish the House with certain documents and information when required, that they had attended to that duty, and that his Excellency was pleased to reply thereto as follows.—

Gentlemen,—The Treasurer shall, in connection with this address, receive the usual directions.

The Board of Control shall be requested to supply copies of documents connected with expenditure subject to its approval, as the house may by address to me at any time desire to be furnished with.

Government House,
16th Jan. 1841.

Petition of T. Hartery and others

A petition of Thomas Hartery, Roger Flahavan and others, inhabitants of St. John's, was presented by Mr. Kent, and the same was received and read, praying for a grant of a sufficient sum for the completion of the line of road leading from Fort Townshend to New Town.

Petition of Michael Neill and others

A petition of Michael Neill, Thomas Dwyer and others, inhabitants of Bell Isle, was also presented by Mr. Kent, and the same was received and read, praying for a grant of an adequate sum to complete the new road leading from Lance Cove to Bell Isle, and the removal of a large bank or cliff, which is necessary to the making of the said road.

On motion of Mr. Kent, seconded by Mr. O'Brien,

Referred to committee on roads and bridges

Ordered,—That the said petitions be referred to the committee on roads and bridges.

Petition of J. Dunscomb and others.

A petition of John Dunscomb, James Brine and others, inhabitants of St. John's, was presented by Mr. O'Brien, and the same was received and read, praying that in the next road bill provision may be made for widening and repairing the road or street leading from the premises of Messrs. Brocklebank to Maggotty Cove.

On motion of Mr. O'Brien, seconded by Mr. Kent,

Referred to Com. on roads

Ordered,—That the said petition be referred to the committee on roads and bridges.

Contingency Bill read 2d time

Pursuant to the order of the day a bill to provide for the contingent expenses of the Legislature in the fourth and fifth sessions of the second General Assembly, was read a second time.

On motion of Mr. Winser, seconded by Mr. Nugent,

To be committed.

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will to-morrow, resolve itself into a committee of the whole house on the consideration of the said bill.

Mr. Moore moved, seconded by Mr. Doyle,

That the writ for the election of a representative for the district of Conception Bay, and the accounts of the expenses of the said election, sent down to this House by his Excellency the Governor, be printed for the use of the members.

Which being put, and the house dividing thereon, there appeared for the motion, three, against it, five.

For the motion.	Against the motion.
Mr. Doyle.	Mr. Kent
— Moore	— O'Brien
— Dwyer	— Winser
	— M'Carthy
	— Nugent

So it passed in the negative.

Moved by Mr. Winser, seconded by Mr. M'Carthy,

That this House do now resolve itself into a committee of the whole House on privilege.

And the House dividing thereon, there appeared for the motion five, against it, three.

For the motion,	Against the motion,
Mr. Kent	Mr. Doyle
— O'Brien	— Dwyer
— Winser	— Moore.
— Nugent	
— M'Carthy.	

So it passed in the affirmative, and resolved accordingly.

Mr. Speaker nominated Mr. M'Carthy to take the chair.

Whereupon, Mr. Nugent moved, seconded by Mr. Winser,

That Mr. Moore do take the chair of committee; and the House dividing thereon, there appeared for the motion five, against it, three.

For the motion,	Against the motion,
Mr. Nugent	Mr. Moore
— Kent	— Doyle
— O'Brien	— Dwyer
— Winser	
— M'Carthy	

So it passed in the affirmative.

Moved by Mr. Moore, seconded by Mr. Dwyer,

That this House do now adjourn.

Which being put, the House divided thereon as follows,—

For the motion,	Against the motion;
Mr. Moore	Mr. Nugent
— Doyle	— O'Brien
— Dwyer	— Kent
	— M'Carthy
	— Winser.

So it passed in the negative.

The original motion was then put and carried.

Mr. Speaker left the chair.

Mr. Moore took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had considered the business to them referred, and had directed him to move for leave to sit again on the further consideration thereof.

Ordered,—That the said committee have leave to sit again.

Resolved,—That this House will, on Wednesday next, again resolve itself into the said committee.

No Quorum

Several Members having retired, and there being present, Mr. Speaker, Mr. Nugent, Mr. O'Brien, Mr. Kent, and Mr. Winser, at half past five o'clock, P. M., Mr. Speaker adjourned the House for want of a quorum, until to-morrow at one of the clock.

TUESDAY, January 19, 1841.

Letter from hon. Mr. Secretary Crowdy

MR. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, transmitting, by command of his Excellency the Governor, twenty copies of the last report of Mr. Jukes, the Geological Surveyor—(for which see *Appendix*.)

On motion the House was counted,

Present—Mr. Speaker, Mr. Kent, Mr. Nugent, Mr. Winser, and Mr. Doyle,

No quorum

And for want of a quorum, Mr. Speaker adjourned the House at forty minutes past one o'clock, until to-morrow at one of the clock.

WEDNESDAY, January 20, 1841.

Petition of J. Tracey and others

A Petition of James Tracey, John Harding, and others, inhabitants of St. John's, was presented by Mr. Kent, and the same was received and read,

Praying for a grant of a certain sum for the completion of the Fresh Water Road.

On motion of Mr. Kent, seconded by Mr. Brown,

Referred to Com. on roads

Ordered,—That the said petition be referred to the committee on roads and bridges.

Petition of J. Power and others

A petition of John Power, John Carter, and 460 others, Fishermen, was presented by Mr. Winser, and the same was received and read, setting forth—

That petitioners approach the honorable House with unfeigned thanks for the interest always evinced towards them, during the last three Sessions of the

Legislature, for their welfare. That petitioners deeply regret the situation they are placed in, as regards the Merchant, Planter, and themselves, in the persons of Suppliers, Masters, and Servants, for the want of an established law to protect the trade of the colony, and recovery of the servants wages, as the recent case of "Nowlan *v.* M'Grath," fully showeth; leaving the servant of the Planter at the mercy of the merchant for his hard-earned wages, if the funds of the Planter are not equivalent to the liquidation thereof. That petitioners beg the serious consideration of the House in framing such a bill as will enable the Fisherman to recover his wages when lawfully earned. That Petitioners beg also to call the attention of the House to the practice recently established by the Merchant towards the servant, causing him to take Goods in payment of his wages, when ready money was the understood mode of payment. That Petitioners humbly beg to press this on the honorable House, that in the framing of the said bill, this injurious system of payment may be abolished. That petitioners beg to lay before the honorable House the exorbitant charges of the merchants for berths in their sealing vessels, hoping that such charges may be so modified by the House as to leave some remuneration to the hardy Sealer for the perils of this, the most staple trade of the Colony.

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

On motion of Mr. Moore, seconded by Mr. Doyle,

Resolved,—That one hundred copies of the said petition be printed for the use of the Members.

Mr. Moore having been repeatedly called to order by Mr. Speaker, subsequently rose to present a petition, and then made use of the following words, which were ordered to be taken down, "I hold in my hand the petition of Fishermen, and I suppose that's the reason I am ordered to sit down."

Moved by Mr. Kent, seconded by Mr. Nugent,

That the words used by the hon. Member for Trinity are grossly insulting to Mr. Speaker and the whole House.

Which being put, the House divided thereon as follows,—

For the motion,	Against the motion,
Mr. Nugent	Mr. Moore
— Kent	
— O'Brien	
— Winser	
— M'Carthy	
— Doyle	
— Butler	

So it passed in the affirmative, and resolved accordingly.

On motion of Mr. Kent, seconded by Mr. Nugent,

Resolved,—That the hon. member for Trinity be directed by Mr. Speaker to explain his observations, and then withdraw.

Mr. Moore then withdrew.

On motion of Mr. Kent, seconded by Mr. Nugent,

Resolved,—That the hon. member for Trinity be placed in the custody of the Sergeant-at-Arms, be brought to the bar of the House, be reprimanded by Mr. Speaker, and be discharged on paying fees.

The Sergeant-at-Arms reported that he had, in pursuance of the order of the House, taken the hon. member for Trinity into custody, and had brought him to the bar of the House.

Mr. Speaker then addressed the hon. Member as follows—

" Mr. Moore, it is my painful duty to inform you that this House has taken your whole conduct of this day into their consideration; your repeated interruption of proceedings, and your offensive language to me, the Speaker, and the House; and they have ordered that you be reprimanded, and I reprimand you accordingly, and sincerely hope that what has occurred will act as a caution to you, that in the discharge of your duty as a member of this House, you conduct yourself properly, discreetly, and temperately. You will be discharged on paying your fees.

Mr. Moore then retired in custody of the Sergeant-at-Arms.

The Sergeant-at-Arms reported to Mr. Speaker that Mr. Moore had paid his fees and was discharged.

Mr. Moore then entered the House and took his seat.

Petition of W. Walsh and others

A petition of William Walsh, John Furlong, and others, inhabitants of St. John's, was presented by Mr. Moore, and the same was received and read, setting forth—

That petitioners have learned with regret that the hon. House should have deemed it necessary to institute an investigation into the conduct of Robert John Parsons, Esq., the printer to the House, for alleged libels published in the Patriot newspaper, which the House have considered a breach of its privileges, and for which it is apprehended to be the intention of the House to deprive him of the office of printer to the hon. House.

That petitioners humbly submit that other important duties devolve upon the Editor of the Patriot newspaper beyond the mere discharge of those as printer to the hon. House, which may occasionally impel him to take notice of the acts of the Legislature, and comment thereon for the information and benefit of the public.

That petitioners humbly hope, that if, in the upright and impartial discharge of such onerous public duties, he should have used any language which may be construed into a breach of the privileges of the hon. House, the House will not attribute it to a derilection of duty towards, or a want of due respect for the hon. House, and that the house will not only extend to him that protection, but uphold that fair latitude of opinion and remark which is so essentially necessary to the maintenance of the liberties of the people, and the freedom of the Press.

Petitioners therefore humbly pray that the hon. house will be pleased to take the premises into its favorable consideration, and continue Mr. Parsons in his present office of printer to the House.

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

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on privilege. House in committee on privilege.

Mr. Speaker left the chair.

Mr. Moore took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had considered the business to them referred, and had come to certain resolutions thereon which he was directed to report to the House ; and he read the said resolutions in his place, and afterwards delivered them in at the Clerk's table, where they were again read as follow : Report

Resolved,—That it is the opinion of this committee that it is the bounden duty of the officers and servants of this house, as far as in them lies, to uphold its privileges, and maintain its character.

Resolved,—That it is the opinion of this committee that the Patriot of 11th July, 1840, contains, under the editorial head, a gross libel upon the character of the house, calculated to undermine the public confidence in their representatives, founded upon a false assumption of facts as follows—

"We know of no subject more immediately demanding Legislative encouragement, not by a tax on foreign timber, as was suggested last session, and which must have arisen from a total misapprehension of the full nature of the question—but by a bounty on ships built in the country, without reference to the material of which they may be constructed, whether it be wholly the produce of the country, or in part imported, as will sometimes be found necessary. There could be no application of the revenue more legitimate—for here the object would be the drawing out of latent resources, the creation of employment in a splendid branch of trade, and the general improvement of the important shipping of the country,—a grand result which would pay the Legislative advances back to the country with handsome interest."

☞"We cordially agree with the above observations from the Newfoundlander. The tax on Foreign Timber to promote native industry was a conception the most absurd that ever entered the mind of man, but it was one of those jejune and unstudied attempts for which the present House of Assembly were so remarkable ; and it moreover shows the necessity which exists for a larger infusion of mercantile knowledge and information generally into that branch of the Legislature. The entire scale of increased taxation on imports was equally as imbecile as the attempt to tax foreign timber, for they increased the taxes without ensuring the passage of a road bill, or the enactment of any other popular measure,—thus will an enormous tax upon the people be swallowed up (as swallowed up would be ten times the amount)—not in the effectuation of any local improvement, nor in the employment or advantage of the industrious classes."

Resolved,—That it is the opinion of this committee that the printer of the Patriot, holding also the office of Reporter of the proceedings of the House, was aware, if he correctly discharged the duties of the latter office, that a tax

on foreign timber had never been contemplated by this House for the encouragement of ship building, and that therefore he was using a false charge to injure the character of the House, to neutralize its power and influence.

Resolved,—That it is the opinion of this committee that the proprietor of the Newfoundland Patriot be discharged from the offices of Printer and Reporter of this House.

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

House in commte. Contingency Bill

Agreeeably to the order of the day the House resolved itself into a committee of the whole House on the consideration of a bill to provide for the contingent expenses of the Legislature in the fourth and fifth sessions of the second General Assembly.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without amendment.

Ordered that the said bill be engrossed and read a third time to-morrow.

Mr. Winser gave notice that to-morrow he would move that a select committee be appointed to consider and report upon the appropriation of the sum mentioned in the bill providing for the contingent expenses of the 4th and 5th sessions of the 2d General Assembly.

Mr. Moore gave notice that to-morrow, he would move that the printing and reporting of the House be done by tender.

Mr. Nugent gave notice that on Friday next he would move for leave to bring in a bill for the encouragement of ship building in this colony.

Then the House adjourned until to-morrow at one of the clock.

THURSDAY, January 21, 1841.

Notice of bill to fix the terms of the Courts.

THE Solicitor General gave notice that on an early day he would move for leave to bring in a bill to fix the terms of the Supreme Court.

Academy bill read 2d time

Pursuant to the order of the day, a bill to establish an Academy in St. John's, was read a second time.

On motion of the Solicitor General, seconded by Mr. Moore,

Ordered,—That the said bill be committed to a committee of the whole House. To be committed

Resolved,—That this House will on Monday next, resolve itself into a committee of the whole house on the consideration of the said bill.

Mr. Winser moved, pursuant to notice, seconded by Mr. Nugent,

That a select committee be appointed to consider and report to the House the appropriation of the sum mentioned in the bill providing for the contingent expenses of the fourth and fifth sessions of the second General Assembly. Select committee on contingencies.

Mr. Doyle moved, in amendment, seconded by the Solicitor General,

That the the said bill be now re-committed to a committee of the whole House.

Which being put, the House divided thereon as follows,—

For the amendment,	Against the amendment,
Mr. Moore	Mr. Nugent
— Kent	— Winser
— O'Brien	
— Brown	
— Dwyer	
— Solicitor General.	

So it passed in the affirmative, and ordered accordingly.

Then the House adjourned until to-morrow at one of the clock.

FRIDAY, January 22, 1841.

MR. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, and the same was read by the Clerk as follows : Letter from Colonial Secretary.

Secretary's Office,
21st Jan. 1841.

Sir,—With reference to the Secretary of State's circular despatch of the 25th December, 1838, (copy of which was by the Governor's command laid before the House of Assembly on the 3d June, 1839,) I am now directed by his Excellency to transmit to you for the use of the House, three vo-

7 W 4, and 1 Vic. / 1 & 2 Vic. / 2 & 3 Vic. } lumes containing the acts of the Imperial Parliament, as specified in the Margin.

I have the honor to be, sir,
Your obdt. humble servt.

The Hon. the Speaker of the
House of Assembly.

JAMES CROWDY.

On motion of Mr. Nugent, seconded by Mr. Winser,

Ordered,—That the said volumes be placed in charge of the Clerk of the House.

Ship building bill read first time.

Mr. Nugent, pursuant to notice and leave granted, presented a bill to encourage the building of vessels in the colony of Newfoundland, and the same was read a first time.

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

Message from Council

A message from her Majesty's Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,

Her Majesty's Council acquaint the House of Assembly that they have, in conformity with the suggestion made by his Excellency the Governor in his speech on opening the present session, appointed a committee to meet a committee of the House of Assembly "to ascertain how far the buildings at Fort William can be made available for the future accommodation of the Legislature."

WILLIAM SALL,
President.

Council Chamber,
19th Jan. 1841.

On motion of the Solicitor General, seconded by Mr. Power,

Resolved,—That a committee be appointed to meet the committee of her Majesty's Council upon the subject matter of their said message, and that the same be communicated to her Majesty's Council by message.

Ordered,—That the Solicitor General, Mr. Power, Mr. Kent, and Mr. Doyle, do compose the said committee.

Ordered,—That the Solicitor General and Mr. Power do carry up the said message to her Majesty's Council.

The Solicitor General gave notice that on an early day he would move for leave to bring in a bill for providing the town of St. John's with reservoirs and tanks.

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

Message from his Excellency

The hon. Mr. Secretary Crowdy being admitted within the bar acquainted the House that he had five messages from his Excellency the Governor, signed by his Excellency, and he presented the same to the House.

He also presented to the House, by direction of his Excellency, the following documents, viz.—

Estimate of the charge for defraying the public expenditure of Newfoundland for the year ending 30th June, 1842.

Statement of services inadequately provided for in the supply bill for the year ending 30th June, 1841.

Return of wolves killed between 3d January 1840, and 2d January 1841.—(for which see *Appendix*.)

And then the Messenger withdrew.

The said Messages were then read by Mr. Speaker as follow :—

H. PRESCOTT,—

In transmitting to the House of Assembly the accompanying accounts for the registration of voters, the Governor requests the consideration of the House to his repeated representations on this subject during the last Session.

Government House,
22d Jan. 1841.

H. PRESCOTT,—

The Governor recommends to the favourable consideration of the House of Assembly the accompanying memorial, from the North American and Newfoundland School Society.

Government House,
22d Jan. 1841.

H. PRESCOTT,—

The Governor in transmitting the accompanying representation from the Police Magistrates of St. John's, respecting the claims of special constables, recommends those claims to the House for liquidation.

Government House,
22d Jan. 1841.

H. PRESCOTT,

The Governor recommends to the favorable consideration of the House of Assembly, the accompanying application from the Commanding Officer of Artillery.

Government House,
22d Jan. 1841.

The documents accompanying the said messages were then read by the Clerk —(for which see *Appendix*.)

Ordered,—That the said messages and documents do lie upon the table to be perused by the Members of the House.

Message from her Majesty's Council.

A MESSAGE FROM HER MAJESTY'S COUNCIL.

The Master-in-Chancery brought down from her Majesty's Council the following written message,—

Mr. Speaker,—

Her Majesty's Council acquaint the House of Assembly, in reply to their message dated the 15th inst., relative to a committee "to consider the best means of regulating and defining the rights of the Fisherman and the trade," that the Council see no reason for departing on this occasion from the usual and established practice of bills originating altogether with either one or the other branch of the Legislature, and therefore cannot concur in the suggestion made by the House of Assembly in their resolution communicated in the before-mentioned message.

Her Majesty's Council are fully sensible of the importance of the subject in question, and will be prepared to give it most serious consideration when it shall come before them.

W. SALL,
President.

Council Chamber,
22d Jan. 1841.

Petition of P. Brazil and others

A petition of Patrick Brazil, Jonas Barter, and others, inhabitants of St. John's, was presented by Mr. O'Brien, and the same was received and read,—

Praying that provision may be made by the House for repairing certain parts of Duckworth Street.

On motion of Mr. O'Brien, seconded by Mr. Kent,

Referred to Com. on roads

Ordered,—That the said petition be referred to the committee on roads and bridges.

Mr. Moore moved, pursuant to notice, seconded by Mr. Dwyer,

That the Clerk of the House be instructed to advertize in the Royal Gazette for tenders for the printing of the House.

Whereupon, the Solicitor General moved in amendment, seconded by Mr. Kent,

That a committee of five be appointed to enquire into the best mode of procuring the printing required to be done by the House, and to search for precedents, and report thereon to the House.

Which being put, the House divided thereon as follows,—

For the amendment,	Against the amendment,
Mr. Nugent	Mr. Moore
— Kent	— Dwyer
— O'Brien	— Butler
— Brown	— Doyle
— Winser	
— Power	
— Solicitor General.	

So it passed in the affirmative, and resolved accordingly.

Ordered,—That the Solicitor General, Mr. Kent, Mr. O'Brien, Mr. Winser, and Mr. Dwyer do form such committee.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, January 25, 1841.

MR. Moore, pursuant to notice, and leave granted, presented a bill to provide for the greater security and more easy recovery of the wages of servants employed in the fisheries of the colony, and for other purposes, and the same was read a first time. Bill to recover Servants wages read 1st time

Ordered,—That the said bill be read a second time this day fortnight.

Pursuant to the order of the day, a bill to encourage the building of vessels in the colony of Newfoundland was read a second time. Ship building bill read 2d time.

On motion of Mr. Nugent, seconded by Mr. Moore,

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole house on the consideration of the said bill.

A petition of John Murphy, George White, and others, inhabitants of Trinity, Ship Cove, Salmon Cove, and English Harbor, was presented by Mr. Moore, and the same was received and read,— Petition of J. Murphy and others

Praying for a grant of a sum sufficient to make a road to connect the above named places with the north side of Trinity, and to build a bridge over Robin Hood.

A petition of W. D. Cross, Robert Pall, and others, inhabitants of Trinity, Cuckold's Cove, Trouty, Spaniard's Bay, Old and New Bonaventure, was also presented by Mr. Moore, and the same was received and read,— Petition of W. Cross and others

Praying the House to grant an adequate sum to open a foot path, connecting the above-named places.

On motion of Mr. Moore, seconded by Mr. Butler,

Ordered,—That the said petitions be referred to the committee on roads and bridges.

Petition of L. Maccasey and others

A petition of Lawrence Maccasey, John Dillon, and others, inhabitants of St. John's, was presented by Mr. Kent, and the same was received and read,—

Praying that provision may be made that the fire break leading from the middle of Queen Street to Princes Street may be laid out for a street.

Petition of T. Houlton

A petition of Thomas Houlton, of St. John's, was also presented by Mr. Kent, and the same was received and read,—

Praying for compensation for making and repairing the road leading to Signal Hill.

On motion of Mr. Kent, seconded by Mr. Nugent,

Referred to Com. on roads

Ordered,—That the said petitions be referred to the committee on roads and bridges.

House in commte on Contingency Bill

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the re-consideration of a bill to provide for the contingent expenses of the Legislature in the 4th and 5th Sessions of the second general Assembly.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Mr. Nugent gave notice that to-morrow he would move an address to his Excellency the Governor, praying his Excellency to cause to be laid before the House a copy of the proclamations of Sir Richard Goodwin Keats, and Sir John Thomas Duckworth, on the subject of the St. John's Hospital.

Mr. Brown gave notice that on an early day he would move for leave to bring in a bill to authorize the Sheriff of Newfoundland to levy executions in the several districts of this colony after final judgment,—and a bill to declare the seats of members of the Assembly vacant in certain cases.

Mr. Nugent gave notice that, to-morrow, he would move for leave to bring in a bill to regulate the manner of empannelling juries in this colony. Notice of Juries bill

The Solicitor General gave notice that on an early day he would move for leave to bring in a bill to provide for the poor of the colony. Notice of Poor Bill.

Then the House adjourned until to-morrow at one of the clock.

TUESDAY, January 26, 1841.

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR. Message from his Excellency

The hon. Mr. Secretary Crowdy being admitted within the bar acquainted the House that he had six messages from his Excellency the Governor, signed by his Excellency, and he presented the same to the House.

He also presented to the House, by direction of his Excellency, the following documents, viz.—

Treasurer's Quarterly accounts to December.

Hospital accounts to May, 1840.

Audited accounts of Colonial Revenue.

A petition of Samuel Cose, of Aquafort, in the district of Ferryland, constable.—For the said documents see Appendix.

And then the Messenger withdrew.

The said Messages were then read by Mr. Speaker as follow :—

H. PRESCOTT,—

The Governor acquaints the House of Assembly that in conformity with the intention expressed in his reply to an address of the house of last session, he did, on the 3d June, borrow from the Bank the sum of £1968 15s. 4d. which with interest was repaid on the 6th September following.

Government House,
26th Jan. 1841.

H. PRESCOTT,—

The Governor recommends to the favourable consideration of the House of Assembly the accompanying communications from the chairman of the Board of Road Commissioners of this district.

Government House,
26th Jan. 1841

Message

H. PRESCOTT,—

In transmitting to the House of Assembly the accompanying statement of the incidental expenses of the Board of Control, the Governor acquaints the House that considerable inconvenience has arisen from no provision having been made to meet these charges as they have been incurred, and he therefore suggests to the House the expediency of appropriating in future road bills a sum to this object.

Government House,
26th Jan. 1841.

.....

H. PRESCOTT,

The Governor transmits to the House of Assembly an application of so pressing a nature that he has directed the admission into the Hospital of the ancient sufferer mentioned therein.

Government House,
26th Jan. 1841.

....

H. PRESCOTT.

The Governor in transmitting to the House of Assembly the accompanying petition of the Clerks of the Peace of Harbor Grace and Ferryland, calls the attention of the House to his correspondence with the Secretary of State, now before it, in reference to the memorial of Mr. Hogsett.

Government House,
26th Jan. 1841.

———

H. PRESCOTT.

The Governor recommends the accompanying memorial of John Brine to the favourable consideration of the House of Assembly.

Government House,
26th Jan. 1841.

.....

The said documents and petitions accompanying the said messages were then severally read by the Clerk.

(For which see Appendix.)

Ordered,—That the said messages and documents do lie upon the table to be perused by the Members of the House.

Report of committee on address to his Excellency.

Mr. Nugent, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. Address

May it please your Excellency,

The House of Assembly respectfully request your Excellency will be pleased to order that copies of the Proclamations issued under the administration of Governors Sir John T. Duckworth, and Sir Richard G. Keates, on the subject of the Newfoundland Hospital, be laid before the House.

On motion of Mr. Nugent, seconded by Mr. Winser,

Resolved—That the said address be adopted and engrossed.

Ordered,—That Mr. Nugent and Mr. Winser be a committee to present the said address to his Excellency.

Mr. Brown, pursuant to notice and leave granted, presented a bill to declare vacant the seats of members of the Assembly of this colony in certain cases, and to make provision for the election of others in their stead. Members' vacant seat bill

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

A petition of John Purcell, Michael Hayes and others, inhabitants of Portugal Cove, was presented by Mr. Kent, and the same was received and read, praying for a grant of a further sum to complete and finish the line of road from Goff's Bridge to the westward point of Portugal Cove. Petition of John Hayes and others

On motion of Mr. Kent, seconded by Mr. Nugent,

Ordered,—That the said petition be referred to the committee on roads and bridges. Referred to committee on roads and bridges

A petition of Joseph Ryan, John Kelly and others, inhabitants of St. John's, was presented by Mr. O'Brien, and the same was received and read, praying that provision may be made by the House for continuing the Upper Long Pond road to the head of that road. Petition of Jos. Ryan and others

On motion of Mr. O'Brien, seconded by Mr. Kent,

Ordered,—That the said petition be referred to the committee on roads and bridges. Referred to Com. on roads

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill to encourage the building of vessels in the colony of Newfoundland. House in committee on Ship building bill

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

Report

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

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

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

House in committee on Academy bill

Agreeably to the order of the day, the House resolved itself into a committee of the whole house on the consideration of a bill to establish an Academy in St. John's.

Mr. Speaker left the chair.

Mr. Brown took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had considered the business to them referred, and had directed him to move for leave to sit again on the further consideration thereof.

Ordered that the said Committee have leave to sit again to-morrow.

Notices for addresses to his Excellency

Mr. Nugent gave notice that, to-morrow, he would move an address to his Excellency the Governor, praying for copies of all presentments and assessments made by the Grand Juries of the Supreme and Central Circuit Courts, on the subject of the Newfoundland Hospital.

The Solicitor General gave notice that to-morrow he would move an address to his Excellency the Governor respectfully requesting that his Excellency will be pleased to advance a certain sum of money then to be specified for the relief of the poor, and the house will stand pledged to reimburse his Excellency.

Then the House adjourned until to-morrow at one of the clock.

WEDNESDAY, January 27, 1841.

Address to his Excellency

MR. Nugent, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows,—

To his Excellency Henry Prescott, Esq., Companion of the most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,—

The House of Assembly respectfully pray your Excellency to order that copies of all presentments, assessments, and other proceedings of the Grand Juries of the Supreme and Central Circuit Courts, with reference to the Newfoundland Hospital, be laid before this House.

On motion of Mr. Nugent, seconded by Mr. Winser,

Resolved,—That the said address be adopted and engrossed. Adopted

Ordered,—That Mr. Nugent and Mr. Winser be a committee to present the said address to his Excellency.

Mr. Brown, pursuant to notice and leave granted, presented a bill to authorize the Sheriff of Newfoundland to levy execution in the several districts of this colony after final judgment, and the same was read a first time.

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

Mr. Nugent, pursuant to notice and leave granted, presented a bill to regulate the manner of empannelling juries in the Supreme and Circuit Courts of this island, and to determine the qualification of Jurors in the said Courts; and the same was read a first time.

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

Mr. Winser, pursuant to notice and leave granted, presented a bill to give summary protection to persons employed in the publication of reports, and other proceedings of the Legislature of Newfoundland, and the same was read a first time.

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

The Solicitor-General, pursuant to notice and leave granted, presented a bill for fixing the terms of the Supreme Court, and the same was read a first time.

Ordered,—That the said bill be read a second time this day week.

Pursuant to the order of the day, a bill to declare vacant the seats of Members of the Assembly of this Colony, in certain cases, and to make provision for others in their stead, was read a second time.

On motion of Mr. Brown, seconded by Mr. Nugent,

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole house on the consideration of the said bill.

House in commte on Contingency Bill

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a Bill to provide for the contingent expenses of the Legislature during the past two Sessions.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said bill, and had made two amendments therein, which he was directed to report to the House, and he delivered the bill with the amendments in at the Clerk's table.

The chairman also reported from the committee that on a motion that the words "five thousand eight hundred and eighty six pounds, three shillings, and elevenpence" in the first section of the said bill be struck out, and five thousand nine hundred and seventy pounds, three shillings and eleven pence be substituted, the committee divided as follows,—

Mr. Kent	Mr. Nugent
— Brown	— Winser
— Doyle	— Moore
— Dwyer	
— Butler	

The said amendments were then read throughout, and, upon the question being put on the amendment "and a further sum of eighty four pounds to James Power, Esq., Member for Conception Bay, for his attendance the fourth and fifth Sessions," the House divided thereon as follows,—

For the amendment,	Against the amendment,
The Solicitor General	Mr. Nugent
Mr. Brown	— Winser
— Kent	— Moore
— Doyle	
— O'Brien	
— Dwyer	

So it passed in the affirmative.

The other amendment was, upon the question put thereon, agreed to by the House.

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

House in committee on Academy bill

Agreeably to the order of the day, the House resolved itself into a committee of the whole house on the further consideration of a bill to establish an Academy in St. John's.

Mr. Speaker left the chair.

Mr. Brown took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said bill. and had agreed to the same without any amendment.

Ordered,—That the said bill be engrossed, and read a third time on Friday next.

Then the House adjourned until Friday next at one of the clock.

FRIDAY, January 29, 1841.

Report of committee on address to his Excellency.

MR. Nugent, from the committee appointed to wait upon his Excellency the Governor, with an address of the House, praying for copies of the proclamations of Sir J. T. Duckworth, and Sir R. G. Keats, on the subject of the Newfoundland Hospital, and also copies of certain records of the proceedings of the Supreme and Central Circuit Courts, on the same subject, reported that they had presented the same, and that his Excellency was pleased to say he would order the returns prayed for to be laid before the House.

Report of committee on expired and expiring laws

The Solicitor General, from the committee appointed to examine what laws have lately expired, or are near expiring, presented to the House the report of the said committee, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows,—

The committee appointed to enquire into the expired and expiring laws, beg to report to the House as follows,—

That an act passed in the third year of the reign of his late Majesty, King Wm. the 4th, entitled "An Act to provide for the performance of quarantine, and more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this island," has expired.

That an act passed in the 4th year of his late Majesty King William the 4th, (2d session) entitled "An Act to afford relief to wives and children, deserted by their husbands and parents," has expired.

That an act passed in the 5th year of his late Majesty King William the 4th, entitled "An Act for the protection of the breeding of hares and wild fowl," has expired.

That an act passed in the sixth year of the reign of his late Majesty King William the 4th, entitled "An Act for the encouragement of education in this colony" will expire with this session of the Assembly.

That an act passed in the first year of the reign of her present Majesty, entitled "An Act to continue and amend an act passed in the fourth year of the reign of his late Majesty King William the 4th, entitled "An Act to regulate the packing and inspection of pickled fish for exportation from this Island," will expire with the sitting of this session of the Assembly.

That an act passed in the third year of the reign of her present Majesty, (2d session) entitled "An Act to continue an act passed in the fifth session of the general Assembly of this Island, entitled "An Act to combine the office of Clerk of the Central Circuit Court with that of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices," will expire with the sitting of the present session of the Legislature.

H. A. EMERSON,

Chairman.

Committee Room
27th Jan., 1841.

The Solicitor-General also reported from the committee appointed to enquire into the best mode of procuring the printing required to be done by the House, &c. that the committee had come to a resolution thereon, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows,—

Resolved that it is the opinion of this committee that the House elect by vote a printer and reporter of the House of Assembly.

Mr. Kent moved, seconded by Mr. Nugent,

That the said report be received and adopted. Whereupon, Mr. Moore moved in amendment, seconded by Mr. Kent,

That the word "Reporter," in the said resolution, be expunged,—which being put, passed in the affirmative.

The original motion as amended, was then put, and agreed to by the House.

On motion of Mr. Kent, seconded by Mr. M'Carthy,

Resolved,—That the Proprietor of the "Vindicator" newspaper, be printer of this House, and that Mr. Speaker do notify him of the same.

Mr. Kent, pursuant to notice on the 14th inst., presented an address to her Majesty the Queen, praying her Majesty to separate the Executive from the Legislative Council, and the same was read a first time. Address to her Majesty presented and read

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

The Solicitor General, pursuant to notice and leave granted, presented a bill to provide for the making of reservoirs and tanks in the town of St. John's, and the same was read a first time. Bill to provide for making of reservoirs and tanks read 1st time.

Ordered,—That the said bill be read a second time this day week.

On motion of the Solicitor General, seconded by Mr. Kent,

Resolved,—That the said bill be printed for the use of the members.

Agreeably to the order of the day, an engrossed bill to provide for the contingent expenses of the Legislature the past two sessions, was read a third time. Contingency Bill read 3d time

On motion of Mr. Winser, seconded by Mr. Moore,

Resolved,—That the said bill do pass, and that the title be "An act to provide for the contingent expenses of the Legislature in the fourth and fifth sessions of the second General Assembly." Passed. Title

Ordered,—That Mr. Winser and Mr. Moore do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council

Pursuant to the order of the day, a bill to give summary protection to persons employed in the publication of reports and other proceedings of the Legislature of Newfld., and a bill to regulate the manner of empannelling juries in the Supreme and Circuit Courts of this Island, and to determine the qualification of Jurors in the said Courts, were respectively read a second time.

Ordered,—That the said bills be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole house on the consideration of the said bills.

A petition of Robert Pack, Thos. Gamble, and others, inhabitants of Carbonear, was presented by Mr. M'Carthy, and the same was received and read, Petition of R. Pack and others

Praying for an additional grant of money to complete the main roads leading from Carbonear, along the North Shore, to Bay de Verds; and also to Heart's Content, in Trinity Bay.

A petition of Simon Morris, Patrick Mulloy, and others, inhabitants of St. John's, was presented by Mr. Kent, and the same was received and read,— Petition of S. Morris and others

Praying for a grant of a sum sufficient to repair the road leading from Dunscomb's bridge to Waterford bridge.

Petitions—of W. Dryer and others—

A petition of William B. Dryer, Matthew Pope, and others, inhabitants of St John's, was also presented by Mr. Kent, and the same was received and read, praying the house to grant such a sum as may be necessary to repair the road leading from the River head by Springfield Farm and joining the Brookfield Road.

Daniel Griffin and others—

A petition of Daniel Griffin, Walter Walsh, and others, inhabitants of Outer Cove, was presented by Mr. O'Brien, and the same was received and read, praying for a grant of a further sum to complete the road leading to their settlement.

Nicholas Roach and others

A petition of Nicholas Roach, Robert Thomson and others, inhabitants of Middle Cove, was presented by Mr. Kent, and the same was received and read, praying the House to grant a sufficient sum to make a road from St. John's to Middle Cove.

Referred to committee on roads and bridges

Ordered,—That the said petitions be referred to the committee on roads and bridges.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, February 1, 1841.

THE order of the day for the 3d reading of an engrossed bill to establish an academy in the town of St. John's, being read,

Mr. Winser moved, seconded by Mr. Power,

Ordered,—That the said bill be now recommitted to a committee of the whole House.

House in committee on academy bill

And the House resolved itself into the said committee accordingly.

Mr. Speaker left the chair.

Mr. O'Brien took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had reconsidered the said bill, and had not made any amendment therein.

The chairman also reported that on a motion that the following sections be added to the bill—

"And be it further enacted, that in all cases where the Academy shall have attained its full number of pupils, it shall not be lawful for the town and district of St. John's to have a greater proportion of pupils than one half, provided applications have been made for the entrance of pupils belonging to any of the Outports.

And be it further enacted, that six months from the opening of the Academy shall be considered to be a sufficient time for the Outports to make application; and if after the expiry of that time applications have not been made for the entry of one half of the number the academy will contain from the outports, it shall then be lawful to complete the same from the town and district of St. John's, provided that when vacancies shall occur, the outports shall have the preference to their full number,"

The committee divided as follows,—

For the motion.	Against the motion.
Mr. Winser	The hon. the Speaker
— Brown	Mr. Kent
— Dwyer	— Nugent
— Power	— Doyle
— Butler	— Moore
— M'Carthy	The Solicitor General

And the committee being equally divided, the chairman gave his casting vote against the motion.

The said bill was then delivered in at the Clerk's table and read a third time.

Moved by the Solicitor General, seconded by Mr. O'Brien.

Resolved,—That the said bill do pass, and that the title be "An act to establish an academy in St. John's."

Passed. Title

Which being put; the House divided thereon as follows,—

For the motion	Against the motion
The Solicitor General	Mr. Power
Mr. Moore	— Winser
— Kent	— Brown
— Doyle	— Dwyer
— O'Brien	— M'Carthy
— Nugent	— Butler

And the house being equally divided, Mr. Speaker gave his casting vote in favor of the motion.

So it passed in the affirmative, and resolved accordingly.

Sent to Council

Ordered,—That the Solicitor General and Mr. O'Brien do carry the said bill up to her Majesty's Council and desire their concurrence.

Address to her Majesty presented and read

Pursuant to the order of the day, an address to her Majesty the Queen, praying her Majesty to separate the Executive from the Legislative Council, &c., was read a second time.

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

Sheriff's bil' read 2d time

Agreeably to the order of the day, a bill to authorize the Sheriff of Newfoundland to levy execution in the several districts of this colony after final judgment was read a second time.

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

Notice of bill to amend whale fishery act

Mr. Moore gave notice that to-morrow he would move for leave to bring in a bill to amend an act passed in the third year of the reign of her present Majesty, entitled "An Act to encourage the whale fishery in this colony." Also that the bill to provide for the greater security, and more easy recovery of the wages of servants employed in the Fisheries of this Colony, &c., be printed for the use of Members.

Petition of P. Mullowney and others

A petition of Patrick Mullowney, Simon Morris, and others, inhabitants of St. John's, was presented by Mr. Nugent, and the same was received and read,

Praying the House to make such provisions as shall seem most effectual for encouraging the use of the early potatoes for seed.

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

Petition of M- Scanlan and others

A petition of Michael Scanlan, Patrick Gleeson, and others, inhabitants of the district of St. John's, was presented by Mr. Kent, and the same was received and read,

Praying the House to grant such sum as may be deemed adequate to repair the main road from St. John's to Torbay.

Petition of W, Redmond & others

A petition of William Redmond, John Casey, and others, inhabitants of St. John's, was presented by Mr. O'Brien, and the same was received and read,—

Praying the House to make provision for the completion of the main road, leading from St. John's by Lazy bank to George's Pond.

Referred to committee on roads and bridges

Ordered,—That the said petitions be referred to the committee on roads and bridges.

Then the House adjourned until to-morrow, at one of the clock.

TUESDAY, February 2, 1841.

Letter from Colonial Secretary.

MR. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, transmitting by direction of his Excellency the Governor, for the use of the House, one volume, lately received, containing the acts of the Imperial Parliament, 3d and 4th Victoria.

A petition of Edward T. Pike, W. W. Bemister, and others, inhabitants of Carbonear, was presented by Mr. Power, and the same was received and read, Petition of Edward Pike and others

Praying the House to grant an adequate sum for the improvement of the River Head, between Carbonear Pond and the Harbor Grace new road, and for erecting a bridge over the said pond to Carbonear Beach.

On motion of Mr. Power, seconded by Mr. M'Carthy,

Ordered,—That the said petition be referred to the committee on roads and bridges. Referred to Com. on roads

The order of the day for the third reading of an engrossed bill to encourage the building of vessels in the colony being read,—

Mr. Nugent moved, seconded by Mr. Winser,

Ordered,—That the said bill be now recommitted to a committee of the whole House.

And the House resolved itself into the said committee accordingly. House in committee on ship building bill

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had reconsidered the said bill, and had made some amendments therein, which they had directed him to report to the House; and he delivered the said bill with the amendments in at the Clerk's table, Report

And the said amendments having been read throughout were, upon the question severally put thereon, agreed to by the house.

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

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR. Message from his Excellency

The hon. Mr. Secretary Crowdy being admitted within the bar acquainted the House that he was the bearer of four messages from his Excellency the Governor, signed by his Excellency, which he presented to the House.

He also presented by command of his Excellency the following documents, namely,—

Annual report and accounts of Commissioners of Light Houses—(for which see *Appendix*.)

Copies of two proclamations issued by Governors Sir John T. Duckworth and Sir Richard G. Keats, relative to the St. John's Hospital, in compliance with an address of the House.

And then the Messenger withdrew.

The said Messages were then severally read by Mr. Speaker as follow :—

H. PRESCOTT,—

The Governor is bound to express his opinion that Nicholas Ash has suffered considerable loss from the disorderly and lawless conduct of a mob at Carbonear, and he therefore recommends his accompanying petition to the just and favorable consideration of the House of Assembly.

Government House,
29th Jan. 1841.

H. PRESCOTT,—

The Governor lays before the House of Assembly, copies of interesting reports, made by Captain Milne, the Naval officer employed during a part of the last summer, in the protection of our fisheries.

Government House,
2d Feb. 1841.

H. PRESCOTT,—

The Governor transmits to the House of Assembly copy of correspondence between the Colonial Secretary and the Geologist, together with estimates drawn up by the Superintendent of Government buildings.

Mr. Jukes is prepared to have lithographed a Geological and Geographical Chart,—Geological Sections &c., and specimens of all his observations are now labelled, packed up, and stowed away in Government House.

Should the Legislature supply the means, the specimens will be arranged in the new buildings, where the charts, &c. will be displayed to view.

A small, but very necessary addition will be made at the same time, to the accommodation of the Surveyor General, whose devotion to the public service seems well to entitle him to such an attention.

Government House,
2d Feb. 1841.

H. PRESCOTT,—

The Governor transmits two petitions to the House of Assembly, of a similar character to that of Nicholas Ash, recommended to the favorable consideration of the House in his Excellency's message, dated 29th January.

Government House,
2d Feb. 1841.

The documents accompanying the said messages were then read by the Clerk —(for which see *Appendix.*)

Referred to committee on Hospital

Ordered,—That the said proclamations be referred to the committee on the St. John's Hospital, and the said messages and other documents do lie upon the table, to be perused by the members of the House.

A petition of John Rorke, Nicholas Nicholle, and others, inhabitants of Carbonear, was presented by Mr. Power, who stated in his place that he had obtained the consent of his Excellency the Governor to present the same and the said petition was received and read, setting forth— Petition of J. Rorke and others

That on the night of the 8th December last, a number of individuals having assembled round the House of Mr. Nicholas Ash, a peaceable and respectable inhabitant of this town, and having partially demolished it with stones, proceeded to set it on fire, and ultimately to reduce it, together with its contents (valued at least at £500 sterling) to ashes.

That petitioners have every reason to believe that this outrageous act arose out of the proceedings of the late election, in which Mr. Ash appears to have taken at least a conscientious part.

That considering the said individual to be a sufferer in a public cause, and for no other reason than that of giving a vote in such way as he thought best, petitioners conceive that he is entitled to a public remuneration for the loss thus undeservedly sustained.

That in accordance with this opinion, petitioners beg leave respectfully to approach the honorable House with the humble and earnest prayer that the House do take the case of the said Nicholas Ash into its favourable consideration, and grant him such sum by way of remuneration as the house may think him entitled to.

A petition of Mary Howell, of Carbonear, widow, was also presented by Mr. Power, who stated in his place that his Excellency the Governor had given his consent to the same being presented, and the same was received and read, setting forth, that the windows and window sashes of the dwelling house of petitioner, and several articles therein, were destroyed during the late election at Carbonear, which have been estimated at twelve pounds two shillings, and praying remuneration for such loss. Petition of Mary Howell.

On motion of Mr. Power, seconded by Mr. Moore,

Ordered,—That the said petitions be referred to the committee of supply.

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the consideration of an address to her Majesty the Queen praying her Majesty to separate the Executive from the Legislative Council. House in committee on Address to her Majesty

Mr. Speaker left the chair.

Mr. Brown took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said address, and had agreed to the same without any amendment. Report

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

House in committee on vacant seat bill.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill to declare vacant the seats of members of the Assembly in certain cases.

Mr. Speaker left the chair.

Mr. M'Carthy took the chair of the committee.

Mr. Speaker resumed the chair.

Report.

The chairman reported from the committee that they had considered the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

House in committee on bill to authorise the Sheriff of Newfoundland to levy execution after final judgment.

Agreeably to the order of the day, the house resolved itself into a committee of the whole house on the consideration of a bill to authorize the Sheriff of Newfoundland to levy execution in the several districts of this colony after final judgment.

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said Bill, and had agreed to the same without any amendment.

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

On motion of the Solicitor General, seconded by Mr. Kent,

House in committee on expiring laws

Resolved,—That this House do now resolve itself into a committee of the whole House on the consideration of the Report of the Special committee on what Laws have lately expired and are expiring.

And the House resolved itself into the said committee accordingly.

Mr. Speaker left the chair.

Mr. Doyle took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had considered the business to them referred, and had come to certain resolutions thereon, which he read in his place, and afterwards delivered them in at the Clerk's table where they were again read as follow :

Resolved,—That it is the opinion of this committee, that an act passed in the third year of the reign of his late Majesty King William the 4th, entitled "An Act to provide for the performance of quarantine, and more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this Island," should be revived.

Resolved,—That it is the opinion of this committee, that an act passed in the 4th year of the reign of his late Majesty King William the 4th, entitled "An Act to provide relief to wives and children, deserted by their husbands and parents," should be revived.

Resolved—That it is the opinion of this committee, that an Act passed in the sixth year of the reign of his late Majesty King William the 4th, entitled "An Act for the encouragement of education in this colony," should be continued.

Resolved—That it is the opinion of this committee, that an act passed in the first year of the reign of her present Majesty, entitled "An Act to continue and amend an act passed in the fourth year of the reign of his late Majesty King William the 4th, entitled "An Act to regulate the packing and inspection of pickled fish for exportation from this colony," should be amended and continued.

On motion of the Solicitor General, seconded by Mr. Kent,

Resolved,—That a committee be appointed to prepare and bring in the several bills pursuant to the said resolutions.

Ordered,—That the Solicitor-General, Mr. Kent, Mr. Nugent, Mr. Brown, and Mr. O'Brien do form the said committee.

On motion of the Solicitor General, seconded by Mr. Winser,

Ordered,—That the bill to fix the terms of the Supreme Court be printed for the use of the members.

On motion of Mr. M'Carthy, seconded by Mr. Winser,

Resolved,—That the annual report of Commissioners of Light Houses, presented to the House to-day by direction of his Excellency the Governor, be printed for the use of the members of the House.

On motion of Mr. Winser, seconded by Mr. Nugent,

Ordered,—That it stands first on the order of the day, that to-morrow this House resolve itself into a committee of the whole House on the consideration of Roads and Bridges.

Then the House adjourned until to-morrow at one of the clock.

WEDNESDAY, February 3, 1841.

THE Solicitor-General, pursuant to notice, and leave granted, presented a bill to provide for the expenses of the office of Sheriff of this colony, and the same was read a first time.

Bill to provide for expenses of Sheriff's office read first time

Ordered,—That the said bill be read a second time this day week.

Petition of R. Saunders and others

A petition of Robert Saunders, Daniel Jennings, and others, inhabitants of Aquafort, was presented by Mr. Winser, and the same was received and read,

Praying the House to grant a sufficient sum to complete the road to Aquafort, and build a bridge at the head of the harbor.

Petition of Jas. Power and others

A petition of Jas. Power, Richard Branand, and others, inhabitants of Fermeuse, and Renewse, was also presented by Mr. Winser, and the same was received and read,—

Praying the House to make provision in the next road bill for completing the roads in the Southern district, and building a bridge at Aquafort.

Petition of Thos. Hickey and others

A petition of Thomas Hickey, John Blanch, and others, residing in the north east arm of Great Placentia, was presented by Mr. Doyle, and the same was received and read,—

Praying for a grant of an adequate sum to finish the road from the landing place at Mount Pleasant to the Seven Island Coves in the said north east arm.

Referred to Com. on roads

Ordered,—That the said petitions be referred to the committee on roads and bridges.

Petition of S. Rose and others

A petition of Samuel Rose, John Hawkins, and others, inhabitants of Grand Bank, and Fortune, in Fortune Bay, was presented by Mr. Butler, and the same was received and read, setting forth,—

That petitioners are British subjects, planters, and Fishermen, and therefore consider that they have a right to fish at any place, or in any lawful manner, within the limits assigned by treaty to British subjects.

That petitioners beg leave to state that the fishery in Fortune Bay generally fails early in the caplin school, when they are necessitated to proceed to Lamaline, Lawn, and St. Lawrence, That the inhabitants of these places have committed depredations on petitioners property, by cutting their nets, taking away their punts, and other fishing gear ; and by force driving them away, to the serious injury of their voyage.

Petitioners therefore humbly pray that the honorable House may take their case into consideration, and adopt such measures as may guarantee to them the right of fishery as British subjects.

On motion of Mr. Winser, seconded by Mr. Butler,

Ordered,—That the said petition be taken into consideration by the House to-morrow.

On motion of Mr. Winser, seconded by Mr. Kent,

Resolved,—That the House do now resolve itself into a committee of the whole House on the consideration of a supply to be granted to her Majesty.

House in commte on Supply

And the House resolved itself into the said committee accordingly.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same. Report

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

Then the House adjourned until to-morrow, at one of the clock.

THURSDAY, February 4, 1841.

PURSUANT to the order of the day, an engrossed bill to encourage the building of vessels in this colony was read a third time. Ship building bill read 3d time

On motion of Mr. Nugent, seconded by Mr. Winser,

Resolved,—That the said bill do pass, and that the title be "An Act to encourage the building of vessels in the colony of Newfoundland." Passed Title

Ordered,—That Mr. Nugent and Mr. Winser do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council

Agreeably to the order of the day, an engrossed bill to authorize the Sheriff of Newfoundland to levy execution in the several districts of this colony after final judgment, was read a third time. Bill to levy executions read 3d time

On motion of Mr. Brown, seconded by Mr. Nugent,

Resolved,—That the said bill do pass, and that the title be "An Act to authorize the Sheriff of Newfoundland to levy execution in the several districts of this colony after final judgment." Passed Title

Ordered.—That Mr. Brown and Mr. Nugent do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council

Mr. Moore moved, pursuant to notice, seconded by Mr. Dwyer,

Resolved,—That a bill to provide for the greater security, and more easy recovery of the wages of servants employed in the fisheries of the colony, be printed for the use of Members.

A petition of Robert Pack, W. W. Bemister, and others, inhabitants of Carbonear, was presented by Mr. M'Carthy, and the same was received and read,— Petition of Robert Pack and others

Praying the House to grant a bounty to all manner of craft engaged in the killing of whales on the shores, and in the bays of this island.

To lie on the table

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

Petition of Pat. Coughlan and others

A petition of Patrick Coughlan, Abraham Bradbury, and others, inhabitants of Portugal Cove, was presented by Mr. Kent, and the same was received and read, setting forth,—

That a large rock in the landing place at the said Cove renders it difficult and dangerous for passengers to go on board, or land from the packets crossing the Bay, and praying the House to grant such a sum as will be sufficient for removing the said rock,

Petition of J. Templeman and others

A petition of Joseph Templeman, Thomas Williams, and others, inhabitants of St. John's, was presented by Mr. O'Brien, and the same was received and read,—

Praying the House to make a suitable provision for putting into complete repair the road leading from the top of the street called the King's Road, towards that point of Brine's river at which is commenced the road to Upper Long Pond; and for the erection of a good and substantial bridge over the said river.

Referred to Com. on roads

Ordered,—That the said petitions be referred to the committee on roads and bridges.

House in commte on bill to regulate empannelling juries

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill to regulate the manner of empannelling juries in the Supreme and Circuit Courts of this Island, and to determine the qualification of jurors in the said Courts.

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said bill and had made an amendment therein, which he was directed to report to the House; and he delivered the bill with the amendment in at the Clerk's table.

Amendment read and agreed to

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

Engrossed...3d reading

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

House in committee on bill to give protection to persons employed in the publication of reports of the Assembly

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill to give summary protection to persons employed in the publication of reports, and other proceedings of the Legislature of Newfoundland.

Mr. Speaker left the chair.

The Solicitor General took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said Bill, and had agreed to the same without any amendment. Report

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

The Solicitor General gave notice that to-morrow he would move an address to his Excellency the Governor, respectfully requesting his Excellency to cause to be laid before this House a detailed account of the gaol expenses of St. John's and Harbor Grace for the year ending the 31st December, 1840. Notices of addresses to his Excellency.

Also a detailed account of the expenses of Coroners, Fuel and Light, Circuit Courts, and Court Houses, for the same period.

Mr. Nugent gave notice that to-morrow he would move an address to his Excellency the Governor, praying that his Excellency will be pleased to order that this House be informed whether any and what steps have been taken with reference to the address of the House of last session, accompanying the Report of a committee on the consideration of a return of fees from the police office of St. John's.

The Solicitor General gave notice that to-morrow he would move that the house resolve itself into a committee of the whole house on the consideration of ways and means. Notice for committee on Ways and Means.

Then the House adjourned until to-morrow at one of the clock.

FRIDAY, February 5, 1841.

AGREEABLY to the order of the day, an engrossed address to Her Majesty, was read a third time, and is as follows: Address to Her Majesty.

To the QUEEN's Most Excellent MAJESTY.

May it please your Majesty,

We your Majesty's faithful and loyal subjects the Commons of Newfoundland, in General Assembly convened, humbly pray, that as the union in the same persons of powers Executive and Legislative, is inconsistent with the principles of the British constitution, and as the neighbouring colonies have by your Majesty's gracious consideration been permitted to enjoy the advantage of having their Governors advised by a Council who are not permitted to exercise legislative functions, so may the present Executive and Legislative Council of Newfoundland be dissolved, and two Councils appointed, the one to exercise the powers of a Legislative body, and the other to advise the Governor on matters pertaining to the administration of his Government.

On motion of Mr. Kent, seconded by Mr. Nugent,

Passed. Resolved,—That the said address do pass, and that Mr. Speaker and the whole house do wait on his Excellency the Governor therewith, respectfully requesting his Excellency to transmit the same to be laid at the foot of the Throne.

Ordered,—That Mr. Kent and Mr. Nugent be a committee to ascertain his Excellency's pleasure when he will receive the house with the said address.

On motion of Mr. Nugent, seconded by Mr. Moore,

Com. to prepare bill to regulate servants wages. Resolved,—That a committee of seven be appointed to prepare a bill to regulate the payment of the wages of servants engaged in the fishery, &c.

Ordered,—That Mr. Nugent, Mr. Moore, the Solicitor General, Mr. Kent, Mr. Brown, Mr. Doyle, and Mr. Winser do compose the said committee.

Quarantine bill, and deserted wives and children's relief bill read 1st time. The Solicitor General, from the committee appointed on the 2d inst. to prepare and bring in certain bills, presented a bill to revive an act passed in the third year of the reign of his late Majesty King William IV. entitled "An act to provide for the performance of Quarantine, and more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this island:" and a bill to revive an act passed in the 4th year of the reign of his late Majesty King Wm. IV. entitled "An act to afford relief to wives and children deserted by their husbands and parents;" and the same were respectively read a first time.

2d reading. Ordered,—That the said bills be read a second time on Monday next.

Law of attachment amendment bill read 1st time. The Solicitor General pursuant to notice and leave granted, presented a bill further to amend the law of attachment, and to facilitate the recovery of debts from absent or absconding debtors, and the same was read a first time.

2d reading. *Ordered*,—That the said bill be read a second time on Tuesday next.

House in committee on vacant seat bill. Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the further consideration of a bill to declare vacant the seats of members of the Assembly in certain cases, and to make provision for the appointment of others in their stead.

Mr. Speaker left the chair.

Mr. O'Brien took the chair of the committee.

Mr. Speaker resumed the chair.

Report. The chairman reported from the committee that they had gone through the said bill, and had made an amendment therein, and had come to a certain resolution thereon, which they had directed him to report to the House; and he delivered the bill with the amendment and the said resolution in at the Clerk's table.

The said resolution was read by the clerk as follows:

Resolved,—That it is the opinion of this committee that the said bill as amended be printed for the use of members.

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

Ordered,—That the said bill as amended be engrossed and read a third time on Tuesday next. Engrossed....3d reading.

Mr. Nugent, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows : Address to his Excellency.

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly respectfully request your Excellency will please order that this House be informed whether any and what steps have been taken with reference to the address of the House of last session, accompanying the report of a committee on the consideration of a return of fines from the police office of St. John's.

Resolved—That the said address be adopted and engrossed. Adopted.

Ordered,—That Mr. Nugent and Mr. Winser be a committee to present the said address to his Excellency.

On motion of Mr. O'Brien, seconded by Mr. Kent,

Resolved,—That the estimate laid before the House by direction of his Excellency the Governor be printed for the use of the members.

The Solicitor General gave notice that to-morrow he would move that a person be appointed to prepare a general Index of the Laws of the colony.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, February 8, 1841.

MR. Kent from the committee appointed to wait on his Excellency the Governor to know his Excellency's pleasure when he would receive the House with their address to her Majesty, reported that they had attended to that duty, and that his Excellency was pleased to appoint Wednesday next, at 12 o'clock for that purpose. Time appointed by his Excellency to receive the address to her Majesty

Bill to give protection to persons employed in the publication of reports of the legislature read 3d time,

Agreeably to the order of the day, an engrossed bill to give summary protection to persons employed in the publication of reports and other proceedings of the Legislature of Newfoundland, was read a third time.

On motion of Mr. Winser, seconded by Mr. Doyle,

Passed. Title

Resolved,—That the said bill do pass, and that the title be "An act to give summary protection to persons employed in the publication of reports and other proceedings of the Legislature of Newfoundland."

Sent to Council

Ordered,—That Mr. Winser and Mr. Doyle do carry the said bill up to her Majesty's Council and desire their concurrence.

Juries bill read 3d time

Pursuant to the order of the day, an engrossed bill to regulate the manner of empannelling juries in the Supreme and Central Circuit Courts of this Island, was read a third time.

On motion of Mr. Nugent, seconded by Mr. Winser,

Passd...title

Resolved,—That the said bill do pass, and that the title be "An Act to regulate the manner of empannelling juries in the Supreme and Central Circuit Courts of this Island, and to determine the qualification of Jurors in the said Courts."

Sent to Council.

Ordered,—That Mr. Nugent and Mr. Winser do carry the said bill up to her Majesty's Council and desire their concurrence.

Quarantine bill, and deserted wives and children's relief bill read 2d time.

Pursuant to the order of the day, a bill to revive an act entitled "An act to provide for the performance of Quarantine, and more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this Island," and a bill to revive an act entitled "An act to afford relief to wives and children deserted by their husbands and parents," were respectively read a second time.

Ordered,—That the said bills be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow resolve itself into a committee of the whole house on the consideration of the said bills.

Reservoirs and tanks bill, and Election bill read 2d time.

Agreeably to the order of the day, a bill to provide for making tanks and reservoirs in the town of St. John's, and a bill to regulate the mode of election of members to serve in the General Assembly of this colony, were respectively read a second time.

Ordered,—That the said bills be committed to a committee of the whole House.

Resolved,—That this House will, on Thursday next, resolve itself into a committee of the whole house on the consideration of the first mentioned bill, and this day week on the said last mentioned bill.

The Solicitor General moved, pursuant to notice, seconded by Mr. Kent,

Resolved,—That Mr. Richard Holden, jun. be appointed to prepare a general index of the Laws of this colony.

Mr. Doyle, pursuant to notice and leave granted, presented a bill to explain an act passed in the 3d year of the reign of her present Majesty, entitled "An Act to incorporate the Benevolent Irish Society," and the same was read a first time.

Bill to explain Benevolent Irish Society Incorporation Act read 1st time

Ordered,—That the said bill be read a second time on Thursday next.

2d reading

A petition of the Ladies of the Dorcas Society of St. John's, was presented by Mr. Kent, (who stated in his place that his Excellency the Governor had given his consent to the same being presented), and the said petition was received and read, setting forth,—

Petition of ladies of Dorcas Society

That this society has been instituted for the last sixteen years, and its object has been the distribution of clothing to the destitute poor.

That the society has been principally supported during that period by private subscriptions and donations, which has enabled petitioners, to a certain extent, to relieve a great number of their fellow-creatures with clothing suitable to their wants, particularly at this inclement season of the year.

That the demands made upon this society have of late considerably increased, not only in St. John's, (to which the relief hitherto given has been principally confined), but from various outports in the neighbourhood, where the society would willingly extend its relief; and to enable them to accomplish so laudable and useful an object, petitioners beg the honourable House would grant them a sum of money for the purpose of relieving those in distress, by clothing them according to their necessities, at this season of the year, when warm garments are necessarily required, to enable them to earn their daily bread.

A petitlon of Luke Collins, Assayer of Weights and Measures for the district of Placentia, was presented by Mr. Doyle, (who stated in his place that he had obtained the consent of his Excellency the Goveruor to present the same), and the said petition was received and read,—

Petition of L, Collins

Praying remuneration for his services in the said office of Assayer of Weights and Measures.

Ordered—,That the said petitions be referred to the committee of supply.

Referred to committee of supply

A petition of William Whealan, of Spaniards Bay, was presented by Mr. Brown, and the same was received and read, setting forth,—

Petition of W. Whealan

That in the year 1836, petitioner contracted with the then Commissioners for roads and bridges, to build a bridge over the gut at Spaniards Bay, to connect the road through that settlement with the main road to Holy Road; and that in due time the said bridge was completed in a workmanlike and substantial manner, according to his agreement, and to the entire satisfaction of the Commissioners.

That the bridge thus built by petitioner is 321 feet in length, and has under it eleven sunken wharves, and from its completion to the present time has remained in good condition, requiring no repair, neither will it need any for these ten years to come, whereas other bridges in the neighbourhood, built about the same time, have already undergone repair, causing additional expense to the colony above the original charge.

That in the above extensive undertaking, petitioner being quite unaware of the great expense attending its faithful execution, ultimately found the cost of the work greatly exceeded the amount of remuneration he was to receive by the contract, and that he had sustained pecuniary loss thereby, to the amount of fifty pounds—a circumstance which has borne heavily on himself and family, involving them in great difficulty and distress, which they still continue to endure.

That the before-mentioned Commissioners in their general report to the honorable House, acknowledged that the services of Petitioner on the above occasion were not adequately recompensed, and submitted the propriety of further remuneration being granted to him to compensate for the loss he had sustained; and petitioner now humbly appeals to the honorable House, trusting his case will receive favorable consideration, and that his expense and labour on a work of so much public benefit may be requited in such manner as the House shall think fit to adjudge.

Petition of Geo. Winter and others

A petition of George Winter, William Irvin, and others, inhabitants of St. John's, was presented by Mr. Kent, and the same was received and read,—

Praying the House to grant such sum for repairing the line of road leading from the Military Road at Major Green's property, and extending North from thence to Walter Irving's as may appear necessary.

Referred to committee on roads and bridges

Ordered,—That the said petitions be referred to the committee on roads and bridges.

House in committee on roads and bridges

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of Roads and Bridges.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had considered the business to them referred, and had come to a certain resolution thereon, which he read in his place, and afterwards delivered the same in at the Clerk's table, where it was again read as follows:—

Resolved,—That it is the opinion of this committee, that a sum not exceeding thirteen thousand five hundred pounds be granted to her Majesty, to be appropriated for the making and finishing roads and bridges generally, throughout the colony.

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

Notice of address to his Excellency

Mr. Nugent gave notice, that to-morrow he would move an address to his Excellency the Governor, most respectfully requesting his Excellency to order that there be laid before this House, copies of all such reports and other documents as have conveyed to his Excellency the information that "scandalous events have lately occurred at partial elections;" or that "ferocious conduct" had been exhibited by a mob at Carbonear," or that "in the two great districts of the colony which return seven of the fifteen members of which the house is composed, elec-

tions can only be carried on under protection of bayonets," in order that the House may be put in a situation to be able to judge correctly of the necessity of making any alteration in the existing practice, with respect to the manner of holding elections in Newfoundland.

Notice of address to his Excellency

Mr. Moore gave notice, that to-morrow he would move an address to his Excellency the Governor, praying that a copy of the report of the Road Surveyor on the roads of the colony be laid before the House.

Mr. Doyle gave notice that on an early day, he would move that the House resolve itself into a committee of the whole House on that part of his Excellency's speech relating to the facilitating a post communication overland from St. John's to Placentia.

Then the House adjourned until to-morrow, at one of the clock.

TUESDAY, February 9, 1841.

Bill to amend law of attachment read second time

PURSUANT to the order of the day, a bill to further amend the law of attachment, and to facilitate the recovery of debts from absent or absconding debtors, was read a second time.

To be committed

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, on Thursday next, resolve itself into a committee of the whole house on the consideration of the said bill.

Message from his Excellency

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

The hon. Mr. Secretary Crowdy being admitted within the bar, acquainted the House that he was the bearer of a message from his Excellency the Governor, signed by his Excellency, which he presented to the House.

And then the Messenger withdrew.

The said message was read by Mr. Speaker as follows :

H. PRESCOTT,—

The Governor recommends to the favourable consideration of the House of Assembly the accompanying memorial of the Board of Road Commissioners, appointed under the Act 5th, Wm. 4, (2d Session,) cap. 5.

Government House,
9th Feb. 1841.

The memorial referred to in the said message was read by the Clerk,—(for which see *Appendix.*)

Ordered,—That the said message and memorial do lie upon the table.

To lie on the table

Petition of Robt. Brine and others

A petition of Robert Brine, Alexander Campbell, and others, inhabitants of St. John's, was presented by Mr. Kent, and the same was received and read, setting forth,—

That petitioners have viewed with great satisfaction the many improvements which have taken place in the various roads in this district, which are particularly valuable to the possessors of horses and wheeled carriages of every description.

That at different times during the winter months, owing to the accumulation of snow drifts after severe storms, the roads are rendered in many places impassable, and much valuable time is lost; the price of the produce of the woods is considerably enhanced—and above all, the industrious poor are prevented from supplying themselves with fuel at a time when the want of that requisite must add greatly to their distress.

Petitioners therefore relying upon the honorable House, beg respectfully to solicit, that for the purpose of removing the obstructions above mentioned, on the Windsor Lake and Broad Cove Road, on the Bay Bulls Road, and on the Topsail Road, (which are the three great inlets from the woods), such means may be granted as may be necessary.

Moved by Mr. Kent, seconded by Mr. Nugent,

That a message be sent to her Majesty's Council, requesting them to concur in praying his Excellency the Governor to appropriate the sum of fifty pounds to clearing the different ways to the woods from the snow which at present obstructs the passage for the sleds of the inhabitants of St. John's, in compliance with the said petition of Robert Brine and others. That the rules of the House, which require a day's notice of motion in reference to the said message, be dispensed with, but that the dispensing of the same shall not be drawn into a precedent.

Which being put, and the House dividing thereon, there appeared for the motion four, against it eight.

For the motion.	Against the motion.
The Solicitor General	Mr. Brown
Mr. O'Brien	— Dwyer
— Nugent	— Butler
— Kent	— M'Carthy
	— Power
	— Doyle
	— Moore
	— Winser

So it passed in the negative,

Mr. Kent gave notice that to-morrow he should move the said message to her Majesty's Council.

Petition of T. Houlton and others

A petition of Thomas Houlton, George Anderson, and others, inhabitants of St. John's, was presented by Mr. Kent, and the same was received and read,—

Praying the House to make provision for repairing the road leading from Water Street to Duckworth Street, opposite the premises of Messrs. Robinson Brooking & Co.

A petition of John Foote, Michael Power and others, inhabitants of St. John's, was presented by Mr. O'Brien, and the same was received and read, praying the house to grant a sufficient sum for repairing the road called Poakum Path, leading from Duckworth street, and rere of the Hospital to the southward of Monday's Pond. Petitions...of J. Foote and others.

A petition of Wm. Joy, Lawrence Bate and others, inhabitants of St. John's, was also presented by Mr. O'Brien, and the same was received and read, praying the house to grant an adequate sum for repairing the street called Princes Street, in the said town. W. Joy and others

A petition of Peter Doyle, Moses Power, and others, inhabitants of Torbay, was also presented by Mr. O'Brien, and the same was received and read, praying the house to grant such a sum as it may deem necessary for repairing the road leading from St. John's to Torbay. P. Doyle and others

Ordered,—That the said petitions be referred to the committee on roads and bridges. Referred to committee on roads and bridges

Mr. Moore moved, seconded by Mr. Butler,

That a bill to provide for the greater security and more easy recovery of the wages of servants employed in the fisheries of this colony and for other purposes, be now read a second time.

Mr. Nugent moved in amendment, seconded by Mr. Brown,

That the said bill be referred to the committee appointed to prepare a bill to regulate and define the interests of the fishermen and of the trade, with respect to servants' wages.

Which being put, passed in the affirmative, and ordered accordingly.

Mr. Nugent, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows: Address to his Excellency.

To his Excellency Henry Prescott, Esq. Companion of the most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,—

The House of Assembly most respectfully request that your Excellency will be pleased to order that there be laid before the house copies of all such reports and other documents as have conveyed to your Excellency the information that "scandalous events have lately occurred at partial elections," or that "ferocious conduct" had been exhibited "by a mob at Carbonear," or that "in the two great districts of the colony which return seven of the fifteen members of which the house is composed, elections can only be carried on under protection of bayonets," in order that the House may be put in a situation to be able to judge correctly of the necessity of making any alteration in the existing practice with respect to the manner of holding elections in Newfoundland.

Resolved,—That the said address be adopted and engrossed. Adopted.

Ordered,—That Mr. Nugent and Mr. M'Carthy be a committee to present the said address to his Excellency.

Address to his Excellency.

Mr. Moore, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly respectfully request your Excellency will please to order that a copy of the report of the Surveyor of the Roads of this colony be laid before the House.

Adopted.

Resolved—That the said address be adopted and engrossed.

Ordered,—That Mr. Moore and Mr. Butler be a committee to present the said address to his Excellency.

House in committee on Quarantine bill

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the consideration of a bill to revive an act entitled "An act to provide for the performance of Quarantine, and more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this Island."

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without amendment.

Engrossed....3d reading.

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

House in comitee on deserted wives and children's relief bill

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill to revive an act entitled "An act to afford relief to wives and children deserted by their husbands and parents."

Mr. Speaker left the chair.

Mr. M'Carthy took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without any amendment.

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

Mr. Winser gave notice that to-morrow he would move that a committee be appointed to prepare an address to be transmitted to her Majesty's Government, praying for a grant of a spot for a public Dock-yard in St. John's. Notice of Address to Her Majesty.

Then the House adjourned until to-morrow, at one of the clock.

WEDNESDAY, February 10, 1841.

AT the hour appointed, Mr. Speaker and the House waited on his Excellency the Governor with the address of the House to her Majesty passed on the 5th inst., respectfully requesting his Excellency to transmit the same by an early opportunity to her Majesty's Principal Secretary of State for the Colonies, to be presented to her Majesty— Report on address to Her Majesty

And being returned, Mr. Speaker reported that the House had attended upon his Excellency with the said address, and that his Excellency was pleased to reply as follows—

Mr. Speaker and Gentlemen,

I shall take care to forward this address by the earliest opportunity, as requested.

Agreeably to the order of the day, an engrossed bill to revive an act to provide for the performance of quarantine, &c. in this island, was read a third time. Quarantine bill read third time.

On motion of the Solicitor General, seconded by Mr. O'Brien,

Resolved,—That the said bill do pass, and that the title be "An act to revive an act passed in the third year of the reign of his late Majesty King William IV. entitled "An act to provide for the performance of Quarantine, and more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this Island." Passed Title

Ordered,—That the Solicitor General and Mr. O'Brien do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council

Pursuant to the order of the day, an engrossed bill to revive an act to afford relief to wives and children deserted by their husbands and parents, was read a third time. Deserted wives & children's relief bill read third time.

On motion of the Solicitor General, seconded by Mr. Power,

Resolved,—That the said bill do pass and that the title be "An act to revive an act passed in the fourth year of the reign of his late Majesty King William IV., second session, entitled "An act to afford relief to wives and children deserted by their husbands and parents." Passed Title

Ordered.—That the Solicitor General and Mr. Power do carry the said bill up to her Majesty's Council and desire their concurrence.

Report of committee on address to his Rxcellency.

Mr. Nugent, from the committee appointed on the 5th inst. to present an address to his Excellency the Governor relative to the address of the House of last session, accompanying a report of a committee on the consideration of a return of fines from the Police of St. John's, reported that they had attended to that duty, and that his Excellency was pleased to reply as follows :

His Excellency's reply.

Gentlemen,

The report of the committee of the House of Assembly alluded to in this address, was referred for explanation to the Stipendiary Magistrates of St John's.

Their explanation, as far as they were concerned, was satisfactory ; but it appearing that the Clerk of the Peace had been negligent in the performance of a part of his duty relative to the return of fines, though without any criminal intention or ultimate injury to the public, that officer received an admonition as to his future conduct.

Government House,
10th Feb. 1841.

Education bill read 1st time

The Solicitor general from the committee appointed on the 2d inst. to prepare and bring in certain bills, presented a bill to make further provision for the encouragement of education in this colony, and the same was read a first time.

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

On motion of the Solicitor General, seconded by Mr. Brown,

2d reading

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

The following petitions were presented by Mr. Power, and the same were severally received and read—

Petitions...of J. Trickett & others. S. O. Pack and others. E. Hanrahan and others J. Whelan & others

From John Tricket, Roger White and others, inhabitants of Salmon Cove, praying the House to grant a sufficient sum for building a bridge over the river running through Salmon Cove.

From Stephen Olive Pack, Robert Houghton and others, inhabitants of Bay Roberts, praying the house to grant an adequate sum for making a road through the said harbor of Bay Roberts.

From Edmund Hanrahan, R. Ayles and others, inhabitants of Carbonear, praying the house to make provision for repairing certain streets and roads in the town of Carbonear, making a road through Irish town, and cutting down a hill called Bennett's hill.

A petition of James Whelan, James Duggan and others, inhabitants of Torbay, was presented by Mr. O'Brien, and the same was received and read, praying the house to pass a grant for erecting a bridge over a rapid gut dividing the said town of Torbay.

Referred to committee on roads and bridges

Ordered,—That the said petitions be referred to the committee on roads and bridges.

Mr. Winser, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

Address to his Excellency.

May it please your Excellency,

The House of Assembly most respectfully beg leave to represent to your Excellency that there are few towns in her Majesty's possessions in North America that command a greater import and export trade than the town of St. John's, in her Majesty's Island of Newfoundland, and that there is none that possesses greater capabilities for the building of ships and vessels for the general purposes of the peculiar trade of the country.

That notwithstanding these advantages, there is not in the port of St. John's any place available to the public suitable for laying down, repairing, or building ships and vessels, and therefore does a convenient public dock-yard appear to this House a *desideratum* essentially necessary to the promotion of the advantage of the general trade of the colony, but especially to the well-being of the shipping interests.

That in order to supply this deficiency, we most respectfully request your Excellency to convey to the foot of her Majesty's throne, our humble prayer that that portion of land at the South Side of this Harbor, formerly used as a dock-yard for the uses of the Navy, may be thrown open to the public for the purposes above-mentioned, in such manner, and under such conditions, limitations, and restrictions as to her Majesty shall seem most proper.

Resolved—That the said address be adopted and engrossed. Adopted.

Ordered,—That Mr. Winser and Mr. Moore be a committee to present the same to to his Excellency.

On motion of Mr. Kent, seconded by Mr. Moore,

Resolved,—That the report of the chairman of audit, on the road expenditure, be printed for the use of the Members.

On motion of Mr. Winser, seconded by Mr. Moore,

Resolved,—That this House do now resolve itself into a committee of the whole House on the further consideration of roads and bridges. House in committee on roads and bridges

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same. Report

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until to-morrow at one of the clock.

THURSDAY, February 11, 1841.

Bill to establish alms house read 1st time

THE Solicitor General, pursuant to notice and leave granted, presented a bill to establish an Alms House and Poor House in the town of St. John's, and the same was read a first time.

2d reading.

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

On motion of the Solicitor General, seconded by Mr. O'Brien,

Resolved,—That the said bill be printed for the use of members.

Bill to declare vacant seats of members read 3d time

Agreeably to the order of the day an engrossed bill to declare vacant the seats of Members of the Assembly in certain cases, &c., was read a third time.

On motion of Mr. Brown, seconded by Mr. O'Brien,

Passed. Title

Resolved,—That the said bill do pass, and that the title be "An Act to declare vacant the seats of Members of the Assembly of the colony in certain cases, and to make provision for the election of members in their stead."

Sent to Council

Ordered,—That Mr. Brown and Mr. O'Brien do carry the said bill up to her Majesty's Council and desire their concurrence.

Bill to encourage whale fishery read 1st time

Mr. Moore, pursuant to notice and leave granted, presented a bill to amend an act passed in the third year of the reign of her present Majesty, entitled "An Act to encourage the whale fishery in this colony," and the same was read a first time.

2d reading

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

Bill to explain Benevolent Irish Society Incorporation Act read 2d time

Pursuant to the order of the day, a bill to explain an act passed in the third year of the reign of her present Majesty, entitled "An Act to incorporate the Benevolent Irish Society," was read a second time.

To be committed

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole house on the consideration of the said bill.

Petition of James Tobin

A petition of James Tobin, of St. John's, merchant, was presented by Mr. Kent, and the same was received and read, setting forth,—

That petitioner is proprietor of the packets employed in conveying her Majesty's Mails between Halifax and this port.

That petitioner is subjected to a heavy annual expense for the port charges of the said packets coming into this port as they do, twenty times in the course of a year.

That in all the other colonies vessels carrying mails are exempted from the payment of all such port charges, and petitioner therefore prays that the same privilege may be granted in his case, thereby placing him in the same position with all others similarly circumstanced.

Ordered,—That the said petition be referred to the committee on Ways and Means. Referred to committee on Ways and Means.

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill further to amend the law of attachment, and to facilitate the recovery of debts from absent or absconding debtors. House in committee on Bill to amend law of attachment.

Mr. Speaker left the chair.

Mr. Kent took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill and had made some amendments therein, which he was directed to report to the House; and he delivered the bill with the amendments in at the Clerk's table. Report

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

Ordered,—That the said bill as amended be engrossed and read a third time on Tuesday next. Engrossed...3d reading

Moved by Mr. Nugent, seconded by Mr. Kent,

Whereas in the Patriot newspaper of yesterday, it appears reported that the hon. the Treasurer had stated in his place in another branch of the Legislature, with reference to a bill before her Majesty's Council, providing for the contingent expenses of the 4th and 5th sessions of the Legislature, that "from conversations that he had had with several members of that body" (meaning the House of Assembly), he might say with a majority of the House, he had gathered that they were by no means wedded to the bill before the Council, but would, if it should fail to pass, divide it into two; and whereas such a statement made with the semblance of such an authority may be calculated to impede the passage of the said bill through her Majesty's Council, and whereas it is important to remove such an impression—

Resolved therefore, that it is not true that the statement above-mentioned, or any of the same effect or tendancy was made by any Members of this House.

Whereupon, the Solicitor General moved in amendment, seconded by Mr. Moore,

That the said resolution be re-considered on Monday next, and that in the mean time a copy of the same be furnished to each member.

Which being put, and the House dividing thereon, there appeared for the amendment seven, against it five.

For the amendment.	Against the amendment.
The Solicitor General	Mr. Brown
Mr. Moore	— Nugent
— Power	— Kent
— O'Brien	— M'Carthy
— Butler	— Winser
— Dwyer	
— Doyle	

So it passed in the affirmative, and resolved accordingly.

Notice of address to his Excellency

Mr. M'Carthy gave notice that to-morrow he would move an address to his his Excellency the Governor, praying his Excellency to cause to be laid before this House a detailed account of the number of prisoners confined in her Majesty's gaol at Harbor Grace, specifying the time of committal, the time of release, for what offence, when, and on what terms released, the expense of dietry, and the amount of gaol fees for each, and to whom paid :—Also, the number of persons employed in the gaol, and the amount of remuneration to each, together with all the expenses attending the said gaol—such returns to be from the first January, 1840, to the first February, 1841.

Then the House adjourned until to-morrow at one of the clock.

FRIDAY, February 12, 1841.

Report of committee on address to his Excellency

MR. Nugent from the committee appointed on the 9th inst. to wait on his Excellency the Governor with an address of the House, praying his Excellency to cause to be laid before the House certain reports and documents relative to the elections, reported that they had attended to that duty, and that his Excellency was pleased to reply as follows,—

Gentlemen,

The scandalous events which occurred at two partial elections during the late recess,—the ferocious conduct of a mob at Carbonear, by which one of those elections was rendered abortive—and the necessity of military interference, and protection on those occasions, are matters of general notoriety.

I consider that the documents already before the house are sufficiently demonstrative of those evils,—and in the exercise of my discretion under the existing circumstances of the colony, I must decline compliance with this address, believing that no good could result to the community from the publication of all the representations which I have received on the subject.

So convinced am I of the absolute necessity of an amendment of the election law, that I avail myself of this opportunity to state, that should unhappily no legislative enactment be made during this session, to secure the just exercise of the franchise, and the public tranquillity in future elections, I will not undertake the responsibility of issuing Proclamation or writs for the election of a new House of Assembly, or make myself accountable for the serious consequences, the confusion and bloodshed, so likely to ensue thereupon under the present system,—but referring the whole affair to the Supreme Government, I will, as in duty bound, implicitly follow such directions as I may receive in that behalf.

Government House,
12th Feb. 1841.

Mr. Moore, from the committee appointed on the 9th inst. to present an address of the House to his Excellency the Governor, praying that a copy of the report of the road Surveyor be laid before the House, reported that they had waited on his Excellency with the said address, and that his Excellency was pleased to reply as follows :

Report of committee on address to his Excellency

Gentlemen,

His Excellency's reply

I have just received the report of the road Surveyor, and it will be immediately laid before each branch of the Legislature.

Government House,
12th Feb. 1841.

Mr. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, transmitting, by direction of his Excellenoy the Governor, the following documents, viz.

Letter from Colonial Secretary. transmitting sundry documents

The report of the Surveyor appointed to inspect the condition of the several roads in this colony.

Letter from Mr. Archibald on the subject of presentments, &c., with reference to the Hospital, in reply to an address of the House.

Letter from the chairman of the Board of Road Commissioners of St. John's District.

Letter from the Commissioners of road from Holyrood to Carbonear.

Presentment of Grand Jury of Harbor Grace, and estimate enclosed therewith.

A memorial of George Hippesley, Assayer of Weights and Measures in Harbor Grace.—(for the said documents see *Appendix*.)

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

To lie on the table

Pursuant to the order of the day, a bill to make further provision for the encouragement of education in this colony was read a second time.

Education bill read 2d time

Ordered,—That the said bill be committed to a committee of the whole House.

To be committed

Resolved,—That this House will, on Monday next, resolve itself into a committee of the whole house on the consideration of the said bill.

Petitions...of the Indigent Sick Society.

A petition of the Members of the Indigent Sick Society was presented by Mr. Kent, who stated in his place that his Excellency the Governor had consented to his presenting the same,—and the said petition was received and read, setting forth—

That for several years past, from the period of its first formation, this Society has annually received from the Legislature, a grant towards the increase of its funds. That the Society still continues in active, and as petitioners hope, in useful operation —but having no means for the promotion of its objects, but those afforded by the bounty of the Legislature, and by the contributions of the charitable, petitioners venture to hope that the honorable House will extend towards them its usual favourable consideration, and vote a sum of money in aid of the funds of the society for the present year.

Of George Lowe

The Solicitor General presented a petition from George Lowe of St. John's, to his Excellency the Governor, which he stated in his place he was directed by his Excellency to present, and the same was received and read, setting forth—

That petitioner received into his house in the month of December last a foreign seaman named John Pettreson, who had been discharged from an American vessel in an ill state of health, the said Pettreson at the time having only two pounds wages due to him, which was paid to Doctor Samuel Carson for medical attendance.

That petitioner took every care of and paid the strictest attention to the said seaman during his illness of five weeks, providing him with such diet and necessaries, as was ordered from time to time by his medical attendant, up to the period of his decease, which amounts to the sum of £7 9s. 6d. as set forth in the account herewith, and for which petitioner has not received any remuneration, excepting ten shillings, kindly and humanely forwarded by his Excellency through Mr. Finlay.

Petitioner being a poor man, and not able to sustain the expenses thus unexpectedly brought upon him, humbly prays his Excellency to take the same into consideration and grant him relief.

On motion of the Solicitor General, seconded by Mr. Power,

Referred to committee of Supply

Ordered—,That the said petitions be referred to the committee of supply.

Petition of John Byrne and others.

A petition of John Byrne, James Warford and others, inhabitants of Holyrood and Harbor Main, was presented by Mr. M'Carthy, and the same was received and read, praying the house to take into consideration the advantage of a new line of road from Holyrood to Harbor Main, and to grant such sum as may be necessary for making the same.

A petition of James Cullen, Patrick Mullowney and others, inhabitants of St. John's, was presented by Mr. O'Brien, and the same was received and read, praying the house to make provision for completing the new line of road from the dwelling house of Thomas Murray at Fresh Water, and from thence to cross the Main River, in the direction of Wigmore's Gully, and for erecting a bridge over the said river.

Referred to Com. on roads and bridges.

Ordered,—That the said petitions be referred to the committee on roads and bridges.

A MESSAGE FROM HER MAJESTY'S COUNCIL. Message from HMConncil

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker;

Her Majesty's Council request a conference with the House of Assembly upon the Bill sent up from that house entitled "An act to provide for the contingent expenses of the Legislature in the fourth and fifth sessions of the second General Assembly," and have appointed managers to meet the managers from the House of Assembly in the committee room of the Council presently.

JAMES SIMMS,
Senior member presiding.

Council Chamber,
12th Feb. 1841.

And then the Messenger withdrew.

On motion of Mr. O'Brien, seconded by Mr. Brown,

Resolved,—That the said conference be acceded to as requested by her Majesty's Council. Conference acceded to

Ordered,—That Mr. O'Brien and Mr. Brown do go up to her Majesty's Council and acquaint them that this house have agreed to the said conference.

Ordered,—That the Solicitor General, Mr. O'Brien, Mr. Brown, and Mr. Nugent do manage the said conference on the part of this house. Managers named

And they went to the conference,—and being returned— Conference held.

The Solicitor General reported that the managers had been at the conference; and he read the report in his place, and afterwards delivered it in at the clerk's table, where it was again read as follows: Report

Her Majesty's Council have sought this conference with the House of Assembly in order to acquaint them that her Majesty's Council cannot concur in the bill entitled "An act to provide for the contingent expenses of the Legislature in the fourth and fifth sessions of the second General Assembly," because it provides for the payment of other items than those previously concurred in by the Council, and paid by his Excellency the Governor, on an address from certain members of the Assembly pledging themselves to his Excellency that such sums should be provided for, which pledge the Council conceive the Legislature are bound to redeem before other matters of contingency be brought under consideration.

JAMES SIMMS,
Senior member presiding.

Council Chamber,
12th Feb. 1841.

Mr. Nugent moved for leave to bring in a bill to indemnify the Governor of Newfoundland for sums advanced in compliance with an address of certain members of the Assembly towards defraying in part the expenses of the fourth Bill to indemnify the Governor, &c. read 1st time.

and fifth sessions of the 2d General Assembly ; which being granted, he presented the said bill, and the same was read a first time.

2d reading

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

Rules of House suspended

Mr. Nugent gave notice that on Monday next he should move that the Rules of the House in reference to the reading and passing of bills, be suspended so far as relate to the said bill.

House in committee on Bill to explain Benevolent Irish Society Incorporation Act.

Agreeably to the order of the day, the house resolved itself into a committee of the whole house on the consideration of a bill to explain an act passed in the 3d year of the reign of her present Majesty, entitled " An act to incorporate the Benevolent Irish Society."

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without any amendment.

Engrossed...3d reading

Ordered,—That the said bill be engrossed and read a third time on Monday next.

Report of committee on Fort William buildings.

The Solicitor General reported from the committee appointed on the 22d ult. to meet a committee of her Majesty's Council to ascertain how far the buildings at Fort William may be made available for the purposes of the Legislature ; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :—

That in connection with a committee of her Majesty's Council, they have inspected the said buildings, and they now recommend that her Majesty's Council be requested to join with this house in an address to his Excellency the Governor praying that he will reserve for the purposes of a building for the Legislature that portion of the ground on which the Fort is built, which is bounded on the north by and including a bomb proof, and on the east by and including the Commissariat Store, on the south by the road to Quidi Vidi, and on the west by the road in front of the Fort, and that the buildings at present occupied by the Commandant and Fort Major be also reserved for the same purposes.

Ordered,—That the said report be received and adopted.

On motion of the Solicitor General, seconded by Mr. Doyle,

Resolved,—That a message be sent to Her Majesty's Council requesting that they will unite with this house in an address to his Excellency the Governor on the subject of the appropriation of the buildings and ground at Fort William, for the purposes of the Legislature.

Ordered,—That the Solicitor-General and Mr. Doyle do communicate the said message to her Majesty's Council.

Mr. Brown gave notice that on Monday next he would move for leave to bring in a bill for the making and repairing of roads and bridges in the colony. Notice of roads and bridges bill

Mr. Moore gave notice that on Monday next he would move for leave to bring in a bill to provide for certain items of the contingencies of the Legislature of the 4th and 5th Sessions of the second General Assembly, and that the rules of the House in reference to reading and passing of bills be suspended, so far as relate to the said bill,—also, that he would move that the report of the Surveyor of Roads be printed for the use of Members. Notice of bill to provide for certain items of contingencies, etc.

Mr. M'Carthy, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place and afterwards delivered it in at the Clerk's table, where it was again read as follows —— Address to his Excellency

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly respectfully request that your Excellency will be pleased to cause to be laid before the House a detailed account of the number of prisoners confined in her Majesty's Gaol at Harbor Grace, specifying the time of committal, the time of release, for what offence, when, and on what terms released, the expense of dietry, and the amount of Gaol fees for each, and to whom paid:—Also, the number of persons employed in the Gaol, and the amount of remuneration to each, together with all the expenses attending the said Gaol—such returns to be from the 1st January, 1840, to the 1st February, 1841.

Resolved,—That the said address be adopted and engrossed. Adopted.

Ordered,—That Mr. M'Carthy and Mr. Butler be a committee to present the said address to his Excellency.

Then the House adjourned until Monday next at one of the clock.

MONDAY, February 15, 1841.

MR. Winser from the committee appointed on the 10th inst. to wait on his Excellency the Governor with an address of the House, reported that they had attended to that duty, and that his Excellency was pleased to reply as follows,— Report of committee on address to his Excellency

His Excellency's reply

Gentlemen,

I will transmit this address, with a copy of my reply, to her Majesty's Government.

The dock-yard is under the controul of the Lords Commissioners of the Admiralty, and by their Lordships' direction the store, houses, and tank erected therein, have been leased to certain individuals, under condition of resigning possession of the same at six months notice, in the event of war rendering their appropriation to the public service requisite—as in time of war Newfoundland must in a certain degree again become a naval station, when a dockyard will be essentially necessary. I cannot possibly recommend compliance with the present application.

Government House,
15th Feb. 1841.

Bill to explain Benevolent Irish Society Incorporation Act read 3d time

Agreeably to the order of the day an engrossed bill to explain an act entitled "An Act to Incorporate the Benevolent Irish Society," was read a third time.

Passed. Title

On motion of Mr. Doyle, seconded by Mr. O'Brien,

Sent to Council

Resolved,—That the said bill do pass, and that the title be "An Act to explain an act passed in the third year of the reign of her present Majesty, entitled "An Act to incorporate the Benevolent Irish Society."

Ordered,—That Mr. Doyle and Mr. O'Brien do carry the said bill up to her Majesty's Council and desire their concurrence.

Petitions—of J. Phelan, M. Pope, and others, P. Cleary and others

A petition of James Phelan, of Broad Cove, was presented by Mr. Power and the same was received and read, setting forth,—

That petitioner possessed a certain Fishing Room and Plantation, situate in Broad Cove, North Shore of the district of Conception Bay. That the Commissioners of Roads for the said district have taken a large portion of the said plantation, and for which he has received no recompense. Petitioner therefore prays the House to remunerate him for such loss.

A petition of Matthew Pope, James Cullen, and others, inhabitants of St. John's, was presented by Mr. Doyle, and the same was received and read,—

Praying the House to grant such sum as it may consider necessary, to repair the road leading from Water Street to Gower Street.

A petition of Patrick Cleary, John L. McKie, and others, inhabitants of Bay Bulls, was presented by Mr. Winser, and the same was received and read,—

Praying the House to make provision for improving the public road leading through the harbor of Bay Bulls.

Referred to Com. on roads and bridges.

Ordered,—That the said petitions be referred to the committee on roads and bridges.

Bill to indemnify the Governor, &c. read 2d time

Pursuant to the order of the day, a bill to indemnify the Governor for sums advanced towards defraying in part the contingent expenses of the Legislature for the past two Sessions, was read a second time.

On motion of Mr. Nugent, seconded by the Solicitor General,

Resolved,—That the rules of the House in reference to the committing and passing of bills be suspended so far as relate to the said bill. Rules of House suspended

Resolved,—That this House do now resolve itself into a committee of the whole House on the consideration of the said bill.

And the House resolved itself into the said committee accordingly. House in committee on Bill to indemnify the Governor, &c.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill and had made some amendments therein, which he was directed to report to the House and he delivered the bill with the amendments in at the Clerk's table. Report

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

Ordered,—That the said bill as amended be engrossed and read a third time presently. Engrossed....3d reading.

Pursuant to order, the said engrossed bill was read a third time.

On motion of Mr. Nugent, seconded by the Solicitor General,

Resolved,—That the said bill do pass, and that the title be "An Act to indemnify the Governor for sums advanced towards defraying in part the expenses of the 4th and 5th Sessions of the second General Assembly." Passed. Title

Ordered,—That Mr. Nugent and the Solicitor General do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council

Mr. Dwyer pursuant to notice and leave granted, presented a bill to regulate seamen and other persons employed in the Seal Fishery of this Colony, and the same was read a first time. Bill to regulate seamen etc read 1st time

On motion of Mr. Dwyer, seconded by the Solicitor General,

That the said bill be read a second time on Friday next. 2d reading

Mr. Kent moved in amendment, seconded by Mr. Winser,

That the words "on Friday next" be struck out, and this day six months substituted.

Which being put, and the House dividing thereon, there appeared for the amendment six, against it, three.

For the amendment.	Against the amendment.
Mr. Nugent	Mr. Dwyer
— Doyle	— Power
— O'Brien	The Solicitor General
— M'Carthy	
— Kent	
— Winser	

So it passed in the affirmative, and resolved accordingly.

House in committee on ...tion bill

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the consideration of a bill to regulate the mode of election of Members to serve in the General Assembly of this Island.

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Bill to encourage whale fishery read 2d time

Pursuant to the order of the day, a bill to amend an act entitled "An Act to encourage the Whale Fishery in this Colony" was read a second time.

To be committed

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bill.

Notice of bill to indemnify Road Commissioners

Mr. O'Brien gave notice that on an early day he would move for leave to bring in a bill to indemnify the Commissioners of Roads in this Colony from liability to actions at law, or suits in equity.

Then the House adjourned until Thursday next at one of the clock.

THURSDAY, February 18, 1841.

Report of committee on address to his Excellency

MR. M'Carthy from the committee appointed on the 12th inst. to wait on his Excellency the Governor with an address of the House, reported that they had attended to that duty, and that his Excellency was pleased to reply as follows,—

Gentlemen,

All the accounts of gaol expenditure for the year 1840, are in the hands of the Treasurer as vouchers. His Excellency's reply

Those requested for the first month of the present year shall be supplied, as also the other documents mentioned in this address.

Government House,
17th Feb. 1841.

A petition of Robert Pack, John Bransfield and others, inhabitants of Carbonear, was presented by Mr. Power, and the same was received and read, setting forth— Petitions...of R. Pack and others.

That in the event of the town of Carbonear being visited with a calamity by fire, the inhabitants are without any legislative enactment for their government and protection. Petitioners therefore pray the honorable house will enact such laws for the establishment of a fire company as in their wisdom they may deem necessary.

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

A petition of Robert Currie, Moses Neal and others, inhabitants of St. John's, was presented by Mr. Kent, and the same was received and read, praying the house to grant a sufficient sum for making a road from Mr. Neill's farm at Fresh Water to Kenmount. R. Currie and others

A petition of Michael Wade, James Burke and others, inhabitants of Flat Rock, was presented by Mr. O'Brien, and the same was received and read, praying the house to grant such sum as may be necessary for making a road from Flat Rock to Torbay. M. Wade and others

Mr. Brown presented the following Petitions, and the same were received and read, viz.

From Thomas Martin, Wm. Furneaux, and others, inhabitants of Port de Grave and Bareneed, praying the House to grant an adequate sum for making a good and sufficient road from Port de Grave to the Main road at River Head. T. Martin and others.

From George Bussell, Stephen O. Pack and others, inhabitants of Bay Roberts, praying the house to make provision for repairing that part of the road at Bay Roberts between the Wesleyan Meeting House and Juggler's Cove. G. Bussell and others

From Thomas Butler, Wm. Petten and others, inhabitants of Hebb's Hole, Pick Eyes, and Blow-me-down, praying the house to grant such sum as it may deem sufficient for making a road from the above named places to Port de Grave, T. Butler and others.

A petition of Felix M'Carthy, Wm. Brown, and others, inhabitants of Carbonear, was presented by Mr. M'Carthy, and the same was received and read, praying the house to grant such sum of money as in its estimation will be requisite for making one mile of road from Daniel Meaney's house (in a North West direction) towards Truckley's Marsh. F. M'Carthy and others

Referred to Com. on roads and bridges.

Ordered,—That the said petitions be referred to the committee on roads and bridges.

Petition of J. Walsh and others

A petition of John Walsh, Robert Pack and others, inhabitants of Carbonear, was also presented by Mr. M'Carthy, and the same was received and read, setting forth—

That petitioners are for the most part, annually engaged in supplying for the fishery carried on at the Labrador, and consequently capital to a very large amount is thereby involved.

That from sad experience, as well from pecuniary loss, as from actual observation, they have too much reason to believe that illicit traffic is carried on to a very great extent by the Americans and others who frequent those shores under clearances for the fishery, but for the sole purpose of bartering with our fishermen.

That the nrtural result consequent on such a state of trade is already too manifest in the falling off in outfit for that fishery the past two or three years, and must ultimately fall into insignificance, thereby throwing hundreds out of employment, if not speedily and duly protected.

Petitioners therefore pray the honorable house will in its wisdom pass such measures as may prevent the revenue being defrauded, as also of Petitioners being deprived of their rights.

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

Road bill read first time.

Mr. Brown, pursuant to notice and leave granted, presented a bill for granting to her Majesty a supply of money for making and repairing of Roads, streets and Bridges in this colony, and to regulate the expenditure of the same, and the said bill was read a first time.

2d reading.

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

Contingency bill read first time.

Mr. Moore, pursuant to notice and leave granted, presented a bill to provide for certain contingent expenses of the Legislature, in the fourth and fifth sessions of the second General Assembly, and the same was read a first time.

Mr. Moore moved, pursuant to notice, seconded by the Solicitor General,

Rules of House suspended.

That the Rules of the House in reference to the reading and passing of bills, be suspended so far as relate to the said bill.

Which being put, the House divided thereon as follows :

For the motion.	Against the motion.
The Solicitor General	Mr. Brown
Mr. Moore	— Nugent
— Dwyer	— O'Brien,
— Butler	— Kent,
	— Winser
	— M'Carthy.

So it passed in the negative.

On motion of Mr. Moore, seconded by the Solicitor General,

Ordered,—That the said bill be read a second time to-morrow. 2d reading

The order of the day for the third reading of an engrossed bill to further amend the Law of attachment, and to facilitate the recovery of debts from absent and absconding debtors, being read— Law of attachment bill,—

The Solicitor General moved, seconded by Mr. Nugent,

Resolved,—That the said bill be now re-committed to a committee of the whole house. Re-Committed

And the House resolved itself into the said committee accordingly.

Mr. Speaker left the chair.

Mr. Kent took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had re-considered the said bill and had made an amendment therein, which he was directed to report to the House, and he delivered the bill with the amendment in at the Clerk's table. Report

And the said amendment having been read throughout, was, upon the question severally put thereon, agreed to by the House. Amendment read and agreed to

Ordered,—That the said bill as amended be engrossed and read a third time to-morrow. Engrossed....3d reading.

Mr. Moore moved, pursuant to notice, seconded by Mr. Dwyer

Resolved,—That the report of the Surveyor on roads in this colony be printed for the use of the Members.

Agreeably to the order of the day, the house resolved itself into a committee of the whole house on the further consideration of a supply to be granted to her Majesty. House in committee on upply.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same. Report

Ordered,—That the said committee have leave to sit again.

Notice of address to his Excellency

Mr. Nugent gave notice that to-morrow he would move an address to his Excellency the Governor, respectfully requesting his Excellency to cause to be laid before this house the report of Elias Rendell, Esq. on the State of the Revenue on the coast of Labrador.

Then the House adjourned until to-morrow, at one of the clock.

FRIDAY, February 19, 1841.

Bill to amend law of attachment read third time.

AGREEABLY to the order of the day, an engrossed bill to further amend the Law of attachment, &c. was read a third time.

On motion of the Solicitor General, seconded by Mr. Power,

Passed. Title

Resolved,—That the said bill do pass, and that the title be "An Act to further amend the Law of Attachment, and to facilitate the recovery of debts from absent and absconding debtors."

Sent to Council

Ordered,—That Mr. Power and the Solicitor General do carry the said bill up to her Majesty's Council and desire their concurrence.

Petition of James Bealey.

A petition of James Bealey, of Carbonear, was presented by Mr. M'Carthy, and the same was received and read, setting forth—

That in the month of August last, the Bridge over Powell's Brook on the road leading from Carbonear to Harbor Grace fell in, and remained in that state until petitioner waited on some of the road Commissioners who, advised him to rebuild it, and trust to the liberality of the honorable House for remuneration, as the Commissioners had no funds at their disposal for such a purpose.—That petitioner did rebuild the said bridge at his own cost and expense, and has not received any payment for the same. Petitioner therefore prays that the honorable House will grant him a sum of money to reimburse him for his time and expense in rebuilding the said bridge; which work and labour have cost petitioner the sum of fifteen pounds currency.

Referred to committee on roads and bridges

Ordered,—That the said petition be referred to the committee on roads and bridges.

Contingency bill read 2nd time.

Pursuant to the order of the day, a bill to provide for certain contingent expenses of the Legislature, for the two past sessions, was read a second time.

To be committed.

Ordered,—That the said bill be committed to a committee of the whole house.

Resolved,—That this house will, on Monday next, resolve itself into a committee of the whole house on the consideration of the said bill.

Road Bill read 2d time

Pursuant to the order of the day, a bill for granting to her Majesty a supply of money for making and repairing of Roads, Streets and Bridges in this colony, was read a second time.

Ordered,—That the said bill be committed to a committee of the whole House. To be committed

Resolved,—That this House will, on Monday next, resolve itself into a committee of the whole House on the consideration of the said bill. Message from his Excellency

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

The hon. Mr. Secretary Crowdy being admitted within the bar, acquainted the House that he was the bearer of a message from his Excellency the Governor, signed by his Excellency, and he presented the same to the House.

He also presented by direction of his Excellency, a petition from John Granfield of Carbonear,—(for which see *Appendix*.)

And then the Messenger withdrew.

The said message was read by Mr. Speaker as follows:

H. PRESCOTT,—

The accompanying statement appearing to the Governor perfectly reasonable, he recommends it to the favourable consideration of the House of Assembly.

Government House,
19th Feb. 1841.

The said letter was then read by the Clerk as follows:—

Secretary's Office,
15th Feb., 1841.

Sir,—I take the liberty of calling your Excellency's attention to the increased duty which has devolved on me under the road acts of the 1st and 2d Victoria.

In addition to the preparation of Warrants in cases of vacancies amongst the Commissioners, and a considerable correspondence under these acts, there have been issued since the passing of the last of them, warrants for payments to more than 1250 individuals, for contracts or other services connected with roads —in most of these cases the sums have to be corrected from currency into sterling--and in all I am obliged to have a careful reference to the road for which the payment is made, to ascertain that the grant is not over-drawn, or other irregularity committed, and consequently precise and very particular accounts must be kept for each road.

As the Clerks in my office have sufficient occupation in their ordinary duties, and as great care and attention are required in that now in question, I have been obliged to perform it myself exclusively; and as I am satisfied your Excellency will feel that to enable me to attend efficiently to the other business of my office, I should be relieved in this, I venture to express a hope that your Excellency will recommend to the Legislature to make provision in any future Road Bill for some person to assist me in the performance of the labour which it may devolve upon me.

I have the honor to be, Sir,
Your Excellency's most obd't humble serv't,
JAMES CROWDY.

His Excellency the Governor.

On motion of the Solicitor General, seconded by Mr. Power,

Referred to Com. on roads and bridges.

Ordered,—That the said letter be referred to the committee on roads and bridges.

Message from Her Majesty's Council

A MESSAGE FROM HER MAJESTY'S COUNCIL.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,

Her Majesty's Council request the House of Assembly will appoint a committee to meet a committee of the Council, to prepare an address to his Excellency the Governor, founded on the report of the joint committee from both Houses, appointed to inspect the buildings at Fort William.

JAMES SIMMS,
Senior member presiding.

Council Chamber,
16th Feb. 1841.

On motion of Mr. Nugent, seconded by Mr. Moore,

Resolved,—That the same committee who had acted on the joint committee relative to the building at Fort William, be a committee to meet the committee of her Majesty's Council upon the subject matter of, and in compliance with the said message.

Ordered,—That Mr. Nugent and Mr. Moore do communicate the said resolution to her Majesty's Council.

Address to his Excellency

Mr. Nugent, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :—

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly request your Excellency will please order that the report of Elias Rendell, Esq., on the state of the Revenue on the coast of Labrador, be laid before this House.

Adopted

Resolved,—That the said address be adopted and engrossed.

Ordered,—That Mr. Nugent and Mr. Moore be a committee to present the said address to his Excellency.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill to amend an act to encourage the Whale Fishery in this colony, House in committee on whale fishery bill

Mr. Speaker left the chair.

Mr. Dwyer took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill and had made an amendment therein, which he was directed to report to the House, and he delivered the bill with the amendment in at the Clerk's table. Report

And the said amendment having been read throughout, was, upon the question severally put thereon, agreed to by the House. Amendment read and agreed to

Ordered,—That the said bill as amended be engrossed and read a third time on Monday next. Engrossed....3d reading.

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the further consideration of a bill to regulate the mode of election of members to serve in the General Assembly. House in committee on election bill

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same. Report

Ordered,—That the said committee have leave to sit again.

Mr. Kent from the committee appointed to prepare a bill to regulate the payment of wages of servants employed in the Fishery, &c., reported that they had deemed it advisable to have the opinion of the Attorney and Solicitor General on the existing state of the laws upon the subject, and that they had drafted an address to his Excellency the Governor for that purpose; and he read the same in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows:— Report of committee appointed to prepare bill to regulate payment of servants wages

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. Address to his Excellency

May it please your Excellency,

The House of Assembly respectfully request your Excellency will be pleased to submit the following queries for the opinion of the Attorney and Solicitor

General on the subject of the existing state of the law regulating servant's wages.

The 15, Geo. 3d, c. 31, section 16, provided that all the Fish and Oil which shall be taken and made by the person or persons who shall hire or employ Seamen or Fishermen, shall be subject and liable in the first place to the payment of the wages of every such Seaman, or Fisherman.

Query.—Is not the above section in full operation still ?

For the following reasons,—viz. :

1st,—Because it is a law declaratory of a custom existing prior to any Legislation on the subject.

2d,—It is not repealed directly by any statute.

3d,—It cannot be considered to be repealed impliedly by the act 5, Geo. 4, cap. 51.

For the following reasons :—

1st,—It could not be the intention of the framers of the last mentioned act to repeal the 16th section, 15 Geo. 3, c. 31, because in that act the section *to-didem verbis* is mentioned, thereby confirming by a second act of Parliament, instead of abrogating the original usage or Custom,—and

2d,—The sections expressly repealed are subordinate to the 16th section, the latter being a general and continuous law, whose operation was considered virtually necessary for the interest of the Country as well as those of the Empire; the others were temporary enactments, called up by the peculiar circumstances of the times, and ceasing with the necessity that created them.

Adopted

Resolved,—That the said address be adopted and engrossed.

Ordered,—That Mr. Kent and Mr. Brown be a committee to present the same to his Excellency.

Notice of address to his Excellency.

Mr. Nugent gave notice that on Monday next he would move an address to his Excellency the Governor, praying his Excellency to cause to be laid before the House the Collector's account of the Imperial Revenue for the year ending in January, 1841.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, February 22, 1841.

Whale Fishery bill read 3d time

AGREEABLY to the order of the day, an engrossed bill to amend an act entitled "An Act for the encouragement of the Whale Fishery in this Colony," was read a third time.

On motion of Mr. Moore, seconded by Mr. Winser,

Resolved,—That the said bill do pass, and that the title be "An Act to amend an act passed in the third year of the reign of her present Majesty, entitled "An act to encourage the whale fishery in this colony." Passed. Title

Ordered,—That Mr. Moore and Mr. Winser do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council

A petition of Patrick Condon, of Carbonear, was presented by Mr. Power, (who stated in his place that he had obtained the consent of his Excellency the Governor to present the same) and the same was received and read, setting forth— Petition of P. Condon

That on the night of Monday the ninth day of December last, about ten o'clock, while petitioner and family were in bed, a number of ill disposed persons attacked petitioner's house with sticks, and having completely destroyed the window sashes, as well as glass, proceeded to throw in large stones, which broke the floor, and did other damage to the value of ten pounds and upwards.

That the said attack petitioner believes was occasioned by the hostile feelings induced by the late elections.

Petitioner therefore humbly prays that the honorable house will take his case into consideration, and grant him some indemnity.

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

The order of the day that the house resolve itself into a committee of the whole house on the consideration of a bill to provide for certain contingent expenses of the Legislature, for the past two sessions of the General Assembly, being read— Order of the day read.

Mr. Nugent moved, seconded by Mr. Winser,

That the said order of the day be discharged, and the said bill be committed to a committee of the whole house this day six months, and that the items therein embodied be referred to the committee of supply.

Which being put, the House divided thereon as follows :

For the motion.	Against the motion.
Mr. Brown	The Solicitor General
— Nugent	Mr. Moore
— O'Brien,	— Dwyer
— Kent,	— Butler
— Winser	
— M'Carthy.	
— Doyle	

So it passed in the affirmative, and

Resolved accordingly.

House in committee on Supply.

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the further consideration of a supply to be granted to her Majesty.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had come to certain resolutions thereon, which they had directed him to report to the house.

And he read the said resolutions in his place, and afterwards delivered them in at the Clerk's table, where they were again read as follow—

1. Resolved—That it is the opinion of this committee that a sum not exceeding two hundred pounds be granted to her Majesty towards defraying the salary of the Clerk of the Executive Council from the first day of July, One Thousand Eight Hundred and Forty-one, to the last day of June, One Thousand Eight Hundred and Forty-two.

2. Resolved—That it is the opinion of this committee that a sum not exceeding four hundred pounds be granted to her Majesty towards defraying the salaries of two Clerk's in the Secretary's Office, during the same period.

3. Resolved—That it is the opinion of this committee that a sum not exceeding sixty pounds be granted to her Majesty towards defraying the salary of an office keeper in the Secretary's office during the same period.

4. Resolved,—That it is the opinion of this committee that a sum not exceeding sixty pounds be granted to her Majesty towards defraying the salary of a messenger for the Secretary's office during the same period.

5. Resolved,—That it is the opinion of this committee that a sum not exceeding four hundred pounds be granted to her Majesty towards defraying the salary of the Colonial Treasurer during the same period.

6. Resolved—That it is the opinion of this committee that a sum not exceeding two hundred pounds be granted to her Majesty towards defraying the salary of the Clerk of the Northern Circuit Court, during the same period.

7, Resolved,—That it is the opinion of this committee that a sum not exceeding two hundred pounds be granted to her Majesty towards defraying the salary of the Clerk of the Southern Circuit Court during the same period.

8. Resolved. That it is the opinion of this committee that a sum not exceeding sixty pounds be granted to her Majesty towards defraying the salary of the Crier and Tipstaff of the Supreme Court during the same period.

9. Resolved,--That it is the opinion of this committee that a sum not exceeding one hundred and twenty pounds be granted to her Majesty towards defraying

the salary of the Gaoler at St. John's, during the same period, in lieu of all fees of office, which fees shall be received by the Clerk of the Peace, and paid over to the Treasurer for the use of the colony.

10. Resolved—That it is the opinion of this committee that a sum not exceeding six hundred pounds be granted to her Majesty towards defraying the salary of two police magistrates for St. John's, during the same period.

11. Resolved—That it is the opinion of this committee that a sum not exceeding eighty pounds be granted to her Majesty towards defraying the salary of the Chief Constable of St. John's, during the same period.

12. Resolved,--That it is the opinion of this committee that a sum not exceeding two hundred and seventy pounds be granted to her Majesty towards defraying the salaries of six Police Constables of St. John's during the same period.

13. Resolved—That it is the opinion of this committee that a sum not exceeding one hundred and fifty pounds be granted to her Majesty towards defraying the salary of a stipendiary Magistrate for the town of Harbor Grace, during the same period.

14. Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred and twenty pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate for Carbonear during the same period.

15. Resolved—That it is the opinion of this committee that a sum not exceeding one hundred and twenty pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate for Brigus and Port de Grave, during the same period.

16. Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate for Ferryland during the same period.

17. Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salary of a stipendiary Magistrate at Bay of Bulls, during the same period.

18. Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate at St. Mary's during the same period.

19. Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate at Burin, during the same period.

20. Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salary of a stipendiary Magistrate at Placentia, during the same period.

21. Resolved,—That it is the opinion of this committee, that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate at Harbor Britain, during the same period.

Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate at Grand Bank, during the same period.

Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred and twenty pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate at Trinity, during the same period.

Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate at Bonavista, during the same same period.

Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salary of a stipendiary magistrate at Fogo and Twillingate during the same period.

Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty towards defraying the salaries of the gaolers in the Outports during the same period, that is to say—

The Gaoler at Ferryland	£25
at Placentia	£25
at Burin	£25
at Trinity	£25

Resolved,—That it is the opinion of this committee that a sum not exceeding eight hundred and fifty-six pounds be granted to her Majesty towards defraying the salaries of constables of Out-ports, during the same period, that is to say—

The head constable at Harbor Grace, fifty pounds.

Two constables at Harbor Grace at £25 each, fifty pounds.

Three constables at Carbonear, at £25 each, seventy-five pounds.

Two constables at Brigus and Port de Grave, at £25 each, fifty pounds.

A constable at Bay de Verds, twelve pounds.

A constable at Cats Cove, twelve pounds.

A constable at Harbor Main, twelve pounds.

A constable at Western Bay, twelve pounds.

A constable at South Shore, twelve pounds.

A constable at Ferryland, twenty-five pounds

A constable at Bay Bulls, twentyfive pounds.

A constable at Toads Cove, twelve pounds.

A constable at Cape Broyle, twelvepounds.

A constable at Caplin Bay	£12
A constable at Fermeuse	12
A constable at Placentia	25
A constable at Barren Island	12
A constable at Merasheen	12
A constable at Little Placentia	12
A constable at Burin	25
A constable at St. Lawrence	12
A constable at Lamaline	12
A constable at Trepassey	12
A constable at St. Mary's	25
A constable at Harbor Britain	12
A constable at Grand Bank	12
A constable at Trinity	25
A constable at Catalina	25
Two constables at Bonavista	25
A constable at Greenspond	12
Three constables at Twillingate and Fogo, one at £25, and two at £12 each	49
A constable at Exploits Bay	12
A constable at Brigus, South	12
A constable at Witless Bay	12
A constable at Petty Harbor	20
A constable at Perlican	12
A constable at Heart's Content	12
A constable at Hants Harbor	12
A constable at New Harbor	12
A constable at Renews	12
A constable at Portugal Cove	20
A constable at Torbay	18
A constable at Aquafort	12

Resolved, That it is the opinion of this committee that a sum not exceeding forty pounds be granted to her Majesty towards defraying the salary of the Gaol Surgeon of St. John's, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding fifteen pounds be granted to her Majesty towards defraying the salary of the Gaol Barber of St. John's, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding twenty pounds be granted to her Majesty towards defraying the salary of the Gaol Surgeon at Harbor Grace, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding two hundred and fifty pounds be granted to her Majesty towards defraying the Attorney General's fees, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding two hundred pounds be granted to her Majesty towards defraying in lieu of all fees to the Solicitor General, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding sixty pounds be granted to her Majesty towards defraying the pension of John Buckingham, Esq., during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding four hundred and fifty pounds be granted to her Majesty towards defraying the expense of printing, advertising, and stationery, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding two hundred pounds be granted to her Majesty towards defraying the expense of fuel and light, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding one hundred and twenty pounds be granted to her Majesty towards defraying the expense of postages and other incidentals, during the same period.

Resolved. That it is the opinion of this committee that a sum not exceeding six hundred pounds be granted to her Majesty towards defraying the expense of the Circuit Courts, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding five hundred pounds be granted to her Majesty towards defraying the expenses of civil and criminal prosecutions, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding seven hundred pounds be granted to her Majesty towards defraying the expenses of gaols, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding one hundred and fifty pounds be granted to her Majesty towards defraying the expense of Coroners, during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding two hundred pounds be granted to her Majesty towards defraying the expenses of the repairs of Court Houses, Gaols, &c., during the same period.

Resolved, That it is the opinion of this committee that a sum not exceeding five hundred pounds be granted to her Majesty towards defraying the expenses of unforseen contingencies.

Resolved, That it is the opinion of this committee that a sum not exceeding one thousand four hundred and seventy-three pounds eight shillings and sixpence be granted to her Majesty to defray the balances due to the following persons on account of the contingent expenses of the 4th and 5th Sessions of the second General Assembly—that is to say,

John Delaney ten pounds, David Walsh ten pounds, Philip Brown five pounds, John B. Cox five pounds, Mortagh Dunn five pounds, the Solicitor of the House of Assembly one hundred and fifty pounds, Richard Holden fifty pounds, the Chairman of Supply and Finance fifty pounds, the Chairman of Committee of Audit fifty pounds, the proprietor of the Patriot Newspaper one hundred and one pounds, travelling charges and extra expenses of Outport Members, including Postages, one hundred and thirty eight pounds, the Acting Clerk of the House of Assembly for law charges, one hundred and thirty pounds, Walter Dillon ten pounds, Thomas Beck fifty pounds, John Kent, Esq. one hundred and thirteen pounds, John Delaney five pounds, Mortagh Dunn thirty-five pounds, John B. Cox twenty-five pounds, the Solicitor of the House of Assembly, one hundred and fifty pounds, Richard Holden twenty pounds, seven members resident in Outports, one hundred and sixty one

pounds, George Henry Emerson forty eight pounds eighteen shillings and sixpence, the Chairman of Supply and Finance fifty pounds, James Power Esq., omitted 4th and 5th Sessions, one hundred and seven pounds.

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

The chairman further reported from the committee that they had directed him to move for leave to sit again.

Ordered,—That the said committee have leave to sit again.

Mr. O'Brien, pursuant to notice and leave granted, presented a bill to indemnify Commissioners of Roads, and other persons therein mentioned, from liability to actions at law, or suits in equity; and the same was read a first time. Bill to indemnify road Commissioners read first time

Ordered,—That the said bill be read a second time to-morrow. Second reading

Mr. Nugent pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :— Address to his Excellency

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly respectfully request your Excellency will please to order that the Collector's return of the Imperial Revenue for the year ending in January, 1841, be laid before the House.

Resolved,—That the said address be adopted and engrossed. Adopted

Ordered,—That Mr. Nugent and Mr. O'Brien be a committee to present the said address to his Excellency.

Pursuant to the order of the day the House resolved itself into a committee of the whole House on the further consideration of a bill to regulate the mode of election of members to serve in the General Assembly. House in committee on election bill

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same. Report

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until to-morrow, at one of the clock.

TUESDAY, February 23, 1841.

Report of committee on address to his Excellency

MR. Nugent from the committee appointed on the 19th inst., to present an address of the House to his Excellency the Governor, reported that they had waited on his Excellency with the said address, and that his Excellency was pleased to reply as follows :—

GENTLEMEN,—

A paper drawn up by Mr. Rendell, and termed by him a report, is in the office of the Colonial Secretary, who shall be directed to apply for a copy thereof for the information of the House of Assembly.

Government House,
23d Feb., 1841.

Bill to indemnify Road Commissioners read 2d time

Pursuant to the order of the day, a bill to indemnify Commissioners of Roads and other persons therein mentioned from liability to actions at law, or suits in equity, was read a second time.

To be committed

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bill.

Message from his Excellency

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

The hon. Mr. Secretary Crowdy being admitted within the bar, acquainted the House that he had a message from his Excellency the Governor, signed by his Excellency, and he presented the same to the House.

He also presented by direction of his Excellency, an account for the registration of voters of the district of St. John's, for the year 1840.—(For which see Appendix.)

And then the Messenger withdrew.

The said message was then read by Mr. Speaker as follows :

H. PRESCOTT,—

The Governor is desirous to recal the attention of the House of Assembly to the recommendation contained in his opening addresses of 1837 and 1838, for making provision for stipendiary magistrates at the Burgeo Islands and at La Poile—and

he also wishes to bring under the consideration of the House the statement made by Captain Milne, as to the necessity for a similar establishment at Lamaline.

Government House,
23d Feb. 1841.

Ordered,—That the said message do lie upon the table, and that the said account be referred to the committee of supply.

A MESSAGE FROM HER MAJESTY'S COUNCIL.

Message from Her Majesty's Council

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,

Her Majesty's Council have passed the bill sent up from the House of Assembly entitled "an act to indemnify the Governor for sums advanced towards defraying in part the expenses of the fourth and fifth sessions of the second General Assembly," without amendment.

JAMES SIMMS,
Senior member presiding.

Council Chamber,
23d Feb. 1841.

And then the Messenger withdrew.

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the consideration of a bill to make further provision for the encouragement of education in this colony. House in committee on education bill.

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair.

The Chairman reported from the committee that they made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same. Report

Ordered,—That the said committee have leave to sit again.

The Solicitor General gave notice that to-morrow he would move an address to his Excellency the Governor in answer to his Excellency's message to the House of the 2d inst. on the subject of the Geological specimens and the Surveyor General's Department. Notice of address to his Excellency.

Mr. Winser gave notice that to-morrow he would move that that part of the Blue Book, from page first to page thirty-three, be printed for the use of the members.

Then the House adjourned until Thursday next, at one of the clock.

THURSDAY, February 25, 1841.

Reports of committees appointed to present addresses to his Excellency.

MR. Nugent reported from the committee appointed to wait on his Excellency the Governor with an address of the house praying his Excellency to cause to be laid before the house a return from the Collector of the Imperial Revennes for the year ending January, 1841, that his Excellency was pleased to reply that he would order the return accordingly.

Mr. Nugent also reported from the committee appointed to present to his Excellency an address of the house requesting that a query be laid before the Attorney and Solicitor General for their opinion of the state of the law respecting the mode of recovering of fishing servants' wages, that his Excellency was pleased to say he would have the case laid before the law officers of the Crown for their opinion.

Petition of M. Devereaux and others.

A petition of Michael Devereaux, James O'Brien, and 330 others, inhabitants of Ferryland and its vicinity, was presented by Mr. Winser, and the same was received and read, setting forth—

That a meeting was convened on Monday, the 21st of September, at Ferryland, for the purpose of choosing Directors to carry into effect the Hospital Act, when the following resolutions were carried—

Resolved,—That it is the opinion of this meeting that the act made in the sixth year of his late Majesty Wm. the 4th, entitled "An act for the relief of sick and disabled seamen, fishermen and other persons," has not been found to work in accordance with the feelings of the people in general.

Resolved,—That this meeting has been convened for the purpose of choosing directors to carry into effect the aforementioned act, but that we deem it unadvisable to do so.

Resolved,—That we will not choose any directors, but will appoint a committee to draw up and prepare petitions to the Legislature to repeal the afore recited act.

That petitioners therefore humbly request that the honorable the House of Assembly will concur in the views taken by the petitioners, and repeal the aforementioned act.

R. Rossiter and others.

A petition of Richard Rossiter, Matthew Whealan, and 260 others, fishermen of Ferryland, was also presented by Mr. Winser, and the same was received and read—

praying that a bill may be introduced into and passed by the house, regulating and securing the payment of the wages of servants engaged in the fisheries.

A petition of James Clift, of St. John's, was presented by the Solicitor General, and the same was received and read, setting forth— Petition of J. Clift

That petitioner is one of the Board of Commissioners appointed under the Act 5 Wm. 4, cap. 5.

That petitioner, in conjunction with his brother commissioners, Messrs. Robert Job, Charles F. Bennett, and Wm. Richards, has already petitioned the honorable House through his Excellency the Governor, to be reimbursed for certain sums of money which they were out of pocket, and otherwise become liable for in the exercise of their duties as Commissioners.

That petitioner is at this moment individually out of pocket ninety pounds. That he has been served with a writ at the suit of John Canning, demanding payment of one hundred and twenty pounds, one-fourth of which he is liable for.

That petitioner is somewhat differently situated from his Brother Commissioners, having heavy incumbrances to sustain by more limited means than them, and cannot afford to lose so much money, besides having dedicated so much of his time in the honest, zealous and disinterested discharge of his duty as a commissioner. That he feels that he should be doing something short of his duty to his family were he to submit to such an outlay, whilst any honorable course remained open for him to seek redress through.

That petitioner has been ever ready to take his full share of gratuitous duty, and whenever public utility, charity, or innocent amusement, have been the object, he has invariably been found in the most laborious and troublesome departments, a fact he is sure will be admitted by several members of the honorable House. Allow then the petitioner to hope that if his case cannot be individually considered, that in the deliberations of the house on the question generally it may have some weight.

Ordered,—That the said petitions do lie upon the table. To lie on the table

A petition of Michael Dwyer, John Hatchett and others, inhabitants of Logy Bay and its vicinity, was presented by Mr. O'Brien, and the same was received and read, praying the house to grant a certain sum for repairing the road leading from the new Outer Cove road through the Logy Bay settlement.

A petition of Joseph Templeman, P. W. Carter and others, inhabitants of the town and vicinity of St. John's, was presented by Mr. Kent, and the same was received and read, praying the house to make a sufficient grant for repairing the old road to Portugal Cove leading from the river at Rennie's mill by Friendly Hall. Petition of J. Templeman and others

A petition of Denis Mackin, Robert Brown and others, inhabitants of Brigus, in the northern district, was presented by Mr. Brown, and the same was received and read, praying the house to make provision for repairing and improving certain public roads and highways in the town of Brigus, and the immediate vicinity thereof. Petition of Denis Mackin and others

Petition of Jonas Soper and others— A petition of Jonas Soper, Henry Sheppard and others, inhabitants of Cupids, in Conception Bay, was also presented by Mr. Brown, and the same was received and read—

Praying the house to grant a certain sum for making a branch road from the River head of Cupids to the main road.

C. M'Carthy and others. A petition of Charles M'Carthy, Albert Pittman and others, inhabitants of New Perlican and Turk's Cove, in the south shore of Trinity Bay was presented by Mr. Moore, and the same was received and read—

Praying the house to grant an adequate sum for erecting bridges over Turks Cove and Jeffery's Brook, (New Perlican) and for making roads from the said brook to join Turk's Cove road, and round the head of New Perlican and Turk's Cove.

Referred to committee on roads and bridges Ordered—That the said petitions be referred to the committee on roads and bridges.

Seamen's relief bill read 1st time. Mr. Winser, pursuant to notice and leave granted, presented a bill to repeal in part an act passed in the sixth year of his late Majesty Wm. the 4th, entitled "An act for the relief of sick and disabled seamen, fishermen and other persons," and for other purposes, and the same was read a first time.

2d reading, Ordered,—That the said bill be read a second time to-morrow.

Fire Company bill read 1st time Mr. M'Carthy, pursuant to notice and leave granted, presented a bill to establish and regulate fire companies in the town of Carbonear, and the same was read a first time.

2d reading. Ordered,—That the said bill be read a second time to-morrow.

House in committee on Bill to indemnify road Commissioners Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the consideration of a bill to indemnify Commissioners of Roads and other persons therein mentioned from liability to actions at law or suits in equity.

Mr. Speaker left the chair.

Mr. Moore took the chair of the committee.

Mr. Speaker resumed the chair.

Report The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without amendment.

Engrossed....3d reading. Ordered,—That the said bill be engrossed and read a third time to-morrow.

Agreeably to the order of the day, the House resolved itself into a committee of the whole house on the further consideration of a bill to make further provision for the encouragement of education in this colony. House in committee on education bill.

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill and had made some amendments therein, which he was directed to report to the House; and he delivered the said bill with the amendments in at the Clerk's table. Report

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

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

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of a bill to regulate the mode of election of members to serve in the General Assembly. House in committee on election bill

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same. Report

Ordered,—That the said committee have leave to sit again.

The Solicitor General pursuant to notice on the 23d inst., presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows:— Address to his Excellency

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly respectfully request your Excellency will be pleased to cause to be laid before the House the plan and elevation of the building referred to in the letter of Mr. Kough, transmitted by your Excellency with your message to the House of the second inst.

On motion of the Solicitor General, seconded by Mr. Power,

Adopted

Resolved,—That the said address be adopted and engrossed.

Ordered,—That the Solicitor General and Mr. Power be a committee to present the said address to his Excellency.

Then the House adjourned until to-morrow, at one of the clock.

FRIDAY, February 26, 1841.

Bill to indemnify Road Commissioners read 3d time

AGREEABLY to the order of the day, an engrossed bill to indemnify Commissioners of Roads was read a third time.

On motion of Mr. Nugent, seconded by Mr. Kent,

Passed—Title

Resolved,—That the said bill do pass, and that the title be "An Act to indemnify Commissioners of Roads and other persons therein mentioned from liability to actions at law, or suits in equity."

Sent to Council

Ordered,—That Mr. Nugent and Mr. Kent do carry the said bill up to her Majesty's Council and desire their concurrence.

On motion of Mr. Moore, seconded by Mr. Winser,

Passed—Title

Resolved,—That an engrossed bill to amend an Act to encourage the Whale Fishery in this Colony do pass, and that the title be "An Act to amend an Act passed in the third year of the reign of her present Majesty, entitled "An Act to encourage the Whale Fishery in this Colony."

Sent to Council

Ordered,—That Mr. Moore and Mr. Winser do carry the said bill up to her Majesty's Council and desire their concurrence.

Seamen's relief bill, and Fire Company bill read 2d time

Pursuant to the order of the day, a bill to repeal in part an Act for the relief of Sick and disabled Seamen, Fishermen, and other persons, and a bill to establish and regulate Fire Companies in the Town of Carbonear, were respectively read a second time.

To be committed

Ordered,—That the said bills be committed to a committee of the whole House.

Resolved,—That this House will, on Monday next, resolve itself into a committee of the whole House on the consideration of the said bills.

Letter from Col. Secretary

Mr. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, transmitting by direction of his Excellency a petition from certain inhabitants of Twillingate and its vicinity, praying the establishment of a Light House on the "Wadham Islands," together with a report thereon by the Commissioners of Light Houses.

The said petition and report were then read by the Clerk.—(For which see *Appendix.*)

Ordered,—That the said petition and report do lie upon the table to be perused by the Members of the House. To lie on the table

A petition of the committee of the St. John's Factory was presented by Mr. Kent, (who stated in his place that he had obtained the consent of his Excellency the Governor to present the same) and the said petition was received and read, setting forth,— Petition of committee of Factory

That this institution having for several years received the fostering aid of the honourable House, continues to furnish work for the industrious poor, and thereby relieves the wants of a large portion of distressed fellow-subjects.

The committee therefore pray that the honourable House will be pleased to continue to the St. John's Factory that annual grant which for so many years has been its chief stay and support.

On motion of Mr. Kent, seconded by Mr. Moore,

Ordered,—That the said petition be referred to the committee of Supply. Referred to committee of supply

Agreeably to the order of the day the House resolved itself into a committee of the whole House on the further consideration of a supply to be granted to her Majesty. House in committee on Supply

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same. Report

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, March 1, 1841.

THE Solicitor-General from the committee appointed on the 25th inst. to wait on his Excellency the Governor with an address of the House, reported that they had presented the said address accordingly, when his Excellency was pleased to reply as follows:— Report of committee on address to his Excellency

His Excellency's reply

GENTLEMEN,—

I will immediately send down a ground plan and elevation of the proposed new building, and the ground plan of an addition which could be made to the present office of the Surveyor-General, for the reception of the Geological Specimens, Charts, &c.

The latter mode, as you will see by the estimate, would be the least expensive, but the former I must consider as far preferable; and should the House think fit to apply £400 to this erection, and to the expense of Lithographing in England, I will endeavour to carry out the object, with every attention to economy.

Government House,
1st March, 1841.

On motion of the Solicitor General, seconded by Mr. Nugent,

Referred to committee of supply

Ordered,—That the said reply be referred to the committee of supply.

Education bill read 3d time

Agreeably to the order of the day an engrossed bill to make further provision for the encouragement of education in this colony was read a third time.

On motion of the Solicitor General, seconded by Mr. M'Carthy,

Passed—Title

Resolved,—That the said bill do pass, and that the title be "An Act to make further provision for the encouragement of education in this colony."

Sent to Council

Ordered,—That the Solicitor General and Mr. M'Carthy do carry the said bill up to her Majesty's Council and desire their concurrence.

Petitions—of P. Ward & others

A petition of Patrick Ward, James H. Carter, and others, inhabitants of Ferryland, in the southern district, was presented by Mr. Winser, and the same was received and read,—

Praying the House to grant a certain sum for repairing and improving the road through the town of Ferryland, from the Cornfield to the Quarry River.

Of C. Blackman & others

A petition of Charles Blackman, James Clift, and others, inhabitants of St. John's, was presented by Mr. O'Brien, and the same was received and read,—

Praying the House to make a grant of such sum as may be deemed necessary for repairing the lane or road leading from Duckworth Street, by the Congregational Meeting House through Gower Street towards the Barrens.

Of P. Ryan and others

A petition of Patrick Ryan, John Haney, and others, inhabitants of the north side of Logy Bay, was also presented by Mr. O'Brien, and the same was received and read,—

Praying the House to grant a sufficient sum for making a branch road from the said north side of Logy Bay to meet the Outer Cove Road.

Of S, Bennett & others

A petition of Samuel Bennett, George Johnston, and others, inhabitants of Tilting Harbor, was presented by Mr. Nugent, and the same was received and read,—

Praying the House to grant such a sum as will enable petitioners to erect a safe and substantial bridge to the Island, in the said Harbor.

A petition of Joseph Cumberland, James Taylor and others, inhabitants of Fogo Island, was presented by Mr. Nugent, and the same was received and read, praying the house to grant a sufficient sum for cutting a channel through a neck of land at the head of Fogo harbor, which is a barrier between the said harbor and the sea, as for want of such channel petitioners are greatly retarded in the prosecution of the fisheries. Petition of J. Cumberland and others—

Ordered—That the said petitions be referred to the committee on roads and bridges. Referred to Com. on roads and bridges.

A petition of James Sharpe, High Constable of the district of Conception Bay, was presented by Mr. Brown, and the same was received and read, setting forth— James Sharpe and others.

That petitioner's present salary is small in proportion to the labour he has to perform, and the expense he has to incur. Petitioner therefore prays the house to make such addition to his salary as it may deem him entitled to.

On motion of Mr. Brown, seconded by Mr. Power,

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of Supply

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the consideration of a bill to repeal in part an Act for the relief of sick and disabled seamen, fishermen and other persons. House in committee on Seamen's relief bill

Mr. Speaker left the chair.

Mr. M'Carthy took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without amendment. Report

Ordered,—That the said bill be engrossed and read a third time to-morrow. Engrossed....3d reading

Agreeably to the order of the day the house resolved itself into a committee of the whole house on the consideration of a bill to establish and regulate fire companies in the town of Carbonear. House in committee on Fire Company bill

Mr. Speaker left the chair.

Mr. O'Brien took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill and had made an amendment therein, which he was directed to report to the House; and he delivered the said bill with the amendment in at the Clerk's table. Report

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

Engrossed—3d reading

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

House in committee on election bill

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of a bill to regulate the mode of election of members to serve in the General Assembly.

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

Report.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until to-morrow, at one of the clock.

TUESDAY, March 2, 1841.

Letter from Col. Secretary

Mr. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, transmitting by direction of his Excellency the Governor, the following documents, as requested in addresses of the house, viz.

Return of the Imperial Revenue for the year ending 5th January, 1841.

Statement of Mr. Rendell's proceedings on the Labrador.

Plans and elevation of buildings referred to in Mr. Kough's letter transmitted to the house on the 2d ult.

The said return and statement were read by the Clerk.—For which see Appendix.

Ordered,—That the said return be referred to the committee of audit, and the other documents do lie upon the table.

Seamen's relief bill read 3d time

Agreeably to the order of the day, an engrossed bill to repeal in part an act for the relief of sick and disabled seamen, fishermen and other persons, was read a third time.

On motion of Mr. Winser, seconded by Mr. M'Carthy,

Passed—Title

Resolved,—That the said bill do pass, and that the title be "An act to repeal in part an act for the relief of sick and disabled seamen, fishermen and other persons," and for other purposes.

Ordered,—That Mr. Winser and Mr. M'Carthy do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council

A petition of Thomas Carrigan, James Flannigan, and others, inhabitants of Logy Bay, was presented by Mr. O'Brien, and the same was received and read, praying the House to grant such sum as it may consider necessary for making a Road near the water-side of the said Bay, in a north-east direction, and for improving the Road from the said Bay to St. John's. Petition of T. Carrigan and others

On motion of Mr. O'Brien, seconded by Mr. Nugent,

Ordered,—That the said petition be referred to the committee on roads and bridges. Referred to committee on roads and bridges

Mr. Nugent (in his place) informed the House that he had received a communication from W. Witham, Esq., Solicitor to the House in the case of the Appeal of Kielly, in Re Kielley vs. the Speaker and others, and that the said appeal was heard on the 4th, 5th and 6th January, but that Judgment up to the 2d February, had not been given. He also stated that Mr. Witham mentioned that the Messrs. Gurney (the Short-hand Writers of the Houses of Parliament) reported the proceedings, and that they had called upon him to say, that if the House desired it, they would furnish a copy of their Report. Case of Kielley vs. Ca.

On motion of Mr. Nugent, seconded by Mr. Brown,

Resolved,—That Mr. Speaker direct W. Witham, Esq., Solicitor, London, to procure from Messrs. Gurney a copy of their Report of the hearings before the Privy Council in the appeal of Kielley from the Judgment of the Supreme Court, in Re Kielley vs. Carson and others—and to order one hundred copies of the same, together with the Judgment of the Privy Council, to be printed and bound for the use of the Legislature.

Resolved,—That on the arrival of the said Report, a Copy be transmitted to each Member of the present Assembly, and to each Member of the present Legislative Council, and three Copies to the Executive; and that the remaining Copies be held by the Clerk of the House, to be laid before the Assembly in its next session.

A MESSAGE FROM H. M. COUNCIL.

Message from Her Majesty's Council

The Master-in-Chancery brought down from H. M. Council the following written message :—

Mr. Speaker,—Her Majesty's Council have passed the Bill sent up from the House of Assembly, intituled "An Act to declare vacant the seats of Members of the Assembly of this colony in certain cases, and to make provision for the election of Members in their stead," with some amendments, to whichthey request the concurrence of the House of Assembly.

JAMES SIMMS,

Senior member presiding.

Council Chamber,
2d March, 1841.

And then the Messenger withdrew.

Amendments read 1st time

The said amendments were read a first time as follow :—

In the first section, 4th line, expunge all the words after the word "that," and insert in lieu thereof—"On any Member of the House of Assembly tendering in writing under his hand, certified by the Speaker, to the Governor or Person administering the Government for the time being, the resignation of his seat in the said House, it shall and may be lawful for the Governor or Person administering the Government for the time being, provided he should accept such resignation, to issue his writ within twenty-one days of such acceptance to a Returning Officer residing in the District where a vacancy shall have been so occasioned, for the election and return of a Member in the place of him so resigning. Provided always that nothing herein contained shall prevent a Member so vacating his seat, from being re-elected a Member of the said House of Assembly."

Expunge the 2d, 3d, and 4th Sections.

Expunge the 5th Section, and insert in lieu thereof, as the second Section—"And be it further enacted by the authority aforesaid, that no person being an uncertified Bankrupt or Insolvent, under any Commission of Bankrupt or declaration of Insolvency duly issued and found against him, shall be deemed qualified or enabled to be elected or to be a Member of the said House of Assembly: And that whenever and so often as it shall happen that any person being a Member of the said House of Assembly, shall under due process of Law be declared Bankrupt or Insolvent, the seat of such member shall thereupon *ipso facto* become void; and the Speaker of the said House of Assembly shall thereupon certify the same to the Governor or person administering the Government for the time being, who shall thereupon issue a new writ for the election of a member in the stead of such person having so been declared Bankrupt or Insolvent as aforesaid.—*Provided nevertheless*, that after such person shall in due form of Law have been certified and discharged of his debts under such declaration of Bankrupt or Insolvency, such disability and disqualification as aforesaid shall cease and determine, and such person shall thereupon be deemed eligible (he being otherwise duly qualified) to be again elected a Member of the said House of Assembly."

House in committee on roads and bridges

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the consideration of a bill for granting to her Majesty a supply of money for the making and repairing of roads, streets and bridges, in this Colony.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Mr. Moore gave notice that on an early day he would move for leave to bring in a bill to prevent fraud in the sale of certain articles imported into this colony. Notice of Bill to prevent fraud

Then the House adjourned until to-morrow, at one of the clock.

WEDNESDAY, March 3, 1841.

Agreeably to the order of the day, an engrossed bill to establish and regulate Fire Companies in the town of Carbonear, was read a third time. Fire Company bill read 3d time.

On motion of Mr. M'Carthy, seconded by Mr. Dwyer,

Resolved,—That the said bill do pass, and that the title be "An act to establish and regulate Fire Companies in the town of Carbonear." Passed—Title

Ordered,—That Mr. M'Carthy and Mr. Dwyer do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council

A petition of Sarah Blaikie, of St. John's, was presented by the Solicitor General, (who stated in his place that he had obtained the consent of his Excellency the Governor to present the same) and the said petition was received and read, setting forth,— Pétition of Sarah Blaikie.

That petitioner having been led to believe that it is the intention of the hon. House shortly to proceed to the annual business of supply for this colony, takes leave most respectfully to thank the house for its liberality towards her family in preceding years.

That petitioner trusts the long and faithful discharge of the duties of her lamented husband in the public service will entitle her to the further beneficent consideration of the honorable house.

On motion of the Solicitor General, seconded by Mr. Moore,

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of Supply

A petition of Vincent Costigan, Patrick Strap and others, inhabitants of Harbor Main was presented by Mr. Brown, and the same was received and read, praying the house to provide for the making a road from Salmon Bridge to the Admiral's Beach in Harbor Main. Petition of V. Costigan & others.

On motion of Mr. Brown, seconded by Mr. Power,

Referred to Com. on roads and bridges.

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Bill for fixing terms of S. Court read 2d time

Pursuant to the order of the day a bill for fixing the terms of the Supreme Court was read a second time.

To be committed

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, on this day week resolve itself into a committee of the whole House on the consideration of the said bill.

On motion of the Solicitor General, seconded by Mr. Kent,

Resolved,—That the said bill be printed for the use of Members.

House in com. on roads and bridges

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of a bill for granting to her Majesty a supply of money for the making and repairing of roads, streets and bridges in this colony.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

House in com. on election bill

Pursuant to the order of the day the House resolved itself into a committee of the whole House on the further consideration of a bill to regulate the mode of election of members to serve in the General Assembly.

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

Report.

The chairman reported from the committee that they had made some progress in the business to them referred, and had come to a certain resolution thereon, which he was directed to report to the House; and he read the said resolution in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :—

Resolved—That it is the opinion of this committee that the said bill as amended in committee be printed for the use of the Members of the House.

Resolution read & agreed to

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

The chairman also reported that the committee had directed him to move for leave to sit again.

Ordered,—That the said committee have leave to sit again.

Mr. Nugent gave notice that to-morrow he would move an address to his Excellency the Governor, praying his Excellency to cause to be laid before this House the petitions and accounts addressed to his Excellency by persons supporting infant, aged, and infirm paupers, in order that the House may be enabled to make provision for the liquidation of all charges arising thereon. Notice of address to his Excellency

Mr. Winser gave notice that on an early day he would move for leave to bring in a bill to introduce the ballot in the system of election in this colony. Notice of bill for introduction of ballot

Then the House adjourned until to-morrow at one of the clock.

THURSDAY, March 4, 1841.

MR. Nugent pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :— Address to his Excellency

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly most respectfully request your Excellency will be pleased to cause to be laid before this House the accounts addressed to your Excellency by persons supporting infant, aged, and infirm paupers, in order that the House may be enabled to make provision for the liquidation of all charges arising thereon—and also the petitions of the poor, to enable them to judge of the amount necessary to be voted for their support.

On motion of Mr. Nugent, seconded by Mr. M'Carthy,

Resolved,—That the said address be adopted and engrossed. Adopted

Ordered,—That Mr. Nugent and Mr. M'Carthy be a committee to present the said address to his Excellency.

A petition of Richard Sullivan, of Ferryland, constable, was presented by the Solicitor General, and the same was received and read, Petition of R. Sullivan

Praying remuneration for his attendance on a committee of the House, in compliance with an order of the chairman of the said committee.

On motion of the Solicitor General, seconded by Mr. Moore,

Referred to committee of supply

Ordered,—That the said petition be referred to the committee of supply.

Bill to prevent fraud read 1st time

Mr. Moore pursuant to notice and leave granted, presented a bill to prevent fraud in the sale of certain articles imported into this colony, and the same was read a first time.

2d reading

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

House in com. on supply

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the further consideration of a supply to be granted to her Majesty.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until to-morrow at one of the clock.

FRIDAY, March 5, 1841.

Bill to prevent fraud read 2d time

PURSUANT to the order of the day, a bill to prevent fraud in the sale of certain articles imported into this colony was read a second time.

To be committed

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, on Monday next resolve itself into a committee of the whole House on the consideration of the said bill.

House in com. on supply

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of a supply to be granted to her Majesty.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, March 8, 1841.

Report of committee on address to his Excellency

MR. Nugent from the committee appointed on the 4th inst. to present an address of the house to his Excellency the Governor, praying his Excellency to cause to be laid before this house certain accounts and addresses of persons supporting infant, aged and infirm paupers, &c. reported that they had waited on his Excellency with the said address, when his Excellency was pleased to reply as follows :

His Excellency's reply

GENTLEMEN,—

The accounts and petitions addressed to me of the nature mentioned in this address have been retained in the Colonial Secretary's Office, with a view to their being submitted to a rigorous investigation by such commissioners as may be appointed for superintending the relief of the poor, whenever pecuniary provision is made for that purpose.

The House of Assembly will therefore understand, that in transmitting these documents in accordance with this address, I do not vouch for their correctness—nor is it to be taken for granted that these are all the applications and claims that may or can possibly be made for repayment or relief.

Government House,
8th March, 1841.

House in committee on Bill to prevent fraud

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill to prevent fraud in the sale of certain articles imported into this colony.

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without amendment.

Engrossed—3d reading

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

Petition of N. Croke

A petition of Nicholas Croke, of St. John's, was presented by Mr. Power, and the same was received and read, setting forth,—

That in the autumn of 1836, petitioner contracted with the Government to supply materials, and erect Court Houses and prisons in various outports of the colony.

That in pursuance of his instructions received from the Colonial Secretary, petitioner applied to Mr. Green, her Majesty's Land Surveyor at Brigus, for information as to where the Court House for that town was to be erected. That Mr. Green selected a piece of land, and marked the foundation of the building thereon.

That petitioner immediately commenced the work, built the foundation, erected, roofed and boarded the frame, and built the chimney.

That during the progress of the work, the Stipendiary Magistrate at Brigus, Mr. Pinsent, received instructions from the Colonial office to inspect the building, when he faulted the site, pointed out another, and brought the subject under the notice of his Excellency.

That petitioner, on receiving a promise from his Excellency that he would recommend petitioner's claim for remuneration to the hon. House, consented to take down and remove the building, and also to increase the height of the foundation eighteen inches.

That petitioner has done so at an expense of eighty pounds, and now throws himself on the justice of the hon. House for a remuneration.

On motion of Mr. Power, seconded by Mr. Moore,

Referred to committee of Supply

Ordered,—That the said petition be referred to the committee of supply.

Notice of bill for the protection of property.

Mr. Power gave notice that on Wednesday next, he would move for leave to bring in a bill to afford a remedy in cases of the felonious destruction of property by persons riotously and tumultuously assembled together against the district in which the same may happen.

The Solicitor General gave notice that to-morrow he would move a resolution that no bill or bills be introduced into this house during the present session after Friday next, other than the Revenue Bill, a Supply Bill, and the Contingent Bill for this session.

Notices of addresses to his Excellency.

Mr. Moore gave notice that to-morrow he would move an address to his Excellency the Governor representing the comparatively great facility of intercourse between all the settlements in the district of Ferryland and the town of Ferryland, and therefore the house are of opinion that it is not so necessary that two stipendiary magistrates should be located there, and praying his Excellency to apply the vote for the salary of a magistrate at Bay Bulls to the support of a magistrate on the south shore of Trinity Bay.

Mr. Nugent gave notice that to-morrow he would move an address to his Excellency the Governor, praying his Excellency to cause to be laid before the House copies of any correspondence that may have occurred with her Majesty's Government on the subject of the prayer of the House through their delegates that a light housebe erected on Cape Pine.

Then the House adjourned until to-morrow at one of the clock.

TUESDAY, March 9, 1841.

MR. Speaker laid before the house a letter from the honorable Mr. Secretary Crowdy, transmitting, by direction of his Excellency the Governor, the following documents, in compliance with addresses of the house, viz. Letter from Colonial Secretary

The Opinion of the Attorney and Solicitor General on the existing state of the law regulating servants wages.

A detailed account of the number of prisoners in Harbor Grace Gaol between 1st January, 1840, and 1st July, 1841, with other information, and of the expenses of the said gaol during the month of January last.

Accounts and petitions of persons supporting orphans, idiots, &c., and of the Poor.

The said opinions and detailed accounts were read by the Clerk,—for which see Appendix.

Ordered,—That the said opinions be referred to the committee appointed to prepare a bill upon the subject of fishing servants' wages, and the said accounts and petitions to the committee of supply.

Mr. Speaker also laid before the house a letter from the hon. Mr. Secretary Crowdy, transmitting, by direction of his Excellency, a petition from Edward L. Moore, Assistant Landing Waiter, of her Majesty's Customs. Petition of E. L. Moore

The said petition was read by the Clerk, setting forth—

That petitioner had been a series of years in the Imperial department of her Majesty's Customs previous to his appointment as Colonial Landing Waiter at this Port.

That petitioner in the latter situation has been nearly six years, and is now in the annual receipt of one hundred and fifty pounds.

That petitioner, from past experience, finds such a sum quite inadequate to the wants of his family, & with which petitioner is not commonly comfortable, nor can he support that standing his situation entitles him to in society, without an almost certainty of becoming involved and the contemplation of such a dilemma, is to him a matter of serious consideration, notwithstanding his observance of the most rigid economy.

That since the increase of the Colonial Revenue it becomes evident that there is a corresponding increase of duty devolving on those engaged in its protection, in consequence of which, and the foregoing facts, petitioner prays that the honorable house will be pleased to take the same into its favourable consideration; and should it appear to the house that petitioner ought to enjoy a greater salary, petitioner most respectfully prays that the honorable House will grant such an increase as may appear just and equitable.

Referred to committee on ways and means

Ordered,—That the said petition be referred to the committee on ways and means.

Order of the day read.

The order of the day for the third reading of an engrossed bill to prevent fraud in the sale of certain articles imported into this colony, being read—

Moved by Mr. Dwyer, seconded by Mr. Nugent,

Resolved,—That the said bill be now re-committed to a committee of the whole House

House in committee on Bill to prevent fraud

And the house resolved itself into the said committee accordingly on the re-consideration of the said bill.

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had re-considered the said bill, and had made some amendments therein, which they had directed him to report to the house; and he delivered the bill with the amendments in at the Clerk's table.

Amendments read and agreed to

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

Engrossed—3d reading

Ordered,—That the said bill as amended be engrossed and read a third time presently.

Pursuant to order, the said engrossed bill was read a third time.

On motion of Mr. Moore, seconded by Mr. Butler,

Passed—Title

Resolved,—That the said bill do pass, and that the title be "An Act to prevent fraud in the sale of certain articles imported into this colony."

Sent to Council

Ordered,—That Mr. Moore and Mr. Butler do carry the said bill up to her Majesty's Council and desire their concurrence.

The Solicitor General moved pursuant to notice, seconded by Mr. Nugent,

Resolved,—That no bill be introduced into this House the present Session after Tuesday next, other than the Supply Bill, Revenue Bill, and Contingency Bill. Petition of B. I. Society

A petition of the Benevolent Irish Society was presented by Mr. O'Brien, (who stated in his place that he had obtained the consent of his Excellency the Governor to present the same,) and the said petition was received and read; setting forth,—

That petitioners being fully sensible of the desire at all times evinced by the Honorable House for the promotion of education amongst the humble classes of the community, and for their general welfare, take the liberty of pointing out the great importance of the establishment of the Orphan Asylum School as a means of furthering those ends.

There are at present about 400 scholars educated there, amongst whom are several grown-up young men from various parts of the Island; and many of the sealing vessels from hence and from Conception Bay are navigated this spring by persons who have thus availed themselves of this establishment; and petitioners look forward to no distant period with the gratifying hope of seeing the whole or greater part of the marine of the country manned by such individuals.

It is, under such circumstances, a source of deep regret to petitioners to be obliged, from want of sufficient accommodation, to curtail the growing usefulness of the establishment, and purely from the desire of satisfying the wishes of the numerous applicants for admission, are impelled humbly to solicit from the Honorable House such a sum as in its wisdom the House may deem fit, for defraying the expense of a contemplated addition to the building, and thereby to enable them to perfect those useful measures which the "Benevolent Irish Society" had in view when the School was founded.

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of supply

A petition of John Brophy, Henry Knight, and others, inhabitants of St. John's, was presented by Mr. Kent, and the same was received and read,— Petition of J. Brophy and others

Praying the House to make provision for repairing that part of Gower Street between the Nunnery Lane and the Meeting House Lane.

Ordered,—That the said petition be referred to the committee on Roads and Bridges. Referred to Com. on roads and bridges.

On motion of Mr. Doyle, seconded by Mr. Nugent,

Resolved,—That a committee be appointed to search the journals of her Majesty's Council, in order to ascertain what has been done upon a bill entitled "An Act to explain an Act to Incorporate the Benevolent Irish Society. Resolution for committee to search journals of H. M. Council

Ordered,—That Mr. Doyle and Mr. Nugent do form the said committee. Committee

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR. Message from his Excellency

The hon. Mr. Secretary Crowdy being admitted within the bar, presented to the House a message from his Excellency the Governor, signed by his Excellency.

He also presented by direction of his Excellency the following documents,—viz.,

Copy of a despatch from the Secretary of State for the Colonies, enclosing an order of her Majesty in Council, approving of the "Light House Act," passed in October, 1839.

Copy of a despatch from the Secretary of State for the Colonies, relative to the Colonial Act for facilitating Steam Communication between Newfoundland and Halifax.

Copy of despatch from the Secretary of State relative to certain privileges enjoyed by vessels belonging to the Royal Yacht Squadron.

A petition of Thomas Houlton of St. John's, setting forth—

That petitioner entered into a contract with the Board of Road Commissioners for the Central District, to repair the road leading to Signal Hill for the sum of fifty pounds.

That during the progress of the work many unforseen difficulties presented themselves. In sinking a ravine for the purpose of carrying off the water from the pond on the South Side of the road to the narrows, petitioner met with a solid bed of rock where he had expected to find nothing but peat, or bog, the blasting of which considerably increased his expenses.

That an accurate account of all expenses incurred in the work has been kept by petitioner, by which he finds that he has lost upwards of forty pounds by the contract.

That petitioner therefore humbly prays his Excellency will be graciously pleased to take his case into consideration, and recommend his claim to the House of Assembly for liquidation.

Petitions from persons supporting Orphans, Idiots, &c., and of the Poor.

And then the Messenger withdrew.

The said message was then read by Mr. Speaker as follows:

H. PRESCOTT,—

The Governor transmits to the House of Assembly copies of a correspondence between the Police Magistrates and the Colonial Secretary, respecting the abatement of a nuisance in Duckworth Street, and recommends to the House to make provision for the expense incurred in such abatement.

Government House,
March 9, 1841.

The copy of correspondence accompanying the said message and the said despatches were then read by the Clerk.—(For which see *Appendix.*)

Report of committee appointed to search journals of H. M. Council

Mr. Doyle reported from the committee appointed this day to search the journals of her Majesty's Council, and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows,—

"On motion made and seconded, it was ordered that the order of the day for the second reading of the bill entitled "An Act to explain an Act to incorporate

the Benevolent Irish Society" be discharged, and that the bill be read a second time this day six months."

Mr. Doyle moved for leave to bring in a bill to incorporate the Benevolent Irish Society, which being granted, he presented the said bill, and the same was read a first time. Bill to incorporate Benevolent Irish Society read 1st time

Ordered,—That the said bill be read a second time to-morrow. 2d reading

Mr. Winser pursuant to notice and leave granted, presented a bill to provide for taking the votes at elections by ballot, and the same was read a first time. Bill to vote by ballot read 1st time

Ordered,—That the said bill be read a second time to-morrow. 2d reading

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the further consideration of a supply to be granted to her Majesty. House in com. on supply

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same. Report.

Ordered,—That the said committee have leave to sit again.

Mr. Brown gave notice that to-morrow he would move that a committee be appointed to prepare a bill to provide for building a Light House on Cape Bonavista. Notice of Light House bill

Mr. Nugent gave notice that to-morrow he would move for leave to bring in a bill to provide for the relief of the poor of this colony. Notice of Poor biil

Then the House adjourned until to-morrow, at one of the clock.

WEDNESDAY, March 10, 1841.

PURSUANT to the order of the day, a bill to incorporate the Benevolent Irish Society, and a bill to provide for taking votes at elections by ballot were respectively read a second time. Bill to incorporate B. I. Society, and bill to vote by ballot read 2d time

Ordered,—That the said bills be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bills.

Address to his Excellency

MR. Nugent pursuant to notice on the 8th inst., presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :—

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly request your Excellency will please order that there be laid before the House copies of such correspondence as may have taken place between the Executive and her Majesty's Government on the subject of the prayer of this House, made through their Delegates, that a Light House be erected on Cape Race, Cape Pine, or St. Shotts.

Adopted

Resolved,—That the said address be adopted and engrossed.

Ordered,—That Mr. Nugent and Mr. M'Carthy be a committee to present the said address to his Excellency.

Letter from Colonial Secretary

Mr. Speaker laid before the house a letter from the honorable Mr. Secretary Crowdy, transmitting, by direction of his Excellency the Governor, copies of a letter from Mr. Elias Rendell, and a report thereon by the Collector of the Customs, and three petitions from parties claiming relief.

The said letter and report were read by the Clerk.—(For which see Appendix.)

On motion of Mr. Moore, seconded by the Solicitor General,

Referred to committee of supply

Ordered,—That the said documents be referred to the committee of supply.

Petition of T. Byrne

A petition of Thomas Byrne of St. John's, was presented by Mr. Doyle, (who stated in his place that he had obtained the consent of his Excellency the Governor to present the same) and the said petition was received and read, setting forth,—

That petitioner has been employed as Road Surveyor by the Board of Road Commissioners for the central district, at the yearly salary of £166 up to the 17th of June, 1840, but was paid by the said Board only to the end of March in the same year. That on the 17th of June petitioner was appointed by his Excellency the Governor to examine and make a report on the state of the roads and bridges throughout the island.

That petitioner, conceiving he was entitled to his salary for the time (nearly three months) included in the above periods, applied to the said Board for the same, but who have declined paying him on the grounds that they have no funds now at their disposal. That petitioner while in the service of the said Board, was employed not only in the central district, but was sent to the district of Ferryland in April, 1840, to examine and improve a line of road there, and was

also employed in the winter of 1839-40, in examining and surveying the country between Holyrood in Conception Bay and Great Placentia, and made plans and reports of the same, for which he received no remuneration : and that previous to and since his completing the duty to which he was appointed by his Excellency, he has never refused to perform any services requested by the Board. Under these circumstances petitioner humbly hopes the honorable house will be pleased to grant him a quarter's salary.

On motion of Mr. Doyle, seconded by Mr. Moore,

Ordered,—That the said petition be referred to the committee of supply. Referred to committee on Supply

The Solicitor General moved, pursuant to notice, seconded by Mr. Kent,

Resolved,—That this house do now resolve itself into a committee of the whole house on the consideration of ways and means. House in committee on ways and means

And the house resolved itself into the said committee accordingly.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had considered the business to them referred, and had come to a resolution thereon, which he was directed to report to the house ; and he read the said resolution in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows : Report

Resolved,—That it is the opinion of this committee that the following Table of Duties be adopted upon Wines, Spirits, Goods, Wares and Merchandize imported into Newfoundland and its dependencies.

All Wines in bottles, the gallon - - -	0	2	0
All other Wines, the gallon - - -	0	1	0
For every gallon of Brandy, Geneva, and Cordials, not exceeding the strength of proof by Syke's Hydrometer, and so in proportion for any greater strength and for any greater or less quantity than a gallon, the duty per gallon - - -	0	0	6
For every gallon of Rum and Whiskey not exceeding the strength of proof by Syke's hydrometer, and so in proportion for any greater strength and for any greater or less quantity than a gallon, the duty per gallon - - -	0	0	6
For every barrel of Apples - - -	0	1	0
For every cwt. salted beef and Pork - -	0	1	0
For every cwt. Bread or Biscuit, the cwt. - -	0	0	3
For every cwt. Butter, the cwt. - - -	0	1	6
Coals, the ton - - - -	0	1	0
For every barrel Flour, not exceeding in weight 196 lbs.	0	1	0
Goods, Wares and Merchandise, not otherwise enumerated, described or charged with duty in this Act, and not herein declared to be duty free, for every £100 of the true value thereof—	3	10	0

Molasses - - -	Free		
Salt - - - -	Free		
Implements and materials fit and necessary for the fisheries viz. Lines, Twines, Hooks, Nets and Seines -	Free		
Coin and Bullion - -	Free		
Horses, Mares, and Geldings - -	Free		
Neat Cattle and Calves - -	Free		
Sheep - - - -	Free		
Hogs - - - -	Free		
Potatoes and all other vegetables - -	Free		
Printed Books - - - -	Free		
Lumber the 1,000 feet, one inch through - -	0	2	6
Oatmeal, the barrel, not exceeding 200 lbs. -	0	0	6
Timber and Balk of all kinds, including Scantling, the ton	0	1	6
Shingles, the thousand - - -	0	1	0
Tea, the pound - - -	0	0	2
Prepared Sugar, the cwt. - - -	0	5	0
Unrefined or clay'd Sugar, the cwt. - - -	0	2	0
Cigars, the thousand - - -	0	10	0
Manufactured and Leaf Tobacco per lb. - - -	0	0	1
Tobacco Stems the cwt. - - -	0	1	0
Ale, Porter and Cider, for every £100 of the true value thereof	5	0	0

Resolution read and agreed to

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

On motion of the Solicitor General, seconded by Mr. O'Brien,

Resolved,—That a committee be appointed to prepare and bring ina bill in conformity with the said Resolution.

Ordered,—That the Solicitor General, Mr. O'Brien and Mr. Nugent do form the said committee.

House in committee on roads and bridges

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of a bill for granting to her Majesty a supply of money for the making and repairing of roads, streets and bridges in this colony.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

The Solicitor General gave notice that on an early day he would move for leave to bring in a bill to continue an act for the regulation of pilots and the pilotage of vessels at the Port of St. John's. Notice of Pilots Bill.

Then the House adjourned until to-morrow at one of the clock.

THURSDAY, March 11, 1841.

A Petition of Patrick Dawley, of Harbor Grace, was presented by Mr. Brown, and the same was received and read, setting forth— Petition of P. Dawley

That petitioner was employed by the Road Commissioners for Conception Bay, to repair the road from the River head of Harbor Grace to Island and Bishop's Coves. That petitioner performed part of the work, and on applying to the said Commissioners for payment was informed that the money granted for that purpose was expended. Petitioner therefore prays the house to grant him such sum as it may consider him entitled to for the said work.

On motion of Mr. Brown, seconded by Mr. M'Carthy,

Ordered,—That the said petition be referred to the committee on Roads and Bridges. Referred to Com. on roads and bridges.

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the consideration of a bill to incorporate the Benevolent Irish Society. House in committee on Bill to incorporate Benevolent Irish Society

Mr. Speaker leftthe chair.

Mr. M'Carthy took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without amendment. Rep

Ordered,—That the said bill be engrossed and read a third time to-morrow. Engrossed—3d reading

Agreeably to the order ofthe day, the House resolved itself into a committee of the whole House on the further consideration of a bill to regulate the mode of election of members to serve in the General Assembly. House in committee on election bill

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Mr. Brown moved, pursuant to notice, seconded by Mr. Nugent,

Resolved,—That a committee be appointed to prepare and bring in a bill to establish a light house on Cape Bonavista.

Ordered,—That Mr. Brown, Mr. Nugent and Mr. O'Brien do form the said committee.

Light House bill read 1st time

Mr. Brown, from the said committee, reported to the house that they had prepared the said bill, which he presented, and the same was read a first time.

2d reading

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

Mr. Dwyer gave notice that to-morrow he would move that the opinion of the Attorney and Solicitor General on the existing state of the law regulating servants wages, transmitted to this house by direction of his Excellency the Governor, be printed for the use of the members.

Then the House adjourned until to-morrow at one of the clock.

FRIDAY, March 12, 1841.

Letter from Colonial Secretary

MR. Speaker laid before the house a letter from the hon. Mr. Secretary Crowdy, transmitting by direction of his Excellency the Governor, six petitions from persons in distressed circumstances praying for relief, in conformity with the terms of an address of the house to his Excellency.

Bill to incorporate B. I. Society read 3d time

Agreeably to the order of the day, an engrossed bill to incorporate the Benevolent Irish Society, was read a third time.

On motion of Mr. Doyle, seconded by Mr. O'Brien,

Passed—Title

Resolved,—That the said bill do pass, and that the title be "An act to incorporate the Benevolent Irish Society"

Sent to Council

Ordered,—That Mr. Doyle and Mr. O'Brien do carry the said bill up to her Majesty's Council and desire their concurrence.

Mr. Dwyer moved, pursuant to notice, seconded by Mr. Moore,

Resolved,—That the opinion of the Attorney and Solicitor General on the existing state of the law regulating servants wages, transmitted to this house by direction of his Excellency the Governor, be printed for the use of the members.

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

Message from his Excellency

The hon. Mr. Secretary Crowdy being admitted within the bar, acquainted the House that he was the bearer of a message from his Excellency the Governor, signed by his Excellency.

He also presented to the House four petitions from persons in distressed circumstances, praying for relief.

And then the Messenger withdrew.

The said message was then read by Mr. Speaker as follows :

H. PRESCOTT,—

The Governor transmits, and recommends to the favorable consideration of the House of Assembly, the accompanying petition of the chairman of the Board of Road Commissioners for the district of St. John's.

Government House, }
March 12, 1841. }

The petition referred to in the said message was then read by the Clerk, setting forth,—

That petitioner was appointed a Commissioner of Roads, &c., for the central district, in the Road Acts, 1 Vic. cap. 2, and 2 Vic. cap. 3, and under both of these acts was elected Chairman of the Board of Road Commissioners.

That ever since his appointment to the responsible situation of Chairman of the Board, petitioner has spared neither pains nor labour, efficiently to discharge the duties which devolved upon him.

That petitioner's time has been almost exclusively occupied in the discharge of the various duties of his office, to his great inconvenience and loss in other pursuits.

That during the Session of the Legislature of 1838, his Excellency was pleased to bring the claims of petitioner under the notice of the honourable the House of Assembly, recommending that the House would take Petitioner's services into consideration, with a view to remunerate him.

That the House of Assembly was pleased to acknowledge the services of petitioner by voting him the sum of £150 sterling annually, for three years in succession.

That petitioner has already received two year's salary, but in consequence of the Road Bill of last year not having passed, (in which bill the usual sum of £150 was granted him by the Assembly,) petitioner has been deprived of his salary.

That there is now before the honourable the House of Assembly a Road Bill, and a Bill of general Supply, which are being passed, in neither of which has the last year's salary of petitioner been placed.

Petitioner therefore humbly hopes that his Excellency will take his case into consideration, and be pleased to recommend his claim to the other branches of the Legislature.

On motion of the Solicitor General, seconded by Mr. Butler,

Ordered,—That the said message and petition be referred to the committee on roads, and the said other petitions to the committee of supply.

Referred to com on roads, and com. of supply

Pickled fish bill read first time

The Solicitor General from the committee appointed to prepare and bring in certain bills, presented a bill to regulate the packing and inspection of pickled fish for exportation from this island, and the same was read a first time.

2d reading

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

Light House bill read 2d time

Pursuant to the order of the day, a bill to make provision for the establishment of a Light House on Cape Bonavista was read a second time.

To be committed

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, on Monday next, resolve itself into a committee of the whole House on the consideration of the said bill.

House in com. on election bill

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the further consideration of a bill to regulate the mode of election of Members to serve in the General Assembly.

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

Report.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Notice of bill for re-appropriation of a certain sum

Mr. M'Carthy gave notice that on Monday next he would move for leave to bring in a bill to re-appropriate a sum of money, granted for the establishment of a Grammar School at Carbonear, and to appropriate the same to the establishment of a Grammar School at the said place.

Then the House adjourned until to-morrow, at one of the clock.

SATURDAY, March 13, 1841.

Petition of R. J. Parsons

A petition of Robert John Parsons, of St. John's, was presented by Mr. Doyle, and the same was received and read, setting forth,

That in the Session of the Legislature of 1839, petitioner presented to the honourable House an account of work executed by its orders, amounting to three hundred and eighty two pounds currency.

That this amount, from some unexplained reason, was reduced in committee to the sum of one hundred and seventy eight pounds eighteen shillings ster-

ling, being little more than one-half of the actual debt due to petitioner by the honourable House.

That petitioner in consequence of this unexplained reduction has suffered great inconvenience and loss, the sum voted him being insufficient to pay even the expense incurred in the execution of the work.

Petitioner therefore begs most respectfully to direct the attention of the honourable House to the accompanying account, exhibiting a balance due petitioner of one hundred and seventy five pounds eleven shillings and seven pence currency, which he humbly prays the honourable House to grant.

On motion of Mr. Doyle, seconded by the Solicitor General,

Ordered,—That the said petition be referred to the committee of supply.

Referred to committee on Supply

On motion of Mr. Nugent, seconded by Mr. O'Brien,

Ordered—That Mr. Parsons, late printer of the Assembly, be ordered to deliver the papers of the House, whether printed or otherwise, which remain in his hands, to the Clerk of the House.

Road and loan bills read 1st time

Mr. Doyle moved for leave to bring in a bill to authorize the Treasurer of this colony to raise on loan a sum not exceeding five thousand pounds, and a bill to provide for making a line of road, connecting Placentia and St. Mary's with St. John's, which being granted, he presented the said bills, and the same were respectively read a first time.

2d reading

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

House in com. on election bill

Agreeably to the order of the day, the House resolved itself into a committee of the whole house on the further consideration of a bill to regulate the mode of election of Members to serve in the General Assembly.

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said bill and had made several amendments therein, which he was directed to report to the House; and he delivered the bill with the amendments in at the Clerk's table.

Amendments read and agreed to

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

Engrossed....3d reading

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

House in committee on Bill to vote by ballot

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the consideration of a bill to provide for the taking elections by ballot.

Mr. Speaker left the chair.
Mr. Doyle took the chair of the committee.
Mr. Speaker resumed the chair

Report.

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

Amendments read & agreed to

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

Engrossed—3d reading

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

House in committee on Supply

Agreeably to the order of the day the House resolved itself into a committee of the whole House on the further consideration of a supply to be granted to her Majesty.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had come to certain resolutions thereon, which he was directed to report to the House; and he read the said resolutions in his place, and afterwards delivered them in at the Clerk's table, where they were again read as follow,—

Resolved,—That it is the opinion of this committee that the following address to his Excellency the Governor be adopted and presented to his Excellency—

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly beg leave to acquaint your Excellency that they have passed in committee of supply, and will insert the same in the bill of Appropriation, two votes, one granting to her Majesty the sum of three hundred and sixty pounds to defray the accounts for the support of aged, infirm, and infant paupers, up to the first day of March, and also a vote for the sum of one thousand pounds for the relief of the poor generally; that is to say, five hundred pounds for the relief of the poor of the district of St. John's, and five hundred pounds for the relief of the poor of the extern districts of this Island, the whole to be placed at the disposal of your Excellency. The House therefore request your Excellency will please to issue your warrant or warrants to the Treasurer for the payment of the said accounts, and for such sum or sums within the said amount of one thousand pounds as the exigencies of the poor may require.

Resolved,—That it is the opinion of this committee that the pauper accounts and petitions laid before the house by order of his Excellency be remitted to the Secretary.

And the said resolutions having been read throughout a first and second time, were, upon the question respectively put thereon, agreed to by the house. Resolutions read & agreed to

And the chairman also reported from the committee that they had directed him to move for leave to sit again.

Ordered,—That the said committee have leave to sit again.

On motion of Mr. Nugent, seconded by Mr. M'Carthy,

Resolved,—That the said address be engrossed, and a committee appointed to present the same to his Excellency.

Ordered,—That Mr. Nugent and Mr. M'Carthy do form the said committee.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, March 15, 1841.

MR. Nugent from the committee appointed on the 10th inst. to present an address of the house to his Excellency the Governor, praying his Excellency to cause to be laid before this house copies of such correspondence as may have taken place between the Executive and her Majesty's Government on the subject of a Light House being erected on Cape Race, Cape Pine, or St. Shott's, reported that they had waited on his Excellency with the said address, when his Excellency was pleased to reply as follows: Report of committee on address to his Excellency

GENTLEMEN,— His Excellency's reply

All the correspondence with her Majesty's Government on the subject of Light Houses, is laid before the House of Assembly with the exception of one despatch addressed to Lord John Russell, in November last, which I had intended to communicate to the Legislature whenever his Lordship's answer should be received. I can, however, have no objection to supply a copy of this despatch in accordance with the present address, and it shall be immediately transmitted.

Government House,
15th March, 1841.

Mr. Speaker laid before the house a letter from the hon. Mr. Secretary Crowdy, transmitting, by direction of his Excellency the Governor, the copy of a despatch from to his Excellency the Secretary of State for the Colonies on the subject of the erection of a light house on Cape Pine, and accounts of per- Letter from Colonial Secretary

sons for the support of orphans, &c., and petitions of paupers for relief, in compliance with addresses of the house presented to his Excellency.

Despatch.

The said Despatch was read by the Clerk as follows :—

Copy.
No. 64.

Government House, Newfld.
7th November, 1840.

My Lord,

In consequence of the numerous shipwrecks, attended with much loss of life, which have taken place on the southern shores of this Island during the present year, and of a most narrow escape of her Majesty's Sloop Snake, in August last, owing to the great indraught in the neighbourhood of Cape Pine, (the said indraught having been again experienced within these few days by her Majesty's Steamer Spitfire on her passage from Halifax to this Port) I beg leave to revert to your Lordship's despatch of April 29, No. 35, with all the correspondence to which it has reference.

At that period her Majesty's Government appear to have been prepared to erect and maintain, under permission of the French Crown, a light house on the French Island of St. Pierre. I have lately understood from French officers, though unofficially, that a light house is to be built and supported on that Island at the expense of France.

In this case (and indeed in every case) I would earnestly recommend the erection of a light house on Cape Pine, the southern extremity of Newfoundland. The outlay which Government was prepared to undertake will be made in a British instead of a French locality, and a double advantage will be obtained. This colony, out of very limited resources, has aleady established two excellent lights on Cape Spear and on Harbor Grace Island, besides an inferior light at the entrance of St. John's; and as the proposed Light House on Cape Pine will be essentially beneficial and of high importance to all commerce connected with North America, it would, I think, be very unjust to impose the tax of its erection and support on Newfoundland alone.

I will not further occupy your Lordship's time by reference to the very many fatal disasters which have from year to year occurred in that vicinity. They are of too great notoriety to require further observation on this occasion.

I have, &c.
(Signed)
H. PRESCOTT.

The Right Honorable
Lord John Russell.

Notice of address to his Excellency

Mr. Nugent gave notice that to-morrow he would move an address of this house to his Excellency the Governor, thanking his Excellency for the strong recommendation of the erection of a Light House at Cape Pine, conveyed to her Majesty's Government in the said despatch.

Ballot Bill read 3d time

Agreeably to the order of the day, an engrossed bill to provide for taking the votes at elections by Ballot, was read a third time.

On motion of Mr. Winser, seconded by Mr. Power,

Resolved,—That the said bill do pass, and that the title be "An act to pro- Passed—Title
vide for taking the votes at elections by Ballot."

Ordered,—That Mr. Winser and Mr. Power do carry the said bill up to Sent to Council
her Majesty's Council and desire their concurrence.

The order of the day for the 3d reading of an engrossed bill to regulate the Order of the day read.
mode of election of members to serve in the General Assembly, being read,

The Solicitor General moved, seconded by Mr. Kent,

Resolved,—That the said order of the day be discharged, and that the said bill be committed to a committee of the whole house to-morrow.

A petition of James Doyle, of Carbonear, was presented by Mr. Power (who Petition of James Doyle.
stated in his place that he had obtained the consent of his Excellency the Governor to present the same) and the said petition was received and read, setting forth—

That several years have elapsed since petitioner entered into an engagement with the Worshipful the Magistrates of Harbor Grace for the maintenance of an orphan child called James Power.

That the Hon. House were graciously pleased to ratify that engagement by granting him the annual allowance.

That the said agreement terminated with the year 1840, but that some years have elapsed since petitioner received the said allowance, and therefore would humbly pray the attention of the hon. house to his just claim in behalf of said orphan.

On motion of Mr. Power, seconded by Mr. M'Carthy,

Ordered,—That the said petition be referred to the committee of supply. Referred to committee of supply.

A petition of Daniel Eagan, of St. John's, was presented by Mr. Moore, (who Petition of Daniel Eagan.
stated in his place that his Excellency the Governor had consented to his presenting the same) and the said petition was received and read, setting forth—

That petitioner was employed by the Board of Road Commissioners for the Central District as assistant surveyor and inspector of works, at a yearly salary of sixty pounds sterling.

That petitioner was engaged in the performance of the duties of said office up to the first of July last, but has only been paid for his services to the first of April preceding, leaving a quarter's salary due him. That the Board of Commissioners fully acknowledge the claim of petitioner, but having no funds at their disposal are unable to pay him.

Petitioner therefore humbly prays the hon. house to take his case into consideration, and to grant the quarter's salary due him.

On motion of Mr. Moore, seconded by the Solicitor General,

Referred to committee on Supply

Ordered,—That the said petition be referred to the committee of supply.

Petition of R. Perchard

A petition of Richard Perchard, Keeper of her Majesty's Gaol, in St. John's, was presented by Mr. Kent, and the same was received and read, setting forth—

That petitioner has been informed that in the supply bill now before the hon. house a provision is made for the services of petitioner different from that which he has hitherto received.

That petitioner feels an assurance that this change has been made with a view to the establishment of the Gaol system on an improved basis, and not from any desire prejudicial to his interests.

He therefore takes leave to submit to the honorable house that independently of the salary annually voted, his fees of office amounted in 1837 to £122 5s. 8d. —in 1838, to £96 8s. 8d.—in 1839 to £122 17s. 6d.—and in 1840 to £140 12s. 8d., being an average per annum of £120 11s. 0d. stg.

Having stated these facts for the information of the hon. house, petitioner forbears to offer any further observations, being persuaded that the hon. house will not confirm an arrangement which would obviously be so injurious to petitioner, but that such a decision will be arrived at as shall appear to be just and equitable.

On motion of Mr. Kent, seconded by the Solicitor General,

Referred to committee of supply

Ordered,—That the said petition be referred to the committee of supply.

Bill to authorise the Treasurer to raise a loan, &c. read 2d time.

Pursuant to the order of the day, a bill to authorise the Treasurer of this colony to raise on loan a sum not exceeding five thousand pounds, and a bill to provide for making a line of road connecting Placentia and St. Mary's with St. John's, were respectively read a second time.

Committed

Ordered,—That the said bills be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into committees of the whole House on the consideration of the said bills.

House in committee on roads and bridges

Agreeably to the order of the day, the House resolved itself into a committee of the whole house on the further consideration of a bill for granting a supply of money to her Majesty for making and repairing roads, streets, and bridges in this colony.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report.

The chairman reported from the committee that they had gone through the said bill and had made an amendment therein, which he was directed to report to the House; and he delivered the bill with the amendment in at the Clerk's table.

And the said amendment having been read throughout, was, upon the question put thereon, agreed to by the House

Amendment read and agreed to

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

Engrossed....3d reading

Mr. Doyle gave notice that to-morrow he would move that the said bill be then re-committed to a committee of the whole House.

Notice of re-committal

Mr. Nugent gave notice that to-morrow he would move an address to his Excellency the Governor, in reply to his Excellency's message of the 12th inst., transmitting and recommending to the favourable consideration of the Assembly the petition of Mr. Douglas, chairman of the Board of Road Commissioners at St. John's.

Notice of address to his Excellency

Then the House adjourned until to-morrow at one of the clock.

TUESDAY, March 16, 1841.

MR. Nugent moved, pursuant to notice, seconded by Mr. Kent,

Resolved,—That an address of this House be prepared and presented to his Excellency the Governor, thanking his Excellency for the strong recommendations conveyed in his despatch to her Majesty's Government, for the erection of a Light House on Cape Pine.

Resolution for address to his Excellency

Ordered,—That Mr. Nugent and Mr. Kent be a committee to present the same to his Excellency.

Committee

Mr. Speaker laid before the house a letter from the hon. Mr. Secretary Crowdy, transmitting, by direction of his Excellency the Governor, the Hospital returns for the district of Ferryland for the years 1837 '38 and '39, and sixteen petitions from persons in distress, praying for relief.

Letter from Colonial Secretary

The said returns were read by the Clerk,—(for which see *Appendix*.)

On motion of Mr. Winser, seconded by Mr. Nugent,

Ordered,—That the said returns be referred to the committee of audit.

Referred to com. of audit

A petition of Patrick Tobin, John Grey, and others, residing in the vicinity of Block Makers Hall, and Waterford Bridge, was presented by Mr. Kent, and the same was received and read,—

Petition of P. Tobin and others

Praying the House to make provision for completing the Road from Waterford Bridge to Petty Harbor.

On motion of Mr. Kent, seconded by Mr. Nugent,

Referred to Com. on roads

Ordered,—That the said petition be referred to the committee on Roads and Bridges.

Bill for revesting certain sum read 1st time

Mr. M'Carthy, pursuant to notice and leave granted, presented a bill to revest in the Treasury a sum of money heretofore granted for the establishment of a grammar school at Carbonear, and unapplied, and to appropriate the same towards establishing a grammar school in the said place, and the same was read a first time.

2d reading

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

Pilots bill read 1st time

The Solicitor General, pursuant to notice and leave granted, presented a bill to continue an act made and passed in the second year of the reign of her present Majesty, entitled "An Act for the regulation of pilots and the pilotage of vessels at the port of St. John's," and the same was read a first time.

2d reading,

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

Servants bill read 1st time

Mr. Kent from the committee appointed to prepare and bring in a bill to declare the law with respect to wages of servants employed in the Fishery of this colony, and for other purposes, reported that they had prepared the said bill, which he presented, and the same was read a first time.

2d reading

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

House in com. on election bill

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the re-consideration of a bill to regulate the mode of election of Members to serve in the General Assembly.

Mr. Speaker left the chair.

Mr. Power took the chair of the committee.

Mr. Speaker resumed the chair

Report

The chairman reported from the committee that they had re-considered the said bill, and had not made any amendment therein.

3d reading

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

House in committee on road bill

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill to provide for making a line of road connecting Placentia and St. Mary's with St. John's.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until Friday next, at one of the clock.

FRIDAY, March 19, 1841.

Reports of committees on addresses to his Excellency

MR. Nugent from the committee appointed on the 13th inst. to present to his Excellency the Governor an address of the House, acquainting his Excellency that the House had granted certain sums to defray the accounts for the support of aged, infirm, and infant paupers, and for the relief of the poor, and respectfully requesting his Excellency to issue his warrant or warrants to the Treasurer for the payment of the said accounts, &c., reported that they had attended to that duty, when his Excellency was pleased to reply as follows :—

GENTLEMEN,—

The presentation of this address gives me an opportunity to state that I have observed, with much pain, in the Journals of the House of Assembly, that it has been decided in committee to insert in the supply bill for the approaching financial year, various items of the nature of tacks.

I beg therefore to recall to the attention of the House the despatch from the Secretary of State, which it has been my duty to transmit, as well as some observations which I have heretofore felt it necessary to make on this subject.

I will very willingly, with the consent of the Council, apply the sum mentioned in the present address, as requested, under the persuasion that let the fate of the general supply bill be what it may, this appropriation will be provided for.

Government House, }
18th March, 1841. }

Mr. Nugent also reported from the committee appointed on the 16th inst. to present an address of the House to his Excellency the Governor, thanking his Excellency for the strong recommendation conveyed in his despatch to her Majesty's Government for the erection of a Light House on Cape Pine, that they had waited on his Excellency with the said address, and that his Excellency was pleased to reply as follows :—

GENTLEMEN,—

I will forward this address by the earliest opportunity to her Majesty's principal Secretary of State for the Colonies.

Government House, }
18th March, 1841. }

Petition of W. Sweetland and others

A petition of William Sweetland, John Eason, and others, inhabitants of Bonavista and Catalina, was presented by the Solicitor General, and the same was received and read,—

Praying the House to place at the disposal of the Commissioners a sufficient sum to complete that part of the Road from Bonavista to Catalina which is unfinished, and for erecting bridges thereon.

On motion of the Solicitor General, seconded by Mr. Moore,

Referred to Com. on roads

Ordered,—That the said petition be referred to the committee on roads and bridges.

Petition of J. Vinecomb and others

A petition of John Vinecomb, Thomas Ryan, and others, Branch Pilots, of St. John's, was presented by Mr. O'Brien, and the same was received and read, setting forth,—

That in the year 1838, an act passed the Legislature, entitled "An Act for the regulation of pilots and the pilotage of vessels at the port of St. John's," which act will expire with the present Session.

Petitioners therefore most humbly pray that the hon. House will be pleased to revive the said act before the close of the present Session.

To lie on the table

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

Election bill read 3d time

Agreeably to the order of the day an engrossed bill to regulate the mode of election of Members to serve in the General Assembly, was read a third time.

On motion of the Solicitor General, seconded by Mr Power,

Passed—Title

Resolved,—That the said bill do pass, and that the title be "An Act to regulate the mode of election of Members to serve in the General Assembly."

Sent to Council

Ordered,—That the Solicitor General and Mr. Power do carry the said bill up to her Majesty's Council and desire their concurrence.

Road bill read 3d time

Pursuant to the order of the day an engrossed bill to provide for the making and repairing of roads, streets and bridges in this colony, was read a third time.

On motion of Mr. Brown, seconded by Mr. O'Brien,

Passed. Title

Resolved,—That the said bill do pass, and that the title be, "An Act for granting to her Majesty a supply of money for the making and repairing of roads, streets and bridges in this colony, and to regulate the expenditure of the same."

Sent to Council

Ordered,—That Mr. Brown and Mr. O'Brien do carry the said bill up to her Majesty's Council and desire their concurrence.

Bill to afford protection read 1st time

Mr. Power, pursuant to notice and leave granted, presented a bill to afford a remedy against the district, in cases of the felonious destruction of property by persons riotously and tumultuously assembled together, and the same was read a first time.

2d reading

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

On motion of Mr. Power, seconded by the Solicitor General,

Resolved,—That the said bill be printed for the use of the Members of the House.

Pilots bill, and Bill for revesting certain sum read 2d time

Pursuant to the order of the day, a bill to continue an act for the regulation of pilots and the pilotage of vessels at the port of St. John's, and a bill to revest in the Treasury a sum of money heretofore granted for the establishment of a grammar school at Carbonear, and unapplied, and to appropriate the same towards establishing a grammar school in the said place, were respectively read a second time.

Ordered,—That the said bills be committed to a committee of the whole House. Committed

Resolved,—That this House will, to-morrow, resolve itself into committees of the whole House on the consideration of the said bills.

On motion of Mr. Kent, seconded by Mr. Winser,

Resolved,—That the bill to declare the law with respect to the wages of servants employed in the fishery of this colony and for other purposes be printed for the use of the Members of the House.

Agreeably to the order of the day, the House resolved itself into a committee of the whole house on the consideration of a bill to provide for the establishment of a light house on Cape Bonavista. House in committee on Light house bill.

Mr. Speaker left the chair.

Mr. Moore took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without any amendment. Report.

Ordered,—That the said bill be engrossed, and read a third time to-morrow. Engrossed—3d reading

Then the House adjourned until to-morrow, at one of the clock.

SATURDAY, March 20, 1841.

AGREEABLY to the order of the day, an engrossed bill to make provision for the establishment of a light house on Cape Bonavista, was read a third time. Light House bill read 3d time

On motion of Mr. Brown, seconded by Mr. O'Brien,

Resolved,—That the said bill do pass, and that the title be "An act to make provision for the establishment of a light house on Cape Bonavista." Passed—Title

Ordered,—That Mr. Brown and Mr. O'Brien do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council

A petition of John Byrne of Holyrood, was presented by Mr. M'Carthy, and the same was received and read, praying the house to grant him such com- Petition of John Byrne.

pensation as it may deem just and equitable for erecting a bridge across the southern gut at Holyrood, at his own private expense.

Petition of Road Commissioners.

A petition of the Commissioners for Roads and Bridges in and about the town of Harbor Grace, was presented by Mr. Brown, and the same was received and read, setting forth—

That a stone bridge has been recently constructed under the direction of petitioners at Sampson's Cove brook ; but from the limited means that had been placed at their disposal for that purpose, it was not in their power to contract at the same time for the necessary approaches to the said bridge ; in consequence of which the street in that place became at flow tide completely impassable.

That petitioners, after some difficulty, procured a couple of men by the names of Lannen and Shea, to make the requisite improvements, for fifteen pounds sterling, which, in petitioners' estimation, is as low as could have been expected.

That the said contractors having undertaken the work under the express condition that application for payment should be made to the honorable house, during the present session, petitioners now beg leave to bring the case under the notice of the house, and to recommend the same to its favourable consideration.

Referred to committee on roads and bridges

Ordered—That the said petitions be referred to the committee on Roads and Bridges.

A MESSAGE FROM HER MAJESTY'S COUNCIL.

Message from Her Majesty's Council

The Master in Chancery brought down from her Majesty's Cuncoil the following written message—

Mr. Speaker,

Her Majesty's Council have passed the bill sent up from the house of Assembly, entitled " An act to incorporate the Benevolent Irish Society," with some amendments to which the concurrence of the Assembly is requested.

Council Chamber, }
20th March, 1841. }

JAMES SIMMS,
Senior member presiding.

And then the Messenger withdrew.

The Amendments made by her Majesty's Council in the said bill were read a first time as follow---

Expunge the title of the Bill, and insert the following : "An act to repeal an act passed in the third year of her Majesty's reign, intituled 'An act to Incorporate the Benevolent Irish Society,' and to make other provision for the Incorporation of the said Society." Amendments read and

Insert as the first Preamble the words following : "Whereas an act was passed by the Governor, Council and Assembly of this colony, in the third year of her Majesty's reign, intituled, "An act to Incorporate the Benevolent Irish Society ;" and it is necessary to repeal the said act, and to make other provision for the Incorporation of the said Society."

Insert as the first section : "Be it therefore enacted by the Governor, Council and Assembly of Newfoundland, and by the authority of the same, that the said recited act be, and the same is hereby repealed."

To the Preamble of the Bill, now become the second Preamble, add the word "And."

Second section, 1st line—Between "therefore" and "enacted," insert "further," and after "enacted" insert "by the authority aforesaid."

To each of the other sections of the bill, insert the word "further" between "it" and "enacted."

Page 7, line 4—After "Charity" insert "and."

——— lines 5, 6, 7—Expunge all the words between "correspondence" and "who."

Insert as the 7th section of the Bill : "And be it further enacted by the authority aforesaid, that all the rents, revenues and other property of the said Society shall be devoted to any or all of the purposes following, that is to say, to providing food, raiment, fuel, medicine, and medical attendance for the poor, and education for the children of the poor, and to the reparation and improvement of the houses and lands belonging to the society, and to the defrayal of the expenses necessarily incident to the promotion of the said before recited objects of the Society, and for no other purpose whatsoever."

On motion of Mr. Kent, seconded by Mr. Nugent,

Resolved,—That the said amendments be agreed to by the house. agreed to

Ordered,---That Mr. Kent and Mr. Nugent do go up to her Majesty's Council, and acquaint them that this house have concurred in the said amendments.

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the consideration of bills. House in committee on bills

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report.

The chairman reported from the committee that they had gone through the bill to authorise the Treasurer of this colony to raise on loan a sum not exceeding five thousand pounds, and had agreed to the same without amendment.

Ordered,—That the said bill be engrossed, and read a third time on Monday next.

The chairman further reported from the said committee that they had also gone thro' the bill to provide for making a line of road connecting Placentia and St. Mary's with St. John's, and had made an amendment therein, which they had directed him to report to the house, and he delivered the bill with the amendment in at the Clerk's table.

Amendments read & agreed to

And the said amendment having been read throughout, was, upon the question put thereon, agreed to by the house.

Engrossed—3d reading

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

Message from Her Majesty's Council

A MESSAGE FROM HER MAJESTY'S COUNCIL.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,

Her Majesty's Council have passed a bill "An act to make provision for the disposal and sale of ungrant ed and unoccupied Crown Lands within the Island of Newfoundland and its dependencies," to which they request the concurrence of the House of Assembly.

Council Chamber,
20th March, 1841.

JAMES SIMMS,
Senior member presiding.

And then the Messenger withdrew.

The said bill was then read a first time.

Whereupon Mr. Speaker declared that the said bill being a money bill, establishing among other matter a scale of fees to be chargeable upon the public, the house can no longer entertain the same.

Then the house adjourned until Monday next, at one of the clock.

MONDAY, March 22, 1841.

Road Bill read 3rd time.

AGREEABLY to the order of the day, an engrossed bill to provide for making a line of road connecting Placentia and St. Mary's with St. John's, was read a third time.

On motion of Mr. Doyle, seconded by Mr. O'Brien,

Resolved,—That the said bill do pass, and that the title be "An Act to pro- Passed—Title
vide for making a line of road connecting Placentia and St. Mary's with St. John's."

Ordered,—That Mr. Doyle and Mr. O'Brien do carry the said bill up to her Sent to Council
Majesty's Council and desire their concurrence.

Agreeably to the order of the day an engrossed bill to authorize the Treasurer Loan bill read 3d time
of this Colony to raise on loan a certain sum was read a third time.

On motion of Mr. Doyle, seconded by Mr M'Carthy,

Resolved,—That the said bill do pass, and that the title be, "An Act to autho- Passed. Title
rize the Treasurer of this Colony to raise on loan a certain sum not exceeding five thousand pounds, for completing the line of road connecting Placentia and St. Mary's with St. John's."

Ordered,—That Mr. Doyle and Mr. M'Carthy do carry the said bill up to Sent to Council
her Majesty's Council and desire their concurrence.

A petition of John Rochfort, Samuel Carson, Michael O'Dwyer, and Henry Petition of J. Rochfort & others
Hunt Stabb, late district Surgeons, was presented by the Solicitor General, (who stated in his place that he had obtained the consent of his Excellency the Governor to present the same) and the said petition was received and read, setting forth,—

That petitioners were appointed, pursuant to an Act of the honourable House, viz.—2 Vic., cap. 10, by his Excellency the Governor, district Surgeons, on the 26th October, 1838.

That petitioners commenced to discharge the important and arduous duties on the first day of November then following, and continued so to do, both in and out of Hospital, until the first of February, 1839, when they were informed by the Commissioners for the poor, that their services thenceforward would be limited to the sick residing in their own houses.

That petitioners received their salaries and the money allotted for the purchase of medicines, up to the 30th June, 1839.

That petitioners presuming it to be the intention of the honourable House to continue them in office by re-enactment from year to year—having no reason to suppose that one year's appointment was alone contemplated– continued to act as district Surgeons, supplying medicine to the poor, and attending to the requests of the Commissioners for the poor, to the end of January, 1840.

That petitioners were sent to out harbors to visit the sick poor—Topsail, Portugal Cove, Pouch Cove, and Petty Harbor, having been included by the poor Commissioners in the district Surgeons field of duty leaving it at the option of the Surgeons to perform such unusual duty, under the hope that the honourable House would remunerate them for extra services.

That petitioners respectfully pray for remuneration for six months services and supply of medicine, unprovided for by the act 2 Vic., cap. 10, viz.—from June 30, 1839 to January, 1840—and for a specific remuneration for services performed of an unusual character, viz., visits to out harbors.

That petitioners, without pretending to have any distinct claim upon the Legislature, respectfully submit that they acted in their capacity of district Surgeons, as above stated, in reliance on the intention of the honourable House to re-appoint them by enactment from time to time, which they considered to be implied by the act 2 Vic. cap. 10.

On motion of the Solicitor General, seconded by Mr. Doyle,

Referred to committee of supply.

Ordered,—That the said petition be referred to the committee of supply.

House in committee on pilots bill

Pursuant to the order of the day, the House resolved itself into a committee of the whole house on the consideration of a bill to continue an act for the regulation of pilots and the pilotage of vessels at the port of St. John's.

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair

Report

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same without any amendment.

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

Message from Her Majesty's Council

A message from her Majesty's Council.

The Master-in-Chancery brought down from her Majesty's Council the following written message :—

Mr. Speaker,—

Her Majesty's Council have passed the bill sent up from the House of Assembly, intituled " An Act to indemnify Commissioners of Roads, and other " persons therein mentioned from liability to actions at law or suits in equity," with some amendments, to which the concurrence of the House of Assembly is requested.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
22d March, 1841.

And then the Messenger withdrew.

The amendments made by her Majesty's Council in the said bill were read a first time as follow :—

In the title, after the word " Equity" add—" And to make provision for the compensation of persons sustaining damage or injury in certain cases."

In the preamble—Expunge all the words after the word " Whereas" and insert in lieu thereof " it is necessary and expedient to protect and indemnify the Commissioners of Roads and Bridges, and the Surveyors, Contractors, and other persons employed in carrying into effect the pro-

visions of two certain acts of the General Assembly of this colony, hereinafter mentioned, from liability to pay or to be answerable to any person or persons for or on account or by reason of any damage or injury accruing to him or them by or through any act matter or thing done or prosecuted under or by virtue of the provisions of the said acts of the General Assembly ; and also to make further provision in order justly and reasonably to compensate and indemnify persons who have suffered and sustained, or who may hereafter suffer and sustain any such damage or injury by reason as aforesaid.

Be it therefore enacted by the Governor Council and Assembly of Newfoundland, in General Assembly convened, that from and after the passing of this act no action at law or suit in equity shall be maintainable or sustained against any Commissioner or Board of Commissioners of Roads and Bridges; or against any Surveyor of Roads, Contractor, or other person appointed, employed, or *bona fide* acting under authority and in the execution of the ordinances, powers and provisions of a certain act of the General Assembly of this colony, made and passed in the first year of her Majesty's reign, or of another certain act of the said General Assembly made and passed in the second year of her Majesty's reign, and which said acts are severally entitled " An Act for granting to her Majesty a supply of money for the making and repairing of roads and bridges in this colony and to regulate the expenditure of the same," for or on account of any act, matter or thing by them, the said Commissioners or other persons appointed employed or acting as aforesaid, or by any of them *bona fide* directed, prosecuted, performed or done under authority or in pursuance of the provisions of the aforesaid Acts of the General Assembly, or either of them.

And be it further enacted, that for the purpose of ascertaining and determining the validity of all claims, and the amount or extent of compensation or indemnity to which any person may be reasonably and justly entitled, as the proprietor or occupant of any dwelling-house or tenement, for or by reason of any damage alledged to have been caused and sustained to such dwelling-house or tenement, by or through the the means of the acts, operations or proceedings of any Board of Commissioners of Roads and Bridges, or Surveyor of Roads, Contractor, or other person appoined, employed, or *bona fide* acting under authority or in execution of the ordinances, powers, and provisions of the beforementioned acts of the General Assembly of this Colony or either of them, any and every such proprietor or occupant aforesaid, considering himself or herself aggrieved and entitled to indemnity or compensation in the premises aforesaid, shall within the space of three months from and after the passing of this act, deliver to the Board of Control of the public works or roads, highways and bridges, appointed under the provisions of the before-mentioned act of the second year of the reign of her Majesty the Queen, a claim or statement in writing, setting forth the particular facts and circumstances upon which such proprietor or occupant aforesaid puts forward and founds his or her claim to indemnity or compensation ; and the said Board of Control, or any number of its members not being less than three, shall have full authority, and are hereby empowered to hear, enquire into and determine the validity or non validity of all such claims aforesaid, and to hear, enquire into, estimate, assess, determine, and award the amount or sum, if any, to which

all such claimants aforesaid may be reasonably and justly entitled in compensation or indemnity for any cause aforesaid ; and such determination and award shall be final. *Provided always*, that the said Board of Control shall not have authority to enquire into or determine any claim for compensation touching any cause or matter which is *provided for under the provisions* of the eleventh and twelfth sections of the last before mentioned act, or which is *provided for under the provisions* of the tenth and eleventh sections of the colonial act of the first year of her Majesty the Queen, chapter two. *And provided also*, that in all cases wherein it shall be found that any such claimant for compensation as aforesaid has derived any particular benefit or advantage incident to his dwelling-house or tenement under the proceedings of the said Commissioners of Roads by the widening or improvement of any road or street, the value of such benefit or advantage shall be taken into consideration, and allowance for the same be reasonably made in reduction of the amount that may be claimed in compensation by such claimant.

And be it further enacted, that the said Board of Control shall have authority to call and bring before them all persons who may be required to give evidence touching the matter of enquiry upon any such claim as aforesaid, and to examine such persons upon oath to be in due form administered before the said Board ; which oath the said Board of Control are hereby empowered to administer. And the said Board, after having duly heard and considered the evidence that shall be adduced before them on the part of the Board of Road Commissioners, Surveyor of roads, Contractor, or such other parties as may appear to answer the matter of claim, shall make their decision and award thereon and deliver the same or the substance thereof in writing to the claimant, and also (if required) to the Commissioners of Roads within the district wherein the cause of claim shall arise, and such decision and award shall be final.

And be it further enacted, that it shall be lawful for the Governor or person administering the Government of this Colony for the time being, on production to him of any award of the said Board of Control made and certified by them under their hands, wherein any sum of money shall be awarded to be due to any such claimaint as aforesaid, to pay the amount of such award by a Warrant in usual form upon the Colonial Treasurer.

And be it further enacted, that no person shall bring, carry on, or prosecute any action or suit in any Court of law in this colony, for or on account of any cause, matter or thing, which in this act is provided and directed to be enquired into, heard and determined before the Board of Control, in the manner herein-before appointed ; and that no Court of Record or other Court in this Colony, shall have jurisdiction or hold plea touching any cause, matter or thing herein-before provided to be enquired into, heard and determined before the said Board of Control ; and that in case any action or suit shall be brought, carried on, or prosecuted against any person or persons contrary to any provision of this act, such person or persons may plead the general issue, and upon their defence give this act and the special matter in evidence upon any Trial to be had thereupon ; and if judgment shall be given for the defendant thereupon he shall recover treble costs and damages against the person or persons so bringing, carrying on, or prosecuting such action or suit.

On motion of Mr. Moore seconded by Mr. Kent,

Resolved,—That the said bill, as amended by her Majesty's Council, be printed for the use of members.

Agreeably to the order of the day the House resolved itself into a committee of the whole House on the further consideration of a supply to be granted to her Majesty. House in committee on Supply

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

A MESSAGE FROM HER MAJESTY'S COUNCIL. Message from Her Majesty's Council

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,

Her Majesty's Council having adopted the address to his Excellency the Governor, prepared by a joint committee of the Council and House of Assembly, with reference to the buildings in Fort William, transmit herewith a copy of such address, and request the concurrence of the House of Assembly.

Council Chamber,
22d March, 1841.

JAMES SIMMS,
Senior member presiding.

And then the Messenger withdrew.

The address accompanying the said message was then read by the Clerk as follows—

(Copy.)

To His Excellency Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, Governor and Commander in Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. Address to his Excellency

May it please your Excellency,

We her Majesty's dutiful and loyal subjects the Council and House of Assembly of Newfoundland, in General Assembly convened, respectfully beg to acquaint your Excellency that in accordance with the suggestion made in the

Speech with which your Excellency open the present session, a joint committee of the two houses was appointed to inspect the buildings at Fort William, for the purpose of ascertaining how far they can be made available for the future accommodation of the Legislature.

That a report was made by such committee to each house recommending that an address should be presented to your Excellency praying that there be reserved for the purposes of a Building for the Legislature "that portion of the ground which is bounded on the North by and including a bomb proof, on the East by and including the Commissariat Store, on the South by the road to Quidi Vidi, and on the West by the road in front of the Fort."

And we now therefore most respectfully pray that your Excellency will be pleased to appropriate for the uses of the Legislature the ground and buildings recommended in the said Report to be reserved for such purposes.

Then the House adjourned until to-morrow, at one of the clock.

TUESDAY, March 23, 1841.

Pilots Bill. read 3d time.

AGREEABLY to the order of the day, an engrossed bill to continue an act to for the regulation of pilots and the pilotage of vessels at the St. John's, was read a third time.

On motion of the Solicitor General, seconded by Mr. O'Brien,

Passed—Title

Resolved,—That the said bill do pass, and that the title be "An act to continue an act made and passed in the second year of her present Majesty, entitled "An act for the regulation of Pilots and the pilotage of vessels at the Port of St. John's."

Sent to Council

Ordered,—That the Solicitor General and Mr. O'Brien do carry the said bill to her Majesty's Council, and desire their concurrence.

House in committee on Bill for revesting grammar school grant

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the consideration of a bill to revest in the Treasury a sum of money heretofore granted for the establishment of a grammar school at Carbonear, and remaining unapplied, and to make further provision for the establishment of a grammar school in the same place.

Mr. Speaker left the chair.

Mr. Kent took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill, and had made an amendment therein, which he was directed to report to the house, and he delivered the bill with the amendment in at the Clerk's table. Report.

And the said amendment having been read throughout, was, upon the question put thereon, agreed to by the house.

Ordered,—That the said bill as amended be engrossed and read a third time to-morrow. Engrossed.—3d reading.

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a further supply to be granted to her Majesty. House in committee on Supply

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had considered the business to them referred, and had come to certain Resolutions thereon, which he was directed to report to the House; and he read the said resolutions in his place, and afterwards delivered them in at the Clerk's table, where they were again read as follow: Report.

Resolved,—That it is the opinion of this committee that a sum not exceeding £330 be granted to her Majesty towards defraying the salaries of the Clerks of the Peace from the 1st day of July 1841, to the 30th day of June, 1842, in lieu of all fees, viz.

For the Clerk of the Peace, St. John's		£120
Do.	Harbor Grace,	50
Do.	Brigus and Port de Grave	20
Do.	Ferryland	20
Do.	Placentia	20
Do.	Burin	20
Do.	Harbor Britain	20
Do.	Trinity	20
Do.	Bonavista	20
Do.	Twillingate and Fogo	20

Resolved,—That it is the opinion of this committee that a sum not exceeding £215 19s. 2d. be granted to her Majesty on account of the late election at St. John's, to be applied as follows:

Ryan and Withers, printing	£5	8	6
Robert John Parsons	0	18	1
Henry Winton	0	13	0
J. W. M'Coubrey	0	17	4
Ambrose Shea & Co.	1	2	3
Richard B. Holden	2	0	0
Theophilus Stewart	25	0	0
Paul Hennessey, for Hustings	50	0	0
Patrick L. Power, for Poll room	55	0	0

Returning officer	£50 0 0
Poll clerk	25 0 0

Resolved,—That it is the opinion of this committee that a sum not exceeding two hundred and forty-six pounds eighteen shillings and fourpence be granted to her Majesty on account of the late election at Conception Bay, to be applied as follows—

Robert John Pinsent, for Printers' accounts, £7 11s 4d—Constables £39 7s —Returning officer, £50—Travelling expenses, £29 10s—Poll Clerk, £25—Travelling expenses, £24 10s—James Sharpe, for hustings at Harbor Grace, £21—John Bowes, for hustings at Port de Grave £10—Walter Whelan, for hustings at Brigus, £10—Patrick Strap for hustings at Harbor Main, £10—Wm. Bennett, for hustings at Western Bay, £10—John Brine for hustings at Carbonear, £10.

Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred and eighty-five pounds be granted to her Majesty for the Clerks of the Peace, it being omitted in last year's supplies-- viz.

Clerk of the Peace Harbor Grace	£25
Brigus & Port de Grave	20
Ferryland	20
Placentia	20
Burin	20
Harbor Britain	20
Trinity	20
Bonavista	20
Twillingate and Fogo	20

Resolved,—That it is the opinion of this committee that a sum not exceeding ninety-five pounds ten shillings and two-pence be granted to her Majesty in addition to the sum of twenty four pounds nine shillings and ten pence already received for fees towards defraying the salary of one hundred and twenty pounds in lieu of all fees at the Crown side of office to the Clerk of the Peace at St. John's, the same having been omitted in the bill of supply for the year ending the thirtieth of June, 1841.

Resolved,—That it is the opinion of this committee that a sum not exceeding thirty six pounds be granted to her Majesty towards defraying the expense of the artillery men employed at Fort Amherst.

Resolved,—That it is the opinion of this committee that a sum not exceeding twenty nine pounds fifteen shillings be granted to her Majesty towards defraying the incidental expenses of the Board of Control, between the 1st November, 1839, and the 1st November, 1840.

Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty for the purposes of repairing and enlarging the Court House at Twillingate.

Resolved, That it is the opinion of this committee that a sum not exceeding four hundred pounds be granted to her Majesty to meet coming expenses to the 30th June, 1841, under the head of Gaol expenses.

Resolved, That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty to meet coming expenses for pauper lunatics to the 30th June, 1841.

Resolved, That it is the opinion of this committee that a sum not exceeding fifty pounds be granted to her Majesty to meet coming expenses for Coroners to the 30th June, 1841.

Resolved, That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty to meet coming expenses for the repairs of Gaols to the 30th June, 1841.

Resolved, That it is the opinion of this committee that a sum not exceeding one hundred and fifty pounds be granted to her Majesty to meet coming expenses for the Circuit Courts to the 30th June, 1841.

Resolved, That it is the opinion of this committee that a sum not exceeding twelve pounds be granted to her Majesty to defray the salary of Samuel Cose, constable, for the year 1840.

Resolved, That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty for the Board of Education of Trinity Bay, for the completion of School Houses in the said district.

Resolved, That it is the opinion of this committee that a sum not exceeding twenty pounds be granted to her Majesty for the purpose of repairing the Gaol at Grand Bank.

Resolved, That it is the opinion of this committee that a sum not exceeding twenty pounds be granted to her Majesty for the purpose of purchasing a fire-proof safe for the Northern District.

Resolved, That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty for a Stipendiary Magistrate at Lamaline.

Resolved, That it is the opinion of this committee that a sum not exceeding fifty pounds be granted to her Majesty for the Dorcas Society of St. John's.

Resolved, That it is the opinion of this committee that a sum not exceeding six pounds nine shillings and seven-pence be granted to her Majesty for George Low for maintaining a distressed foreigner.

Resolved, That it is the opinion of this committee that a sum not exceeding fifty pounds be granted to her Majesty for the Indigent Sick Society of St. John's.

Resolved, That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty for the Factory of St. John's.

Resolved, That it is the opinion of this committee that a sum not exceeding fifty pounds be granted to her Majesty for Mrs. Sarah Blaikie, relict of the late James Blaikie Esq.

Resolved, That it is the opinion of this committee that a sum not exceeding seven pounds nineteen shillings and two pence be granted to her Majesty to be refunded to James Clift, being that amount paid by him as colonial duty upon one hogshead and two bales of tobacco, items imported by him from New York.

Resolved, That it is the opinion of this committee that a sum not exceeding three hundred and nineteen pounds seven shillings and fourpence be granted to her Majesty towards defraying the charges of registering of voters for the years 1839, 1840, and 1841, as follows :—

In the district of St. John's, nine police constables, forty pounds nineteen shillings, James Finlay 30 pounds, Henry Winton seven pounds thirteen shillings and ten pence (less fifty two pounds paid by his Excellency the Governor to James Finlay.) In Conception Bay, Thomas Danson twenty five pounds four shillings, William Sterling twenty five pounds four shillings, Robert Rankin twenty five pounds four shillings, James Sharp nine pounds, Benjamin Row five pounds seventeen shillings, Samuel Rumson five pounds seventeen shillings, William Stentaford nine pounds, Benjamin D. Barnes nine pounds, John Bowes nine pounds, Thomas Butler nine pounds, Robert Connell seven pounds ten shillings, William Mullowney seven pounds ten shillings, William Smith seven pounds ten shillings, John King three pounds seven shillings and sixpence. In Trinity Bay, John Reagan twenty four pounds, John Tilly six pounds, Robert Ollerhead six pounds, Thomas George six pounds, John Murphy seven pounds ten shillings, Benjamin Sweetland fifteen pounds, Charles Rendel six pounds, Charles Pitcher senr. five pounds five, Thomas Savine two pounds five, Thomas Savine jur. two pounds five, James Soper three pounds, William Wiseman two pounds six and sixpence, William Waldron one pound two shillings and sixpence. Jonn Wiseman one pound two shillings and sixpence. In Bonavista, William Sweetland fifteen pounds, Michael Fennel 9 pounds. In Placentia, Luke Collins ten pounds fourteen and sixpence. In Ferryland, Richard Sullivan twelve pounds.

Resolved, That it is the opinion of this committee that a sum not exceeding three hundred pounds be granted to her Majesty to be paid to the Benevolent Irish Society, to enable that body to make an addition to the Orphan Asylum School House.

Resolved, That it is the opinion of this committee that a sum not exceeding three hundred and sixty pounds be granted to her Majesty to defray certain charges of aged, infant, and infirm paupers to the first of March, 1841.

Resolved, That it is the opinion of this committee that a sum not exceeding two hundred pounds be granted to her Majesty to defray the expense of pauper lunatics to the 30th June, 1842.

Resolved, That it is the opinion of this committee that a sum not exceeding ninety eight pounds two shillings and ninepence be granted to her Majesty to defray an outstanding account of sick paupers in the St. John's Hospital.

Resolved, That it is the opinion of this committee that a sum not exceeding eighty pounds be granted to her Majesty for the Gaoler of Harbor Grace, in lieu of all fees, which fees are to be paid to the Clerk of the Peace, and by him paid to the Treasurer for the use of the colony.

Resolved, That it is the opinion of this committee that a sum not exceeding twenty six pounds be granted to her Majesty towards compensating Matthew Stevenson, late Clerk of the Peace at Harbor Grace, for loss of office.

Resolved, That it is the opinion of this committee that a sum not exceeding two hundred pounds be granted to her Majesty to defray the expense of pauper patients to be introduced into the Hospital at St. John's, under the certificate of two Magistrates.

Resolved, That it is the opinion of this committee that a sum not exceeding one thousand pounds be granted to her Majesty for the relief of the poor, being five hundred pounds for the relief of the poor of the district of St. John's, and five hundred pounds for the poor of the out port districts.

Resolved, That it is the opinion of this committee that a sum not exceeding three hundred pounds be granted to her Majesty for the purpose of building a Court House and Gaol in Bonavista.

Resolved, That it is the opinion of this committee that a sum not exceeding eighty pounds be granted to her Majesty to remunerate the four district Surgeons, appointed by his Excellency the Governor, under the act 2 Victoria, for their salaries, and providing of medicines up to the end of July, 1840.

Resolved, That it is the opinion of this committee that a sum not exceeding twelve pounds thirteen shillings be granted to her Majesty to remunerate Elias Rendell for duties over paid by him to the Collector of the Customs.

Resolved, That it is the opinion of this committee that a sum not exceeding sixteen pounds be granted to her Majesty for Mr. James Doyle as a final payment for keeping an orphan child.

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

Resolutions read and agreed to

Mr. Nugent gave notice that to-morrow he would move that the resolution of this House, forbidding the introduction of bills after Tuesday the 16th inst. be suspended, so far as relates to a bill to regulate the sale of Crown Lands in this Colony, which on an early day he should move for leave to bring in.

Notice of Crown land bill

The Solicitor General gave notice that to-morrow he would move that a message be sent to her Majesty's Council, acquainting them that this House concur in the address to his Excellency the Governor, prepared by a joint committee of the Council and House of Assembly, and adopted by the Council, with reference to the buildings in Fort William.

Notices of messages to H. M. Council

The Solicitor General also gave notice that to-morrow he would move that a message be sent up to her Majesty's Council, requesting them to furnish this House with an account of their contingencies during the present Session.

Then the House adjourned until to-morrow at one of the clock.

WEDNESDAY, March 24, 1841.

Pickled fish bill read 2d time

PURSUANT to the order of the day a bill to regulate the packing and inspection of pickled fish for exportation from this Island was read a second time.

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bill.

The Solicitor General moved pursuant to notice, seconded by Mr. Power,

House concur in address to his Excellency

Resolved,—That this House concur in the address to his Excellency the Governor, prepared by a joint committee of the Council and House of Assembly, and adopted by the Council, with reference to the buildings in Fort William, and that a message be sent to her Majesty's Council acquainting them of the same.

Ordered,—That the Solicitor General and Mr. Power do communicate the said message to her Majesty's Council.

Ordered,—That the Solicitor General, Mr. Power, and Mr. Kent be a committee to meet the committee of her Majesty's Council to present the said address to his Excellency.

Message from H.M. Council

A MESSAGE FROM HER MAJESTY'S COUNCIL.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,

Her Majesty's Council have passed the bill sent up from the House of Assembly, entitled "An Act to make further provision for the encouragement of education in this Colony," with some amendments, to which they request the concurrence of the Assembly.

Council Chamber,
24th March, 1841.

JAMES SIMMS,
Senior member presiding.

And then the Messenger withdrew.

The amendments made by her Majesty's Council in the said bill were read a first time and are as follow--

Page 1.—Expunge the preamble and the first two lines of the first enacting clause, and insert, "Whereas it is expedient that an act passed in the sixth year of the reign of his late Majesty, entitled "An act for the encouragement of education in this colony," and also a certain other act passed in the second year of the reign of her present Majesty, entitled "An act to amend an act passed in the sixth session of the First General Assembly, entitled "An act for the encouragement of education in this colony," be repealed, and that further provision be made for the purposes of education. Be it therefore enacted by the Governor, Council and Assembly of Newfoundland, that from and after the sixth day of May, in the year of Our Lord One Thousand Eight Hundred and Forty-one, the said in part recited act, and every matter and thing therein contained, shall be repealed,—And be it further enacted."

Page 1. After the last line add as follows, (as the first section.)

—— 2. line 1. Before "that" insert "And be it further enacted by the authority aforefaid."

—— 2. " 9. After the word "the" insert "said."

—— 7. " 5. After the word "report" insert "in Duplicate."

——10. " 10 Between "doctrines" and "of," insert or "peculiar tenets;" and between "any" and "church" insert "particular or exclusive."

Insert as the ninth section, "And be it further enacted that so soon as the Governor, or person administering the Government of this colony for the time being, shall have appointed Commissioners for the several districts under the provisions of this act, the several Boards of Commissioners under either or both of the said hereinbefore recited acts, shall transfer and pay over to the several boards to be appointed under this act, all school houses, lands, chattels and monies obtained and held by them by virtue of the said acts, and remaining in their power or under their control respectively, after deducting sufficient to defray any amount for which the said boards respectively may have entered into contracts, or may be liable—and the said school houses, lands, chattels and monies shall be held for the purposes of this act, by the Boards to be appointed under the authority of the same.

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

Order of the day read

The order of the day for the second reading of a bill to afford a remedy against the district in cases of the destruction of property by persons riotously assembled together, being read,

Mr. Nugent moved, seconded by Mr. Kent,

That the said order of the day be discharged, and that the said bill be read a second time this day six months,—which being put, and the house dividing thereon, there appeared for the motion six, against it four.

For the motion.	Against the motion.
Mr. Nugent	The Solicitor General.
— Kent	Mr. Power
— Brown	— Dwyer
— Winser	— Butler.
— O'Brien	
— M'Carthy.	

So it passed in the affirmative, and

Resolved accordingly.

Notice of Supply Bill

The Solicitor General gave notice that to-morrow he would move that a committee be appointed to prepare and bring in a bill granting a supply to her Majesty

Then the House adjourned until Friday next, at one of the clock.

FRIDAY, March 26, 1841.

Letter from Col, Secretary

MR. Speaker laid before the House a letter from the Hon. Mr. Secretary Crowdy, transmitting, by direction of his Excellency the Governor, the copy of a Despatch from the Secretary of State for the colonies conveying the Queen's Most Gracious reply to the address of the House of Assembly to her Majesty on the birth of the Princess Royal; also transmitting letters addressed to the Speaker in acknowledgment of the addresses of the House on the same occasion to her Royal Highness the Duchess of Kent, and his Royal Highness Prince Albert.

The said copy of Despatch and Letters were then severally read by Mr. Speaker as follow—

(Copy.)
No. 89.

Downing Street,
18th Feb. 1841.

Sir,—I have received your despatch No. 7, of the 13th ult. forwarding addresses from the House of Assembly of Newfoundland to the Queen, and to his Royal Highness Prince Albert and the Duchess of Kent, on the occasion of the birth of the Princess Royal.

I have had the honor to lay the address to the Queen before her Majesty, and I have received her Majesty's commands to direct you to inform the House of Assembly that her Majesty has received with much gratification the assurances which their address conveys of the attachment of the House to her Majesty's person, and of the interest they feel in an event calculated by the blessing of Divine Providence, to promote the stability of the succession to the Crown of these Realms.

I have forwarded the other addresses to his Royal Highness Prince Albert, and to her Royal Highness the Duchess of Kent.

I have, &c.
(Signed)
J. RUSSELL.

Governor Prescott, &c. &c.

Buckingham Palace,
Feb. 23, 1841.

Sir,—I have this day had the honor to lay before Prince Albert the congratulatory address of the Commons of Newfoundland, upon her Majesty's safe delivery of a Princess, and I am commanded by the Prince to convey to you and all who concurred in this address, the expression of his Royal Highness's sincere thanks for the gratifying sentiments it contains.

I have the honor to be, Sir,
Your most obedient servant,

ROBERT GROSVENOR.

The Hon. Wm. Carson,
Speaker.

Ingestre House,
Jan. 20, 1841.

Sir,—Having done myself the honor of submitting to her Royal Highness the Duchess of Kent the congratulatory address from the Commons of Newfoundland upon the joyful event of the birth of the Princess Royal, I am commanded by her Royal Highness to convey to you and to all whose sentiments

are embodied in this gratifying address, the expression of her Royal Highness's sincere thanks for it, and for the renewed assurance which it contains, of loyal and affectionate attachment to the Queen.

I have the honor to be, Sir,

Your most faithful
humble servant,

Wm. Carson, Esq.
Speaker of the
House of Assembly,
of Newfoundland.

G. COUPER,
Colonel.

Ordered,—That the said copy of Despatch and letters do lie upon the table to be perused by the Members of the house.

On motion of Mr. Kent, seconded by Mr. O'Brien,

Resolved,—That five hundred copies of the said despatch and letters be printed.

Bill to revest grammar school grant read 3d time.

Agreeably to the order of the day, an engrossed bill to revest in the Treasury a sum of money heretofore granted for a grammar school at Carbonear, and remaining unapplied, &c. was read a third time.

On motion of Mr. M'Carthy, seconded by Mr. Winser,

Passed.—Title.

Resolved,—That the said bill do pass, and that the title be "An act to revest in the Treasury a sum of money heretofore granted for the establishment of a grammar school at Carbonear, and remaining unapplied, and to make further provision for the establishment of a grammar school in the same place."

Sent to Council.

Ordered,—That Mr. M'Carthy and Mr. Winser do carry the said bill to her Majesty's Council, and desire their concurrence.

Bill to defray Expenses of the Civil Government read 1st time

Mr. Winser, pursuant to notice and leave granted, presented a bill for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of this Colony for the year ending the thirtieth day of June, 1842, and for other purposes, and the same was read a first time.

2d reading.

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

Bill to declare the Law respecting the wages of fishing servants read2d time

Pursuant to the order of the day, a bill to declare the law with respect to the wages of servants employed in the fishery of this colony, and for other purposes, was read a second time.

On motion of Mr. Kent, seconded by Mr. Nugent,

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bill.

Agreeably to the order of the day the amendments made by her Majesty's Council in the bill intituled "An Act to make further provision for the encouragement of education in this colony" were read a second time. Amendments read 2d time

On motion of the Solicitor General, seconded by Mr. Kent,

Ordered,—That the said amendments be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said amendments.

Then the House adjourned until to-morrow at one of the clock.

SATURDAY, March 27, 1841.

MR. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, acquainting them that his Excellency the Governor will receive the deputation appointed to present to his Excellency the joint address of the Council and House of Assembly on the subject of the buildings in Fort William, on Monday next, at eleven o'clock. Letter from Col Secretary

Pursuant to the order of the day, a bill for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of this colony &c. was read a second time. Bill to defray expenses of the Civil Government read 2d time

On motion of Mr. Winser, seconded by the Solicitor General,

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, on Monday next, resolve itself into a committee of the whole House on the consideration of the said bill.

The Solicitor General gave notice that on Monday next he would move that the House resolve itself into a committee of the whole House on the consideration of a further supply to be granted to her Majesty. Notice for committee of Supply

Agreeably to the order of the day the House resolved itself into a committee of the whole House on the consideration of the amendments made by her House in committee on amendments

Majesty's Council in the bill intituled "An Act to make further provision for the encouragement of education in this Colony."

Mr. Speaker left the chair.

Mr. Doyle took the chair of the committee.

Mr. Speaker resumed the chair.

Report

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

Ordered,—That the said committee have leave to sit again.

House in committee on servants wages bill

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill to declare the law with respect to wages of servants employed in the fishery of this colony, and for other purposes.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Letter from hon. Mr. Secretary Crowdy

Mr. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, transmitting by direction of his Excellency the Governor a petition of Matthew Stevenson, late Clerk of the Peace for Harbor Grace.

The said petition was read,—(For which see *Appendix.*)

Referred to com. of supply

Ordered that the said petition be referred to the committee of supply.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, March 29, 1841.

Report of committees on adress to his Excellency

THE Solicitor General reported that the joint committees had waited on his Excellency the Governor, and presented the joint address of the Council and House of Assembly on the subject of the buildings at Fort William, when his Excellency was pleased to reply as follows -—

HONOURABLE GENTLEMEN, AND GENTLEMEN,—

His Excellency's reply

I shall be happy to act in accordance with this address.

Government House, }
29th March, 1841. }

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

Message from his Excellency

The hon. Mr. Secretary Crowdy being admitted within the bar, acquainted the house that he had a message from his Excellency the Governor, signed by his Excellency, and he presented the same to the House.

And then the Messenger withdrew.

The said message was read by Mr. Speaker as follows :—

H. PRESCOTT,—

The Governor transmits to the House of Assembly a statement of claims ascertained and admitted by Messrs. Carter, Simms, and Fergus, appointed to investigate and report upon the same, in consequence of an address of the House of the 13th inst.

The House of Assembly will perceive that the sum of £360, placed at his Excellency's disposal, is insufficient for the discharge of these demands, which he will be happy to be enabled to pay in full.

Government House, }
29th March, 1841. }

The letter and statement accompanying the said message were then read by the Clerk.—(For which see *Appendix.*)

Ordered,—That the said message and documents do lie upon the table to be perused by the Members of the House,

To lie on the table

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of the amendments made by the Council in the bill intituled "An Act to make further provision for the encouragement of education in this Colony."

House in com. on amendments to education bill

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair

The chairman reported from the committee that they had gone through the said amendments and had made some amendments therein, which he was directed to report to the House ; and he read the said amendments in his place, and afterwards delivered them in at the Clerk's table, where they were again read as follow :—

Report

Expunge the first amendment.

Expunge the second amendment.

Expunge the third amendment.

Expunge the fourth amendment.

Expunge the seventh amendment.

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

And the chairman further reported that the committee had come to a certain resolution thereon, which he was directed to report to the House, and he read the same in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :—

Resolved,—That it is the opinion of this committee that a conference be requested with her Majesty's Council on the subject matter of the said amendments, and that the instructions to the Managers on the part of the House be as follows :—

The House of Assembly request this conference of her Majesty's Council, in order to convey to that honourable body the reasons why they cannot agree to certain of the amendments made by them in and upon a bill sent up from the Assembly, entitled " An Act to make further provision for the encouragement of education in this Colony."

The three first amendments are predicated upon a presumption that the existing education act, if not repealed, will continue in operation after the sixth day of May next; but should that act, on the contrary, expire on that day, and thus of itself cease to be law, it is obvious that to pass an Act for its repeal after that date, would be to Legislate uselessly and unnecessarily.

The House of Assembly are of opinion that as the monies granted under the original act, have been made payable only for and during the space of five years, from the passing of the same, all and every provision of the said original act, and of the act 2 Vic., c. 5, in amendment of the same, expire with the expiration of the said term of five years, because the said provisions are all incident upon, and entirely subservient to, the said grant.

Lord Kenyon, in the Case of Williams v. Pritchard, 4, T. R. distinctly says,—" it cannot be contended that a subsequent act of Parliament will not control the provisions of a prior Statute, if it were intended to have that operation."

To prove that they view this subject in a correct light, the Assembly would also beg to refer to the act 2 Vic., c. 10. Under the provisions of this act a Board of Commissioners of the Poor was nominated, with power to appoint a paid Secretary, and certain regulations made for the appointment by the Governor, and for the remuneration of four district Surgeons. If, then, the regulation clauses of the Education Act must continue in force after the efflux of the time for which the money was granted, then must the regulations with reference to the poor vote above mentioned, be still in force, and the Commissioners nominated in that act, and the four district Surgeons and the Secretary appointed under it, must, *even now*, be entitled to enjoy their primitive jurisdiction, and the latter be legally entitled to two years salary, which are becoming due since the 30th June, 1839. But when, by a subsequent bill of supply, a sum of money was again granted for the relief of the poor, although that grant was unaccompanied by any provision repealing the former act, yet the Governor, was advised to pass

over and not recognise any rights of the said Commissioners and district surgeons as such, but to regard the said act as having expired, and upon such advice his Excellency nominated and appointed other persons as Commissioners, to disburse the sum then granted for the use of the Poor,—and was advised correctly, because the money grant—it was that constituted the essence of the act, and the moment that grant became exhausted, then all the provisions founded on it passed away.

But her Majesty's Council, in passing a road bill in 1838, without repealing the road act passed in 1837, again acknowledged this principle, for in the Act of 1838, there was no repealing clause to affect the act of 1837, and therefore if the regulation clauses of the latter were to continue in force, after the exhaustion of the money which formed their basis, then were the Legislature engaged in uselessly accumulating acts that merely repeated former acts.

Again is the principle of the expiry of an act upon the exhaustion of the money on which it is founded, asserted by the Governor in his Excellency's speech at the opening of the present session ; (and in this assertion the Council in their executive capacity as his Excellency's advisers, were concurrent parties.) In that speech his Excellency recommends the Legislature to pass "a General Road Bill" for regulating the management of the making of roads, in order that it may be, in subsequent sessions, only necessary "to decide upon the sums to be expended, and the localities to which they should be applied."—But it is obvious that if the regulating clauses of the existing act survived the expenditure of the money granted under it, his Excellency's recommendation would appear unnecessary, or his Excellency should have been advised to recommend the repeal of the existing law upon the subject.

Finally, the Assembly have, upon the very subject before them—that is, upon the question whether the Education act will or will not cease on the 6th of May—the highest opinion in the colony ; for we find that in the same speech his Excellency is advised by the Council—and which Council have the advantage of the direction and advice of the highest law officer of the Crown in Newfoundland–to inform the assembled Legislature that "The Education Act will cease in the approaching month of May, and CONSEQENTLY *it will be necessary to continue it for a certain period*, OR TO PREPARE ANOTHER BILL," and the latter course the Assembly have pursued. For these reasons they beg respectfully to object to the three first amendments.

With respect to the 7th amendment, the Assembly object to the proposed alteration, as their intention in framing that part of the act as it is, was to render the public education available to all, both Catholic and Protestant.

It was their wish to remove every thing like ambiguity from the subject ; and as the Catholic portion of the community, who form a majority of the whole population, believe, that to use the Sacred Scriptures as a common school book, is a profanation of God's Holy Word, and will not permit their children to receive Education at Schools where it is, as they consider, so desecrated—and as the highest law officer of the Crown in this colony gave it

as his opinion that the Bible did not teach "the doctrines or peculiar tenets of any particular or exclusive Church," and was therefore not included among those Books forbidden to be used in schools under the present acts, they framed this section in such a manner, as that its applicability to the Bible could not be questioned.

Resolution read & agreed to.

And the said resolution having been read throughout, was, upon the question put thereon, agreed to by the house.

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

Message from H.M. Council

A message from her Majesty's Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,—

Her Majesty's Council have passed the bill sent up from the House of Assembly entitled "An act to further to amend the law of attachment, and to facilitate the recovery of debts from absent or absconding debtors," with some amendments to which the concurrence of the House of Assembly is requested.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
29th March, 1841.

And then the messenger withdrew.

Notice of address to his Excellency.

The Solicitor General gave notice that to-morrow he would move an address to his Excellency the Governor on the subject of his Excellency's message to the house this day relative to the poor.

The Solicitor General moved, pursuant to notice, seconded by Mr. Dwyer,

House in committee on Supply

Resolved,—That this House do now resolve itself into a committee of the whole House on the consideration of a further supply to be granted to her Majesty.

And the house resolved itself into the said Committee accordingly.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had considered the business to them referred, and had come to certain resolutions thereon, which

they had directed him to report to the house ; and he read the said resolutions in his place, and afterwards delivered them in at the clerk's table, where they were again read as follow :

Resolved,—That it is the opinion of this committee that a sum not exceeding forty pounds be granted to her Majesty to indemnify the Governor for that sum advanced by him to James Cuddihy upon an address of the house last session.

Resolved,—That it is the opinion of this committee that a sum not exceeding fifty–five pounds seven shillings be granted to her Majesty for Wm. Sweetland, Esq., for office rent and fuel at Bonavista.

Resolved,—That it is the opinion of this committee that a sum not exceeding one hundred pounds be granted to her Majesty for the purpose of defraying the expenses of Lithographing the maps and sections prepared by Mr. Jukes, the Geological Surveyor.

And the said resolutions having been read throughout a first and second time, were, upon the question severally put thereon, agreed to by the house. Resolutions read & agreed to.

On motion of the Solicitor General, seconded by Mr. Moore,

Resolved,—That the said resolutions be referred to the committee on a Bill granting a supply to her Majesty.

Agreeably to the order of the day, the house resolved itself into a committee of the whole House on the consideration of a bill granting to her Majesty a sum of money for defraying the expenses of the Civil Government of this colony, &c. House in committee on Bill to defray Expenses of the Civil Government

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had gone through the said bill, and had agreed to the same with some amendments, which he was directed to report to the house, and he delivered the bill with the amendments in at the Clerk's table. Report

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

Ordered,—That the said bill as amended be engrossed, and read a third time to-morrow. Engrossed—3d reading.

Then the House adjourned until to-morrow, at one of the clock.

TUESDAY, March 30, 1841.

Bill for granting certain duties, read 1st time

THE Solicitor General, from the committee appointed to prepare and bring in a bill for granting to her Majesty certain duties on Goods Wares and Merchandise imported into this colony and its dependencies, reported that they had prepared the said bill, which he presented, and the same was read a first time.

2d reading. Ordered,—That the said bill be read a second time to-morrow.

Supply Bill read 3d time. Agreeably to the order of the day, an engrossed bill for granting a supply to her Majesty, was read a third time.

On motion of Mr. Winser, seconded by Mr. Kent,

Passed.—Title. *Resolved*,—That the said bill do pass, and that the title be "An Act for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of this colony, for the year ending the thirtieth day of June, 1842, and for other purposes."

Sent to Council. *Ordered*,—That Mr. Winser and Mr. Kent do carry the said bill up to her Majesty's Council and desire their concurrence.

On motion of the Solicitor General seconded by Mr. Moore,

Resolved,—That the amendments made by her Majesty's Council in the bill entitled "An act further to amend the law of attachment, and to facilitate the recovery of debts from absent or absconding debtors," be read a first time this day six months.

House in committee on Bill to declare the Law respecting the wages of fishing servants

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the consideration of a bill to declare the law with respect to the wages of servants employed in the fishery of this colony, and for other purposes.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

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

Ordered,—That the said committee have leave to sit again.

Mr. Dwyer gave notice, that to-morrow he would move that a committee be appointed to examine and report npon the petition of R. J. Parsons, praying the payment of the balance due him for printing done by order of this house.

Then the House adjourned until to-morrow at one of the clock.

WEDNESDAY, March, 31, 1841.

Amendments on Education Bill read 3d time.

AGREEABLY to the order of the day, the engrossed amendments made on the amendments of her Majesty's Council in a bill entitled "An act to make further provision for the encouragement of Education in this colony," were read a third time.

On motion of Mr. Nugent, seconded by Mr. Winser,

Resolved,—That the said amendments do pass.

Ordered,—That Mr. Nugent and Mr. Winser do carry the said amendments up to her Majesty's Council and desire their concurrence.

Ordered,—That Mr. Nugent and Mr. Winser do go up to her Majesty's Council and desire a conference upon the subject matter of the said resolutions.

Message from H.M. Council

A message from her Majesty's Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,—

Her Majesty's Council accede to the conference requested by the House of Assembly upon the subject matter of the amendments made by the Council in the bill intituled "An Act to make further provision for the encouragement "of education in this colony," and have appointed managers to meet the managers frou the House of Assembly in the Committee Room of the Council presently.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
31st March, 1841.

And then the messenger withdrew.

Managers named

Ordered,—That Mr Nugent, Mr. Winser, Mr. Kent, and Mr. O'Brien do manage the said conference on the part of this House.

Conference held

And they went to the conference, and being returned,

Report

Mr. Nugent reported that the Managers had been at the conference and had complied with the instructions of the House.

The Solicitor General moved pursuant to notice, seconded by Mr. Kent,

Resolved,—That a message be sent to her Majesty's Council, requesting them to furnish this House with an account of their contingencies for the present Session.

Ordered,—That the Solicitor General and Mr. Kent do communicate the said message to her Majesty's Council.

Mr. Dwyer moved pursuant to notice, seconded by Mr. Nugent,

Resolution for com. on petition of R J. Parsons

Resolved,—That a select committee be appointed to examine and report on the petition of Robert John Parsons, praying payment of balance due him for printing done by order of the House, in the year 1838, and 1839, and that the said committee have power to send for persons and papers.

Ordered,—That Mr. Dwyer, Mr. Winser, the Solicitor General, Mr. Power, and Mr. Doyle do compose the said committee.

House in committee on pickled fish bill

Pursuant to the order of the day, the House resolved itself into a committee of the whole House on the further consideration of a bill to regulate the packing and inspection of pickled fish for exportation from this Island.

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair

Report

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

Amendments read and agreed to

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

Engrossed—3d reading

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

Bill for granting certain duties read 2d time

Agreeably to the order of the day, a bill for granting to her Majesty certain duties on goods, wares, and merchandize imported into this colony and its dependencies, was read a second time.

On motion of the Solicitor General, seconded by Mr. Power,

Ordered,—That the said bill be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bill.

Notice for committee on contingencies

Mr. Winser gave notice that to-morrow he would move that the House resolve itself into a committee of the whole House on the consideration of the contingencies of the Legislature of the present Session.

Then the House adjourned until to-morrow at one of the clock.

THURSDAY, April 1, 1841.

Address to his Excellency

THE Solicitor General, pursuant to notice on the 29th ult., presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows:—

To his Excellency Henry Prescott, Esq., Companion of the most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,—

The House of Assembly have taken into their consideration the subject matter of your Excellency's message of the 29th ult., and with a view to make a suitable provision for the poor, consider that to entitle a pauper to an annual sum from the Legislature, the strictest enquiry should be made as to the continuance of the cause which induced the pauper to be first set down as a pensioner. The Assembly recognize under the existing imperfect system of providing for the poor three classes of persons entitled to relief, viz.—those who are paupers on account of orphanage, of infirmity, and of age. The two former cannot be regarded as giving a permanent claim upon the colony, but in the latter case increasing years would not unreasonably be admitted as enhancing the claim of the parties coming under that head.

In examining the return of claims for supporting such aged, infirm, and infant paupers, the Assembly have no information afforded them as to the character of the respective claims of the said claimants, and therefore they request your Excellency will please appoint a fit and proper person, in whom such trust may be reposed to enquire into the said cases and report upon them in the manner following, that is to say,—

There shall be three district reports—

No. 1, Being for Orphans, shall state the age and whether the party is capble of earning support or not, and if not, the causes thereof, and the name of the parents, and the cause of orphanage, the date at which the party became chargeable on the colony, and by whose authority that liability was first admitted.

No. 2, Being the return of Infirm Paupers, should state the name, the nature, and cause of such infirmity, and whether the said infirmity disables the party from contributing to his or her support, the date when first the party became chargeable on the colony, and whether there is a likelihood that the particular case in question will continue a permanent charge, and the name and place of abode of the person employed to support the said pauper, and the person under whose authority the case was first entered against the colony.

No. 3, Being the return of aged paupers, should set forth the name and age of the pauper, and the name and residence of the person supporting the same, the date and original circumstances of the said pauper having become chargeable on the colony, and whether the said person is capable of contributing to his or her support.

The House pledge itself to provide a suitable remuneration for such person as your Excellency may please to appoint, to obtain the information sought, in compliance with this address.

Engrossed

Resolved,—That the said address be adopted and engrossed.

Ordered,—That the Solicitor General and Mr. Nugent be a committee to present the same to his Excellency.

House in committee on Bill for granting certain duties

Agreeably to the order of the day, the House resolved itself into a committee of the whole House on the consideration of a bill for granting to her Majesty certain duties on goods, wares, and merchandize imported into this colony.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair

Report

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Then the House adjourned until to-morrow at one of the clock.

FRIDAY, April 2, 1841.

Pickled fish bill read 3d time

AGREEABLY to the order of the day, an engrossed bill to regulate the packing and inspection of pickled fish for exportation from this Colony, was read a third time.

On motion of the Solicitor General, seconded by Mr. Kent,

Passed.—Title.

Resolved,—That the said bill do pass, and that the title be "An Act to regulate the packing and inspection of pickled fish for exportation from this colony."

Sent to Council.

Ordered,—That the Solicitor General and Mr. Kent do carry the said bill up to her Majesty's Council and desire their concurrence.

House in committee on bill for granting certain duties

Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the further consideration of a bill for granting to her Majesty certain duties on goods, wares, and merchandize imported into this colony.

The chairman reported from the committee that they had gone through the said bill, and had made two amendments therein, which he was directed to report to the house, and he delivered the bill with the amendments in at the Clerk's table. Report.

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

Ordered,--That the said bill as amended be engrossed, and read a third time to-morrow. Engrossed—3d reading.

The Solicitor General gave notice that to-morrow he would move that the rules of the house so far as relate to the reading and passing of bills already introduced into either branch of the Legislature, be suspended during the remainder of the session.

Mr. Nugent gave notice that on Monday next he would move that a committee be appointed to search the Journals of her Majes y's Council to ascertain what petitions have been received by them on the subject of the appropriation of monies, and what has been done on the same. Notice for committee to search Council's Journals.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, April 5, 1841.

A message from her Majesty's Council.

Message from H.M. Council

The Master in Chancery brought down from her Majesty's Council the following written messages—

Mr. Speaker,—

Her Majesty's Council have passed the bill sent up from the House of Assembly entitled "An act to regulate the manner of empannelling Juries in the Supreme and Central Circuit Courts of this Island, and to determine the qualification of Jurors in the said Courts," with some amendments, to which the concurrence of the House of Assembly is requested.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
3d April, 1841.

Mr. Speaker,

Her Majesty's Council have passed the bill sent up from the House of Assembly entitled "An act to make provision for the establishment of a light house on Cape Bonavista," with some amendments, to which the concurrence of the House of Assembly is requested.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
3d April, 1841.

Mr. Speaker,

Her Majesty's Council request a conference with the House of Assembly on the subject of the last conference, and have appointed managers to meet the managers from the House of Assembly in the Committee Room of the Council presently.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
5th April, 1841.

And then the messenger withdrew.

On motion of Mr. Nugent, seconded by Mr. Winser,

Conference acceded to

Resolved,—That the conference requested by her Majesty's Council be acceded to.

Council acquainted.

Ordered,—That Mr. Nugent and Winser do go up to her Majesty's Council and acquaint them that this house have agreed to the said conference.

Managers named

Ordered,—That Mr Nugent, Mr. Winser, Mr. Power and Mr. Moore, do manage the said conference on the part of this House.

Conference held

And they went to the conference, and being returned,

Report

Mr. Nugent reported that the Managers had been at the conference, and he read the report in his place, and afterwards delivered it in at the clerk's table, where it was again read as follows:

Her Majesty's Council have asked this conference for the purpose of acquainting the house of Assembly that they adhere to the amendments made by them in and upon the bill entitled "An act to make further provision for the encouragement of Education in this colony."

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
5th March, 1841.

Amendments to Cape Bonavista Light House Bill, read first time.

The amendments made by her Majesty's Council in the bill entitled "An act to make provision for the establishment of a light house on Cape Bonavista," were read a first time as follow—

In the title, between the words " on" and " Cape," insert " or near to."

In the preamble, the same.

First section, line 2—After " Assembly" insert " of Newfoundland."

Page 3, line 5—Between the words " on" and " Cape" insert " or near to."

—— 4, line 5—After " Council" insert " and the said Commissioners shall enter into the necessary contracts for, and proceed to the erection and completion of, the said Light House."

Ordered,—That the said amendments be read a second time to-morrow. 2d reading.

The order of the day for the third reading of an engrossed bill for granting to her Majesty certain duties on goods, wares and merchandise imported into this colony, &c. being read, Order of the day on Bill for granting to her Majesty certain duties read—

The Solicitor General moved, seconded by Mr. Dwyer,

Resolved,—That the said order of the day be discharged, and the said bill be re-committed to a committee of the whole house. discharged—

And the house resolved itself into the said committee on the re-consideration of the said bill. re-committed.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

The chairman reported from the committee that they had re-considered the said bill, and had made some amendments therein, which he was directed to report to the house, and he delivered the bill with the amendments in at the Clerk's table. Report

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

Ordered,—That the said bill as amended be engrossed, and read a third time to-morrow. Engrossed—3d reading.

Agreeably to the order of the day, the house resolved itself into a committee of the whole House on the further consideration of a bill to declare the law with respect to the wages of servants employed in the fishery of this colony, and for other purposes. House in committee on Bill to declare the Law respecting the wages of fishing servants

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair

Report.

The chairman reported from the committee that they had made some progress in the business to them referred, and had directed him to move for leave to sit again on the further consideration of the same.

Ordered,—That the said committee have leave to sit again.

Amendments on road commissioners' Indemnification Bill read second time.

Pursuant to the order of the day, the amendments made by her Majesty's Council in the bill entitled "An act to indemnify Commissioners of roads and other persons therein mentioned from liability to actions at law, or suits in equity, were read a second time.

Ordered,—That the said amendments be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said amendments.

Mr. Nugent moved, pursuant to notice, seconded by Mr. Winser,

Resolution for committee to search Council's Journals.

Resolved,—That a committee be appointed to search the Journals of her Majesty's Council to ascertain what petitions have been received by them on the subject of the appropriation of monies, and what has been done on the same.

Ordered—That Mr Nugent and Mr Winser do compose the said committee.

Mr. Dwyer gave notice that to-morrow he would move that the Clerk of this House be directed to hand over all accounts and papers in his possession relative to the printing done by Robert John Parsons, late printer of this House, to the Committee to enquire into and report upon the petition of the said Robert John Parsons.

Then the House adjourned until to-morrow, at one of the clock.

TUESDAY, April 6, 1841.

Report of committee appointed to search Council's Journals.

MR. Nugent, from the Committee appointed yesterday to search the Journals of Her Majesty's Council, reported that they had made search accordingly, and had taken the following extracts, which he read in his place—

"FRIDAY, March 5.

"The Hon. Mr. Thomas laid on the table a petition from the Board of Education at Trinity, praying the grant of a sum of money for the completion of the School Houses in that district."

"MARCH 16.

"The petition presented by the hon. Mr. Thomas on the 5th inst., from the Board of Education at Trinity, was read and ordered to lie on the table."

"MARCH 26.

"The hon. Mr. Thomas laid on the table a petition from Thomas Houlton, praying the concurrence of this House in a grant to him of a certain sum included in the Road Bill, now before the House.

The hon. Mr. Spearman laid on the table a petition from James Douglas, Chairman of the Board of Road Commissioners at St. John's, stating that neither in the Road Bill, nor in the General Supply Bill, now before the Legislature, had any provision been made for his salary."

"MONDAY, March 29.

"The hon. Mr. Thomas laid on the table a petition from certain inhabitants of Broad Cove. stating that no provision had been made in the Road Bill for the road from that place to Cody's Well."

"WEDNESDAY, March 31.

"The hon. Mr. Thomas laid on the table a petition from the Farmers, Householders, and other inhabitants in and about Quidi Vidi, stating that no provision had been made in the Road Bill for the repairs of the Road to that place."

"APRIL 2.

"The hon. Mr. Thomas laid on the table a petition from certain inhabitants of the town and vicinity of St. John's, stating that no provision had been made in the road bill for the repairs of the Cockpit Road.

"The hon. the Attorney General laid on the table a petition from Richard Perchard, keeper of her Majesty's gaol in St. John's, complaining of a provision in the Bill of Supply for the ensuing year, by which he will be deprived of his usual fees of office, and praying the House not to concur therein."

Agreeably to the order of the day, a bill for granting to her Majesty certain duties on goods, wares, and merchandize imported into this colony, was read a third time. Bill for granting certain duties read 3d time

On motion of the Solicitor General, seconded by Mr. Power,

Resolved,—That the said bill do pass, and that the title be "An Act for granting to her Majesty certain duties on goods, wares, and merchandize imported into this colony and its dependencies." Passed.—Title.

Ordered,—That the Solicitor General and Mr. Power do carry the said bill up to her Majesty's Council and desire their concurrence. Sent to Council.

Pursuant to the order of the day, the amendments made by her Majesty's Council in the bill entitled "An Act to make provision for the establishment of a Light House on Cape Bonavista," were read a second time. Amendments on Light House bill read 2d time

On motion of the Solicitor General, seconded by Mr. Power,

Ordered,—That the said amendments be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said amendments.

Message from H.M. Council

A message from her Majesty's Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,—

Her Majesty's Council have passed the bill sent up from the House of Assembly, intituled "An Act to continue an act made and passed in the second "year of the reign of her present Majesty, intituled "*An Act for the regula-*"*tion of Pilots and the Pilotage of vessels at the port of St. John's,*" with an amendment, in which they request the concurrence of the House of Assembly.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
6th April, 1841.

And then the messenger withdrew.

The said amendment was read a first time as follows,—

In page 2, line 5,—Expunge "four years" and insert "one year."

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

House in committee on Road Commissioners indemnification bill

Pursuant to the order of the day the House resolved itself into a committee of the whole House on the consideration of the amendments made by her Majesty's Council in the bill entitled "An Act to indemnify Commissioners of Roads and other persons therein mentioned from liability to actions at law and suits in equity."

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The chairman reported from the committee that they had gone through the said amendments and had made an amendment therein, which he was directed to report to the House; and he delivered the said amendment in at the Clerk's table.

Amendment read and agreed to

And the said amendment having been read throughout, was, upon the question put thereon, agreed to by the House, and is as follows:—

Expunge all the words after the word "following" in the first line, and insert instead thereof "in certain cases."

Ordered,—That the said amendments be engrossed and read a third time to-morrow. Engrossed—3d reading

On motion of Mr. Nugent, seconded by Mr. Winser,

Resolved,—That a conference be requested with her Majesty's Council upon the subject matter of the amendments made by the Council in the said bill, and that the instructions to the Managers on the part of this House be as follow:— Resolution for conference with H. M. Council

The House of Assembly request this conference on the subject matter of the amendments of her Majesty's Council on the bill intituled "An Act to indemnify Commissioners of Roads and other persons therein mentioned from liability to actions at law and suits in equity," in order to explain to her Majesty's Council their principal objections to the said amendments, and their reasons for adhering to the opinion that the said Act should pass into law upon the principles therein set forth. Instructions

The original bill appeared to the Assembly called for in order to protect parties who, under the authority of an Act of the Legislature, were obliged to discharge certain duties for the public service without fee or reward, and also in the conscientious discharge of these duties, had, while acting *bona fide* for the public improvement of certain highways, necessarily, and not of malice, produced a certain amount of inconvenience to some individuals, and thus unwillingly had subjected themselves to a personal responsibility which that Legislature that had imposed upon them these functions were bound to remove.

The road Acts for 1837 and 1838, for instance, provided that the public ways at St. John's denominated "the New Road," "the King's Road," and "the Road from King's Bridge to Duckworth Street," should be improved, and threw upon the Commissioners of Roads, appointed under the provisions of these Acts, for the district of St. John's, the duty of procuring the effectuation of these improvements and in carrying out the intention of the Legislature; in that regard they necessarily produced partial inconvenience to individuals, and, in one instance, damages have been obtained against a Contractor, and in another against the chairman of the Board, acting *bona fide* under the authority of the Board for the same.

The House of Assembly conceive, that considering that the first of the Acts referred to had passed four years since, and that the second of the said Acts had passed three years since, and that up to the present date no other actions have been instituted or complaints made, of injury resulting from the inconveniences above described, all the ends of public justice would be answered by passing an act of indemnity to secure the said Commissioners, and all acting *bona fide* under their authority, from the institution of vexatious and harrassing suits and actions for acts done by them some two or three years back for the improvement of the country, under the authority of, and in obedience to the provisions of the laws of their country.

Besides, the House of Assembly are of opinion, that if the principle were once admitted that no hill shall be cut down, or no hollow filled up, in making or amending the public ways of the colony, without subjecting Commissioners &c., to actions at law and suits in equity for complying, according to the best of their judgment, with the law, on the plea of inconvenience produced to indi-

duals—it is vain to hope for improvement in the public ways of the country, or for those facilities for internal communication which are so requisite for the advancement of the civilization of the people, and for the agricultural improvement of the country.

The Assembly object, therefore, to the present amendments of her Majesty's Council, because they propose to institute a novel and unsworn tribunal, with an extra ordinary jurisdiction, only limited by the limits of the Island, for the trial and determination, without appeal, of all causes arising under the said Acts, except certain causes, the trial and determination of which are already provided for; and because the institution of such tribunal would only operate as an inducement or attraction to numberless parties to sue for damages before a Court which they can approach without any risk of incurring expense in the experiment, or costs in their defeat,—parties who, as above mentioned, have hitherto refrained even from complaint.

House in committee on Bill to declare the Law respecting the wages of fishing servants

Agreeably to the order of the day, the house resolved itself into a committee of the whole House on the further consideration of a bill to declare the law with respect to the wages of servants employed in the fishery.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair

Report

The chairman reported from the committee that they had gone through the said bill, and had made some amen ments therein which he was directed to report to the house, and he delivered the bill with the amendments in at the Clerk's table.

Amendments read and agreed to

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

Engrossed—3d reading.

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

Notice of message to H. M. Council

The Solicitor General gave notice that to-morrow he would move that a message be sent to her Majesty's Council requesting that they will insert in the Revenue Bill now before them the following section, and that the same shall stand the last section but one in the said bill,—

"And be it further enacted—That it shall be lawful for the officers of her Majesty's Customs to take such sample of any goods as shall be necessary for ascertaining the amount of any duties payable on the same, and that all such samples whether taken under the authority of this act, or of any other act shall be disposed of and accounted for in such manner as the Governor, or person administering the Government of this Island for the time being, shall with the advice of her Majesty's Council, direct.

Then the House adjourned until to-morrow, at one of the clock.

WEDNESDAY, April 7, 1841.

THE Solicitor General from the committee appointed on the 1st inst. to present to his Excellency the Governor an address of the house upon the subject matter of his Excellency's message of the 29th ult, relative to the poor, reported that they had attended to that duty, and that his Excellency was pleased to reply as follows : Report of committee on adress to his Excellency

Gentlemen.—The claims upon Government on account of impotent paupers, orphans and idiots, were investigated, and have been considerably reduced in amount by three Magistrates, assisted by a competent subordinate. His Excellency's reply

These gentlemen appeared to me peculiarly well qualified for the execution of this duty, and I have to request that you will lay before the house the accompanying copy of a statement made by them, and of a subsequent direction given them in connexion therewith.

Should the House of Assembly not think fit to supply funds for the full discharge of the admitted obligations according to my recommendation, they must be paid rateably as far as the sum already placed at my disposal for this object will permit.

With reference to the information required in this address, the magistrates shall be requested to obtain it as fully as may be practicable, with the assistance of a subordinate, to be remunerated for his labour in the way proposed.

Goverument House,
April 7, 1841.

The statement, &c. referred to in the said reply was then read by the Clerk —(for which see Appendix.)

Agreeably to the order of the day, an engrossed bill to declare the law with respect to the wages of servants employed in the fishery of this colony was read a third time. Bill to declare the law respecting servants wages, read 3d time.

On motion of Mr. Kent, seconded by Mr. O'Brien,

Resolved,—That the said bill do pass, and that the title be "An Act to declare the law with respect to the wages of servants employed in the fishery of this colony and for other purposes." Passed.—Title.

Sent to Council.

Ordered,—That Mr. Kent and Mr. O'Brien do carry the said bill up to her Majesty's Council and desire their concurrence.

Amendments to Pilots' act read 2d time.

Pursuant to the order of the day, the amendments made by her Majesty's Council in the bill entitled "An act to continue an act made and passed in the "second year of the reign of her present Majesty, intituled "*An Act for "the regulation of Pilots and the Pilotage of vessels at the port of St. "John's,*" was read a second time.

On motion of Mr. O'Brien, seconded by Mr. Dwyer,

To be committed.

Ordered,—That the said amendments be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said amendments.

House in committee on amendments to Cape Bonavista light house bill.

Agreeably to the order of the day, the house resolved itself into a committee of the whole house on the consideration of the amendments made by her Majesty's Council in the bill entitled "An act to make provision for the establishment of a light house on Cape Bonavista."

Mr. Speaker left the chair.

Mr. O'Brien took the chair of the committee.

Mr. Speaker resumed the chair.

Report.

The Chairman reported from the committee that they had gone through the said amendments, and had agreed to the same without any amendment.

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

Message from H.M. Council

A message from her Majesty's Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,—

Her Majesty's Council have passed the bill sent up from the House of Assembly entitled "An act to authorise the Sheriff of Newfoundland to levy execution in the several districts of this colony after final Judgment,"--Also, a bill entitled "An act to revive an act passed in the third year of the reign of his late Majesty King Wm. the Fourth, entitled "An Act to provide for the performance of Quarantine, and more effectually to provide against the intro-

duction of infectious or contagious diseases, and the spreading thereof in this Island"—Also, a bill entitled "An act to revive an act passed in the fourth year of the reign of his late Majesty King William the Fourth, (2d session) entitled "An act to afford relief to wives and children deserted by their husbands and parents."—Also a bill entitled "An act to establish and regulate Fire Companies in the town of Carbonear,"—without amendment.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
7th April, 1841.

And then the messenger withdrew.

The Solicitor General moved, pursuant to notice, seconded by Mr. Power,

Resolved,—That a message be sent to her Majesty's Council requesting that they will insert in the Revenue Bill now before them, the following section, and that the same shall stand the last section but one in the said bill— Message to be sent to Her Majesty's Council.

"And be it further enacted that it shall be lawful for the officers of Her Majesty's Customs to take such samples of any goods as shall be necessary for ascertaining the amount of any duties payable on the same, and that all such samples whether taken under the authority of this or of any other act shall be disposed of, and accounted for in such manner as the Governor or person administering the Government of this Colony for the time being, shall with the advice of her Majesty's Council direct."

Ordered,—That the Solicitor General and Mr. Power do communicate the said message to her Majesty's Council.

A message from her Majesty's Council. Message from Her Majesty's Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,—

Her Majesty's Council accede to the conference requested by the House of Assembly upon the subject matter of the amendments made by the Council in and upon the bill entitled "An act to indemnify Commissioners of roads and other persons herein mentioned from liability to actions at law and suits in Equity," and have appointed managers to meet the managers from the House of Assembly in the Committee Room of the Council presently.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
7th April, 1841.

And then the messenger withdrew.

Managers named

Ordered—That Mr. Nugent, Mr. Winser, Mr. Kent, and Mr. O'Brien, do manage the said conference on the part of this House.

Conference held

And they went to the conference, and being returned,

Report.

Mr. Nugent reported that the Managers had been at the conference, and had complied with the instructions of the House.

Messge from Her Majesty's Council.

A message from her Majesty's Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,—

Her Majesty's Council have passed the bill sent up from the House of Assembly entitled "An act to regulate the mode of election of members to serve in the General Assembly," with some amendments, to which the concurrence of the House of Assembly is requested.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
7th April, 1841.

And then the messenger withdrew.

The said amendments were read a first time, and are as follow:

In the title, Expunge "General" and insert "House of."

In the Preamble, lines 2 and 3,—Expunge "General," and insert "House of."—Expunge "of this Island," and insert "Newfoundland."

Page 1, line 7, Expunge "made" and insert "holden of any member or members to serve in the House of Assembly."

Page 2, lines 5 and 6, Expunge "and their respective Deputies."

line 15, After "Certificate," insert "of qualification.."

line 16, After "Electors,' insert "of the district for which he shall be put in nomination, and."

Page 3, line 3, After "required" insert "under the provisions of this Act"—after "Administered," insert "to any voter at the time and place of taking the Polls," and expunge "by this Act.'

Page 3, line 5—After "all" insert "General"--Expunge the four words immediately after "elections," and insert "whatever of Members to serve in any future House of Assembly"

" line 8—After "shall" insert "in all General Elections and also in all other elections"

" line 9—After "Writs" insert "to be issued for such elections."

" line 10—Expunge "forty" and insert "thirty"

" line 19—Expunge "where" and insert "wherein any"—After "election" insert "aforesaid"—After "may" expunge "take place" and insert "be appointed to be holden"

" line 21—After "nomination" insert "the Returning Officer in such electoral district shall cause"—Expunge "shall" and insert "to"

" 4 line 1—Expunge "parts" and insert "places"

" line 2—Expunge "last two words" and insert "said district"

" line 3—Expunge this line and the rest of the section.

" line 15—Expunge "D" and insert "F"

" 5 line 3—Expunge "timely" and insert "in due time"

" line 10 Expunge this line and the rest of the section, and insert "And be it further enacted, that at every contested election of a member or members to serve for any district of this colony, in any future House of Assembly, the polling shall commence at nine o'clock in the forenoon of the sixth day ensuing the day of nomination of the Candidates, unless such sixth day shall be Saturday or Sunday, and then on the Monday following, at the place of nomination, and also at the several other places or stations specified and appointed in schedule D of this Act for taking the polls in the respective districts; and such polling shall continue for two days only, such days being successive days—that is to say for seven hours on the first day of polling, and for eight hours on the second day of polling; and no poll shall be kept open later than four o'clock in the afternoon of either of the said days."

" 5 line 20—Expunge this line and the rest of the section, and insert 'all electors claiming to vote at any such election as aforesaid, shall deliver their vote within their respective districts at such of the appointed polling stations as shall be situate nearest to the dwelling-house under which they derive their qualification, and that no elector shall be allowed to vote at any other polling station than as aforesaid, save and except as is hereinafter provided in the sixteenth section of this act."

Page 6 line 4—Expunge this line and the succeeding lines to the 11th line, includ ng " Signatures," and insert " in all cases wherein the dwelling-house in respect to which any person claiming to vote at any such election as aforesaid, shall be situate at a distance of more than fifteen miles from the nearest polling place or station within any district wherein any such election aforesaid shall be holden, such person, being a duly registered voter, shall not be required to attend the election or taking of the polls in person, for the purpose of giving his vote, but shall be authorized to deliver his vote at such nearest polling station aforesaid, by a notice in writing, to be signed by such voter, with his name, in the presence of two credible witnesses, and which signature shall be duly attested by them under their signatures, and which notice shall be in the form of Schedule E to this Act annexed."

" line 18—Expunge " to vote"—After " person" insert " being duly registered and claiming to vote"

" 7 line 6—Expunge this and the eleven succeeding lines.

" line 18—Expunge " sixth" and insert " first"—before " person" insert " same"

" line 21—Expunge " seventh" and insert " second"

" 8 line 2—Expunge " eighth" and insert " third"

" line 2—After " you" insert " now"

" line 17--After " Members" insert " or a Member as the case may be"

" line 18--After " God" commence a new section and insert, " And be it further enacted, that"

" line 19—After " election" insert " aforesaid"

" 9 line 1—After " election" insert " in virtue of his being a Registered Voter."

" line 13--Expunge this line and the rest of the section, and insert " And be it further enacted that no person claiming to vote at any election, save and except as hereinafter is provided, whose name shall not be and appear upon the Register of Voters, made and returned under the provisions of an act passed in the fourth year of the reign of his late Majesty William the 4th, entitled " An act for registering the names of persons entitled to vote at Elections," shall be deemed to be or be qualified or entitled to vote at the Polls to be taken at any such election aforesaid. Provided nevertheless that any person claiming to vote within the district wherein any election as aforesaid shall

be holden, and whose period of occupancy of a dwelling-house within the said district shall have been less than twelve months at the time when the Court of Revision appointed under the act aforesaid was last holden within such district, but whose twelve month occupancy of a dwelling-house within such district shall have been completed subsequently to the holding of such Court of Revision aforesaid, and at least ten days before the day of nomination, and not after, of a candidate or candidates at such election aforesaid, shall be entitled, on application to the Justice or Justices of Peace constituting the Court of Revision aforesaid, or some or one of such Justices or Conservators of the Peace aforesaid within the District of the Domicile of such voter, to have his name inserted in a supplementary list as a qualified registered voter, upon due proof, made to the satisfaction of such Justice, Justices, or Conservator of the peace, that the person claiming to be registered is then lawfully entitled to be a voter within such district aforesaid."

"And be it further enacted, that the Justice or Justices of the Peace in the respective electoral districts, shall deliver to such voter claiming and found to be entitled to be placed upon such supplementary list in the Register of voters, a certificate thereof, containing the name of such voter and specifying the location of the dwelling-house of his occupancy by virtue of which he is deemed entitled to vote, and to such certificate the said justice or justices granting the same shall sign his or their name or names, and express the true date of the day whereon the same shall be granted, and such voter shall, at least five days before the day of nomination of candidates at any election to be holden in such electoral district aforesaid, deliver to the Returning Officer of such Election the said certificate, and such Returning Officer shall thereupon enter the said voter's name in usual form, description and manner, upon a supplementary list of voters within the said register, as a qualified voter, and duly file and safely keep all such certificates, and return and deliver the same, together with the register of voters, to the Colonial Secretary."

Page 10, line 11—Expunge this line and the rest of the Section, and insert

"And be it further enacted that for the purposes of this act the town of St. John's shall be divided into three wards, to be called the Middle, Western, and Eastern Wards; and that the Middle Ward shall be bounded on the West by the Ships' Cove between the premises now occupied by James and William Stewart and Company and those lately occupied by Weston Hunt, and from thence by a line drawn from the centre of the said Cove through the centre of Queen-Street, up Barter's Hill, and through the Road leading from thence to the Barrens, and from thence by a road leading from the top of the said road from Barter's Hill towards Fort Townshend, in a direction South of Sergeant Barnard's property, through Fort Townshend, and along the Military Road till it joins the King's Road, then

down the centre of the King's Road to the Harbour of St. John's, through the middle of the Government wharf ; and the said middle ward shall contain all houses and tenements within the above-described boundaries : And the Western Ward shall comprise all houses and tenements West of the said Middle Ward, all those on the South Side of the Harbor of St. John's, and all houses and tenements West of a road leading from the head of the said King's Road towards Rennie's Mill, up Brine's hill, and onward in a Northerly direction till it joins the Portugal Cove Road, and all those West of the Portugal Cove road after it joins the last mentioned road from Brine's hill : And the Eastern Ward shall comprise all houses and tenements to the Eastward of the Middle and Western Wards."

Page 11, lines 5 & 6—Expunge " where the poll is prescribed to be taken," and insert " or stations appointed for taking the polls"

" line 13—Expunge " each" and insert " the"

" line 14—Expunge " deliver" and insert " return," and expunge " back"

" line 20—After " days" insert " after the close of the poll"

" 12 line 4—After " the" insert " election of such"

" line 5—Expunge " chosen" and insert " who shall have the majority of votes"

" line 7—After " that" expunge " whose," and insert " in all cases wherein"

" line 8—After " demanded" insert " on the day appointed for the nomination of a Candidate or Candidates"

" line 9—Expunge " several"—expunge " s" in " Officers"

" line 10—Before " to" insert " appointed in such election"—expunge the last six words

" line 11—Expunge first seven words

" line 12—After " afternoon" insert " of the said day"—expunge " no sooner" and insert " not before"

" line 20—Expunge the second word of this line

" 13 line 3—Before " person" insert " other"

" line 4—Expunge the four last words, and insert " wilfully state that which is untrue"

" line 5—Expunge the three first words

" line 6—Expunge " by" and insert " in"

" line 7—Before " incur" insert " be deemed guilty of perjury and shall"

Expunge the last section of the bill.

Page 14, line 8, Expunge all the line except the last two words, and insert "to the performance of my duties as Returning Officer."

16 line 9 Expunge the last three words and insert "to the performance of my."

line 10, Expunge the first three words and insert "duties as Poll Clerk."

16, Expunge "fair and"—after "true" insert "and faithful."

18 line 15, After "of," insert "the Proclamation of"—expunge "Proclamation," and insert "King William the Fourth."

19 line 1, After "Eastern" insert "Middle."

2, After "town,' insert "St. John's."

20 line 5, Expunge "having," and the four succeeding lines, and insert 'being a registered voter for the said district."

10 Expunge all but the last two words.

12 After "of" insert "the Proclamation of"--expunge "Proclamation," and insert "King William the Fourth."

13 Expunge "nine" and insert "and residing more than fifteen miles distant from the nearest Polling Place."

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

On motion of Mr. Kent, seconded by Mr. Moore,

Resolved,—That the said bill as sent up to, and as amended by her Majesty's Council, be printed for the use of the members.

Mr. Nugent gave notice that to-morrow he would move that this house recede from their amendment on the first, second, third and fourth amendments of her Majesty's Council in and upon the bill entitled "An act to make further provision for the encouragement of Education in this colony," and that a conference be requested with her Majesty's Council in order to explain the reason that induced the Assembly to adopt that course.

Mr. Winser gave notice that, to-morrow, he would move that all bills which have originated in this house, and were rejected by, or lost through, amendments of her Majesty's Council, and conferences thereon during the present session, be printed, and transmitted to her Majesty's Government with a suitable address, and that a committee be appointed to prepare the said address.

Then the House adjourned until to-morrow, at one of the clock.

THURSDAY, April 8, 1841.

Amendments on Light House bill read 3d time

AGREEABLY to the order of the day, the amendments made by her Majesty's Council in the bill entitled "An act to make provision for the establishment of a light house on Cape Bonavista," were read a third time.

On motion of the Solicitor General, seconded by Mr. O'Brien,

assed. Resolved,—That the said amendments do pass, and that a message be sent to her Majesty's Council, acquainting them of the same.

Ordered,—That the Solicitor General and Mr. O'Brien do communicate the said message to her Majesty's Council.

House in com. on amendment to Pilots' act Pursuant to the order of the day, the house resolved itself into a committee of the whole house on the consideration of the amendment made by her Majesty's Council in the bill entitled "An act to continue an act made and passed in the second year of the reign of her present Majesty, entitled "An act for the regulation of Pilots, and the Pilotage of vessels at the port of St. John's."

Mr. Speaker left the chair.

Mr. Butler took the chair of the committee.

Mr. Speaker resumed the chair

Report. The Chairman reported from the committee that they had considered the said amendment, and had agreed to the same without any amendment.

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

Notice of address to his Excellency. Mr. Kent gave notice that to-morrow he would move an address to his Excellency the Governor, praying his Excellency to cause to be laid before the house a list of all the cases tried in the Supreme and Central Circuit Courts by special Juries since the 1st June, 1834, and the names of the 16 Jurors in each case summoned to try the same.

Then the House adjourned until Tuesday next, at one of the clock.

TUESDAY, April 13, 1841.

Amendment to Pilots' act read 3d time. AGREEABLY to the order of the day, the amendment made by her Majesty's Council in the bill entitled "An act to continue an act made and

passed in the second year of the reign of her present Majesty, entitled "An act for the regulation of pilots and the pilotage of vessels at the Port of St. John's," was read a third time.

On motion of the Solicitor General, seconded by Mr. O'Brien,

Resolved,—That the said amendment do pass.

Ordered,—That the Solicitor General and Mr. O'Brien do go up to her Majesty's Council and acquaint them that this house have agreed to the said amendment.

A message from her Majesty's Council. Message from H. M. Council.

The Master in Chancery brought down from her Majesty's Council the following written messages—

Mr. Speaker,—

Her Majesty's Council have passed the bill sent up from the House of Assembly, entitled "An act for granting to her Majesty certain duties on goods, wares and merchandize imported into this colony and its dependencies," and the additional clause inserted therein, at the request of the House of Assembly, without amendment.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
13th April, 1841.

Mr. Speaker,

Her Majesty's Council have passed the bill sent up from the House of Assembly, entitled "An act for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of this Colony for the year ending the 30th day of June 1842, and for other purposes," with some amendments, to which the concurrence of the House of Assembly is requested.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
13th April, 1841.

And then the messenger withdrew.

In reference to the amendments made by the Council in the appropriation Bill, Mr. Speaker addressed the house as follows— Speaker's address.

Gentlemen,

The practice of the House of Commons is never to suffer the Lords to make any change in their MONEY BILLS, but have allowed their Lordships simply to accept or reject them.

This important privilege is the very life and soul of the House of Commons —upon it their very being may be said to depend.

When a money bill comes down now altered by the Lords, it is usual for the Speaker to state to the House that the bill containing an objectionable clause, the House cannot consistently with its privileges do otherwise than reject it.

I shall therefore at all times as heretofore when similar encroachments are made upon the privileges of the Assembly, declare the bill lost. The present bill coming under that deseription, I now declare to be so amended that the house cannot do otherwise than reject it.

Mr. Winser moved, pursuant to notice, seconded by Mr. O'Brien,

That all bills which have originated in this house, and were rejected by, or lost through, amendments of her Majesty's Council, and conferences thereon during the present session, be printed, and transmitted to her Majesty's Government with a suitable address, and that a committee be appointed to prepare the said address.

Which being put, the house divided thereon as follows :

For the motion.	Against the motion.
Mr. Winser	Mr. Dwyer
— Kent	— Butler
— Moore	The Solicitor General
— Nugent	

So it passed in the affirmative, and

Resolved accordingly.

Ordered—That Mr. Winser, Mr. O'Brien, Mr. Nugent, Mr. Kent, and Mr. Brown do compose the said committee.

Message from H. M. Council.

A message from her Majesty's Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,—

Her Majesty's Council have passed the bill sent up from the House of Assembly, entitled " An act to regulate the packing and inspection of pickled fish for exportation from this colony," with some amendments to which the concurrence of the House of Assembly is requested.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
13th April, 1841.

And then the messenger withdrew.

The amendments made by the Council in the said bill were read a first time as follow ;— Amendmentsr ead 1st time

Page 1, line 11—Between " Assembly" and " in" insert " of Newfoundland"

" 19—Insert as the twenty-sixth section the following : " And be it further enacted, that no pickled fish, herein required to be inspected, shall be exported from this Colony unless the same shall have been inspected in the town or harbour from which it is intended to be so exported : And any inspector who shall grant a certificate for fish which he shall not have personally inspected, shall be guilty of a misdemeanour."

Insert as the twenty-seventh section, the following : " And be it further enacted, that any purchaser of inspected Pickled Fish who may, at the time of delivery, require the same to be re-inspected, shall be entitled to do so, on paying the expenses incident on such re-inspection, and shall pay for such fish according to the qualities branded by the inspector who shall have re-inspected the same."

2d reading.

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

Address to his Excellency

Mr. Kent, pursuant to notice on the 8th inst., presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :—

To His Excellency Henry Prescott, Esq., Companion of the Most Honorable Military Order of the Bath, Governor & Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,—

The House of Assembly request your Excellency will please to order that a list be laid before the Assembly of all the causes tried in the Supreme and Central Circuit Courts of this Island, from the first of January, 1834, to the first of January, 1841, by Special Juries, with the names of the sixteen jurors struck for the trial of each cause.

On motion of Mr. Kent, seconded by Mr. Nugent,

Resolved,—That the said address be adopted and engrossed, and a committee appointed to present the same to his Excellency.

Ordered that Mr. Kent and Mr. Nugent do form the said committee.

Then the House adjourned until to-morrow, at one of the clock.

WEDNESDAY, April 14, 1841.

Amendments to pickled fish bill read 2d time.

PURSUANT to the order of the day, the amendments made by her Majesty's Council in the bill intituled "An Act to regulate the packing and inspection of pickled fish for exportation from this colony," were read a second time.

On motion of the Solicitor General, seconded by Mr. Kent,

Ordered,—That the said amendments be committed to a committee of the whole House.

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said amendments.

Message from H. M. Council

A MESSAGE FROM H. M. COUNCIL.

The Master-in-Chancery brought down from her Majesty's Council the following written messages :—

MR. SPEAKER,—

Her Majesty's Council request a conference with the House of Assembly on the subject of the last conference, and have appointed Managers to meet the Managers from the House of Assembly in the committee room of the Council presently.

JAMES SIMMS,

Senior Member presiding.

Council Chamber,
13th April, 1841.

MR. SPEAKER,—

Her Majesty's Council acquaint the House of Assembly that the contingent account of the Clerk of the Council as annexed, amounts to two hundred and thirty five pounds ten shillings and nine-pence ; and that of the Usher of the Black Rod also annexed to thirty eight pounds four shillings and four pence, making altogether, two hundred and seventy three pounds fifteen shillings and one penny sterling ; and that they have resolved that the officers of the Council shall be paid for their services during the present session as follows,—

Clerk, one hundred pounds,
Master-in-Chancery, one hundred pounds.

Usher of the Black Rod, seventy pounds.
Door-keeper, thirty five pounds.
Assistant Door-keeper and Messenger, ten pounds.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
14th April, 1841.

1841.

CONTINGENT EXPENSES OF THE COUNCIL.

CLERK.

SESSION 1840.

M'Iver's Account, (Stationery and binding)	£13	11	3		
J. M'Coubrey, (printing)	4	2	6		
Ryan & Withers, (do.)	13	17	4		
				31	11 1
1841.					
Ryan and Withers, (printing)	68	7	2		
M'Iver, (stationery and binding)	6	8	6		
William Lilly (engrossing)	2	2	0		
Superintending and preparing for printing Byrne's report	2	2	0		
Superintending and preparing Journals for printing	25	0	0		
Probable expense of printing Journals	100	0	0		
				203	19 8
				£235	10 9

USHER OF THE BLACK ROD.

SESSION 1840.

Making Index, Marginal Notes, and preparing for printing the Royal Instructions	2	2	0		
4 Hogsheads Coals (8s. 9d. cy.)	1	10	4		
				3	12 4
1841.					
Freeman's Account, (fitting up Council Room)	23	5	4		
M'Grath's do. (Smith's Work)	2	0	0		
Moore, (painting)	0	4	4		
10 Hogsheads Coals, (8s. 9d. cy.)	3	15	10		
Repairing the throne	0	6	6		
Richard Perchard, cleaning Room	5	0	0		
				34	12 0
				£38	4 4

And then the messenger withdrew.

On motion of Mr. Dwyer, seconded by Mr. Winser,

Resolved that the conference requested by her Majesty's Council be acceded to.

Ordered,—That Mr. Nugent and Mr. Dwyer do go up to her Majesty's Council and acquaint them that this House have agreed to the said conference.

Managers named

Ordered,—That Mr. Nugent, Mr. Winser, Mr. Dwyer, and Mr. O'Brien do manage the said conference on the part of this House.

Conference held

And they went to the conference, and being returned,

Report.

Mr. Nugent reported that the managers had been at the conference, and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows ;—

Her Majesty's Council have requested this conference for the purpose of informing the House of Assembly that they adhere to the amendments made by them in a bill intituled "An Act to indemnify Commissioners of Roads and other persons therein mentioned from liability to actions at law, or suits in equity," for the following reasons :—

That the bill as sent up from the House of Assembly, professes to have for its object the protection and indemnity of the Commissioners of Roads and others under certain liabilities incurred by them in the execution of their duty ; which liabilities, if incurred, rest on their being, under the general principles of the common law, responsible for certain alleged injuries committed against the property of individuals in the progress of their operations in the improvement of the roads.

But while the bill would thus exonerate the Commissioners from all liability to answer the complaint or demands of parties injured, it provides no means whereby the parties may elsewhere obtain redress of their injuries. And further, the bill erroneously assumes that such injured parties *have all neglected* to seek indemnity by giving notice, *under the provisions of the Road Act*, of their requiring their claims to be adjusted by arbitration ; Whereas such notice of arbitration is limited by the act solely to *one particular class of cases*, wherein land may have been taken from any person for the purpose of improving the road, no provision whatever having been made whereby parties may obtain compensation for other incidental injuries incurred through the operations of the Commissioners.

If the proceedings of the Commissioners in the *bona fide* execution of their duty have involved them in responsibilities to certain parties, and if it be deemed just, reasonable, and necessary to exonerate the Commissioners from liability in such cases by an *ex post facto* law, it follows in equal and reasonable justice, that injured parties, thus debarred of their lawful rights of recourse against the Commissioners, should be afforded some other medium of redress ; for it is not to be justified or tolerated that a whole community are to achieve a public benefit at the cost or to the damage of any individual.

It is not requisite on the part of any such injured parties to prove express malice in order to establish their claims against the Commissioners ; and if malice, which is not imputed or implied in the incidents of this bill, were in any case found to be an ingredient in the inducements actuating the conduct of the Commissioners, it would disentitle them to the protection or indemnity proposed to be extended to them, which can be predicated only on the ground of their having exercised their very undefined and general authority in a fair, discreet and reasonable manner, for the promotion of the public good.

That although the Road Acts under which the Commissioners have operated may have subsisted for several years, it by no means follows that injuries to parties have not occurred within the latter two years. That it cannot be assumed that parties injured are all quiescent under their injuries, since it is notorious that in several instances the Commissioners have, in order to pacify parties complaining, held out hopes to them that a mode of compensation would be ultimately provided to meet their cases.

The two instances of actions at law, and their results, mentioned in the instructions of the House of Assembly to their conferees in the former conference on this bill, sufficiently show the position in which injured parties stand in relation to the Commissioners and others employed under them, and if those cases comprised the whole of the claims for compensation, there would be then no necessity to adopt the present bill of indemnity to the commissioners.

What liabilities may be incurred by Commissioners or others by their operations upon the roads must depend on the particular facts and authority incident to their proceedings. It is very possible that in some instances a hill may be lowered or a valley filled up without involving any liability to any person. In other cases liabilities may be incurred. But the exemption from, or liability to make compensation, rests not on any new principle dependent on the opinion of the House of Assembly. The law, as it has from time immemorial subsisted, does, when the facts of such cases are fully developed, sufficiently distinguish their character, and determine them on principles already established; and to the substitution of a one sided justice, in place of those principles, the Council cannot become parties. The Tribunal proposed by the Council to determine those questions of compensation, they considered to be a preferable medium to that of arbitration, as appointed under the act 2 Vic. c. 3, s. 11 ; and they are of opinion, that the objections urged by the House of Assembly against the appointment of the Board of Control to determine the claims of parties, apply with greater force against the mode of Arbitration.

In adverting to the amendments made by the House of Assembly in the amendments made by her Majesty's Council in and upon the bill intituled 'An act to indemnify commissioners of Roads and other persons therein mentioned from liability to actions at law and suits in equity,' the Council would remark that no such amendment appears to have been made by the Assembly; that house having expunged the whole of the Council's amendments and inserted in lieu thereof an amendment of their own on their own original bill, a proceeding unparliamentary and without precedent in the Legislature of this colony. The Council therefore return the bill to the House of Assembly in order that this inadvertence may be corrected.

On motion of Mr. Winser, seconded by Mr. Kent,

Committee to prepare contingency bill

Resolved,—That a committee be appointed to prepare and bring in a bill providing for the contingent expenses of the legislature for the present session.

Ordered—That Mr. Winser, Mr. Kent, the Solicitor General, Mr. Nugent, Mr. O'Brien, Mr. Dwyer and Mr. Moore, do compose the said committee.

Then the House adjourned until to-morrow, at one of the clock.

THURSDAY, April 15, 1841.

House in committee on Pickled fish bill

Agreeably to the order of the day, the house resolved itself into a committee of the whole house on the consideration of the amendments made by her Majesty's Council in the bill entitled "An act to regulate the packing and inspection of pickled fish for exportation from this colony."

Mr. Speaker left the chair.

Mr. Kent took the chair of the committee.

Mr. Speaker resumed the chair.

Report

The Chairman reported from the committee that they had considered the said amendments, and had agreed to the same without any amendment.

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

Mr. Winser moved, pursuant to notice, seconded by Mr. Dwyer,

Conference requested.

Resolved,—That a conference be requested with her Majesty's Council on the subject matter of the last conference relative to the amendments made by this House on the amendments of her Majesty's Council in and upon the bill entitled "An act to make further provision for the encouragement of education in this colony."

On motion of Mr. Nugent, seconded by Mr. Winser,

Instructions to managers

Resolved,—That the reasons to be offered by the managers on the part of this house at the said conference be as follow :

The House of Assembly, in requesting a conference with her Majesty's Council on the subject of the amendments of the Assembly on the amendments made by that honorable body in and upon the bill sent up from the Assembly intituled "An act to make further provision for the encouragement of education in this colony," are only actuated by a desire to preserve that harmony which ought to exist between the several branches of the Legislature.

The Assembly therefore, although they entertain no doubt that the Education Act will expire on the sixth day of May next, yet in their deep anxiety to secure the passing of an act of such importance to the rising youth of the country, they nevertheless consent to recede from their amendment of the first, second, third and fourth amendments of the Council on the said bill, but as they consider that to recede from their amendments of the seventh amendment would necessarily have the effect of excluding the children of all the Catholics of the Island, who form a considerable majority of its population, from all the advantages intended for them by that measure, they feel that as it is their duty to legislate impartially for the benefit of the whole community, and not for the exclusive advantage of a portion of the people, and as the passing of the bill in the shape intended would in their opinion have the effect of promoting sectarian differences and exciting religious feuds, they cannot recede from but must adhere to their amendment expunging the said seventh amendment of her Majesty's Council on the bill before mentioned.

Ordered,—That Mr. Winser and Mr. Dwyer do go up to her Majesty's Council and desire the said conference. Msesage from H. M. Council

A message from her Majesty's Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,—

Her Majesty's Conncil accede to the conference requested by the House of Assembly on the subject matter of the last conference relative to the amendments made to the amendments of the Council in and upon the bill entitled "An act to make further provision for the encouragement of education in this colony," and have appointed conferrees to meet the conferrees from the House of Assembly in the committee room of room of the Council presently.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
15th April, 1841.

And then the messenger withdrew.

Ordered—That Mr. Nugent, Mr. Winser, the Solicitor General, and Mr. Dwyer do manage the said conference on the part of this house. Managers named

And they went to the conference, and being returned,

Report

Mr. Nugent reported that the managers had been at the conference, and had complied with the instructions of the house.

Then the House adjourned until to-morrow, at one of the clock.

FRIDAY, April 16, 1841.

Amendments to pickled fish bill read third time

Agreeably to the order of the day, the amendments made by her Majesty's Council in the bill entitled "An act to regulate the packing and inspection of pickled fish for exportation from this colony," were read a third time.

On motion of the Solicitor General, seconded by Mr. Dwyer,

Passed

Resolved,—That the said amendments do pass.

Council acquainted.

Ordered,—That the Solicitor General and Mr. Dwyer do go up to her Majesty's Council and acquaint them that this house have agreed to the said amendments.

Letter from Col. Secretary

Mr. Speaker laid before the house a letter from the honorable Mr. Secretary Crowdy, transmitting by direction of his Excellency the Governor, a statement of the condition, &c. of aged and impotent poor and orphans receiving relief from the public funds, as requested in an address of the house, together with the copy of a letter from the magistrates which accompanied the same.

The said letter and statement were read by the Clerk.

(For which see Appendix.)

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

On motion of Mr. Kent, seconded by Mr. Moore,

Resolved,—That the said statement be printed.

Almshouse bill read second time,

Pursuant to the order of the day, a bill to establish an almshouse and poor house in the town of St. John's, was read a second time.

On motion of the Solicitor General, seconded by Mr. Nugent,

Ordered that the said bill be committed to a committee of the whole House. To be committed

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bill.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, April 19, 1841.

MR. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, acquainting them by direction of his Excellency the Governor, that it is his Excellency's intention to prorogue the present Session of the Legislature on Monday next, the 26th inst., at two o'clock. Letter from Col Secretary

Mr. Kent from the committee appointed on the 13th inst. to present to his Excellency the Governor an address of the House, praying his Excellency to cause to be laid before the House a list of the causes tried in the Supreme and Circuit Court of this Island, from the first of January 1834 to the first of January 1841, by Special Juries, &c., reported that they had attended to that duty, and that his Excellency was pleased to say that the return requested in the said address should be laid before the House. Report of committee on address to his Excellency

A petition of Michael Allen of St. John's, yeoman, was presented by Mr. Kent, and the same was received and read, setting forth,— Petition of M. Allen

That petitioner in the spring of 1839, contracted with the Commisioners of Roads for the district of St. John's, for filling, levelling, and finishing the road from King's Bridge to Fort William, and in complying with said contract, producing an inclined plane in the said road from the Commissariat to the Bridge, the entrance to the House lately occupied by Mr. Chief Justice Boulton was partially obstructed.

That in consequence of this unavoidable obstruction, Mr. Garrett, Sheriff of Newfoundland, Proprietor of the said House, instituted an action for trespass in the Supreme Court, and recovered against petitioner ten pounds damages, and costs of suit, which have increased the sum to the amount of twenty two pounds currency.

Petitioner therefore humbly prays the honourable House to take the premises into their consideration, and to grant him such a sum as will indemnify him for the losses he has thus sustained.

Ordered,—that the said petition do lie upon the table. To lie on the table

A MESSAGE FROM H. M. COUNCIL. Message from H. M. Council.

The Master-in-Chancery brought down from Her Majesty's Council the following written messages :—

Mr. Speaker,

Her Majesty's Council request a conference with the House of Assembly on the bill intituled "An Act for granting to her Majesty a supply of money for the making and repairing of Roads, Streets, and Bridges in this colony, and to regulate the expenditure of the same," and have appointed conferees to meet managers from the Assembly in the Committee Room of the Council presently.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
19th April, 1841.

Mr. Speaker,—

Her Majesty's Council request a conference with the House of Assembly on the bill intituled "An Act to provide for making a line of road connecting Placentia and St. Mary's with St. John's," and have appointed conferees to meet managers from the Assembly in the committee-room of the Council presently.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
19th April, 1841.

And then the messenger withdrew.

On motion of Mr. Nugent, seconded by Mr. O'Brien,

Resolved,—That the said conferences be acceded to, as requested by her Majesty's Council.

Ordered,—That Mr. Nugent and Mr. O'Brien do go up to her Majesty's Council and acquaint them that this House have agreed to the said conferences.

Managers named

Ordered,—That Mr. Nugent, Mr. O'Brien, the Solicitor General, and Mr. Kent do manage the said conferences on the part of this House.

Conference held

And they went to the conferences, and being returned,

Report.

Mr. Nugent reported that the managers had been at the conferences, and he read the reports in his place, and afterwards delivered them in at the Clerk's table, where they were again read as follow :—

Her Majesty's Council have requested this Conference with the House of Assembly on the subject of the bill intituled "An Act for granting to her Majesty a supply of money for the making and repairing of roads, streets, and bridges in this colony, and to regulate the expenditure of the same," for the purpose of acquainting that House that they have made certain amendments in the said bill, which they conceive will render it more consistent with the

proper objects of a Road Bill, from which they consider that grants for packet boats, ferries, and break-waters, should be excluded. And further, to acquaint the House of Assembly that they observe that there is no grant in the present bill to defray the salary of the Chairman of the Board of Road Commissioners for the Central District—an omission which the Council presume must have arisen from inadvertence, since the sum of One hundred and Fifty Pounds for the said salary was included in the Road bill sent up by the House of Assembly to the Council during the last Session, which vote the Council had then no objection to, and which they are now ready to concur in.

The Council beg to draw the attention of the House of Assembly to the fact that a person named Roger Flahavan incurred an expense of Thirty Pounds in repairing Job's bridge last winter, which outlay was incurred for the purpose of preventing the injury which had been occasioned to it by a gale of wind from extending. This work was performed by direction of the Board of Road Commissioners for this district, and with the approbation of his Excellency the Governor. The Council therefore conceive it is only an act of justice to Mr. Flahavan that he should be reimbursed, and they are ready to concur in a vote for that purpose.

The Council would also draw the attention of the House of Assembly to the claim of a man named Martin Walsh, who, during the last year, bestowed labour and expense to the amount of Thirty pounds in repairing part of the Portugal Cove Road. This work was deemed absolutely essential to avoid necessity of a much heavier expense being incurred at a later period, and was performed under the direction of the said Board, with the like concurrence of the Governor This sum the Council also consider to be due, and they are ready to concur in a grant for its liquidation.

Her Majesty's Council request this conference with the House of Assembly for the purpose of acquainting that House that they cannot concur in the Bill sent up by the House of Assembly, intituled "An Act to provide for making a line of Road connecting Placentia and St. Mary's with St. John's," because they are of opinion that the line of road contemplated by the said bill would not be operative for the purposes of facilitating Post Office communication in this Colony; but the Council will readily concur with the House of Assembly in appropriating for this object such a sum of money as may be necessary for completing a line of road between St. John's and Trepassey, touching at the intermediate ports.

The Council consider the line of road to Trepassey much preferable to that proposed by the Assembly, inasmuch as when vessels bound to St. John's from the Westward are obstructed by ice or contrary winds, they do not go into Placentia or St. Mary's Bays, but generally take shelter in Trepassey or in some one of the ports between that and St. John's; and thus a road connecting Trepassey with St. John's would greatly facilitate the transmission of the Mails.

A MESSAGE FROM H. M. COUNCIL.

Message from H. Majesty's Council

The Master-in-Chancery brought down from Her Majesty's Council the following written message:—

Mr. Speaker,—Her Majesty's Council have passed the bill sent up to them from the House of Assembly, intituled "An Act for granting to her Majesty a supply of money for the making and repairing of Roads, Streets, and Bridges, in this Colony, and to regulate the expenditure of the same," with some amendments, to which they request the concurrence of the House of Assembly.

Council Chamber,
19th April, 1841.

JAMES SIMMS,
Senior Member presiding.

And then the messenger withdrew.

Whereupon, Mr. Speaker, standing, addressed the House and said,— Mr. Speaker addresses the House

"GENTLEMEN—On looking into this bill I find that there have been amendments made therein highly objectionable, and of such a nature that the House cannot, consistently with their privileges, take them into consideration; and therefore, according to the principles laid down in my former observations on the supply bill, I now declare the bill lost."

Moved by the Solicitor General, seconded by Mr. Dwyer, Motion for 2d reading

That the amendments made by her Majesty's Council in the bill intituled "An Act to regulate the mode of election of Members to serve in the General Assembly," be now read a second time.

Mr. Nugent moved in amendment, seconded by Mr. Winser,

That the said amendments be read a second time this day six months.

Which being put, and the House dividing thereon, there appeared for the amendment, five; against it, four.

For the amendment—Messrs. Nugent, O'Brien, Moore, Winser, Kent.
Against the amendment—The Solicitor General, Messrs. Doyle, Dwyer. Butler.

So it passed in the affirmative, and resolved accordingly.

During the debate on the foregoing amendments, Mr. Nugent made use of

the following words, which were ordered to be taken down :—" Buckled to the tail of an official of the Government."

Notice of address to his Excellency

The Solicitor General gave notice that to-morrow he would move an address to his Excellency the Governor, respectfully requesting that his Excellency will be pleased to draw from the Treasury the sum of three hundred pounds, to be applied to the repairing and fitting up the building at Fort William for the reception of the Legislature.

Then the House adjourned until to-morrow, at one of the clock.

TUESDAY, April 20, 1841.

Report of committee on contingency bill

MR. Winser from the committee appointed to prepare and bring in a bill to provide for the contingent expenses of the Legislature for the present session, reported that they had prepared the said bill, which he presented, and the same was read a first time.

2d reading

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

Address to his Excellency

The Solicitor General, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows—

To His Excellency HENRY PRESCOTT, Esq., Companion of the Most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly request your Excellency will be pleased to draw from out of the Treasury the sum of three hundred pounds, to be applied to the purpose of fitting up and preparing the building at Fort William for the reception of the Legislature, and the House pledges to include the said sum in the next bill of supply.

On motion of the Solicitor General, seconded by Mr. Dwyer,

Adopted—Engrossed

Resolved,—That the said address be adopted and engrossed.

Committee

Ordered,—That the Solicitor General and Mr. Dwyer be a committee to present the same to his Excellency.

Notice of sundry bills

The Solicitor General gave notice that to-morrow he would move for leave to bring in the following bills on an early day, viz. :—

A bill to regulate the mode of election of Members to serve in the General Assembly.

A bill for granting to her Majesty certain supplies for the Civil Service of the Government for the year ending the 30th June, 1842.

A bill to defray certain contingent expenses of the Legislature for the fourth and fifth Sessions.

And that the rules of the House in reference to the introduction, reading and passing of bills be suspended, so far as relate to the said bills.

Mr. Nugent gave notice that to-morrow he would move that a conference be requested with her Majesty's Council upon the subject matter of the conference held yesterday on the bill entitled "An Act for granting to her Majesty a supply of money for the making and repairing of roads, streets, and bridges in this colony, and to regulate the expenditure of the same."

Mr. Nugent also gave notice that to-morrow he would move an address to his Excellency the Governor, upon the subject of his Excellency's message of the 12th March, transmitting and recommending for favourable consideration a petition from Mr. Douglas, chairman of the Board of Road Commissioners for the district of St. John's.

Then the House adjourned until to-morrow, at one of the clock.

WEDNESDAY, April 21, 1841.

PURSUANT to the order of the day, a bill to provide for the contingent expenses of the Legislature for the present Session was read a second time. Contingency bill read 2d time

On motion of Mr. Winser, seconded by Mr. Nugent,

Ordered,—That the said bill be committed to a committee of the whole House. To be committed

Resolved,—That this House will, to-morrow, resolve itself into a committee of the whole House on the consideration of the said bill.

Mr. Nugent moved, pursuant to notice, seconded by Mr. Winser,

Resolved,—That a conference be requested with her Majesty's Council on the subject of the last conference upon the bill entitled "An Act for granting to her Majesty a supp'y of money for the making and repairing of roads, streets and bridges in this colony, and to regulate the expenditure of the same." Resolution for conference with H. M. Council

Ordered,—That Mr. Nugent and Mr. Winser do go up to her Majesty's Council and desire the said conference.

Mr. Nugent presented reasons to be offered at the said conference, which he read in his place, and afterwards delivered them in at the Clerk's table, where they were again read as follow,— Reasons

The House of Assembly have requested this conference with her Majesty's Council on the subject-matter of the conference held on Monday last, on the bill intituled "An Act for granting to her Majesty a supply of money for the making and repairing of roads, streets, and bridges, in this colony, and to regulate the expenditure of the same," for the purpose of acquainting her Majesty's Council that they have always considered that a grant for a packet-boat, to ply between Burin and Placentia, thus connecting, by water, those important settlements which cannot be connected by land, and affording a useful Post Communication with the former port, to which there is access for the Post Office Packets and other vessels at all seasons of the year, was properly placed in the bill for the making of roads; and also that grants for ferries, upon similar

grounds, should not be excluded therefrom; nor can they conceive why the contemplated break-water at Placentia, being as it would have been only a raising, and rendering passable the present street through that harbor, at the water side, should have been otherwise provided for.

With reference to the claims of Roger Flahavan and Martin Walsh, they were, by accident, omitted to be laid before the committee on roads, but, nevertheless, the House would have been prepared to provide for them in the same manner in which they had provided, even on the last day of the last Session, for a service similarly overlooked without intention.

On the subject of the objection of the Council to the omission of a grant in that bill "to defray the salary of the Chairman of the Board of Road Commissioners for the Central District," notwithstanding that "the sum of £150, for the said salary was included in the road bill sent up by the House of Assembly to the Council during the last Session," the Assembly beg leave to observe that the said sum of one hundred and fifty pounds together with the sum of £100 voted in the same bill to Mr. Noad, for superintending the works at Quidi Vidi, were both, immediately on the loss of the said Road Bill, embodied in a short bill, which passed into a law at the close of that session, and under this latter bill both sums were paid.

The Assembly take this opportunity, once more, of protesting, in the strongest manner against the right assumed by the Council to amend their money bills, an assumption which the Council, by experience, must be aware can have no other effect than to render it impossible for the Representative Branch of the Legislature to entertain them further.

Adopted—Engrossed

On motion of Mr. Nugent, seconded by Mr. Winser,
Resolved, that the same be adopted and engrossed.

Message from H. Majesty's Council

A Message from H. M, Council.

The Master-in-Chancery brought down from H. M. Council the following written message:—

Mr. Speaker,—Her Majesty's Council request a Conference with the House of Assembly on the subject matter of the last Conference upon the bill intituled "An Act to make further provision for the encouragement of Education in this Colony," and have appointed Conferrees to meet Managers from the House of Assembly in the Committee Room of the Council presently.

JAMES SIMMS, Senior Member presiding.

Council Chamber, 21st April, 1841.

On motion of Mr. Nugent, seconded by Mr. Winser,

Conference acceded to

Resolved, that the Conference requested by her Majesty's Council be acceded to.

Council acquainted thereof

Ordered,—That Mr. Nugent and Mr. Winser do go up to Her Majesty's Council, and acquaint them that this House have agreed to the said Conference.

Managers named

Ordered,--That Mr. Nugent, Mr. Winser, the Solicitor General, and Mr. O'Brien, do manage the said Conference on the part of this House.

Conference held

And they went to the Conference,—and being returned—

Report

Mr. Nugent reported that the Managers had been at the Conference. And he read the report in his place, and afterwards delivered it in at the Clerk's Table, where it was again read as follows:—

Her Majesty's Council have requested this conference with the House of Assembly upon the subject of the last conference respecting the amendments made by the Council on the bill entitled "An act to make further provision for the encouragement of education in this colony," for the purpose of submitting to that house the following propositions,—First. The Council will adhere to the amendment made by them in page 10, line 10, of the said bill, but will consent to the adoption of the following proviso, to be added to the last section but one of the Bill—"And provided also that no child of the Roman Catholic persuasion shall be compelled to use any book of a religious tendency save and except those of the Irish National Schools now used in the schools established by the Boards of Education appointed under the authority of the said in part recited acts," or—Second. The Council will agree to recede from the amendment made by them in the page and line aforesaid, upon the following words being inserted at the end of the last section but one of the said bill, "except in those cases wherein a separation may take place, pursuant to the proviso hereinafter contained, that is to say—

"Provided also, that if in any of the districts aforesaid, it shall be made to appear to the Governor and Council, or to the person administering the Government for the time being and Council, by representation in writing, signed by a majority of the Clergymen of either the Protestant or Roman Catholic persuasion, residing and domiciled within the said district, that the parents or guardians belonging to their respective congregations cannot agree to have their children or wards, educated in the same schools, in consequence of any thing contained in this act, or in consequence of any rules or regulations made by any Board of Education appointed under the provisions of this act, then the Governor, or person administering the Government as aforesaid, shall, and he is hereby required to nominate and appoint two Boards of Education for the said district, and to place at the disposal of the said Boards respectively all sum or sums of money hereby appropriated to the said district, in proportion to the numbers which the Protestants and Roman Catholics bear to each other in the said district—the said proportion to be ascertained by the Census taken in accordance with the act 6, W. 4, c. 4.

On motion of Mr. Nugent, seconded by Mr. Kent,

Resolved,—That a free conference be requested with her Majesty's Council upon the subject of the said conference, and that the instruction to the committee to manage the said conference on the part of this House be as follows—

The managers on the part of the Assembly shall express the earnest and anxious desire of this house to pass an act for the education of the poor and operative classes of society; and in order to contribute as much as in them lies to that desirable object, they are further instructed to inform the conferrees of the Council that the Assembly are willing to recede from their amendment of the seventh amendment of her Majesty's Council in and upon the Education bill on condition of the adoption after the last section but one of the bill of the following proviso,—

"Provided that it shall not be lawful in any school wherein children of different religious persuasions are in attendance as pupils to use or cause to be used any book or books that teach or inculcate the doctrines of any church or religious society."

Ordered,—That Mr. Nugent and Mr. Kent do go up to her Majesty's Council and desire the said conference.

Mr. Nugent, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows—

To His Excellency Henry Prescott, Esq. Companion of the most Hon. Military Order of the Bath, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly beg leave to acquaint your Excellency with reference to your Excellency s message of the 12th March, transmitting and recommending to the favourable consideration of the House the petition of the Chairman of the Board of Road Commissioners for the district of St. John's, that in the original appointment of commissioners this house had no intention whatever of providing salaries for chairmen of the respective Boards of Road Commissioners, and above all things had they no idea whatever of creating a permanent staff of stipendiary officers to carry into effect measures in their nature of a temporary character.

Thus in the road bill which passed in 1837, there was no provision for the salary of a chairman of any one of the numerous Boards thereby established, and it is obvious that if they contemplated giving the chairman of one Board so large an annual salary as £150, they were bound in justice to give proportionate salaries to all the other chairmen similarly appointed. But desirous as they were of avoiding to incur the imputation of making their system of appointing commissioners appear to be a pretext for providing for particular individuals, they expressly excluded every commissioner from all right to compensation, even for surveying and inspecting the roads made under a heavy penalty, thus clearly testifying their desire to prevent commissioners from having a pecuniary interest in the discharge of their duty.

This having been the principle of the road bill of 1837, there was, as has been stated, no provision made for the compensation of a chairman. But in 1838, influenced solely by your Excellency's express recommendation, the house voted the sum of £150 in the road bill of that year to the chairman of the Board of the district of St. John's, for carrying into effect the provisions of the FORMER measure; and the absence of a vote in the same bill for a salary for that year more clearly proves that it was not the intention of the Legislature to regard the office as permanently stipendiary, nor was the omission of such a vote then objected to.

In 1840, however, the Assembly voted another sum of £150 to the same Chairman, as expressed in the Road bill of that session, "for his services," and when it is taken into consideration that this chairman had in 1837 to superintend the expenditure of £5925, and in 1838, '39 and '40, only £5346, it must appear evident that in having voted in the road bill of 1840 a sum for carrying into effect a bill which contemplated a more limited expen-

[*See page* 205.]

On motion of Mr. Nugent, seconded by Mr. Kent,

Resolved,—That the said address be adopted and engrossed. Adopted—

Ordered,—That Mr. Nugent and Mr. Kent be a committee to present the said address to his Excellency. Committee.

The Solicitor General gave notice that to-morrow he would move that the resolution of this House of the 9th ultimo, relative to the introduction of bills be suspended, so far as relates to the bringing in a bill to regulate the mode of election of Members to serve in the House of Assembly. Notice for suspension of rules

Then the House adjourned until to-morrow, at one of the clock.

THURSDAY, April 22, 1841.

THE Solicitor General from the committee appointed on the 20th inst. to present an address of the House to his Excellency the Governor, respectfully requesting his Excellency to draw from the Treasury the sum of three hundred pounds to be applied to the repairing and fitting up the buildings at Fort William for the reception of the Legislature, reported that they had presented the said address accordingly, when his Excellency was pleased to reply as follows:— Report of committee on address to his Excellency

GENTLEMEN,—

I shall very willingly, with the consent of the Council, act in accordance with this address. His Excellency's reply

Government House, 22d April, 1841.

Mr. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, transmitting by direction of his Excellency the Governor, returns of cases tried by Special Juries in the Supreme and Central Circuit Courts from the 1st January, 1834, to the 1st of January, 1841, as requested in an address of the House. Letter from Col. Secretary

Ordered,—That the said returns do lie upon the table to be perused by the Members of the House.—(For the said returns see Appendix.)

A MESSAGE FROM H. M. COUNCIL. Message from H. M. Council.

The Master-in-Chancery brought down from Her Majesty's Council the following written message:—

Mr. Speaker,

Her Majesty's Council accede to the conference requested by the House of Assembly on the subject of the Road Bill, and have appointed conferees to

meet Managers from the House of Assembly in the Committee-room of the Council immediately.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
22d April, 1841.

And then the messenger withdrew.

Managers named

Ordered,—That Mr. Nugent, Mr. Winser, the Solicitor General, and Mr. Moore do manage the said conference on the part of this House.

Conference held

And they went to the conference, and being returned,

Report.

Mr. Nugent reported that the Managers had been at the conference, and had complied with the instructions of the House.

The Solicitor General moved pursuant to notice, seconded by Mr. Dwyer,

Motion for suspension of rules

That the resolution of the House of the ninth ult., relative to the introduction of bills, &c., be suspended, so far as relates to the bringing in a bill to regulate the mode of election of Members to serve in the House of Assembly.

Which being put, the House divided thereon as follows :—

For the motion—	Against the motion—
The Solicitor General	Mr. Nugent
Mr. Doyle	— Kent
— Dwyer	— Moore
— Butler	— Winser

And the House being equally divided, Mr. Speaker gave his casting vote in favor of the motion.

So it passed in the affirmative, and resolved accordingly.

Mr. Moore moved pursuant to notice, seconded by Mr. Dwyer,

That leave be granted for bringing in a bill for granting to her Majesty a sum of money to defray the expenses of the Civil Government of this Colony, and for other purposes, for the year ending the 30th June, 1842.

And on the question thereon being put, the House divided as follows :—

For the motion—	Against the motion—
The Solicitor General	Mr. Nugent
Mr. Dwyer	— Kent
— Moore	— O'Brien
— Doyle	— Winser
— Butler	

Mr. Speaker addresses the House

Upon which Mr. Speaker rose and said,—

[CONCLUDED FROM PAGE 202.]

diture equal to that which they had before granted as a compensation for executing works requiring a greater outlay, they certainly could not be regarded as having dealt unfairly towards the gentleman in question. The Road Bill then, however, was lost in her Majesty's Council, but so desirous were the Assembly that he and also the gentlemen who superintended, so efficiently, the works at Quidi Vidi should have justice done them, that a bill was brought in immediately after its loss to provide for the remuneration of both, and that bill passed into a law, and under its provisions both gentlemen were paid.

By this explanation it will be seen that the Chairman is under a mistaken impression when he states in his petition that this house had voted him "the sum of £150 annually for three years in succession." In the first place the votes were not passed in SUCCESSIVE years, and next, the last sum voted was merely to make good the vote that had just then been lost by the loss of the General Road Bill exactly as was the re-petition of the vote for the Surveyor General, above alluded to, to secure that gentleman the just remuneration of which the rejection of the Road Bill would have otherwise deprived him.

The House of Assembly are further of opinion that it would be extremly unwise to establish the principle that the Chairman of Roads should continue to have an annual salary as long as the monies voted remained unexpended, as it may possibly lead to an unnecessary delay of the public works, and to the greatest injury and injustice to Contractors by the unreasonable and vexatious protraction of their contracts.

"GENTLEMEN,—

"As a bill of general supply has, during the present Session, passed through all its stages, the House is now precluded from entertaining a bill of the same "matter and argument" by their 42d rule, in the absence of ten members assenting to the recision of the said rule."

Notice of address to his Excellency

The Solicitor General gave notice that to-morrow he would move an address to his Excellency the Governor, respectfully requesting that his Excellency will be pleased to draw from out of the Treasury the sum of three thousand five hundred pounds to defray certain expenses of the Government for the ensuing financial year, viz. :—

Civil and Criminal prosecutions	£500	0	0
Gaol expenses	800	0	0
Coroners	150	0	0
Fuel and Light	200	0	0
Expenses of Circuit	200	0	0
For services for which inadequate provision was made in the Appropriation Act for the year ending 30th June, 1841	800	0	0
Outstanding claims for aged, infirm, and infant paupers	450	0	0
	£3,500	0	0

Notice of address to his Excellency

Mr. Nugent gave notice that to-morrow he would move an address to his Excellency the Governor, requesting that his Excellency will be pleased to issue his warrant for the payment of the following sums, viz.,—

Thirty pounds to remunerate Martin Walsh for work done with his Excellency's sanction, and by order of the Central Board of Road Commissioners.

A further sum of thirty pounds to Roger Flahavan for work done under similar circumstances.

And a sum of twenty pounds to indemnify Michael Allen for damages and costs sustained in an action brought against him for acts done in compliance with a contract entered into between him and the Road Commissioners for the district of St. John's, and the Assembly in their next bill of supply will indemnify his Excellency for the same.

Then the House adjourned until to-morrow, at one of the clock.

FRIDAY, April 23, 1841.

THE order of the day for the third reading of an engrossed bill to provide for the contingent expenses of the Legislature for the present Session being read,

Mr. Winser moved, seconded by Mr. O'Brien,

House in committee on contingency bill

Resolved,—That the said order of the day be discharged, and the said bill be now re-committed to a committee of the whole House.

And the House resolved itself into the said committee accordingly.

Mr. Speaker left the chair.

Mr. Winser took the chair of the committee.

Mr. Speaker resumed the chair

Report.

The chairman reported from the committee that they had re-considered the said bill, and had made some amendments therein, which he was directed to report to the House, and he delivered the bill with the amendments in at the Clerk's table.

Amendment read and agreed to

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

Engrossed—3d reading.

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

Mr. Nugent, pursuant to notice yesterday, presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows— Address to his Excellency

To His Excellency Henry Prescott, Esq. Companion of the most Hon. Military Order of the Bath, Governor, and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

The House of Assembly request your Excellency will please to issue your Warrant for the payment of the following sums, viz.—Thirty pounds to remunerate Roger Flahavan for work done with your Excellency's sanction and by order of the Central Board of Road Commissioners, and a further sum of Thirty pounds to remunerate Martin Walsh for works done under similar circumstances,—and a sum of Twenty pounds to indemnify Michael Allen for damages and costs sustained in an action brought against him for acts done in compliance with a contract entered into between him and the Road Commissioners of the district of St. John's,—and the Assembly in their next bill of supply will indemnify your Excellency for the same.

On motion of Mr. Nugent, seconded by Mr. Kent,

Resolved,—That the said address be adopted and engrossed.

Ordered,—That Mr. Nugent and Mr. Kent be a committee to present the said address to his Excellency.

A message from her Majesty's Council. Message from H.M. Council.

The Master in Chancery brought down from her Majesty's Council the following written message—

Mr. Speaker,—

Her Majesty's Council request a conference with the House of Assembly on the subject of the last conference respecting the amendments made by the Council upon the road bill, and have appointed conferrees to meet the Managers from the Assembly in the committee room of the Council presently.

JAMES SIMMS,
Senior Member presiding.

Council Chamber,
23d April, 1841.

And then the messenger withdrew.

On motion of Mr. Nugent, seconded by Mr. Moore,

Resolved,—That the conference requested by her Majesty's Council be acceded to.

Ordered—That Mr. Nugent and Mr. Moore do go up to her Majesty's Council and acquaint them that this House have agreed to the said conference.

Managers named

Ordered,—That Mr. Nugent, Mr. Moore, the Solicitor General, and Mr. O'Brien, do manage the said conference on the part of this House.

Conference held

And they went to the conference—

And being returned—

Report

Mr. Nugent reported that the managers had been at the conference; and he read the report in his place and afterwards delivered it in at the Clerk's table, where it was again read as follows:—

Her Majesty's Council have sought this conference with the House of Assembly on the subject of the last conference, on the road bill, for the purpose of acquainting that house that they are aware that the sum of one hundred and fifty pounds voted to the chairman of the Board of Road Commissioners of St. John's, was included in the act 3d Vic. cap. 7, intituled "An Act to defray certain expenses and outstanding claims on the Board of Road Commissioners in St. John's and for other purposes," but the Council would observe that by the title itself of that act it appears that the salary therein voted to the said Chairman was for further services. The point to which the Council desired to call the attention of the House of Assembly is the fact, that the Chairman of the Central Board of Road Commissioners was engaged in the due performance of his duties during the year 1840, and for which services the Council believe he has received no remuneration; and that they cannot understand why that public servant is not to be paid for his past services as heretofore.

The Council also desire to acquaint the House of Assembly that they see no reason to depart from the amendments made by them in this bill, and that they do therefore adhere to the same.

Msesage from H.M. Council

A MESSAGE FROM H. M. COUNCIL.

The Master-in-Chancery brought down from Her Majesty's Council the following written message:—

Mr. Speaker,

Her Majesty's Council accede to the free conference sought by the House of Assembly on the subject of the Education Bill, and have appointed conferrees to meet the managers from the Assembly in the committee room of the Council presently.

JAMES SIMMS,

Senior Member presiding.

Council Chamber,
23d April, 1841.

And then the messenger withdrew.

The Solicitor General moved, pursuant to notice, seconded by Mr. Dwyer,

That leave be granted to bring in a bill to regulate the mode of election of members to serve in the House of Assembly.

Which being put, the house divided thereon as follows—

For the motion—	Against the motion—
The Solicitor General	Mr. Nugent
Mr. Dwyer.	-- O'Brien
	— Kent
	— Winser
	— Moore.

So it passed in the negative.

Mr. Nugent, from the committee appointed on the 13th inst. to prepare an address to Her Majesty the Queen, reported that they had prepared the draft of an address accordingly, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows— Address to her Majesty.

To the Queen's Most Excellent Majesty.

May it please your Majesty,

We, your Majesty's loyal subjects, the Commons of Newfoundland, in General Assembly convened, most humbly and reverently beg leave to pour out the expression of our dutiful and affectionate attachment to your Majesty s august person, our fidelity and allegiance to your Majesty's Government.

We are now, may it please your Majesty, assembled in the sixth session of the second General Assembly of this Island, having been engaged for four years in the administration of the Legislative Department of the Government of this colony, and throughout that period have we, in our exertions faithfully to fulfil the duties imposed upon us by our constituencies with advantage to all your Majesty's subjects of Newfoundland, and in a manner becoming the dignity of a representative body, and calculated to promote the views of your Majesty's Government, been met, not in a spirit of reciprocity, but have been encompassed by difficulties, impeded by embarrassments, and subjected to great personal injury.

We shall not, however, here trespass upon your Majesty with a renewed detail of the circumstances of former sessions. We shall not advert to the rejection by your Majesty's Council of a bill of supply in 1837, wherein with liberality we voted nineteen thousand one hundred and fifty nine pounds which sum together with the sum of one thousand four hundred and one pounds, voted the same year in a separate bill, made twenty thousand five hundred and sixty pounds for the administration of the government of a country whose total revenues scarcely exceeded thirty thousand.

We refrain from alluding to the various efforts made in former sessions to pass measures into laws that would have been most advantageous to

the people of this country, and which had originated in the Assembly ; but we cannot avoid, in invoking your Majesty's attention to the circumstances of the present session of the Legislature of this island, adverting to the singular fact, that of four measures expressly recommended by your Majesty's Government, and urged by the Governor of this country on the attention of the legislature within the period of the existence of the present Assembly, three of them had regularly been rejected by your Majesty's Council, although this House had invariably testified their readiness to meet the views of your Majesty's Government, by entertaining and unanimously passing them, to wit—

A Bill to regulate prison discipline—and

A Bill to render more perfect Colonial statistical returns, recommended in 1837—and

A Bill for making a road for the conveyance of the mail from Placentia to St. John's, recommended in the present session.

The fourth measure alluded to as recommended by your Majesty's Government, was

A Bill for the regulation and sale of Crown Lands.

In the first session of the prcsent general Assembly, this House had appointed a committee of delegation to lay before your Majesty certain prayers of the Representative Body in this colony, among which was one wherein they besought your Majesty to grant them the right of disposing of the Crown Lands and mines, and of appropriating the Territorial Revenues ; and to this prayer your Majesty's Government in their correspondence with the said delegates were pleased to accede in manner following—

EXTRACT OF A DESPATCH

OF LORD GLENELG IN REPLY TO THE PRAYER OF THE DELEGATES TO HAVE THE APPROPRIATION OF THE TERRITORIAL REVENUE CONFIDED TO THE ASSEMBLY, AND BEARING DATE

2d March, 1838.

"With regard to the revenue of Crown Lands, including under that term "Ship's Rooms," her Majesty's Government are fully prepared to confide to the House of Assembly of Newfoundland the same powers as have been conceded to the Assemblies of Upper Canada, New Brunswick and Nova Scotia, though subject, of course, to the same restrictions."

.....

EXTRACT OF DESPATCH

Of Lord Glenelg in further reply to the prayer of the Delegates that the Assembly be empowered to dispose of the Crown Lands,and bearing date 25th May, 1838—

"With respect to the alienation of Waste Lands of the Crown, my proposal in substance is, that such lands should be disposed of by sale at public auction to the highest bidder, all such lands being offered for sale at an upset price."

In the present session, notwithstanding this arrangement thus deliberately made by your Majesty's Government with the Delegates of this House, your Majesty's Attorney General for Newfoundland introduced a bill in your Majesty's Council, wherein there was no provision inserted for such appropriation, and in which the principle of public sale by auction was set aside, and whereby, if it had passed into a law, the titles of all *bona fide* settlers on the waste lands of this country, no matter how long they had been in possession, or what labor or industry they had expended on their improvement, would have been unsettled, who had not entered upon such lands by virtue of the authority of Grants or leases from the Executive ; and this bill, so incongruous, was sent down to the Assembly at such a period of the Session as to render it unlikely that they should be able to amend it ; and as from its whole tenor and substance it was, in fact and deed, a money bill, it was obvious the Assembly would not entertain it ; and thus was the fourth bill, introduced on the recommendation of your Majesty's Government, rendered abortive by your Majesty's Council.

Again, in the year 1836, and again in 1837, the Governor, on opening the respective Sessions, recommended the passing of an Acad my Bill, in order to impart to the middle and upper classes of society the advantage of a lib ral education, and the Assembly, in their anxiety to create an establishment so useful, every session from 1836 to the present, inclusive, passed an Academy Bill; but in each succeeding session, notwithstanding that the Council in their Executive capacity as advisers of his Excellency were parties to that recommendation, they invariably rendered it impossible for the Assembly to pass it finally, by so amending it as to make it ancillary to a spirit of proselytism, in place of rendering it promotive of the education of all.

Again, in 1837, in consequence of the existing education act continuing inoperative in several districts on account of the disagreement of the Commissioners appointed with respect to the books to be used, the Governor recommended a bill to remedy the defect, yet the Council amended the said bill in the year following, by adding, among other matter, the following *proviso*, for the purpose, as the Assembly conceived and understood, of throwing open the schools of the country to the children of Roman Catholics, who form a majority of the population :—

" Provided always, that no Board or Boards of Education constituted or appointed as aforesaid, shall, on any pretence, choose or select, for the use of such school or schools, any book or books of a character or having a tendency to teach or inculcate the doctrines or peculiar tenets of any particular or exclusive Church or religious society whatsoever."

This proviso, may it please your Majesty, it is understood, was framed and proposed by your Majesty's Attorney General for this Island, and yet, upon that officer having been applied to subsequently for his opinion as to whether, under its construction, the bible was excluded, he gave the following extraordinary version of his view of the applicability of the law upon the subject,—

OPINION OF THE ATTORNEY GENERAL.

" I have great doubts of the bible falling within the proviso of the 3d section of the act 2, Vic., c. 5, so as to be deemed " a book of a character, or having a ten-

dency to teach or inculcate the doctrines or peculiar tenets of any particular or exclusive Church or religious society."

"My opinion rather leans to the opposite inference, and if that be the proper interpretation of the clause in reference to the Bible, then the Board of Education are authorized, under the previous provisions of the same section, to choose and select such books as may be used in the Schools."

JAMES SIMMS,

Attorney General's Office,
17th June, 1838.

And under the authority of this doubting opinion, the Governor gave his sanction to the rule under which the bible has been introduced into the Schools in question, to the exclusion of the Roman Catholic children.

At the opening of the present Session, however, his Excellency the Governor recommended the renewal of the Education Act, which otherwise will expire on the sixth of May next, and the Assembly accordingly passed a bill for that purpose; and in order to render it operative for the advantage of all, they framed that section in such a manner as to make it imperative to exclude the bible, admitting in place thereof the books approved of by the Board of Education in Ireland, but the Council amended the bill by bringing it into its former shape, and thereby forbade it to pass, depriving all the children of the operative classes in the Island of the benefits of Education.

The Assembly also passed a bill for establishing a Grammar School at Carbonear, but this bill, founded on the same principles as the last, the Council imperatively rejected; and, in this manner have the poor, the middle classes, and the upper classes of society been utterly denied the means of education, and the Assembly been compelled to reject an Academy Bill, a Grammar School Bill, and a general Education Bill, rather than establish a system calculated to divide the community into hostile classes, engendering sectarian strife and religious rancour.

With reference to the general improvement of the country, may it please your Majesty, we also passed many useful bills the present session. By the interruption of the ancient customs of the country by the decisions of the late Chief Justice (Mr. Boulton)—customs strengthened by statute, and confirmed by a long course of judicial decisions, with reference to the right of fishing servants to a lien on the fish for their wages—a numerous and meritorious class of the population were reduced to the greatest distress, and the stability of the fishery, the staple trade of the Island, and the best Nursery for seamen to man the British Navy in times of need, was rendered uncertain. To remedy this evil, the Judges of the Supreme Court having called the attention of the Governor to it, his Excellency, at the opening of the present session, recommended the passing of an enactment; but although the Assembly, ever ready to second the views of the Government, immediately acceded to that recommendation, and founded their bill upon the provisions of former British Statutes, nevertheless have your Majesty's Council thrown out that measure.

In order to facilitate inland communication and to promote the agricultural improvement of the Country, and to give employment to the Poor of the Colony, the Assembly, this and the two last Sessions, passed a Bill granting Thirteen Thousand Five Hundred Pounds for the making and repairing of Roads, but that bill has invariably been lost through amendments of Your Majesty's Council, of a character interfering with the privileges of the Assembly.

The Special Jury Panel of Newfoundland is small, being confined, almost exclusively, to the members of the Mercantile Body, and not being subjected to a fixed qualification, it is left to the Sheriff under the existing system to decide capriciously who is or not a "principal merchant or "gentleman;" in consequence of which, in cases of litigation between merchants and planters, or fishermen, the case is sure to be tried, not by the Peers of the poor man, but by persons sympathising with his adversary; and in all political cases, in consequence of the manner in which a Special Jury is struck, a party jury is sure to preside; because where the total panel is so limited, and the number of Catholics and liberal Protestants admitted upon it so very few, when the number (Forty) is drawn, and each party has to strike off twelve, the liberals, whether Catholic or Protestant, are readily excluded, and by this system great bitterness of feeling and lasting animosities have been engendered, and much injustice has been perpetrated—unreasonably heavy damages being awarded against some defendants, and some plaintiffs having verdicts passed against them in instances directly against evidence, and in others with damages by no means proportioned to the wrong proved.

To ameliorate this system the Assembly, in three several sessions, passed a bill to give a qualification to Special Jurors, and oblige such juries to be taken as they come in alphabetical order.—We gave as the qualification in this case the possession of a Twenty-pound Freehold in fee, or the occupancy of a house or tenement of Fifty Pounds value or rental, but invariably the Council, by their amendments, have forced us to reject it.

During the existence of the present Assembly two of the Members have been appointed by the Executive to emolumentary offices, and the Assembly in both cases, feeling that in a House consisting of only Fifteen Members it was essential to their independence that the seats of such Members should be declared vacated, voted to that effect, but the Executive resisted; when the Assembly consented to withdraw from the position they had taken, for the present, in the confident expectation that your Majesty's Government would perceive that the maintenance of this privilege was indispensable to their integrity, and, in the mean time, introduced a bill to legalize the principle, not from any idea that we had not inherently this right with respect to persons accepting after their election *emolumentary* offices, —whereas the Executive has frequently exercised the right of declaring vacant the seats of members promoted to certain honorary offices (seats in the Council)— but from a desire to avoid all pretext for collision on a question of such vital import; yet the Council now for three successive sessions have compelled the rejection of the measure by the nature of their amendments.

The Printer of the House having been mulcted in damages for the publication of a Report of a Committee of the House on the administration of Justice, we, in this Session, brought in and passed a Bill, a transcript *mutatis mutandis* of the Imperial Act for the protection of persons publishing Parliamentary papers, but this bill was thrown out by your Majesty's Council without amendment.

Complaints being made by some, of the exercise of influence at Elections by Clergymen—and it being notorious that Merchants exercised a dangerous influence on such occasions—we brought in and passed a Bill for taking the Votes at

Elections by Ballot, but this bill, in like manner, was thrown out by the Council without a second reading.

In fine, the Governor having been advised to represent, in his opening Speech at the present Session, that violences had occurred to the interruption of the late Election of Conception Bay, and that disorders had occurred at the late Election for St. John's, we brought in a bill for remedying the alleged defects of the existing Electoral system.

In this bill we provided that, in a Country where communication is so difficult, a space of Forty days should intervene between the date of the issue of the Writ and the day of nomination,—that the polling should take place at the different Settlements mentioned in the original Proclamation simultaneously, and that it should only continue Four days; whereas, under the present system, its duration is almost unlimited, and, as under the Charter, every Householder who has inhabited for Twelve months such house is entitled to the franchise; whereas, by a Registration Act which passed in the first General Assembly, many extensive tracts and large settlements have been totally disfranchised. We also provided that all *bona fide* Householders, notwithstanding the omission of their names from the Register, should be admitted to vote on proving their franchise.

The Council in place of admitting this measure amended it, by reducing the Forty days which were to have intervened between the issue of the Writ and the day of nomination to *Thirty*, and by shortening the term of holding the Polls to Two days instead of Four, and limited the right of unregistered Voters to such persons only as should not have been Twelve months in occupancy before the day of the Revision of the Registry, a class already provided for in the existing Registration Act,—amendments that of themselves could never have been expected to be entertained by the Assembly; but, as if to render their entire rejection certain, they added to these the expunging from the Bill the only money vote it contained.

We now come, may it please your Majesty, to the subject of the bill of supply and appropriation.

The Assembly have always been solicitous liberally to grant such supplies as should be suitable to all the exigencies of the public service, and in that spirit they, in the present Session, granted no less a sum in the supply bill than sixteen thousand two hundred and thirty seven pounds, yet have the Council, in the years 1839 and 1840, refused to pass bills providing for the contingent expenses of the Assembly.

In 1837, the Assembly, following the usual practice of their House, had included in the general supply bill the general contingent expenses of the Legislature, but the Council threw out the bill on the plea of extravagance in the charges for those contingencies. Your Majesty's Secretary of State for the colonies, however, on being appealed to by the Council in 1838, even on their own representation, fully sustained the Assembly, but concluded with the following observation:—

"In the very delicate office of assessing the amount of their own remuneration, there can hardly be a doubt that the Members of the House of Assembly will, on consideration, see the propriety of leaving to the Council a control of the most unfettered kind, and will admit that this is a branch of the public expenditure, over which it is emphatically needful that a constitutional jealousy should be exercised.

The Assembly, ever ready to meet the wishes of your Majesty's Government, and trusting that your Majesty's Council would have ceased to embarrass this

House by refusing to allow grants for servants actually and necessarily employed by the Representative Branch of the Legislature, not only removed from every subsequent Bill of Supply the items providing for the remuneration of the Members, but prepared in each Session a separate Bill to provide for *all* the expenses of the House; but they have found that it was vain to hope to conciliate that body. They rejected the Contingency Bill of 1839, thereby greatly embarrassing a number of poor Tradespeople and the Officers and Servants of the House, who, unlike the Officers and Servants of the Council, all of whom are pluralists, had no emoluments arising to them from any other source, and trusted to the faith of this House for an adequate remuneration for their labour.

In the year 1840 the same bill, as well as the bill for the expenses of that year, was thrown out by the Council, that body refusing to permit the Assembly to employ any number of servants but such as THEY should sanction, or to pay them any stipend but as THEY should dictate, and also refusing to permit them to employ and pay a chairman of finance and audit, and denying their right to nominate a member of the House, in whom they had confidence, to act as their Solicitor in drafting bills and performing the other usual and onerous functions of that office, and also refusing to members resident in outports the amount of their travelling expenses, as well as to pay members of the bar for professional services rendered by order of the House; after the close of the session, however, upon an address to the Governor, presented by several members, all the votes that had been concurred in by both Houses were paid.

In the present session the Assembly again sent up to the Council the former bills, united in one bill, in order to indemnify the Governor, and, once more, seek the sums before objected to, but the Council rejected this bill on the plea that they should require a separate bill of indemnity for the sums advancd by the Governor, and which bill the Assembly then immediately originated and passed.

Harassed thus by this repeated refusal to entertain, in the contingency bill, votes for services which they felt under an obligation to have discharged, and feeling for the injury thus for three years inflicted on individuals whom they had necessarily employed in the service of the country, the Assembly, at length, were compelled to resort to the course of proceeding, which, on all former occasions had been followed, and which had been sanctioned by your Majesty's Government, and placed these sums, as a debt incurred by the colony, in the general bill of supply, and yet the Council have now rejected the bill of supply.

The objection to the bill of supply, on the part of your Majesty's Council on the present occasion, has been stated to be, that they regard the embodying therein the contingent expenses of the Assembly in the nature of a tack, but a view of the despatch of Lord Glenelg in 1838, before alluded to, will prove that your Majesty's Government regarded it otherwise, and only recommended that an unfettered control should be given to the Council over the AMOUNT OF REMUNERATION VOTED TO THE MEMBERS THEMSELVES, but never contemplated that the Assembly should be subjected to the embarrassment and vexation occasioned by their interference with the regulation of the amount of stipend they award their officers and servants.

Why should your Majesty's Council have regarded a sum necessary to defray the expenses of the Legislature, particularly when in that sum there was no vote included for the remuneration of the Members themselves, as opposed to the title of that bill? These sums were obviously for services performed for the civil government of the colony, and were most properly disposed in a bill

of appropriation for the Governmental service without a moment's hesitation, while numerous votes which RECEIVED THE SANCTION of that body were by no means capable of being construed to be of that character—such as the votes for the relief of the poor, the support of the aged, infant, and infirm paupers, for the sick in the Hospital, for lunatics, for the Dorcas Society, for the Factory, for the expenses of the Board of Control of public roads, for building School Houses, for lithographing geological specimens, all of which, however, together with their contingencies, come fairly under that head in the title of the bill—FOR OTHER PURPOSES."

On motion of Mr. Nugent, seconded by Mr. O'Brien,

Adopted— Resolved,—That the said address be adopted.

Ordered,—That the said address be engrossed and communicated by Mr. Speaker to his Excellency the Governor for transmission to her Majesty.

Then the House adjourned until to-morrow, at one of the clock.

SATURDAY, April 24, 1841.

Contingency bill read third time. AGREEABLY to the order of the day an engrossed bill to provide for the contingent expenses of the Legislature for the present session was read a third time.

On motion of Mr. Winser, seconded by Mr. O'Brien.

Passed— Title Resolved that the said bill do pass, and that the title be "An Act for granting to her Majesty a sum of money to defray the expenses of the Legislature during the present session."

Sent to Council Ordered,—That Mr. Winser and Mr. O'Brien do carry the said bill up to her Majesty's Council and desire their concurrence.

On motion of Mr. Nugent, seconded by Mr. Kent,

Resolved,—That the following letter be signed by the Speaker, and transmitted to the hon. Mr. Secretary Crowdy with the copy of the address to her Majesty, adopted by the House yesterday.

House of Assembly,
24th April, 1841.

SIR,—I have the honor herewith to transmit to you, to be laid before his Excellency the Governor, the copy of an address of the House to her Majesty, which, by order of the House, in consequence of the near approach of our prorogation, I am directed to communicate to his Excellency for transmission to England.

You will therefore oblige by letting me know in the course of the day whether his Excellency will accept, and transmit to her Majesty, the engrossed copy, if presented to him after the close of the Session.

I have also to mention, that the principal bills lost during the present Session have been ordered to be printed and transmitted with the conferences, &c. upon them, as an appendix to the address, which will take some days to complete.

WILLIAM CARSON, Speaker.

The hon. JAMES CROWDY, Colonial Secretary.

Report on conference

Mr. Nugent reported on the part of the managers of the free conference held yesterday on the subject matter of the last conference on the Education bill; and he read the report in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows :—

The Honorable the Colonial Treasurer and the Honorable Mr. Thomas conducted the Conference on the part of her Majesty's Council.

Mr. Nugent opened the Conference by expressing the anxiety of the House to have the Education Act passed,—an act upon which depended the education of the children of the operative classes of seciety. He said that so desirous were the Assembly to accomplish that object, that they were willing to permit the introduction of the Bible into all the exclusively Protestant Schools, provided the Council would sanction the limiting the Religious Books taught in mixed Schools to the books used under the authority of the Irish Board of Education.

The Honorable Mr. Thomas said that the Council, too, were exceedingly solicitous to pass this bill, and that it was for that reason they made the concessions they did, yielding whichever of the two propositions made by them the Assembly should select,—the one, that Catholic children should, in no case, be compelled to use any books objected to by their Clergymen or Guardians; and the other, that in case of difference of opinion, the money granted for the particular locality should be divided. That these were the only concessions the Council could make, and that really it would be too bad if the country were to be deprived of such a measure for the maintenance of a principle that, after all, was not of the least possible consequence.

Mr. Nugent urged, with respect to the two propositions of the Council, that the Gentlemen of the Council must perceive that the adoption of the one, in place of doing an act of justice to the whole people, would, by statute, be giving a superiority to the Religious profession of a minority of the population, to the great prejudice of the majority; for, by that arrangement, Protestant Instruction should prevail in the School, and doctrines repugnant to the opinions of the Catholics should be taught in the presence of their children, and the only return made them for the degradation was, that they should not be compelled to *read books* they disapproved of. As to the principle of dividing the population into rival schools, it was a dangerous one, and calculated to do much injustice, too; and at a time when every civilized country would appear to be actuated by a desire to promote the union of children of every creed at school, and when it would appear that the Government are making such alterations in the Government Schools of Chelsea and Woolwich as will enable Ca-

tholic children to partake of their advantages, the Legislature of Newfoundland ought not to hesitate to op n th eir Schools to *all* the people. Therefore, wh n the Counci, as Mr. Thom s had s id, thought the principle of not the least consequ nce particularly were that Body cal ed upon to relinquish a claim which *they* admitted was of no moment, but which the Assembly sincerely thought of vital importance.

Mr. Winser was of opinion that to divide the money in the mannner proposed, or indeed in any manner, would be extremely unjust, because, if the number of Catholics or of Protestants were extremely small, it would be unjust to divide equally ; and to divide it rateably, according to such numbers, would be a mockery, for that extremely small number could not pretend to get educated for the few shillings that would fall to their share.

The Solicitor General and Mr. O'Brien supported these views in like manner.

The Hon. Mr. Thomas said that it was in vain to expect the Council to recede from the position they had taken if the entire of Newfoundland were without a single school "*from this day to the last day of Eternity!*" What harm would it be, then, to pass the bill, suppose for one year ? The Assembly might be sure no improper advantage would be taken of the Catholic children. In fact, the Bible was too expensive a book to be brought into all the schools; it would, therefore, be preposterous to think of Three or Four Hundred of them being spread among them. Besides, they should recollect that the appointment of Commissioners will be in the Governor, and they might rely upon his appointing proper persons.

The Hon. Mr. Morris said, that although Mr. Thomas had spoken so strongly he was not expressing his own opinions, but those of the Council which they were there bound to sustain ; whereas they had both maintained the proposition made by the Assembly before the Council, but he was sorry to say unsuccessfully.

Address to his Excellency

The Solicitor-General, pursuant to notice on the 22d inst. presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows,—

To His Excellency HENRY PRESCOTT, Esq., Companion of the Most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly respectfully request that your Excellency will be pleased to draw from out of the Treasury the sum of three thousand five hundred pounds to defray certain expenses of the Government, for the ensuing financial year,—viz. :

Civil and Criminal Prosecutions	£500	0	0
Gaol expenses	800	0	0
Coroners	150	0	0
Fuel and Light	200	0	0
Expenses of Circuits	600	0	0
For services for which inadequate provision was made in the Appropriation Act for the year ending 30th June, 1841	800	0	0
Outstanding claims for aged, infirm and infant paupers	450	0	0
	£3,500	0	0

And the House will, in their next Appropriation Bill, make provision for the same.

Moved by the Solicitor General, seconded by Mr. Dwyer,

That the said address be adopted by the House. Adopted—

Which being put, the House divided thereon as follows :

For the motion—	Against the motion—
The Solicitor General	Mr. Winser
Mr. Nugent	
— Kent	
— Dwyer	

So it passed in the affirmative, and resolved accordingly.

Ordered,—That the said address be engrossed, and a committee appointed to present the same to his Excellency. Engrossed—Committee to present it

Ordered,—That the Solicitor General and Mr. Dwyer do compose the said committee.

Then the House adjourned until Monday next, at one of the clock.

MONDAY, April 26, 1841.

MR. Speaker laid before the House a letter from the honourable Mr. Secretary Crowdy, acquainting him in reply to his letter of yesterday, that his Excellency the Governor will receive after the close of the Session, for transmission to England, the address to her Majesty, adopted by the House. Letter from Col. Secretary

Reports of committees on addresses to his Excellency, with his Excellency's replies thereto.

Mr. Nugent from the Committee appointed to present to His Excellency the Governor an address of the House upon the subject of His Excellency's Message relative to Mr. Douglas's salary as Chairman of Road Commissioners, reported that they had presented the said address accordingly.

Mr. Nugent also reported from the committee appointed to present to his Excellency an address of the House, respectfully requesting him to issue his Warrant for the payment of certain sums to Roger Flahavan, Martin Walsh, and Michael Allen, that they had attended to that duty, and that his Excellency was pleased to reply as follows:—

GENTLEMEN,—I will, with the consent of the Council, act in accordance with this address.

Government House,
26th April, 1841

The Solicitor-General from the committee appointed to present an address of the House to his Excellency the Governor, respectfully requesting that he would be pleased to draw from out of the Treasury the sum of Three thousand five hundred Pounds to defray certain expenses of the Government for the ensuing financial year, reported that they had presented the said address, when his Excellency was pleased to reply as follows:—

GENTLEMEN,—I will, with the consent of the Council, act in accordance with this address.

Government-House,
26th April, 1841.

Message from his Excellency

A MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

The Hon. Mr. Secretary Crowdy being admitted within the bar, presented to the House, by direction of his Excellency, copy of a Despatch from the principal Secretary of State for the Colonies.

And then the Messenger withdrew.

The said Despatch was read by the Clerk as follows:—

[Copy—No. 104]

Downing-street,
31st March, 1841.

Sir,—I have to acknowledge the receipt of your Despatch of the 11th February. No. 13, in which you transmit an address to her Majesty from the House of Assembly of Newfoundland, praying for the separation of the Executive from the Legislative Council.

Having laid this address before the Queen, I have received her Majesty's commands to signify through you to the Assembly her Majesty's opinion that there are several other questions relating to the affairs of Newfoundland which must precede the subject of the establishment of an Executive Council in the consideration of her Majesty's Government.

I have, &c.,
(Signed) J. RUSSELL.

Governor PRESCOTT.

Mr. Nugent laid before the House a letter from W. Witham, Esq., Solicitor London, Law Agent to the House, which he read in his place, and is as follows,— Letter from W. Witham, Esq.

8, Grey's Inn Square,
3d April, 1841.

My Dear Sir,—Your letter of the 2d ult., enclosing an order from the Speaker of the House of Assembly of the same date, desiring me to procure a copy of the shorthandwriters notes on the hearing of the case of Kielley *v.* Carson, in the Privy Council, together with a copy of the judgment, and that 100 copies should be printed, bound up, and sent for the use of the Legislature.

In my letter of the 2d February last, I stated that I thought a transcript of Messrs. Gurney & Co's notes would cost between £30 and £50, but on enquiry of them, they inform me that the transcript would run between 14 and 1500 folios, the charge for a transcript of which, together with the expense of printing, would come to about 100 guineas; and the judgment having been postponed, and will not probable be given till after Trinity Term, and as the order to the shorthand writer cannot be given till the judgment is declared, I have therefore thought it prudent to write again before I directed it to be done, to know if I am to incur so considerable an expense.

You will have observed from the papers, the motion made in the House of Commons with a view to the appointment of a committee to inquire into the working of the Constitution established by the Government in Newfoundland, and the opinions expressed by several members that it should be suspended or taken away, and I have therefore written to Lord John Russell, stating, that as the law agent in this country to the hon. the House of Assembly, I submitted it would be most unfair for the committee to act upon the exparte statements of individual evidence, coming from persons in the Colony and in this Country politically opposed to the existing constitution, and, suggesting that liberty should be given to the Legislature of Newfoundland to appear before the committee at the bar of the House by their Agent, and if requisite, by their Counsel, and adduce evidence in contradiction of the aspersions thrown upon the Legislature of the Colony.

I will also see Mr. O'Connell, and other of my friends in the House, and induce them to interest themselves in the matter, so as at any rate to prevent any resolution being come to by the committee without giving the Legislature an opportunity of defending itself.

I shall make every effort, in the first place, to resist the formation of such a committee, but if unsuccessful, to get as much time as possible before it meets, so as to afford an opportunity of communicating with you.

Should the House of Assembly consider it as serious matter, I think it would be exceedingly useful that some order should be made and transmitted to me, that the House desire that on any such committee being appointed, that I will, on their behalf, apply for leave that they may have an opportunity of appearing before the House; this would prevent any objection to my right to make such an application on their behalf.

Waiting further instructions,
I remain, my dear Sir,
Most truly and faithfully Your's,
W. WITHAM.

J. V. Nugent, Esq.

On motion of Mr. Nugent, seconded by Mr. Kent,

Resolved,—That the thanks of the Commons House of Assembly of Newfoundland are due, and are hereby given, to William Witham Esq., of No. 8, Grey's Inn, London, Solicitor, for the zeal he has manifested as law agent to the House, in praying the Right hon. Lord John Russell, her Majesty's Principal Secretary of State for the Colonies, to procure the suspension of the investigation into the working of the Constitution of this Colony until the Assembly shall have an opportunity of appearing before the said committee by evidence and by Counsel.

Letter to Mr. Witham

Resolved,—That the following letter be signed and transmitted by Mr. Speaker to the said William Witham, Esq.

House of Assembly,
26th April, 1841.

Sir,—By order of the House of Assembly of Newfoundland, bearing date of this day, I have the honor and sincere pleasure of communicating to you the enclosed vote of thanks for your conduct upon the occasion of the appointment of the committee to investigate the working of the Constitution of this Country; and by a like order you are authorized and required to pray the said committee to defer the examination of witnesses in the case, until this House shall have had an opportunity of appearing before them in defence of the representation of Newfoundland, which they shall lose no time in accomplishing through their Delegates, appointed on this day.

It must be obvious that the Assembly ought to have afforded them an opportunity of removing from them the aspersions thrown upon them by interested parties, and this could only be done by the hearing of evidence upon our part, and permitting us to enjoy the right of cross-examining the witnesses adduced against us.

In the introduction of the question of the appointment of the committee, a striking observation was made—That "the very persons who were formerly most anxious for that constitution, were very many of them now most desirous to have it abolished"—and upon this it would be necessary to observe that the statement is not untrue, because as there is yet in this country no such class of people as a landed proprietary—that there is, as a class, no such denomination as a gentry, but the whole population is divided into the few—Merchants—and the many—for the most part Shopkeepers, Mechanics, Fishermen—and as the merchants considered that in the event of such a constitution being granted, they, from their position, would form at least a majority in the "Upper House," and from their influence could command the returns to the "Lower House," and would thus hold in their own hands the Legislation of the Country, to be used for their own advantage and aggrandisement, they were, indeed, most "*anxious for that Constitution*;" but now, as experience has taught them that their hope to enjoy exclusively the Representative Branch of the Legislature is vain—that the zeal of the constituency for the public interests is paramount to *their* influence they certainly are "*now most desirous to have it abolished*" and to have the Government of the Country committed to a Governor and Council, (of which Council they still would expect to form a component part,) or to have such alterations effected as would otherwise throw the Assembly into their hands.

Hence it is that you find that every petition that has hitherto gone forward upon this subject has been from the *Mercantile* Society of St. John's, or from certain *Merchants* residing in English seaport towns, and conducting business in this Country.

With reference to the principal charges against the conduct and constitution of the present Assembly, as this day has been appointed for the prorogation of the present Session, I can at present only refer you to an address to her Majesty which we adopted in the Session of 1839, wherein we humbly prayed of her Majesty that enquiry, which now is instituted, but we could have hoped that her Majesty's Government would have seen the justice of entertaining that examination here, where all the witnesses necessary to be adduced are resident, and that it could not be expected that we could have conveyed, a distance of two thousand miles, all the evidence we may find necessary. This address bears date 12th October, 1839, and appears in the 266th page of the journals of that Session, which you may see in the Colonial Office, and by it you will find that all we ask for, or have at any time demanded, is a fair, candid, and open investigation into all the circumstances complained of.

Before I conclude, it is right I should inform you that on Friday last we passed another address to her Majesty, explanatory of the extraordinary proceedings of the Council during this session, wherein they threw out, either by unconstitutional amendments or otherwise, a bill that we sent them up to establish a Grammar School, a bill to establish an Academy, (for Newfoundland has not been permitted by that body, notwithstanding the reiterated efforts of this House to procure the boon, to have a single establishment of the kind in the whole Island to this day), a bill for the encouragement of Education, a bill for the encouragement of Shipbuilding, a bill for amending the Law of Attachment, a bill to prevent fraud in the sale of imported Provisions, a bill for the making of Roads, a bill for regulating the qualification of Jurors, a bill to regulate the mode of Election, recommended by the Governor; a bill for making a road to Placentia as a post communication, (brought in under the recommendation of the Secretary of State), a supply bill, and a bill to defray the expenses of the Legislature, with several others; all of which are now being printed for transmission to the Government, both as they left the Assembly, and as they returned from the Council.

On motion of Mr. Nugent, seconded by Mr. Moore,

Resolved,—That it is essentially necessary that this House appoint a committee of Delegation to appear before the committee of the House of Commons, appointed to investigate the circumstances of the manner of the working of the Constitution of Newfoundland, and to transact all things necessary in their judgment for the maintenance of the public interest therein. Resolution for committee of delegation

Moved by Mr. Nugent, seconded by Mr. Winser,

Resolved,—That the Solicitor of this House, John Kent, Esq., Peter Brown, Esq., and Lawrence O'Brien, Esq., are hereby nominated and appointed Delegates to transact the necessary business of this House, in defending before the said committee the representation of this country, and that they be empowered to communicate with her Majesty's Government, and to solicit such documentary evidence and other aid as shall, in their judgment, be needful for the maintenance of the constitution of Newfoundland. Delegation appointed

Address to his Excellency

Mr. Nugent presented an address to his Excellency the Governor, which he read in his place, and afterwards delivered it in at the Clerk's table, where it was again read as follows—

To His Excellency HENRY PRESCOTT, Esq., Companion of the Most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly having appointed a delegation to proceed to London to defend on the part of this House the Representation of Newfoundland, respectfully request your Excellency will please issue your Excellency's warrant for the sum of three hundred pounds to defray the necessary expenses of the same.

On motion of Mr. Nugent, seconded by Mr. Kent,

Adopted

Resolved that the said address be adopted and engrossed, signed and transmitted by Mr. Speaker to the hon. Mr. Secretary Crowdy, to be laid before his Excellency.

Moved by Mr. Nugent, seconded by Mr. Winser,

Resolved,—That Mr. Speaker be empowered immediately to raise on loan the sum of three hundred pounds sterling, to be applied to defray the expenses of the said delegation, in the event of his Excellency's declining to comply with the said address.

Letter from Col. Secretary

Mr. Speaker laid before the House a letter from the hon. Mr. Secretary Crowdy, acquainting them that his Excellency will receive the said address in the Sheriff's Chambers immediately.

Ordered that Mr. Nugent and Mr. Kent be a committee to present the said address to his Excellency.

Mr. Nugent from the said committee reported his Excellency's reply as follows:

GENTLEMEN,—

In reply to this address I have to communicate to the House of Assembly the copy of an address which I have received from the Council, and to say that upon the condition therein expressed, I shall be happy to comply with the request of the House.

It is necessary that the decision of the House on this subject should be immediately made known to me.

26th April, 1841.

The address of the Council referred to in the said reply was then read by the Clerk as follows:—

To His Excellency HENRY PRESCOTT, Esq., Companion of the Most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. Addresses to his Excellency

May it please your Excellency,—

We, her Majesty's dutiful and loyal subjects the Council of Newfoundland, in General Assembly convened, in reply to your Excellency's message of this day, laid before us by the Colonial Secretary, conveying an address to your Excellency from the House of Assembly, praying that the sum of three hundred pounds be appropriated for the payment of a delegation from that House to the Parent Government, beg to acquaint your Excellency that provided an equal sum be appropriated for the payment of a delegation from this House to her Majesty's Government upon the state of this colony, we are ready to concur in the desire expressed in the said address from the House of Assembly.

Council Chamber,
26th April, 1841.

On motion of Mr. Nugent, seconded by Mr. Kent,

Resolved,—That the following address to his Excellency be adopted.

To His Excellency HENRY PRESCOTT, Esq., Companion of the Most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,—

The House of Assembly cheerfully accede to the proposition of her Majesty's Council on the subject of their address of this day to your Excellency.

Resolved,—That the said address be engrossed and signed by Mr. Speaker. Engrossed

Ordered,—That Mr. Nugent and Mr. Kent be a committee to present the same to his Excellency. Committee

Mr. Nugent from the said committee reported that they had waited on his Excellency and presented the said address.

A message from his Excellency the Governor by the Gentleman Usher of the Black Rod. Message from his Excellency

Mr. Speaker,—

His Excellency the Governor commands the immediate attendance of this Honourable House in the Council Chamber.

Accordingly Mr. Speaker and the House attended his Excellency in the Council Chamber, when his Excellency was pleased to assent to the several bills following,—viz.: House attend

An Act for granting to her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies.

An Act to indemnify the Governor for sums advanced towards defraying in part the expenses of the fourth and fifth Sessions of the second General Assembly.

An Act to make provision for the establishment of a Light House on Cape Bonavista.

An Act to establish and regulate Fire Companies in the town of Carbonear.

An Act to regulate the packing and inspection of Pickled Fish for exportation from this Colony.

An Act to authorize the Sheriff of Newfoundland to levy executions in the several districts of this colony after final judgment.

An Act to continue an act made and passed in the second year of the reign of her present Majesty, intituled "An Act for the regulation of Pilots and the Pilotage of vessels at the Port of St. John's."

An Act to repeal an act passed in the third year of her Majesty's reign, intituled "An Act to incorporate the Benevolent Irish Society," and to make other provision for the incorporation of the said Society.

An Act to revive an act passed in the fourth year of the reign of his late Majesty King William the Fourth (2d Session) intituled "An Act to afford relief to wives and children, deserted by their husbands and parents."

An Act to revive an act passed in the third year of the reign of his late Majesty King William the Fourth, intituled "An Act to provide for the performance of Quarantine, and more effectually to provide against the introduction of infectious or contagious diseases and the spreading thereof in this Island."

His Excellency's speech

His Excellency was then pleased to make the following speech to both Houses :—

Mr. President, and Honorable Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the House of Assembly:

"As a committee of the House of Commons has been appointed to enquire into the State of Newfoundland, before which committee I shall have to appear, I will, on the present occasion confine myself to the expression of my regret that such a proceeding should have become indispensably necessary to the tranquillity and welfare of the colony."

The honorable the President of her Majesty's Council then said—

HONORABLE GENTLEMEN AND GENTLEMEN,—

It is his Excellency the Governor's will and pleasure that this General Assembly be prorogued until Monday the third day of May next; and this General Assembly is accordingly prorogued until Monday the third day of May next.

ROBERT R. WAKEHAM, *Clerk.*

.....

END OF THE SIXTH SESSION.

.....

APPENDIX.

VELÁZQUEZ

ESTIMATE

Of the charge of defraying the Public Expenditure of the Island of Newfoundland, for the year ending 30th June, 1842.

Nine Thousand, Four Hundred and Nine Pounds, Sterling.

Proposed distribution of the above sum of £9409, for the service of the year 1841-2.

Salary of the Clerk of the Council			200	
Two Clerk's in Secretary's Office			400	
Office Keeper, do.			60	
Messenger, do.			60	
Colonial Treasurer			400	
Clerk of the N. C. Court			200	
——— S. C. Court			200	
Crier and Tipstaff			60	
Gaoler (St. John's)			50	
Two Police Magistrates (do.)			600	
Clerk of Peace (do.)			120	
Chief Constable (do.)			80	
Six Police Constables (do.)			270	
Stipendiary Magistrates	}	Outports	1410	} as per detail
Clerks of Peace, Gaolers, &c.	}		1199	}
Gaol Surgeon (St. John's)			40	
Gaol Barber (do.)			15	
Gaol Surgeon (Harbor Grace)			20	
To defray the Attorney General's Fees			250	
Solicitor General's do.			200	
Pension of John Buckingham, Esq.			60	
				5889

MISCELLANEOUS.

Printing, Advertizing, and Stationery	450	
Civil and Criminal Prosecutions	500	
Gaol Expenses	800	
Coroners' Accounts	150	
Fuel and Light	200	
Postages and other Incidentals	120	
Expenses of the Circuits	600	
Repairs of Court Houses and Gaols	200	
Unforeseen Contingencies.	500	
		3520
Total....		£9409

Detail of Salaries and Allowances

To Stipendiary Magistrates, Clerks of the Peace, Gaolers and Constables at the undermentioned Outports.

Out Ports.	Magistrates.	Clks of Peace	CONSTABLE.		Gaolers	TOTAL
			No.	Salary.		
Harbor Grace	£150	£50	3	£85	£50	£335
Carbonear	120		3	75		195
Brigus and Port de Grave	120	20	2	50		190
Bay de Verds			1	12		12
Harbor Main			1	12		12
Cats Cove			1	12		12
Western Bay			1	12		12
South Shore			1	12		12
Ferryland	100	20	1	12	25	157
Bay Bulls	100		1	25		125
Toads Cove			1	12		12
Cape Broyle			1	12		12
Caplin Bay			1	12		12
Aquaforte			1	12		
——— (arrear)				12		24
Fermeuse			1	12	25	12
Placentia	100	20	1	25		170
Barren Islands			1	12		12
Merasheen			1	12		12
Little Placentia			1	12	25	12
Burin	100	20	1	25		170
St. Lawrence			1	12		12
Lamalin			1	12		12
Trepassey			1	12		12
St. Mary's	100		1	25		125
Harbor Britain	100	20	1	12		132
Grand Bank	100		1	12		112
Trinity	120	20	1	25	25	190
Catalina			1	24		24
Bonavista	100	20	2	25		145
Greenspond			1	12		12
Twillingate and Fogo	100	20	3	49		169
Exploits Bay			1	12		12
Brigus (south)			1	12		12
Witless Bay			1	12		12
Petty Harbor			1	20		20
Perlican			1	12		12
Hearts Content			1	12		12
Hants Harbor			1	12		12
New Harbor			1	12		12
Renewse			1	12		12
Portugal Cove			1	20		20
Torbay			1	18		18
TOTAL....	£1410	£210		£839	£150	2609

RECAPITULATION.

13 Stipendiary Magistrates..... £1410
9 Clerks of the Peace..... 210
51 Constables.....£827–Arrear £12— 839
5 Gaolers..... 150—£2609.

CUSTOMS' ACCOUNTS.

Port of St. John's, J. M. Spearman, Collector.

A CONSOLIDATED ACCOUNT of the Goods imported in the year ended the the 5th day of January, 1841, shewing the aggregate quantities and values of various articles, with the amounts of duty collected thereon.

Articles imported.	Quantity imported.	Value.			Duty.		
Wine—videlicet.							
1st class.....	44 Gallons.	45	0	0	3	6	0
2d ditto.....	4295¼ '	1099	10	10	214	15	2
3d ditto.....	5883 '	654	5	5	220	12	3
4th ditto.....	23695 '	2028	4	2	592	7	6
In bottles.....	185 '	134	1	3	18	9	8
Not in bottles.....	9820 '	1646	13	5	491	0	0
Spirits—videlicet.							
Brandy, Geneva and Cordials	6116¾ '	770	12	4	153	18	4
Rum and Whiskey....	14355 '	1682	1	9	359	16	9
Ale, Porter and Cider	19664 '	1022	9	10	51	2	6
Apples	3179 bls.	1715	8	0	167	1	0
Beef and Pork, salted	39650 3 3 cwt	70865	3	7	1751	12	5½
Bread or Biscuit	138,795¾ '	87243	2	5	1609	19	1
Butter	18371 3 6 '	50272	1	7	1302	18	7
Coals	12415¾ tons	12914	10	0	310	7	8
Flour	77628 barrels	123575	0	10	3847	2	2
Fruit, preserved	30 0 19 cwt.	49	2	9	7	10	11
Goods, Wares and Merchandise, not otherwise enumerated or described	.....	331161	14	3	9743	0	3½
Lumber	2,477,148 feet	5249	2	2	245	18	6
Oatmeal	3105 Barrels	2110	4	3	77	13	0
Timber, ton, and Balk of all kinds, including Scantling	902 tons	1229	16	10	62	1	2
Tobacco, Manufactured and Leaf	71,788 Lbs	1222	1	1	299	1	6
Cigars	40,150	63	13	4	20	1	6
Shingles	1,838,750	890	6	2	59	15	5
Sugar, refined	669 2 8 cwt.	1201	14	10	162	11	10
unrefined or clayed	2146 1 20 "	2150	10	0	214	12	10
Tea	104,041 lbs.	10725	12	5	727	7	8
Totals.....		£711,752	3	6	£22714	3	9

Custom House,
The 19th January, 1841.

J. M. SPEARMAN, Collector.

PORT of ST. JOHN'S,—J. M. SPEARMAN, Collector.

DR

1840. Consolidated Account Current of Receipts and Payments for the year ended the 5th day of January 1841.

To Out Bay Balances, viz.							
	Fogo		5th July, 1839			216 1 2	
	Greenspond		10th Oct. "			32 3 11	
	Trinity		" " "			173 2 11	
	Harbor Grace		" " "			114 11 5	
	Little Bay		" " "			29 6 6	
Out Bay Receipts, viz.							
	5th Jan. 1840		1441	4	4½		
	5th April		223	13	6		
	5th July		1933	1	6		
	10th Oct		1736	0	0½	5333 19 5	
Outstanding Bonds, 5th January, 1840						130 6 7	
Proceeds of goods detained for undervaluation—							
	Sugar 2 13 8½—Staves 2 13 7—Grindstone 0 7 6½—					5 14 10	
1841.	Duties collected on coast of Labrador					136 0 6	
Jan. 5.	on Goods imported this date					17244 3 10	
	N. B.—The returns from Burin and Fogo, Qr. ended 10th Oct.						
	1840, not yet received-					£23415 11 1	

I do hereby declare that the aforegoing Accounts are just and true in every particular, to the best of my knowledge and belief. J. M. SPEARMAN, Collector.

Custom House, St. John's, 20th Jan. 1841.

CR.

1840.	By Out Bay Balances, viz.	Trinity	10th Oct. 1840			191 18 2	
		Carbonear				138 19 7	
		Harbor Grace				344 14 3	
		Little Bay				35 15 0	
	Drawbacks					113 6 1	
	Over Entries					8 10 2	
	Incidental expenses					43 1 7	
	Cost of Revenue Boat and apparel					19 12 6	
	Expenses incurred in securing Sch. New Dolphin					7 14 4	
	Expenses collecting duties, coast of Labrador					50 0 0	
	Cost of 18 sets of Hydrometers					94 19 2	
	Salaries, viz.—J. M. Spearman, St John's					50 0 0	
	J. R. M. Cooke					111 17 8	
	D. P. Marett					38 2 4	
	E. L. Moore					150 0 0	
	J. Canning					115 8 3	
	J. M. Winter	Fogo				100 0 0	
	E. Moore	Greenspond				100 0 0	
	J. L. M'Kie	Bay Bulls				50 0 0	
	T. Read (5 qrs.)	La Poile				125 0 0	
	E. Rendell	Labrador				34 0 0	
	Boatmen					106 4 8	
	Tide Waiters (day pay)					212 1 8	
	Allowances to Imperial sub-Collectors					109 10 1½	
	Outstanding Bonds					1313 10 10	
	Paid Treasurer					19751 4 7½	
						£23,415 11 1	

We do hereby certify that we have duly audited the aforegoing accounts, and that we have finally settled and closed the same. St. John's Newfoundland, the 25th day of January 1841.

WM. THOMAS,
H. A. EMERSON
PETER WINSER- } Auditors.

DR.

Account Current of Receipts and Payments in Sterling, for the year ended 5th January, 1841.—(Imperial Duties.)

To Balance 5th January, 1840	2137	10	0
" Receipts in the year ended 5th January, 1841	19059	16	9
	£21197	6	9
To balance brought down	7923	13	11
	£7923	13	11

CR.

By Salaries of Imperial Officers	£3742	8	0
Colonial Officers, collecting Imperial Duties	182	1	2
" Tidesmen's day pay	287	6	0
" Locker's salary and day pay	118	0	0
" Boatmen's day pay	140	0	0
" Contingencies	86	15	9
" Returned Duties	112	18	3
" Paid the Treasurer	8604	3	8
" Balance	7923	13	11
	£21197	6	9
By Civil Salaries, 3 & 4, W. 4. Cap. 78.	6550	0	0
" Balance in Crown's Chest	1373	13	11
	£7923	13	11

Custom House, St. John's, 1st March, 1841.

J. M. SPEARMAN.
Collector.

STATEMENT

Of Services for which an inadequate provision was made in the Appropriation Act for the year ending 30th June, 1841.

Heads of Service.	Amount voted.	Expended in the half year ending 31st December.	Required.
Gaol Expenses	£450	£394 6s. 9d.	£400
Pauper Lunatics	200	153 8 2	100
Coroners	150	113 11 2	50
Repairs of Gaols	100	101 19 2	100
Circuits	500	620 7 1	150
		Total sum required..	£800

TREASURY ACCOUNTS.

Acting Treasurer's Cash Account Qr. ending 31st March, 1840.

DR.

March 4	Cash received from the late Treasurer		3745 11	9
May 4.	Colonial Revenue quarter ending 31st March		1622 18	3
	Imperial Revenue quarter ending 31st March		1474 9	9
	Light Dues ditto		119 19	6
			£6292 19	3

CR.

March 16	The Poor—				57		
	South Shore Conception Bay	3	9	4			
	Harbor Grace	30	8	0			
	Carbonear	34	0	0			
	North Shore	14	8	o		82 5	4
	The Poor—				58		
	St. John's	300	0	0			
	Brigus	23	9	4			
	Port de Grave	11	12	0			
	Bay Roberts	6	13	4		341 14	8
March 18	Roads, Holyrood to Brigus				376	13	
19	The Poor—				59		
	Trinity	19	5				
	North Shore	8					
	Heart's Content	6	10				
	New Harbor	2	10			36 5	
25	Contingencies Legislative Session, 1839				377		
	Clerk and Sergeant-at-Arms					150	
	J. M. Cooke, debenture				68	3	
April 1	Roads, Contingencies St. John's and Ferryland				378	55 7	
	The Poor, Vote of the Legislature					220 7	
2	Salaries				60	370 10	
	Ditto				61	337 10	
	Ditto				62	127 10	
	Ditto				63	352 10	
	Ditto				64	105	
	Ditto				66	67 10	
	Ditto				67	30	
	Ditto				68	42 15	
	Ditto				69	48 15	
	Ditto				70	122 15	
	Balance to next quarter					4519 11	8
						£6962 19	3

May 4th.

Treasurer's Cash Account, Quarter ending June 30th, 1840.

DR.

	To balance from last quarter	£4519	11	8
May 16.	Cash received from J. M. Spearman, Esq.	2600	0	0
	Licence Fund, Bonavista	13	10	0
June 9.	Received from his Excellency the Governor, per Bank of British North America	1968	15	4
	Licence Fund, Brigus, Northern District	26	5	0
	Fines, 9, Geo. 4, Cap. 31, Northern District	1	13	6
25.	Received from J. M. Spearman, Esq.	3466	13	4
May 28.	Licence Fund Northern District, Harbor Britain, Jersey Harbor, and Grand Bank, per Thomas E. Gaden, Esq.	18	0	0
Aug. 15.	Cash received from J. M. Spearman, Esq.	2555	11	2
	Ditto ditto Light Dues	328	5	9
		£15498	5	9

CR.

April 3	Poor of St. John's	Warrant,	65	133	17	0
4	Ditto ditto		71	200	0	0
5	Ditto ditto		72	160	0	0
6	Ditto Bay Bulls		73	11	10	0
10	Ditto St. John's		74	18	4	7
14	Ditto Ferryland		76	8	15	0
16	Ditto Renews		75	7	0	0
18	Interest on deben. No. 69			1	10	0
	Roads and Bridges per Thomas Byrne		380	41	10	0
	Wolves, bounty on destruction		77	5	0	0
	Light House, Harbor Grace		12	23	15	0
22	Roads, Holyrood to Brigus		382	24	5	4
25	Roads, Aquafort to Brigus		383	27	19	0
May 1	Roads, Brigus to Holyrood per S. J. Daniel		384	58	8	10
	Roads, Bonavista to Catalina		385	85	12	2
	Roads, Jas. Douglas, and J. Noad, Esqs.		78	250	0	0
4	Gaol Expenses		79	131	19	9
	Civil and Criminal Prosecutions		80	79	19	8
5	Light Houses		13	35	10	0
	Roads, Cornfield to Ferryland		386	29	14	3
	Roads, Ferryland		387	10	3	5
6	Printing and Stationery		82	17	18	1
	Gaol Expenses		81	72	6	6
	Roads, Cape Broyle to Ferryland		388	10	9	1
	Roads, Old Perlican to Hants Harbor		379	29	18	0
	Education, St. John's		83	200	0	0
	Ditto, Nunnery School			100	0	0
	Roads, per Stephen Dillon and James Flemming		389	36	3	8
	Roads at Burin, surveying &c.		390	23	17	0
	Roads, Ships Cove to Burin		381	28	17	8
7	Gaol Expenses		85	10	19	0
	St. John's Hospital			197	2	1
		Carried forward..		£2071	16	1

Treasurer's Cash Account, Quarter ended 30th June, 1840.

CR.

		Brought forward..	£2071	16	1
May 9.	Wolves per Patrick Burke	Warrant 84	20	0	0
10	Geological Survey, Roads, &c.	86	238	10	0
11	Roads, 2d instalment on the Bay Bulls Road	391	7	2	9
	Roads, per James Cuddihey	87	34	13	4
12	Road Surveying	89	10	0	5
	Education, Ferryland	88	125	0	0
	Ditto, Newfoundland N. American British School	—	300	0	0
	Registration of Votes	90	80	11	7
15	Roads, Old Perlican, Renews, and Fermeuse	392	31	2	8
	Wolves	93	5	0	0
	Contingencies Legislature, 1839	91	371	7	1
	Ditto ditto 1839	92	532	18	4
	Ditto ditto 1839	94	515	18	1
	Roads, per Michael Allen	98	40	0	0
16	Contingencies Legislature, 1839	95	203	12	2
	Ditto ditto 1839	96	89	6	2
	Ditto ditto 1839	97	433	1	0
	Ditto ditto 1840	99	406	11	11
	Ditto ditto 1840	100	650	13	8
	Ditto ditto 1840	101	184	3	0
	Ditto ditto 1840	102	594	0	0
	Printing, &c.	103	10	15	6
20	Roads, Cape Broyle to Ferryland	393	4	13	2
	Education, St. Mary's and Placentia	104	200	o	o
	Circuit Courts	105	31	o	o
	Roads, per Thomas Byrne		70	o	o
	Quidi Vidi Harbor	106	75	o	o
	Education, Burin		10o	o	o
	Roads, per Wm. Lilly	1o7	12	1o	o
	Education, St. John's		91	7	6
	Roads, sundries	394	37	5	4
26	Poor, Twillingate	1o8	16	o	o
30	Sundries	395	49	13	4
June 1	Sundries	1o9	25	16	o
	Interest on debenture, 71 and 72		24	o	o
	Ditto on debenture, 12, 13, 14, 15		9	o	o
4	Education, Orphan Asylum School	11o	1oo	o	o
9	Interest on debenture, 32, 33, 34, 35, 36, 37, 38, 39		24	o	o
	Ditto on debenture 4o		4	1o	o
	Contingencies Legislature, 184o	111	15	o	o
	Roads and Bridges	396	88	8	o
11	Edmond Dwyer, debenture 42		5oo	o	o
	Roads	397	41	I2	o
	Interest on debenture 74		27	o	o
	Ditto on debentures 8, 9, Io, II, I2		I2	o	o
	Ditto ditto I8, I9, 2o, 2I, 22, 23		9	o	o
	Ditto ditto 29			I5	o
I2	Sundries	II2	78	I9	4
I3	Sundries	II3	38	o	o
	Police at the Election	II4	I46	8	o
		Carried forward..	£8787	I4	I

	Brought forward.....		£8787	14	1
June 18	Civil and Criminal Prosecutions	Warrant 115	107	7	2
	Interest on Debentures, 57, 58, 59, 60		5	5	o
20.	Wolves	116	5	o	o
25.	Interest on £500, Cape Spear Light House		15	o	o
	Roads and Bridges,	398	59	11	3
July 1.	Salaries	117	307	10	0
	Salaries	118	352	o	o
	Salaries	119	352	10	o
	Salaries	120	109	o	o
	Salaries	121	67	10	o
	Salaries	122	30	o	o
	Salaries	123	42	15	o
	Salaries	124	48	15	0
	Salaries	125	235	5	0
	Roads and Bridges	399	14	1	8
	Sundries	126	107	18	7
	Balance		485I	3	0
			£I5,498	5	9

DR

Treasurer's Cash Account Quarter ending 30th Sept. 1840.

To amount brought forward		4851	3	0
License Fund, Northern District, sale of spirituous liquors, 30th June 1839 to 30th June, 1840		92	3	0
Fines and Forfeitures levied by the Magistrates of Harbor Grace, 30th June 1839, to 30th June 1840		10	2	0
Fines, Southern District, breach of the Act 5th W. 4, ch. 4. Hr. Britain		1	0	0
Sep. 10—Cash recd. from the Hon. J. M. Spearman, in advance of this Qr.		1504	19	4
4—Ditto	ditto	751	17	0
2—Ditto	ditto	1263	12	0
20—Ditto	ditto	5629	14	6
		£14,104	10	10

CR.

July 2—By Sundries	Warrant	127	331	13	9
Civil and Criminal Prosecutions		128	24	16	0
7. 12 months interest on debentures No. 35 & 36, £50			3	0	0
Sundries		129	137	14	2
Road & Bridges, 6 mo. int. on deben. No. 30 & 31			6	0	0
	Carried forward.....		£503	3	11

	By amount brought forward			£503	3	11
	Col. Building, 6 mo. int. on £200 per N. W. Hoyles			6	0	0
July 8.	Special Votes	1		268	6	0
	Ditto ditto	2		70	0	0
	Roads and Bridges, 6 mo. int. on £400 per H. W. Furneanx, debenture 73			12	0	0
9.	Sundries	130		136	9	6
11.	Light Houses, per Commissioners	14		98	17	11
	Roads & Bridges	400		25	10	4
15.	Ditto ditto	401		17	6	8
	Civil and Criminal Prosecutions	3		9	3	6
20.	Sundries	131		81	16	6
	Gaol Expenses	132		212	10	2
21.	Sundries	133		43	2	6
	Gaol expenses and Gaol repairs	134		28	13	10
	Light House, salary of keeper, Harbor Grace	15		23	15	0
	Ditto 6 mo. interest on £591 11s. 4d. debenture No.	1		17	13	9
24.	Fuel and Light, coal, Secretary's office	135		13	13	0
	Roads and Bridges, six months interest on debenture No: 54.			3	0	0
	Light Houses,—six months interest on debenture No. 5			9	0	0
	Ditto ditto on debenture No. 3.			6	0	0
30.	Roads and Bridges	Warrant No.	402	47	12	8
	Sundries	136		46	14	0
31.	Light Houses, 6 mo. interest on debenture No. 4.			3	0	0
	Sundries	5		3	0	11
	Roads and Bridges, per Wm. Quigley, to complete his contract on Topsail road	6		65	0	0
	Light Houses	16		38	15	0
Aug 13.	Cleansing part of the town	7		3	5	0
	Roads and Bridges	403		26	13	9
8.	Light House, salary of the Keeper at Fort Amherst	17		11	5	0
	Sundries	4		11	15	6
15.	Sundries	8		217	0	2
	Light House, 6 mo. int. on £300, debenture No. 1			9	0	0
19.	Roads and Bridges	404		38	14	0
26.	Sundries	9		32	9	11
27.	Expenses incurred in relieving the passengers per Cherub	10		47	0	4
	Roads and Bridges, 6 mo. int. on debenture, No. 75.			15	0	0
	Printing and Stationery	137			18	2
31.	Roads and Bridges	405		29	6	6
	Ditto ditto, 6 mo. int. on debenture 64, 65, 66			30	0	0
	Light House, Harbor Grace—keeper, fuel and light	18		15	0	0
Sep 2	St. John's Hospital, pauper lunatics	11		19	12	8
	Chairman Board of Education Conception Bay	12		410	0	0
6	A. Milroy, Manager, Bank of British North America	13		2000	0	0
	Roads and Bridges	406		20	10	2
7	Ditto ditto	407		72	9	0
				£4790	5	4

	By amount brought forward			£4790	5	4
Sep 7.	Sundries	Warrant No.	14	175	0	o
	Savings Bank, 6 mo. int. on £1510 8s 8d on acct. Light House and Colonial Building			45	6	3
	Roads and Bridges		408	23	11	6
	Do. do. int. on debenture 45			6	0	0
	Sundries		15	45	4	6
	Roads and Bridges, sundries		409	41	19	11
	Ditto ditto ditto		410	18	9	9
21	Ditto ditto ditto		411	23	2	3
	Ditto ditto ditto		412	19	12	11
	Circuit Court, expense Southern and Northern		16	100	0	0
	Roads and Bridges, sundries		414	38	19	0
28	Sundries		138	7	9	4
30	Salaries		17	307	10	0
	Ditto		18	352	0	0
	Ditto		19	352	10	0
	Ditto		20	90	0	0
	Ditto		21	45	5	0
	Ditto		22	42	15	0
	Ditto		23	48	15	0
	Ditto		24	235	5	0
	Gaol expenses, quarter ending 30th September		27	133	15	7
	Fuel and Light, quarter ending 30th September		28	117	0	9
	Printing and Stationery, quarter ending 30th September		29	33	5	8
	Balance to next quarter			6098	1	5
				£14104	10	10

DR.

Treasurer's Cash Account quarter ending 31st December 1840.

To Amount brought forward		8109	17	5
Colonial Revenue this quarter, recd. from Hon. J. M. Spearman Collctr.		6386	4	8½
Imperial Revenue, this qr. recd. from J. M. Spearman, (not yet received)		1099	8	3
		£15505	10	4½

CR.

Oct 2	Roads and Bridges, 6 mo. int. J. M. Cooke on deben. 24, 25, 26, 27			3	0	0
	Do. do. J. M. Cooke, 6 mo. int. on deben. 61, 62, 63, and 72			6	0	0
	Do. paid C. Ayre, 6 mo. int. on debenture 43, 44, 57			3	0	0
	Ditto paid Hon. J. Crowdy, 6 mo. int. on deben. 54			3	0	o
5	Sundries	Warrant No.	25	25	1	0
	Roads and Bridges, last instalment Topsail Road		415	38	2	8
	Light Houses, salary of the keeper, Harbor Grace		19	23	15	0
	Building a bridge and repairing road to Lt House, H. Grace		20	15	0	0
9	Sundries		26	39	18	3
	Carried forward.....			£156	16	11

		Brought forward.....				£156	16	11
Oct 12	Roads and Bridges	Warrant No.	416		59	2	6	
13	Ditto ditto		417		113	8	5	
	Ditto ditto		418		110	6	3	
	Ditto ditto		419		11	1	0	
15	Sundries		139		23	14	4	
	Roads and Bridges		420		19	7	1	
	Ditto ditto		421		32	0	0	
	Civil and Criminal Prosecutions		30		83	18	0	
24	Special Vote pr J. B. Jukes		31		50	0	0	
	Roads and Bridges, 1st instalment on road to Twillingate		422		121	13	4	
26	Roads and Bridges, sundries		423		66	16	0	
	Coroners and Wolves		32		6	19	0	
	Roads and Bridges, last inst, on road Old Perlican to Hants Harbor		29		18	0		
27	Special votes & Gaol repairs per R. J. Pinsent	33		22	10	0		
28	Roads and Bridges int. on £50 pd. Com. Pilots			1	10	0		
	Commissioners, paid W. Sweetland	34		2	19	0		
	Roads and Bridges, sundries	425		11	16	8	38	15 8
31	Circuit Courts	35		171	10	0		
	Light Houses	21		23	15	0		
Nov 2.	Sundries	36		32	14	0		
	Roads and Bridges	426		11	5	4		
	Ditto ditto	427		31	2	8		
5.	Sundries	37		583	12	2		
10	Roads and Bridges	430		38	8	5		
	Ditto ditto	429		26	6	8		
	Ditto ditto	428		58	11	11		
	Circuit Courts	38		212	8	10		
	Light Houses	22		201	5	0	1391	0 0
18	Roads and Bridges	431		43	8	10		
	Ditto ditto	432		32	12	10		
	Ditto ditto	433		78	0	0		
	Ditto ditto	434		26	8	7		
21	Fuel and Light	39		2	12	0	183	2 3
22	Roads and Bridges	435		23	3	4		
	Circuit Courts and Postages	40		73	4	4		
26	Light Houses, paid Rev. Wm. Bullock part payment of Debenture No. 1			200	0	0		
	Roads and Bridges	437		25	18	6		
	Ditto ditto	436		77	9	3		
27	Sundries	41		26	3	0	425	18 5
		Carried forward.....				£2923	17	2

					Brought forward.....		£2923	17 2
Nov. 27.	Roads and Bridges, 6 months interest on £800 debenture to M. C. Stewart		Warrant		£24			
	Roads and Bridges			438	77	12 10		
	Ditto	ditto		439	89	1 6		
Dec. 1.	Ditto	ditto		440	207	2 11		
	Sundries			42	46	11 5	444	8 8
8.	Roads and Bridges Debenture, No. 8, } cancelled, J. Crowdy						100	0 0
	Ditto, No. 9 }	cancelled					100	0 0
	Ditto 29 ditto, Mary Ann Davis						25	0 0
	Ditto ditto, 6 months interest on debenture 8, 9, 29						6	15 0
	Ditto ditto 10, 11						6	0 0
	Ditto ditto No. 16, 17, 18, 19, 20, 21, 22, 23						9	0 0
	Ditto ditto 23, 24, 25, 26						3	0 0
10.	Roads and Bridges			441	21	1 0		
	Ditto 6 months interest £900 debenture No. 74, paid Wm. Walsh				27	0 0		
	Sundries			43	113	19 10		
	Roads and Bridges			442	4	9 3		
14.	Ditto ditto			443	33	19 4		
	Ditto ditto			444	63	2 8	263	12 1
16.	Paid six months interest £950 on debenture No. 33, 34, 35, 36, 37, 38, 39, 40, Judge Des Barres				28	10 0		
	Sundries			44	90	1 8		
17.	Roads and Bridges			445	12	8 9		
18.	Ditto ditto			446	9	14 8	140	15 1
	Ditto ditto			447	89	10 5		
	Ditto ditto			448	10	2 3		
20.	Ditto ditto			449	44	19 10		
	Ditto ditto			450	6	18 8		
	Civil and Criminal Prosecutions, Southern District			45	17	15 8	169	6 10
29.	Roads and Bridges			451			27	9 6
	Contingencies Legislature } Printing Journals Council }			140			88	12 9
				—			—	— —
30.	H. A. Emerson Esq. Sol. Gen. Expenses incurred at Harbor Grace			46			17	19 8
	Roads and Bridges			452	28	2 5		
31.	Salaries			47	307	10 0		
	Ditto			48	352	0 0		
	Ditto			49	352	10 0		
	Ditto			50	90	0 0		
	Ditto			51	45	5 0		
	Ditto			52	42	15 0		
	Ditto			53	48	15 0		
	Ditto			54	235	5 0	1502	2 5
					Carried forward.....		£5827	19 2

		Brought forward.....					£5827	19 2
Dec. 31.	Light Honse, 6 months interest on debenture No. 4			£3	0	0		
	Roads and Bridges, 12 months do. do. No. 53			9	0	0		
	Roads and Bridges, paid J. W. Martin amount debenture, No. 53			150	0	0		
	Paid H. W. Hoyles 6 months interest on amount debenture No. 30			6	0	0		
	Paid H. W. Hoyles 6 months interest Col. Building			6	0	0		
	Roads and Bridges	Warrant	453	104	0	3		
	Ditto do. 6 months interest on debenture 12, 13, 14, 15, paid J. Noad, Esq.			9	0	0		
	Roads and Bridges		454	67	11	11		
	Ditto ditto		455	24	7	6		
	Sundries		55	45	3	1		
	Roads and Bridges, interest on debenture 57 58, 59, 60			5	5	0		
	Postages, Printing, and Stationery		56	13	1	8		
	Roads and Bridges		456	32	2	4	474 11	9
	Roads and Bridges—paid Patrick Martin last instalment on his contract on road from Harbor Grace to Brigus		457	5	17	10		
	Light Houses, 6 months interest on debenture No. 1, Cape Spear Light House, paid E. M. Archibald Esq.			17	13	9		
	Roads and Bridges, 6 months interest on debenture No. 45, paid Judge Des Barres			6	0	0		
	Paid amount debenture No. 54, to hon. James Crowdy			100	0	0		
	6 Months interest on debenture 54, 43, 44, 72			6	0	0		
	Light Houses, 6 months interest on debenture No. 5, Harbor Grace Light House, paid hon. James Crowdy			9	0	0		
	Ditto 6 months interest on debenture No. 1 Harbor Grace Light House, paid Rev. W. Bullock			7	16	0		
	Light Houses, 6 months interest on debenture No. 2, paid W. B. Row, Esq.			6	0	0		
	Paid Clerk Peace Harbor Grace, qr. ending 31st December		57	42	5	6		
	Repairing Block House, Signal Hill			6	12	8		
	Gaol Expenses, Printing		58	253	16	11		
	Sundries		59	29	17	9		
	Sundries		60	125	19	8		
	Balance brought to next quarter			8585	19	4½		
				£15505	10	4½		

PATRICK MORRIS,
Colonial Treasurer.

DESPATCHES

FROM THE SECRETARY OF STATE.

COPY

Of a Despatch relative to certain privileges enjoyed by Vessels belonging to the Royal Yacht Squadron.

Downing Street, 22d Jan. 1840.

Sir,—I herewith transmit, for your information and guidance, copies of a correspondence which has passed between Lord Yarborough and myself, relative to the request of the Royal Yacht Squadron, that their vessels should be received in the ports of her Majesty's Colonial Possessions on the same footing as they are in England, and all foreign ports.

I also enclose an extract of a letter which has been since addressed to me by the Secretary to the Royal Yacht Squadron.

I have, &c.

(Signed) J. RUSSELL.

Governor Prescott.

Royal Yacht Squadron House, Cowes, Dec. 9th, 1839.

My Lord Marquis,—

At the last general meeting of the Members of the Royal Yacht Squadron, two letters from James Brooke, Esq. (who is at present on a voyage round the world at his own expence, in his schooner Yacht Royalist,) were read, dated from the Cape of Good Hope, complaining of the charges made there, and the security he was obliged to give for his good behaviour. And as several of our members intend visiting different parts of the world in their yachts, the meeting came to a resolution, a copy of which I send on the other side.

Your Lordship will much oblige me by taking this into consideration, and, if possible, to grant the request prayed for.

I have, &c.

(Signed) YARBOROUGH, Commodore.

The most hon. the Marquis of Normanby,
Secretary of State for the Colonies.

"The Earl of Yarborough and Mr. Robinson having submitted to the Meeting letters which they had received from James Brooke, Esq. of the Royal Yacht Schooner Royalist, complaining of having been subjected, at the Cape of Good Hope, to all kind of Local Post Dues, as well as Customs, besides being obliged to give security for the good behaviour of himself and crew,"—

"Resolved,—That a memorial be presented by the Commodore to her Majesty's Secretary of State for the Colonies, complaining of this grievance, and requesting that Instructions

may be sent out that all Vessels belonging to the Royal Yacth Squadron should be received in all the ports under her Majesty's flag on the same footing as they are in England and the Foreign Ports."

Downing Street,
28th Dec. 1839.

My Lord,—

I have had the honor to receive your letter of the 9th inst· addressed to my Predecessor, conveying the representation of the Members of the Royal Yacht Club, upon the complaint made by the owner of the schooner yacht Royalist, of that vessel having been subjected to certain local dues and customs at the Cape of Good Hope, and I have to request that your Lordship will cause me to be informed of the advantages enjoyed by the Royal Yacht Club in the ports of this country, in order that I may be able to judge whether it would be proper to recommend to the various Colonial Legislatures to grant to them similar indulgences, and that I may be the more able, correctly, to estimate the probability of the success of any such recommendation.

I am, &c.

(Signed)

J. RUSSELL,

The Lord Yarborough.

Brocklesby, Great Limber,
5th Jan. 1840.

My Lord,—I have been favored with your Lordship's Letter of 28th Dec. 1839, requesting I would furnish your Lordship the advantages enjoyed by the Royal Yacht Squadron.

The Royal Yacht Squadron pay no Lights, or Harbor Dues, at home or in foreign ports.

They carry the white, or St. George's ensign, by Admiralty Warrant.

Quarantine laws the same as Men-of-War not having a cargo.

The complaint made by the Royalist of the Squadron was, that harbor dues were demanded (very civilly) at the Cape of Good Hope, and paid, being the first Yacht that had visited that port, and the Authorities stating they had no knowledge of the Royal Yacht Squadron.

The Members, in consequence, would feel greatly obliged if your Lordship would have the goodness to request the Authorities to grant the same indulgence that is allowed in England and Foreign Ports.

I have desired the Secretary, Mr. Bates, to forward your Lordship a French certificate, which is the same to other nations, except in the national language, which, with the Admiralty Warrant, are shown on entering a foreign port, exempts us from paying harbor dues.

I have, &c.

(Signed)

YARBOROUGH.

Downing Street,
16th Jan. 1840.

My Lord,—I have had the honor to receive your Lordship's letter of the 5th inst., and I have to acquaint you in reply, that I shall be happy to recommend the request of the Royal Yacht Squadron to the favourable consideration of the Legislative and other local authorities in the various colonies; with whom, however, it must rest to adopt or to reject it.

In the meantime, I would observe to your Lordship, that there are very few, if any, of the British Colonies, in which Port and Harbor dues are not either vested in corporate bodies, independent of the Crown, or appropriated by local enactments, with which the Crown has no power to dispense.

I have, &c. (Signed)

The Lord Yarborough. J. RUSSELL.

Extract of a Letter from the Secretary to the Royal Yacht Squadron to the Right Hon. Lord John Russell, dated 8th January, 1840.

"I beg permission, my Lord, to state that as the Yachts of the Squadron are not employed in carrying cargoes or any kind of merchandise, but used for pleasure only, employing thirteen hundred seamen annually, and in improving naval architecture, the Governments of this and all foreign countries have granted many indulgences, to the Royal Yacht Squadron, admitting them without payment of Port Dues, and in most countries upon the same footing as Men of War.

"Each Yacht is provided with an Admiralty Warrant authorising her to wear the St. George's Ensign, and certificates in the different languages,—on production of these documents Yachts of the squadron are admitted into all Ports free of Port Dues—not obliged to enter and clear out at the Custom Houses in England as merchant vessels are obliged to do—permited to remove their furniture, &c. in their own yachts without communicating with the Customs, and many other privileges."

Copy of a Despatch from the Secretary of State for the Colonies enclosing an order of Her Majesty in Council approving the Light House Act passed in October, 1839.

Copy—No. 71. Downing Street, 10th Dec. 1840.

Sir—An Act (No. 103) passed by the Governor, Council and Assembly of Newfoundland on the 12th October, 1839, and transmitted in your Despatch No. 67, having been referred by the Queen in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to her Majesty in Council their opinion that the said act should be left to its operation.

I have the honor to transmit to you herewith an order of her Majesty in Council, dated the 8th inst. approving that report.

I have &c.

The Gov. of Newfoundland. Signed, J. RUSSELL.

(L. S.)

AT THE COURT AT BUCKINGHAM PALACE, 8th December, 1840.

PRESENT.

The QUEEN'S Most Excellent Majesty.
His Royal Highness Prince ALBERT.
Marquis of NORMANBY Lord STEWARD.
Viscount PALMERSTON Viscount MELBOURNE.
Viscount DUNCANNON.

Whereas the Governor of her Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did, in the month of October 1839, pass an Act which has been transmitted, entitled as follows, viz.

No. 103.—"An act to amend several Laws now in force respecting Light Houses, and to make further provision for the said Light Houses, and to consolidate the Laws respecting the same."

And whereas the said Act has been referred to the committee of the Lords of her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations : and the said committee have reported as their opinion to her Majesty that the said Act should be left to its operation,—Her Majesty was thereupon this day pleased by and with the advice of her Privy Council to approve the said report—Whereof the Governor, Lieutenant Governor or Commander-in-Chief for the time being of her Majesty's Island of Newfoundland, and all other persons whom it may concern are to take notice and govern themselves accordingly.

Signed,

W. L. BATHURST.

Despatch respecting light House on the Island of St. Pierre.

Copy—No. 35. Downing Street, 29th April, 1840.

Sir,—Having referred to Viscount Palmerston your despatch No. 62, of the 19th November last, I enclose for your information a copy of the letter which has been received in reply from his Lordship's under-Secretary, and which will explain to you the state of the negociation with the Government of France for the erection of a Light House on the Island of St. Pierre.

I have, &c.

(Signed) J. RUSSELL.

Governor Prescott.

Foreign Office, 21st April, 1840.

Sir,—With reference to your letter of the 14th January last enclosing a copy of a Despatch from the Governor of Newfoundland, requesting to be informed what steps the French Government had taken with respect to the erection of a Light House at St. Pierre on the coast of Newfoundland, I am directed by Viscount Palmerston to transmit to you for the information of Lord John Russell, a copy of a despatch from Earl Granville enclosing a copy which his Excellency has received from M. Thiers upon the subject.

I have, &c.

Signed, J. BACKHOUSE.

Jas. Stephen, Esq.

Paris, 13th April, 1840.

My Lord,—I have the honor to forward to your Lordship the copy of a note which I have received from his Excellency M. Thiers relative to the erection of a Light House on the coast of Newfoundland, in answer to one addressed to his Excellency's predecessor, in obedience to the instructions contained in your Lordship's Despatch No. 24.

I have, &c.

(Signed) GRANVILLE.

Paris, le 10 Avril, 1840.

Monsieur l'Ambassadeur,

Votre Excellence ayant rapellē le 28 Janvier dernier à mon predecesseur l'objet d'une proposition faite en 1838 par le Gouvernment de S. M. Britannique pour l'erection d'un phare sur l'Ile de St. Pierre, à la côte de Terre Neuve, M. le Duc de Dalmatie s'etait empresse d'en ecrire au Ministre de la Marine et des Colones.

Il resulte, Mon. l'Ambassadeur, de la reponse que je viens de reçevoir de M. L. B. Roussin, que son departement a juge necessaire de soumettre á un examen préalable sur les lieux, de la question de l'etablissment d'un phare destinē a eçlairer la côte sud est de Terre Neuve, et que des instructions a cet effet ont été adressées au Commandant de la Colonie de St. Pierre et Miquelon, des que le resultat de cette enquete me sera connu j'aurai l'honneur d'en donner communication a votre Excellence.

Ayez les assurances,

S. E. le Counte Granville. Signed, A. THIERS.

Copy—No. 77. Downing Street, 22 Dec., 1840.

Sir—I have the honor to acknowledge the receipt of your despatch No. 62, of the 31st October, upon the subject of the Act (No. 114) for facilitating steam communication between the Port of St. John's and the Port of Halifax, N. S.

The Lords Commissioners of the Treasury having sanctioned a contract with Mr. Tobin for the conveyance of the mails by sailing vessels between those Ports, I deemed it expedient to refer this act and the correspondence relating to it to their Lordships for their opinion before advising her Majesty to sanction it. I now to transmit to you for your information the copy of a letter received from the Secretary to the Treasury and I have to acquaint you that her Majesty will not be advised to adopt any decision on the act until it shall be ascertained whether, after being made acquainted with the views of her Majesty's Government on the subject, the Legislature of Newfoundland are still desirous to proceed with the contemplated expenditure for this service.

I have &c.

Captain Prescott. Signed, J. RUSSELL.

Copy. Treasury Chambers, 15th Dec. 1840.

I am commanded by the Lords Commissioners of her Majesty's Treasury to acquaint you, for the information of Lord John Russell, with reference to the despatch from the Governor of Newfoundland on the subject of the establishment of a steam communication between St. John's and Halifax, transmitted with your letter of the 3d inst., that their Lordships can have no objection to the Legislature of Newfoundland voting money for the encouragement of steam navigation in such sums and in such manner as they may think fit.

Their Lordships however wish that there should be no misunderstanding on the subject, and that it may not be argued hereafter that, by giving the consent of the Crown, any engagement express or implied has been entered into for a grant of public money from this country for the same purpose.

Their Lordships feel that they are bound to take into their consideration circumstances to which no reference has been made in the correspondence of Captain Prescott, and accordingly have before them a return of the Postage received on all the correspondence between England and Newfoundland, during the years 1838, and 1839, from which it would appear, so far as it can be made out, that the postage on letters both ways in her Majesty's Packets, and by merchant ships, was under £550 per annum.

Notwithstanding this small amount of postage their Lordships have sanctioned an arrangement by which, at considerable expense, sailing packets should convey the correspondence between Halifax and Newfoundland, in communication with the Halifax and England steamers, and a contract to that effect has been entered into for two years.

During that time their Lordships will be able to ascertain the amount of correspondence which will be conveyed by the packets; but they can scarcely entertain any expectation that the amount will be such as would justify them in making a grant at all adequate to the expectations which appear to be entertained.

It is for the Secretary of State to decide how far under the circumstances the act in question should receive the sanction of the Crown; but their Lordships would in any case wish to express a hope that no expectations should be raised which they see no likelihood of being fulfilled.

In conclusion, they can only express their regret that the arrangements which they have made, and the expense which they have incurred for the purpose of giving post office accommodation to Newfoundland, appear to have been received with so little satisfaction in that colony.

I have, &c. Signed, R. GORDON.

Jas. Stephen, Esq.

AT THE COURT AT BUCKINGHAM PALACE, 5th March, 1840.

PRESENT.

The QUEEN'S Most Excellent Majesty.

Lord CHANCELLOR	Earl of ALBEMARLE
Lord PRESIDENT	Viscount PALMERSTON
Lord PRIVY SEAL	Viscount MELBOURNE.
Marquis of NORMANBY	Viscount MORPETH
Lord STEWARD	Sir J. HOBHOUSE, Bart.

Lord CHAMBERLAIN.

Whereas the Governor of her Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did, in the months of September & October 1839, pass eight Acts which have been transmitted, entitled as follow, viz.

No. 99—An act to encourage the Killing of Wolves in this colony.

No. 102—An act to make provision for the greater protection of the revenne at the Port of St. John's.

No. 104—An act to regulate the granting of Licenses for the sale by retail of wines, ale and spirituous liquors ie Newfoundland.

No. 105—An act to revest in the Treasury the sum of fifteen hundred pounds granted to her Majesty under an Act passed in the first year of the reign of her present Majesty and remaining unappropriated, and to re-appropriate the same for the purpose of facilitating a communication by steam between the port of St. John's and the port of Halifax, in the Province of Novascotia.

No. 106—An act to repeal part of an act passed in the second session of the first General Assembly of this Island, entituled "An act to regulate the building of houses in Water street, in the town of St. John's."

No. 108—An act for granting to her Majesty a sum of money for defraying the expenses of the late Delegation.

No. 109—An act to provide for the expenses of the reconstruction of Waterford Bridge.

No. 110.—An act for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of this colony and for other purposes, for the year ending the 30th June, one thousand eight hundred and forty, and for regulating the appropriation of the same.

And whereas the said Acts has been referred to the committee of the Lords of her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations : and the said committee have reported as their opinion to her Majesty that the said Acts should be left to their operation,–her Majesty was thereupon this day pleased by and with the advice of her Privy Council to approve the said report—Whereof the Governor, Lieutenant Governor or Commander-in-Chief for the time being of her Majesty's Island of Newfoundland, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

Signed,

C. GREVILLE.

[No. 29.]
(Copy.)

Despatch leaving certain acts to their operation, and respecting Act for Incorporating Benevolent Irish Society.

Downing Street,
15th March, 1840.

Sir,—I have been honoured with your despatch, No. 67, of the 18th December last, transmitting twelve Acts passed by the Legislature of Newfoundland during the last Session, eight of which have been left to their operation by the enclosed order, passed by her Majesty in Council, on the 5th inst. The rest are still under the consideration of her Majesty's Government with the exception of No. 107.

This Act, for the Incorporation of the Benevolent Irish Society, is said to have been passed for the purpose of providing for the wants of the poor, and for other purposes. The main objects of this Act, however, are to give to this body a corporate character, with perpetual succession, to enable them to hold property, and to regulate the election of their officers.

To anything that appears the contrary, this may be a judicious measure, but I have no means of judging how far it may be necessary to confer the usual powers of a corporation on persons associated together for such a purpose. Neither does the act explain what are the precise objects of the Institution, or in what manner those objects, whatever they may be, are to be carried into effect. All that appears is, that the relief of the poor is one of the objects in view.

In the absence, therefore, of any observations from you upon this law, her Majesty's Government are unable to advise her Majesty as to the disposal of it.

You will call upon the Assembly to pass such an act during their next session as shall precisely define the purposes for which the Society is to be incorporated, and to limit the proceedings of the Society within strict bounds.

If this be not done there is no security against their usurpation of powers, the exercise of which, by a permanent corporation, might be highly inconvenient, and the more so, because, existing as it will, not by a Royal Charter, but by a Legislative enactment, the tribunals of the colony will have no jurisdiction to declare the corporate rights forfeited, whatever may be the neglects and abuses attendant on the exercise of them.

Her Majesty's final decision on this act will be suspended until the Legislature shall have had an opportunity of amending it.

I have, &c.

(Signed)

J. RUSSELL.

Governor Prescott.

[No. 30.]
(Copy.)

Despatch as to the transmission by the Speaker of an Address for the Queen.

Downing Street,
20th March, 1840.

SIR,—The Speaker of the House of Assembly of Newfoundland has transmitted to me an Address to the Queen from the Representative Branch of the Legislature, praying for the support and protection of Her Majesty against certain proceedings of her Majesty's Council during the present Session of the Legislature.

I must decline to lay this address before her Majesty, unless it shall first be placed in your hands for transmission to this country. I am unwilling to establish a precedent for deviating from the ancient and established course of proceeding in cases where either branch of the Colonial Legislature is desirous to lay before the Sovereign the expression of their opinion or wishes.

I have, &c.

(Signed)

J. RUSSELL.

Governor Prescott.

[No. 32.]
(Copy.)

Address to the Queen on refusal of Council to allow their Journals to be searched.

Downing Street,
13th April 1840.

SIR,—I have to acknowledge the receipt of your Despatch No. 10, of the 12th of February, transmitting an Address to her Majesty from the House of Assembly of Newfoundland, complaining of the refusal of the Council to permit their Journals to be examined by a committee of the Assembly appointed for the purpose.

This Address will be duly laid before her Majesty.

I have perused the Address from the Members of the Council to yourself, a copy of which is enclosed in your despatch, in which they explain the regulation which they have determined to adopt, in regard to the inspection of the minutes of their proceedings by the other branch of the Legislature. The practice which the Council propose to follow in this respect, I believe to be new, and is not very definite. If the Council allude to motions on which discussion is then proceeding, the rule may be reasonable and convenient; but if it were extended to matters already entered on their journals, on the ground that some further proceedings were, or might be intended, such an interpretation would lead practically to a concealment of their most important votes.

I have, &c.

(Signed)

J. RUSSELL.

Governor Prescott.

[No. 38.]
(Copy.)

Despatch relative to Poor Bill of last Session.

Downing Street,
May, 1840.

Sir,—I have received your despatch, No. 19, of the 26th March, together with a copy of the Poor Bill, required by my despatch of the 5th December.

Having now had an opportunity of perusing the Bill, I have to state that it certainly appears to be open to the main objection insisted on by the Council. Where names are inserted in a bill, I must consider that the Council are quite right not to agree to it unless they approve of the names, and I think it is a wise but not an invariable rule to leave the nomination of Commissioners in such cases to the Governor.

I have, &c.

(Signed)

J. RUSSELL.

Governor Prescott.

[No. 43.]
(Copy.)

Despatch respecting correspondence between Lords of the Treasury, or Commissioners of Customs, and Collector.

Downing Street,
24th May, 1840.

Sir,—Having referred for the consideration of the Lords Commissioners of the Treasury, your Despatch, No. 21, of the 1st of April, enclosing copy of an address from the House of Assembly of Newfoundland, relative to the production of certain correspondence between that Board, or the Commissioners of Customs, and the Collector of Customs in that Colony—I have to inform you that their Lordships have stated, that a compliance with the address of the House of Assembly would be incompatible with the usual practice of their Lordships Board, in regard to correspondence with the subordinate departments of the public service.

I have, &c.

(Signed)

J. RUSSELL.

Governor Prescott.

[No. 44.]
(Copy.)

Despatch relative to commission to prepare bill for introducing Criminal Law of England.

Downing Street,
30th May, 1840.

Sir,—I have had the honor to receive your despatch, No. 32, of the 8th inst., in which, with reference to my despatch of the 6th of last December, No. 14, you enclose the copy of an address from the House of Assembly, expressive of their concurrence in your suggestion for the appointment of a commissioner to digest and arrange, during the recess, a bill for the

introduction of such parts of the Criminal Laws of England as may be considered applicable to the Colony, and stating their readiness to provide a reasonable remuneration for such commission.

I am glad to hear of this intention on the part of the Assembly, and I consider that the officers whom you propose to appoint will be very proper selections.

I have, &c.

(Signed)

J. RUSSELL,

Governor Prescott.

[No. 63.]
(Copy.)

Despatch relative to Steam Communication.

Downing Street,
16th Sept., 1840.

Sir,—I have had under my consideration an Act, (No. 114,) passed by the Legislaure of Newfoundland during their last Session, for repealing the Act of October last (No. 105) which made provision for a Steam Communication between Newfoundland and Halifax, and making further provision for the same object. As, however, her Majesty's Government have recently entered into a contract for two years with Mr. Tobin for the conveyance of the mails between these Colonies by sailing vessels, and as the Act voting the sum of £3000 towards this object appears to be contingent on the conveyance of the mails by steam, it is unnecessary to take any further steps with regard to this Act.

I have, &c. (Signed)

J. RUSSELL.

Governor Prescott.

[No. 62.]
(Copy.)

Government House,
31st Oct. 1840.

My Lord,—I have the honor to acknowledge the receipt of your Lordship's letter of the 16th Sept. (No. 63), in answer to which I beg leave to state that although in the preamble of the Act to which it refers mention is made of the establishment by her Majesty's Government of a steam communication between England and Halifax, yet it was never believed or intended that the mails must necessarily be conveyed from Halifax to St. John's in any steamer plying under the encouragement of the Act in question, between those ports. Should the "Newfoundland Steam Navigation Company," now in embryo, reach maturity, it will probably be found, on the expiration of Mr. Tobin's contract, advantageous to all parties that the conveyance of the mails should be undertaken by that association; and the memorial from the company which I forwarded on the 18th Sept. is in accordance with this view of the subject, a view generally entertained in this community.

I infer from your Lordship's letter that the Act 3, Vic. capt. 4, will be annulled; but unless in the opinion of legal authorities it will have the effect of binding Government to pursue any particular manner of proceeding in the conveyance of mails, I would strenuously recommend its being left to its operation.

I avail myself of this occasion to bring under your Lordship's observation the dissatisfaction existing here from the Steam Communication between England and Newfoundland via Halifax not having been completed, and I trust that an early opportunity will be embraced of superseding the existing mode of conveyance of the mails by sailing vessels, and substituting steamers in their place.

I have, &c. (Signed,)

H. PRESCOTT.

Lord John Russell.

Copy—No. 62. Downing Street, 22d Aug. 1840.

Sir,—Various acts passed by the Governor, Council and Assembly of Newfoundland, in February and April last, and transmitted in your despatch No. 46, (25th June,) having been referred by the Queen in Council to the Lords of the committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to her Majesty in Council their opinion that the said acts should be left to their operation.

I have the honor to transmit to you herewith an order of her Majesty in Council, dated the 10th inst. approving that report.

I have, &c.

(Signed) J. RUSSELL.

Governor Prescott.

AT THE COURT AT BUCKINGHAM PALACE, 10th Aug., 1840.

PRESENT.

The QUEEN'S Most Excellent Majesty.

Lord CHANCELLOR	Lord JOHN RUSSELL
Lord PRESIDENT	Viscount PALMERSTON
Lord PRIVY SEAL	Viscount MELBOURNE.
Marquis of NORMANBY	Viscount DUNCANNON
Lord STEWARD	Lord HOLLAND.
Lord CHAMBERLAIN.	Sir J. HOBHOUSE, Bart.
Earl of ALBEMARLE	Mr CHANCELLOR of the Exchequer
Earl of MINTO.	Mr. MACAULAY.

Whereas the Governor of her Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did, in the months of February and April, pass six Acts which have been transmitted, entitled as follow, viz.

No. 111—An act to defray certain charges that have arisen for the support of aged and infirm paupers up to the first of February, 1840

No. 115—An act to encourage the Whale Fishery in this colony.

No. 116—An act to continue an act passed in the fifth session of the General Assembly of this Island, entitled " An act to continue the office of Clerk of the Central Circuit Court with the Office of Clerk of the Supreme Court, and to make provision for the officer discharging the duties of the said offices.

No. 117—An act to defray certain expenses and outstanding claims on the Board of Road Commissioners in St. John's, and for other purposes.

No. 119—An act for granting to her Majesty a sum of money for defraying the expenses of the Civil Government of this colony and for other purposes, for the year ending the 30th June, one thousand eight hundred and forty-one.

No. 120.—An act for granting to her Majesty certain supplies for the Civil Government of this colony and for other purposes.

And whereas the said Acts have been referred to the committee of the Lords of her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations : and the said committee have reported as their opinion to her Majesty that the said Acts should be left to their operation,–her Majesty was thereupon this day pleased by and with the advice of her Privy Council to approve the said report—Whereof the Governor, Lieutenant Governor or Commander-in-Chief for the time being of her Majesty's Island of Newfoundland, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

Copy—No. 45. Downing Street, 2d June, 1840.

Sir—I have the honor to acknowledge the receipt of your despatch No. 1, of the 2d January last, transmitting copy of a letter from Mr. Spearman, in reply to a communication which you had made to him from the Lords Commissioners of the Treasury on the subject of Mr. Spearmans's increased duties and responsibilities, under the Colonial Act No. 101, providing for the safekeeping and due collection of the Colonial Revenue of Customs.

I have referred Mr. Spearman's letter to the Lords Commissioners of the Treasury, who have at the same time had under their consideration the act alluded to.

I now enclose for your information copy of their Lordships reply objecting to the delegatioa to the Governor and Council of the unlimited and uncontrolled discretion of fixing the amount of security to be given by officers of her Majesty's Customs.

For these reasons her Majesty has been advised to disallow this act, and I transmit an order passed by the Queen in Council disallowing it accordingly.

I have &c.

Captain Prescott. Signed, J. RUSSELL.

Extract from the report of the Committee of Council for Trade, dated 12th May, 1840, recommending the disallowance of Newfoundland Act No. 101.

——o——

" Because it vests in the Governor and Council unlimited and uncontrolled power to fix the amount of security to be given by the officers of Customs for the due performance of their respective duties, which power is by law vested in the Lords Commissioners of Her Majesty's Treasury."

AT THE COURT AT BUCKINGHAM PALACE, 22d May, 1840.

PRESENT.

The QUEEN'S Most Excellent Majesty.

Lord CHANCELLOR	Lord JOHN RUSSELL
Lord PRESIDENT	Viscount PALMERSTON
Lord PRIVY SEAL	Viscount MELBOURNE.
Marquis of NORMANBY	Lord HOLLAND.
Lord CHAMBERLAIN.	Mr. LABOUCHERE.
Earl of ALBEMARLE	Mr. MACAULAY.

Whereas the Governor of her Majesty's Island of Newfoundland, with the Council and Assembly of the said Island, did, in the month of October, 1839, pass an Act which has been transmitted, entitled as follows, viz.

No. 101—An act to provide for the safe keeping and due collection of the Colonial Revenue of Customs.

And whereas the said Act has been referred to the committee of the Lords of her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations : and the said committee have reported as their opinion to her Majesty that the said Act should not receive her Majesty's Royal Confirmation—her Majesty was thereupon pleased by and with the advice of her Privy Council to declare her disallowance of the said act, and the same is hereby disallowed accordingly—Whereof the Governor, Lieutenant Governor or Commander-in-Chief for the time being of her Majesty's Island of Newfoundland, and all othei persons whom it may concern, are to take notice and govern themselves accordingly.

(Signed) W. L. BATHURST.

(Circular.) Downing Street, 24th Aug. 1840.

Sir,—The new line of steam Packets between this country and Halifax having come into operation, I have to call your attention to the great importance of improving the main routes of communication within your Government, and to desire you to use all the influence in your power to induce the colony of Newfoundland to continue its efforts in that respect, and meet by a corresponding feeling, the exertions made by this country for the purpose of keeping up a regular and rapid communication with the colonies.

I have &c.

Captain Prescott. Signed, J. RUSSELL.

Treasury Chambers,
21st April, 1840.

Sir;

With reference to your Letters of the 13th and 15th February last, and to the act of the Legislature of Newfoundland, and the proceedings of the Local Government regarding the security to be given by officers of the Customs Department in respect of the responsibility devolving on them for the collection of Colonial Duties, which have therein been brought under the consideration of this Board, I have it in command from the Lords Commissioners of her Majesty's Treasury to request you will state to Lord John Russell that having assented to the employment of the officers of the Customs Establishment at Newfoundland in the collection of the Colonial Duties, my Lords might not object to those officers being requested to give security to an amount commensurate with the pecuniary trust that must unavoidably be reposed in them in consequence of that employment; although my Lords may observe, that the Legislature of other colonies which have availed themselves of the services of the officers of Customs for effecting collections to an amount greatly exceeding those at Newfoundland, have not considered any such security to be necessary.

But my Lords are not prepared to assent to the delegation to the Governor and Council of the unlimited and uncontrolled discretion in fixing the amount of security the officers shall be called upon to enter into, which is provided for by the act in question; and my Lords are the more confirmed in the opinion that inconvenience would arise from that course, on observing the very large amount of security which the Governor and Council have already proposed to demand from the present officers.

As regards, for instance, the security called for from the Collector of St. John's, viz. £4,000, my Lords must remark not only that it very greatly exceeds the security required from him in respect of his important duties and responsibility under the Board of Customs, but also that on adverting to the probable amount of the collection to be made for the colony, they find that if the receipts on this account were transferred to the charge of the Treasurer by weekly payments, the responsibility of the Collector, as well as the risk unavoidably attending the unnecessary detention of Public Money in the department chest might be so materially diminished as to render a security from the Collector to the amount of £400 or £500 amply sufficient as regards the collection under colonial enactments, in lieu of the very heavy amount proposed by the Governor and Council.

My Lords are consequently unable to give their sanction for the confirmation of the Act of the Local Legislature of Newfoundland, entitled An act to provide for the safe keeping and due collection of the Colonial Revenue of Customs, which has been submitted to them; and their Lordships have to suggest to Lord John Russell that in notifying to the Governor the disallowance of that act, his Lordship should point out to his Exeellency and the other branches of the Colonial Legislature, the expediency of adopt-

ing Regulations for the weekly payment to the Colonial Treasurer of the collections made under colonial enactments.

I have, &c. Signed,
C. E. TREVELYAN.

Jas. Stephen, Esq.

Copy—No. 70. Downing Street, 20th Nov. 1840.

Sir,—I enclose herewith the copy of a letter from the Secretary to the Board of Ordnance proposing the immediate sbandonment of Fort William, and I have to request that you will confer with the respective officers of the Ordnance in Newfoundland with reference to the transfer to the colony of such of the buildings as may be required for colonial purposes.

I have, &c. (Signed)
J. RUSSELL.

Governor Prescott.

Copy. Office of Ordnance, 11th Nov. 1840.

Sir,—I have the honor, by the Master General and Board's commands, to transmit, with reference to your letter of the 7th June, 1836, the enclosed copy of a letter dated 14th Sept. last from the Commanding Royal Engineer at Newfoundland, to the Inspector General of Fortifications on the subject of the abandonment of Fort William, in consequence of the new system of Barracks and defences for St John's having so far advanced as to admit of ample accommodation for the Garrison ; and I am commanded to signify the Master General and Board's request that you will, in laying the same before Lord John Russell, have the goodness to move his Lordship to be pleased to instruct the Governor of Newfoundland to confer with the respective officers of the Ordnance for the purpose of carrying into effect the transfer of Fort William to the colony, together with such of the old buildings as he may consider desirable to maintain for public purposes, and that the remainder be taken down and disposed of by the Ordnance.

I have, &c.
(Signed)
R. BYHAM.

Jas. Stephen, Esq.

Copy—No. 49. Downing Street, 18th June, 1840.

Sir,—I have received your despatch No. 34, of the 11th May, reporting the rejection, a second time, by the House of Assembly of Newfoundland, of the proposal which by my direction you made to that body to provide a retiring pension for Mr. Justice Brenton. I cannot but regret the decision adopted by the Assembly on this subject. I trust, however, that they will eventually become sensible of the serious injury which it will occasion to the administration of Justice in the colony, as well as the hardship it will entail on Mr. Brenton. Under this expectation I have consented to Mr. Brenton's absenting himself from his duties until the end of June next year.

I have, &c.
(Signed) J. RUSSELL.

Governor Prescott.

To the Right Honourable Lord John Russell, Her Majesty's Principal Secretary of State for the Colonial Department, &c. &c. &c.

The Petition of Aaron Hogsett, Esq., Clerk of the Peace, and Coroner for the Central District of the Island of Newfoundland,

Humbly Sheweth,—

That your Petitioner entered his Majesty's service A. D. 1807, as Clerk in the Royal Navy; that in the year 1810 he was appointed first clerk of the victualling establishment at Minorca, and so continued until 1814, when, upon the peace that Island was evacuated, and in 1815 your Petitioner joined Sir R. G. Keats as Clerk in the Secretary's Office at Newfoundland, where from time to time he filled the various offices of Searcher and Waiter of his Majesty's Customs, Deputy Naval Officer, and Deputy Sheriff of Newfoundland, which last mentioned office he continued to hold until 1835, when, on the resignation of Captain Buchan, he was appointed by his Excellency Governor Prescott to the office of High Sheriff of Newfoundland, with a confident expectation that as his services had on several occasions been acknowledged by his Majesty's Government, his appointment would have been confirmed.

That your Petitioner was however superseded in his office on the 4th January 1836, by an appointment of Mr. B. G. Garrett from the Colonial Office; the Secretary of State, as it afterwards appeared, not having adverted to the claims of your Petitioner.

That immediately afterwards the office of Clerk of the Southern Circuit Court was conferred on your Petitioner, under an impression kindly expressed by Lord Glenelg, that it would be scarcely less advantageous than that of Sheriff; but the emoluments thereof forming an inadequate compensation for the loss of the Shrievalty, your Petitioner was appointed by his Excellency Governor Prescott to the offices of Coroner and Clerk of the Peace, which appointments were cheerfully confirmed by Lord Glenelg, who, in his despatch to the Governor, was pleased to express his gratification in having the opportunity of thus marking the sense which her Majesty's Government entertained of your Petitioner's services, and of the very favourable testimony which had been borne to his general merits in the addresses which his Excellency had at several times transmitted in your Petitioner's favor.

That in confirming this appointment to your Petitioner, Lord Glenelg was impressed with a belief, as expressed in a letter from Sir G. Grey to the hon. W. F. L. Ponsonby, of the 31st October 1836, that your Petitioner would thereby be placed in a more favorable situation in point of emolument than if he had been appointed to the Shrievalty of the Island, and the office of Clerk of the Peace was then made a patent office to which your Petitioner was duly admitted by mandamus from her Majesty, and obtained his commission under the Great Seal of the Island.

That although the appointment thus confirmed did not realize the expectation of his Lordship (the emoluments of Sheriff being in that year £665, besides allowance for a House and for coals, candles, and a servant equal to at least £120 more, and those of Coroner and Clerk of the Peace together amounted only to £292) yet your Petitioner felt grateful, and ceased from further complaint, not doubting but that on a favorable opportunity means would be taken to afford more adequate compensation; but that in the late Session of the General Assembly of this Island, an Act has passed, entitled "An Act to establish Fees and "Costs chargeable in the several Police Offices and Courts of Sessions in this Colony," whereby, if it receive the Royal Assent, the fees of the said office will be reduced to about £60 per annum, which, with the fees of the office of Coroner included, will reduce your Petitioner's income to less than £100 per annum, or £500 or upwards of that sum below the fees and perquisites of the office of Sheriff, for which this was supposed an adequate compensation.

That the table of fees existing the time your Petitioner accepted the Office of Clerk of the Peace, was the same as had existed from the year 1809, and was framed by the Chief Jus-

tice, and approved by his Excellency the Governor, under the Imperial Act 49, Geo. 3, cap. 27, Sec. 13, which section is unrepealed; and your Petitioner therefore in accepting the said office and taking up his patent, had no apprehension that the fees could be abolished without an adequate compensation for the vested rights of your Petitioner by granting him a proportionable salary or otherwise.

That your petitioner having a large family, is, by the causes aforesaid, reduced to very great straits, and unless speedily relieved by your Lordship, will necessarily fall into an alarming state of distress.

Your Petitioner therefore humbly prays that your Lordship will be pleased to advise her Majesty to withhold her royal assent from the said Act, entitled "An Act to establish the "fees and costs chargeable in the several Police Offices and Courts of Sessions in this Is-"land," or until adequate provision by a fixed salary or otherwise shall be made for your Petitioner.

(Signed)
A. HOGSETT,
Coroner and Clerk of Peace.

[No. 47.]
(Copy.)

Government House,
7th July, 1840.

My Lord,—At the request of Mr. Hogsett the Clerk of the Peace at St. John's, I have the honor to transmit the annexed petition addressed to your Lordship.

I have, &c. (Signed,)
H. PRESCOTT.

Lord John Russell.

[No. 61.]
(Copy.)

Downing Street,
11th Aug. 1840.

Sir,—I have received your despatch of the 7th July, No. 47, in which, at the request of Mr. Hogsett, the Clerk of the Peace at St, John's, you transmit a petition which he has addressed to me.

As you have expressed no opinion on the propriety of acceding to Mr. Hogsett's request, I am unable to form any confident judgment regarding it; especially as the propriety of the proposed reduction of fees cannot be estimated without the advantage of exact local information. I would therefore request a report from you on the question, and until I shall be in possession of that report the decision of her Majesty on the Act will be suspended.

I have, &c.
(Signed)
J. RUSSELL.

Governor Prescott.

[No. 58.]—(Copy.)

Government House,
24th Sept. 1840.

My Lord,—I have the honor to acknowledge the receipt of your Lordship's Despatch of August 11, (No. 61), respecting Mr. Hogsett's petition, transmitted by me in July.

I did not originally make any remarks upon this petition, because the Act to which it refers appeared to be the concurrent work of the two deliberative branches of the Legislature. No remonstrance had been presented to either of those bodies or to me respecting it by Mr. Hogsett, or any other party. I had in my public addresses recommended a revision of the system of fees—and the duration of the Act is limited to three years—should any public officer present to me a proved case of hardship resulting from the operation of this Act I should not fail to bring it under the observation of the Legislature, and to use all my efforts for its correction. The present system will have been eight months in operation in January, when the General Assembly will be again in Session, and time will have been afforded to judge of its effects.

I must at the same time observe, that for the financial year 1839-40, salaries were voted for the Clerks of the Peace in lieu of fees for criminal proceedings; I was unable to procure a similar provision for the current year, which I much regretted.

Upon the whole, I should consider it advisable to hold her Majesty's decision upon this Act suspended, until its effects shall be manifest. I believe that there will be a considerable reduction in the emoluments of Mr. Hogsett and others, and should the House of Assembly refuse just compensation, the Act may be annulled.

I have, &c. (Signed,)

H. PRESCOTT.

Lord John Russell.

[No. 65.]
(Copy.)

Downing Street,
21st Oct. 1840.

Sir,—I have received your despatch, No. 58, of the 24th of September, reporting on the representation of Mr. Hogsett, Clerk of the Peace for the District of St. John's, on the subject of the reduction in his emolument, which he anticipated from the operation of a recent Act of the Colonial Legislature, regulating the fees and costs in the Police Offices and Courts of Session-

You will have the goodness to inform Mr. Hogsett that I see no grounds for interfering at present in his behalf. If he should be able, after the Act shall have been a sufficient time in force, to show that its effect has been materially to diminish his official income, you would, of course, bring the subject under the consideration of the Colonial Legislature, and use your best endeavours to obtain for him, and other officers similarly situated, adequate compensation.

In deference to your advice, the Royal Assent will be withheld from the Act for the present.

I have, &c.

(Signed)

J. RUSSELL.

Governor Prescott.

[No. 31.]—(Copy.)

Government House,
7th May, 1840.

My Lord,—I have the honor to enclose copy of regulations which I have adopted with the advice of the Council, in consequence of no Act having been passed during the late Session of the Legislature for the alienation of the Crown lands.

They are in accordance with your Lordship's directions as regards sale by auction, and in other respects suited, I think, to the state and nature of the Colony.

A bill sent up to the Council by the House of Assembly, was before a select committee of the former when the Session closed. As soon as I can obtain a copy of it as modified in that committee, I shall transmit it in both its original and amended forms to your Lordship, with such remarks upon it as may appear to me requisite; hoping to receive before the next Session the decision of her Majesty's Government as to what may be conceded, and what should be withheld in any future Act for this object.

I have, &c.
(Signed)
H. PRESCOTT.

Lord John Russell.

To prevent present inconvenience to the public, to facilitate the means of procuring grants of land, and to remove every pretext for its undue occupation, the Governor, by and with the advice of the Council, has adopted the following regulations for its alienation,—

1st,—All petitions for land, now in the office of the Surveyor-General, or which may hereafter be lodged there, shall be submitted to the Governor for his approval.

2d,—If a petition be so approved, the land applied for will be surveyed and advertized for sale in three successive Gazettes, put up at public auction at an upset price of 2s. per acre, and sold to the highest bidder.

3d.—A deposit of ten per cent to be paid down at the time of sale, and the remainder of the purchase money within 14 days thereof.

4th,—On such payment, as also of the established fees being made, the grant will be delivered.

JAMES CROWDY,
Secretary.

Secretary's Office,
4th May, 1840.

Copy—No. 51.

Government House,
My Lord, 20th July, 1840.

I have the honor to inform your Lordship that when in pursuance of the intention mentioned in my despatch of May 7, No. 31, I applied for a copy of the Land Bill as amended in the last Legislative session by a committee of the Council, I discovered that nothing had been done respecting it by such committee; but the Attorney General at my request has since drawn up a bill which I now enclose, together with the original bill sent up by the House of Assembly.

The bill of the Attorney General will doubtless receive some modifications when brought under discussion in the Legislature; but its principle seems to me unobjectionable, and it must, I think, be considered as beyond all comparison superior to the other.

The machinery of Commissioners is the part of this bill which appears to me most liable to objection, as it proposes to have them for the electoral districts; they are to be

remunerated for their trouble, the expense will be great, and I fear far beyond the proceeds—while all their duties might be as well performed by the Surveyor General and his deputies.

The present obligations upon the Rent Fund are in the bill of the House of Assembly wholly overlooked. These, independently of the salaries of the Surveyor General and his chainman, are for the support of Government Buildings, and a pension to Mrs. Westcott.

Should the rents of Crown Lands and proceeds of sales be wholly paid over to the Treasurer, to be subject to the appropriation of the Legislature as proposed in the Bill of the House of Assembly, a new source of contention between that body and the Executive Government will be opened with reference to these subjects, more especially as respects the former ; and although the buildings are on a scale disproportioned to the state of the colony and to the pecuniary appointments of the Governor, yet they ought not to be suffered to go to decay. Upon this point, and upon any others in connexion with the measure in question, I shall be particularly anxious for your Lordship's commands, that at the next meeting of the General Assembly, I may be fully prepared to act in accordance with the views of Her Majesty's Government.

I have, &c.

(Signed)

Lord John Russell. H. PRESCOTT.

CROWN LANDS.

—o—

Copy—No. 62. Downing Street, 9th Nov. 1840.

Sir,—I have received your despatches Nos. 31 and 51, of the 7th May and 20th July, 1840, relative to the mode of disposing of the Crown Lands in Newfoundland.

The temporary regulations reported in No. 31, are approved.

With regard to the bills proposed by the House of Assembly and by the Attorney General of the Colony for settling the manner in which those lands should in future be alienated, I enclose for your information the copy of a report from the Commissioners of Colonial Lands and emigration to whom I thought it right to refer the subject. The general opinions expressed by these gentlemen meet with my concurrence. I shall, however, be ready to concede to the present occupiers of Lands in the colony such advantages as, in the peculiar circumstances of Newfoundland, may appear to you equitable to those persons, and beneficial to the community at large. In every other respect I should wish the suggestions of the Commissioners to be embodied in the Bill which you will instruct the Attorney General to prepare for the purpose of being submitted to the Legislature at its next meeting. Should the Bill not pass into law you will instruct the Surveyor General to conform to the rules it is intended to establish.

The administration of the Land department must be reserved to the Executive Go-

vernment, together with the same power of appropriating the Revenue arising from it as is exercised at present.

I have, &c. (Signed)

J. RUSSELL.

Governor Prescott.

Colonial Land and Emigration Office,
9, Park Street, Westminster,
30th Oct. 1840.

Sir,—In obedience to the directions contained in your letter of the 18th ult., we have perused and considered the despatches therein enclosed from the Governor of Newfoundland, the first reporting some temporary regulations, which he had sanctioned for the disposal of Crown Lands; and the second submitting for approval the draft of a bill which had been prepared by the Attorney General, for the same object.

We see no objection to the temporary regulations reported by the Governor.

The bills transmitted by him are two—one bill which was passed by the Assembly in the last session of the Legislature, and sent up to the Council, but not acted upon in that body,—the other, a draft by the Attorney General which it was propesed to introduce into the Legislature at its next meeting.

We could not recommend the adoption of the former measure. It begins by sanctioning, in general terms, the disposal of the public lands by sale, but then lays down the following exceptions—

1st—Every person who has been in actual possession of land for 12 months previously to the passing of the bill, to have a free grant of the same.

2d—All lands situated within five miles of the sea to be divided into small lots, and during the next ten years every married fisherman to be entitled to a free grant of ten acres of such lands within the district where he may reside.

3d—Every purchaser of land to be entitled during the next ten years to claim a free grant of five acres of adjacent lands for every acre which he may have improved of his original purchase, provided the quantity so obtained shall not exceed fifty acres in all, or be greater than the whole of the first purchase. Extensive reserves of land are authorised for carrying these provisions into effect. And for the general execution of the bill, paid district Commissioners are proposed, who, it is reported by the Governor, would amount to 31 in number.

We fear that with such large exceptions as these the principle of sale would be quite neutralized in Newfoundland. With regard to persons who have improved their lands without possessing a title, we think that the most equitable mode of proceeding is to give them a right of pre-emption at the general price named by Government for all waste lands in the same situation. Large reserves of land for the purpose of making grants in extension to original grantees or purchasers are open to a great variety of serious objections. And with regard to land bordering on the sea, we conceive that either it should be left common to all, where the public interest requires it, or else that in any case in which it is a fit subject for appropriation by individuals, it should be disposed of under the same general rules of sale which are applicable to all other lands in the Colony. Considering how fully the disposal of the public lands by sale has been for several years past adopted as a principle throughout the British Colonies by the Government, we apprehend that it would not be possible to concur in such a measure as the one of which we have presented an outline.

The draft prepared by the Attorney-General is also not free from the objection of admitting too many exceptions to the rule of sale, but we think that with some modifications it might receive the Royal Assent without infringing established principles. We conceive, for the reasons we have so often had occasion to submit, that the establishment of one fixed uniform price would be preferable to sale by auction. In other respects the alterations we have to propose are only on points of detail, and we have therefore embodied our recommendations in the shape of remarks upon the annexed summary of the Bill, believing this to be the most convenient method of submitting our suggestions, and of enabling the Attorney General in the Colony to embody any of them which may be considered worthy of adoption.

The Governor expresses an anxiety to receive Instructions on the authority by which the Land Revenues are hereafter to be appropriated, and of the manner of providing for existing charges upon them. These are subjects which lie beyond our province, and they are only alluded to by us for the purpose of bringing them under notice. The mode in which the Attorney General's draft proposes to deal with them is, that all former charges are to continue to be paid out of the land fund, and that the surplus should be handed over to the Colonial Treasurer for the general purposes of Government.

We have, &c.

(Signed) T. FREDERICK ELLIOT,
ROBERT TORRENS.
EDWARD E. VILLIERS.

James Stephen, Esq.

SUMMARY OF A BILL FOR THE DISPOSAL OF CROWN LANDS.

Prepared by the Attorney General of Newfoundland

1

No grant of land to be made to aliens.

2

Land to be sold by auction, and if no bidder, it may be sold by private contract, at the upset price.

3

Governor and Council to fix the upset price, and to make such regulations of detail from time to time as they may deem expedient.

4

The fee simple of the lands to be sold

5

Commissioners to be appointed within the Electoral Districts—Seven in the district of St John's, and Three in other districts.

6

The Commissioners to hold not less than three meetings in the year in their respective districts, for considering applications for lands, and to transmit their reports to the Surveyor General, to be delivered to the Colonial Secretary for the Governor's information, and to keep registers.

2

No public land to be disposed of otherwise than by sale.

3

A uniform price to be fixed by the Governor in Council, subject to the confirmation of the Secretary of State for the Colonial Department.

5 & 6

On the subject of Commissioners, the Governor remarks as follows—" The machinery of Commissioners is the part of this bill which appears to me most liable to objection, as it proposes to have them for the Electoral Districts. They will amount to 31, and as they are to be remunerated for their trouble, the expense will be great, and I fear far beyond the proceeds, while all their duties may be as well performed by the Surveyor General and his deputies."

7

Regulates the manner of applications to the Surveyor General, and the proceedings of that officer upon them.

8

Printed forms of application to be issued at the office of the Surveyor General, price two shillings.

9

The Governor and Council to direct the making of surveys, and to pay for them out of the surplus funds in the hands of the Receiver of monies for the sale of Lands.

10

The Governor and Council may reserve land for public purposes.

11

Persons who have held land without a title since 1830, to be allowed to retain such land on paying a certain sum prescribed by the Governor for it.

12

Governor authorised to make grants to officers of the army and navy, or other public officers, under such conditions as her Majesty shall require.

13

All ungranted land lying within 200 yards of high water mark, shall be reserved for purposes of fishery only, and shall be freely used by any of the inhabitants for such purposes.

14

Any person so holding land within 200 yards from high water mark, and discontinuing to use the same for the purposes of the fishery, for the space of three successive years, shall be considered to have abandoned such land, which accordingly shall revert again to the public use.

15

Any person using such land for the purposes aforesaid, and wishing to have a free grant of the same, shall send in his petition to the Governor, and shall receive a free

The creation of Commissioners appears quite unnecessary, and the payment of them objectionable; and these clauses and all subsequent references to them, ought to be omitted.

7

In lieu of district commissioners, there should be one general Land Office, under the Surveyor General, where maps of the surveyed territory may be always open to inspection.

11

Say, on payment of the fixed uniform price.

12

There should be no mention of "other public officers." The simplest enactment would be that the Governor should have power to make grants to officers of the Army or Navy under such regulations as may from time to time be established by her Majesty.

13, 14, & 15.

Clause 13 appears to conflict with 15. The whole of these would be better omitted. Under clause 10, the Governor could reserve, to be common to all, lands respecting which the public interest required it. All lands not common should be disposed of under the general principle of public sale.

grant subject to the conditions of employing the land under the limitations before provided.

16

Persons residing in the Island may cut down timber on ungranted and unoccupied land, for puporses of erecting buildings connected with fisheries as freely as under any former act of Parliament

17

Surveyor General to publish the place of his residence, and that of his deputies, and also the residence of the Commissioners.

18

Due notice to be published of the sale by auction of any lands, and of the conditions upon which they will be sold.

19

Sales of land by auction to take place within the district in which they are situated, unless otherwise directed by special order of Council.

20

One third of the purchase money to be paid at the time, and the remainder to be paid within 4 weeks, and on failure of such payment the deposit to be forfeited and the sale to be deemed void.

21

Subject to certain conditions of keeping up fences—the fee simple of the land to be granted within one month after the payment of the purchase money and the usual fees.

22.

The land to be the purchaser's from the time when it is paid for, although he may not as yet have received his Title Deeds.

18

Due notice to be given of the districts open for selection, and after the expiration of a given time from the date of the notice, the lands to be granted in the order of application on payment of the uniform price.

19

To be omitted.

20

Ten per cent upon the purchase money to be paid at the time of application at the land office, and the remainder to be paid, &c. (as in the text.)

21.

The condition of surrounding land with fences in a country covered to a great extent with timber, and in situations where there would often be no near neighbours, would seem unsuited to the circumstances of most new countries in North America; but as this condition appears both in the Assembly's Bill of last year and in the Attorney General's draft, and is introduced as if adopted from previous practice, it is to be supposed that there must be cases in Newfoundland in which such a condition is at once desirable and capable of being fulfilled. If so, however, it would seem advisable to point out rather more definitely, if possible, the cases to which this condition is intended to apply. A Report from the Governor, affording information upon this point, would be of use

22 & 24.

These clauses wouldseem of doubtful necessity—and at any rate if 22 is adopted, 24 can hardly be required.

23.

Persons having purchased a Grant, and occupied it for 6 years, may be allowed to receive the adjoining land at the price of one third of the then reasonably estimated value —provided the claimant has brought into cultivation at least one-third of the former grant, and fulfilled all other conditions.

24.

Persons who have bought and paid for land may assign the same to others before they are furnished with the Title deeds.

25.

The Governor may say what sort of hedge or fence is necessary, and no person shall be able to maintain an action for trespass unless such fence is put up.

26.

There shall be at least two Sales in each district in the year, if there be a demand for Land.

27.

Fees.

28.

The Governor may issue such rules as are necessary for carrying the Act into execu-

23.

This clause is decidedly objectionable in principle. There ought to be one general power of acquiring land by all parties, indifferently, on the same terms of fair and open purchase. The present clause, moreover, would entail the necessity of Reserves of Land for its execution,—a most injurious system.

The proper method of accomplishing the object of this clause, is to name a price sufficiently high to prevent land from falling into the hands of persons who do not intend to cultivate. There would then be no occasion to attempt to encourage cultivation by paying parties for it by additional grants; nor yet would there occur the evils—which this mode of attempting it must create—of accumulating more land in the hands of individuals than they can possibly cultivate, even if they should be inspired with the desire.

24.

Vide remark on 22.

25.

Vide remark on 21.

26.

To be omitted.

27.

A table of Fees is contained in the Blue Book as having been approved by the Secretary of State in 1835, with which the Schedule annexed to this Bill generally agrees. We presume that it is intended to be a continuation, by enactment, of the previously established practice; and that the rates, therefore, may be considered proper if fees are to be continued at all. In the case of Local Surveyors and their assistants, there is probably no other convenient way of providing for their remuneration; but to all the other officers we should deem a commuted allowance, payable out of the General Land fund, preferable.—The price ought to be sufficiently increased to cover this expense.

tion, and the same shall be published, and copies of the Act and such Rules shall be open to public inspection in the Surveyor-General's office.

29.

The Commissioners to be paid as the Governor shall think fit, and the Surveyor to be paid by a commission or per centage on each grant.

30.

The manner in which the Surveyor and Deputy Surveyor shall keep and render their accounts.

31.

A Salary of £500 per annum to be paid to the Surveyor General quarterly out of the proceeds of the Land Sales.

32.

Surveyor-General and Receiver of monies for Sale of Lands to give security.

33.

Out of the surplus of the Land fund the Governor may expend £200 annually for the improvement of the Land.

34.

After defraying all the expenses heretofore charged on the Land fund, and those allowed by the present act, the Receiver to pay into the hands of the Colonial Treasurer the residue for general purposes of the Colony, and to deliver in his account to the Colonial Secretary twice every year.

35.

The act to be in force for five years.

29.

It has been suggested already that no Commissioners will be necessary, and that none of the references to them in the Bill should stand.

34.

This clause contains a provision on existing charges upon the Land Revenue, to which subject, generally, attention is drawn in the report of which the present Memorandum is an enclosure.

If there should be an effective demand for an immigration of labourers in Newfoundland this would be a convenient plan to make some suitable provision for that purpose out of the Land Revenues. We fear there is not much encouragement in the Island for emigrants, but as there is not time for communicating with the Governor before the Session, this point might be mentioned to him, and left to his discretion according to local circumstances.

(Signed) T. F. E.
R. T.
E. E. V.

REPORT

OF MR. RENDELL'S PROCEEDINGS ON THE COAST OF LABRADOR.

In the spring of the present year having had the honor to be appointed by his Excellency the Governor, and the Hon. the Collector of Her Majesty's Customs, to receive the revenue on the coast of Labrador, as also to collect information respecting that coast for the use of the Legislature, I had no less difficulty in procuring the means of getting there than on discovering when there how I should be conveyed from place to place. Some of the merchants who carry on trade there were at the time in St John's with their vessels, but knowing the mission I was on, they not only refused me a passage themselves, but influenced others to do so, and threw every obstacle in my way. As may naturally be supposed, I felt not a little discouraged in the business, but fearing that his Excellency might attribute either indifference or want of exertion in it to me, I resolved on hiring a small vessel for the purpose, the expense of which, as well as all others necessarily incurred, I felt assured the House of Assembly would readily provide for. Accordingly I engaged a boat, partially decked, of only twenty seven tons, hastily fitted her out, and with her and four hands on the 5th July sailed on my perilous voyage from St. John's. On the 11th, we got to Battle Harbor, when I demanded from Messrs. Slades the duty on some goods they had imported from England. They were too busy about the fishery to attend to it at the time, and promised to pay on my return. After examining the Cockets, and making up the amount of duties (about £40) I proceeded to the northward after touching in at all the principal places on the coast, and did what business was necessary. I reached to a considerable distance in Esquimaux Bay. On my return to Battle Harbor, and calling for the payment of duties from Slades House, as promised, I was met by a direct refusal, their agent informing me that he was instructed by his principals at home to resist any demand for the payment of all duties until the result of an application which they had made to her Majesty's Government on the subject was known,—beyond this he refused me any information or satisfaction. With this exception, no one positively refused to pay duties, but all complained loudly of being obliged to do so, and particularly of the Colonial part, for which they received not a shadow of compensation from the Colonial Government. I explained to them that part of my mission amongst them was to collect information for the Legislature relative to that portion of the colony, and that I had no doubt it was with a view to the adoption of measures for their benefit. This explanation seemed in some degree to satisfy the people, but for the most part of them they said unless protection was afforded to them by the establishment of a Court of Justice and the appointment of Civil authorities, they would next year resist the payment of duties by every means in their power.

As may be expected on such a length of coast, disputes will arise amongst the people, to adjust which they have no one authorised to resort to, which often times gives rise to the worst of feelings, and leads to disastrous consequences ; but beyond this the commission of crime is not unfrequent, and that too of the blackest die. A man is going at large there at this moment who murdered his wife last winter, and during last summer two attempts at murder were made. These circumstances alone are sufficient to shew the necessity of establishing a court to punish and repress offenders.

A Court such as the one lately in operation there, but not so expensive, would in the opinion of the people answer all purposes of the administration of Justice, and the collection of the revenue—to move about from place to place during the fishing season (say from about the 1st July to the 25th September) without being confined by Proclamation as heretofore—but to be left free and unshackled, and to avail when and where it might be required.

Generally speaking, the Merchants are averse to their being placed in authority themselves, but I have no doubt some of them might be induced to accept it as Magistrates or Conservators of the peace; many men of ability and education are to be found amongst them.

The extensive sale of spirits without License, or payment of duties, by the Nova Scotians and Americans who resort to that coast is much complained of; they carry a cheap, bad article, with which they supply the servants in the fishery, to the great damage and injury of their employers, who have not the slightest remedy against the evil; thus the Revenue is defrauded and the fishery injured at the same time.

The encroachment of the French on the rights of our Fisheries on the coast of Labrador is also a subject of just complaint. From Blanc Sublons in the Straits of Bell Isle to Henley Harbor—the shore is literally lined with French boats; protected by their numbers, it is useless for the inhabitants to order them off or shew the least resistance; nothing but a ship of war will intimidate them, or can protect the interests of the British Fisherman.

The amount of revenue collected by me at the coast of Labrador, and which I have paid over to the hon. the Collector here, is

Colonial.....	£136	0	6
Imperial..	69	10	10

The expenses incurred on it in traversing over a distance of twelve hundred miles, is £63 2*s*. 7d., a detailed account of which has been laid before his Excellency.

This report most respectfully submitted by

ELIAS RENDELL.

REPORT

OF CAPTAIN MILNE RELATIVE TO THE FISHERIES.

The first communication with the Shore, after leaving the Harbor of St. John's on the 16th June, was on the South Coast at Cape Lance, near Cape St. Mary's. The place of landing was at a small Bay called Little Pine; here I found one settler and his family occupying a pasture farm. There are no Fishing Establishments in this Bay from its exposed situation; the nearest is Branch, about 8 miles to the N. E. of Cape Lance. The Bay of Little Pine is yearly frequented by caplin towards the end of June, and resorted to by our Fishermen for the purpose of procuring them for bait. In answer to my enquiries, I was informed that French Vessels never visit this part of the Coast, nor had he ever heard of their encroachments in the neighbourhood.

Remarks.—When visiting different parts of the South Coast, I have been informed that the fishings for cod, in the vicinity of Cape St. Mary's, are considered very good; the fish being abundant, and of a larger size than those caught further to the West. Individuals belonging to Fortune, Lamalin, and other estalishments, who can afford to purchase or build Schooners, from twenty to thirty tons, send them to Cape St. Mary's to fish, and return with their cargoes to cure them.

At St. Pierre I arrived on the 21st June, and found the outer roads, and likewise the inner Harbour, filled with French vessels; there could not have been less than eighty or ninety, averaging from one hundred and twenty to three hundred tons; they were chiefly brigs, lately arrived from the Banks with their cargoes, which they were then discharging, and making preparations for again departing to the Banks for the fishings of July, August, and September—many of them, if not all, were delayed in Harbor in consequence of the want of

bait (caplin)—the supply afforded by the Bays of St. Pierre and Miquelon having been nearly exhausted, and inadequate to the great demand which the number of French Vessels (this year amounting to about three hundred) require. In former years, when this scarcity of bait occurred, it was common for the French vessels to proceed to the Bays on our Coasts, and there haul for caplin, in violation of the limits as defined by treaty; this practice they have almost entirely given up, in consequence of the risk of capture, and the fear of punishment; and also from their being enabled to procure a sufficient supply of the required bait, brought over from Fortune, Grand Bank, and other settlements on our coasts, by our fishermen.

The small schooners belonging to the above ports, and those belonging to other Settlements, supply the great demand which the French require. The trade is conducted in an illegal manner—

1st.—By Registered Vessels not having a Custom-House clearance, in violation of the Act 3d and 4th Wm. 4, Chapter 59.

2d.—By Boats not registered, who have therefore no right under the same Act to carry on a foreign trade.

At St. Pierre, on the June, six Schooners left that port, all of whom I detained, and they all admitted their having brought caplin over, but pleaded ignorance of its being illegal; I however released them, warning them of the illegal trade they were carrying on, the punishment to which they were liable, and my determination to seize all vessels which I should in future find under similar circumstances. Since that time I have been informed that twenty schooners went to St. Pierre's, loaded with Caplin, on 1st day in July, and that this trade is daily carried on to a great extent.

It is obvious the British trade in fish must suffer by permitting this traffic to continue—

1st.—By the quantity of Fish which the French vessels are enabled to take, from the great supply of Caplin they can procure so easily; by which means they are enabled to supply Foreign markets to a greater extent than formerly. The success with which they prosecute their fishing is entirely owing to the supply of bait; therefore giving encouragement to an increase of their fishing vessels, which is actually the case.

2d.—Our boats being employed taking caplin for the supply of the French Bankers, they do not prosecute the cod fishery as formerly; the quantity of fish actually taken, by British Fishermen will consequently be on the decline, and therefore our Foreign Exports.

3d.—The consequence of a trade in caplin to St. Pierre's has been the means of increasing a smuggling trade along the coast; for in return for the supply of caplin the fishermen are paid with money, which is laid out in St. Pierre's for tea, brandy and other prohibited articles, which are brought over and smuggled into the various settlements along the coast, paying no duty; by which means the revenue is defrauded; the British merchant is not employed for those necessaries of life, and consequently reaps no advantage; perhaps is not even paid for any advances of necessaries, which he may have given for the previous winter.

June 23.—Little St. Laurence.—The settlement at this Port is extremely limited; consisting only of one permanent resident, Mr. Thorne and his family, who conducts a fishing establishment; there are several others on a limited scale by persons who come there for the season, disposing of their fish to Mr. Thorne. The principal settlement is at Great St. Laurence, about two miles to the westward; the number of inhabitants averages at present about two hundred, including children, and is slowly on the increase; there are about sixty small fishing boats employed on this settlement for the cod fishing—the produce being disposed of either to Mr. Thorne at Little St. Lawrence, or at the establishment of a Jersey House at Great Laun. The inhabitants complain of the fishermen of Fortune Bay coming to the Harbor of St. Laurence with large schooners (which they cannot afford to procure for themselves,) each having two or three punts with them, for the purpose of the in-shore fishery, while the schooners are employed in the offing; by which means the fish are prevented from coming in shore, or are driven off the coast, before they, in their small boats, are able to catch them; and when the fish are scarce, or will not bite, these Fortune Bay fishermen haul

caplin on their shores and Bays, with which they load their schooners and proceed to St. Pierre, dispose of their cargo, and again return to prosecute the Fishery at a more favourable period. The inhabitants allege that in consequence of the Fortune Bay people coming to the St. Laurences', their fishery is on the decline. At Little St. Laurence salmon are taken in nets laid out from the rocks, and moored with an anchor, in which the fish mesh themselves,—a common manner of fishing all along the coast. In answer to enquiries relative to encroachments by the French, I obtained information that the French now and then do encroach for a day or so, for the purpose of taking caplin early in the season; but they do not fish in the neighbourhood for cod.

JUNE 26.—GREAT LAUN is situated about eleven miles to the westward of St. Laurence; it is a settlement consisting of about one hundred and twenty to one hundred and fifty inhabitants, all employed in the cod fisheries. The settlement is slowly on the increase; this, I believe, is owing to settlers coming from Fortune and Grand Bank, where the Harbors are not so good, nor the fisheries so productive. At this port the principal permanent resident is a Mr. Connor, carrying on a fishing establishment for cod and salmon. The house of Nicolle & Co., of Jersey, have also a fishing establishment at this port, under the charge of Mr. Cloke. There are a number of small schooners belonging to the inhabitants, which proceed to the Laun Islands (about seven to nine miles distance) to fish, whilst the small punts are similarly engaged at the entrance of the Harbour. The fisheries are on the increase within the last three years; as many fish having been taken this season (ending June) as during the whole of last year. The caplin had set in early and abundant. The salmon fishing is carried on by bar nets, across the entrance of two small rivers; but this year a schooner from St. John's is prosecuting this fishery with great success, having brought several large nets, which are laid straight out from the points in the Harbor with anchors, in which the fish mesh themselves as they run along shore; and the number daily taken is from twenty to forty, which are salted for exportation; this Fishery has entirely destroyed the fishing at the entrance of the river, fished by Mr. Connor.

Relative to encroachments by the French, the following replies were received in answer to queries on the subject; that the French occasionally encroached for caplin and cod; two schooners having been hauling for the former in Little Laun Bay early in June. I may here remark that the above observations relative to the French, were only elicited by questioning individuals. No complaint was ever made of such or any encroachments; and I am inclined to think that there is either a dread of giving information, or an understanding between the residents themselves and the French; as it was hinted to me by a person not connected with the locality, that to give information of the French encroachments, was to risk ones life. I have since heard that Mr. Connor has a niece married to a French fisherman; and another resident, about eighty years of age, and blind, has also a daughter married to a Frenchman engaged in fishing; that these individuals fish off the Laun Islands, come into Laun, clean their fish, and then carry them to St. Pierre's. Mr. Connor has several French people engaged in his service, for curing fish. It was also mentioned that sometimes twelve to twenty French vessels will be fishing off Laun; and yet no complaint of encroachment was ever made. I may also here state, that the period of the year when the French encroachments are more generally felt is early in June, when the caplin first strike upon the coast; if the Bays are then hauled for them before spawning, they are very likely to leave the Bay entirely. All the inhabitants are Catholic, except about fourteen to twenty.

LAMELIN.—There are two settlements at the Lamelin Islands, close together, and therefore may be considered as one. The number of inhabitants, including children, amounts to about 400, and is on the increase by Settlers from Fortune Bay. About seventy fishing boats are owned by the inhabitants, entirely engaged in the cod fishery. Their fishing ground extends from Point May to Lamelin, and from there to the Lawn Islands; but their largest schooners proceed to Cape St. Mary's, returning to Lamalin to cure their fish. The fishings of this year have been very productive, as on other parts of the coast; and as an instance of

the quantity of fish, I may mention that at one haul of a cod-seine, 140 quintals of cod were taken at this place. As Lamaline is the nearest settlement to St. Pierre's, and the coast from it to point May is only 10 miles distant from that Island, it is natural that this part of the coast should be more subject to encroachment by the French fishermen than any others. Mr. Pitman, an old fisherman, and the principal resident, stated that the encroachments were not so numerous as formerly, in consequence of caplin being carried to St. Pierre in sufficient quantities for the French bankers; that they did encroach for bait at times, between point May and Lamelin, and also to fish for cod off Point May; that the coast being so very close to the Island, the French schooners run over from St. Pierre's early in the morning, and are back again with their boat full of fish in five or six hours. This speedy despatch of business renders it difficult to detect them, and more especially as the English and French boats are similarly rigged: there being no feature to distinguish them from each other. No ship could attempt to chase a schooner, or fishing boat near the line of limit; as from the danger of the navigation, caused by the Lamelin Ledges running off the coast for several miles—the constant fogs in which this part of the coast is so suddenly enveloped—and the strength and uncertainty of the current; from the great number of boats in sight at one time, whose nationality you cannot know without boarding; the excuses offered for beating up for St. Peter's, and not finding them in the act of fishing, renders it difficult to detain them legally. It may be asked why the French boats encroach on our shores at all. when the fishings of St. Pierre's and Miquelon are so productive, and so close to the doors of their own curing-houses? The answer given is that the fish are better. It may be so; but, from my own observations, I could observe no difference in size or otherwise; nor did I observe, in passing through the channel to Fortune, any boats fishing near Point May, but vast numbers off the harbors of St. Pierre and Miquelon. I am therefore of opinion, that the encroachments are chiefly to obtain an early, as also a continued supply of bait; and that it is when first the caplin set in on the coast that protection is chiefly required—from the end of May to the end of June—by that means to prevent the caplin being driven from the Bays they resort to for the purpose of spawning; and I have been told that after the first fortnight when the caplin have set in, all the hauling of the French would do little harm. To have left an officer and boat's crew at Lamelin, I did not consider would have been of any material benefit at this late season of the year; but should any ship visit the coast in May, I would recommend a fishing schooner to be hired, of sufficient size to keep the sea in case of bad weather, and to render sufficient comfort for the crew; as it may most likely happen that instead of being enabled to return to their head quarters at Lamelin, they may be absent for days, either to the East or West, according the gales; and an open boat would be unsafe, and unfit for such a purpose; and to render efficient service for the protection of the coast, and safety of the vessel, a pilot would be required, acquainted with the various localities where encroachments are made, and where security may be speedily obtained on the sudden setting in of the fogs or bad weather.—Her cruizing ground would extend from Fortune to Point May, and from thence to Little St. Lawrence; in all which extent of coast, consisting of 45 miles, there are Bays in which caplin resort; and if any vessel differing from those on the coast were employed on this service, be assured she would be readily distinguished by the Frenchmen; and while absent on her avocations at Fortune, Caplin would be hauled by them at Lamelin. But what do the Lamelin people themselves say on the subject?

We are in great want of some person "having the authority of a Magistrate, not only to "settle disputes among ourselves, but having authority to remove the French from our "fishing grounds. When we go to them, and tell them You must leave this—you are on "our grounds: they reply. Who are you? you may be Americans; and therefore we "have as much right to fish here as yourselves: produce your authority, and we will leave. "It is this authority we want We will man our boats for the purpose, only let us have an authorised person." At this place all the inhabitants are Protestants. They are very anxious to obtain a Clergyman, provided he will undertake to instruct a School; but if not, they would prefer a Schoolmaster for their children, who also would read prayers. Their wishes are certainly worthy of consideration; as I found, at Great Lawn and St. Lawrence, Roman Catholic Schools established, and the visitations of Roman Catholic Clergy frequent; and many of the Protestaant Inhabitants along the Coast have became Catholics, owing entirely to the want of a Protestant Clergyman.

The fishings have not improved for the last three years. I should presume this to be the case, from their boats being more engaged in the caplin trade to St. Pierre's, than the fishings : and 1 observed very little fish drying at the establishments. There are salmon fishings at this small port, as at all others where even a small rivulet communicates with the sea ; and the same means adopted for taking them as at other places. Mr. Evans, the magistrate, mentioned that the Franch made occasional encroachments about Point May, for the purpose of obtaining bait, but did not trouble them much. I communicated with him on the trade carried on between Grand Bank, the adjoining settlements, and the French Island of St. Pierre's—alluded to the non-clearance of the vessels ; he then mentioned the impossibility of doing so, with such a cargo as caplin, when the nearest Custom House was at Harbor Britain, or Burin, distant 23 and 40 miles ; and as the caplin would be unserviceable in 24 to 48 hours, their attempting to proceed to the above places to clear, would render them useless, and the trade impossible. I have formerly alluded to the difficulty of distinguishing between the English and French schooners , and would remark, that none of the vessels or boats belonging to any of the Ports along the coast, have either their names, or ports they belong to, painted on their sterns—which Custom House regulation ought to be enforced, as it would most materially assist in distinguishing French vessels and those engaged in illegal trade. The settlements to the N. E. of Grand Bank are Little Barasway and Grand Beach, containing together about €0 or 70 souls.

Fortune.—A settlement containing 240 persons ; it remains nearly in the same state as to number—neither increasing or decreasing The are about 25 vessels employed in the fishing, and under the same circumstances as at Grand Bank. The fish, as at Grand Bank, are disposed of principally at Harbor Britain. No complaints of encroachment by the French were made ; it was, however, stated, in answer to queries on the subject. that they sometimes encroached, during the fishing season, at Point May, and Cape Cruz, opposite to St. Pierre's.

From Connaigre Bay, where the ship anchored, a boat was despatched to the Burgeo Islands. From the report given by Lieut. Woodman, it appears that there are two settlements, called Upper and Lower Burgeo, distant from each other about three miles ; the combined number of inhabitants being about 650. The settlement, by the statement of Mr. Cox, the principal resident, is increasing, from settlers coming from Fortune Bay ; the fisheries of this place being more productive. There are about ten registered vessels belonging to the settlement, prosecuting a coasting trade, and carrying their fish to markets : and the small schooners are engaged in the fishing among the Islands. The cod fishery has been very successful, having already averaged 100 quintals per man ; and has increased dnring the last three years. There are also salmon fisheries in the vicinity, fished by the inhabitants, and also by the Indians, there being a settlement of about 100 of them a few miles to the west at Little Barasway, who trade with the inhabitants of the coast and Burgeo Islands, exchanging salmon, spirits and powder. Herrings are also abundant ; more so than has been known for many years past, and arrived earlier on the coast ; they are now used for bait, the caplin having gone into deep water.

At both upper and lower Burgeo, the inhabitants expressed the great want of a magistrate in so extensive a settlement ; not only to administer justice among themselves, but for the purpose of preventiug the extensive encroachments of the French, which commenee in the fall of the year, in the various harbors from that of Jersey to White Bear Bay. In all the intervening ports they are, throughout the whole winter, engaged in cutting and carrying away quanties of timber of the largest size, and do great damage to the young trees ; that during all April and the beginning of May, they encroach at the Barasways, to the west of the Burgeo Islands, and yearly continue as formerly, to dig shell fish for Bait ; and this year, in consequence of the continued en-

croachments, shell fish have almost entirely disappeared, scarcely any having been procured by the inhabitants , about fifty French schooners having been digging bait at the Barasways this Spring.—They do not encroach for the purpose of Cod fishing, being too far from St. Pierre's.

The inhabitants of these Islands are all Protestants, and are most anxious to obtain a schoolmaster for their childreu, and a person who, at the same time, would read prayers on Sundays. The wishes of so large a community, settled in one locality, certainly demand attention.

West of Connaigre Bay, there is a small settlement at Hatter's Point, containing about twenty inhabitants.

N. E. COAST, AND COAST OF LABRADOR.

The Crocodile sailed from St. John's on the 24th July, and arrived off Cape St. John on the 27th. On the morning of the 29th communicated with Nippers Harbor, which is situated towards the entrance of Green Bay, and 20 miles to the S.W. of Cape St. John ; it is a small settlement, but the only one of any consequence near the limit defined by treaty to the southward of which the French vessels are not permitted to prosecute the French vessels are not permitted to prosecute the fishery. It contains about 130 to 140 inhabitants, who resort there during the summer season for the cod fishery, and in Spring for seals ; but during the winter months, either proceed to St. John's, or ports they belong to, or retire into the woods in the various bays which abound in the neighbourhood where they seek shelter from the inclemency of the weather. The cod fishery on this part of the coast, this year, has not been so productive as usual. Caplin also have been exceedingly scarce. Salmon are taken at Nippers Harbor, and the Bays adjacent, in the same manner as already described on the south coast. It was stated that the French sometimes fished round the south side of the Cape, but they never disturbed the inhabitants in the least. I should presume from what evidence was collected, that when N. W. winds prevail, the French fishermen from the Harbor of La Scie, being unable to remain on the weather side of the Cape proceed round to smooth water under the lee, and there fish, as also in Shoe Bay ; but there is no continued encroachment.—From Nippers Harbor we bore up for Cape St. John, passing several bays and inlets, none of which afford anchorage or security for large vessels, and are only resorted to by fishing schooners which come there for the season, from Conception Bay, Fogo and Toulinquet, and other parts of Newfoundland. Rounding Cape St. John, and hauling up for Pacquet Harbor, we passed the Harbor of La Scie, 5 miles from the above Cape, and the first harbor on what is commonly called the French Shore ; in it we observed 10 or 12 vessels, principally brigs, presumed to be all French.—On the same evening we anchored at Pacquet Harbor. At this port I found 5 French vessels at anchor, and there were 4 French establishments on shore, on each of which was flying the French National Flag. Conceiving it illegal that on the shores of a colony of Great Britain any Foreign National Flag whatever should be hoisted, and following the same line of conduct as my late predecessor in this ship, I sent on shore Lieut Woodman to inform the head of the people of the establishments that their ensigns must be removed ; and if hoisted at all, it must be on board the respective vessels now in Port. The Flags were accordingly immediately removed ; but on the following morning, a letter was presented to me, signed by the Captains of the respective French vessels in port, complaining and protesting against the order I had considered it my duty to issue on the previous evening, and their unanimous determination to re-hoist their ensigns, and not to haul them down unless again ordered by me.—This decision on their part they accordingly complied with, the moment the letter was delivered on board. I considered it therefore my duty to enforce the order of the previous evening, and they were hauled down on my again

ordered by me.—This decision on their part they accordingly complied with the moment the letter was delivered on board ; I considered it therefore my duty to enforce the order of the previous evening, and they were hauled down on my again sending Lieut. Woodman on shore. But to prevent all disputes which might therefore occur, and to show no insult was intended to the French Flag, I answered their letter which had been addressed to me, (copies of which are herewith attached for your information.) I have at the same time to acquaint you, that during my stay in the above port, not one of the French vessels ever hoisted their colours.

The French resort to this coast in spring, bringing out with them in their vessels (which are chiefly brigs of 100 to 200 tons) a cargo of salt for curing their fish, as also their implements for fishing. Having moored their vessels in security, they commence the repairs of their salting houses, drying stages, and likewise the huts for the abode of their crews. The former are covered with canvas, The ship's bell is landed, and shipped in its former cranks near the Superintendant's house. The large boats which were hauled up in places of security at the close of the last year's fishing, are launched, repaired and fitted. In all their arrangements, and mode of prosecuting the fishery, there was displayed system and neatness which we observed no where else. Each vessel has from 6 to 10 of these boats, according to the number of their crew. They are of large dimensions, being about 25 or 30 feet long, with great beam, and all rigged alike, with two lug sails. Their crew consists of two men and a boy ; they start early in the morning to their fishing grounds, which are generally at the entrance of the harbor, and continue to prosecute their avocations with hooks and line, until they procure a cargo, when they return to their establishments ; the crew are then relieved, and fresh hands immediately commence throwing the fish into the salting house, where the process of splitting, boning, cleaning and salting is prosecuted with amazing quickness. The fish are not laid out to dry until about three weeks before their departure for France—so certain are they on this northern coast that no fogs, which are so prevalent and dense on the south shore of the Island, will continue to interrupt the principal process of the fishery.

The West Shore, which is also called the French Shore, from their right of fishing extending along the whole of the coast, is not liable to fog nearly so much as the S. E. and S., where they are not only exceedingly dense, but may continue for weeks together, with scarcely a day's clear weather. It is on this account that the French fishing ground is considered so much more valuable than the English. Besides the hook and line, large cod seines are also used, with which they take immense quantities of cod. There is only one English resident at Pacquet, who sells his fish to the French, and during the winter takes charge of their abandoned establishments until they return in Spring. There was a peculiarity noticed in the French boats at Pacquet Harbor, which I never observed elsewhere ; namely, both oars being pulled on the larboard side, and no oar at all on the starboard ; but the third person used an oar fitted into a crutch placed broad on the starboard quarter, with which he pulled the stern round against the power of the two larboard oars, and thus steers her course.

Having completed the water of her Majesty ship under my command, I again put to sea on the afternoon of the 1st of August, and proceeded direct to the coast of Labrador.

On the 4th August, communicated with the fishermen engaged in fishing off the Black Islands, in lat. 54 ; they were part of the crews of 23 vessels, then at anchor in Grady's Harbor at the Black Islands ; they were principally from Conception Bay, and the Island of Fogo, (Newfoundland) and Nova Scotia ; and several Americans from the State of Maine were at the same anchorage, also engaged in fishing on the same grounds with the inhabitants of Newfoundland and Labrador, as granted to them by treaty. From information which was afterwards obtained at Dumplin Island and Round Island, near Sandwich Bay, and at Indian Island, further to the southward, the

number of American schooners resorting to this part of the coast this year, is upwards of one hundred—many of them having been previously fishing in the vicinity of Red Bay, Lance-a-Loup, and other ports on the south coast of Labrador, and had come to the north on account of the scarcity of fish on that part of the coast.

Here also they have been unsuccessful ; indeed on the whole coast of Labrador the Cod fishing this year has been as yet very unprofitable ; and the caplin, whose yearly strike is looked forward to with much satisfaction, have only been three or four days on the coast. Herrings had set in for a few days, but again left the shore. The fishermen were in consequence deprived of their principal bait, and were, instead, making use of Lance, a species of small smelt about three inches long. The fishermen were, however, still in expectation that the autumn fishing might prove productive, and many of the schooners had consequently gone further north, towards Cape Harrison, in lat. 55, N. to try their success, and would again return in September to Black Islands and vicinity.

Dumplin Island was the northmost settlement at which I communicated ; it is at the entrance of Sandwich Bay, and situated between Huntingdon and Henrietta Islands. On this latter Island there were formerly many summer settlers, and numerous stages, &c., for prosecuting the cod fishery. These have been entirely abandoned, and the only establishment remaining is one on Dumplin Island belonging to Messrs. Hunt. Their principal and almost only fishery is Salmon, taken in the Eagle and other rivers, in Sandwich Bay. The salmon are cured at the rivers, which are 20 miles from Sandwich Bay, packed in tin cases, sent down to Dumplin Island, and from thence shipped to England direct. The people who fish the rivers, cure and pack the fish in tin cases, are brought out from England in the Spring, and again return when the salmon season is over, which is the beginning or end of August. There are a few Indians in the vicinity, who have come from the Moravian settlements to the northward ; they assist in the fisheries during summer, and are engaged in procuring furs during the autumn and winter, and in the spring employed in the seal fishery, and all in the establishment of Messrs. Hunt, between the Black Islands and Huntingdon, at Sandwich Bay. There is also an establishment on Round Island for the Cod Fishery ; it belongs to Mr. Wills, a resident in England, and is under the superintendence of a Mr. Goodridge.

At Indian Island, further to the Southward there are also one or two establishments entirely for the Cod fishery ; the principal one belongs to Mr. Warren, a resident in England, superintended by his son, who resides there in Summer. It is connected with St. John's, Newfoundland ; from which place the people come every year in Spring, and return in September or October. Between the above ports and Bell Isle, there are numerous Harbors and Bays, resorted to by schooners from Newfoundland, Nova Scotia and America.—Having securely moored their vessels, they hoist out their boats, each vessel having three or four, and commence fishing ; the Americans salting their fish in bulk, whilst the Newfoundland people carry them to some harbor on the coast, on the shore of which they have stages for drying their cargoes. Should the fish prove abundant, they remain there until they have completed their cargo ; but if scarce, they immediately proceed to sea, and grope their way to some other harbor, where the fish are more abundant. It is surprising how they manage to find their way among the numerous islands and dangers which fringe this barren coast ; and that during the dense fogs, in which this part of the coast is sometimes enveloped, they are not more often wrecked, especially when they have neither Chart, Quadrant, or book of direction, to guide them on their way.

I am not aware that there is any settlement, properly so called, on this part of Labrador. The word I conceive to mean a number of Houses, with inhabitants, permanently residing in one locality ; but there are, I believe, numerous establishments, the same as at the Dumplin, Round, Black and Indian Islands along the coast from Belle Isle Northward.

These establishments consisting of one principal house, it is in general a store for the sale of the various necessaries of life, and implements of fishing &c., and for the purpose of purchasing fish from any casual fishermen who come there. The superintendents of these establishments generally come to their house every spring, bringing with them a number of fishermen to prosecute the fishery, all of whom reside in temporary huts during the season, and when it is concluded return to England, St. John's, or their native place, until the season commences in the following spring.

There is a circumstance which has come to my knowledge, connected with the island of Belle Isle, which I consider it my duty to lay before you.—It appears, from information collected on the coast, that the fishings on the shores of this Island are exceedingly productive, and were resorted to every year by our fishermen, as also Americans, to pursue their lawful occupation. Of late years they have been entirely prevented from going near the Island by the interference of the French, who will not permit any of our fishermen to fish there, and that consequently they have been obliged to give up a fishing ground which to them was not only convenient but productive. The question is, whether Belle Island belongs to Newfoundland, and therefore the French shore where they have the right of fishing, or whether it is an Island of the Labrador Coast, to which it is more nearly situated than to Newfoundland. If it belongs to Labrador, the French have no right whatever there; and if it belongs to Newfoundland, the right of the English to fish, comes under the 9th section of your Instructions.

Having laid before you the foregoing statement, relative to the fisheries on the south coast of Newfoundland, and eastern part of Labrador, so far as information could be obtained at the ports visited by her Majesty's ship under my command; and having received your instructions per her Majesty's ship Snake, when at Indian Island, to proceed immediately to Quebec,—it will be out of my power to afford you any information relative to the West shore of Newfoundland, or the south coast of Labrador, neither of which has been visited. But before bringing this statement to a close, I consider it my duty explicitly to lay before you what I, in my opinion, consider is principally required from H. M. Ships in the protection to be afforded to the British interests on that line of coast called the Newfoundland fisheries. The first point of consideration is the period of the year a vessel of War is required for that purpose. I should most decidedly say that any vessel intended for the protection of the above coast, should be at the Burgeo Islands about the middle of April; for it is at this period of the year, at those islands and at the Barrasways, in the vicinity, (Harbours that are dry at low water,) the first encroachments are made by the French for the purpose of digging bait, to the prejudice of our own settlers and fishermen. By the 2d section of your instructions, I am directed "to proceed to the Burgeo Islands, and there make inquiry relative to the encroachments complained of in an address which you were pleased to send for my information and guidance, from the House of Assembly of Newfoundland to his Excellency Captain Prescott, Governor of that Colony." I have to acquaint you that from the statements of the residents of the Burgeo Islands, these encroachments continue to be repeated without intermission during the months of April and May. The next part of the coast which will require the attention of H. M. Ships, will be the vicinity of Fortune Bay, Grand Bank, Lamelin, Lawn, St. Lawrences, and the Bays of Placentia and St. Mary's. This must be divided into two divisions: in the first, Fortune Bay, Grand Bank, Lamelin, and the St. Lawrences, because they are close to the French Islands of St. Pierre and Miquelon; and the duty required is to prevent the French from sweeping our Bays of the caplin, which set in on the coast early in June—to prevent the French from fishing on our shores for cod—and to check the illicit traffic carried on by our fishermen with St. Pierre's. Lamelin would become the head quarters. To perform this service, the Ship could not be employed herself; as the navigation of the coast, from numerous shoals, and the prevalence of fogs, would render it unsafe for her to remain at sea, and there is no anchorage nearer than Great Lawn, 12 miles distant. The duty would be better performed by vessels hired for the purpose, capable of affording accommodation for the Officer and men, and fit to keep the sea in case of bad weather, when unable to obtain a secure anchorage.—Whilst the small vessel engaged for the season is protecting this part of the coast, the Ship might visit the second division of this

shore, namely, Placentia and St. Mary's Bays; via St. John's, to the east coast of Newfoundland, for the purpose of visiting Cape St. John. Here, of late years, there have been no complaints of encroachment beyond the defined limits; but the presence of a man-of-war in the vicinity would be of service, if only to show the French her watchfulness over the British interests. The remaining, and most extensive part of the coast is the Labrador. I have been informed by proprietors of vessels engaged in the cod fishery, that numerous French vessels, engaged in the cod fishery, constantly fish in the Bays on that coast, about Bradore Harbor, and Lance-a-Loup, &c. to the annoyance, and in many cases prevention of our fishermen from pursuing their avocations. This has been stated to me by more than one person; indeed almost all those who frequent this part of the coast have given the same statement; and that these encroachments are during the end of April, May, and June—and I see no reason to doubt their information. Looking, therefore, at this vast line of coast, extending from the river St. John to Bell Isle, and from thence southward in the whole range of which are innumerable Bays and harbours, yearly frequented by swarms of American schooners who come there for the fishery, and whenever opportunity offers, encroach on our shores—I consider that the superintendance of one Man-of-war alone would not be more than sufficient to prevent the encroachments of the French, and check the lawless conduct of the Americans, within the above limits.

As only one vessel is employed on the Newfoundland fisheries, it must be obvious, on consideration, that so vast a range of coast as there is included within its limits—extending around the Island of Newfoundland, along the South shore of Labrador, from 64° West longitude, to the Straits of Belle Isle, and from thence indefinitely to the Northward—cannot possibly be efficiently controlled, or even visited, by H. M. Ship employed on that service; not even if a portion of her officers and crew are left on those parts of the Newfoundland coast (viz. Burgeo and the Lamelin Islands,) for the purpose of manning boats to assist in her assigned duties. During this year I did not consider it requisite to comply with this part of your Instructions, on account of the late period of the year I arrived on the coast, yet I cannot refrain from mentioning the distressing situation in which the Captain of her Majesty's ship may be placed at being deprived of the efficient services of so many of his officers and crew, sent from the ship for so long a period.

I trust any allusion which I have here made may not be considered by you as an attempt on my part either to throw difficulties or objections in the way of any service on which you may be pleased to order her Majesty's Ships; but that you will solely attribute it to an anxious wish on my part to point out the situation in which her Majesty's Ships may be placed, not only on an almost unknown and a dangerous shore, but when in company with Men-of-war, fully manned, belonging to France and the United States, employed on the same coast, and similar service; and therefore the propriety of urging upon the Colonial Government the necessity of their either employing small vessels for that purpose, or having local authorities at those places where the encroachments are made and complained of.

Your Instructions, by which I have been guided, direct my attention to the protection of the British interests in general, and especially the fishing grounds on our shore, from all interference by foreign vessels. You have also directed my attention to the 22d article of the above Instructions, to the prevention of all illicit trade; I am therefore called upon to allude, especially, to the trade now regularly but illegally carried on with our shore and the island of St. Pierre's.—This trade in caplin and contraband articles, as already pointed out in the former part of this report, is, I understand, on the increase; and unless the Home, or Colonial Government take some means to punish those engaged in it, or adopt expedient means to stop it, and protect its own coast, it will continue; and I consider it quite a vain attempt for the Captains of her Majesty's ships employed on the fisheries, even to check, much less to suppress, the contraband trade. He may afford assistance to whatever system the respective Government may adopt for the protection of the coast; as his short sojurn in the vicinity, and his duties requiring his presence at other stations, can only render his interference a matter of secondary importance.

I have also been made acquainted that smuggling, to a very considerable extent, is carried on along the South shore of Labrador (which has not been visited by her Majesty's ship under my command,) by American vessels resorting to that coast for the fishery. This illegal trade consists of provisions brought from the United States, in a greater quantity than sufficient for their own consumption during the season, and therewith secretly carrying on an illicit trade in every port and river on the above shore; nor do I see any means by which so extensive an evil to the interests of the British Merchant, and to the Colony, can be possibly suppressed, unless by the interference of the Home Government.

It may be required that some reason should be assigned for the want of accurate detail and the meagre information conveyed relative to the Fisheries on the shores on which I have been employed; it must, however, be remembered, that no accurate information can be obtained, or any estimate formed of the present state of the fisheries, until after the termination of the fishing season, when the returns from the respective Custom Houses and Establishments are made up.—Where I have stated the increase or decrease of fishing or settlement, or any other local information, it has been derived from the principal residents of the the place visited, given by them as matter of opinion, founded on their own local knowledge, and without any reference to official documents.

In respect to the South Shore, where the encroachments of the French are generally made, I was unable to derive better information. There was invariably an unwillingness on the part of individuals to give any information whatever, (except at Lamelin and Burgeo Islands) or to admit that the French ever encroached; even denying the fact; when I afterwards found that the French vessels were in the habit not only of fishing off those very harbors, but resorting to them for the purpose of curing their fish before returning to St. Pierre's.

This concealment on the part of the inhabitants has certainly confirmed an opinion I then formed, that an intercourse exists between them for their mutual benefit; and that individuals are deterred from giving information, for fear of the resentment of those who carry on a contraband trade.

(Signed)

ALEXANDER MILNE,
Captain H. M. S. Crocodile.

To Vice Admiral
Sir THOMAS HARVEY, K. C. B.,
Commander-in-Chief, &c. &c. &c.

[TRANSLATION.]

The trading Captains engaged in the fishing voyage in the Port of Pacquet, to the Commander of the English Frigate, anchored in the same Port.

SIR,—Yesterday at the moment of your entrance into this harbor, we were in a hurry to hoist the French flag at the establishments which we have the right to occupy in the business of the fishery. It was with the greatest astonishment that we received immediately the order on your part to strike the colors of our nation. That we have the right, or that we have it not, it is not for us to decide.

We hoisted our flag for the purpose of saluting that of a friendly nation, had we not done so we should have thought that we had essentially failed. In giving us to understand that the Island of Newfoundland not being French property we are desired to hoist our flag on board of our vessels; but our vessels are in different parts, very far removed from the residences; we must therefore not answer the salute of any vessel whatsoever during our stay on the coast, and conceal, if we may so express it, the French flag. If the Island does not

belong, as we fully believe, we are even certain that the habitations which we occupy are French occupancies, during the season of the fishery, and that no person has the right, during that time, to hinder us from exhibiting the French flag upon them.

To the moment that you shall receive our letter, we have then decided to hoist our flag, and we shall not strike it, but on a new order on your part.

It is with pain, Mon. le Commandant, that we see ourselves compelled to give you this trouble ; but we should fear that we had failed in national honor if we made not every effort in support of the colours that 1830 restored to us, and of which every Frenchman is proud.

We have the honor to salute you Mon. le Commandant, with consideration.

The Captain of the Brig Binicos, J. CHATTE
A. MATTE, Captain of the Sometre
P. DESURY, Captain of the Alcide
J. M. RAIMOND, Captain of the Frainida.

Paquet, 30th July, 1840.

Her Britannic Majesty's Ship "Crocodile,"
at Paquet Harbor, 30th July, 1840.

GENTLEMEN.—I have to acknowledge the receipt of your letter of this morning's date, complaining and also protesting against my order of last evening, "that the French National Colours which were hoisted on the establishments on shore should be removed" (at the same time acquainting you that you had the opportunity of displaying your National Colours on board your respective vessels now at anchor in this port—not one of which have hoisted their national colours since my arrival, and therefore I can only presume that they are French.) I regret that there should have been any misunderstanding on the subject; no disrespect being intended to the National Flag of France; but I cannot permit it, or any other Foreign National Flag whatever, to be hoisted on the shores of Newfoundland, a colony of Great Britain.

I am, &c.
(Signed)
ALEXANDER MILNE,
Captain H. M. S. Crocodile.

To the Masters of the respective French
Merchant Vessels now at this Port.

Copy of correspondence relative to the expense of Lithographing the Maps and Sections appertaining to Mr. Jukes's Geological Reports.

Secretary's Office, 4th November, 1840.

SIR,—I am directed by the Governor to acknowledge the receipt of your very interesting reports on the Geology of this Island, and to express his Excellency's sense of the talent, industry, and zeal which you have evinced in the prosecution of the duty entrusted to you.

I am, at the same time, to request you will have the goodness to ascertain, on your arrival in England, and acquaint me what would be the expense of Lithographing 100 copies of such of your Geological and Geographical sections, &c. as you may consider interesting to science.

I have, &c.
(Signed)
JAMES CROWDY.

Joseph B. Jukes, Esq.

[Copy.]

St. Paul's Terrace, Wolverhampton,
December 29th, 1840.

Sir,—In reply to your letter, dated Nov. 4th, I beg to state, that immediately on my arrival in London I made enquiries respecting the cost of Lithographing the Maps and Sections accompanying the report of the Geological Survey. The first person I applied to was not a Lithographer, but a Mapseller in the city, and on my showing him the Map in an unfinished state, and explaining what I wanted done, he declined naming any sum, but on my pressing him he at last named £60 or £70 as the probable cost. Astonished at such an amount, I immediately went to Day & Hughe, in Gate Street, Lincoln's Inn Fields. They are the Lithographers to the Queen, and are reckoned among the first men in their line in London. I saw Mr. Day, and after shewing him the Map of Newfoundland in its present state, with many Islands on the Coast, and Lakes in the interior, and telling him what ranges of hills I wished marked, and the average number of names that would require to be written in various parts, he named £10 as the sum if left plain, or £15 if the water of the seas and lakes were marked with lines to distinguish it from the land. The second map, of Avalon alone, would not cost so much, as the work would be much less, and the sections would be a comparatively trifling expense. I am not now sure whether he meant that sum to include the paper and printing, which I recollect he said would cost about £2 the hundred. At all events, making allowance for the cost of printing, and the subsequent cost of colouring, the total cost of doing the whole could not exceed £40. I name that sum as the very outside of what I think it at all reasonable to expect, and should it seem too much, which I fear it will, I could leave out the map of Avalon, sending one or two copies of it in manuscript only.

I remain, &c.

(Signed)

J. B. JUKES.

The Hon. James Crowdy.

Copy of a letter from Mr. Patrick Kough, with estimate for providing additional accommodation for the Surveyor General, and also of a depository for specimens and other scientific matters of public interest.

St. John's, 10th Aug. 1840.

Sir,—In obedience to the direction of his Excellency the Governor, I have surveyed and inspected the office of the Surveyor General, with the view to decide the best means of affording that officer additional accommodation, but chiefly to provide an apartment for the reception and safe keeping of specimens of various kinds, and other matters of public interest, there being no place at present provided in which such articles may be deposited. I have prepared a rough plan and elevation, with an abstract estimate of the expense of a new erection, to be constructed of brick, and covered with slate, which I conceive to be adequate to the intended purpose.

I have also taken a plan of the Surveyor General's office, as it now stands, shaded in black, to which I have projected some additional accommodation, shaded in yellow, —this is intended to be of wood covered with shingles, and to be joined to the present building. It would not be sightly, nor would it afford a private office for the Surveyor General, which is so much required ; it has little to recommend it except the cheapness with which it may be executed—it would cost about sixty pounds.

Subjoined is an abstract estimate for the intended new erection, which together with the plans, I beg to request that you may have the kindness to submit to his Excellency the Governor.

I have, &c.

The Hon. the Colonial Secretary. (Signed) P. KOUGH.

ESTIMATE.

5⅓ Rods Brick work, at £25	133	6	8
7½ Square flooring joists	3	15	0
7½ Ceiling joists	3	0	0
5½ Squares quartering	3	6	0
7½ Squares double flooring	11	5	0
14 Squares roofing	12	10	0
14 Squares rough boarding	8	8	0
14 Squares slating	42	0	0
300 Yards lathing and plaistering, 3 coats and set	45	0	0
Board and plank for trimming	10	0	0
Glass and Paint	10	0	0
Joiner's Bill	20	0	0
Lead for Gutters, &c.	10	0	0
Locks, hinges, and fastenings	3	0	0
	315	10	8
One tenth allowed for contingencies	31	11	1
Total amount - -	£347	1	9

(Signed) P. KOUGH.

Copy of the Writ issued for the Election of a Representative of the district of Conception Bay, in the room of the late
ANTHONY WILLIAM GODFREY, Esq., deceased.
Dated 12th October, 1840.

AND OF THE
Return made thereto by the Returning Officer on the 8th December following.

Copy.
(Signed)
H. PRESCOTT.
(L. S.)

VICTORIA by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith.

To Robert John Pinsent, Esquire, Greeting—

WHEREAS a vacancy hath occurred in the representation of the Electoral District of Conception Bay in the General Assembly of our Island of Newfoundland by the decease of Anthony William Godfrey, Esquire, late one of the Representatives thereof, We therefore command and strictly enjoin you that on certain days between the twenty-fifth day of this instant month of October, and the eighth day of December, now next ensuing, within the said Electoral district of our aforesaid Island, To Wit. at Harbor Grace, Carbonear, Western Bay, Port de Grave, Brigus and Harbor Main, respectively (Proclamation being by you first duly made of the places and days of Election.) One member of General Assembly of Freeholders and Householders for the said district of Conception Bay, you cause to be duly elected according to the forms and provisions prescribed by the several Proclamations issued by our Royal Predecessor, King William the Fourth in that behalf bearing date respectively the 26th day of July, and the 20th day of September, in the third year of his reign, and according to the forms of the sta-

tutes in such case made and provided in the room of the said Anthony Wm. Godfrey, as aforesaid. And the person so to be elected being by you publicly declared to be duly elected member as aforesaid, you shall certify him of the same, so that he may duly come to the said General Assembly when he shall be thereunto called by us or by our Governor of our said Island. And you are hereby further commanded to certify us under your hand and seal, the name of the person who shall be by you so publicly declared to be duly elected as such member aforesaid, or of what else you shall do in execution of the premises, remitting the same together with this writ unto James Crowdy, Esq., our Colonial Secretary of our said Island, or to such other person who shall for the time being be our Colonial Secretary of our said Island, at his office in St. John's faoresaid, on or before the fifteenth day of December now next ensuing.

Witness our trusty and well-beloved Henry Prescott, Esq. Companion of the Most Hon. Military Order of the Bath, our Governor and Commander-in-Chief in and over our said Island and its dependencies at St. John's, in our said Island, the twelfth day of October, in the fourth year of our reign.

By His Excellency's Command,

(Signed)
JAMES CROWDY.

(Signed)
JAMES SIMMS,
H. M. Attorney General.

ENDORSEMENT.

This Writ was received by me at Brigus on this Sixteeuth day of October, A. D. 1840.

(Signed)
ROBERT JOHN PINSENT,
Returning Officer.

RETURN.

In consequence of public riots and breach of the Peace, and obstruction by violence of Electors coming to the poll at Carbonear this day, I was prevented the due execution of this writ within the time prescribed.

(Signed)
ROBERT JOHN PINSENT,
Returning Officer.

Carbonear,
December 8, 1840.

EDUCATION REPORTS.

REPORT OF THE BOARD OF EDUCATION, St. JOHN'S.

The Commissioners of the Board of Education for the Electoral District of St. John's have much pleasure in presenting to his Excellency the Governor a report of their proceedings for the past year ending the first day of July, 1840.

They feel much pleasure in being able to state that the several schools under their superintendance have been uniformly and satisfactorily progressing ; the teachers have, with very trifling exceptions, acquitted themselves much to the approbation of the Board and the satisfaction of the parents.

The number of children in the aggregate, according to the last returns from the teachers, amounts to four hundred and seven.

By the most economical application of the limited funds placed at the disposal of the Board, they have been enabled to continue the benefits of education in the following places, viz. Belle Isle and Lance Cove, Broad Cove, Portugal Cove, Torbay, Outer and Middle Cove, Logy Bay, Quidi Vidi and White Hills, Brookfield, Petty Harbor, Windsor Lake, and Flat Rock, besides furnishing pecuniary aid to the school at Pouch Cove and Milwood's school at the River Head.

By the additional grant of ninety one pounds seven shillings and four pence sterling, kindly conceded by the Legislature in the last session, for the purpose of meeting many unavoidable expenses, the Commissioners feel all but confident that they shall be able to carry on their operations until the expiration of the present education act, which will be in July, 1841.

On reviewing the extent of district to which their attention has been directed, and the benefits which they trust have accrued to a very populous rising generation, they cannot but indulge the hope that some further means and regulations will be provided by the Legislature for the continuance and improvement of a system, which though yet in its infancy, has by the favour of Divine Providence already done much to scatter the clouds of ignorance and vice, to diffuse the blessings of sound practical information, to cultivate the spirit of true loyalty and universal good will, and by encouraging the spirit of enterprise and industry, to establish the permanent prosperity of the colony.

1839. Dr. Central Board of Eduation in account with H. P. Thomas, Treasurer.

July 5.	To cash paid Henry Winton, stationery	4	14	0
Aug 13	Cash paid B. Robinson, Esq. per order of the Board for expenses incurred as Secretary - -	10	0	0
28	Richard Brace, assistance at the Quidi Vidi School	5	0	0
31	Cash paid W. Firth, for stove and funnelling for school house	2	15	0
Oct 23	Cash paid Richard Wells, schoolmaster at Pouch Cove	10	0	0
Nov. 1	Cash paid hire of a school room at Windsor Lake	0	15	0
7	Cash paid Richard Brace, - -	2	10	0
28	Cash paid Henry Winton for stationery -	1	10	8
Dec. 3	Cash paid James Leary for a piece of ground at Windsor Lake	2	10	0
5	Cash advanced Christopher Vey, at sundry times as per contract for building the school house at Windsor Lake	65	0	0
	Cash paid for sticks - - -	0	3	0
9	Cash paid for materials - -	3	8	8
10	Do. 35 sticks - - -	1	3	0
23	Do. 16 do. - - -	0	8	0
Dec 31	Cash paid Teachers from 1st duly to 1st Jan. as per annexed list	100	10	0
	Carried forward	210	7	4

1840.							
		Brought forward....			£210	7	4
Jan. 7.	Cash paid Archibald McIver, stationery		1	10 0			
13.	Cash paid John Ferris, new funnelling Quidi Vidi School		1	9 10			
	Cash paid for a piece of ground at Logy Bay		3	10 0			
31.	Cash paid for stove and funnelling for Outer Cove School		4	14 3			
Feb. 22	Cash paid for sashes for Flat Rock School			16 0			
May 13	Cash paid Henry Winton for stationery		5	19 0			
July 1	Cash paid teachers from 1st January to 1st July, as per list		123	1 8			
6	Cash paid James Boyle by order of the Board		1	10 0			
	Cash paid Frederick Carter, Esq., half year's salary as Secretary up to 1st January		5	0 0	147	10	9
					£357	18	1
July 6.	Balance in the hands of Treasurer				233	10	7
					£591	8	8

CR.

1839.							
June27	By balance from last account				255	4	8
May 6.	Cash received from the Colonial Treasurer £200 stg. is		230	15 4			
June	Cash received from the Colonial Treasurer £91 7 6 stg. is		105	8 8	336	4	0
					£591	8	8

E. E.

St. John's Newfoundland, July 6th, 1840.

(Signed)

H. P. THOMAS.

The above account was audited and found correct, shewing a balance in the Treasurer's hands of two hundred and thirty three pounds, ten shillings, and sevenpence currency.

(Signed)

PATRICK KOUGH, } Auditors.
ROBERT JOB, }

July 6, 1840.

Note of salaries paid the Teachers of the Schools under the Board of Education for the St. John's district, from July to January, as per account.

John Hands, half years salary at Logy Bay	8	0	0		
Mrs. Seviers, half do. do. Quidi Vidi and White Hills	8	0	0		
Denis Morrissey, half do. do. Belle Isle	12	10	0		
Thomas Sarrell, half do. do. Lance Cove	9	0	0		
William Hughes, half do. do. Broad Cove	9	0	0		
John Barron, half do. do. Portugal Cove	9	0	0		
Carried forward....				55	10 0

Brought forward....	£55	10	0
John Kehoe, half do. do. Flat Rock	8	0	0
James Purcell, half do. do. Brookfield	12	10	0
David Fahey, half do. do. Torbay	8	10	0
Henry Hewitt, half do. do. Winsor Lake	9	0	0
Thomas Woods, for school at River Head	5	0	0
Lawrence Nane	2	0	0
	£100	10	0

From 1st January to 1st July, as per Account.

Mrs. Malone, 1 years salary at Petty Harbor	8	0	0
Mrs. Sevier, half years salary at Quidi Vidi & White Hills	8	0	0
John Hughes, half do. do. Broad Cove	9	0	0
Thomas Serrell half do. do. Lance Cove	9	0	0
James Purcell, half do. do. Brookfield	12	10	0
John Kehoe, half do. do. Flat Rock	8	0	0
David Fahey, half do. do. Torbay	8	10	0
Denis Morrissey, half do. do. Belle Isle	10	0	0
William Phelan, $1\frac{3}{4}$ years do. at Petty Harbor	14	0	0
John Hands, 9 months salary at Logy Bay, and Outer and Middle Cove	17	1	8
John Barron, half years salary, Portugal Cove	10	0	0
Henry Hewitt, half do. do. Windsor Lake	9	0	0
	£123	1	8

Number of children in the Schools under the Board of Education for the St. John's district, as per last Returns made by the Teachers.

	Males.	Females.
Quidi Vidi School & While Hill by Mrs. Sevier	22	21
Flat Rock school, John Kehoe	9	10
Lance Cove, do. Thomas Serrell	11	7
Belle Isle, do. Denis Morrissey	20	10
Portugal Cove, do. John Barron	20	10
Brookfield, do. James Purcell	20	15
Broad Cove, do. John Hughes	18	12
Logy Bay do. per John Hands, now Mrs. Blake	14	5
Outer and Middle Cove, do. John Hands	20	16
Windsor Lake, do. Henry Hewitt	22	20
Torbay, do. David Fahey	37	25
Petty Harbor, do. per William Phelan	13	10
Ditto do. per Mrs. Malone, no return made, stated to be	10	10
	236	171

Making a total of £407 children, besides the assistance given to the School at Pouch Cove per Mr. Wells, as per account, and assistance to Mr. Woods school at the River Head, as per annexed list.

List of Books &c. remaining in the hands of the Secretary, belonging to the Board of Education for the St. John's district.

660 Books, First Lessons.
375 Ditto Second do.
26 Ditto third do.
62 Ditto fourth do.
60 Ditto fifth do.
110 Ditto Arithmetic.
84 Ditto Sacred Poetry.
18 Ditto English Grammar.
12 Ditto No. 1 Old Testament Scripture.
10 Ditto No. 2 do. do.
25 Ditto No. 1 New Testament do.
10 Ditto No. 2 do. do.
7 Ditto Guy's British Primer.
163 Sheets introduction to Arithmetic.
138 Ditto third section Lessons.
2 Ditto introduction to Writing.
¾ Hundred Quills.
2 Papers Ink Powder.
5 Slates.
9 Quires Paper.

St. John's, 6th July, 1840.

RETURN FROM BOARD OF EDUCATION FOR CONCEPTION BAY.

Date.	Stations.	Teachers.	PUPILS. Male.	Female.	Total.
Oct. 7, 1840.	Emanuels,	John Churchwill	14	14	28
	Holyrood	Denis O'Neill	40	16	56
	Chapels Cove	Patrick Sliney	29	23	52
	Harbor Main	Jeremiah Kennedy	41	29	70
	Cats Cove	Vincent Costigan	26	12	38
	Colliers	Timothy Gorman	12	13	25
	Brigus	James Power	32	31	63
	Cupids	Henry Trapnell	34	25	59
	Northern Gut / Port de Grave	Patrick Finucane	23	20	43
	Bay Roberts	George Williams	14	10	24
	River Head H. Grace	Daniel Scott	53	58	111
	Brine's Cove	Thomas Malone	21	13	34
	Musquito	John Keefe	22	18	40
	Crocker's Cove	Michael Kelly	69	55	124
	Broad Cove	Joseph Baggs	26	26	52
	Western Bay	Pierce Hanrahan	44	38	82
	Northern Bay	James Tobin	35	19	54
	Ochre Pit Cove	Charles Webster	29	17	46
	Lower Island Cove	William Broderick	7	6	13
	Bay de Verds	John Lynch	20	10	30
			591	453	1044

J. WALSH,
Chairman of the Board of Education of Conception Bay.

To his Excellency Henry Prescott, Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

The Board of Education of the district of Conception Bay, have the honor to report, that they have caused to be built and completed nine School Houses, at the aggregate cost of one thousand and sixty three pounds, nineteen shillings and sixpence currency; situate in the following places, viz.—Lower Island Cove, Western Bay, Crockers Cove, Musquito, River Head Harbor Grace, Bay Roberts, Brigus, Harbor Main, and Holyrood.

They further beg leave to report that they have established twenty Schools in the district, in which one thousand and forty four pupils, male and female, receive instruction, (as will be seen by the list herewith enclosed,) at the annual sum to Teachers of four hundred and fifteen pounds currency.

In addition to the above-mentioned, they strongly recommend the establishment of Schools in the following places, viz.—

Middle Bight, 96 children—Bacon Cove, 42—Bull Cove, 37—Salmon Cove, 102—Upper Island Cove, 44—Carbonear, North and South Sides, 500—Perry's Cove, 73—Black Head, Gusses Cove, and Adams Cove, 124,—Job's Cove, 50—Low Point, 35.

In reference to Carbonear, the Board beg leave to state, that in expectation of a suitable grant from the Legislature for the education of five hundred children, they were induced to pass that town unnoticed, to provide for the pressing calls of the other parts of the district; but when they found their application unavailing, they expended the balance at their disposal in putting up the frame, and enclosing a school house at the north side of Carbonear, but want of funds prevents its completion; from the number of children above mentioned the Board would recommend the erection of another school house at the south side of that Town.

The Board see a great necessity for the erection of school houses in all places where schools are established, as well as in places where schools are recommended to be established, as great public inconvenience arises in the various Outports from the limited size of the Teachers houses, in which the children are instructed.

In conclusion, the Board most respectfully beg leave to assure your Excellency that they have been actuated by the most anxious desire to fulfil the intentions of the Legislature in forwarding to the rising generation (committed to their care) the great benefits of education; and they most earnestly hope, that through the recommendation of your Excellency, the Legislature will further their views, in granting a sum adequate to meet the pressing calls for instruction throughout this district.

I have the honor to be

Your Excellency's most obedient,

Humble Servant,

JOHN WALSH,

Chairman of the Board of Education of Conception Bay.

Harbor Grace, 15th October, 1840.

Trinity.

The Commissioners of the Board of Education in the Trinity district humbly beg to submit to his Excellency the Governor, for the information of Her Majesty's Government, the following report of their proceedings during the past year, and the present state of the schools under their supervision.

In accordance with the original act to encourage education, the Commissioners have established schools in five of the most eligible settlements in the district, viz. at Catalina, at New Harbor, at Hants Harbor, at Old Perlican, and on the north side of Trinity Harbor. That, with one exception, they have succeeded in providing competent Masters, who have been engaged to instruct all the children who may be sent to them daily throughout the year, except during six weeks in the most busy season, and for which they receive from the Board a salary of £25 a year.

The Commissioners are happy to report that in general the schools have been well and regularly attended, and that the present number receiving gratuitous tuition amounts to 155 males and 148 female, many of whom have made considerable progress during the past year.

In pursuance of the amended act passed in the present reign, the Commissioners have expended the sum of £375 stg. in erecting school houses at each of the five settlements before mentioned; but although the inhabitants have provided the land, and contributed a considerable quantity of lumber, the funds have been insufficient to make them impervious to the weather,—and the Commissioners deem it their duty to represent to Her Majesty's Government the necessity of some immediate measure being taken to save this property of the Crown from irreparable damage.

The Commissioners desire, in the name of the inhabitants of the Trinity district, to express their gratitude to Her Majesty's Government for the means thus provided to educate the poor, and at the same time they beg to assure his Excellency that they are willing to exert themselves to carry out to its fullest extent the benevolent design.

(Signed)
WM. BULLOCK, Chairman.

Bonavista.

Wesleyan Mission House }
Bonavista, July 3, 1840. }

Sir,—I beg to lay before you, for the information of his Excellency the Governor, the following particulars relative to the proceedings of the Board of Education for the Electoral district of Bonavista. It appears from the Journals of the Board that a meeting was held on the 19th of June, 1840, Samson Mifflen in the chair, when a petition from the inhabitants of Open Hall praying for the reinstatement of Joseph Glewhein as schoolmaster, who had been discharged for improper conduct in November, 1839, was presented to the Board.

The petition was read over, and its prayer granted. A letter was also read from the inhabitants of Salvage, praying that the half year's salary which would have been due to the master, had he continued his services, be allowed to them to be expended in re-

pairing the school room. The letter was read, and the subject referred to the annual meeting.

On Wednesday the first July, 1840, the annual meeting was held, Samson Mifflen, Esq. in the chair,—the other members present were, the Rev. Geo. Ellidge, John Skelton, Esq., and Messrs. Thomas Gaylor, Joseph Shears, Archibald Arnott, and Edw. Mullally, when three communications to the Board from the Secretary's office were read to the meeting, the dates of which were the 15th, the 17th and the 18th June, 1840.

The report of the schools for the preceding year, was read and adopted.—The yearly accounts were examined and passed. The Rev. Geo. Ellidge was chosen chairman, and Mr. Thomas Gaylor secretary and treasurer, for the ensuing year.

It was resolved, in answer to the prayer of the letter from Salvage, that £12 10s. be appropriated towards the repair of the school room in that place, provided the inhabitants will meet it with an equal sum,—and that Messrs. Wm. Wicks, James Oldford, and Wm. Brown, do form a committee to carry the same into effect, and to report their proceedings to this Board.

It was also resolved, that the secretary advertise for a school master for Salvage,—and lastly, that £5 currency be appropriated for the purchase of school requisites. The thanks of the meeting having been presented to Samson Mifflen, Esq. for his able conduct in the chair, and general support of the Board—the meeting closed.

I have, &c.

(Signed) GEO. ELLIDGE,
Chairman.

To the Hon. James Crowdy.

Northern District, Bonavista. } Statement of the Schools under the Board of Education from the 1st July, 1839, to the 1st July, 1840.

Settlements where Schools are situated.	Masters names.	Date of appointment	Salary	Children Male	Children Female	Protestant.	Roman Catholic	Total.
Broad Cove	Pat. Larkins	1st Nov. 1836	£25	32	21	——	53	53
TickleCove	J. Skiffington	7th May 1837	£25	26	16	30	——	12	42
Salvage	J. Sainsbury	1st Nov. 1836	£25	23	14	37	——		37
Open Hall	J. Glenham	1st Nov. 1838	£25	15	26	29	——	12	41
Fair Island	Moses Cutler	1st Nov. 1836	£15	20	8	28	——		28
			£115	116	85	124	——	77	201

N. B.—The master of the Salvage school left on the 1st Nov. 1839,—since then no master has been obtained.
The master of the Open Hall school was discharged for misconduct, 1st Nov. 1839, and reinstated 20th June, 1840.

CERTIFIED.
SAMSON MIFFLEN,
Acting Chairman.
Bonavista, July 1, 1840.

1840. Dr. The Schools in the district of Bonavista in account with the Board of Education

May To	Cash paid P. Larkins for 1 year's Salary from 1st May, 1839 to 1st May, 1840	25	0	0
	Cash paid John Skiffington, for 1 year's salary for same period	25	0	0
	Cash paid John Sainsbury half year's salary from 1st May till 1st Nov. 1839	12	10	0
	Cash paid Moses Cutler for 1 year's salary from the 1st May 1839, to 1st May, 1840	15	0	0
	Cash paid Joseph Glenham for half year's salary from the 1st May, 1839, to the 1st November, 1839	12	10	0
	Cash paid the Chairman for a Box		5	0
	Cash paid the Secretary for 1 year	5	0	0
	Balance in the hands of the Treasurer	106	15	8½
		£202	0	8½

CR.

1839.	By Cash remaining in the hands of the Treasurer		81	13	0½
May 1.	Cash returned by John Fetham		5	0	0
	Cash to be received from the Colonial Treasurer	£100	115	7	8
			£202	0	8½

Certified. E. E. Bonavista, 1st July, 1840.
Samson Mifflen. THOS. GAYLER, Treasurer.
Bonavista, July 1, 1840.

Burin.

The Board of Education for the district of Burin lose no time in transmitting to his Excellency the Governor, for his information and for the information of the Legislature, the following report. together with a statement of monies expended in the year ending Wednesday the 1st July, as also of sums yet unappropriated, but intended for places where hitherto the Board have found it impossible to carry their wishes into effect. The statement will likewise shew a deficiency in one instance of £18 8s. 9d. sterling, which the Board are bound to make good, and which deficiency has been caused by the wish of the Board to continue two schools, which have been hitherto conducted very much to their satisfaction.

Burin.—This school is continued, and the benefit conferred by it is quite apparent. The last return shews a small deficiency in the number of pupils as compared with the same period last year ; but this can be accounted for by the temporary withdrawal of some of the elder children whose services have been required at home during the summer months, but will not in future until the active fishing season of the ensuing year.

Burin Bay.—Much good has been devived from this school. The same teacher is again engaged to the last of November, notwithstanding the inadequacy of the means at the Board's disposal ; but the board were unwilling to see so many children left entirely without instruction.

Great Burin.—The school is discontinued for want of means.

Kerby's Cove.—The school has been discontinued here also, leaving with Great Burin from fifty to sixty children destitute of instruction.

Great St. Lawrence.—This place was without a school during the Winter for want of means. A teacher has since been agreed with from the 1st June to the 31st Oct.

Lawn.—A teacher has been engaged for twelve months. The school opened on the 1st May. The quarterly return is quite to the satisfaction of the Board. The whole

five years accumulation of means is only sufficient for one year's salary, with the assistance of the inhabitants.

LAMALINE.—The Directors are in treaty with a person to teach for twelve months to commence early in the fall.

ROCK HARBOR.—This school is continued—partly supported by the inhabitants.

BEAU BOIS.—A master is engaged for this place for twelve months, to commence teaching early in November. The inadequacy of the sum allowed for this place will account for the delay in establishing a school sooner ; and it can only be done at last by the appropriation of several years allowance as a master's salary for one year.

FLAT ISLANDS.—A school has been established here since December last. The inhabitants partly contributing towards the master's support.

FORTUNE AND GRAND BANK.—A school has been established at Grand Bank for some time. The Board are without any late information from Fortune, nor are they furnished with a return of the number of pupils attending the school at Grand Bank.

In conclusion the Board have to express their regret that the funds are now so reduced as to render them unable to establish any more schools, or even to continue those already established without further aid from the Legislature, which they confidently hope to obtain through the instrumentality of his Excellency's recommendation.

EDWARD MORRIS,
Secretary to the Board of Education for the district of Burin.

Burin, July 1, 1840.

RETURN of Schools and the number of Scholars in attendance in this district on Wednesday the 1st July of the present year, 1840.

Names of places where schools are appointed to be held.	Juvenile Readers		Reading &Spelling		Do. and Writing		Do. and Arithmtc		Do. and Grammar		Do. and Geogrphy		Total of both Sex.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Burin Proper.....	7	3	10	2	8	3	9	5	0	0	0	0	34	13
Burin Bay.....	3	7	3	3	2	4	1	0	0	0	0	0	9	14
Great St. Lawrence.....	3	4	25	17	0	2	0	0	0	0	0	0	28	23
Lawn.....	0	0	14	6	2	0	2	1	0	0	0	0	18	7
Lamaline..	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fortune and Grand Bank....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rock Harbor.....	2	4	6	6	4	5	2	0	0	0	0	0	14	15
Beau Bois.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Flat Islands..	2	4	6	5	2	2	0	0	0	0	0	0	10	11

District of Burin, in the Island of Newfoundland.

MICHAEL BERNEY, Chairman.

DISTRICT OF BURIN.

An Account of the sums of money appropriated and expended by the Members of the Board of Education, granted by "An Act for the encouragement of Education in this Colony," 6, William 4, Cap. 13, for the establishment and support of Elementary Schools throughout this District, from the 6th May, 1836, to July 1st, 1840.

BURIN.

1840.						
Jan. 1.	To amount as per last statement, including this sum paid John Cameron			5	15 7	142 5 9
	Errors on three different sums per last accounts, difference between currency and sterling					3 9
	This sum paid the Teacher for 1 year, Little Burin school			9	0 7	
	Ditto for 1 years rent Little Burin School House			2	12 0	
	This sum paid the Teacher for five months Burin Bay School			9	0 7	
	Ditto for 5 months rent of School House			1	8 11	
				£190	4 4	

ROCK HARBOR.

This sum paid the Teacher to 1st May, 1841	32	0	0
Balance	8	0	0
	£40	0	0

GREAT ST. LAWRENCE.

This sum paid the Teacher	55	0	0
Balance	1	9	4
	£56	9	4

FORTUNE AND GRAND BANK.

This sum transmitted	51	0	0
Balance	34	0	0
	£85	0	0

FLAT ISLANDS.

This sum paid the Teacher to January, 1841	15	0	0
Balance	15	0	0
	£30	0	0

LAWN.

This sum paid the Teacher to 1st May, 1841.	25	0	0

BEAU BOIS.

Amount of proportion for five years	100	0	0

CR.

1840.				
Jan. 1.	By five years appropriation	165	0	0
	Different sums received of parents	6	15	7
	Balance	18	8	9
		£190	4	4

Five years appropriation	40	0	0
Five years appropriation	55	0	0
Amount received of Parents	1	9	4
	£56	9	4
Five years appropriation	85	0	0
Five years appropriation	30	0	0
Five years appropriation	25	0	0
Five years appropriation.	100	0	0

Placentia.

An Account of the number of Schools and Scholars, with the cost and expenditure attending the same, in the District of Placentia and St. Mary's, for the year 1840.

Teachers place of abode.	Number of Schools in each place.	No. of Pupils. Male.	Female.	Teachers Salary. Male.	Female.
Great Placentia	Two	34	30	£30	£20
Little do.	Two	48	33	30	20
St. Mary's	Two	20	16	30	20
Trepassey	One	27	9	30	

(Signed)

W. G. BRADSHAW, Chairman.

Twillingate and Fogo,

Proceedings of the Board of Education for the District of Fogo, from the 25th September, 1838, to the date hereof.

In the report of the proceedings of the Board of Education for this district, dated 25th September, 1838. it is stated that the Board had at that time three teachers engaged—Mr. E. Downton at the Exploits Burnt Island, Mr. T. Phelan at Tilting Harbor, and Mr. J. Haggits at Barred Islands; and also that there was then in the hands of the Treasurer of the Board the sum of £202 6 7 stg.

In 1839, the inhabitants of Mortons Harbor recommended a gentleman, by name Mr. Joseph Bartlett, as teacher for that settlement. The board accordingly appointed him, but as the number of Scholars to be expected here in the summer season could be but small, the board thought it prudent to allow as yet only a half year's salary, viz., for the winter months. Upon this principle, therefore, they have acted with regard to Morton's Harbor.

At the last meeting of the board, viz., on the first Wednesday of July, 1840, a person by name Mr. James Walter, was appointed Teacher at Fogo, whose services are to begin on the 1st October 1840. In consequence of the above arrangements the claims on the funds in the hands of the Treasurer have gradually increased. There is, however, at this date, 23d July, 1840, a balance in his hands of £59 6 7, as will appear by the enclosed accounts. This sum, however, will not equal the amounts due at the end of the present half year.

The board beg to assure his Excellency the Governor that they have taken deep interest in the matters committed to their trust, and they therefore hope that his Excellency will approve of the above appointments.

Our schools, at the Exploits Burnt Island, and at Tilting Harbor, have already been of considerable benefit, and it cannot be doubted but that they will all gradually increase in

usefulness.—This desirable object would be much facilitated if a portion of books and slates could be now appropriated to each School. If this favor can be obtained, I will take care to distribute them as his Excellency may appoint, should they be addressed to my care. It may be right to state here that your letter of last autumn on this subject, never came to hand till a very few weeks ago.

The exact number of pupils, male and female, in each school, shall be sent to you as soon as possible.

I am, &c.

(Signed)

JOHN CHAPMAN.
On behalf of the Board of Education for the district of Fogo.

Twillingate, 23d July, 1840.

To the hon. Mr.
Secretary Crowdy.

LIGHT HOUSE REPORTS.

ANNUAL REPORT OF THE COMMISSIONERS OF LIGHT HOUSES.

The Commissioners of Light Houses beg leave to submit the following report to your Excellency—

The consolidation of the Light House boards, by the act of the Legislature in 1839, threw upon the Commissioners the additional burthen of the Harbor Grace Light House, and this unanticipated circumstance necessarily rendered the provision they had made for supplies of oil &c. insufficient for the now increased demands upon them.

Under these circumstances they felt themselves compelled to discontinue, for the winter, the use of two lamps in the Light House at Harbor Grace Island; and they are happy in being enabled to state that this arrangement was carried into operation, and continued until spring without any detriment, as far as they had been enabled to ascertain, to the general usefulness of that establishment.

In the month of May last, the Commissioners received from England a supply of sperm oil, for the use of the Light Houses, but the cost of this so far exceeded that of any former stock, and was so materially greater than they had anticipated, that their agent properly declined to purchase the whole quantity ordered, and sent a part only, to meet the immediate wants.

The Commissioners had long entertained the opinion that the best pale Seal Oil might be brought into use in the Light Houses in this Colony, but they were deterred from time to time from acting on this opinion from the fact of a quantity of Sperm Oil having been sent with the apparatus in the first instance as the only description that would be suitable, from a corroborative opinion expressed by the engineer who constructed the light at Cape Spear, as well as from the common testimony of the several keepers, who always affirmed that the character of the lamps was such as to forbid the use of ony other than sperm oil, if the efficiency of the lights was to be at all preserved.

But the expense under this head had now become intolerable, and the Commissioners determining no longer to regard the opinions by which they had hitherto been influenced, resolved to test the correctness of their own impression—that seal oil might be made to answer all their purposes.—They accordingly tried the experiment by lighting two ordinary lamps,

the one with seal, and the other with sperm oil, and this proving satisfactory to their views, tenders were immediately advertised for, for a supply of pale seal oil for the consumption of the Light Houses for one year, which was furnished at a reasonable rate. The Commissioners immediately ordered that this oil should be used in the several establishments, and they are happy to state that the result has been fully such as they could have desired; an important saving is hereby effected in the expenditure, being at a calculation of the cost of their last importation, not less than £400 sterling per annum.

In the report which the Commissioners had the honor to lay before your Excellency on the 6th January last, they took occasion to point out what seemed to them the great necessity for the establishment of Light Houses in the colony, particularly on the prominent head lands of Baccalloo, and Cape Pine, and they have to regret that to the subject matter of that report was not accorded the attention, which in their estimation its importance demanded.—They conceive, however, that they would be wanting in their duty to the public, did they omit this opportunity of again bringing the subject forward—and though aware that their functions do not embrace the consideration of such questions, still do they feel with how much propriety they may make themselves the instruments by which to draw attention to them in the legitimate quarter.

With this view they would submit to your Excellency, that the mischiefs arising from the want of a Light on Cape Pine, before so acknowledged, have been rendered more apparent by the events of the past year, for seldom before were the losses of life and property in that vicinity so great within any equal time. That a recurrence of such evils may be mainly prevented by the establishment of a light, (together with a bell to sound in foggy weather, which the Commissioners would propose to have associated with it,) few will, for a moment, be inclined to doubt, and shall it be said that such *desiderata* shall continue to go unsupplied?

But the Commissioners cannot lose sight of the peculiarly favourable position in which they now come forward to renew this proposal. The operation of the new act has, within the past year, produced a great increase of revenue to the Light Houses, and, moreover, a material saving has been effected in the expenditure, which must go far to facilitate the suggested undertaking.

A reference to their last report will show that the Commissioners contemplated, that in the erection and support of a Light House at Cape Pine, the neighbouring Colonies should be called upon to take a concurrent part. They continue unchanged in regard to this intention, and they would therefore make the following recommendations in reference to it.

In the first place, it seems to the Commissioners desirable that they should be authorised to open a negociation on the subject, with the Boards in the other colonies, under such conditions as it may be thought proper to point out. They would then call upon those Boards to seek similar authority from their Governments, with a view to the adjustment of a basis on which the measure should proceed.

Such an arrangement appears to the Commissioners the best that can be adopted for the promotion of this object, for if left to the Legislatures themselves, much loss of time must necessarily take place. Under the suggested mode the correspondence may be opened by the Commissioners, such modifications effected in the proposal, made by the other Boards as may be thought desirable, and found practicable, and the whole matters perhaps, so far matured before the next meeting of the Legislature, as to need only their approval and confirmation to carry it into immediate operation.

THOMAS BENNETT,
Chairman of the Commissioners of Light Houses.

St. John's, Jan. 18, 1841.

Dr. Fort Amherst Light House in acct. with the Commissioners

1840.						Stg.			Cur.		
Feb 5	To P. Roach, quarter salary			-		11	5	o	12	19	7
May 5	Do.	do.		-	-	11	5	o	12	19	7
Aug 5	Do.	do.	-		-	11	5	o	12	19	7
Nov 5	Do.	do		-		11	5	o	12	19	7
	Paid cost and charges 1 cask sperm oil, 90 gallons								52	17	5
	Paid the Execntors of Foley's estate 110 gals seal oil					10	15	5	12	8	7
20	Paid W. Moore, glazing			-					1	1	2
	Bennett & Co. wick	-			-				o	14	0
	Parker and Gleeson, coals			-					4	0	0
	W. Blake's account funnelling and tin work								3	2	0
	Hunters and Co. 9½ gls. oil.			-					1	8	6
	Amount sundry repairs, viz.										
	R. Parker, 2 accounts,	2	1	0							
	W. Tobin, Carpenter's work	7	19	7							
	M'Grath, smith's work	2	3	0							
	Doherty, boat hire	1	10	0					13	13	7
	Paid Ryan, sweeping chimney since December, 1839									17	6
	Prop. of printing accounts			-					1	12	0
	Prop. Secretary's salary				-				15	7	8
	Prop. Surveyor's salary				-			-	6	1	2
	Prop. office rent to Sept. 30th				-				1	7	9
									£166	10	0

Dec. 31. **Cr.**

By General account	-	166	10	0

Dr. Cape Spear Light House in acct. with the Commissioners.

1840.						Cur.		
Jan. 10	Paid Emanuel Warre, labor hire in supplying extra fuel			Stg.		2	0	0
Feb. 1.	E. Warre, qr. salary			23	15 0	27	8	1
May 1.	Do. do.					27	8	1
Aug 1	Do. do			23	I5 0	27	8	I
	Paid cost and charges of 1 cask sperm oil, 109 galls.					64	0	6
	Paid the Exrs. of Foley's estate for 400 gls seal oil			39	3 4	45	3	10
Nov.	Paid M'Bride and Kerr, for wick and sundries					13	6	8
1.	E. Warre, qr. salary					27	8	1
20	L. Crane, harness casks					2	12	6
	Thomas Doyle, for conveying oil to Cape Spear					10	13	0
	E. and N. Stabb, half box soap					0	9	5
	T. M'Murdo, paints					1	1	7
	John Westcott, repairing lamps, 2 accounts					1	17	6
	John Murphy, conveying lumber, &c. to Light House in 1839					3	0	0
	Stephensons & Sons, Edinburgh, for repairs of lamps	3	17	8		4	9	6
	Emanuel Warre, 12 mo. allwce. for fuel paid in Aug.	15	4	0		17	6	2
	Paid O'Brien, 1 M. board					5	0	0
	Carried forward					283	13	0

	Brought forward	283	13 0
Paid Langley, 1 clock,		2	15 0
Proportion of printing accounts £4 16 0		1	12 0
Amount of Secretary's disbursements		5	11 10
Proportion of Secretary's salary		15	7 8
Proportion of Surveyor's salary		6	1 2
Proportion of office rent to Sept 30th		1	7 9
		£316	8 5

1840. **Cr.**

Dec. 31 By General account	316	8 5

Dr. Harbor Grace Island Light House in acct. with the Comms^

—o—

1840.		Stg.			Cur.		
Jan. 10.	To Robert Oke, qr. salary, due 31st Dec. 1839	23	15	0	27	8	1
18.	Paid sundry accounts of outstanding claims	88	2	1	101	13	2
	Paid John Earle, boat hire, conveying oil 1 10 0						
	Jillard, board 6 6						
	J. Soper, sundries 18 9						
	Harrison and Co. nails, &c. 1 13 2						
	Lee Whiting, putty 11 8						
	Doyle, postages 4 6						
	Boat hire 7 6				5	12	1
Mar 31	Robert Oke, qr. salary	23	15	0	27	8	1
June 16	Thorne, Hooper and Co. soap 10 7						
	Postage paid by R Oke 1 6						
	Boat hire, conveying oil 3 10 0				4	2	1
30.	Robert Oke, qr. salary	23	15	0	27	8	1
	Creed, framing Map					9	0
	Cost and charges 1 cask sperm oil, 117 galls.				68	14	7
	Paid the Exrs. of Foley's estate, 500 gls seal oil	48	19	2	55	9	10
	L. O'Brien, account for calico, blanketing, &c				4	19	6
	Ridley, Harrison & Co. oil and sundries				5	17	0
	Lilly, freight of oil, &c. to Harbor Grace				1	0	0
July 16	W. E. Taylor, wick				1	16	0
	R. Woolfrey, carpenter's work 1 17 6						
	Lee Whiting, glazing o 15 0				2	12	6
	John Crute, Cartage					7	6
Oct. 1	M'Bride & Kerr, wick				17	5	0
	W. Firth, brushes, &c.					18	0
	M'Iver, stationery					8	6
	Bennett & Co. shamois skins,					7	2
	Do. paint				1	5	0
	M'Murdo, do.				1	5	0
	Robert Oke, painting, and sundry amounts paid by him				5	4	6
	W. & H. Thomas, dowlas				2	10	8
	Job Brothers, calico				2	7	2
	Carried forward				366	8	6

	Brought forward				366	8	8
Sep 30	R. Oke, qr. salary	23	15	0	27	8	1
	Do. do. for fuel 12 months	15	0	0	17	6	2
	Paid for making road & bridge to Light House	15	0	0	17	6	2
Nov 30	Postages to this date, paid by the Secretary				1	19	0
Dec 5.	Paid Freight of a cask glass					2	6
	Prop. of printing accounts -				1	12	0
	Prop. Secretary's salary -				15	7	8
	Prop. office rent -				1	7	9
	Paid R. Oke's order for sundries had by him in Harbor Grace				4	4	10
					£453	2	8

1840. **Cr.**

Dec. 31	By General account - - - -	453	2	8	

General Light House Account.

1840.

Dec 31	To Harbor Grace Light House - - -				453	2	8
	Cape Spear Light House - - -				316	8	5
	Fort Amhert Light House - - -				166	10	0
	Balance on hand - - -				48	15	4
					984	16	5

Cr.

1840.	By balance from 1839 - -					42	2	7
Jan. 1	This amount from the Colonial Treasurer	23	15	0			
18	Do. do.	88	2	1			
	Do. do.	160	0	0			
Feb. 1	Do. do.	11	5	0			
5	Do. do.	23	15	0			
Mar 31	Do. do.	23	15	0			
May 1	Do. do.	11	5	0			
5	Do. do.	23	15	0			
Jun 30	Do. do.	23	15	0			
July15	Do. do.	98	17	11			
Aug 1	Do. do.	11	5	0			
5	Do. do.	23	15	0			
	Do. do.	15	0	0			
Sep 30	Do. do.	23	15	0			
	Do. do.	15	0	0			
	Do. do.	15	0	0			
Nov 1	Do. do.	11	5	0			
5	Do. do.	23	15	0			
15	Do. do.	190	0	0	£817	942	13	10
						£984	16	5

E. E. St. John's, Dec. 31, 1840.

THOS. BENNETT,
Ch. Com. Light Houses.

MISCELLANEOUS.

COMMUNICATION RELATIVE TO FOG GUNS.

OFFICE OF ORDNANCE,
4th March, 1840.

No. 609

Gentlemen,—In answer to your letter dated 20th January last, stating that no reply had been received to your communication of the 14th January, 1839, upon the subject of ammunition, &c. expended in firing fog guns, and requesting to be furnished with the value of the ammunition thus expended—

I am commanded to acquaint you, that on the 15th January, 1838, the Board ordered that this expense be borne by this Department, and provided for in future in the Ordnance estimates. I am, gentlemen, your most obt. servt. R. BYHAM.

The Respective Officers, Newfld.

—o—

ORDNANCE OFFICE
16th May, 1840.

Sir,—We have the honor to enclose, for the information of his Excellency the Governor, copy of a letter received from the Board of Ordnance upon the subject of the expense incurred in firing the fog guns. We have the honor to be, sir,

Your most obt. humble servants,

GEO. WINTER, Dy. Ord. Storekeeper.
E. F. LLOYD, Lt. R. E. Com.
GEO. FRASER, Maj. Com. R. Artil.

The Col. Secretary.

Letter from Major FRASER.

ARTILLERY OFFICE, Signal Hill,
22d December, 1840.

Sir,—I have the honor to request that you will be pleased to submit, for the consideration of his Excellency the Governor, the nature of the duties performed by the men of the Royal Artillery stationed at the south side of the narrows, with the view, if his Excellency should see fit, of recommending to the Colonial Assembly, that some small remuneration may be made to the men employed there, exclusively for Colonial purposes.

It appears that independent of other inconveniences attached to the situation, the men quartered at Forts Amherst and Frederick, are deprived of many of the comforts which they would otherwise enjoy at Head quarters, and that all their expenses are greatly increased.

I am induced the more earnestly to solicit this remuneration, from the circumstance of of such allowances being, I am led to believe, usually made for the performance of similar duties in other colonies,—and seeing that the hon. the Board of Ordnance have lately withheld the customary charge for ammunition, &c. expended in firing Fog Guns.

The amount of such remuneration need not exceed £36 10s. 0d. stg. annually.

I have, &c.
(Signed) G. B. FRASER,
Maj. Com. R. Artil.

James Crowdy, Esq.

Letter from W. Evans, Esq., respecting Fence round Lock up House at Grand Bank, and Estimate of Expense thereof.

St. John's, May 20th, 1840.

Sir,—You are aware that there has been built at Grand Bank, in the electoral district of Burin, a Lock-up House, for the confinement of prisoners. I beg leave to suggest for the information of his Excellency the Governor, that in its present exposed state it is subject to several inconveniences, as by means of the loop holes a ready conversation can be carried on, or instruments introduced by which a prisoner might make his escape; and ill-disposed persons may readily introduce materials into the lock of the door, so as to spoil it, or prevent the key being introduced, which has been lately done by driving an iron bolt into the key hole, and although it has been extracted yet the door cannot be unlocked. I have offered five pounds for the apprehension of the offender but without success.

I am of opinion that if the Legislature would be pleased to grant a small sum for the purpose of erecting a fence round the said Lock-up House from eight to ten feet high, of plank two inches thick, it would in a great measure be a protection for the same.

I am, Sir,
Your obedient, humble servant,

WILLIAM EVANS, J. P.

To the hon. Mr.
Secretary Crowdy.

The probable expense of erecting a fence round the Lock-up House at Grand Band, 20 feet square, by 8 feet in height.

800	Feet 2 inch plank, at £8 per M.	6	8	0
8	Beams, at 10s.	4	0	0
10	Uprights, at 5s.	2	10	0
1	Cwt. Nails,	2	0	0
1	Pair Hinges,	0	10	0
1	Stock Lock,	0	10	0
1	Padlock,	0	5	0
400	Spikes, say 70 lbs. at 6d per lb	1	15	0
1	Keg White Paint,	0	12	0
1	Gallon Linseed Oil,	0	6	0
	Labour, building.	5	0	0
	Currency	£23	16	0

WILLIAM EVANS, J. P.

Grand Bank, 22d June, 1840.

Presentment of the Grand Jury, Harbor Grace.

The Grand Inquest for the Northern Circuit, do upon their oaths present, that the Court House at Harbor Grace requires the following repairs, viz.—

The wall of the Court yard to be raised and secured to prevent the escape of prisoners.

The roof of the Court House to be repaired.

The Outside wood work of the Court House to be painted.

The interior of the Court House, Judges Chambers, &c. to be repaired.

Press required for the office of Chief Clerk and Registrar.
The whole amount of expenses agreeably to the annexed estimate is about £114.

For self and fellow Jurors,

JOHN C. NUTTALL.

January 28, 1841.

ESTIMATE

Of the expense of necessary repairs and painting required to be performed at the Court House at Harbor Grace, to preserve the building, for 1841.

Repairing the slating on the roof, damaged by gales of wind, and repairing the outside stairs, rotten by exposure to the weather	15	0	0
Repairing the Privies to prevent them from leaking	4	0	0
Painting all the exterior Wood Work	5	0	0
Painting the Great Hall or Court Room, all the Offices, Judges Chambers, and Petty Jury Room below, (exclusive of the new work, now under contract to be performed,)—whitewashing the ceilings, and side walls, putting new cloth upon the bench, and a small desk covered with cloth for the Judge, filling up the cracks in the plaster with putty, mortar, &c.	35	0	0
Additional Press, absolutely required for the Office of the Chief Clerk and Registrar	4	0	0
Covering in the Gaol Yard, so that prisoners may take airing in rainy weather without exposure to the wet, and shingled according to plan, and raising the wall four feet, as formerly recommended and estimated for	74	0	0
Pointing the wall of Gaol Yard	7	0	0
Sterling..	£114	0	0

ROBERT L. WHITING.

Harbor Grace, 28th Jan. 1841.

Grand Jury Presentment, Twillingate.

The Grand Jury present the Court House at Twillingate as totally unfit for the purpose for which it is intended. There is no Grand Jury Room or Petty Jury Room, and no out-house for the purposes of the Gaol, the Petty Jury having, during the present sitting of the Court, been obliged to retire into a field to deliberate upon their verdict. The Grand Jury trust that the Court will forward this presentment to his Excellency the Governor, with an earnest request that his Excellency will be pleased to submit for the consideration of the Legislature, the necessity of a grant of £100 for the purpose of building two rooms, and an out-house, in order that the public may be accommodated in such essential comforts.

For self and fellow Jurors,

JOHN COLBOURNE, Foreman.

Court House, Twillingate,
25th Sept., 1840.

Letter from Mr. ARCHIBALD.

SUPREME COURT,
Chief Clerk's Office,
Feb. 5, 1841.

Copy.

Sir,—I have the honor to acquaint you, for the information of his Excellency the Governor, that by direction of the Hon. the Chief Justice, I have made diligent search among the records of the Supreme and Central Circuit Courts, but am unable to find any presentments, assessments or other proceedings of the Grand Jury in reference to the Newfoundland Hospital.

It does not appear to have been the practice to register copies of the Presentments of the Grand Jury until after the establishment of the present Supreme Court; nor was any book kept by the Grand Jury, in which their proceedings were entered until of late years.

I have, &c.

(Signed) E. M. ARCHIBALD.

The Hon. Mr. Secretary Crowdy.

NEWFOUNDLAND.

Southern District,
St. Mary's, to wit.

The Jurors of our Lady the Queen, for St. Mary's aforesaid, having inspected the Court House and Gaol present their incomplete state, requiring a Jury room, Judges' Chambers, Bench, Table Seats, Jury Box, Witness Box, Sheriff's Box, a Stove, and Cribs and Bedding for the Prisoners. They present the chimney of the building in want of repair. They present the necessity of having a high substantial fence erected around the building to afford a yard for prisoners to take the air, and security to the prison. The present the necessity of widening the path leading by the sea shore for the convenience of fishermen and others getting back at least 10 feet from the brink of the cliff or bank. They present the necessity of having a road from Butler's Point to meet the Circular road in front of the Court House, to be at least 20 feet wide, for general convenience and improvement.

For self and fellow Jurors,
JOSIAH BLACKBURN,
Foreman.

St. Mary's, 24th Oct. 1840.

The Opinions of Her Majesty's Attorney and Solicitor General,

ON THE EXISTING STATE OF THE LAW REGULATING SERVANTS' WAGES.

—o—

Secretary's Office, 8th March, 1841.

Sir,—I have the honor, by the Governor's direction, to transmit to you, to be laid before the House of Assembly, the undermentioned documents in compliance with addresses of the House to his Excellency, viz.

The Opinion of the Attorney and Solicitor General on the existing state of the law regulating servants' wages.

A detailed account of the number of Prisoners in Harbor Grace Gaol between Jan.

1840, and 1st Feb. 1841, with other information,—and of the expenses of the said gaol during the month of January last.

And accounts and petitions of persons supporting Orphans, Idiots, &c., and of the Poor.

I have, &c. JAMES CROWDY.

The Hon. the Speaker
of the House of Assembly.

Attorney General's Opinion.

Attorney General's Office,
7th March, 1841.

Sir,—I have the honor to acquaint you, for the information of his Excellency the Governor, that in obedience to his commands conveyed to me in your letter of the 25th ult., I have carefully considered the question on which my opinion is required, in conformity to the address of the House of Assembly, bearing date the 19th ult.; and I now beg leave to submit that I am humbly of opinion, that the 16th sec. of the Act 15th Geo. 3, cap. 31, (A. D. 1775) has been absolutely repealed by the Imperial Statute of 5th Geo. 4th, cap. 51.—(3d June, A. D. 1824.)

On reference to the first mentioned act, I conceive it will clearly appear, and may be important to note, that that act which was a *perpetual* one, was throughout its peculiar provisions, strictly and *exclusively* applicable to the fisheries carried on *from Great Britain, Ireland, and the British Dominions in Europe, by fishing ships, employed in the Bank Fisheries,* whose fishermen and seamen were required under the provisions of the act to return to the British dominions in Europe at the end of every fishing season.

That the first section of the act 5th Geo. 4th, cap. 51 (which was made temporary for the period of 5 years) repealed, among other provisions contained in the 15th Geo. 3d, cap. 31, the 16th sec. of that act, I consider, upon mature reflection, no reasonable doubt can be entertained.

The repealing statute in its 10th section, adopted with some extensions, the provisions of the 16th section of the 15th Geo. 3d, cap. 31, the effect of which operated to make certain provisions, which had antecedently been only applicable to a *particular* class of fishermen under a perpetual act, applicable to fishermen generally, but under a temporary law. This temporary law was, by the Imperial act 10th Geo. 4th, cap. 17, continued till the 31st December, 1832, and thence by the Imperial statute 2d and 3d Wm. 4th, cap. 79, again continued till the 31st December, 1834; after which it expired and has not since been renewed, nor have any further Legislative provisions been made on the subject.

I am clearly of opinion that, although the repealing statute is spent, the law which that statute has in this instance absolutely repealed, is not thereby revived.

This point is, I conceive, satisfactorily settled under authority of the case of Warren and Windle, 3d East Rep. 205. If, however the repealing statute had, before its expiration, by efflux of time, been itself repealed, the case would have been different.

I do not feel myself called upon to discuss the subject matters contained in the address of the House of Assembly under the head of "reasons" illustrative of the 16th section of the 15th Geo. 3d, being "still in full operation," or to observe further than that I cannot concur in the propositions therein set forth, because I am unable to discover that they are supported by any authority, and I humbly conceive them to be erroneous and untenable.

I have the honor to be. Sir,
Your most obt. humble servt.
JAMES SIMMS,
H. M. Att. General.

The Hon.
Mr. Secretary Crowdy.

Solicitor General's Opinion.

St. John's, Newfoundland,
3d March, 1841.

Sir,—I have the honor to acknowledge the receipt of your letter, enclosing to me a copy of an address from the House of Assembly to his Excellency the Governor, and requesting my opinion upon the following query (submitted by the House for the consideration of the Crown Officer.) "Is not the 16th section of the 15th George the 3d, cap. 31, in full operation still ?"

I have taken the question into consideration, and am humbly of opinion that the section adverted to is not now in operation.

The question submitted appears to result from an opinion entertained in the reasoning accompanying the query, that previously to any statutory regulation a custom existed in Newfoundland, that all Fish and Oil caught and made, was, in the first instance, liable to a lien for the wages of all seamen or fishermen employed in the voyage in which such fish and oil was taken and made.

The first Legislative enactment, as far as I can ascertain, which gives this protection to the seamen and fishermen is the "15th Geo. 3d, cap. 31," which provides by the 16th sec. "that all fish and oil which shall be taken and made by the person or persons who shall hire or employ Seamen or Fishermen, shall be subject and liable in the first place to the payment of the wages of every such Seaman or Fisherman."

As the construction of a statute must depend upon the apparent intention of the maker, and be collected from the particular provisions or general content, I am at a loss to imagine how it could be inferred that the 15th, Geo. 3d, which was unlimited in its duration, was a declaratory act. It was most clearly not so, and if the makers of that act intended that the Statute should declare a previously existing, and known, and established custom, the custom would have been recited in the act, and its not being so, does, in my mind, go far to strengthen the opinion that no such custom ever existed.

The subsequent and last act upon the subject, the "5, Geo. 4," Cap. 51, professes to be "An Act to *repeal several laws relating to the fisheries carried on upon the Banks of Newfoundland, and to make provision for the better conduct of the said fisheries.*"

This Act repeals the several provisions of the 15th, Geo. 3d, namely, the 15th and 17th sections, relating to the hiring of Seamen and Fishermen, and re-enacts the 16th section; and as its professed object appears to have been to repeal absolutely the prior laws regarding the fishery, *and to substitute other provisions upon the same subject*, although it was limited in its duration, I am of opinion that the prior law does not revive by the repealing statute having expired, and that consequently, the section referred to in the query submitted is not now in operation.

I have the honor to be, Sir,
Your most obedient servant,
H. A. EMERSON,
H. M. Sol. General.

The hon. James Crowdy.

HOSPITAL RETURNS FOR THE DISTRICT OF FERRYLAND, FOR THE YEARS 1837, 38, 39.

Ferryland District Hospital Account for 1837, 38, and 39.

DR. DISBURSEMENTS.

1837.				
	To cash paid Mr. L. M. Lynch, attendance on Cowman	2	0	0
1838.				
	Cash paid Mr. L. M. Lynch, attendance on Hospital patients 1 year	40	0	0
	Ditto Mr. Rogers, Renewse, dispensing medicine	8	0	0
	Ditto Messrs. Wm. H. Coady, Bay Bulls, directors for the benefit of Hospital patients	27	0	0
	Ditto paid Mr. M. Kerney for medicine chest	1	11	0
	Ditto Mr. Wm. Saunders for medicine chest	1	8	0
	Ditto Mr. John Kelligrew for medicine chest, 2 years	2	5	0
	Ditto Messrs. A. Goodridge for medicine chest, 3 years	3	10	6
	Ditto Messrs. Peter Winser & Son for medicine chest, 2 years	5	18	0
	Ditto Mr. James H. Carter for medicine chest, 2 years	2	19	0
	Ditto Thomas McMurdo & Co. for medicine	17	15	9
1839.				
	Ditto Mr. Henry Thompson for attendance on Kough	5	0	0
	Ditto paid Mr. L. M. Lynch for half years attendance	20	0	0
	Ditto Dr. Rochford for medicine and attendance on Peter Dullanty	2	10	0
	Ditto paid Messrs. Thomas McMurdo & Co. tor medicine	15	3	6
1840.				
	Ditto ditto ditto	10	12	10
	Ditto paid Mr. Henry Clow, Clerk Court Sessions, case against Peter Henry Winser	0	19	5
	Ditto F. Geary, Constable	0	12	11
	Ditto John Shanahan freight boxes	0	4	6
	Ditto Mr. Lambard Bryand, 1 years attendance South	30	0	0
	Ditto Mr. L. M. Lynch, attendance 1 year North	30	0	0
	Sundry incidental expences	0	10	0
	Balance in Treasurer's hands.	26	5	11
		£254	6	4

CR.

Receipts per Collector and Treasurer.

1837.				
	By balance of Treasurer's account	92	10	6
Nov.	Cash paid Treasurer per Collector	6	10	0
	Do. do. do.	7	4	3
Dec.	Do. do. do.	2	18	4
1838.				
	Do. do. do.	12	0	0
Jan.	Do. do. do.	14	15	4
16.	Do. do. do.	4	10	0
Feb. 27	Do. do. do.	4	14	0
Dec.	Do. do. do.	5	1	2
	Carried forward....	£150	3	7

			Brought forward....	£150	3 7
	Do.	do.	do.	4	10 2
	Do.	do.	do.	2	10 0
	Do.	do.	do.	2	18 4
1839.					
	Do.	do.	do.	10	0 0
	Do.	do.	do.	5	2 1
	Do.	do.	do.	4	10 5
	Do.	do.	do.	7	15 0
	Do.	do.	do.	3	0 0
	Do.	do.	do.	3	4 2
1840.	Do.	do.	do.	2	15 5
	Do.	do.	do.	3	10 0
	Do.	do.	do.	4	12 1
	Do.	do.	do.	2	9 7
	Do.	do.	do.	11	5 3
	Do.	do.	do.	3	11 5
	Do. judgment against Peter Henry Winser			6	5 0
	Do. paid the Treasurer per Collector			0	11 8
	Do.	do.	do.	4	5 0
	Do.	do.	do.	2	14 0
	Do.	do.	do.	5	5 0
	Do.	do.	do.	8	15 0
	Do.	do.	do.	4	13 2
				£254	6 4

JAMES H. CARTER, President late Board.

N. B.—The Collector's Commission has been deducted before paying in the sums above.

HOSPITAL ACCOUNT FOR SICK PAUPERS TO 31st DECEMBER, 1840.

St. John's District to St. John's Hospital, on account Sick Paupers, viz.:—

	Sterling.
Balance as per account furnished to May 11th, £41 11 7, currency	36 0 9
Amount account, May	14 7 10
Ditto ditto June	5 8 0
Ditto ditto July	6 19 6
Ditto ditto Aug.	4 13 2
Ditto ditto Sept.	5 10 0
Ditto ditto Oct.	5 8 0
Ditto ditto Nov.	4 10 0
Ditto ditto Dec.	5 13 6
	£88 10 9
Account Geoffrey Walsh to March 29th	9 12 0
	98 2 9

Hospital Office, Jan. 18, 1841.

HOSPITAL RETURN.

A return of the Persons paying Rates and Dues in the District of Ferryland, 1837, 38, & 39.

	Currency.
151 persons engaged in the Seal Fishery, paying three pence in the pound on their shares	18 6 11
7 Masters Mates and Seamen, belonging to registered vessels, paying six pence per month on their wages	0 6 8
1181 Fishermen, Shoremen, and Servants engaged in the Cod and other Fisheries, paying two shillings and six pence stg. per season	172 4 7
	£190 18 2

* Several of the Servants and Sealers being paid their wages and shares at St. John's, the Hospital Dues were stopped there & paid to the Collector at St. John's, which were left to meet some demands against the funds here for relief given.

RETURN OF FINES, GRAND BANK.

A return of Fines, Penalties and Forfeitures, levied for, and during the year ending 30th June, 1839, so far as relates to the Court of Sessions at Grand Bank.

Names of Persons	Nature of the offence	When process issued	When returned	Fines	Penalties	Forfeitures	Justices by whom decided
John Stelyer	Disputed Acct.	Oct 5th, 1838	Oct. 6,	"	12	"	W. Evans
Benjamin Edmunds	Asslt. & Battery	" 10th "	April 5,	"	1	"	and T. E. Gaden.
John Matthews	Bal. of Wages	Mar. 30, 1839	" 5,	"	2 11 4	"	Do. do
John Corrie	Bal. of Account	April 4, "	" 5,	"	1	"	Do. do
							Do do

The Statute under which awarded.

5th Geo. 4th, Cap. 67, Sec. 22.—9th, Geo. 4th, Cap. 31, sec. 27.—5th, Geo. 4th, Cap. 67, Sec. 22.—5th Geo. 4th, Cap. 67, Sec. 22.

No Fines, Penalties, or Forfeitures have been levied at a Court of Sessions at Grand Bank from the 30th day of June, 1839, to the 12th day of February, 1840.
The above penalties have been paid to the parties aggrieved.

A Return of all Fines, Penalties and Forfeitures levied in the Court of Sessions at Harbor Briton, Fortune Bay, from the 30th June, 1839, to the 12th February, 1840.

Name of the Person.	Nature of offence.	Justices present	Statute	Amount levied	Paid Crown	Paid to Informer
Thomas Johnston	Assault and Battery	William Evans & T. E. Gaden	9 Geo. 4 Cap. 31	10s.		10s.

THOMAS E. GADEN.

A RETURN of all fines, penalties and forfeitures levied in the Court of Sessions at Harbor Britain, Fortune Bay, for and during the year ending 30th day of June, 1839.

Name of Person.	Nature of Offence.	Justices present	Statute.	Amt. levied	Paid Crown
H. Clinton..	Brch. Col. Act 5 W 4 c 4	T.E.Gaden	5 W 4c 4	£0 10s 0	£0 10s 0
John Frood..	Brch. Col. Act 5 W 4 c 4	T.E.Gaden	5 W 4c 4	£0 10s 0	£0 10s 0
				£1 0 0	£1 0 0

THOS. E. GADEN, J. P.

RETURN of all fines, penalties and forfeitures levied for and during the year ending 30th June, 1839, in the Court of Sessions at Trinity.

1838	Name of person	Offence.	Statute.	Fine.	Justices present.
July 2	J. Randall	Asstg. D. Ryan	9 G 4 c 31 s 27 Im.	5s.*	B.Sweetland
1839.					&W.Kelson
June 26	J. Darrell	Drunkenness	4 J 1 c 5&21 J 1 c 7 Im	5s.†	B.Sweetland

*Distributed under the provisions of the same Act to the poor of the district.

†Distributed under the provisions of the same Act to the poor of the district.

W. SWEETLAND, J. P.

Trinity, 15th April, 1840.

N. B.—The informers being alone examined for the prosecution no part of the fines was given them. The half due to the Crown by the 1 Vic. c. 4. sec. 3, being so small was applied also to relieve objects in distress.

RETURN of all fines, penalties and forfeitures levied for and during the period between the year ending the 30th June, 1839, and the 12th Feb. 1840, in the Court of Sessions at Trinity.

1839	Name of person	Offence	Statute.	Fine.	Justices present.
July 10	J. Skinner	Astg. J. Sinnox.	9 G 4 c 27 Imp.	2s 6d*	B.Sweetland
					& T. Drawbridge
Sept 7	J.Reardon	Drunkenness	4 J 1 c 5&21 J 1 c 7Im	5s†	B.Sweetland

*Distributed under the provisions of the same Act to the poor of the district.

†Distributed under the provisions of the same Act to the poor of the district.

W. SWEETLAND, J. P.

Trinity, 15th April, 1840.

N B.—The informers being alone examined for the prosecution, no part of the fines was given them. The half dues to the Crown by the 1 Vic. c. 4, sec. 3 being so small was applied also under the Imperial Acts to objects in distress.

A RETURN of all fines, penalties and forfeitures imposed by F. L. Bradshaw and W. G. Bradshaw, Esqrs. at Great Placentia, and the amount levied or received for the year ending 30th June 1839—and a similar return from that period to the 12th Feb. 1840.

1839	Party fined	Offence	Fine	Informer's share	Crown share
July 24	E. Mooney	Brch Nuis. Act, 3 W 4 c 8	7s 6d		7s 6d
27	Mary Morris	do.	5s 0d		5s 0d
Dec 26	Wm. Barron	Astg. L. Elward, Im. Act	8s 8d		8s 8d

Sales of Swine seized and sold under the Colonial Act 5 W. 4, cap. 8, for the year ending 30th June, 1839, and thence to the 12th Feb. 1840.

1839	Purchaser	Price	Seizer's share	Crown share.
July 26	Thomas Mooney	10s 10d	5s 5d	5s 5d

F. L. BRADSHAW, J. P.

A RETURN of all fines, penalties and forfeitures, imposed at the Court of Sessions at Burin, and the amount received for the year ending 30th June, 1839.

Date	Name of Person fined	On what offence convicted, and under what act	Fine	Amt. received
		No fine imposed during this period		

WM. HOOPER, J. P.

A Similar Return from the 1st July, 1839, to the 12th Feb. 1840.

1839				
July 5.	D. Durney*	Assaulting E. Deer, Imperial Act	£2	
20	H. Mullins.....	Drunkenness, Do. do.	5s.	5s.

Magistrates sitting—WM. HOOPER.
GEO. KING.
F. R. PAGE.
C. BENNING.

WM. HOOPER, J. P.

*Suffered 2 months imprisonment.

RETURN

Of the number of Certificates presented to the Colonial Secretary of Wolves killed between the 3d day of January 1840, and the 2d day of January, 1841, as required by the Colonial Act 3d Victoria, Cap. 1, Sec. 3.

No.	Certifying Magistrates.		Parties claiming reward.	
	Name	Residence	Name	Residence
1	Josiah Blackburn	St. Mary's	Denis Quigley	Harry Cove
2	Do. do.	Ditto	Ditto	Ditto
3	Do. do.	Ditto	Ditto	Ditto
4	Do. do.	Ditto	Michael Fennelly	St. Shott's
5	Benjamin Sweetland	Trinity	William Sevior	Trinity
6	Thomas E. Gaden	Harbor Britain	Thomas McDonald	Gaultois
7	James Crowdy	St. John's	Samuel Dobson	Hant's Harbor
8	John Peyton	Twillingate	Joseph Rowsell	New Bay.

JAMES CROWDY, Colonial Secretary.

Secretary's Office, 21st January, 1841.

[Copy.]

Police Office,
29th March, 1841.

SIR,—We have the honor to enclose herewith a list of Paupers having claims, allowed by us, upon this District, amounting to seven hundred and ninety five pounds, sixteen shillings and sixpence stg., and have reason to believe there will be further demands which will probably require the additional sum of fifty pounds to liquidate them.

We have the honor, &c.

(Signed)

P. W. CARTER,
CHAS. SIMMS.

The hon. the Col. Secretary.

Orphans, No. 1.

Name.	Age.	Names of Parents.	Cause of Orphanage.	Date when first chargeable.	By whose authority	Whether party cap. of ear. sup.	With whom living	Residence
Butler Margaret		Michael Butler and Jane Driscoll	Parents absconded	Apr 1, 1837	P. W. Carter, Esq.	Incapable	Philip Fogarty	Neagles hill
Bolan John	9	John Bolan, do.	Death of Father,—Mother absconded	July 1, 1838	P. W. Carter Esq.	Crip. hand & incapable	Edward Bolan	PrtgalCove road
Breen John		Unknown	Found in Court House lane, as sworn by Magistrates	Feb 20 1839	Magistrates	Incapable	Samuel Beer	Fresh Wtr. road
Byrne Denis	7	James & Ann	Death of Father	Sep 19 1838	P. W. Carter	Incapable	Ann Byrne	Gleesons lane
Ellen	5							
Butler John	14	Law. & Mary	Do.	1838	PoorCommissioners	Now capable	Mary Butler	Barrens
Mary	12	Do	Do.	——	Do.	do	Do.	Do.
Lawrence	10	Do	Do.	——	Do.	Incapable	Do.	Do.
Margaret	8	Do	Do.	——	Do.	do	Do.	Do.
Bearns Thomas	10	Wm & Eliza	Do.	March 1849	P. W. Carter Esq.	do	Eliza Barnes	Duckworth strt.
Breen Anastatia	9	Martin & Ellen	Do	July 1, 1838	Poor Commissnrs.	do	Ellen Breen	Gower street
——Mary	8	do.	Do	ditto	Do.	do	Do.	do
——Bridget	5	do.	Do	ditto	Do.	do	Do.	do
——Eleanor	3	do.	Do	ditto	Do.	do	Do.	do
Brine Simon	9	Thomas & Alice	Do	April 1840	P. W. Carter Esq.	do	Alice Brine	do
—— Margaret	5	do.	Do	ditto	Do.	do	do	do
—— Mary	2	do.	Do	ditto	Do.	do	do	do
Barnes Elizabeth	7	Wm. & Eliza	Do	March 1840	P. W. Carter Esq.	do	Eliza Barnes	Duckworth strt.
Colbert John	3	Father unknown–Catherine Grant	Moth. absconded	August 1838	P. W. Carter Esq.	Incapable	Bridget Marshal	Flahavans lane
Clare Johannah	4	James Clare	Fath. absconded	Aug 1, 1838	Poor Commnrs.	do	BridgetGrangel	NearNevils farm
Cormack James	7	J. Cormack and Catherine Fling	Death of Father—Mother absconded	1836	Magistrates	do	Alice Lawler	Flahavan's lane
Costelo John	6			Oct 7, 1838	Poor Commnrs.	do	Ann Parker	Meet. Hou. Hill
—— Bridget	9	James and Mary	Death of parents	Oct 7, 1838	Poor Commnrs.	do	Ann Parker	Meet. Hou. Hill
—— James	5			Nov 15 1838	do	do	Edward Maher	Lazy Bank
Comerford Oliver	4	H. Renouf and Mary Comerford	Parents absconded	1837	Magistrates	Deceased Apr 15, 1840	Elizabeth Breen	Near Casy's lane
Cochrane John	6	Patrick and Mary	Death of Father—Mother absconded	July 1 1838	do	do. 30th Apr 1840	Eliza Tracey	Duckworth Strt.
Cunningham Catherine.	10	R. Cunningham & Jane Butler	Father abscended	1838	Poor Commissnrs.	Incapable	Jane Butler	Casey's lane.
—— Henry	5	do.	do.	do	do	do	do	Do.
Clooney Patrick	10							
Bridget	8	Thomas and Bridget	Death of Father	Aug 1 1838	do	do	Bridget Clooney	Duckworth Strt.
Johanna	4							
Cummins Thomas	16					Now capable		
Mary	14					do		
William	9	William and Eleanor	Father absconded	March 1840	P. W. Carter Esq.	Incapable	E. Cummins	King's Road
Margaret	9					do		
Doyle James	11	Richard and Ann	Death of parents	June 4 1832	Magistrates	Incapable	Thos. Redmond	Meet. Hou. Hill
Daley Michael	2	Michael Daley & Catherine Pine	Parents absconded	May 28 1839	Poor Commissnrs.	Deceased Mar 22, 1841	Ann Doyle	King's Road
Elizabeth	10	Matthew and Fanny	Death of parents	1838	do	Incapable	Bridget Breen	Cuddihey's lane
Daley Michael	8	John and Margaret	Do	1838	do	do	Thos. Woods	Job's Cottage
Delany Bridget	15	James and Catherine	Death of father—sickly mother	Aug 1 1838	do	Incapable—being sickly	Rich. Murray	Near the Palace
Dwyer Martin	10	James and Ann	Death of father	July 1 1838	do	Incapable	Ann Dwyer	Forest
John	8	do.	do	do	do	do	do	Do.
Mary	5	do.	do	do	do	do	do	Do.
Daughton David	19	Patrick and Alice	do	April 1840	Magistrates	Bed-ridden & consump.	Alice Daughton	Near Job's Mill
Fleming Margaret	21	Patrick and Eleanor	Death of parents	Feb. 1 1830	Magistrates	Incapable, being cripple	Mary Thomas	Near Brnscomb's
Fitzgerald Mary	4	John Fitzgerald & Mary Dunn	Fath. abs.—Moth. incap. as sworn before Magistrates	Dec. 1 1840	do	Incapable	John Brennan	Near Bells Shute

Orphans, No. 1.

Name.	Age.	Names of Parents.	Cause of Orphanage.	Date when first chargeable.	By whose authority	Whether party cap. of ear. sup.	With whom living	Residence
Fitzpatrick James	16	Michael and Mary					M. Fitzpatrick	
——— Ann	14	Do.				Now capable		
——— Maria	10	Do.	Death of Father	1838	PoorCommissioners			Rennie's Farm
——— Michael	8	Do.				Incapable	Do.	
——— Margaret	6	Do.						
Gladney James	13	Patrick and Ann	Death of Father	Sep 7 1838	Poor Commissnrs.	Incapable, being cripple	Ann Gladney	Near the Palace
Grace John	½	Unknown	Found on Signal Hill road, as sworn before Magistrates	Dec. 1 1840	Chas. Simms, Esq.	Incapable	Bridget Grace	Signal Hill road
Glascott Catherine	13	Thomas and Eleanor	Death of Father	Aug 26 1838	Poor Commissnrs.	Now capable	Eleanor Glascot	Gower street
——— Fanny	10	Do	Do.	do	do	Incapable	do	do
——— Robert	8	Do	Do.	do	do	do	do	do
Hurley Eliza	7	Father unknown—Eleanor Hurly	Death of Mother	1836	Jas. Blaikie, Esq.	Incapable	E. Sinnott	Block M. Hall
Halley Johanna	10	James and Mary	Death of parents	1837	P. W. Carter, Esq.	do	E. Valley	Flahavan's lane
Hearn Agatha	11	Thomas and Bridget	Do	Dec. 1 1837			M. Hearn	Casey's lane.
..... Catherine	7			July 1 1838	do	do	T. Dwyer	Radfor'd R. H.
..... Michael	13			Dec. 1 1837		Now capable	M. Hearn	Casey's lane
Hickey John	15	Wm. and Bridget	Death of Father	1839	Poor Commnrs.	Now capable		
——— William	10							
——— James	7							
——— Michael	5					Incapable	Bridget Hickey	Casey's Lane
——— Mary	3							
——— Elizabeth	1½							
Hayes William	8	John and Harriett	do	Aug 1, 1838	do	do		Garrison Hill
——— Harriet	6					do		
——— John	3					do		
Hearn Mary Ann	11	Matthew and Margaret	Do.	Oct 6, 1838	do	do	Harriet Hayes	Casey's lane
——— Andrew	6							
..... Catherine	4							
King Edward	8	James and Mary	Death of parents	1833	P. W. Carter Esq.	Nearly blind and cripple	Margaret Hearn	At the Golds
Kiely Eleanor	13	Michael and Mary	Do. Father	1836	Magistrates	Now capable	Johanna Brine	Meet. Hou. Hill
King Sarah	14	Francis and Elizabeth	Do. Parents	Sep 1, 1838	Poor Commnrs.	Incapable–being cripple	Mary Kielley	Rear of Mortons
Kelly John	4	George and Margaret	Ditto Ditto	1839	do	Incapable	Elizabeth King	Outer Cove
Kiely David	12	Thomas and Mary	Ditto of father	June 18 1838	do	do	Mary Slater	
——— Mary	9					do	Mary Kiely	Near Brewery
——— Bridget	7							
——— Catherine	5							
Kennedy Catherine	6½	Philip and Alice	Father absconded	March 1840	Magistrates	do	A. Kennedy	Gower Street
..... Eleanor	5			May 27 1838	P. W. Carter Esq.	do	M. Cleary	King's Road
Lacey James	3	Unknown	Found near Mr. N. Gill's, as sworn before Magistrates.			do		
Leary Mary	20	James and Catherine	Death of Father	1838	Poor Commissn rs.	Now capable		Near Theatre
.....Elizabeth	13							
.....Michael	11					Incapable	C. Leary	
.....Daniel	7							
.....Philip	4							
Lewis Susan	6	William and Ann	Death of parents	Jan 13 1838	do	do	M. Stansbury	King's Road
Long Sarah	13	Edward and Aun	Death of Father, Mother very sickly	Jan 1 1838	Magistrates	Now capable		
.... Richard	8					Incapable	Ann Long	Meet. Hou. Hill
.... Eleanor	8							

No. 2, Infirm and Lunatic.

Name.	Age.	Nature and cause of infirmity	Whether the infirmity disables the party	whether likely to be permanent charge	Name of person employed to support	Place of abode.	By whose authority	Date of first charge.
Barnet James	52	Paralyzed	disables	Likely	Mary Stansbury	Calver's lane	Poor Commissioners	June 3, 1839
Cooney Mary	30	Idiocy	do.	do	Jane Meany	Near LeMessurier's	Magistrates	1834
Culleton John	40	do.	do	Sent to Hospital 18th February 1841.	John M'Lennan	Duckworth Street	Do.	Dec 1, 1830
Coady Thomas	30	Amputated toes	do	Likely	Michael Coady	Block Maker's Hall	Poor Commissioners	1838
Coleman Catherine	17	Idiocy	do	do	Timothy Coleman, father	King's Road	Charles Simms Esq.	March 1, 1840
Coady Winifred		do				Bay Bulls		
Fitzsimmons William	17	do	do.	do	Cath. Fitzsimmons, mother	Duckworth Street	P. W. Carter, Esq.	Sept. 1, 1838
Finn John	23	do	disables		John Bowe	Farahan's place	Magistrates	June, 1828
Fitzpatrick James	30	Cripple and Bed ridden.		Likely	Ann Stamp	Calver's lane	P. W. Carter, Esq.	July 1, 1838
Fahey Elizabeth	26	Blind	do	do	Roger Fahey, father	King's Road	Poor Commissioners	1838
Hickey John	55	Cripple and Bed ridden	do	do	Margaret Hickey, wife	Leading to Casey's	P. W. Carter Esq.	July 1, 1838
Hulkam Mary	31	Ulcerated leg	do	do	Occupier	Forest	Magistrates	Dec 24, 1833
Hayse Eleanor	45	Paralyzed	do	do	Walter Shelly	Waldegrave Street	Poor Commissioners	July, 1839
Kelly Thomas	54	Ruptured	do	do	Occupier	Casey's Lane	P. W. Carter Esq.	July 15, 1838
Kennedy James	48	Consumptive	do	Died 23d February 1841	Mary Morrissy	King's place	Poor Commissioners	July 18, 1838
Minchington Anthony	50	Blind	do	Likely	Mary Stansbury	Calver's lane	Do.	Dec 1, 1837
McManus Mary	31	Idiocy	do	do	James M'Manus	Twenty Mile Pond	Do.	August 28 1838
Murphy Mary Ann	17	Do.	do	do	Mary Morrissy	King's place	Do.	May 10, 1840
..... Michael	21	Cripple	do	do	John Hogan	Near G. Palk's R. H.		June, 1840
Meany Jane	55					Near Barking Kettle	Magistrates	March 1841
Nugent Mary Ann	33	Disc. from Hosptl with incurable leg	do	do	Margaret Walsh	Nurses hill	Poor Commissioners	Mar 1839
Pendergast Edward	48	Cripple	do	do	James Brinnock	Casey's lane	Do.	Feb 1 1838
Rose Adam	53	Blind	do	do	John Goff	Gower Street	Do.	1838
Sinnott Thomas	45	Cripple arm	do	do	Occupier	Torbay	Magistrates	Dec 1 1831
Sullivan Mary	29	Idiocy	do	do	Bridget Sullivan, mother	Near the Palace	Poor Commissioners	Aug 22, 1838
Walsh Geoffery	56	Amp. leg, & crippled hand	do	do		Bennett's Cottage	P. W. Carter Esq.	April, 1839

Orphans, No. 1.

Name.	Age.	Names of Parents.	Cause of Orphanage.	Date when first chargeable.	By whose authority	Whether party cap. of ear. sup.	With whom living	Residence
Moore Ann	8	John and Mary	Death of parents	1836	Magistrates	Incapable	Alice Lawler	Flahavan's lane
..... Mary	7	Moore	Father absconded	1835	do	do	Mary Howland	Morley's Marsh
Miller Stephen	15	James and Catherine	Death of Father	Sep 27 1838	PoorCommissioners	Incapable, being cripple	C. Miller	Portugal Cove
Maccasey Joseph	7	Joseph and Catherine	Do. Parents	Aug 20 1840	Chas. Simms, Esq.	Incapable	T. Morton	Duckworth Strt.
Merner Patrick	3	P. Merner and Catherine Bowe	Ditto of father	1838	Poor Commissnrs.	do	John Bowe	Tarahan's place
Murphy John	5	John and Sarah	Ditto of parents	1838	do	do	John Dunn	Casey's Lane
M'Lean Mary	7	Richard and Mary	Father absconded	March 1840	Magistrates	do	Bridget Roach	Duckworth Strt.
..... Richard	5		Mother dead					
..... Margaret	4					Now capable		
Mackey Thomas	14	William and Margaret	Death of Father	April 18 1840	do	Incapable	M. Mackey	Near Brewery
..... William	12							
..... John	10							
..... Margaret	8							
..... Bartholemew	6							
Marshal John	2	David Marshal and Joanna Brine	Do.	July 1839	Poor Commissnrs.	do	Joana Brine	Duckworth Strt.
Mahony Michael	12	Mahony	Death of parents	Nov 30 1838	do	Apprenticed 8th May 1840	Catherine Kelly	King's Road
Oates Ann	9	John and Bridget	Death of Father	Aug 1, 1838	P. W. Carter Esq.	Incapable	Bridget Oats	Gower Street
..... James	7							
..... Bridget	5							
PerkinsMary	5	John and Catherine	Death of Parents	Aug 20 1840	Chas. Simms, Esq.	do	T. Morton	Duckworth Strt.
Purcell Bridget	7	Thomas and Mary	do	May 16 1838	Poor Commissnrs.	do	E. Whealan	Tarahan's place
Power John	10	Walter and Bridget	Father absconded	Aug 1 1838	do	do	Bridget Power	King's Road
..... Margaret	8½							
..... Elizabeth	7							
Power Joseph	6	Patrick and Bridget	Death of Father	April 1840	Magistrates	do	E. Rochford	Calver's lane
..... Patrick	4						S. Cleary	do
..... Elizabeth	2							
Power Edward	3	Unknown	Left at Mary Powers, near Orphan Asylum	1839	Poor Commnrs.	do	M. Power	Near O. Asylum
Roach Robert	6	R. Roach and Bridget Sullivan	Death of Father, mother absconded	1836	P. W. Carter, Esq.	do	S. Whelan	Pokingm. path
Rickets Rebecca	8	Father unknown—Ann Ricketts	Mother's death	1834	Jas. Blaikie, Esq.	do	Jane Meany	Barking Kettle
Ryan Richard	16	Wm. and Mary	Death of Father	May 1839	Poor Commnrs.	Now capable	Mary Ryan	Gower street
.....Sarah	10		Mother Crippled			Incapable		
Summers Margaret	10	Father unknown—M. Summers	Mother's death	Dec. 1 1830	P. W. Carter Esq.	Incapable	H. Murphy	King's Road
Sutton Thomas	8	Unknown	Found in Gaol Yard	1832	John Broom, Esq.	do	E. Sinnott	Block M. Hall
Shannahan Catherine	13	Timothy and Eleanor	Death of Parents	Oct 1, 1830	Magistrates	Now capable	J. Sextant	Near the Palace
Sheehan Margaret	13	Sheehan	Do	May 1833	do	Lame	S. Ebbs	Gower Street
——— Bridget	11					Aprntcd 16th Sep 1840	do	
——— Catherine	9					Incapable	do	
Snow Henry	10	Edward and Jane	Father blind	April, 1839	PoorCommissioners	do	S. Peach	Signal Hill road
—— Elizabeth	8		Mother dead				P. Fogarty	Neagles Hill
—— John	6							
—— Abraham	4			July 1, 1838	P. W. Carter, Esq.			
Tobin Mary	3½	John Tobin and Margaret Lynch	Father absconded			Now capable	E. Valley	Flahavan's lane.
Valley James	13	Thomas & Eleanor	Death of Father	Feb 28 1829	Magistrates.	Incapable	S. Radford	Meet. Hou. Hill
——John	12		Mother consumptive	Aug. 1 1837	P. W. Carter, Esq.	Nearly blind	J. Murphy	Brookfid bounds
Walsh Edward	22	John and Margaret	Death of Parents	Oct 21 1837	PoorCommissioners	Incapable		
Wall Catherine	8	John and Eleanor	Do Father, Mother sent to Ireland insane					
Walsh Michael	9	Michael and Catherine	Death of Father	1838	do	do.	C. Walsh	King's Road
..... Eleanor	5							
..... Joanna	3							
..... Richard	1¼							
Walsh Catherine	14	Richard and Eleanor	Death of Father, Mother sickly	July 1 1838	Magistrates	Now capable	E. Walsh	Gower Street
.... Bridget	9					Incapable	Do.	
.... James	7							
Walsh William	14	Wm. and Mary	Death of Father	March 1840	do	Now capable	Do.	
..... John	10					Incapable	Mary Walsh	South S H. R H

No. 3, Aged Paupers.

Name.	Age.	With whom Living	Residence.	Date when first chargeable	Cause of being chargeable.	Whether cap. of con. to their own sup.	By whose authority.
Armstrong Bridget	75	Occupier	River Head	August 1 1838	Aged and infirm—cripple arm	Incapable	P. W. Carter Esq.
Best Sarah	82	Susanah Todridge	Gower Street	July 1, 1838	Aged, infirm, and cripple	do	Do.
Bradbury Edward	79	Occupier	Water Street	April 2, 1840	Nearly blind	do	Poor Commissioners
Cleary Catherine	88	Sarah Cleary	Calver's lane	Sept. 15, 1838	Aged and very infirm	do	P. W. Carter Esq.
Clarke Thomas	88	James Hagerty	White Hills	1839	do	do	Poor Commissioners
Connors Bridget	70	Bridget Armstrong	River Head	Mar 1840	do	do	James Fergus, Esq.
Cahil Joana	64	Elizabeth Breen	Casey's lane	1838	Aged and infirm	do	Poor Commissioners
Cook Jane	82	Robert Drokan	Gower Street	May, 1838	do	do	Magistrates
Coyle Nancy	60	Occupier	Near Theatre	March 1838	Aged	Died 3d June, 1840	Poor Commissioners
Doyle Emma	81	Mary Lawler	King's Road	Jan. 1 1824	Aged and bed-ridden	Incapable	Magistrates
.....Judith	79	Occupier	Bell's Shute	Dec 1, 1837	Palsied and infirm	do	P. W. Carter, Esq.
Dunn Ann	90	Patrick Dunn	Casey's Lane	Aug 1, 1838	Aged and infirm	do	Do.
Dunn Mary	71	Thomas Byrne	Duckworth Street	July 1, 1838	do	do	Poor Commissioners
Durdell John	78	Occupier	Near Brewery	Apr., 1839	do. slightly paralyzed	do	Do.
Devan Patrick	64	do	Monday's Pond	July 15, 1838	Aged and swollen legs	do	P. W. Carter, Esq.
Fardy Mary	57	do	Court House Lane	April 1, 1839	Infirm, ulcerated leg	do	Poor Commissioners
Fahey Roger	77	do	King's Road	1838	Aged and infirm	do	Do.
.....Mary	66	do	Ditto	April 1840	do. and blind	do	Do.
Fitzgerald Bridget	68	John Dunn	Majors Path	Oct 8 1838	Aged and infirm	do	Do.
Granville Ann	77	William Butler	Ditto	Dec 7, 1840	do. and cripple	do	Chas. Simms, Esq.
Hickey Michael	74	Fanny Neill	Barrens	May 21, 1840	Aged and infirm	Died 4th December, 1840	Poor Commissioners.
.....Michael	74	Mary Morrissy	King's place	April 18, 1839	do.	Incapable	do
Haydon John	79	Michael Hayden	Torbay	1838	do. and cripple	do	do
Kean Judith	78	Catherine Butler	Court House Lane	1838	Aged and consumptive	do	do
Keating Mary	70	Wm. Walsh	Tarahan's place	April 1840	Aged and infirm	do	do
Kenny Mary	67	Lawrence Bryan	Ditto	July 15, 1838	do		do
Kelly Bridget	72	Eleanor Kennedy	King's Road	July 1, 1838	do	do	P. W. Carter Esq.
Murphy Joana	75	John Ellis	Water Street	1839	do	do	Poor Commissioners
Mumford Elizabeth	78	James Grant	Topsail Road	July 1, 1838	do	do	do
Power Martha	72	Ann Long	Rear Meeting House	1839	do	do	P. W. Carter, Esq.
Ryan Henry	76	Occupier	South Side near Job's Mill	May 16, 1838	Aged, and cripple arm	do	Poor Commissioners
Quintam Susan	62	Henry Sheppard	Quidi Vidi	March 21 1838	Aged and bed-ridden	do	Magistrates
Roach William	84	Mary Morrissy	King's place	March, 1840	Aged and infirm	do	Poor Commissioners
Ryan Patrick							
Roach Mary	63	Ann Lannan	Tarahan's place	March, 1840	Aged and dropsical	Died 12th April, 1840	P. W. Carter, Esq.
Reardon Ellen	83	Wm. Smith	Princes Street	July 14, 1838	do. and bed-ridden	Incapable	Magistrates
Ryan Matthew	60	Occupier	Near Brewery	Dec 1, 1830	do do	do	P. W. Carter Esq.
Smart Ann	71	Charles Antle	Near Orphan Asylum	Left St John's Oc30 '32	Aged and cripple	do	Magistrates
Soper George	72	Nicholas Whelan	Three Pond Road	March 5, 1838	Aged and infirm		Poor Commissioners
Spry John M.	64	Occupier	Gower Street	Oct 30, 1838	Paralyzed and bed-ridden	do	do
Tuffin Mary	65	John Tuffin	Ditto	Aug 22 1833	Aged and consumptive	do	Magistrates
Turner Jane	75	Catherine Doyle	Casey's lane	1838	Aged and infirm	do	Poor Commissioners
Whealan Thomas	70	James Hickey	King's Road	1838	Aged and infirm	do	Do.

We Certify that we have personally examined and enquired into all the aforegoing cases, and had a personal inspection of all the persons whose names are included in the list of Paupers as above, and we declare this account to be in every particular correct and true, to the best of our knowledge, information and belief.

Declared before us the 15th day April, 1841.

P. W. CARTER, J. P.
CHAS. SIMMS, J. P.

JOHN FREEMAN.
JOHN DOWNEY.

MEMORIALS, &c.

MEMORIAL OF NEWFOUNDLAND SCHOOL SOCIETY.

[DUPLICATE.]

The Memorial of the committee for conducting the affairs of the Newfoundland and British North America School Society to the Honorable the House of Assembly for Newfoundland, humbly sheweth :—

That in the year 1824 a voluntary Benevolent Society was instituted in London for the purpose of establishing daily and Sabbath Schools for the education of the poor in Newfoundland.

That from that period up to the present the Society has planted in various places in the Island 49 principal and Branch daily Schools, into which 9047 children have been admitted, 18 of which are for the present suspended; in connexion with these there are now in operation 32 Sabbath Schools, containing about 2500 children, and in some of the stations the Teachers have established evening adult schools.

That your memorialists have to refer with gratitude to the grant made by your honorable House of £300 per annum for the period of 5 years, by which they have been enabled to open some, and to continue other Schools in efficiency, which it would have been impossible for your memorialists to have done without the assistance of such grant.

That your memorialists in concert with other friends of education, have used their best endeavours to raise the necessary funds not only for carrying on, but extending the Society's operations in Newfoundland ; but owing to the pressure of numerous other claims upon the benevolence of the British public, they have not been able materially to increase the Society's income,

Your memorialists beg further to state to your Honorable House their anxiety to establish Schools in the Westward of the Island, to which part very little attention hitherto in the way of moral and religious instruction has been directed, and at present there are some favorable openings and offers on the part of the inhabitants to assist, if the Society did but possess the means to comply with them.

Such means however, your memorialists regret to say they are so far from possessing, that the income of the Society is not equal to its present expenditure—though with the exception of £300 alone, appropriated to Canada, the entire is devoted to Newfoundland—and unless your honorable House interpose, the expiring of the grant of £300 will compel your memorialists to abandon some of the Schools already established.

Your memorialists therefore most humbly and earnestly pray your honorable House again to place at the disposal of your memorialists such annual sum of money for the furtherance of the objects of their Society in Newfoundland as to your honorable House shall deem fit.

And your memorialists will ever pray, &c. &c.

Signed by order, and on behalf of the committee,

JOSEPH HASLEGRAVE, M. A.

Secretary.

To His Excellency, HENRY PRESCOTT, Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Depencies, &c. &c. &c.

The humble petition of Alfred Mayne, Clerk of the Peace of Conception Bay, sheweth :—

That by an act passed in the last Session of the Legislature of this Island, your memorialist has been unexpectedly deprived of more than one half the fees previously payable to him and his predecessors in the said office for a period of thirty years.

That the salary attached to the said office previous to the passing of the said act, has also been discontinued, and your petitioner left depending altogether on the new table of fees, which in several instances are not worth the trouble of collecting, and by which no provision whatever is made for many duties performed by the Clerk of the Peace, and in addition to these reductions your memorialist has been compelled to provide at his own expense, all the Blank forms required in the said office, and which were always previously paid for, and furnished by the Government.

That the whole of the emoluments received by your petitioner for the last quarter, amount only to £23 2s. whilst by the law existing previous to the passing of the said act he would have received for the same duties £61 7s. 8d. as will appear by a statement herewith submitted to your Excellency, and whereby is clearly shewn a loss to your memorialist of £38 5s. 8d. sterling, upon one quarter alone, and that in the midst of summer when less business is done than at any other season of the year.

Your petitioner feels convinced that in giving your assent to the said bill, the injury and manifest injustice thereby inflicted upon him could not have been contemplated or foreseen by your Excellency, and therefore humbly and confidently submits the hardship of his case to the consideration of your Excellency, praying that your Excellency will be pleased to recommend him to the honorable the House of Assembly for such redress and compensation as he is justly and honestly entitled to receive. And as in duty bound will ever pray.

ALFRED MAYNE.

Harbor Grace, 1st Dec. 1840.

A Statement

Shewing all fees, perquisites, and emoluments received by the Clerk of the Peace of Conception Bay for the quarter ending the 30th September, 1840, under the Colonial Statute 3d Victoria, Session 2, cap. 3, as well as the amount of fees payable to that officer for similar duties for a period of thirty years, previous to the passing of the said Act.

			Fees and emoluments received under the Col. Statute.			Fees and emoluments received and payable before the passing of said Act.		
	New fee.	Old fee.	£	s.	d.	£	s.	d.
33 Complaints, each	2s 0d	3s 4d	3	6	0	5	10	0
30 Warrants	1 6	5 0	2	5	0	7	10	0
68 Depositions and Examination	2 0	2 6	6	16	0	8	10	0
12 Recognizances	1 6	6 8	0	18	0	4	0	0
16 Commitments	1 6	5 0	1	4	0	4	0	0
1 Indictment	21 0	21 0	1	1	0	1	1	0
47 Summonses and Subpœnas	1 0	3 4	2	7	0	7	16	8
32 cases heard	1 0		1	12	0			
20 Cases entering proceedings	1 6	5 0	1	10	0	5	0	0
12 Civil cases entering proceedings	1 6	3 4	0	18	0	2	0	0
Drawing precept for quarter Sessions			0	12	6	1	0	0
Attendance at quarter Sessions			1	0	0	1	0	0
Making up records of quarter Sessions			1	10	0	1	10	0
Salary for the quarter						12	10	0
			24	19	6	61	7	8
Deduct amount paid for 5 quires Blanks			1	17	6			
			23	2	0			
Loss on the office for the quarter			38	5	8			
			£61	7	8	£61	7	8

Harbor Grace, 1st December, 1840.

ALFRED MAYNE, Clerk of the Peace.

Approved.

THOMAS DANSON, J.P.
JOHN STARK, J. P.
JAMES POWER, J.P.

We strongly recommend the case of Mr. Mayne to the favourable consideration of his Excellency the Governor.

THOMAS DANSON, J.P.
JOHN STARK, J.P.
JAMES POWER, J.P.
PETER BROWN, J.P.
THOMAS RIDLEY, J.P.
ROBERT JOHN PINSENT, J.P.
JOSHUA GREEN, J.P.
W. STIRLING J.P.

To His Excellency H. PRESCOTT, Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

The petition of Samuel Cose, of Aquafort, in the District of Ferryland, Constable, humbly sheweth :—

That your petitioner was appointed a Constable for Aquafort in the year 1833, and hath to the best of his ability, and the utmost of his power, faithfully discharged the duties of his office ever since.

Your petitioner was appointed a Stipendiary Constable for Aquafort on 14th November, 1839, and received his salary as such up to the end of June, 1840, when his pay ceased, no salary having been voted for Aquafort in the last Session, notwithstanding which your petitioner continues to discharge his duties with unabated zeal, as Constable.

That Aquafort being the only place for which no salary was voted for 1840 out of the whole Island, for which it had been voted in former years, concludes that place was omitted through mistake, and humbly prays your Excellency will be graciously pleased to lay this petition before the two branches of the Legislature, and be graciously pleased also to recommend your petitioner to their consideration.

And your petitioner as in duty bound will ever pray.

his
SAMUEL † COSE,
mark.

Ferryland, 24th October, 1840.

We whose names are undersigned, do hereby testify that Samuel Cose has in all cases faithfully discharged his duty as a constable, and is a person in whom we can place confidence—and in our opinion a stipendiary constable is as much required at Aquafort as in any harbor in the district.

Given under our hands in Ferryland this 24th day of October, 1840.

ROBERT CARTER, J.P.
ROBERT CARTER, R.N. J.P.
ALAN GOODERIDGE, J.P.
JOHN W. SAUNDERS, J.P.

To His Excellency H. PRESCOTT, Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

The Memorial of Henry G. Clowe, Clerk of the Peace at Ferryland, in the Southern District.

May it please your Excellency,

That your memorialist, in July, 1839, had the honor of an appointment from your Excellency under the Great Seal of the Island to the situation of Clerk of the Peace for the Southern district at Ferryland, and for which your memorialist will always feel grateful.

That shortly after your memorialist had entered upon the duties of his said office, the Hon. the House of Assembly thought proper to vote to the Clerk of the Peace for the Central district a salary of £120, to the Clerk of the Peace for the Northern district the sum of £50, and to all the other Clerks of the Peace the sum of £20 (in lieu of all fees chargeable to the colony) including your memorialist as Clerk of the Peace for the extensive Southern district in the latter vote.

That the sum of £20 so voted, together with the small amount of fees received by your memorialist, was barely sufficient to support your memorialist with the common necessaries of life.

That the amount of fees received by your memorialist since his appointment in July, 1839, to the passing of the late act for the reduction of fees of the Clerks of the Peace, was £15 4s. 0d.

That the amount of fees received by your memorialist since the passing of the above act up to this present time is only £4 8s. 6d.

That the hon. the House of Assembly in the last session of the same, thought proper to discontinue the salary of £20 to your memorialist, and your memorialist's fees have been reduced to the lowest possible scale, and without any equivalent to your memorialist for such reduction, thereby reducing your memorialist to very many severe privations and difficulties.

Your memorialist, therefore, under the foregoing circumstances, humbly prays your Excellency's consideration to your memorialist's prayer that your Excellency's interference will place your memorialist in such a situation that may afford your memorialist an adequate support in the responsible office to which your Excellency has been so well pleased to honor him with.

And your Memorialist,

As in duty bound,

Will ever pray.

H. G. CLOWE.

Ferryland,
1st December, 1840

To His Excellency ***HENRY PRESCOTT,*** *Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.*

The Petition of Thomas Dwyer, humbly sheweth—

That your petitioner having resided upwards of fifty-five years in this country, and now being at the advanced age of eighty-eight years, having no means of subsistence, and wholly depending on the benevolence of a family who are no longer able to support him, humbly prays your Excellency to issue an order for his reception into the St. John's Hospital.

And as in duty bound will ever pray.

his
THOMAS † DWYER.
mark.

We the undersigned have known the within named Thomas Dwyer for many years, do believe the above to be a correct statement of his case.

JOHN BRINE,
JOHN DUNSCOMB,
JEREMIAH RYAN,
PHILIP DUGGAN.

St. John's, July 21, 1841.

---oo---

We the undersigned further beg respectfully to state to his Excellency that if relief is not immediately afforded to petitioner, death must inevitably follow, as the parties with whom he at present lives are themselves destitute, and cannot longer maintain him.

JEREMIAH RYAN,
PHILIP DUGGAN.

Declared before me the 25th day of Jan. A.D. 1841.
CHARLES SIMMS, J. P.

To His Excellency ***H. PRESCOTT,*** *Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.*

The Memorial of John Brine, of St. John's, Merchant,

Humbly sheweth—

That your Excellency's memorialist, together with a number of farmers and others concerned, petitioned your Excellency in the spring of last year, to erect a public wharf, for the

landing of fish offal and other manure, (between the premises of Messrs. Robinson, Brooking, Garland & Co. and Messrs. Thomas and John Brocklebank) for the farmers at the North end of the town, to which your Excellency was pleased to give your approbation, and ordered the same to laid before the Hon. the House of Assembly, who had previously granted the sum of sixty pounds sterling to build a wharf at Boden's Cove.

That the said sum of sixty pounds sterling not being sufficient to complete the said wharf, a further sum was asked to finish it, which has not yet been granted.

That in consequence of a great number of the farmers being badly in want of a landing place for manure, (as well as your memorialist) he finished the said wharf at his own expense, and has had the work valued under the direction of the Chairman of the Board of Road Commissioners, which valuation was the sum of one hundred and forty one pounds fourteen shillings and tenpence currency.

That memorialist humbly prays that your Excellency will take the prayer of his petition into consideration, and lay his case before the hon. the House of Assembly so that he may be remunerated for the balance of money expended on the said building.

And as in duty bound, memorialist will ever pray.

JOHN BRINE.

St. John's, Newfoundland,
Jan. 5, 1841.

We, the undersigned, having partaken of the benefit and great advantage of the work abovementioned, humbly beg to certify his Excellency thereof, and to recommend Mr. Brine's petition to his favourable consideration.

Joseph Templeman	Bryan M'Donald
W. Brine	Wm. Dowden
Thos. Beck	Thomas Cook
John Dowsley	Geo. Cook, jun.
Wm Coughlan	Geo. Cook, sen.
James Cole	John Dunn,
Wm. Carson	James Leary
M. Allen, jun.	Patrick Leary
M. Allen	Wm. Walsh
Chas. Simms	Edward Walsh
John Brine.	W. Rennie.

To His Excellency ***HENRY PRESCTTT,*** *Esq. Companion of the Most Hanourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.*

The petition of Nicholas Ash, of Carbonear, Planter, humbly sheweth,—

That petitioner was induced from conscientious motives to take an interest in the late election. That he felt himself bound, on various accounts, to give his unbiassed vote in favour of Mr. James L. Prendergast, notwithstanding the repeated attempts at intimidation with which he had been repeatedly assailed.

That on the evening of the 8th December he was obliged to return to his house in consequence of the violence of the mob that had sided with the opposite party, and that now threatened to visit with immediate punishment all those who had voted against them.

That having witnessed the relentless cruelty of the said mob towards a number of individuals but a few hours before, he felt himself compelled to use every lawful precaution for the preservation of his own life, as well as that of his wife and little ones.

That between the hours of 7 and 8 o'clock in the evening aforesaid, petitioner's house was assailed in the most furious manner by a large number of persons, who commenced throwing large stones at the windows, battering in the doors, and in fact demolishing the house and property, and placing the lives of its inmates in the greatest jeopardy. That at this crisis, hearing the groans and screams of his wife and children, succeeded by savage yells of the mob, who now were on the point of entering, petitioner after warning them of the consequences, caught up a gun, and fired a load of small shot among the foremost of the assailants.

That the crowd becoming more dense and furious, after again warning them to desist, he repeated the act, which seemed only to increase their rage and determination, upon which petitioner was obliged secretly to quit the House to save himself from immediate destruction.

That very shortly after this the house was set fire to, and the whole building with its contents was speedily reduced to ashes. That the value of the property thus destroyed must have been at its lowest estimate value at £500 sterling, the loss of which in all probability has made a poor man of petitioner for the rest of his days.

That under these afflicting circumstances, and in accordance with the advice and wishes of many of his friends, petitioner now craves to the liberty of laying this brief statement of his case under your Excellency's notice, petitioner being encouraged with the hope that your Excellency will take its peculiar merits into your Excellency's gracious consideration, and that your Excellency will be pleased to direct that some public measure be taken in order that petitioner may be remunerated for his otherwise irreparable loss. And as in duty bound will ever pray.

NICHOLAS ASH.

Harbor Grace, 21st January, 1841.

The above Petitioner, Nicholas Ash, maketh oath and saith that the foregoing petition is as regards the facts therein stated, just and true in every particular.

NICHOLAS ASH.

Sworn before me this 29th January, 1841.

CHARLES SIMMS, J.P.

INVENTORY

Of sundries, goods destroyed by a number of men on the 8th day of December, in Nicholas Ash's house, that was set on fire and burnt with the following, viz. :

House valued	£400	0	0
Schooners and Boats sails	30	0	0
20 bags shot	10	0	0
Guns	18	0	0
Nets	10	0	0
Molasses	12	0	0
Flour	10	0	0
Pork, £5, Butter £3	8	0	0
Sugar	3	0	0
Beds and Bedding	25	0	0
Spy Glass £2 10, 2 Schooner's Compasses £1	3	10	0
Sundries belonging to the Schooner	5	0	0
4 Saws £3 8, Fish and Herring £6	9	8	0
Household Furniture	20	0	0
Clothing for 9 in family	90	0	0
Empty Casks	1	10	0
Carpenter's tools, and sundry labouring tools	5	0	0
Letters of administration	9	0	0
Agreements of property £2 10, a lease £1 10	4	0	0
1 sovereign £1 3, 2 gold rings £1 10	2	13	0
2 Watches £6, Trunk 10s.	6	10	0
Register of Schooner			
	£682	11	0

NEWFOUNDLAND.

Central District, }
St. John's to wit. }

The Deposition of Nicholas Ash, late of Carbonear, Planter, who upon his oath saith that the foregoing statement contains a just and true account and inventory of deponents goods and chattels which were in his dwelling-house at Carbonear, on the eighth day of December last, at the time the said dwelling-house and premises were destroyed by a riotous and infuriated mob, and that the prices and valuations affixed to the said inventory are just and fair prices and valuations of the said dwelling house and goods and chattels respectively.

NICHOLAS ASH.

Sworn before me this 29th January, 1841.

CHARLES SIMMS, J.P.

To His Excellency ***HENRY PRESCOTT,*** *Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.*

May it please your Excellency,—

I, the undersigned William Ash, of Carbonear, Planter, beg leave to approach and lay before your Excellency an account of damages sustained during the late election at this place, on the night of the ninth day of December last.

Your Excellency has undoubtedly heard of the riotous proceedings of some persons during that night, and that the mob attacked several houses and destroyed property to a great extent. I beg to inform your Excellency that my house was attacked, and with stones varying in weight from ten to two pounds, all the windows, sashes, window shutters, and doors, were entirely destroyed; my bedroom was unsafe from the quantity of stones coming in through the windows, and myself and family were obliged to run for safety.

I have since had a survey taken by two joiners, who declare that at the lowest computation the sum of sixteen pounds eighteen shillings and two pence would be no more than a remuneration for damages, which with the sum of two pounds paid for surveying, amounting to eighteen pounds eighteen shillings and two pence currency, I now humbly lay before your Excellency, trusting that your Excellency may devise some plan which will bear me harmless from the injury sustained as before mentioned.

And your petitioner as in duty bound will ever pray.

WILLIAM ASH.

Carbonear, January 22d 1841.

———oo———

We the undersigned, Richard Wedger, and William Wilkinson, joiners, at the request of William Ash of Carbonear, have surveyed his house to estimate the damages sustained by him during the riots after the late election in this place. The windows, sashes, shutters, and doors being entirely destroyed, we conceive that the sum of sixteen pounds eighteen shillings and two pence would be no more than would put the above property in its proper state.

RICHARD WEDGER,
WM. WILKINSON,

To His Excellency ***HENRY PRESCTTT,*** *Esq. Companion of the Most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.*

The humble memorial of Thomas Finn of Carbonear, most humbly sheweth:—

That Memorialist having in common with many others sustained considerable damages from the violence of the adverse party on the last and second last days of the elec-

tion of Conception Bay, being the seventh and eighth days of December last, merely because he exercised his franchise according to the dictates of his mind, and voted for Mr. Prendergast, begs leave in the most respectful manner to lay his complaint and grievance at the feet of your Excellency, hoping that your Excellency will take his case into your Excellency's most gracious consideration, by affording memorialist some redress for the damages he has sustained.

Memorialist begs to state to your Excellency, that according to the estimation of persons competent to value the aforementioned damages, the loss sustained by him amounts at the lowest calculation, to the sum of £4 3s. currency. Memorialist as in duty bound will ever pray.

To His Excellency H. PRESCOTT, Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

The Petition of John Granfield, of Carbonear, Fisherman—

Humbly sheweth,

That an intimation was conveyed to petitioner on the night of the 10th December last, that in consequence of his having given his vote in favour of Mr. James L. Prendergast, his house would be set on fire.

That having reason to believe that such information was well founded, he immediately removed his property to a place of security in Harbor Grace, until such time as the excitement there existing would be allayed.

That on the night of the 11th December last, his house was actually set on fire, agreeably to the information that he had received, and the greatest portion of it reduced to ashes before the flames were arrested by the exertion of the adjacent neighbourhood.

That the property destroyed has been at its lowest estimate valued at seven pounds stg. —That in consequence of his dwelling being thus destroyed, your petitioner and his family have been compelled, to their great loss and inconvenience, to reside at a distance from their farm to the present moment, in consequence of petitioner's having no means to rebuild it.

That petitioner, under the foregoing circumstances, humbly craves that your Excellency may be graciously pleased to take his case into your Excellency's consideration, and grant him out of the public resources, such remuneration as your petitioner may be entitled to receive.

And as in duty bound, petitioner will ever pray.

his
JOHN † GRANFIELD.
mark

Harbor Grace, 13th Feb. 1841.
Sworn before us,—THOS. DANSON, J. P.
JOHN STARK, J. P.

To His Excellency HENRY PRESCTTT, Esq. Companion of the Most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

The Memorial of George Hippesley, Assayer of weights and measures for the district of Harbor Grace in Conception Bay,

Most humbly sheweth,

That your memorialist was appointed inspector and assayer of weights and measures for this district on the 15th day of February, 1835, since which time your memorialist has continued to discharge the duties of that office in an impartial and effective manner, to the best of his abilities, and as he believes to the entire satisfaction of the worshipful the magistrates of the district.

That for the first two years of your memorialist's holding such office, the hon. the House of Assembly voted your memorialist the sum of fifteen pounds for each year as a remuneration in consideration of the smallness of the fees of such office of assayer of weights and measures.

That for the last four years, which will end on the 15th inst., your memorialist has not received any compensation for his time and trouble in the performance of his office, except by the small return of fees which will appear by the several attested accounts forwarded to the hon, the House of Assembly for those years, which are quite inadequate to remunerate him, considering that your memorialist has to attend at his office two days in each week, beside visiting four times (and oftener if required) in every year, all the shops and stores in his district.

Your memorialist, therefore, most humbly begs that your Excellency will take his case into your consideration, and be pleased to recommend the hon, the House of Assembly to award him such a sum as will remunerate him for his past time and trouble, as they in their wisdom may deem fit and proper.

And your memorialist will ever pray.

GEORGE HIPPESLEY.

Harbor Grace,
Feb. 3, 1841.

To His Excellency HENRY PRESCOTT, Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

May it please your Excellency,—

The petition of Matthew Stevenson, late Clerk of the Peace in the Northern District of the said Island of Newfoundland, most humbly sheweth,—

That your petitioner in July, 1835, was, through ill health, obliged to decline his said office; in consequence thereof in February 1836, prayed the honourable House of

Assembly to take his case into their consideration, and did allow him forty pounds as compensation for his past services. Your petitioner has also received another payment of forty pounds, but the last two years has been reduced to only twenty six pounds, deducting the sum of fourteen pounds from the amount first allowed by the said honourable House of Assembly.

Your petitioner most gratefully begs your Excellency will be most graciously pleased to take his present case into consideration, and to grant him such redress as in your wisdom may seem meet, and as your petitioner now stands in great need and having no other aid to look up to. And as in duty bound will ever pray.

MATTHEW STEVENSON.

Harbor Grace, 25th March, 1841.

To His Excellency H. PRESCOTT, Esq., Companion of the Most Honorable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c. &c.

The petition of the undersigned, Merchants, Planters, and inhabitants in general residing in Twillingate and places adjacent, within the district of Fogo, sheweth :—

That your petitioners taking into consideration the increasing trade carried on between those parts of the Island in which they reside and St. John's, and the dangers to which vessels employed in navigating the coast are exposed, are unanimously of opinion that if a Light House was erected in some eligible situation it would be of great benefit to such vessels, and enable them to avoid many dangers to which they are now exposed.

That from the opinions of persons best informed on the subject, and well acquainted with the coast, the Wadham Islands afford the best situation for a Light to be placed on, and where it would render the most effectual service to mariners.

That a Light House would not only be of great benefit to the coasting trade between the Northern District and St. John's, but also to vessels arriving from foreign voyages, particularly in the fall of the year, when laden with provisions, the loss of only even one of which would be of serious importance in these remote parts of the island, as at that late season of the year it could not be replaced ; it also should not be forgotten that to the numerous vessels sailing from St. John's and Conception Bay for the Fishery on the coast of Labrador a Light House would be of great service, and afford them the necessary directions to avoid dangers to which they are liable in common with others.

And farther your petitioners humbly pray that your Excellency will be pleased to take this subject into your serious consideration, and that measures will be adopted for carrying so desirable an object into effect.

(Signed by 276 Merchants, Planters, and others.)

The memorial of the undersigned Commissioners of Roads for the district of St. John's, appointed under the Act 4th, W. 4th,

To His Excellency ***HENRY PRESCTTT,*** *Esq. Companion of the Most Honourable Military Order of the Bath, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.*

Most humbly sheweth,—

That your Memorialists were appointed by your Excellency in the year 1835 Commissioners to carry into operation the Statute Labour Act, passed by the Legislature in that year.

That your Memorialists, actuated by the most disinterested feelings, and with a sincere desire to promote the welfare of the community in which they live, without hesitation and without delay entered on their duties, and after making the most diligent enquiries, and using every possible means to inform themselves what improvements were most required, they proceeded to make such as in the judgment of your Memorialists were likely to conduce most to the public advantage, and prove of lasting utility.

That in carrying out these improvements, your Memorialists unavoidably incurred a very considerable expence; in fact no one step could be taken by your Memorialists in the duties of their commission without an outlay of money. But as it appeared to your Memorialists that the Act pointed out the means by which such outlay could be defrayed, they did not hesitate to advance from their own pockets the money required to further the progress of the improvements they had undertaken to make.

That such outlay eventually amounted to the sum of £361 2s. 5d. in addition to which there is due to various persons for tools, materials, labour, &c., furnished at the request of your Memorialists, the sum of £484, 4s. 9d., the particulars of which are set forth in the annexed Schedule, marked No. 1, and for which amount your Memorialists are held liable,—in proof whereof, Mr. John Canning, the person employed by your Memorialists to preface the Assessment Book, has taken an action at law against your Memorialist to recover the sum of £120.

Your Memorialists having acted as they considered in strict compliance with the 24th section of the Act under which your Excellency was pleased to appoint them, applied to the Magistrates of the Court of Sessions to issue process for the recovery of the assessments, but to the dismay of your Memorialists such process was denied to them, and your Memorialists were told that they must proceed in the recovery of the sums they sought under a section in an amended act, passed subsequently to that named above. This latter section is one imposing such onerous duty on the Surveyors that your Memorialists found it utterly impossible to act on it, and consequently they remain to this moment in advance to the amount, and subject to the liabilities to the extent hereinbefore named.

Your Memorialists have further to state, that from many persons land has been taken in order to widen and improve the streets and roads in and about the town of St. John's

and its vicinity, and that to such persons was awarded, in the manner the law directs, various sums of money as an indemnification for the same, amounting in the whole to the sum of £986 12s., as particularized in the Schedule annexed, marked No. 2· That these several claims were recognised by the Grand Jury of the Court of Sessions under the provisions of the act as just, inasmuch as they recommended to the Magistrates in Sessions that an assessment should be made on the lands and tenements of the district for the purpose of discharging the debt thus incurred. But the Magistrates, who assumed to themselves the right of ordering the collection and of receiving the amount of the assessments authorised by the Court of Sessions, have experienced such difficulty in the progress of their duty as to induce them to abandon the collection thereof altogether, and in consequence, as your Memorialists have been informed, no monies whatever have been collected.

Your Memorialists have devoted a great deal of their valuable time in the service of the public, for which they have not received the slightest pecuniary consideration or advantage. That the public are in the actual enjoyment of the improvements your Memorialists have been instrumental in making, and that many other improvements laid out by your Memorialists have been approved, inasmuch as they have been adopted by the Board of Road Commissioners for the district of St. John's, subsequently appointed, and grants of money have also been made by the Legislature for perfecting them. For the particulars of the improvements made and contemplated by your Memorialists, they refer your Excellency to the report which they furnished to your Excellency, dated 1st July, 1837.

Your Memorialists having been actuated in the discharge of their various and arduous duties to the public by the most disinterested motives, and with a sincere desire to further the objects for which they were appointed, and as your Memorialists seek only to have extended to them an act of common justice, respectfully solicit that your Excellency will be pleased to give the subject matter herein set forth by your Memorialists your Excellency's kind consideration ; and feeling as your Memorialists do, utterly at a loss what other means to pursue whereby they can entertain a hope to reimburse themselves for the money they have expended, as well as for that for which they are held responsible, making together £845 7s. 2d., and £986 12s. to remunerate the proprietors of land, humbly pray that your Excellency will be pleased to adopt such measures as to your Excellency may seem fit, in order that your Memorialists may receive the relief required.

And as in duty bound your Memorialists will ever pray.

C. F BENNETT,

W. RICHARDS,

JAMES CLIFT.

St. John's, Newfoundland,
February 5th, 1841.

[No. 1.]

Dr. Statement of the account of the Commissioners of Roads.

To James Finlay	54	1	4				Salary as Surveyor to Mr. Henlay
P. Mullowney	6	5	0				Paid &c. for roads
James Cullen	10	5	3				Do,
M'Bride & Kerr	23	19	7				Do.
Stewart and Cheetham	22	17	5				Do.
P. Brown	5	1	7				Do.
Ryan & Withers	9	0	4				Printing
Bulley Job & Co	5	8	4				Labour and materials for Roads
Ann M'Larty	1	1	6				Smith's work
Bryan Robinson	9	17	11				Law expences
Michael M'Lean Little	2	6	11				Materials, tools, &c.
Michael Scanlan	5	4	7				Labour, &c.
Henry Winton	8	8	2				Printing
Patrick Gleeson	1	12	10				Smith's work
John Bulley	8	19	0				Labor and materials, bridge
Matthew Dillon	1	8	2				Cartage
Thomas Murray	4	0	2				Do.
John Dwyer	2	6	6				Do.
John M'Coubrey	0	5	0				Printing
Rennie Stewart & Co.	4	2	10				Labor and matrls., Waldegrave-st.
John Shea	0	10	0				Printing
Thomas Ryan	15	15	0	202	17	5	
John Henlay	50	0	0				Preparing Assessment Book
John Canning	120	0	0				Do. as per agreement
Hannibal Murch	35	0	0				Do. do.
William Freeman	77	0	0				For Arbitration
	£484	17	5				
Amount advanced by the Commissioners	361	2	5				
	£845	19	10				
The above advances				361	2	5	Paid by the Commissioners
Interest from 1st Jan. 1837 to 1st Feb. 1841 4 years 1 month,				£98	14	5	£459 16 10

[No. 2.]

Statement of awards made to individuals for ground taken under the Statute Labor Act.

Edward Purcell	£75	15	0
Garret Hartrey	11	19	6
Jeremiah Holahan	85	8	4
William Barnes	40	6	8
James Brine	51	17	6
Thomas Gleeson	28	16	0
Arthur Kavanagh	30	15	2
Christopher Ayre	31	5	0
Thomas Burke	31	5	0
Joseph Aylsbury	18	0	0
Elizabeth Calver	65	0	0
William Parker, with interest at 5 per cent from the 14th June ('37)	44	10	0
John Dwyer	29	18	1
John Sheehan	23	0	0
Richard Murphy	74	18	0
James M'Manis	7	11	7
Henry Ward	8	15	2
Michael Smeddock	7	12	4
William Pilly	4	5	10
Richard M'Grath	5	17	11
James Tracy	28	3	5
Nicholas Croke	31	5	11
William Lacey	11	3	2
Nicholas Thomas	12	11	3
William Cadwell	5	0	0
Charles F. Bennett	86	19	7
James F. Rennie	58	11	7
John Brine	6	0	0
Phœbe Undry	40	0	0
Ann Cooksly	30	0	0
	£986	12	0

LETTER

FROM CHAIRMAN OF ST. JOHN'S ROAD COMMISSIONERS.

[Copy.]

Stone Buildings,
6th Feb., 1841.

SIR,—I have the honor to acquaint you, for the information of his Excellency the Governor, that a quarter's salary of £17 6s. 2d. currency, is due to Daniel Eagan, one of the Inspectors of the Board of Road Commissioners for the Central District, for servi-

ces performed last year, which the Board are unable to pay him—and further, that several contracts remain unfinished, in the supervision of which to final completion further expenses must of necessity be incurred, to meet which the Commissioners have no funds at their disposal.

The Commissioners also take leave to draw the attention of his Excellency to the many alterations and improvements which have been made in the roads and Streets in various parts of this district, but particularly in Gower Street, by which many individuals have suffered great inconvenience in entering their houses, and for which damage the Commissioners are liable to actions at law. In order therefore that the Commissioners may be fairly protected, and justice done to the parties who may have reason to complain, it is desirable that some provision should be made to meet their claims, and an act of indemnity passed to relieve the Commissioners from individual responsibility.

The Commissioners beg further to acquaint his Excellency that the salary of the Chairman of the Board remains unpaid for the past year; they therefore respectfully request that his Excellency will be pleased to bring these matters under the consideration of the Legislature, with his Excellency's recommendation that provision be made to meet them.

I have, &c.,
(Signed)

JAMES DOUGLAS, Chairman.

The hon. James Crowdy.

REPAIRS OF JOB'S AND HOSPITAL BRIDGE, AND PORTUGAL COVE ROAD.

Stone Buildings,
15th Jan. 1841.

Sir,—I have the honor to acquaint you, for the information of his Excellency the Governor, that the damage done to "Job's Bridge", leading to the South Side, during the severe gale on Tuesday the 24th November last, has been thoroughly repaired by Mr. Roger Flahavan, for which he is to receive the sum of twenty five pounds sterling. This bridge, which had been very much injured, is now in a secure state.

The same contractor, Mr. Roger Flahavan, has also effected very considerable repairs on the bridge near the Hospital, for which the sum of five pounds sterling is to be paid him.

The Commissioners of Roads, &c., beg further to acquaint his Excellency that the various repairs on the road and bridges leading to Portugal Cove, contracted for by Martin Walsh, are now completed, for which he is to receive the sum of thirty pounds currency.

The Commissioners in transmitting the papers in connection with these contracts, beg to request that his Excellency will be pleased to have them laid before the Legislature, with his Excellency's recommendation that the Contractors may receive the respective sums due them.

I have the honor to be, Sir,
Your very obedient servant,

JAMES DOUGLAS, Chairman.

The hon. James Crowdy.

Articles of Contract and Agreement made and concluded upon at St. John's Newfoundland, this second day of December, 1840, between Roger Flahavan, Farmer, of the one part, and the Board of Road Commissioners for the Central District, of the other part,

Witnesseth===

That the said Roger Flahavan, Farmer, shall and will at his own proper cost and charges perform the work to be done on the bridge at River Head, leading to the South Side, agreeably to the following specification, viz.—To rebuild and make good the whole of the stone embankments on the East side of the Bridge, which have been forced away by the sea. To bank in the front wall with rubble stone, and make good the surface with good clean gravel.—

For which work, he, the said Roger Flahavan, Farmer, is to be paid the sum of twenty five pounds sterling.

It is further understood and agreed that the said Roger Flahavan, Farmer, shall and will at his own proper costs and charges, repair the "Hospital Bridge" as follows,—viz:—To make good the breach made by the water on the Eastern abutment, with good stone. To secure the shores, and fill up the large hole on the Northern Side, and to make such other necessary repairs as shall be required by the Commissioners, and pointed out by the Inspector.

For which work, he the said Roger Flahavan, Farmer, is to be paid the sum of five pounds sterling.

It is also agreed that the aforesaid sums of money, viz:—twenty five pounds sterling, and five pounds sterling, shall be paid to the said Roger Flahavan when the same shall, on the recommendation of his Excellency the Governor, be granted by the Legislature.

Dated at St. John's this second day of December, 1840.

ROGER FLAHAVAN,
JAMES DOUGLAS,

Chairman of the Board of Road Commissioners.

Witness. S. J. DANIEL.

———oo———

St. John's, January 14th, 1841.

Sir,—I hereby certify that the work on the bridge at River Head leading to the South Side, and also the work on the Hospital bridge, contracted for by Mr. Roger Flahavan, is now completed according to contract.

EDWARD TOBIN,

Assistant Surveyor.

To James Douglas Esq., Chairman of the Board of Road Commissioners.

Sworn before me this 15th day of January, 1841.

P. MORRIS, J.P.

Articles of Contract and Agreement made and concluded upon at St. John's Newfoundland this twelfth day of August, 1840, between Martin Walsh, farmer, of the one part, and the Board of Road Commissioners for the Central District of the other part,

Witnesseth,

That the said Martin Walsh, farmer, shall and will at his own proper cost and charges, perform the work to be done on the Portugal Cove Road, agreeably to the annexed specification, No. 4, for the sum of thirty pounds currency.

It is further understood and agreed that the said sum of thirty pounds currency shall be paid to the said Martin Walsh when the same shall, on the recommendation of his Excellency the Governor, be granted by the Legislature.

Dated at St. John's this twelfth day of August, 1840.

MARTIN WALSH.

JAMES DOUGLAS,

Chairman of the board of Road Commissioners.

Witness. S. J. DANIEL.

[No. 4.]

Specification of work to be performed on the Portugal Cove Road, extending from the King's Bridge to Portugal Cove.

To repair all the cross-drains and bridges on this line of road as directed by the Inspector, and to build a new bridge over the stream adjacent to Bell's farm; the timber to be of the same dimensions as that in the old bridge. To level in the ruts and repair the road from the King's Bridge to twenty mile pond. To repair "Ricketts Bridge" as follows,—to remove all the decayed timber from the Bridge and replace it with new—to put in two cross-beams, strongly shored, to support the ends of the timbers—to build a new-cross drain opposite McDonnell's farm, of sufficient dimensions to carry off the water at that point.

The whole of the cross-drains and bridges to be kept in the state of repair as aforesaid, until the first day of June, 1841.

In the spring of the year, should any bad parts appear on the road, the same are to be made good by the contractor.

MARTIN WALSH.

Saint John's, August 8th, 1840.

St. John's, Jan. 14th, 1841.

Sir,—I hereby certify that the work on the Portugal Cove road, contracted for by Mr. Martin Walsh, is now completed according to contract.

EDWARD TOBIN, Assistant Surveyor.

To James Douglas, Esq., Chairman of the Board of Road Commissioners.

Sworn before me this day of January, 1841.

PATRICK MORRIS, J.P.

LEGAL PROCEEDINGS AGAINST BOARD OF ROAD COMMISSIONERS, ST. JOHN'S.

Stone Buildings,
Dec. 5th, 1840.

Sir,—I have the honor to acquaint you, for the information of his Excellency the Governor, that during the last term of the Central Circuit Court, a writ was issued against me, as Chairman of the Board of Road Commissioners for the Central District, by George Henry Emerson, Esq., Barrister at law, and Joseph Bacon, Schoolmaster, Executors to the estate of the late Thomas Ryall, to recover compensation for damages alleged to be done to a dwelling-house in Gower Street, situate near the Wesleyan Chapel, arising out of the alterations which have been made in that part of the street by the Board of Road Commissioners.

Immediately on the receipt of the writ, I submitted the whole matter to her Majesty's Attorney General, who gave it as his opinion that as the Road Act under which the alterations in the street were made, afforded no sort of protection to the Commissioners, and moreover, that as the action was indefensible in law, it would be better to submit the case to arbitration.

Acting on the opinion of the Attorney General, I signed a bond to allow the matter at issue to go to arbitration, and appointed James Clift, Esq., as an Arbiter on the part of the Board of Commissioners, to meet Thomas Williams, Esq., on the part of the Executors.

The arbitrators having met and considered the case, have awarded fifty two pounds ten shillings sterling, to be paid by the Commissioners to the Executors to the estate of the late Thomas Ryall.

The Commissioners beg also to acquaint his Excellency, that as no provision has been made by the Legislature for such an exigency as this, they have no fund from which to discharge the sum awarded; they therefore respectfully submit the Bond and Award to his Excellency, with an earnest request that his Excellency will be pleased to have them laid before the Legislature, with his Excellency's recommendation that the Commissioners may not only be relieved from the present liability, but that they may be indemnified against all future actions at law for improvements effected on the public streets and roads.

I take leave to submit for his Excellency's further information, the copy of a note which I received yesterday from the Senior Warden of the Episcopal Church, claiming compensation for damages done at the entrance to the Rectory.

I have the honour to be Sir,

Your very obedient Servant,

JAMES DOUGLAS,

Chairman.

The Hon. James Crowdy.

[Copy.]

THIS AGREEMENT, entered into the day of November, in the year of our Lord one thousand eight hundred and forty, between George Henry Emerson of St. John's, Esq., and Joseph Bacon of the same place, Schoolmaster, Executors to the estate of the late Thomas Ryall, deceased, of the one part, and James Douglas, of St. John's aforesaid, Merchant, Chairman of the board of Road Commissioners of the District of St. John's, of the other part.

Whereas differences and disputes have arisen between the said George Henry Emerson and Joseph Bacon, as Executors as aforesaid, and the said James Douglas as Chairman of the Board of Road Commissioners, of and concerning the cutting down and excavating by the said Board of Commissioners the public highway in Gower Street, immediately in front of, and opposite to a dwelling house and premises belonging to the estate of the late Thomas Ryall, whereby the approach to, and communication with the said house and premises became obstructed, and the soil and earth belonging to the said premises fell down, and other appurtenances to the said property in consequence thereof were injured and destroyed, and the house rendered untenantable for a long space of time. Now this agreement witnesseth, that for the purpose of settling the disputes and differences as aforesaid, and of affording compensation for the aforesaid injuries complained of, the said George Henry Emerson, and the said Joseph Bacon, as Executors as aforesaid, and the said James Douglas as aforesaid, Chairman of the Board of Road Commissioners, have mutually consented and agreed, and by these presents do mutually consent and agree to refer all matters and differences in dispute as aforesaid to the final end and determination of James Clift of Saint John's, Merchant, and Thomas Williams of the same place, gentleman, with power to the said Arbitrators to choose a third person in case they should not agree, and the award of the said Arbitrators, or any two of them to be final and binding upon the parties, so that the said award be made in writing, and ready to be delivered to either of the parties desiring the same, on or before the first day of December next. And whatever sum of money (if any) the Arbitrators or any two of them shall award, the said James Douglas, as Chairman of the said Board of Road Commissioners, and on their behalf, by these presents hereby agrees to pay off, and discharge and satisfy, to the said George Henry Emerson and Joseph Bacon as Executors as aforesaid.

(Signed)

JAMES DOUGLAS,
GEORGE H. EMERSON,
JOSEPH BACON.

Witnesses. HENRY C. BUTTERIES.

JOHN S. STEVENS.

—oo—

[Copy.]

We, the undersigned Arbitrators, mutually agreed upon by the parties mentioned in the agreement hereunto annexed, having heard the parties, inspected the House and Premises described in the said agreement, and fully considered the matters submitted to us, are of opinion that the said George Henry Emerson and the said Joseph Bacon, as Executors to the estate of Thomas Ryall, deceased, have sustained damage to the amount of fifty two pounds ten shillings stg., by reason of the matters and things set

forth in the agreement before mentioned; and we do therefore award and determine that the said James Douglas, as Chairman of the said Board of Road Commissioners, do pay to the said George Henry Emerson, and the said Joseph Bacon, as Executors as aforesaid, the sum of fifty two pounds, ten shillings, sterling.

Given under our hands this twenty eighth day of November, 1840.

(Signed) THOMAS WILLIAMS.
JAMES CLIFT.

[Copy.]

Central Circuit Court, October Term, 1840.

GEORGE HENRY EMERSON and JOSEPH BACON, } Plaintiffs.
vs.
JAMES DOUGLAS, Defendant.

	£	s.	d.
Warrant and process		6	8
Declaration and copy		10	0
Affidavit		1	0
Brief fee	2	2	0
Writing and preparing arbitration, agreement, and copy	1	1	0
Paid Sheriff		7	6
" Clerk		2	6
Preparing and furnishing copy of award		6	8
Stg...	£4	17	4

(Signed)
GEORGE H. EMERSON.

St. John's, 26th Dec. 1840.

This Suit withdrawn from Court at the special request of the Defendant.
G. H. E.

[Copy.]

St. John's, 3d Dec., 1840.

Sir,—Understanding that a compensation has been awarded to certain parties who have suffered in their property by the public roads being improved thereon by order of the Road Commissioners, I beg to state that a similar case having occurred in front of the Rectory of the Established Church, of St. John's, thereby destroying its entrance, and otherwise injuring the property; I should be glad to be informed if you are disposed to meet the amount of damage that may be considered equivalent to the extent of the injury so caused. Your early reply will oblige

Your most obedient Servant
(Signed)
N. MUDGE, Senior C. W.

James Douglas, Esq., Chairman of the
Board of Road Commissioners.

Statement of the Incidental expenses of the Board of Control between the 1st November, 1839, and 1st November, 1840.

Paid half year's rent of office	£7	10	0
10 Hogsheads coals	3	15	0
Stationery	1	10	0
Boy's attendance	1	10	0
Expenses in fitting up new office, taken from the proprietors of the Exchange buildings	4	0	0
For chairs, table, fender, fire irons, in consequence of loss by fire	2	10	0
Half year's rent, due the 1st October	9	0	0
	£29	15	0

[Approved.]

THOMAS BENNETT, Chairman.

Police Office, St. John's,
July 23d, 1840.

Sir,—We have the honor to enclose a report made to us by Mr. Finlay, High Constable, by which it appears that a nuisance dangerous to passengers, exists in Duckworth Street, near to the Mechanics' Hall, and that the expense of abating it would amount to about fifteen pounds currency.

We have, &c.,
(Signed)

P. W. CARTER, J. P.
C. SIMMS, J. P.

The Hon. James Crowdy.

TO THE WORSHIPFUL THE POLICE MAGISTRATES, ST. JOHN'S.

Gentlemen,—I respectfully beg to report to you that a nuisance highly dangerous to passengers, carriages, carts, &c., now exists on Duckworth Street, near the Mechanic's Hall, by the falling in of a cellar which extends several feet into the street.

I further beg to state that the person who originally built the cellar is now absent from the Colony, and not likely to return, and that the probable expense of abating said nuisance would amount to about fifteen pounds currency.

I have, &c.,

(Signed)

JAMES FINLAY, H. C.

July 23d, 1840.

Secretary's Office,
29th July, 1840.

GENTLEMEN,—I have received and laid before the Governor your letter of the 23d inst., with its enclosure, and in reply I am directed to acquaint you that if you can enter into a contract with any person for removing the nuisance existing in Duckworth Street for a sum not exceeding £15 currency, his Excellency will, on the meeting of the Legislature, recommend that provision be made for the discharge of any amount so contracted to be paid.

I have, &c.,

(Signed)

JAMES CROWDY.

The Police Magistrates.

Police Office, St. John's,
9th March, 1840.

SIR,—We have the honor to enclose to you the agreement made with Patrick Ryan for filling up a cellar, pursuant to your letter of the 29th July last, which work has been completed pursuant to contract.

We have, &c.,

(Signed)

P. W. CARTER, J. P.
C. SIMMS, J. P.

The Hon. James Crowdy.

Police Office, St. John's,
5th August, 1840.

I do hereby agree to fill up to a level with the street certain cellars, situate in Duckworth Street, near the Mechanic's Hall, for the sum of thirteen pounds, five shillings currency, payable when the Legislature shall vote the same. The work to be subject to the inspection of the Chairman of the Board of Road Commissioners.

his
PATRICK † RYAN.
mark.

Witness being first read and explained. C. SIMMS, J.P.

———oo———

We certify that the above mentioned work has been performed pursuant to contract.

CHARLES SIMMS, J.P.

JAMES DOUGLAS,

Chairman of the Board of Road Commissioners.

St. John's, 8th March, 1841.

LETTER FROM COMMISSIONERS OF ROADS, HOLYROOD TO CARBONEAR.

[Copy.]

Harbor Grace, Jan. 28th 1841.

Sir,—We have the honor to request you will be pleased to bring under the notice of his Excellency the Governor our final report as Commissioners of Roads and Bridges from Holyrood to Carbonear, dated 12th January, 1838, by which it will be seen that the sum of £14 3 11 stg., is actually due to us from money laid out and expended on the public account, as well as £2 8 1½ stg. to other parties, viz.—£2 5 7 to James Bailey of Carbonear, due on his contract, and 2s. 6d½ to Express Packet for postages—making in all £16 12 0½ stg. We have been informed that these sums were voted to us and included in the Road Bill of last year, which we are told did not pass into law. We therefore request his Excellency the Governor will be pleased to recommend our claim to the favourable consideration of the honorable the House of Assembly.

We have, &c.

(Signed)

JAMES BAYLY,
THOMAS RIDLEY,
JOHN STARK.

Commissioners Roads and Bridges from Holyrood to Carbonear.

The hon. James Crowdy.

LIGHT HOUSE ON WADHAM ISLANDS.

St. John's, Feb. 2, 1841.

Sir,—The Commissioners of Light Houses have had under their consideration the petition from the inhabitants of the District of Fogo, in reference to the establishment of a Light on the Wadham Islands, and beg leave to observe that in the subject matter of that petition they have to express their fullest concurrence.

The usefulness of such an establishment has not been by any means exaggerated in the petition in question, and in addition to the advantages there set out, the very great value of a Light in that vicinity to the sealing vessels of the Island generally, seems to the Commissioners to form strong additional grounds why this application should meet with the most favorable attention of the Legislature.

I have the honour to be Sir,

Your very obedient Servant,

THOMAS BENNETT.

Chairman of Commissioners of Light Houses.

The Hon. James Crowdy.

LETTER FROM MR. E. RENDELL, AND REPORT THEREON BY THE HON. THE COLLECTOR.

[Copy.]

St. John's, March 1st, 1841.

Sir,—When I handed over my Labrador accounts and duties, received to the hon. the Collector of Her Majesty's Customs in October last, I paid the sum of £11 19 8, amount of duties received on schooner Mayflower of Halifax, presuming that sum would be paid by a mercantile house there, Messrs. Fairbanks and M'Nab, as others had previously been, but this they declined doing, and stated their reasons; those I laid before the hon. Collector, when I applied to have the money refunded, who told me the accounts having been closed it was quite out of his power to pay it back.

Under these circumstances I beg most respectfully to refer his Excellency to the hon. Collector for a confirmation of the statement here made, in the hope that should his Excellency be satisfied with the correctness of it, he will be induced to recommend the House of Assembly to restore me the amount claimed, and which I cannot but feel to be so justly due.

There is also an error of twenty shillings in my favour in my colonial account, and which for the reasons assigned by the hon. Collector is also withheld.

I have, &c.

(Signed)

ELIAS RENDELL.

The hon. the Colonial Secretary.

[Copy.]

Custom House, 9th March, 1841.

Sir,—I have the honor to acknowledge the receipt of your letter of the 1st inst., enclosing by direction of the Governor, a letter from Mr. Elias Rendell, lately employed in collecting the duties on the coast of Labrador, with a request that I would furnish such information on the matter to which it has reference as I may deem necessary to his Excellency's guidance.

In reply to this communication, I beg leave to report that with respect to the sum of £11 19 8, I have every reason to believe the facts set forth by Mr. Rendell to be correct; and with respect to the error to which he refers as existing in the Colonial account, that on reference to that document I find he returned brandy 466 gallons, duty £12 13 0, it should have been £11 13 0, so that the fact is as stated in Mr. Rendell's letter.

I would also further observe that both these sums were paid into the hands of the Colonial Treasurer by me, with other monies, on account of the quarter ended 10th October last.

I have, &c.,

(Signed)

J. M. SPEARMAN, Collector.

The hon. the Colonial Secretary.

Police Office,
June 19th, 1840.

SIR,—Herewith we respectfully transmit to you for the consideration of his Excellency the Governor, a memorial or statement addressed to the Magistrates by certain special constables, appointed during the late election, and likewise an account of charge for their attendance.

The allegations contained in the memorial of the special constables, we have reason to believe are correct, and it is within our knowledge that some of the parties have been severely bruised and injured in the performance of their duty, and put to some expense for medical attendance &c. &c.

We beg to add our testimony of the activity and attention to their duty evinced by the memorialists during the period of the election.

Sir, we have the honor to be
Your obedient, humble servants,
P. W. CARTER, J.P.
CHAS. SIMMS, J.P.

The hon. the Colonial Secretary.

TO THE WORSHIPFUL THE MAGISTRATES.

We beg most respectfully to submit for the consideration of your Worships' the enclosed list, containing the amounts respectively charged by us, as well for services rendered whilst acting as special constables during the last election, as for the expenses we then necessarily incurred.

We should reluctantly make any charge for our attendance whilst so engaged, were it not for the great inconvenience we as well as our employers have suffered, in being absent for so protracted a period from our respective vocations—and the charges we were obliged to contract for necessary refreshments while on duty, surgical attendance on several injured, and damage done to wearing apparel. And we therefore trust your Worships will, as far as in you lay, promote this our application, as your Worships are not only aware of our constant attendance, and the danger and peril which for several days we were exposed to, but likewise the assaults offered, and injuries received by several of us whilst so acting; and that as a heavy fine would have been imposed on us did we fail attending, it will not now be deemed unreasonable by your worships the remuneration we seek for should be awarded us, and thereby enable us to defray the charge and expenses we were then unavoidably put to.

With great respect, we remain your worships humble servants,

William Weston Carter, John W. Brocklebank, John Hogan, Andrew Tasker, Archibald H. M'Calman, James Henry Carter, Walter M'Pherson, John Grace, Alexander Eagan, Charles Rankin, S. Rendell, G. Loveys, Robert L. Harris, Robert Oliphant, Frederick Lash, Francis M'Dougall, James M'Kellar, Edward Cahill, William Langley, John Batt, John Morey, William Aveling, George Brine, Nicholas Gill, jun., George Hutton, Robert Rutherford, W. L. Solomon, Thomas D. Quinn, William Long Hugh Morrisson, John O'Conner.

ST. JOHN'S DISTRICT,

Dr. to the undermentioned Special Constables for services rendered during the election of a Candidate to serve in the Assembly.

	Rate.			
William W. Carter, violently assaulted—14 days	7s.	£4	18	0
John Brocklebank, violently assaulted—13 days	"	4	11	0
Walter M'Pherson, violently assaulted—14 days	"	4	18	0
George Loveys—violently assaulted—9 days	"	3	3	0
George Brine, 14 days	"	4	18	0
William Aveling, 13 days	"	4	11	0
John Grace, 13 days	"	4	11	0
Alexander Eager, violently assaulted—10 days	"	3	10	0
Robert Harris, violently assaulted—13 days	"	4	11	0
Archibald M'Calman, 3 days	"	1	1	0
Andrew Tasker, 10 days	"	3	10	0
George Hutton, violently assaulted—6 days	"	2	2	0
Robert Oliphant, 10 days	"	3	10	0
William Langley, 13 days	"	4	11	0
Francis M'Dougall, violently assaulted—13 days	"	4	11	0
James M'Kellar, violently assaulted—13 days	"	4	11	0
Edward Cahill, violently assaulted—13 days	"	4	11	0
James Carter, 12 days	"	4	4	0
Nicholas Gill, 10 days	"	3	10	0
John Hogan, 12 days	"	4	4	0
Frederick Lash, violently assaulted—9 days	"	3	3	0
Stephen Rendell, 9 days	"	3	3	0
Charles Rankin, 6 days	"	2	2	0
John Morey, 13 days	"	4	11	0
John Ball, 13 days	"	4	11	0
Robert Rutherford, 13 days	"	4	11	0
W. L. Soloman, 13 days	"	4	11	0
Thomas D. Quinn, 12 days	"	4	4	0
William Tong, 13 days	"	4	11	0
Elias Rendell, 9 days	"	3	3	0
Hugh Morrisson, 12 days	"	4	4	0
John O'Conner, 14 days	"	4	18	0
Hugh Hamlin, 10 days	"	3	10	0
		£130	18	0

St. John's, June 12th, 1840.

EXTRACT

Of a letter from THOMAS BECK, Esq., to the Colonial Secretary, dated 30th June last, and which accompanied the return of the Writ for the election of a Member for the District of St. John's.

With respect to the general arrangements, I have to observe, that in appointing Mr. Richard Holden as my Poll Clerk, and Theophilus Stewart, Esq. as my legal adviser, I

made no agreement with these gentlemen as to the amount of remuneration for their services, judging it more prudent to leave to the Assembly an unfettered discretion thereon; and for the same reason in hiring from Mr. Patrick Power his house for taking the Poll, and employing Mr. Paul Hennesey for constructing the Hustings, I specifically engaged with them that they should only look to the Assembly to determine what sums respectively should be sufficient to indemnify them. These, with the exception of advertising, are the only expenses that I have needed to incur, and I sincerely hope that my mode of arranging for them will prove satisfactory to his Excellency.

THOMAS BECK, ESQ.,

To THEOPHILUS STEWART—

To professional advice and attendance on the occasión of the late election of a member to serve in the House of Assembly at St. John's £50 0 0

St. John's, December 16th, 1840.

Colony of Newfoundland

To Paul Hennesey, Dr.

June 9th, 1841—To making, enlarging, and repairing Hustings at St. John's, £50 0 0 stg.

Thomas Beck, Esq.

To Richard B. Holden.

May, 1840.	For travelling to Portugal Cove and posting up handbills for the return of a member to serve in the Assembly	£0	10	0
	For hire of house from Mr. Kielty	0	10	0
	Do. to Torbay	0	10	0
	For house hire	0	10	0
		£2	0	0

St. John's, Jan., 1841,

The Returning Officer

To A. Shea & Co. Dr.

May 14.—	To advertising notice of election	£0	10	6
28.—	Do. do. second notice	0	7	6
June 3.—	Do. do. third do.	0	7	6
		£1	5	6

St. John's Newfoundland.

Thomas Beck, Esq., Returning Officer,

To Ryan and Withers, Dr.

1840.

May 7.	For 50 posting bills, notice of election for St. John's district	£1	1	0
12.	Inserting same in Gazette	0	12	6
	2 continuations ditto ditto	0	8	4
25.	50 posting bills, extending term of polling	1	1	0
	Inserting same in Gazette	0	7	0
28.	Posting Bills, further extending said term	0	12	0
30.	Ditto do. do.	0	12	0
June 2.	Inserting same in Gazette	0	7	6
3.	Posting Bills, further extending term of polling	0	12	0
5.	Ditto ditto ditto	0	12	0
		£6	5	4

Mr. Thomas Beck, Returning Officer,

To John W. M'Coubrey, Dr.

1840.

June 13.	To advertising notice respecting election	£0	12	0
	2 continuations of ditto	0	8	0
		£1	0	0

Mr. Thomas Beck

To. R. J. Parsons, Dr.

1840.

May 12.	Inserting election notice in the Patriot	£0	12	6
	Continued twice	0	8	4
		£1	0	10

Mr. Thomas Beck

To Henry Winton, Dr.

1840.

May 15.	To advertising election notice	£0	11	3
	Continued once	0	3	9
		£0	15	0

ACCOUNT

OF REGISTRAR OF VOTERS FOR DISTRICT OF ST. JOHN'S FOR 1840.

THE REGISTRAR OF VOTERS

TO HENRY WINTON, DR.

1840.

Jan. 20.	3½ quires paper, 4s. 6d. 1 Card Steel Pens, 3s.	£0	7	6
July 8.	6 quires paper	0	6	0
	3 quires letter paper	0	5	3
	1 Dozen Pencils, 7s. 6d., ½ quire cartridge paper, 1s. 3d.	0	8	9
	1 Box Steel Pens	0	3	6
11.	10 Thirteen sheet demy foot-line Indexes	2	10	0
	7 seven sheet ditto	1	11	6
20.	4 thirteen sheet ditto	1	0	0
Aug. 14.	2 Two ½ quires demy foot line printed indexes	2	5	0
		£8	17	6
	stg.	£7	13	10

District of St. John's,

For the Registration of voters for this District.

1840.

Dec.	To Henry Winton, amount of his account for Books, Stationery, &c.	£8	17	6			
	9 Police Constables taking lists seven days, each at 5s. per day	15	15	0			
	James Finlay, copying lists of voters, perfecting the Register, copying the same, attending Court of Revision, &c. &c. &c.	20	0	0	44	12	6
					£44	12	6
	Stg...				£38	13	6

[Approved.]

P. W. CARTER, J.P.

CHAS. SIMMS, J.P.

St. John's Newfoundland.

ACCOUNTS

FOR REGISTRATION OF VOTERS, CONCEPTION BAY.

Northern District of Newfoundland,

To W. Stirling, Dr.

1838.

For holding Courts of Revision at Broad Cove, Adam's Cove, and Western Bay, and revising the list of Voters from Salmon Cove to Ochre Pit Cove, inclusive — £10 10 0

Harbor Grace, 16th January, 1841.

Northern District of Newfoundland,

To. W. Stirling, Dr.

1839.

For holding Courts of Revision at Broad Cove, Adams Cove and Western Bay, and revising the list of Voters from Salmon Cove to Ochre Pit Cove, inclusive. — £10 10 0

Harbor Grace, 16th January, 1841.

Northern District of Newfoundland,

To W. Stirling, Dr.

1840.

For holding Courts of Revision at Broad Cove, Adams Cove, and Western Bay, and revising the list of voters from Salmon Cove to Ochre Pit Cove, inclusive. — £10 10 0

Harbor Grace, 16th January, 1841.

The District of Conception Bay,

To Samuel C. Rumson, (Constable) Carbonear, Dr.

1836.

Aug. 26.	To making out lists of the names of persons entitled to vote for Members of the Colonial Parliament, and exhibiting the same at the several places of Worship, and other public places within that part of the Western Bay division of Conception Bay situated between the bridge of Salmon Cove and the North side of Ochre Pit Cove—9 days, at 7s. 6d.	£3	7	6
	Stationery	0	2	0
Sep. 26.	Attendance on the Courts of Revision for the above division 3 days, at 7s. 6d.	1	2	6
		£4	12	0

I certify that the above service has been duly performed.

W. STIRLING, Revising Magistrate.

The District of Conception Bay,

To Samuel C. Rumson (Constable) Carbonear, Dr.

1837.				
Aug.	To making out lists of the names of persons entitled to vote for Members of the Colonial Parliament, and exhibiting the same at the several places of Worship, and other public places within that part of the Western Bay division of Conception Bay, situated between the bridge of Salmon Cove and the North side of Ochre Pit Cove—9 days, at 7s. 6d.	£3	7	6
	Stationery	0	2	0
Sep.	Attendance on the Courts of Revision for the above division—3 days at 7s. 6d.	1	2	6
		£4	12	0

I certify that the above service has been duly performed.

W. STIRLING, Revising Magistrate.

The District of Conception Bay,

To Samuel C. Rumson (Constable) Carbonear, Dr.

1838.				
Aug.	To making out lists of the names of persons entitled to vote for Members of the Colonial Parliament, and exhibiting the same at the several places of Worship, and other public places, within that part of the Western Bay division of Conception Bay, situated between the bridge of Salmon Cove and the North side of Ochre Pit Cove—9 days, at 7s. 6d.	£3	7	6
	Stationery	0	2	0
		£3	9	6

I certify that the above service has been duly performed.

W. STIRLING, Revising Magistrate.

The District of Conception Bay,

To Samuel C. Rumson, (Constable) Carbonear, Dr.

1839.				
Aug.	To making out lists of the names of persons entitled to vote for Members of the Colonial Parliament, and exhibiting the same at the several places of Worship, and other public places within that part of the Western Bay division of Conception Bay, situated between the bridge of Salmon Cove and the North side of Ochre Pit Cove—9 days, at 7s. 6d.	£3	7	6
	Stationery	0	2	0
		£3	9	6

I certify that the above service has been duly performed.

W. STIRLING, Revising Magistrate.

The District of Conception Bay,

To John King (Constable) Broad Cove, Dr.

Sept. 1838.	Attendance on the Courts of Revision for the above division, 3 days, at 7s. 6d.	stg.. £1	2	6
Sept. 1839.	Attendance on the Courts of Revision for the above division, 3 days, at 7s. 6d.	stg.. £1	2	6

I certify that the above service has been duly performed.

W. STIRLING, Revising Magistrate.

ACCOUNTS

FOR REGISTRATION OF VOTERS, TRINITY BAY.

District of Trinity Bay,

Dr. to sundries.

1840.				
To John Tilly, J. P., expenses in taking and revising list of voters in the Hants Harbor division		£2	15	0
Robert Ollerhead, J.P., for similar services in the Hearts Content division		£2	15	0
John Regan, J.P. for the Perlican division, no account furnished.				
Andrew Hackett, J.P. for the New Harbor division, no account furnished.				
John Murphy, Constable, for taking list of voters in Bird Islands, Little Catalina, Ragged Harbor, and Catalina Proper,		£2	0	0
B. Sweetland, J.P., revising list of voters in Trinity, English Harbor, Salmon Cove, Ship Cove, Trouty, Old Bonaventure, New Bonaventure, British Harbor, and Riders Hatbor.				
B. Sweetland, J. P., making out alphabetical list of voters, and a copy of the same, as directed by the 4th W. 4th, chap. 15, Sess. 2, sec. 7.				

District of Trinity Bay,

To Charles Rendell, Dr.

1837.	To hire of boat and crew from hence to Tickle Harbor, and Great and Little Chance Coves,	£2	10	0
	Personal services, 3 days, at 5s.	0	15	0
1838.	Hire of boat and crew from hence to Hearts Desire, Hearts Delight, Tickle Harbor, and Great and Little Chance Coves	3	0	0
	Personal services, 5 days, at 5s.	1	5	0
1840.	Hire of boat and crew from hence to Hearts Desire, Hearts Delight, Tickle Harbor, and Great and Little Chance Coves	2	10	0
	Personal services, 3 days, at 5s.	0	15	0
		£10	15	0

Hearts Content, 1840.

District of Trinity Bay,

To R. Ollerhead, Dr.

1837.	For revising and making alphabetical list of voters for the following places, viz.—New Perlican, Tickle Harbor, Great Chance Cove, Little Chance Cove, and Heart's Content	£2	15	0
1838.	Revising and making alphabetical list of voters for the following places, viz.—Hearts Content, New Perlican, Hearts Desire, Hearts Delight, Tickle Harbor, Great Chance Cove, and Little Chance Cove	£2	15	0
1840.	Revising and making alphabetical list of voters for the following ing places, viz.—Hearts Content, New Perlican, Hearts Desire, Hearts Delight, Tickle Harbor, Great Chance Cove, and Little Chance Cove,	£2	15	0
		£8	5	0

R. OLLERHEAD, J.P.

Hearts Content, 1840

Account of Thomas George (Constable) for making out a list of voters at New Harbor, Dildo Cove, Old Shop, Island Cove, Normans Cove, and Green's Harbor.

To making out a list of voters at Dildo Cove,	£0	2	0
Travelling to New Harbor, distance one mile	0	1	0
Travelling to Greens Harbor, distance seven miles	0	7	0
Going to Old Shop, hire of boat and crew, distance 3 miles	0	10	0
Going to Norman's Cove, hire of boat and crew, distance nine miles	1	0	0
	£2	0	0

We hereby certify that the above named Thomas George (Constable for this district) has handed us a list containing the names of persons entitled to vote in conformity with the Colonial Act 4, Wm. 4, cap. 15, sec. 2.

CHAS. NEWHOOK, J.P.
ANDREW HACKETT, J.P.

August 24th, 1840.

ACCOUNTS

FOR REGISTRATION OF VOTERS, BONAVISTA.

Northern District

To Michael Farrell, Dr.

1837-38. To this sum for making list of voters at Bonavista, 4 days in each year, at 5s. Stg..£2 0 0

[Certified.]

W. SWEETLAND, J.P.
S. MIFFLEN, J. P.

Northern District

To Michael Fennell, Dr.

1839.

Sept. 20.	To 12 days collecting lists of voters on the Southern division of District of Bonavista, at 5s.	£3	0	0
	Paid Boat hire and passages	1	10	0
		£4	10	0

[Certified.]

W. SWEETLAND, J.P.
S. MIFFLEN, J. P.

Northern District,

To Michael Fennell, Constable, Dr.

1840.

Sept. 20.	To eight days collecting lists of voters in the Southern division of District of Bonavista, at 5s.	£2	0	0
	Boat and crew employed on that service 8 days at 10s.	4	0	0
		£6	0	0

[Certified.]

W. SWEETLAND, J.P.
S. MIFFLEN, J.P.

ACCOUNT

FOR REGISTRATION OF VOTERS, PLACENTIA.

The District of Placentia, To Luke Collins, Dr.

1838.

To registering the names of voters for the district of Placentia and St. Mary's for the year 1838, in alphabetical order, agreeably to the Colonial Act of Wm. 4, passed the 12th June, 1834. Also, making four copies therefrom, one of which sent on to the Colonial Secretary after the 20th Sept., the others posted up in the most conspicuous parts of the district £3 11 6

1839.

To registering ditto, and making out the same for the year 1839. 3 11 6

1840.

To Registering ditto, and making out the same for the year 1840. 3 11 6

£10 11 6

I do hereby certify that the above duty has been performed by the said Luke Collins in a fair, regular, and correct manner, agreeably to the Colonial Act Wm. 4, passed the 12th June, 1834.

F. L. BRADSHAW, J.P.

Great Placentia, 16th Dec. 1840.

ACCOUNTS

FOR REGISTRATION OF VOTERS, BRIGUS.

Division of Brigus and Port de Grave, &c.

To William T. Stentaford, Accountant, Dr.

1839.				
Oct. 1.	To arranging and recording in the Registry Book for the Court of Sessions the names of 1273 voters, living within four divisions of Conception Bay, namely, Port de Grave, Brigus, Harbor Main, and the South Shore,	£4	10	0
	To copying the same into another book for the Colonial Secretary	2	0	0
		£6	10	0

WILLIAM T. STENTAFORD.

[Certified.]

ROBERT J. PINSENT., J. P., Stipendiary Magistrate.

Electoral District of Conception Bay,

To John Bowes, Constable, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1839.				
Sept. 1.	For taking the names of voters for the division of Port de Grave extending from Spaniards Bay Gut to Port de Grave Northern Gut, 441 voters, including cost of Books, Paper, &c.	£4	10	0

[Certified.]

ROBERT J. PINSENT, J. P., Stipendiary Magistrate.

Electoral District of Conception Bay,

To Thomas Butler, Constable, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1839.				
Sept. 1.	For taking the names of voters for the division of Brigus, extending from the South side of Port de Grave Northern Gut, to the North side of Turk's Gut, including cost of Books, Paper, &c.	£4	10	0

[Certified.]

ROBERT J. PINSENT, J.P., Stipendiary Magistrate.

Electoral District of Conception Bay,

To Robert Connell, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1839.

Sep. 1. For taking the names of voters for the division of Cat's Cove, extending from Turk's Gut Northern Point, to Salmon Cove Point, including cost of Boards, Paper, &c. £2 10 0

[Certified.]

ROBERT J. PINSENT, J.P.

Stipendiary Magistrate.

Electoral District of Conception Bay,

To William Mullowney, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1839.

Sep. 1. For taking the names of voters for the division of Harbor Main, extending from Salmon Cove Point, Gasters, to the North side of Holyrood, Southern Gut, including costs of boards, paper, &c. £2 10 0

[Certified.]

ROBERT J. PINSENT, J.P.

Stipendiary Magistrate.

Electoral District of Conception Bay,

To William Smith, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1839.

Sept. 1. For taking the names of voters for the division of the South Shore, extending from the South side of Holyrood, Southern Gut, to Broad Cove, (not including Broad Cove) including cost of boards, paper, &c. £2 10 0

[Certified.]

ROBERT J. PINSENT, J.P.

Stipendiary Magistrate.

Electoral District of Conception Bay,

To William T. Stentaford, Dr.

1839.			
Oct. 1.	For arranging and recording in the Register Book for the Court of Sessions the names of 1273 voters, being within four divisions of Conception Bay, viz.—Port de Grave, Brigus, Harbor Main and South Shore	£4	10 0
	To copying the same into another book for the Colonial Secretary	2	0 0
1840.	To ditto ditto ditto for the year 1840	6	10 0
	Stg..	£13	0 0

[Certified.]

ROBERT J. PINSENT, J.P.
Revising Magistrate, &c.

Electoral district of Conception Bay,

To Benjamin D. Barnes, Dr.

1837.			
Oct. 1.	To arranging and recording in the Register Book for the Court of Sessions the names of 1234 voters, being within four divisions of Conception Bay, viz.—Port de Grave, Brigus, Harbor Main, and South Shore	£4	10 0
	To copying the same into another book for the Colonial Secretary	2	0 0
	To cost of the said two Books	0	9 0
	To ditto ditto ditto for the year 1838	6	19 0
		£13	18 0

[Certified.]

ROBERT J. PINSENT, J.P., Revising Magistrate.

Electoral District of Conception Bay,

To John Bowes, Constable, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1837.			
Sept. 1.	To taking the names of voters for the division of Port de Grave extending from the South side of Spaniards Bay Gut to the North side of Port de Grave Northern Gut—say for my labor, travelling expenses, cost of Paper, cost of Boards, &c., set down at the same sum as was allowed last year by the Legislature	£4	10 0
	Ditto ditto ditto for 1838	4	10 0
	Ditto ditto ditto for 1839	4	10 0
	Ditto ditto ditto for 1840	4	10 0
		£18	0 0

[Certified.]

ROBERT J. PINSENT, J. P., Revising Magistrate.

Electoral District of Conception Bay,

To Thomas Butler, Constable, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1837.					
Sept. 1.	To taking the names of voters for the division of Brigus, extending from the South Side of Port de Grave Northern Gut to Turks Gut, inclusive—say for my labor, travelling expenses, cost of paper, cost of boards, &c. &c., and drawing off three copies of lists, set down at the same sum as was allowed last year by the Legislature		£4	10	0
Ditto	ditto	ditto for 1838	4	10	0
Ditto	ditto	ditto for 1839	4	10	0
Ditto	ditto	ditto for 1840	4	10	0
		Stg..	£18	0	0

[Certified.]

ROBERT J. PINSENT, J. P., Revising Magistrate.

Electoral District of Conception Bay,

To Robert Connell, Constable, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1837.					
Sept. 1.	To taking the names of voters for the division of Cats Cove, extending from Turk's Gut, Northern Point, to Salmon Cove Point, including labor, travelling expenses, cost of paper, boards, &c.—set down at the same sum as was allowed last year by the Legislature		£2	10	0
Ditto	ditto	ditto for 1838	2	10	0
Ditto	ditto	ditto for 1839	2	10	0
Ditto	ditto	ditto for 1840	2	10	0
		Stg..	£10	0	0

[Certified.]

ROBERT J. PINSENT, J.P., Revising Magistrate.

Electoral District of Conception Bay,

To William Mullowney, Constable, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1837.					
Sep. 1.	To taking the names of voters for the division of Harbor Main, extending from Salmon Cove Point to Holyrood, inclusive,—say for my labor, travelling expenses, cost of paper, cost of boards, &c., set down at the same sum as was allowed last year by the Legislature		£2	10	0
Ditto	ditto	ditto for 1838	2	10	0
Ditto	ditto	ditto for 1839	2	10	0
Ditto	ditto	ditto for 1840	2	10	0
		Stg..	£10	0	0

[Certified.]

ROBERT J. PINSENT, J.P. Revising Magistrate.

Electoral District of Conception Bay,

To William Smith, Constable, Dr.

For expenses attending taking lists of persons entitled to vote at Elections.

1837.

Sept. 1.	To taking the names of Voters for the South Shore division, extending from Holyrood to Broad Cove—say for my labor, travelling expenses, cost of paper, boards, &c., set down at the same sum as was allowed last year by the Legislature	£2	10	0
	Ditto ditto ditto for 1838	2	10	0
	Ditto ditto ditto for 1839	2	10	0
	Ditto ditto ditto for 1840	2	10	0
	Stg.. £	10	0	0

[Certified.] ROBERT J. PINSENT, J.P., Revising Magistrate.

RETURNING OFFICER'S

Accounts of Election Expenses for Conception Bay, 1840.

Electoral District of Conception Bay,

To Robert John Pinsent (Returning Officer) Dr.

For expenses and services attending the Election for Conception Bay, in October, November, and December, A. D. 1840.

	Cy.			Stg.		
Advertising my Proclamation in the "Royal Gazette,"	1	16	2			
" " " Conception Bay Mercury	2	14	0			
" " " Carbonear Sentinel	1	13	4			
100 Printed Posting Bills	1	10	0			
Postages, carriage of Parcels, &c.	1	1	1			
	8	14	7	7	11	4
Cost of Hustings and Poll Room at Harbor Grace, per contract with James Sharp				21	0	0
Ditto at Port-de-Grave, per contract with John Bowes				10	0	0
Ditto at Brigus per contract with Walter Whelan				10	0	0
Ditto at Harbor Main, per contract with Patrick Strapp				10	0	0
Ditto at Western Bay, per contract with William Bennett				10	0	0
Ditto at Carbonear, per contract with John Brien				10	0	0
Constables' account for attendance at Harbor Grace				18	7	6
Ditto ditto ditto at Port-de-Grave				7	17	6
Ditto ditto ditto at Brigus				6	15	0
Ditto ditto ditto at Harbor Main				7	10	0
Ditto ditto ditto at Western Bay				3	7	6
Ditto ditto ditto at Carbonear				5	12	6
Poll Clerk's account for his Travelling Expenses				24	10	0
My own account for Travelling Expenses				29	10	0
Sterling £				182	1	4

Remuneration to myself for my services as Returning Officer during the Election—left to the consideration of the Legislature ....

Remuneration to W. T. Stentaford, for his services as Poll Clerk during the Election—left to the consideration of the Legislature

Brigus, Conception Bay, December 31, 1840.

ROBERT JOHN PINSENT, Returning Officer.

R. J. Pinsent, Esq., Returning Officer,

To Ryan & Withers, Dr.

1840, Oct. 20—For inserting in Gazette Notice of Election, District of Conception Bay	.....	....	....	0	15 6
4 continuations	ditto	ditto	ditto @ 5s. 2d.	1	0 8
Oct. 22—Printing 100 Copies Notices of Elections	....	.....		1	10 0
				£3	6 2

Robert John Pinsent, Esq., Returning Officer,

To Wm. S. Comer, Printer, Dr.

1840, Oct. 23—Inserting in the "Conception Bay Mercury" your Notice for holding an Election for one Member for Conception Bay	....			0	18 0
6 repetitions of the same @ 6s.	.....	.....		1	16 0
			Currency	£2	14 0

Robert John Pinsent, Esq., Returning Officer,

In account with Thos. W. Spry, Printer.

1840, Oct. 16.—To Inserting in the "Sentinel" your Notice respecting Election					1	0 0
Novr. 5.—1 Repetition	....	..	..	..	0	6 8
Nov. 12—1 Ditto	.....	.....	.....	..	0	6 8
					£1	13 4

The Electoral District of Conception Bay,

To James Sharp, Dr.

For Hire of Hustings and Poll Room for the Election held at Harbor Grace in November, 1840, as per agreement with Robert John Pinsent, Esq., the Returning Officer .... Sterling £21 0 0

Harbor Grace, November 13, 1840.

[Certified.] ROBERT JOHN PINSENT, Returning Officer.

The Electoral District of Conception Bay,

To John Bowes, Dr.

For Hire of Hustings and Poll Room for the Election held at Port-de-Grave in November, 1840, as per agreement with Robert John Pinsent, Esq., the Returning Officer, ... Sterling £10 0 0

Port-de-Grave, November 18, 1840. JOHN BOWES.

[Certified.] ROBERT JOHN PINSENT, Returning Officer.

The Electoral District of Conception Bay,

To Walter Whelan, Dr.

For Hire of Hustings and Poll Room for the Election held at Brigus in Nov. 1840, as per agreement with Robert John Pinsent, Esq., the Returning Officer Stg..£10 0 0

WALTER WHELAN.

Brigus, 21st Nov. 1840,

[Certified.]

ROBERT JOHN PINSENT, Returning Officer.

The Electoral District of Conception Bay,

To Patrick Strapp, Dr.

For hire of Hustings and Poll Room for the Election held at Harbor Main in Nov., 1840, as per agreement with Robert John Pinsent, Esq., the Returning Officer Stg..£10 0 0

Harbor Main, Nov. 27th, 1840. PATRICK STRAPP.

[Certified.]

ROBERT JOHN PINSENT, Returning Officer.

The Electoral District of Conception Bay,

To William Bennett, Dr.

For Hire of Hustings and Poll Room for the Election held at Western Bay in December, 1840, as per agreement with Robert John Pinsent, Esq., the Returning Officer, ... Sterling £10 0 0

WILLIAM BENNETT.

Western Bay, December 3d, 1840.

[Certified.] ROBERT JOHN PINSENT, Returning Officer.

The Electoral District of Conception Bay,

To John Brine, Dr.

For Hire of Hustings and Poll Room for the Election held at Carbonear in December, 1840, as per agreement with Robert John Pinsent, Esq., the Returning Officer .... Sterling £10 0 0

Carbonear, December 8, 1840.

[Certified.] ROBERT JOHN PINSENT, Returning Officer.

The Electoral district of Conception Bay,

To sundry persons named under, employed by Robert John Pinsent, Esq., Returning Officer, as Constables during the Election for Conception Bay, Fall 1840, under verbal agreement with him the said Returning Officer.

			Dr. Stg.	Stg.
At Harbor Grace.				
James Sharp, 5 days, at 7s. 6d.			£1 17 6	
Jonathan Martin,	"	"	1 17 6	
Benjamin Rowe	"	"	1 17 6	
John Baily	"	"	1 17 6	
William Michel	"	"	1 17 6	
James Power	"	"	1 17 6	
David Walsh	"	"	1 17 6	
Peter Haly	"	"	1 17 6	
Patrick Kenna	"	"	1 17 6	
Timothy Donahy 4 days	"		1 10 0	£18 7 6
At Port de Grave.				
James Sharp 3 days at 7s. 6d.			£1 2 6	
John Bowes	"	"	1 2 6	
Wm. Andrews	"	"	1 2 6	
Robert Marten	"	"	1 2 6	
John Cowley	"	"	1 2 6	
Matthew Rielly	"	"	1 2 6	
James Power	"	"	1 2 6	7 17 6
At Brigus.				
James Sharp 3 days at 7s. 6d.			£1 2 6	
Thomas Butler	"	"	1 2 6	
Nicholas Janes	"	"	1 2 6	
Patrick Brien	"	"	1 2 6	
Edmund Dunn	"	"	1 2 6	
James Power	"	"	1 2 6	6 15 0
At Harbor Main.				
James Sharp 4 days at 7s. 6d.			1 10 0	
W. Mullowney	"	"	1 10 0	
Robert Connell	"	"	1 10 0	
Patrick Strapp	"	"	1 10 0	
James Power	"	"	1 10 0	7 10 0
At Western Bay.				
James Sharp 3 days at 7s. 6d.			1 2 6	
Edward Jones	"	"	1 2 6	
James Power	"	"	1 2 6	3 7 6
At Carbonear.				
James Sharp, 2 days at 7s. 6d.			0 15 0	
Benjamin Rowe	"	"	0 15 0	
Samuel Rumson	"	"	0 15 0	
John Bailey	"	"	0 15 0	
Peter Heily	"	"	0 15 0	
David Walsh	"	"	0 15 0	
Patrick Kenna	"	"	0 15 0	
Jonathan Martin 1 day			0 7 6	5 12 6
				£49 10 0

[Certified.]

ROBERT J. PINSENT, Returning Officer.

ACCOUNT of Personal charges and Travelling Expenses, incurred by WILLIAM T. STENTAFORD, Poll Clerk, during the Conception Bay Election, Fall 1840.

1840. Dec. 1.	Dietry, &c., while engaged in taking the Polls from 6th November to 9th Dec., inclusive, 34 days, at 10s. per day	£17	0	0
	Mileage during the above period, 150 miles at 1s. per mile	7	10	0
		£24	10	0

N. B.—The scale of charges for dietry and mileage is the same as that allowed by the Legislature for the election of 1837.

WILLIAM T. STENTAFORD, Poll Clerk.

Brigus, Dec. 31st, 1840.

ACCOUNT of Personal charges and Travelling Expenses incurred by Robert John Pinsent, Returning Officer, during the Conception Bay Election, Fall 1840.

——oo——

1840.				
Oct. 24.	Journey from Brigus to Harbor Grace and back again, to determine on the site, and to arrange for the erection of the Hustings at Harbor Grace	£2	0	0
Dec. 9.	Dietry &c. while engaged in taking the Polls from 6th November to 9th December, inclusive, 34 days, at 10s. per day	17	0	0
	Mileage during the above period, 150 miles, at 1s. per mile	7	10	0
Dec. 12.	Expenses going to St. John's, and returning, to report to the Governor concerning the election	3	0	0
	Stg..	£29	10	0

N. B.—the scale of charges for dietry and mileage is the same as that allowed by the Legislature for the Election of 1837.

ROBERT JOHN PINSENT,
Returning Officer.

Brigus, December 31st, 1840.

REPORT
OF THE PROGRESS OF THE GEOLOGICAL SURVEY DURING 1840.

During the Summer of 1840 the Survey has been continued through St. Mary's Bay, great part of the Bay of Placentia, and the chief of those parts of the District of Avalon which were left unexamined last year. It has also been carried through Bonavista Bay and the Bay of Exploits and the adjoining Districts. Much valuable time having been lost in procuring conveyances from place to place, and a continued succession of Westerly winds prevailing during the latter part of September and the beginning of October, it was found impracticable to visit Hall's Bay, or to get at all to the Westward of Exploits Burnt Island.—As, moreover, the last vessel which was known to be going to St. John's or its neighbourhood, sailed from Fogo on October the 13th, all further progress was of course abandoned at that time.

The only rocks seen in any part of the districts mentioned above, are slates and slaty rocks, hard sandstones or gritstones, granite, sienite, and porphyry.

Of the slates none have been observed so well adapted for economical purposes as those on the Western Shores of Conception Bay, or what might probably be procured by quarrying in the town of St. John's and its immediate vicinity.

The sandstones or gritstones are worthless, except for the commonest building purposes.

Sienite, of tolerable quality, making a good but expensive building stone, might be procured on the flanks of the Butter-pot Hill, at the back of Renews, and probably in other parts of the chain of hills which runs thence to the Butter-pots of Holyrood in Conception-Bay. It may also be got more easily and of better quality in parts of Merasheen, the Ragged Islands, Barren Islands, &c. in Placentia Bay. The same rock may also be procured in abundance about the Louil Hills, Bloody Bay, Bonavista Bay, as also about Hare Bay, in the Island of Fogo.

The whole of the Northern shores of Bonavista Bay, and the adjacent Islands, from Locker's Bay, on the South, round to Muddy Hole, near Rocky Bay, on the North, are composed of granite. It varies in colour from flesh colour to a light grey, and large crystals of feldspar thickly interspersed about it. It would form an exceedingly handsome building stone, and from a small proportion of mica it contains, and the sound condition of its feldspar, it would be remarkably durable. Blocks or columns of any required dimensions might be quarried in many places ; and on the shore about Chalky Cliff, near Locker's Bay, abundance of loose blocks are now lying about, and might easily be shipped off in moderate weather. At Greenspond there is a handsome grey variety which grows whiter by exposure to the atmosphere ; it is, however, very hard, and would therefore be difficult to quarry.

The whole of the coast from the Bay of Islands round the Bay of Exploits, has now been examined, with the Exception of Fortune Bay. This coast-survey, taken in conjunction with the observations made by Mr. Cormack, in his route from Random Island to St. George's Bay, gives the following results :—

1stly. To the Eastward of a line drawn from Cape Ray to the Northern head of the Bay of Exploits, there is no chance of coal being found.

2ndly. With the same boundary there are no beds of good limestone, unless it be at the bottom of Fortune Bay, and there their occurrence is improbable.

3rdly. Within the same boundary there is no good building stone, with the exception of granite and its cognate rocks, all of which, though handsome and durable, are difficult and expensive to work.

4thly. No mineral vein has been seen in any part of the Island with the exception of the small string of copper ore in Shoal Bay.

The coal bearing district which was found last year at the Northern end of the Grand Pond, does not extend anywhere to the neighbourhood of the Bays of Exploits or Bonavista, as was at one time hoped; and from what could be learnt of the rocks about Halls Bay, it does not appear to approach the coast in that direction. The only point, then, from which it may possibly be easily accessible, is the head of White Bay. On the Western side of White Bay, also, namely, in the neighbourhood of Canada Bay, limestone is found similar to that seen last year in the Humber River. The only part, therefore, of the Island of Newfoundland which seems at all geologically interesting or important, is the Western portion, bounded by the Gulf of St. Lawrence on one side, and a line drawn from White Bay to Cape Ray on the other. As, however, in the existing circumstances of the Colony, any discoveries on that side could hardly be of more than speculative or prospective value, it does not seem justifiable to recommend the continuance of the Survey; it being hardly fair to call upon a small community for any outlay in addition to that already incurred, in order to solve points merely of scientific interest.

Specimens of all the different kinds of rocks and minerals met with in the Survey have been carefully collected, arranged and labelled,—each specimen having on it the name of the rock and the locality from which it was taken. Of those kinds which may be used for economical purposes the specimens are large, in order to give an adequate idea of their nature. A complete suite of these specimens, including all the largest and finest specimens of Coal, Limestone, Gypsum, Slate, and Granite has been selected to accompany the report. These are at present packed into boxes; it may, however, be allowed me to suggest the great advantage which would be derived from a room being appropriated to their reception,—a few plain glass cases being provided for their arrangement.—a copy of all maps, sections or reports relating to the structure of the Island being deposited with them,—and the whole being thus laid open for public inspection and future reference. They could at any time be easily arranged according to the relative geographical situation of the places whence they were procured, classing those of each Bay, or other well defined district together, and proceeding regularly from North to South, or from East to West.

The duplicates of this collection will be conveyed to England for the purposes of comparison, and a suite from them deposited in the Museum of the Geological Society.

Materials have been collected for a rough map of the interior of the country, exhibiting the approximate situation, size and form of the principal Lakes, and the general direction of the chief rivers and ranges of hills. Part of these materials are the result of actual survey, so far as a series of bearings by the prismatic compass are worthy of that name, and parts are derived from the accounts of Micmac Indians, Furriers, and others acquainted with different parts of the interior,—different accounts being checked and corrected, wherever it was possible, one by another. Altogether, the materials collected during the two past summers, when added to what was already known, will be sufficient for a general sketch of the Physical Geography and Geology of Newfoundland.

To the compilation of this sketch, and the completion of the map, the present winter will be devoted, and the earliest opportunity will be taken of giving it in as the General Report of the Geological Survey of this Island.

Respectfully submitted by

J. B. JUKES.

St. John's, Nov. 4, 1840.

REPORT

OF THE STATE AND CONDITION OF THE STREETS, ROADS, AND BRIDGES, OF NEWFOUNDLAND, ON A SURVEY MADE DURING THE YEAR 1840.

DISTRICT OF BONAVISTA.

The district of Bonavista being the most northern part of the Island where any progress has been made in opening and making of roads, I left St. John's on the 18th of June for that quarter, and proceeded to examine the road between the harbor of Bonavista and Catalina, a distance of about ten miles. When the contracts which have been entered into for the making of this road shall be completed, there will be six miles of it brought into a fit state for the reception of gravel. This road has been laid out with some care, although still susceptible of much improvement, particularly between Bonavista and Long Pond, a distance of about 1 mile and three quarters, where it might be made shorter, and parts of it brought over less elevated ground. There are four miles of it next to Bonavista, and about two miles in detached pieces, partly drained. The road in these parts is sixteen feet wide, with drains on each side, but the drain on the higher side of it appeared to me to be rather shallow and insufficient to keep the water from running over it. There is about a mile of soft marsh in separate pieces, which will require a good layer of small boughs laid thick, or firewood laid close in the middle of the road, before the road material is laid on; the remaining four miles are opened twenty feet wide.

The Commissioners for this road, I have been given to understand, were of opinion that a better road could be made, and with less expense, on the line which they have adopted, than by running it on a shorter and more level line, which would pass through wet and marshy ground; but I think it must now appear evident to them that the latter line would be the most advantageous, for the material which has been taken from the side drains in the wet part of the road which has been made, has proved much better for its formation than what was taken from the side drains on the dry ground. It may not be amiss to remark that I have seen in most parts of the Island where roads are made, and which pass through wet ground of this description, having peat from three to eight inches deep, gravel of excellent quality to be had under the peat.

There are contracts entered into for building bridges over three books, the spans of which vary from 5 to 10 feet. "Brenton's Bridge" which is 35 feet long requires some repair. There are several small brooks over which bridges will require to be built, varying in width from $2\frac{1}{2}$ to 4 feet.

This road will be of great benefit when finished, and may be likened in usefulness to the road between St. John's and Portugal Cove, the intercourse between the two harbors being very great. The vessels belonging to Bonavista anchor in Catalina during the winter, and are "fitted out" from thence for the Seal Fishery in the Spring.

DISTRICT OF TRINITY BAY.

Road from Catalina to Trinity, distance about eighteen miles.

From Catalina there are eleven miles of this line opened to a width of twenty feet, but from this point there is no trace whatever of a marked line to be found. The part which is opened is comparatively level, except in the vicinity of a rock called "Royal King William," where the road is rather steep, but it may be brought at this point on a better level, which would a little increase the distance; in several other places it might be made shorter, still preserving as good a level. There are a few brooks to be met with from 8 to 15 feet wide. Not far from Catalina there are two brooks, one of which is not less than 30 feet wide, and the other about 50 feet, the banks of which are low, and the water spreads occasionally to a distance of five perches or more, consequently not a desirable site for a bridge. From the view which I had of this part of the country, I am of opinion that on a proper examination it would be found that the expense of building bridges across these two large brooks could be avoided; by keeping the line more to the Northwest it would meet the end of the Bonavista road without materially increasing the distance.

In the opening of this road (and the same remark may be applied to most others) a want of experience is manifest, more particularly in clearing away the trees; for in almost every instance the stumps instead of being rooted out, have been left standing from 4 to 12, and some 18 inches high, which renders it difficult and dangerous to travellers, and involving a further expense, inasmuch as the stumps must be removed before the road can be completed.

ROAD FROM TRINITY TO KING'S COVE.

There is a mile of this road, commencing at the base of the Court House hill, made to the width of 12 feet between the drains. Wheel carriages can now beused on this part, but the road material is not the best, for if much worked in wet weather it will be easily cut up. The Court House hill is steep, and the road when being laid out could be brought on a much more level line. There are two miles and a half opened from 12 to 16 feet wide, but most of the stumps of the trees are left standing from three to six inches high. I perceive by the Road Act 2 Vic., cap. 3, that Commissioners have been appointed for the road between the Grates Cove and Old Perlican, but through some omission no sum of money appears to have been granted for it.

ROAD FROM OLD PERLICAN TO HANTS HARBOUR.

This road has been commenced at the rear of the houses of Old Perlican. There is a mile of it partly made, with two side drains twelve feet apart, and the material which was taken from them has been used on 6 feet wide next the drain on the lower side to form a footpath. These drains, even if the rocks which are left in them were taken out, would be insufficient to keep the foot path dry; were a good side drain made on the upper side of the road, and its contents spread on six feet next to it, first taking the peat off the hills and making sufficient cross drains, a better path would be formed, and there would be no need of a second side drain until it should be found necessary to make the road wider. The remainder of the road is opened 16 feet wide, but several parts of it are too steep for the purposes of a good road, particularly to the Eastward of Seals Cove, and Russell's Cove, where it is quite impracticable for horses to bring any sort of vehicle. The line of road should be improved in those places before more expense is incurred.

There is a substantial bridge built in Lance Cove, the flooring of which is upwards of 12 feet wide, by 30 feet long, the work and materials are excellent.

On this line there are 7 brooks from 10 to 16 feet wide—five from 5 to 8 feet wide—one twenty feet, and another 50 feet wide. A good bridle path is made next to Hants Harbor, extending about half a mile, and several good gardens already present a pleasing variety in this part of the country, but the land in the immediate vicinity of Hants Harbor is rocky and barren.

SEALS COVE BRIDGE.

The flooring of this Bridge is 55 feet long by 12 feet wide. It has 4 dry stone abutments 4 feet high by three feet thick; this is a strong bridge but is yet in an unfinished state. The width of the brook over which this bridge is thrown is only 20 feet, one half of its length would be more than sufficient if it were built at right angles with the brook, but then there would be a turn in the road on each side of the bridge.

ROAD FROM HANTS HARBOR TO HEARTS CONTENT.

This road commences at the back of Hants Harbor, keeps on a considerable level convenient to some ponds, and nearly on the lowest elevation for about three miles and a half; it thence crosses a ridge of good land near Silly Cove, a distance of $5\frac{1}{8}$ miles. Notwithstanding that this road has been laid out with care it may still be much improved. There is some gross timber to befound on this part. Here also is a brook 60 feet wide, in the centre of which is a small island. There are a few other smaller brooks about four feet wide each. From Silly Cove it crosses a long ridge, to Turk's Cove, (distance $1\frac{1}{2}$ mile)—it thence crosses another ridge and descends nearly as low as tide-water, at New Perlican it then rises and sweeps round the heart of the Harbor, a distance from Turk's Cove of $1\frac{3}{4}$ mile. From New Perlican it crosses another ridge, and descends with steep inclinations to Hearts Content, (distance $2\frac{1}{8}$ miles.)

This line of road might be made shorter and more level at New Perlican, and thence to Heart's Content, by sweeping the sides of the ridges to the Eastward of Heart's Content and New Perlican.

From Silly Cove to Heart's Content, (distance about $5\frac{1}{2}$ miles) the Road is opened 16 wide, but having only 6 feet in the centre partially cleared of stumps. In this distance there are two small side drains but very insufficiently formed, and consequently of but little service. The material taken from these drains has been spread on the middle of the Road. There is about $\frac{1}{2}$ mile of marshes in detached pieces which require cross drains to draw the water from the side drains, which are useless while the water remains in them. At this part there are three brooks from 15 to 20 feet wide.

BRIDGE AT NEW PERLICAN.

This Bridge is 192 feet long by 12 feet wide. It has 7 abutments of dry stone work 12 feet by 8.

This bridge still remains unfinished, and will be useless until the road is filled in and raised at the Western end. It is built over a small shallow pond, from which a considerable brook runs. The materials and workmanship are good, but the plan is defective, as the beams over the span are not sufficiently long to reach to the solid part of the abutments —(Here follows the plan.)

The line of road passes through private property at Hants Harbor, Silly Cove, Turk's Cove, New Perlican, and Heart's Content, where it is yet to be opened.

ROAD FROM HEART'S CONTENT TO HEART'S DELIGHT—

(Distance about 10 miles.)

This road is opened and passes over several ridges with steep inclinations, on parts of which are to be found tracts of good land; it also passes over marshes and barrens. This line, I think may be much improved.

I have learned that the Commissioners for this road have entered into contracts (as far as their limited means would permit,) to make such a bridle-path as the one between Heart's Content and Silly Cove, and are about improving the line which is opened. There were about forty perches of the contemplated improvement opened and partly made in the month of July. On an examination near Hearts Content, where the work commenced, and where the road rises over a high ridge, I found the line in several places descending, where it ought to be gradually ascending to that part of the ridge where the road would be at its greatest elevation; and in other places it is ascending more abruptly than need be. Were this road laid out in such a manner as to secure the best level, it would open a tract of excellent land; and such a direction for it may be pointed out with but little trouble. Although the line is not very steep opposite the harbor of Heart's Delight, it could be brought on a better level, and nearer to the water's edge, which would be of much benefit to the inhabitants of that neighbourhood. The land at Hearts Delight is of a good quality.

There is a good strong bridge built at Heart's Desire, the span of which is eleven feet by ten feet wide; the abutments are of dry stone. On this line of road there are three brooks from 10 to 15 feet wide, and 6 others from 3 to 4 feet wide, besides the

BROOK AT HEART'S DELIGHT,

The width of water where the road meets this brook is 50 feet. There is a better site for a Bridge a few yards lower on the brook, where the water is no more than 33 feet wide. Nothing, however, has yet been done towards the construction of a bridge across this brook.

———oo———

District of Conception Bay.

BRIDGES AT HOLYROOD, CHAPPEL'S COVE, HARBOR MAIN, SALMON COVE, COLLIER'S TURK'S GUT, AND SOUTH SIDE OF BRIGUS.

There are 2 bridges built over the river at the Northern Arm of Holyrood; the span of each is 26 feet, width, 12 feet. The abutments are constructed of solid rocks, and some short shores; the average height from the bed of the river is 17 feet. The railings are strong, and the king-posts are well strapped with iron. These are good bridges, but would be much stronger if the braces to the king-posts were sufficiently long so as to rest over the abutments, and a cross-beam placed under the king-posts to strengthen the middle beams.—There is a small Island in the river, which partly forms an abutment for each of these bridges.

BRIDGE AT HARBOR MAIN.

The span of this Bridge is 21 feet; in other respects it is built in the same manner as the Bridges at the Northern Arm of Holyrood.

BRIDGE AT THE SOUTH SIDE OF BRIGUS.

The abutments of this bridge are built of dry stone; its span is 15 feet, and its width 12 feet. It is constructed in other respects in a similar manner with the above.

BRIDGE AT CHAPPEL'S COVE.

The span of this bridge is 17 feet, and its width 15 feet ; in other particulars it is built as the foregoing bridge.

SALMON COVE BRIDGE.

The abutments of this bridge are built of masonry 4 ½ feet high. Its span is 58 feet. The workmanship of this bridge is good, but the flooring of it would be considerably stronger if there had been two additional pair of braces under it, and king-posts placed in the principal braces with cross-beams properly strapped to them.—The ascent to the centre of the bridge is rather steep. The following plans will further explain the improvements alluded to.

(Here follow the Plans.)

BRIDGE AT COLLIER'S.

The span of this bridge is 33½ feet. The abutments are built in wharf form, but in other respects it is constructed as the bridge at Salmon Cove.

BRIDGE AT TURK'S GUT.

There is a wharf in the centre of this bridge, the spans on each side of which are 17 feet,—The width 12 feet. The entire length of the bridge is about 55 feet. If the flooring were better fastened it would be a tolerable good bridge, though the materials and workmanship are coarse.

—oo—

ROAD BETWEEN THE SOUTHERN ARM OF HOLYROOD & BRIGUS.

This line passes through some private property at Holyrood, but part of it is not yet opened. It also passes over a considerable ridge between the Southern and Northern Arms of Holyrood, (distance 2 miles.) On the Northern side of the ridge there is a steep hill, where the line, by curving a little to the Eastward, would be eased considerably. In this part there is a mile, in separate pieces, in progress of making. The line is opened 24 feet wide, but the stumps of the trees are left standing from 3 to 8 inches high, the removal of which will be nearly as expensive as if it had to be opened anew.

From the river of the Northern Arm of Holyrood to Salmon Cove, the line as laid down on the preliminary survey made by Mr. Green (distance 3¾ miles) is opened in the same manner as the road between the Northern and Southern Arms of Holyrood. It keeps upwards of 2 miles from Chappel's Cove and Harbor Main, preserving a good level and passing through several firm though wet marshes. These marshes not being extensive, it is not difficult to procure good road material. Although the line has been opened for the last 4 years, but few persons have availed themselves of it, there being scarcely the sign of a foot path to be observed, except near Salmon Cove. Whether this arises from the marshes not being drained, and a bridge built over the river of the Northern Arm of Holyrood on this line, or that travellers are generally ferried to the Northern side of Holyrood, and prefer passing through the inhabited neighbourhood of Chappel's Cove and Harbor Main, it may be difficult to determine ; but I should be inclined to attribute it more to the latter cause.

The bridges which are built over the river at the Northern Arm of Holyrood, and which have been already described, are situate about ½ mile from this line.—The Commissioners are inclined to bring the road over these bridges by Chappel's Cove and Har-

bor Main, and there are now 264 perches of road in detached pieces, in progress of being made in the neighbourhood of Harbor Main and Chappel's Cove. Notwithstanding that this line has to cross three considerable ridges and to descend nearly to tide-water at Chappel's Cove, and Harbor Main, there can be comparatively a good Road made, if it is properly laid out; besides, it would be more advantageous for Agriculturists than the former line. It will, however, pass through several lots of private property, and increase the distance about 2½ miles.

From Salmon Cove to Brigus the distance is 11 miles, and the road passes over several ridges and has very steep inclinations from 2 to 10 perches long. There are other inclinations from 10 to 80 perches long but not so steep. The road, for a distance of about a mile near Salmon Cove, and about 3 miles next to Brigus, is firmly made and prepared for gravel. The remainder of it, except 2 miles on both sides of Turk's gut ponds is partly drained and levelled, but not well prepared for gravel.—There are parts of the 2 miles alluded to as yet almost impassable, and the side drains merely marked out.

There are two bridges built near a place called Pool, the span of one is 7 feet, and the other 10 feet—width 12 feet. The abutments are built of dry stone 3 feet high. There is also another bridge built over a gully called Emberly's Gully, the current of which is slow. The flooring of this bridge is 90 feet long by 12 feet wide. The abutments are built in wharf form 3½ feet high. This bridge might have been made considerably shorter, had the road been raised through the gully from 2 to 3 feet high. The bridges which have been thrown across the smaller brooks and cross drains have been built in a temporary manner, and are getting out of repair. Some of them will shortly, (if not attended to) become dangerous for horses or cattle to pass over.

In the opening of this road the same inexperience is evident as on the line from Catalina to Trinity. The stumps or roots of the trees have not been taken out, and they are now, in many places, (after the levelling and draining of the road has been completed) projecting several inches above the surface. Many cavities are also formed and are becoming dangerous. This is the result of using trees and boughs for the purposes of filling and levelling, and then throwing sods and clay over them. This practice should be avoided, particularly on dry ground, and if at all allowed, should only be on soft peaty marshes.—Cars are frequently used on this road, for a few miles next to Brigus, bringing firewood, staves, &c.

Streets in Brigus.

POND HEAD STREET.

This street is 45 perches long and 20 feet wide, passing mostly through a pond. It has retaining walls from 2 to 6 feet high, and 2 stone bridges 12½ feet span, with semicircular arches sprung from the foundation, the retaining walls of which are from 2 to 6 feet high, coming to the level of the street, which is nearly horizontal and a little above tide water. A side railing would be very necessary, particularly over the water. The road from the school-house at the Northern end of this street, to Ballynamona (distance 55 perches), and thence to the Holyrood road (distance 46 perches), being in the suburbs, might come under this head. They are good firm roads: on the former there is a wooden bridge built, 16½ feet span, with dry stone abutments three feet high. This bridge is tolerably well built. On this part of the road a side drain and a larger cross-drain or bridge over Byrne's brook would be necessary, to prevent the water from running over it. On the latter road there is a stone bridge, built much in the same manner as those at the Pond-head.

WOODEN DRAW-BRIDGE AT BRIGUS.

The entire of this bridge is 260 feet long, and 12 feet wide; the flooring is of plank; its height is about 8 feet--has 8 spans, with abutments built in wharf form, except those under the draw-bridge (the span of which is 20 feet) which are of stone. These are 16 feet thick, and are getting out of repair. The coin-stones should be of larger dimensions than those in the work, and should also be secured with cramp-irons.

The land in the neighbourhood of Brigus being fertile, there are several persons settling along the roads towards Holyrood and Spaniard's Bay. A gentleman who is building on the latter road, about 2 ½ miles from Brigus, informed me that the first crop which he had off one acre and a half of land, left him four pounds profit after paying all expenses attending it; and that he is now preparing 4 or 5 acres more for the ensuing spring.

ROAD FROM BRIGUS TO SPANIARDS' BAY.

(Distance 8½ miles.)

This road has a good entrance into Brigus, and the line has but a few steep inclinations. The part next to Brigus is firmly made—a considerable share of gravel having been used in its formation. Parts of the ridges next to the Southern gut being sidelong, require to have the cross-section more level previous to its being prepared for gravel. There are two bridges built on this road; the span of one is 18 feet, and that of the other 12 feet: the abutments of each are built with stone about 3 feet high, and their width is 12 feet. There are also two smaller bridges crossing brooks, and a few cross-drains which want repair. The road between the Southern and Northern guts (distance one mile) being partly along the back of the Beach, is nearly a horizontal level. It then crosses a considerable ridge, and undulated ground: from thence it passes over level land opposite the harbor of Bay Roberts, and descends a low ridge to Spaniards' Bay bridge. On this part there are two bridges built—one 8 feet, and the other 10 feet span. There is plenty of gravel to be found on this line. The side and cross-drains are insufficient to keep the road dry, and parts of it are coarse and unprepared for gravel. Wheel-vehicles are frequently used on this road to Brigus.

ROADS IN THE TOWN OF PORT DE GRAVE.

There are 61 perches, in 7 detached pieces, from 40 to 345 feet long, made—the average width of which is 12 feet. This work was difficult to perform, having in one place to cut through a hill 100 feet long, partly rock, 6 feet high in the centre, off nearly to nothing at both ends. There are rocks on the upper side of the road from 15 to 20 feet long, lowered from 1 to 3 feet. The lower side is raised from 1 to 10 feet, with retaining dry walls. There is upwards of 200 feet of railing on this side of the road. A stone bridge is built with a semi-circular arch—the span 3½ feet, the abutments 1½ foot high. There is also another bridge, the span of which is 8 feet, the flooring 32 feet long, the abutments 5 feet high; the entire of the work is strong. Better side drains and a few more cross drains are required to prevent the water from running over the road. A bridge of 3 or 4 feet span is also necessary to be built over a brook which runs across the road.

ROAD AT BAY ROBERTS.

There is a mile of road here, mostly 16 feet between the side drains, running in a Westerly direction from the Meeting-house and Church. The entire line is gravelled, and is as well-finished a road as any in the Bay.

BRIDGES AT THE SOUTHERN AND NORTHERN GUTS OF PORT DE GRAVE.

The span of the bridge at the Southern gut is 60 feet, and that of the bridge at the Northern gut is 62½ feet. Both are built in the same manner as the bridge at Colliers. The beams or braces of these bridges are too weak for the spans, without the aid of king-posts in the middle of each. One of the braces in the Northern bridge (10 by 9 inches) is cracked in the middle, which, if not early attended to, will soon bring the bridge down.

SPANIARDS' BAY BRIDGE.

The wooden part of this bridge is 320 feet long—about 8 feet high, and 11 feet wide. The abutments are built in wharf form. There are 10 spans, having 3 beams on each, from 7 to 8 inches in diameter, to support the flooring. The embankment on the Northern end is 290 feet long, the average height of which is about 2½ feet.

ROAD FROM SPANIARDS'-BAY BRIDGE TO THE RIVER HEAD OF HARBOUR-GRACE.

(Distance 5½ miles.)

From the bridge to Northern Cove (distance 2 miles) the road passes over undulated ground of low elevation, and runs along by three short beaches. It afterwards crosses a high ridge with long and steep ascents, and thence it descends to River-head. At Spaniards' Bay there are two miles firmly made—the tops of the knaps and some of the hills have been lowered from 1 to 3 feet, and brought into vallies, and some gravel has been spread on the surface. The remainder of the road is partly drained and levelled; but part of it on the North side of the ridge is too slanting, and the rocks and stumps which project over the surface should be removed, and the cross-section made more level previous to gravelling.

There are four bridges on this road, the largest of which is 19 feet span; it is much sunk on one side. The span of the others is from 10 to 15 feet—width, 12 to 14 feet.

ROAD FROM THE RIVER HEAD OF HARBOUR GRACE TO THE TOWN OF HARBOUR GRACE.

This road runs along the side of the Harbour, and the greatest part of it is a perfect level. It is firmly made, but parts of it are uneven with rocks. The side and cross-drains should be better, in order to prevent the water from flowing over it. The fences near the Town have been removed back to give a road-way of 30 feet—for which the Commissioners (I have been told) had to remunerate the parties concerned. The span of the Southern bridge at River-head is 24 feet—width, 14 feet. The dimensions of the Northern bridge are much the same, and it is built after the same manner. The span of the middle bridge is 10 feet, and the abutments are 4 feet high; in other respects it is similar to the Northern and Southern bridges. These bridges are much in want of repair.

BRIDGES OVER MARTIN'S, FOX'S, AND PRENDERGAST'S BROOKS.

These are stone bridges. The one over Prendergast's brook is 7 feet span, with a semicircular arch—the width 50 feet—the height of the parapets 3½ feet, and 19 feet long, and covered with cut stone. The one over Martin's brook is 7 feet span—width, 30 feet—has a parapet on each side 13 feet long. The one over Fox's brook has only one parapet 14 feet long; but then there is an addition to it of 58 feet, covered with wood; in other particulars it is similarly constructed as the bridge over Martin's brook.

BRIDGE OVER BEAR'S COVE BROOK.

The abutments of this bridge are 6½ feet high—the retaining walls upwards of 70 feet long—the span 17 feet—with 13 feet. This is a good strong bridge, having stone abutments.

STONE BRIDGE OVER SAMSON'S BROOK.

The work of this bridge is in progress. The span is to be 9 feet—the width to be 30 feet—the height of the parapets, from the bed of the brook, 12½ feet, each of which is to be 15 feet long, coped with cut stone, and cramped.

ROAD FROM MESSRS. THORNE, HOOPER & Cos. PREMISES TO BEAR'S COVE BRIDGE, INCLUDING HARBOUR GRACE STREET.

The distance between the premises of Messrs. Thorne, Hooper & Co. and the commencement of the Carbonear road is 188 perches, 40 of which are, on an average, 30 feet wide--the remainder 50 feet wide--the fences, &c. having been thrown back for that purpose. The street runs parallel to the harbor, preserving nearly a horizontal level. It has no side drains, and the cross section has mostly an inclination from the North side towards the Harbour, which, in a great measure prevents the rain and other water from accumulating, but at the same time facilitates the washing off of the gravel. The road from the Carbonear road to Bear's Cove Bridge (distance 132 perches) runs also in a parallel line with the Harbor, and is nearly a perfect level. This road has a good foundation, and is in progress of making. There is a good drain on the water's side, leaving the road way 30 feet wide.

ROAD ON THE SOUTH SIDE OF HARBOUR GRACE.

This line runs along an old tract not far from the water's edge, with several curves and slight undulations. There are two miles and a half in progress of making—16 feet wide between the side drains. The cross-drains are small, some of which are built with stone and sods and covered with flags—these will soon founder. Flags are very indifferent covering for cross-drains, except they are covered with, at least, one foot of good road-material. There are many settlers along this road.

ROAD FROM THE RIVER HEAD OF HARBOUR-GRACE TO ISLAND COVE, AND BREAD AND CHEESE COVE.

This road crosses two high ridges, and is opened 24 feet wide, and partly drained--(distance to the angle of the branch roads, 2¾ miles). The branch road to Island Cove is a quarter of a mile long, and the branch road to Bread and Cheese Cove is a half a mile long, which is in progress of draining and levelling. Several solid rocks have been removed from upwards of 100 yards of the former branch, and many small vallies have been filled from 1 to 3 feet high. There are two bridges on this road, and one on each of the branch roads—the abutments of which are 3 feet high—width from 12 to 16 feet —the spans 8, 10, 12, and 17 feet respectively.

ROAD FROM HARBOUR GRACE TO CARBONEAR.

(Distance 3⅜ miles.)

This line of road crosses two considerable ridges which are craggy and undulated. Several hills have been cut from 1 to 4 feet deep, and embankments raised from 1 to 3 feet. The road-way is 20 feet wide, and made smooth. On the Southern side of the

ridge, next to Harbor Grace, the water occasionally flows over the road. The bed of the brook in this place should be lowered, and a free run given to the water from the road. The bridge over Powell's brook is in a decayed state; there is one of the beams broken down, and the others will soon fall.

There is a considerable intercourse on this road; and a public car for the conveyance of travellers, runs daily between both towns. I am of opinion that on a close examination there could be considerable improvements made on this line; and that it could be brought at a lower rate of inclination, without materially increasing the distance.

ROAD FROM THE NEW ROAD TO CARBONEAR TO MUSQUITO.

This road runs through a comparatively level valley. There are about 200 perches of a main road, part of which is rather sidelong, and part levelled. There are drains on the entire, 20 feet apart. From the end of the main road there are two branch roads leading to Musquito beach, half a mile of each is drained and levelled. About 80 perches of both branches yet remain to be opened, which will take in some private property. There is a brook 15 feet wide on the Eastern branch over which a bridge ought to be built.

DRAIN FROM BUNKER'S HILL TO THE METHODIST CHAPEL. (CARBONEAR.)

This is an open drain, nearly a $\frac{1}{4}$ mile long, from 4 to 6 feet wide, and $2\frac{1}{2}$ feet deep. It is of much benefit to a considerable part of the town, as it prevents the water which runs from the hill in the rear, from inundating the streets and houses. There are parts of the banks or sides of the drain falling in. To make this a permanent benefit, it would be necessary to build a wall on each side, and to flag the bottom. Were this drain continued to the Westward, with an inclination towards the pond, it would collect and carry away the waters which occasionally accumulate and overflow the Western end of the town.

CULLIN'S BROOK.

There is a drain over this brook 244 feet long, 2 feet deep by 3 feet wide. The walls are built of dry stone, the bottom is flagged, and the top covered with wood.

DRAIN AT SLADE, BIDDLE & Co's.

This drain is built in the same manner as the one over Cullin's Brook.

LEGG'S BROOK.

There is a drain over this brook, built as that over Cullin's brook.

PACK'S BROOK.

Over this brook there are two bridges built, with an embankment of 53 feet long between them, which is breasted with dry stone-work. The abutments of the bridges are also of dry stone, 6 feet high. The spans 21 and 22 feet—width 15 feet. There are good materials and workmanship in these bridges.

POWELL'S BROOK.

The span of the bridge over this brook is $20\frac{1}{2}$ feet—width 15 feet,—the abutments are built of dry stone $5\frac{1}{2}$ feet high. It has a retaining wall 40 feet long. The materials and workmanship of this bridge are good.

BRIDGE OVER THE GUT AT THE BEACH OF CARBONEAR.

The span of this bridge is 33 feet—width 15 feet. It has an embankment of 54 yards long built to it. This bridge is now much in need of repair, and I am of opinion that the abutments ought to be raised. The path along the beach, and leading over this bridge is much more convenient to the inhabitants on the South side of Carbonear, and on the London Pond road, which are populous neighbourhoods, and also to travellers to and from Harbor Grace, than the road over Pack's bridge. The latter is at least double the length of the former.

ROAD FROM POWELL'S BROOK TO JOHN BUCKINGHAM'S—

(Distance $\frac{3}{4}$ mile.)

This road is partly levelled and prepared for gravelling.

MAIN STREET OF CARBONEAR.

This street runs nearly parallel to the harbor, with few but long planes, the steepest inclination of which is easy of ascent. The road-way is good, but there are not sufficient side drains or gutters to prevent the water from running over the street. It is from 16 to 30 feet wide, and about $\frac{3}{4}$ mile long. There is a covered drain leading from the Heart's Content road, which is 2 feet square, and 170 yards long, and built in the same manner as the drain at Cullin's brook.

ROAD TO IRISH TOWN.

This road is from 17 to 20 feet wide. It is even and well made.

ROAD FROM HARBOUR ROCK HILL OF CARBONEAR TO BAY DE VERDS.

(Distance 37 $\frac{3}{8}$ miles.)

From Harbour-Rock-Hill to Crocker's Cove (distanee 6 furlongs,) there is a good road, 20 feet wide, with only a slight inclination, except in a few perches at Harbor-Rock-Hill, where it is steeper. This rock has been cut through 27 feet wide, 104 feet long, and from $2\frac{1}{2}$ to 12 feet high in the cross section at the highest part, off to nothing at both ends. There is an embankment built at Crocker's Cove bridge, 220 feet long, and from 1 to 6 feet high, breasted with stone work.

CROCKER'S COVE BRIDGE.

This bridge is substantially built : the abutments of which are 7 feet high—the span 15 feet.

The road from Crocker's Cove to Fresh Water, (distance 7 furlongs) is partly on a sidelong rocky hill, with a few undulations ; it is in progress of making. This is a very difficult place to level, having some large rocks to cut through. There is a good bridge built on this part, the span of which is 25 feet, and the abutments 14 feet high. At Fresh Water the line of road passes through some private property, which is not yet opened ; it afterwards ascends a high uneven ridge, with six very steep ascents, from 2 to 10 perches long, on its Southern side. Its descent is steep on the Northern side, and runs nearly as low as tide-water,—thence it passes over uneven ground to Salmon Cove, (distance $2\frac{1}{2}$ miles) ; this is partly drained and levelled. The line here could be parti-

ally improved. There are two good temporary bridges built over two small brooks. Over Salmon Cove river there is an old bridge standing which is almost useless. From Salmon Cove the road again rises over a considerable ridge with several steep inclinations, passes over some marshes, and winds between several hills to Perry Cove (distance 1 $\frac{7}{8}$ mile). This part could not be much improved. The road from Perry's Cove turns nearly in a North-westerly direction, and rises on an oblique hill about $\frac{1}{4}$ mile long; it then turns Northerly, and thence nearly Easterly, and after ascending some 50 feet, it descends for a distance of $\frac{3}{4}$ mile with some steep inclinations, and then runs along a level tract to Spout Cove, (distance 2 $\frac{1}{2}$ miles). This line after ascending the first hill from Perry's Cove, and turning Northerly, might be kept nearer to Spout Cove pond, still keeping Northerly and skirting the ridge, and then descending gradually by the brook running from the pond to Spout Cove. This would increase the distance, but the advantage to be gained thereby would be considerable, inasmuch as that it would be much easier to bring double the burthen on it than what can be brought on the present line. It will be very difficult to make a good road on the existing line from Spout Cove to Fresh Water for horses or loaded carts. From a view which I had of this part from an eminence between Perry's Cove and Salmon Cove, I am led to conclude that there could be a good main road made from Spout Cove to Salmon Cove that would be shorter and more level than the present one, but it would not run so close to Perry's Cove. There is a good bridge built at Spout Cove, the span of which is 19 feet—the abutments 8 feet high. From Spout Cove the Road ascends a very steep, uneven, and sidelong hill, the cross section of which is smoothened and partly levelled. This hill might be made easier of ascent by making the road nearer to one plane, and bringing it at a lower elevation. The road from this place to Western Bay (distance 5$\frac{1}{2}$ miles) passes over low ridges. There are four brooks on this part of the line, 6, 12, 16, and 27 feet wide, over which bridges are required to be built. There are two temporary bridges built over smaller brooks. This part of the road is susceptible of much improvement. From Western Bay to Northern Bay (distance 4 7-8 miles) the road passes over a few ridges, but does not rise to a high elevation; here also improvements may be made. There are 13 small temporary bridges built from 2 to 5 feet span, on this part.

BRIDGES AT NORTHERN BAY, OCHRE PIT COVE, AND WESTERN BAY.

The abutments of the bridge at Northern Bay are 6 feet high, built of dry stone about 8 feet thick; the span is 50 feet, but the bed of the river is only 34 feet wide.

One of the abutments of the bridge at Ochre Pit Cove is 7 feet high, and the other 9 feet —span 46 feet,—width of the river only 25 feet.

The span of the Northern bridge at Western Bay is 43 feet—the abutments 11 feet high.

The abutments of the Southern bridge are 9 feet high—the span 36$\frac{1}{2}$ feet, although the width of the river is only 22 feet. These bridges are generally 11 feet wide, and built on the same plan thus :—

(Here follows the plan.)

The materials and workmanship of these bridges are strong and good; and, indeed, there is little fault (if any) to be found with the principal bridges on this road, unless that the spans may be considered to be on a larger scale than is necessary. From Northern Bay to Island Cove (distance 6$\frac{1}{2}$ miles) the line could be improved in several places, particularly

between Job's Cove and Island Cove (distance 2 ¼ miles) by keeping to the Southward at Redland, at a lower elevation,—thence crossing the road and keeping to the North, higher on the ridge, opposite the valley next to Redland, and then coming on the road again at its highest elevation between Redland and Island Cove. In this place, instead of having two considerable inclinations, the line could be made nearly horizontal without increasing the distance. There are 13 temporary bridges, from 2 to 8 feet wide, built on this part of the road, and there are also three brooks over which bridges ought to be built; one at Island Cove, 8 feet wide—one at Job's Cove 20 feet wide—(there could be a better site for a bridge found lower on this brook than where the road crosses it)—and one at Gull Island.

There are several parts of this road, from Freshwater to Island Cove, levelled, and the marshes partially drained—but the drains are not sufficiently large to keep the road dry. The line passes through private property at Island Cove, but it is not yet opened there. From Island Cove to Bay de Verds the land over which the road passes is comparatively level, having no deep vallies except the one at Caplin Cove, yet the line may be much improved. At Caplin Cove (distance from Island Cove 3 ¼ miles,) the road instead of being continually ascending from the brook on both sides, is some places horizontal, and in other places rather descending, which cause it to be steeper than it otherwise would be. It is so steep immediately to the west of the brook, that it will be dangerous in certain seasons to travel over it, unless the bridge over the brook be made very high. I would recommend the line to be shifted some 20 or 30 yards higher on the brook, which would help to ease the hill. This brook is 15 feet wide, and difficult to cross in winter, or during high floods. The road rises to a high elevation within about a mile and a half of Bay de Verds, but has no very steep inclinations except at Bay de Verds, where there is a cliff which is impassable for any description of vehicle. This is within some 40 or 50 yards of the houses and flakes; and the inhabitants when bringing room-stuff, firewood, &c. have to throw it down the cliff, and reload their slides at the bottom. The road from Island Cove is opened from 12 to 15 feet wide, but the most of the stumps or roots of the trees are left standing from 3 to 8 inches high There are 6 brooks on this part, besides the one at Caplin Cove, from 6 to 17 feet wide, and several other smaller ones.

ROAD FROM CARBONEAR TO HEART'S CONTENT.

(Distance 13 miles)

Near Carbonear there are about 2 ½ miles of a tolerable road made, with the exception of one or two spots, where, from the want of good drains, the water runs over it—the width being from 12 to 14 feet. The next mile is not so good, but is tolerably well prepared for gravel. From this point to the barrens (distance about 2 ½ miles (the ground is generally stony, and the side drains are insufficiently formed. The line of road then crosses about one mile and a half of barrens and marshes of high elevation. This part is traced by two shallow side-drains, which are insufficient to dry the marshes. From thence to Heart's Content the line passes over an uneven tract, and in several parts descends with steep inclinations. The side drains on this part also are too shallow, particularly the one on the upper side. This line is capable of several improvements. There is a small portion of the road near Heart's Content fit for gravel. There is a bridge at Heart's Content, the flooring of which is 40 feet; it has two spans, one 18 and the other 15 feet. The abutments are built of dry stone.—The middle abutment having been built on a round smooth rock, is partly falling. The wooden part of the work is strong and good. There are 3 other bridges on this road, between Heart's

Content and the barrens, from 25 to 50 feet long, and about 10 feet wide, which are built with strong materials, and the workmanship is good.

ROAD FROM SPANIARDS' BAY TO NEW HARBOR AND DILDO COVE.

The first 4 miles of this road next to Spaniards' Bay, passes nearly at the base of several ridges, and at low elevations. There are some steep but short inclinations to be met with, and it then ascends a long high ridge, parts of which are steep. The line could here be brought on a lower elevation by keeping to the Southward, which would make it more level without much increasing the distance. From this part the line crosses about 2 miles of barrens and marshes ; it then descends to New Harbor, where the line becomes uneven, with some steep inclinations from 1 to 8 perches long. The Commissioners have commenced to improve the line about 4 miles from New Harbor, towards Spaniards' Bay. Two and a half miles of the intended road are partly barrens and marshes, to which little has been done. This road is opened 12 feet wide, and, except from the $2\frac{1}{2}$ miles last mentioned, the stumps of the trees have been removed, and from 6 to 9 feet wide partly grubbed and made even with peat and clay for a foot-path. The drains in the marshes are, on an average, about 8 feet asunder, but are not sufficiently large. There are good temporary bridges built over the brooks on this line.

The distance from Spaniard's Bay to New Harbor is $13\frac{1}{4}$ miles, and from New Harbor to Dildo Cove 1 mile, which is opened and levelled, and partly drained, but the drains in the marshes are not large enough to keep the road dry. These roads have not yet been joined, the line not being opened through New Harbor.

PRESCOTT BRIDGE, OVER NEW-HARBOUR RIVER.

This bridge is 284 feet long by 12 feet wide. It has 8 wharves 19 feet long and from 2 to 12 feet high. This is a good strong bridge, and is of great benefit to the inhabitants of New Harbor.

———oo———

District of Placentia and St. Mary's.

ROAD FROM GREAT TO LITTLE PLACENTIA.

This road commences at the ferry of Great Placentia. The line was first run nearly straight over a high steep hill, but it has since been partially improved. A curve has been given to the road, and it has been brought nearly on the highest part of the old line ; it thence ascends on the other side of the hill some 50 feet. Parts of the new line are rather steep for wheel carriages. From this place the road passes over uneven ground to Markies (distance from the ferry three miles). The wet parts are drained, and the cross-section is partly levelled and well prepared for gravel.—This part might be improved. At Markies the road goes along a beach about a quarter of a mile long,

which connects the promontory of Little Placentia with the mainland ; thence it runs in a strait and level line through the pomontory to the Chapel (distance $1\frac{3}{4}$ mile) partly over marshes, where there are two good side-drains 12 feet apart, but parts of them are closing from the beating to and fro of cattle. The road in these parts is nearly impassable in wet weather. About one mile and a quarter of these marshes have little or no road material on them. There is a branch road about a quarter of a mile, drained and prepared for gravel. A bridge, 18 feet long by 12 wide, is built on the marsh near the Chapel of Little Placentia, and is much in need of repair. There are two other bridges built between the markies and the Ferry—one 18 feet long and the other 28. A platform is erected, 118 feet long, on this part, to make the road passable over a rock. All these are tolerably good.—Were the road at the Ferry improved and brought over the hill at its lowest elevation, and made from thence to the Ferry as nearly into one plane as possible, and the marshes gravelled and made good, wheel-carriages and other vehicles could be used from the Chapel at Little Placentia to the Ferry at Great Placentia —(distance 5 miles.)

ROAD FROM ST. MARY'S TO HOLYROOD POND—

(Distance 2 ½ miles.)

This road is partially made to the width of about $16\frac{1}{2}$ feet between the side drains, and in several places it is tolerably well made, but in other parts a manifest want of experience is visible, both in its laying out and formation. Were the survey more strictly attended to, a better line might have been found, several elevations avoided, and much easier inclinations obtained. In several parts where it was found necessary to raise the lower side of the road, small trees and brush-wood have been used to form the embankments, over which are thrown sods and soft peat, which will never become solid unless better material be added. Were this road well made it would be of great service to the populous harbor of St. Mary's, and also to the people of Holyrood.

ROAD FROM LANCE COVE, IN THE HARBOR OF ST. MARY'S, TO MEET THE ROAD TO RIVER HEAD.

This road, which branches off at the Court House to River-head and Lance Cove, is partially made, to meet the road to river-head, (distance from the Court House nearly a mile). The principal defect in this road is, that the drains have not been made sufficiently large to carry off the water—consequently it overflows the road in several parts, and the marshes are still in a wet state, and must continue so until the drains are enlarged and the road made. That portion of the line situate between Lance Cove and the Court House has been marked, but remains yet unopened.

THE CROSS ROAD TO THE COURT HOUSE.

This road forms part of the Road from Lance Cove to meet the road to river-head, and is drained, levelled, and well prepared for gravel.

THE CROSS ROAD TO THE BEACH.

Nothing has been done on this road.

THE CROSS ROAD TO THE BRIDGE.

Nothing has been done on this road.

BRIDGE ACROSS THE POND IN THE TOWN OF ST MARY'S.

The object of building this bridge is to afford a ready communication with the beach. The work has been commenced, and some of the abutments have been raised partly above the water. This Bridge, when finished, will be about 280 feet in length; its distance from the foot of the pond is 200 yards, where it is essentially necessary that another bridge should be built.

THE TWO BRIDGES AT COOTE'S POND.

These bridges are thrown across two brooks which empty themselves into Coote's pond—the spans of which are about 21 feet, the width 15 feet, and height of the abutments about 5 feet—which are partly built of suitable wood, and partly with rocks and sods. There are wings to these abutments about 11 feet long, one of which is breaking down. The sods and clay which have been used are unfit for the construction of the abutments, and the stones are also inferior. These bridges are seldom frequented, and until the river-head road is made they will be of little use to the public. They are situate about 3 ½ miles from the town of St. Mary, and about 2 ½ miles from the river-head.

ROAD FROM SALMONIER TO ST. MARY'S.

(Distance about 22 miles.)

This road has been marked out, and passes by the river-head of St. Mary's, distance from the harbor about six miles. Were the line shifted a few perches in certain places, it would be improved materially, as it would be in the most level direction, except in the vicinity of Salmonier. If the road were kept along Salmonier to Black Duck Gulley, which lies to the South-west of Little Harbour, (distance about five miles,) it would be useful to upwards of 20 families who are settled along the Arm; but this change would increase the distance at least a mile, and make it less level. There is about half a mile of this road next to St. Mary's opened, and partly made to the width of 16 feet, but not of the best material, there being a considerable quantity of peat used in the levelling and embankments.

ROAD AND BRIDGES AT TREPASSEY.

This road is intended to connect Renews with Trepassey, and has been opened to the width of 16 feet as far as the barrens, which are distant about 6 miles from Trepassey. About half a mile of that part next to Trepassey is in progress of making, and the materials which have been used are good. The side drains are well made and suitable. This road is tolerably well laid out, but it could be easily improved, and better levels obtained, without adding to the distance. Nearly opposite the head of Trepassey harbor a bridge has baen erected over a small brook on this road. The length of the bridge is 50 feet, the width 16 feet, and the height 9 feet. It is supported on shores, and well constructed, but it is raised so high above the ground on each side of the brook, that no use can be made of it until the ground is raised, or platforms made to descend from each end of the bridge.

Between that part of the road already opened and Renews, is a distance of 22 miles, about 16 miles of which are barrens and marshes. Were the woody parts opened, and the finger-posts placed on the barren parts, it would be of great utility in guiding Travellers in safety.

ROAD FROM HOLYROOD TO GREAT PLACENTIA BY SALMONIER.

This road joins the main road at the head of Conception Bay about a ¼ mile West of the Southern Arm of Holyrood. About 5 miles is laid out, of which upwards of 4 miles is

opened. On this part no material alteration can be made. Beyond the 5th mile a survey of the Country has been made the whole way to Salmonier, and the line partially marked out, but I would not recommend the road to be made exactly on the marked line, except on about $2\frac{1}{2}$ miles next to Salmonier, which cannot be changed to advantage.

For a distance of 8 miles near Salmonier, there are several thousand acres of superior land and much fine timber to be found. Alongside the river are also large tracts of meadow ground, and many Islands abounding with timber and good pasturage.

The greater part of the Country through which this line leads abounds with heavy tall timber. The distance from Holyrood to Salmonier is about 22 miles.

A survey has also been made between Salmonier and Great Placentia, and the line marked out. Before this road is commenced it will be necessary to have another survey taken, as beneficial changes can easily be effected.

The line crosses tide-water at Colinet River, and Rocky River at Colinet, which are both large streams ; the former is about 500 feet wide, and the latter about 550 feet at the point alluded to, which is about 40 perches from the junction of the two rivers, neither of which could be bridged without great expense.

About 1 $\frac{1}{4}$ mile further up the rivers, bridges could be built at much less expense, as the rivers are much narrower—Colinet River being not more than 200 feet wide, and Rocky River about 300 feet. At the point alluded to the rivers are about a mile asunder.

A large tract of country between Salmonier and Placentia consists of barrens and marshes, and, with a few exceptions, particularly in the immediate vicinity of Salmonier, the wood is of inferior quality. The distance is about 31 $\frac{1}{4}$ miles. About 4 miles of this line has been opened next to Placentia, which may be improved.

District of Burin.

ROAD FROM THE COURT-HOUSE AT BURIN TO BURIN BAY.

This road commences at the Court-House, and running in a Westerly direction along the shore as far as Ship Cove, crosses a neck of land, and terminates at Burin Bay, a distance of nearly two miles. This road is pretty well laid out except in the immediate vicinity of Ship Cove, where a visible improvement can be made, and a more level line found, which would be less injurious to private property.—There is a mile, less 8 perches, in progress of making, and nearly finished, half of which distance was accomplished with great labour, owing to several parts passing over solid rock, which had to be cut on the higher side from 1 to 3 feet in depth, and on the lower side embankments had to be raised from 1 to 9 feet in height.—The width of the road is about 10 feet. The side drains are defective, not having been made sufficiently deep in consequence of the difficulty of cutting them through a solid rock. The road passes along the face of a cliff near Ship Cove, where, to render it safe for travellers, it should be railed on the lower side.

ROAD FROM KIRBY'S COVE TO SHIP COVE.

This road commences at Kirby's Cove, and meets the road from the Court House to Burin Bay. Between these two points the ground is rather unequal, and on one hill near Ship Cove the inclinations on both sides are steep, rendering the descent into this Cove rather abrupt. The path is opened from 6 to 8 feet wide, and is nearly completed. It is about 132 perches in length, and runs, for the most part, along the side of the ridge.

The land on this line of road is rocky and uneven, and the greater part of it which is fit for agricultural purposes has been taken in, and is situate near the water's edge.

There is one bridge on this path of 7 feet span; the materials are good, but the workmanship is coarse.

ROAD FROM THE COURT-HOUSE AT BURIN TO BULL'S COVE.

This road branches off from the Burin Bay road, and passes by a Cove, at a little distance from which a deep cut has been made in the solid rock on the one side, and an embankment has been raised on the other—this spot is rather dangerous, and requires railing. From this the road passes on to Dick's Pond, a little beyond which there is a very abrupt rise in the road for about 12 perches. The road is opened and made to the width of from 10 to 12 feet, and about 120 perches next to the Court House is very level. From this ascent the road passes over scraggy woods and marshes until it reaches to within 30 perches of "Path-end," when it descends very abruptly.

The only improvements which may be made on this part of the road are to lower the hill and to raise an embankment at its base, giving the road a small curve.

Path end is an istmus, across which there is a path from Burin Bay to a Cove in Burin Harbor, and is distant about one mile from the Court-House.

From path end this line passes along the side of a high rocky hill for a distance of about 40 perches; and on the whole of this distance, high embankments and railing will be required on the lower side to render the road safe. The ground is very unequal from this point to Bull's Cove, a distance of about a $\frac{1}{4}$ mile; and to make the road tolerably passable the hills must be lowered and the vallies raised.

There is about three quarters of a mile next to the Court House partly made and in progress of making.

On this road there are two brooks from 3 to 4 feet wide, and one about 10 feet wide, over which no bridges have yet been built. The land along this line is uneven and rocky, and only a very small portion of it is fit for agriculture.

ROAD FROM BULL'S COVE TO PORT-A-BRAS.

This road has been opened from 15 to 20 feet wide, and ascends gradually for a distance of 40 perches; thence it runs along a level valley, rather marshy, at the base of a ridge on which some spots of good land are to be found, and passing Bull's Cove Pond, descends towards the Western Cove of Port-a Bras, which is nearly $\frac{3}{4}$ mile from Bull's Cove. It then rises a steep hill, and passes along the side of a ridge to Beachy Cove, a distance from Bull's Cove of nearly 1 $\frac{1}{4}$ mile. At Western Cove a considerable improvement could be made by sweeping the ridge instead of descending to the Cove. This alteration would give nearly a horizontal line along the side of the ridge to

Beachy Cove. Between this and Bull's Cove there are two brooks from 5 to 8 feet wide over which no bridges have yet been made.

From Beachy Cove to the Eastern Cove of Port-a-bras there is a good path about 10 feet wide along the side of a ridge partly made and in progress. The distance between tween these two points is nearly ½ mile. In Port-a-bras the gardens are good, and in its neighbourhood there is a considerable portion of land which may be made available for the purposes of agriculture. From what I have learned, I am of opinion, that were this road made and extended to Mortier, Duricle, and Beauboy, (distance from Port-a-Bras about 3, 5, and 8 miles respectively) it would be of very great benefit.

One of the principal defects in the roads in and about Burin is, that the drains are not sufficiently large to keep the roads or paths dry.

BRIDGE AT BUTCHER'S (OR BEACHY) COVE.

The building of this bridge is contracted for, but the work has not yet been commenced.

ROAD FROM OLIVE-POINT TO GREAT BURIN.

This road is on an island which partly forms the harbour of Burin. Olive point is on the Western side of the Island, and in Burin harbour, and Great Burin is on the Southern end of the Island; the distance between them is about two miles. The line is opened 16 feet wide and is carefully laid out, but it might yet be improved. There is about half a mile of a good path from 9 to 10 feet wide made near Olive-point, but the line passing through private property, about 20 perches of it are not yet made. This part runs along a ridge and through a small marsh, the side drains in which are good, but there being no outlet from them for the water, they are rendered useless.

There are several spots of tolerable land along this line of road, and at Great Burin there are many gardens, and a considerable portion of meadow ground.

ROAD FROM BURIN TO LAMELIN.

This road commences at Spoon Cove, which is situate on the Western side of Burin Bay, (or Burin Inlet). The first ¾ of a mile passes through land covered with small timber partly burnt down, and over high barrens and marshes. The road then passes into a deep valley called Lancelou, both sides of which are very steep; this valley is distant between 2 and 3 miles from Spoon Cove. The line of road from this valley runs through about 80 perches of coarse woods, craggy rocks, barrens and marshes, to within 4 miles of Little St. Lawrence, where it begins to descend through inferior woods into a valley, through which a considerable river runs into the harbour of Little St. Lawrence, which is about 13 miles distant from Spoon Cove. The road crosses the river near to Little St. Lawrence, where it is about 40 feet wide. It then runs along the head of the harbour and crosses another stream which also runs into the harbour of Little St. Lawrence, which is about 13 miles distant from Spoon Cove. The road crosses the river near to Little St. Lawrence, where it is about 40 feet wide. It then runs along the head of the harbor and crosses another stream which also runs into the harbor of Little St. Lawrence, and is at this part about 70 feet wide.

From Little St. Lawrence the road crosses a ridge, partly barrens and marshes, and partly covered with small woods, and passes on a little to the Northward of Great St. Lawrence. The distance between Little and Great St. Lawrence is upwards of a mile.

From Great St. Lawrence the line of road passes over extensive marshes and barrens, and through some patches of small woods to Laun, which is distant 8 miles from Great St. Lawrence.

At Laun the line crosses two rivers, the one about 70 and the other about 100 feet in width, and thence passes over large barrens and marshes, through small woods by Taylor's Bay to Lamelin, which is distant from Laun about 16 miles, and from Spoon Cove 38 miles.

Salmonier river, which is about a mile from Lamelin, is nearly 50 feet wide, and often impassable, which occasions great inconvenience to several families residing at Lamelin, who have to pass it before they can reach their gardens and meadows, which are situate along the shore to the Eastward of this river.

On the barrens and marshes guide posts about 6 feet in height are placed at intervals of between 250 and 500 yards, which are intended to point out the line of road, but are, in several places, as much calculated to mislead the traveller as to keep him right, particularly between St. Lawrence and Lamelin, as the mark line tends too much to the Northward, and without any apparent cause, turns nearly at right angles, which, to a stranger, is very deceptive, particularly in misty weather. Another unaccountable part of this line is, that ponds of a considerable extent are to be found in a direct line between the guide posts, and even in clear weather, when the posts may be seen, it would be difficult to decide on which side of the ponds is the proper line to pursue.

About two miles which pass through woods have been opened to the width of 15 feet; and in all those parts where the brushwood is low enough so as that the posts may be seen, no road whatever is opened.

This road would be more useful if it were brought convenient to the shore, from Taylor's Bay to St. Lawrence, but it would not be so level. There are about 13 families belonging to Lamelin, who have gardens, meadows, and winter-houses in the neighbourhood of Joe's Cove and Lord's Cove, (distance Eastward of Taylor's Bay about 2 ½ miles, and from Lamelin about 6 ½ miles.)

There is a considerable portion of tolerably good land, fit for agricultural purposes in this neighbourhood, which may be rendered valuable by the sea-weed, which is to be found in abundance in the adjacent coves. I have learned that upwards of 60 head of cattle had been fed last winter along the shore between Taylor's Bay and Laun.

BRIDGE NEAR LAMELIN.

This bridge is built at Taylor's Bay, about 4 miles from Lamelin. It has 2 arches or spans, and is 60 feet long, 8 feet wide, and 10 feet high. The middle abutment is well built and ballasted, and the ends of the bridge rest on the solid rock. It is a very substantial erection.

BRIDGE AT GREAT ST. LAWRENCE.

This bridge has been built at the River-head of Great St. Lawrence—14 feet long by 7 feet wide, and 4 feet in height. This is a tolerably well-built bridge, but the foot path round the harbor leading to it is very bad.

ROAD FROM LITTLE TO GREAT ST. LAWRENCE.

Little and Great St. Lawrence are upwards of a mile apart, and a good foot-path has been made about one-third of the distance, from 6 to 8 feet wide, next to Great St. Lawrence. On this path a small bridge is built, the materials of which are coarse, and the flooring or bed of the bridge is weak, and the whole work ill-constructed. This path is much frequented, and when it shall be completed, cannot fail to prove greatly serviceable to the settlements in that quarter.

ROAD FROM GARNISH TO GRAND BANK AND FORTUNE.

From Grand Bank to Fortune, a distance of 4 miles, the road is opened to the width of 16 feet; but, like other of the Out-port roads, the stumps of trees have been left standing. About 400 perches of drains are made and in progress in the wettest parts. This road runs, for a considerable way, parallel to and very near the sea-shore.

From Fortune to Grand Bank the land is partly marshy and stony, and much of it is well suited for Agriculture; besides, the part through which the road runs is very level.

On this part six bridges are built, varying from 24 to 40 feet in length, and about 12 feet wide, with the exception of one bridge which is about 11 feet long. The whole of these bridges are well constructed, the materials are excellent, and the scantling large.

The cross-drains which have been completed are also well built and strongly covered.

District of Ferryland.

ROAD FROM RENEWSE TO FERMEUSE RIVER-HEAD—

(Distance 3 $\frac{1}{4}$ miles.)

At Renewse, and at the River-head of Fermeuse, this line of road will pass through several small gardens, which are not yet opened.—It passes over some marshes, and, at its highest elevation, over land which is nearly the lowest in this part of the country. There are two bridges erected on this road, which are supported by shores placed close to each other. The span of one is 12 feet, and that of the other 6 feet. These are tolerably good. There are two other bridges built; the span of each is about 7 feet, and the abutments are built partly with stone. The materials and workmanship of one of them are very inferior. There are also three bridges, 4 feet span, each covered with light longers, and about 10 cross drains, some of which are tolerably good, the rest very inferior. The side drains are from 13 to 20 feet apart, some of which are rather shallow; and 13 feet of the centre of the road is partly levelled. Here, as in other districts, there are hollows in the road, which proceed from boughs having been used in levelling, and also from there being only a small portion of clay and gravel spread on the marshes over the stumps of the trees, which have now, in several places, worked above the surface. There are a few rocks yet remaining to be removed from the road. There are two bridges at the river-head of Fermeuse; the span of one is 10 feet, and that of the other 15 feet: the width of each is from 9 to 10 feet. The abutments of the former are 1 $\frac{1}{2}$

feet high, built mostly with sods ; the grass is growing through them, but they appear to stand well. The abutments of the other bridge are 3 feet high, built with rocks of inferior quality. The wood-work of both is tolerably good.

This road will be of little use until the entire of it is opened and made, or, at least, levelled along the side of the harbour to the town of Renewse.

ROAD FROM RIVER HEAD OF FERMEUSE TO AQUAFORT—

(Distance nearly 3 miles.)

This road rises from the river-head of Fermeuse with a steep inclination, and crosses a ridge on which the line could be partially improved, and some rocks avoided, by keeping a little to the Eastward. It then descends towards the Ferry at Aquafort with a long steep inclination, which could not be much eased without materially increasing the distance. On part of this road there is a good side drain, the material taken from which has been spread on the road from 10 to 12 feet wide, and on other parts there are two side-drains about 12 feet apart. There are many rocks on this ridge, some of which are very prominent in the road, and there are several large ones in the drains. There are some cross-drains made on this road, the workmanship and materials of which are rather inferior.

I have been informed by the person who keeps the ferry at Aquafort, and by others, that at certain seasons it is quite impossible to make a passage across, owing to the great run of ice in and out of the harbor, which is occasioned by what they term a bore. This bore is a strong current which rushes in at times so suddenly and rapidly, that, while crossing the ferry, a boat would be in danger of being carried along with it, and crushed to pieces between the pans of ice.

BRANCH ROAD FROM FERMEUSE TO AQUAFORT.

(Length about 2 $\frac{3}{4}$ miles.)

This road passes over uneven ground in the neighbourhood of Admiral's Cove, which is not far from the entrance of the harbor of Fermeuse. On this part there are some steep inclinations. It then passes over a few small marshes, and a considerable tract of good dry land, and meets the main road about midway between the river-head and Aquafort. This line could be much improved, particularly at a place called Cat's Rock. There are some good side-drains made on this road, but only a small portion of gravel has been spread on the marshes. There are young alders and other shrubs growing on the road, which show the necessity of having the stumps and roots, the peat and top soil removed from the road, on high ground, before the side drains are made. The rocks and the stumps of trees ought to be taken from this road, as well as from other roads in the district, before more gravel is used upon them.

ROAD FROM AQUAFORT TO QUARRY-RIVER NEAR FERRYLAND.

(Distance 3 miles.)

From Aquafort the road rises, with a few steep inclinations, on the side of a ridge, for about three quarters of a mile. It then passes over undulating land for about 1 $\frac{1}{2}$

mile, where it begins gradually to descend towards Quarry River. Several parts of this line are steep, but no very great improvement could be made on it without increasing the distance.

On the side of Aquafort the road has a good foundation. The higher side has been lowered from 1 to 3 feet, and the material taken from it has been used to raise the lower side. Had the stumps and roots of the trees been taken up, and the soft material, peat, &c., removed, the gravel which has been dug from the side-drains would have formed a good road. Tolerable drains have been cut on parts of this line, but several of the cross drains are inferior, and some of them want repair. The road would be much improved by having a few more cross-drains cut in it to prevent the over accumulation of water in the side-drains, which has the effect of undermining the road.

SPOUT COVE RIVER BRIDGE.

This bridge was burned down in the early part of the summer, and a few of the beams which were saved from the fire have been laid across for travellers to walk over.

BRIDGE OVER QUARRY RIVER.

The length of the flooring of this bridge is 37 feet. The width 10 feet, the span 10 feet. It is a tolerably good bridge.

A line of road has been marked by Mr. Carter, and is opened about 16 feet wide from Quarry's River to the river-head of Fermeuse, which is laid out over land much more level, and of lower elevation than the line which crosses the ferry at Aquafort, but is about one seventh longer. This line, however, is capable of being brought more level without increasing the distance, and is a much better line as a main road, but it would not be so useful to the inhabitants of Aquafort and those on the North side of Fermeuse as the road by the ferry, nor so advantageous for agricultural purposes in the neighbourhood of Aquafort. There is a bridge on this line over Spout Cove River, 112 feet long—having a platform at each end about 10 feet long. The width of the Bridge is 7 feet, and it has 5 abutments built with angular cutwaters. This bridge is tolerably well built. Another bridge has been built over the North East arm of Aquafort, 54 feet long and 7 feet wide, shored 9 feet high. This is also a tolerable good bridge.—On the North-west arm of Aquafort there are the remains of a bridge, the span of which was about 20 feet.

ROAD FROM QUARRY RIVER TO FRESHWATER RIVER.

(Distance about 1 $\frac{1}{2}$ mile.)

From Quarry River the road being comparatively level, passes by the Chapel of Ferryland, and partly by the side of the Harbour to Freshwater. There is about a quarter of a mile next to Quarry River drained, and the small hill has been levelled, but the marshy parts have not been gravelled. To the next quarter of a mile, which is immediately to the Southward of the Chapel, nothing has been done. From the Chapel nearly to the residence of ——— Carter, Esq., (distance about half a mile), the road is made

18 feet wide. The higher side has been lowered from 1 to 4 feet, and the water side, in several places raised. This is a good piece of a road; and although there are not drains sufficient to keep it dry, it is by far the best in the district.

Between Mr. Carter's and Fresh-water river (distance about half a mile) there are about 40 perches in detached pieces made, and in progress of making, 18 feet wide—and about 40 perches near Fresh-water river 11 feet wide. Parts of the higher side of the road in this place have been lowered two feet.

ROAD FROM FRESH-WATER RIVER, BY CORNFIELD AND CAPLIN BAY TO CAPE BROYLE.

(Distance about 5 $\frac{1}{2}$ miles.)

This line of road passes through private property at Cornfield, which is near Fresh-water, and also at Caplin Bay, which is about 1 $\frac{1}{2}$ mile from Fresh-water.—The road, at its greatest elevation between these places is tolerably low; but it could be made lower, and more level without much increasing the distance.

About a mile and a quarter from Fresh-water river there is a ravine called "Deep Cove," which is about 160 feet wide on top, 40 feet deep, and 12 feet wide at the bottom, through which a small brook runs. This road will be useless unless it is entirely opened, and the ravine made passable. In this part it is partially drained, but the drains are very inferior.

From Caplin Bay the line passes over several marshes, intercepted with dry knaps, or small hills, for about a mile. It then ascends the side of a ridge, which it crosses, and descends towards the river-head of Cape Broyle, with some steep inclinations. The land on Cape Broyle side is good, and there are some tall trees growing there. There could be some improvements made on this line. The road is from 10 to 12 feet wide, and side drains have been made on the marshes, some of which are good, and more rather small. Some of the marshes are still very wet. On most of the dry ground there is a side drain made, the material taken from which has been spread on about 10 feet wide of the road. Near Cape Broyle the higher side of the road has been lowered in some parts two feet. There are about 30 cross-drains built, some of which are good, others are too small, and some are in want of repair. A few more cross drains are much required, to prevent the water from collecting in the side drains, which is injuring the road. There are several stumps, and many large rocks in this road; some of the rocks are several tons weight. In levelling this road, like many others, boughs have been used, which, in future, should not be allowed.

A bridge has been built over Rocky Pond, the span of which is 18 feet—the abutments are 30 feet long, and 11 feet wide. This is a strong bridge, but the flooring is not sufficiently fastened. There are two other bridges erected, which are tolerably good; the flooring of one is 18 feet long, and rests on shores: the span of the other is 4 feet, and the abutments are ballasted and covered with gravel. The bridge over Cape Broyle large river is 30 feet span. It is well shored from solid rocks, which partly form the abutments; and there are platforms at each end 22 feet in length. Its height from the bottom is 19 feet. The scantling of this bridge is good and strong. At the river-head of Cape Broyle there is a bridge, the span of which is 11 feet. This is also a good bridge. There is another bridge built in the same neighbourhood, the materials and workmanship of which are very inferior.

ROAD FROM CAPE BROYLE TO BAY OF BULLS.

This road ascends from the River-head of Cape Broyle nearly half a mile, on the side of a low ridge, and has several undulations to Long-run Bridge, (distance from River-head about 2 $\frac{1}{4}$ miles). The road is partly drained, and near River-head it is partly levelled. There are two side drains in the marshes, leaving the road from 12 to 15 feet wide. Many cross-drains or small bridges are required to be built on this part.

LONG-RUN BRIDGE.

The span of this bridge is 27 feet, and the length of the flooring 94 feet. This is a good bridge. About 60 feet from the Western end of this bridge there is a high rock in the road which must be lowered considerably to make it passable for vehicles, or the bridge must be raised, and the space between it and the rock filled up. I am inclined to think that it would be more economical, as it would certainly be a great improvement to the road, if the bridge were removed between the small pond which is convenient to it and Cape-Broyle-large-pond. The span, in this place, would not require to be greater than that of the existing bridge—the materials of which would be found not only sufficient to build the bridge in the part alluded to, but to build another small one where the water from the large pond occasionally overflows.

From Long-run bridge there has been a line of road opened, on which many stumps of trees have been left standing too high. It crosses a small ridge near Long-run bridge, on which there are very steep inclinations; it then keeps at the base of a large ridge which runs from Cape Broyle to Brigus,—on parts of which some good land is to be found,—and passes along Pigeon-House pond and Island pond to Brigus pond, where the road leading to Brigus will branch off. It then passes between the two last mentioned ponds, and over several marshes and some barrens, and through some coarse woods, over three ridges on which there are very steep inclinations.—Keeping to the Eastward of Hell-hill pond, and thence over some marshes, it descends to La Manche Bridge—(distance from river-head of Cape Broyle about 7 $\frac{3}{4}$ miles.) At La Manche there is a large quantity of gross wood. The Board of Commissioners have another line marked out, or rather this line improved upon. That part of the road which passes between Island Pond and Brigus Pond, and where the road to Brigus will branch off, and a few other parts of the old road are included in the improved line.

Opposite parts of the old line, where there are very steep inclinations, the new line is nearly on a perfect level, besides being shorter. In other places, where the rate of inclination is as much as a rise of 1 foot in 4 feet in length, the improved line is not 1 foot in 15 feet, and is also shorter. A shorter and more level line, even than the improved one, might be attained by keeping between Island Pond and Pigeon-house pond, but it would not be so convenient to Brigus. If the latter line were adopted Brigus would require two branch-roads; one leading to the southward, upwards of 1 $\frac{3}{4}$ mile, to meet the main road at Pigeon-house pond, and the other to the Northward, about 2 miles, to meet it nearly at Hell-hill pond. The branch road to Brigus, from the improved line, is no more than 1 $\frac{1}{4}$ mile to the water's edge; and I have been given to understand that it fully meets the wishes of the inhabitants of Brigus. I have also learned that the Commissioners for this road are about getting the improved line opened and drained.

There is a good bridge over La Manche river, the length of the flooring is 74 feet, the ends of which are laid on the banks or rocks on both sides of the river, and are strongly shored. The height of the bridge from the water is 19 feet, and the depth of water upwards of 7 feet.

From La Manche bridge the road is opened from 16 to 20 feet wide. It passes along some level land, and rises on a ridge on which are a few considerable inclinations, passing by Rising Hill pond. It then ascends another ridge of much inclination, and crosses Caplin Cove marsh; thence it descends towards Toad's Cove, where it passes over some rugged rocks and uneven land, and where it is difficult to make a good road. The part next to Toad's Cove could be improved. The distance from Toad's Cove to La Manche bridge is about 3½ miles. Not having had an opportunity of thoroughly examining the Country to the Eastward of La Manche, I cannot speak with certainty of the nature of the ground in that neighbourhood; but from a view which I had from an elevated position near La Manche, I am led to conclude that the line of road between the South-east point of Hell-hill Pond and Rising-hill Pond, may be very much shortened by connecting those places so as to cross La Manche river near a place called the Deal Yard. The distance between these two places is about 3 miles, which, by adopting the line recommended, would be shortened a fourth. Between Toad's Cove and Long-run bridge, there are three brooks, from 15 to 20 feet wide, and 3 from 4 to 10 feet wide, over which there are no bridges.

There are two bridges at Toad's Cove. The span of one is 18 ½ feet, and the width is 16 feet. This would be a good bridge if the flooring were properly fastened. The other bridge has two spans, one 17 feet, and the other 13 feet. Its width is 16 feet, This is a strong bridge.

There are two steep inclinations between these two bridges which could be avoided by keeping higher on the side of the hill. Were this improvement adopted, the road could be made nearly horizontal, and the distance would be shortened. It is very necessary that the rocks in this neighbourhood, which are large and uneven, should be levelled. From Toad's Cove the line passes over uneven land, with some steep inclinations to Moble (distance about 3 miles). If the line were marked less straight, the road might be much more level without greatly adding to the distance, There is a side drain on most of this part, and there are two side drains in the marshes, leaving the road 20 feet wide between them. The material taken from them has been spread on the road. There are about 10 cross-drains or small bridges, built with very inferior materials. Some of the abutments are built with stones, sods, and boughs, thrown together. There are about 25 small bridges or cross-drains yet to be built, and the rocks in the road and side drains should be removed; those in the latter prevent the water from having a free run in them.

BRIDGE AT MOMABLES OR MOBILE.

This bridge has two spans extending on each side from an Island which is nearly in the centre of the river. The length of one is 35 feet, and that of the other 41 feet—the width of each 10 feet. The abutments are partly solid rock. The South end is about 3 feet high, having 3 stone steps to it. This bridge is tolerably good. There is a large rock about 7 feet high opposite this end, and until this is removed and an embankment made to the end of the bridge it will be difficult for vehicles to pass.

After rising from Mobile the road is tolerably level to near Witless Bay, where it descends with rather steep inclinations, and is intended to pass through some private property which is not yet opened. The distance from Mobile to Witless Bay is about 2

miles. This part of the road is drained much in the same manner as the part between Toad's Cove and Mobile. There are about 13 cross drains to be built. The bridge which is on this part is strongly built—its span is 20 feet.—The bridge at Witless Bay has two spans, the one 19 feet and the other 21 feet.—The wharf abutment in the centre is 47 feet long and 10 feet wide. One end of the bridge is well shored, and the other rests on the bank, which is a solid rock. The height of this bridge from the bottom is 11 feet, and 8 feet from the water. It is strongly built. From Witless Bay this road crosses an uneven ridge on which there are several small knaps or hills. In descending toward Bay of Bulls it could be kept more level, but then it may have to pass through more private property.—The distance from Witless Bay to Bay of Bulls is about 2 $\frac{3}{4}$ miles, On this part there is a strong bridge built with two spans, one 18 feet and the other 21 feet.—The wharf in the middle is 21 feet long and 6 feet high. This bridge is built in the same manner as the one at Witless Bay. There are 4 other bridges which are strongly built, the spans of which are from 8 $\frac{1}{2}$ to 14 $\frac{1}{2}$ feet. The drains on this part of the road are tolerably good, but the material which was taken from them has been spread on the road, which adds to the height of the knaps. The practice of leaving the stumps and roots of the trees in the roads, and of spreading the material taken from the side drains on the dry knaps without first taking away the peat or soil, is to be complained of in this district. If the peat and soil were first taken off the dry knaps, the road would not only be made more level, but a convenient place would be afforded to obtain gravel; besides it would be the cheapest way of making a good road over these knaps.

BRANCH ROAD TO BRIGUS.

This line is marked out from the Main Road at Island Pond, and passes to the Southward of Brigus pond, and then over rocky ground to the North of, and convenient to, the Chapel in the immediate vicinity of Brigus, where it has very steep inclinations, and will be very difficult to make. In consequence of the very steep inclinations of this line near the Chapel, I am of opinion that it will be impossible to use wheel carriages to advantage upon it. If the line were kept to the Southward of the Chapel it would be much improved, as it would be brought on a better level. Either of these lines will be very difficult, and consequently very expensive to make. I have been informed that the Commissioners are about opening and draining this line.

BRANCH ROADS TO BAULINE, CAPLIN COVE, AND BURN COVE.

The Commissioners for these roads, I am given to understand, are about getting them opened and drained.

BRIDGE AT BAY OF BULLS.

This bridge is over the river which separates the central from the Southern district, and is quite convenient to the harbor of the Bay of Bulls. The flooring of it is 108 feet long by 10 feet wide, placed on shores, and the height of it is 26 feet from the bed of the river. This bridge is strongly built, and is the handsomest on the Southern shore. The path round the harbour leading to this bridge is very bad, and in some parts at certain seasons very dangerous.

District of St. John's.

DUCKWORTH STREET.

The part of this street which is situate between Fort William and where the Commercial Buildings recently stood, has been thoroughly repaired and brought into regular planes, being raised three feet opposite Solomon's lane, 4 feet opposite Hunter's Cove, and in several other places from one to two feet. The hill opposite the Meeting House lane has been lowered from 3 to 4 feet, and about 12 feet has been added to the stone bridge opposite Hunter's Cove. That part between the residence of James Fergus, Esq., and Queen Street, has been raised in several places from 6 to 30 inches. On those parts which have been repaired, (distance altogether nearly half a mile and 30 perches) there are 5 new cross-drains from 1 ½ to 2 feet square, the sides of which are built with stone and lime mortar, the bottoms are flagged or lined with plank, and the tops covered strongly with wood. —There are iron gratings placed in each gutter. At Williams's lane there is a bridge built 2 feet square, and about 90 feet long, and at Waldegrave street there is also another bridge built 60 feet long, both of which are built in the same manner as the cross-drains.

There are two streams crossing the street between Queen Street and the lane opposite Messrs. Codner & Jennings's firebreak, over which bridges similar to the above are required to be built. This street, from the residence of James Fergus, Esq., to Apple-tree-well, and from Queen Street to the Court–House, (distance about half a mile) is much in need of repair. At the bridge opposite Beck's Cove, and also at Church Hill, the street is very narrow and dangerous for carts or carriages to pass, and will soon become impassable if it is not repaired.

WATER STREET.

This line of street, extending from the premises of Messrs. Brocklebank to Mr. Radford's at River-head, (distance nearly 1 ¼ mile) has been materially improved. There are 15 cross-drains, built generally 2 ½ feet square, in the same manner as those in Duckworth Street, with iron gratings; and there are also several smaller ones made throughout the street. The bridges at Beck's Cove and Hunter's Cove are frequently choked up with gravel, &c., and the water in consequence overflows the street, for which some remedy should be devised. The carriage-way has been raised in several places from 6 inches to 4 feet, and in others it has been lowered from 6 to 15 inches. The side gutters are partly lined with plank as a substitute for pavement; and from the great service which it has been of, it is evident that the street would be much improved if the entire line were planked in like manner. I would strongly recommend the same improvement in the other streets.

The rock opposite the premises of Messrs. John Dunscomb and Co. has been cut away 14 feet high, 20 feet wide, and 130 feet long—and the street has been widened considerably.

There is much filth, &c. thrown on this street, which ought to be prevented. It is, perhaps, owing in a great measure to the want of back yards to the houses on the North side.

From the very great business which is transacted upon this street, and it being the principal thoroughfare of the town, I am of opinion that gravel is not a material sufficiently du-

rable to place on its surface ; I would therefore recommend its being Macadamized, as that system would ultimately be found the most economical.—The road to the River-head, and also the Road to the King's Bridge, I would likewise recommend to be made on the same system—the traffic upon them being very great, and likely to increase.

STONE BRIDGE IN DUCKWORTH STREET.

This is a well-built bridge, the span of which is 5 feet—the abutments at the Southern side of the street are 9 feet high—the width 44 feet, and the retaining walls 59 feet long and 12 ½ feet high—the parapets are 3 ½ feet high, and coped with plank. Some evil-disposed persons have broken down one of the piers. I think it but just to remark, that the contractor for building this bridge (Mr. Michael Dea) has faithfully performed the work ; and if men actuated by such principles could be more generally employed as contractors, it would conduce greatly to the public good.

SAFETY WALL IN DUCKWORTH STREET.

This Wall fell in the autumn of 1837, and a temporary platform has since been erected for the purpose of widening the street and making it passable at this part.

The necessity of rebuilding this wall is so evident that I think it needless to make any further remark.

GOWER STREET.

The whole of this Street is undulating ; and the future improvement of it seems to have been wholly lost sight of when the houses were built—they are so very irregular. A decided improvement has been accomplished in that part situate between the Military Road and Cochrane Street, thence to the King's Road, and on towards Prescott Street.

The alterations which have been effected between Cochrane Street and the road leading to the King's Bridge are very important. The hollow at the residence of the Attorney-General has been raised from 3 to 5 feet, and the hill between it and Cochrane Street has been lowered 3 feet, and brought into easy inclinations. The length of this part is 33 perches. The hill immediately to the Westward of Cochrane Street has been lowered 3 feet, and the hill to the Eastward of the King's Road has also been lowered 4 feet. The valley between those two hills has been raised 3 feet, and the ascent made comparatively easy. On the Eastward of the King's Road, to a distance of 16 perches, the hollows have been raised from 6 to 20 inches, and the hills lowered from 1 to 2 feet. The distance improved on the Eastern end of this Street is about a quarter of a mile and 20 perches. Another very considerable improvement has been made immediately to the East and West of the Methodist Chapel ; the hills in this part, which were formerly very difficult of ascent, have been reduced, and the rise is now very gentle. The hill to the Westward has been lowered 5 feet, and the hill to the Eastward 4 feet. The valley between them has been raised from 3 to 4 feet, and the valley opposite the Court House lane 2 feet. The distance improved on this end is about 47 perches.

There are two cross-drains on this part, built in the same manner as those in Duckworth Street. There are upwards of 50 perches of this street to which nothing has been done, and which is much in need of repair. Until the hill to the Eastward of Calver's

lane is lowered, and a bridge erected in the valley immediately to the West of it, it will be quite impossible to use carts or other vehicles on the entire of this Street.

Notwithstanding that the improvements effected on this street have been very considerable, that part which communicates between the Wesleyan Chapel and the Episcopal Church is in a very insecure state. A retaining wall, or some such support is necessary to be built along the low ground to the Southward of the road to prevent the road material from falling away. There is a great accumulation of water also at this point, which runs from the North and West, and rushes through the land of Mr. Pitts, along the hollow leading to Bell's Shute. This torrent is the cause of much inconvenience to the several house-holders in the neighbourhood, and occasions great destruction of property ; it likewise does very considerable injury to Duckworth Street and the adjacent lanes. To obviate this public nuisance in future, it will be necessary to build covered drains from the parts where the water enters the land of Mr. Pitts, to the harbour.

COCHRANE STREET.

This street has been partially repaired. The side drains or gutters are not paved sufficiently wide to carry off the water without injuring the carriage way.—Hence the gravel accumulates in them and turns the water on the road, whereby it is cut up and materially injured.

KING'S ROAD.

There is a main drain built along the centre of this street, partly through a solid rock, 42 perches long, 3 feet wide, and 4 ½ feet deep.—The sides are built with stone and lime mortar, the bottom is partly lined with plank, and the top covered with good wood. There are several small drains built to convey the water from the gutters into the main one, each having an iron grating. The road has been reduced nearly to four planes, being raised in some parts and lowered in others from 6 to 24 inches—(distance about 72 perches). To render the improvement permanent it will be necessary either to pave or plank the gutters, to prevent the water from cutting up the street.

QUEEN STREET.

A drain 2 ½ feet wide by 3 feet deep, and about 35 perches in length, has been built with stone and lime mortar from the top of this street to the harbour.—The material which was taken from it has been used in preparing the street for gravel. This street is far from being in proper repair.

MILITARY ROAD.

This road, from the Bake-House to Armstrong's road, and thence to the Orphan Asylum School, (distance about half a mile,) has been considerably repaired. The water which accumulates on the Ordnance and Cathedral grounds, runs along this road, to the very great injury of that part of it to the Westward of the King's Road.

SIGNAL HILL ROAD.

There have been 48 perches of this road, from the bridge at Magotty Cove towards the Ordnance Boundary brought into thorough repair, and made nearly into three planes. Parts of it have been raised from 1 to 3 feet, and others lowered 2 feet. A cross-drain has been built on this part similar to those in Duckworth Street, and an open drain has been made on part of the table land on the first elevation of the hill. The course of the water which flowed from a pond, and which used to inundate the road, has been changed in another direction. There are about 25 perches, between the bridge and Fort William, which have been much improved. The hill on this part has been lowered, and the valley between it and the bridge raised from 1 to 2 feet. Next to the hill on the Ordnance ground there are 60 perches to which nothing has been done.

STONE BRIDGE AT MAGOTTY COVE.

The span of this bridge is 6 feet—the abutments are 5 feet high—the retaining walls are about 90 feet in length, and 12 feet high. The parapets have been much injured by some mischievous persons.

STREET FROM THE EPISCOPAL CHURCH TO THE ORPHAN ASYLUM.

About 40 perches of this street have undergone considerable repairs—having been raised near the Church 4 feet, and a little above the Factory gate 2 feet, and lowered 1 foot between the Factory and Gower Street. A drain has been built, 2 feet square, of good masonry, from the Factory Gate to Gower Street, 11 perches long. Many repairs are still necessary to be made on this line from Gower Street to the Military Road.

McLARTY'S LANE.

(Length 7 ½ perches.)

This street is made into one plane; well repaired and gravelled; but is much in want of paved gutters to prevent the water from injuring it.

STREET NEXT THE CUSTOM HOUSE—(GAMBIER STREET.)

(Length 9 ½ perches.)

This street has been raised from 1 to 3 feet, and made nearly into one plane. It has a paved gutter on each side, which contributes much to its preservation and cleanliness.

STREET FROM THE CUSTOM HOUSE TO BODEN'S COVE.

There are 76 perches of this street repaired, which have already been adverted to under the head of Water Street. About 40 perches to the Eastward of the premises of Messrs. T. and J. Brocklebank, have been opened and partly widened. It is very necessary that this part should be repaired.

STREET OPPOSITE MR. T. HOGAN'S.

(Holloway Street.)

There has been a decided improvement made in this street. It has been raised about 3 ½ feet in the centre, and reduced off to nothing at both ends, which nearly makes it into two planes. There are covered drains with suitable iron gratings at both ends of the street, which lead from the gutters into a drain that was formerly built in the centre of the street. The gutters are paved, and will be the greatest means of rendering the improvements lasting. This street affords one of the easiest communications between Water Street and Duckworth Street, in the Eastern end of the town.

CUSTOM HOUSE HILL.

(King's Place.)

This street is about 95 feet wide; the greater part of it is nearly made into one plane, and is in tolerable repair; but from the want of paved gutters being made the water is already cutting it up—affording a proof that, however extensive the improvements in the streets may be, they will be of short duration unless the water is either carried off in suitable covered drains or in well paved or planked gutters.

The houses in this street, as well as in all other streets and lanes in the town, have been built regardless of the future improvement of it. There are no regulations to prevent persons, when building, from placing the sills of their houses as they may think fit. It is, therefore frequently found that when the streets have been improved, the houses on the higher grounds are apparently thrown up into the air, whilst those in the hollows have been buried under the street. With a view to the future improvement of the streets, I would respectfully submit the propriety of a special enactment being passed to remedy the evil alluded to.

ROAD FROM FORT WILLIAM TO KING'S BRIDGE.

This road has been materially improved, having been raised in the valley near the King's Bridge 6 feet, and lowered in other places from 6 inches to 2 ½ feet. There is a covered drain made near the Ordnance Bake House, about 64 feet long. Notwithstanding that the ascent of this road has been made considerably easy, it is still in an unfinished state. Embankments will be required to secure the road and render it safe, with suitable railings on each side as far as the road has been raised, or retaining walls should be built, with a parapet on each side, from the bridge, to a distance of 400 feet. The road is full of springs opposite the house of B. G. Garrett, Esq., by which it is kept continually in a soft and wet state. To remedy this evil it will be necessary to lower the side paths, and to sink the side drains considerably below the level of the road.

THE KING'S BRIDGE.

The span of this bridge is 32 feet—the width 20 feet—the length of the retaining walls from the arch, 26 feet—height 13 feet. These walls are now overhanging and giving way, and if something be not done to secure them they will shortly fall. The parapets have been much injured by the wanton acts of some mischievous and ill-disposed persons.

ROAD FROM ST. JOHN'S TO QUIDI VIDI, ALONG THE SOUTH SIDE OF THE POND.

There is a quarter of a mile and 50 perches of this road repaired, commencing at the stone bridge on the Signal Hill road. Several parts of it have been lowered from 1 to 3 feet, and others raised from 1 to 2 ½ feet. It has been made into easy inclinations. There are five new cross-drains built 2 ½ feet square, and one 1 ½ foot square, which have been built in the same manner as those in Duckworth Street. There is upwards of a mile of this road much in want of repair. The inhabitants of Quidi Vidi and several farmers who draw manure from that place would be much benefitted by having this road repaired.

ROAD FROM THE WHITE HILLS TO MEET THE OUTER COVE ROAD.

(Distance about ½ mile and 20 perches.)

This is a new road, and is made on the most level line from the Eastern part of the White Hill's to St. John's. The vallies have been raised from 1 to 2 feet, and the hills lowered about 1 foot. The side drains are 20 feet apart, and 12 feet of the centre of the road has been slightly gravelled. There are two good cross-drains or small bridges built on this road—one 2 ½ feet square, and the other 2 feet deep and 4 feet wide. The ruts on this road require to be filled up; and to make it generally useful for the farmers in the neighbourhood the old road ought to be made good.

ROAD FROM THE KING'S BRIDGE TO PORTUGAL COVE.

This road is in tolerable repair. "Goff's bridge" has been rebuilt, the span of which is 18 feet—the width 20 feet—the abutments are 3 feet thick, built with stone and lime mortar, and have a strong covering. Six cross-drains have been re-built, generally from 2 to 2 ½ feet square, the sides of which are of stone and lime mortar, the bottoms are flagged, and the tops strongly covered with wood. New rails and covering have been placed on the Queen's bridge, and also at the bridge at Beaver Pond, near the second mile stone. The bridge at Rickets'—the bridge between the fourth mile stone and Windsor Lake—the bridge at Windsor Lake, and the bridge about a mile and three quarters from Portugal Cove have been partially repaired. The road from Coughlan's to Goff's bridge (distance about 30 perches) has been widened and repaired. Many of the holes and ruts on this line have been filled in.

ROAD FROM GOFF'S BRIDGE, PORTUGAL COVE, TO WESTWARD POINT.

There is a half a mile of this road made from Goff's bridge. It was quite impossible heretofore to work any wheel vehicles on this part, but horses now frequently bring from 15 cwt. to a ton weight against the greatest ascents. It has been made 14 feet wide, partly through solid rocks, which have been cut from 1 to 9 feet deep. Embankments have been made from 2 to 10 feet high. There are a few good cross-drains built on this road, and a few inferior ones. This road is of much benefit to the inhabitants of the Cove, and to the public generally; but it would be much more useful if the remainder of it to Westward Point were made. The distance is only about a quarter of a mile.

ROAD FROM LANCE COVE IN BELL ISLE TO BELL ISLE BEACH.

(Distance about 3 ½ miles.)

This road has been opened 13 feet wide; but to make it useful it will be necessary to drain the wet parts, to erect 4 bridges from 5 to 10 feet span, and to raise an embankment at the rock or cliff at Bell Isle beach. The road will be of very little use to the inhabitants of the beach until this cliff shall be made passable for vehicles. The sort of path which rises against the cliff is no more than from 1 ½ to 3 feet wide, and is very dangerous to get up or down. A cemetry is situate at a short distance from the top of this cliff; and I have been credibly informed that the people were at one time obliged to use ropes and pullies to convey a corpse to the place of burial.—The necessity of making this part of the road is indeed very great.

ROAD FROM CODY'S WELL ON THE PORTUGAL COVE ROAD, TO BROAD COVE.

This is a new road which opens several tracts of excellent land. It commences near the seventh mile stone, on the Portugal Cove Road, and passes by Round Pond, (which lies immediately north of one of the arms of Windsor Lake,) convenient to Oliver Pond, then by Mitchell's Pond, and between Hughes Pond and Witchazel ridge; thence by the head of Goat's Cove valley, and descends to Broad Cove on a steep sidelong ridge, on which are some good gardens and excellent land for agricultural purposes. This is the steepest part of the entire line, which if made, would be the most serviceable to the inhabitants of Broad Cove, as it would enable most of them to manure their gardens and meadow grounds by horse labour, instead of carrying it on their backs against a steep ridge, as I have seen them obliged to do. This line is opened 12 feet wide, and the wettest parts of it have been drained. The drains, however, being only 2 feet wide and 1 ½ foot deep, are not sufficiently large. Good bridges, about 12 feet wide have been built over four brooks, which are from 4 to 12 feet wide. There is nearly a mile made from 7 to 10 feet wide, having a good side-drain 3 feet wide and 2 feet deep.

ROAD TO TORBAY AND CAPE ST. FRANCIS.

The Torbay road is one of the oldest and most frequented roads in the Island, *and yet the most neglected with regard to improvement.* In the year 1834 there were 8 bridges built on this road from 5 to 12 feet wide, which are still tolerably good.—About 200 perches of the wettest and worst parts were partially repaired in 1835.—There is about a mile near the Chapel of Torbay, and about a quarter of a mile at a place called the Pulpits, and near Wheeler's house, partly made and in progress of being made. At Mount Bell Vue, which is situate near the Chapel, the new line of road has been kept more to the Eastward, by which it is much improved. The valley next the Chapel has been raised about 3 feet, and other parts between the valley and Mount Bell Vue have been lowered from 1 to 2 ½ feet. At Mount Bell Vue the road has been lowered from 1 to 3 ½ feet, and the vallies have been raised from 1 to 2 ½ feet. There are two good bridges built on this part, the span of one is 12 feet, and that of the other 7 feet. The abutments are built of stone and lime mortar 2 feet thick and 4 feet high. The beds of the rivers under the bridges are flagged. There is a brook at Dooling's, about 2 miles from St. John's, which requires a bridge of about 15 feet span. Some of the cross-drains are getting out of repair. There are parts of this line which could be improved.

ROAD TO FLAT ROCK AND POUCH COVE.

This line of road is laid out through Torbay. It leaves the old track a little to the North of the Chapel, passes through some private property, and crosses Torbay river, about a quarter of a mile from the Beach. It then ascends along the base of a ridge of rocks to nearly the highest part of the line on the North side of Torbay.—It then passes over tolerably level land to Flat Rock, taking up part of the old road. At Flat Rock the line which has been marked and opened passes through private property, and towards the old bridge over Flat Rock river, it is partially opened. About a quarter of a mile from the river the road is opened to Pouch Cove, and for a distance of about 2 miles it is a straight level line. There are about 150 perches, in detached pieces, of the wettest marshes on the North side of Torbay drained and prepared for gravel, and there are also a few small bridges on these parts which are tolerably good. If a bridge were erected about 20 feet span over Torbay river, and the road levelled from the Chapel to meet the road on the North side, it would be of great benefit to the public, and particularly to the inhabitants of Torbay and Flat Rock. About midway between Flat Rock and Torbay the line could be improved. At Flat Rock it is difficult to bring the road convenient to any of the Rooms of the Inhabitants, except by the line of road which has been made by Mr. Michael Wade. This would be the most level line to Flat Rock; but it would much increase the distance for those persons resident on the North side of Flat Rock, in Pouch Cove, &c. Mr. Wade has made a tolerably good road here at his own expense.

On the road between Flat Rock and Pouch Cove there are 12 temporary bridges built over brooks from 4 to 28 feet span; and about 30 perches of a very wet marsh has been drained. There are about 9 miles of this road opened from 9 to 13 feet wide, parts of which were opened in 1835, and the trees cut level with the surface. The roots and stumps of the trees are now grown above the peat in the wet parts; and in the dry parts, particularly where the land is good, and birch timber abounds, the suckers which grow from the roots of trees are now very high, and occasion much annoyance to travellers. The distance from St. John's to Torbay is about 7 miles—from Torbay to Flat Rock about 3 ½ miles—and From Flat Rock to Pouch Cove about 6 ½ miles.

ROAD FROM THE KING'S BRIDGE TO OUTER COVE.

The land over which this road passes is tolerably level. Near Outer Cove, however, the old road is very steep, and carts cannot be worked upon it. A line has been opened near Outer Cove, which keeps a good deal to the Westward of the Old road. It is 9 feet wide and partially drained, but no bridges have been erected thereon. The inclinations on both sides of the Outer Cove river, and other parts of this line are very considerable. A new line has been opened 13 feet wide, which is shorter and much more level (distance 1 ¾ mile), and passes through a small share of private property. On this line there are 4 small bridges built, from 2 ½ to 5 feet wide, and 2 ½ feet deep, of masonry. There is also a bridge over Outer Cove river, the span of which is 18 feet—the height 4 feet—the abutments are built of stone and lime mortar, and are strongly covered. About 3 ½ miles next to St. John's have been made and repaired. On this part there are 8 small bridges or cross-drains, mostly 2 ½ feet square, the sides of which are built of masonry—and 4 larger bridges; the span of one is 20 feet, and that of the others from 6 to 8 feet, also of masonry. The vallies have been raised from 1 to 4 feet, and the hills lowered from 1 to 3 feet. At Brine's hill the line of road has been changed partly through the gravel pits and the adjacent bank, which has been cut 8 feet deep, and about 100 feet long, partly through a solid rock. This alteration has improved the

road very much. Were the mile and a half next to Outer Cove made, the inhabitants would be enabled to bring their Salt, Fish, Agricultural Products, &c. &c. by land.

ROAD FROM LOGY BAY TO MEET THE OUTER COVE ROAD.

This road branches off from the Outer Cove road, near the North East angle of the lands of Virginia Cottage, and passes over comparatively level land to within nearly half a mile of Logy Bay, where it branches into two roads, which lead to different parts of the Bay. This line of road has been much improved.

About 150 perches next to where the roads branch off, are tolerably well prepared for gravel. The road is from 10 to 12 feet wide. The hills have been lowered from 6 to 18 inches, and the vallies raised from 6 to 30 inches. On this part there are 6 cross-drains, 2 feet square, and one 2 ½ feet deep by 4 feet wide, which are tolerably good. Next to Virginia Cottage there is a side-drain on the higher side of the road, the material taken from which has been spread 12 feet wide on the centre. There are 8 cross-drains built. This part of the road is badly made, and the drains are very inferior and in want of repair. Although this road has been badly made, the inhabitants of Logy Bay have been enabled to bring their Fish, Salt, &c. by land since the Outer Cove road has been improved. It is very desirable to put this part of the road, and also one of the branch roads into proper repair.

ROAD FROM RADFORD'S TO PALK'S AT RIVER HEAD.

This road is made 20 feet wide from Radford's to the Mill Lane; and the branch roads to Bay of Bulls and Topsail are made from 15 to 20 feet wide as far as Mr. Palk's house.

There are 6 new cross-drains, 2 ½ feet square, built with stone and lime mortar, and a few of the old drains have been repaired. A stone bridge has been built on the Bay of Bulls line over the stream near Mrs. Whelan's, the span of which is 4 feet; and another bridge 5 feet span, has been built over the same stream on the Topsail line, the abutments of which are constructed of stone and lime mortar, and the covering is of good strong wood. The hills on the road have been lowered from 1 to 7 feet, and the vallies raised from 1 to 6 feet. The Bay of Bulls road at Mrs. Whelan's has been much improved; from being impassable it is now reduced to a very easy inclination; and the cross-road at Palk's garden, the turn of which on the Topsail line was so dangerous, is now very seldom used.

ROAD FROM MR. PALK'S RESIDENCE AT RIVER HEAD, TO BAY OF BULLS.

This road has been made on the old track, and passes over uneven land to a distance of about a quarter of a mile to the S.W. of Waterford Bridge, where it avoids several steep inclinations, and gets on the old track at Blockmaker's Hall, which it continues a short way; it thence keeps to the Southward and Eastward of the old tract, and passes through two small lots of private property, and over land comparatively even, nearly to the Golds (distance from St. John's about 9 miles,) where it descends with rather steep inclinations; it then ascends from the Golds' large river to Goose Marsh, which it crosses, and which is about a mile long. This marsh is interspersed with small groves.

The road thence keeps to the Eastward of Goose Pond, Large Pond, Middle Pond, and Long Pond, and then descends gradually for some distance on the side of a ridge. to Bay of Bulls river, about a quarter of a mile from the harbor. In this place, I believe, it has not been determined whether it would be better to have the line of road pass over the old bridge, which is near the head of the harbor, and on by the flakes, or to cross the river at the place the road is opened to, where a better level could be obtained, but where it might have to pass through a larger portion of private property. If the road were to end at Bay of Bulls the former line would be preferable; but if it is to be considered as a main road to the Southward of the Island, the case may be different. However, it would be very desirable to have the line determined on before the property through which the road will have to pass shall be more improved.

This line of road passes through woods of the best description in the country, and opens out tracts of excellent land. There are several straight lines on it from a quarter of a mile to 2 ½ miles long; and about 3 miles next to St. John's has been made and repaired. The hills have been reduced into easy ascents, being lowered from 1 to 7 feet, and the vallies raised from 1 to 5 feet. The road material on this part is generally good. There is about half a mile near Blockmaker's Hall newly made, on which there are several small ruts. There are 24 bridges or drains 2 ½ feet high, and from 2 ½ to 4 feet wide, built with stone and lime mortar; the bottoms are flagged, and the tops covered strongly with wood. From the end of that part of the road which is made, the line is opened to Bay of Bulls from 24 to 26 feet wide, except about 3 miles near Middle Pond and Long Pond, which is opened only 12 feet wide. The marshes and wettest parts are well drained, the side drains being generally 3 feet wide and 2 feet deep. Near Delahunty's bridge, which is about a mile from Blockmaker's Hall, there are about 20 perches of the road levelled and prepared for gravel. From Blockmaker's Hall to Goose Marsh there are 20 cross-drains from 2 to 4 feet wide. With a few exceptions these drains are good. There are also 6 temporary bridges, 2 feet wide, and 3 other bridges, the spans of which are from 7 to 15 feet, and another one 17 feet span. A bridge has been erected over Fox River, the flooring of which is about 130 feet long. The bridge over the Gold's large river is 38 feet span, the abutments of which are 8 feet high. The width of this river is nearly 60 feet. These are strong bridges.—Between the Northern end of Goose Marsh and Long Pond there are 10 good bridges from 4 to 12 feet span, and 22 cross-drains partly built. If that part of the road between Long Pond and Bay of Bulls (distance 1 ¾ miles) were levelled and prepared for gravel it would be of great service to the inhabitants of Bay of Bulls. Although the road by Sweeney's Marsh has only been drained, carts are now frequently used upon it. Were the road made a few miles farther on there would be a large quantity of wood brought on carts to St. John's.

The length of this road from the Court House of St. John's to Bay of Bulls is about 18 ¾ miles.

ROAD FROM THE BARRENS TO NEWTOWN.

Nearly three quarters of a mile of this road have been prepared for gravel.—There is about a quarter of a mile next to the Garrison, and about the same distance in the neighbourhood of Newtown, to which nothing has been done. A good bridge has been built near Newtown, the span of which is 10 feet; the abutments are of stone and lime mortar. There are many farmers resident on this road who would be materially benefitted if the entire of it were put into good repair.

ROAD FROM THE BARRENS TO UPPER LONG POND, BY ALLEN, JUN'RS. FARM.

(Distance 1 $\frac{1}{4}$ mile and 35 perches.)

This road branches off from the Military road along the North Eastern side of the Cathedral ground, and descends with rather a steep inclination towards Mr. Allen's farm; thence it passes over land which is slightly undulated, to the Eastern end of Upper Long Pond. This is one of the best made roads in the Island, the soft soil and clay having been taken from it. The hills have been lowered and the vallies raised from 6 to 30 inches; it is also well drained. There are 5 good cross-drains and 2 good bridges built on it—the span of one is 10 feet, and that of the other, over Long Pond River, is 20 feet.

ROAD FROM BRINE'S BRIDGE TO UPPER LONG POND.

(Distance 1 mile and 15 perches.)

This road passes by Rennie's mill, partly along the river; and meets the road by Allen's farm, near Upper Long Pond. The hills have been cut from 1 to 3 feet, and the vallies raised from 1 to 3 $\frac{1}{2}$ feet. The inclinations have therefore been rendered comparatively easy. The part next to Long Pond is slightly gravelled. There is a good bridge built over the brook which runs through Mr. Rennie's land—the span of which is 12 feet, the height 3 feet. From the end of this road (which joins the Friendly Hall road at Brine's bridge), to the head of the King's road, is about half a mile, to which nothing has been done, and on which there is a long, steep inclination. *Were this part properly repaired it would be of considerable benefit to the Public.*

ROAD FROM BRINE'S BRIDGE TO WALSH'S FARM TO MEET THE PORTUGAL COVE ROAD.

The greater part of this road forms part of the old road to Portugal Cove.—There is a very steep hill opposite Brine's farm; and until it is considerably reduced the farmers living to the Northward of it will be unable to bring manure, &c. from the town, by this road. About a quarter of a mile to the North of this hill has been made, and a good bridge built over a small stream.

ROAD FROM UPPER LONG POND TO THE THREE PONDS IN THAT DIRECTION.

This line of road could be greatly improved by keeping to the North of the old road opposite Dwyer's land; but as there were not sufficient funds to effect this improvement it was considered better to repair the old line. There is nearly half a mile in good repair. The hills have been lowered and the vallies raised from 1 to 3 feet. If this

road were made further in towards the three ponds the farmers in this quarter would be much benefitted, as they would be enabled to bring manure from the town.

ROAD FROM THE KING'S BRIDGE TO THE WHITE HILLS, BY QUIDI VIDI POND.

A mile and 15 perches of this road has been repaired. The hills have been lowered from 1 to 3 feet, and the vallies raised from 1 to 2 feet. The bridge over the brook which runs through the Grove farm has been rebuilt,—the span of which is 17 feet. There are five cross-drains built with stone and lime mortar. This road would be much more useful if it were continued from Mr. Coaker's house to Quidi Vidi Harbor.

ROAD FROM THE GROVE ROAD TO THE WHITE HILLS, CROSSING THE RIVER AT KEARNEY'S HOUSE.

There is about half a mile and 20 perches of this road in progress, and nearly made. The hills have been lowered and the vallies raised from 6 to 18 inches.—The Hon. Patrick Morris, and the Agents of the Grove Farm have liberally given the land required for the road without remuneration. To make this road generally useful a bridge must be built near Kearney's house, the span of which would be about 20 feet; and it will be necessary to make at least another half mile of it.

ROAD FROM APPLE TREE WELL TO GEORGE'S POND.

This road passes along Lazy Bank, and to the Southward of Monday's Pond, for the most part along the old track. There are 2 ½ miles repaired, and 9 good cross-drains, and a good bridge built (the span of which is 10 feet) over Monday's Pond Brook. If another mile of this road were made, the Farmers in the neighbourhood of the Black Marsh would be much benefitted.

ROAD FROM BROOKFIELD, WESTWARD, BEING PART OF THE OLD PLACENTIA ROAD.

There are 2 miles and 23 perches of this road repaired. Were it made another half mile it would reach as far as there are settlers, but not so far as to where the land has been granted. There is fine timber and good land in this part of the country yet unreclaimed. Ten good cross-drains have been built on this road.—"Dunscomb's bridge" is much in want of repair.

ROAD FROM ST. JOHN'S TO WIGMORE'S GULLY.

This road commences at the Episcopal Church, and passes by Long's hill and Fresh Water. About a mile and a half and 62 perches have been repaired.—At Long's hill the road has been considerably eased, having been cut through a solid rock 3 ½ feet deep. Other parts of the road have been lowered from 1 to 2 feet, and the vallies filled

from 1 to 3 feet. There are 6 good bridges built, 2 ½ feet deep, and from 2 to 5 feet wide. This road passes through Neil's farm, where the land is rather flat. The river in this place occasionally overflows its banks to the width of 20 perches. A bridge will be required over this river, the span of which would be 20 feet, and another of 10 feet span. The road will also require to be raised from 2 to 3 feet. There are several farmers residing on the Northwest of this river, who, at certain seasons find it utterly impossible to cross it.

ROAD FROM WIGMORE'S GULLY TO MEET THE OLD TOPSAIL ROAD.

This Road branches off from the Wigmore's Gully Road at Neil's farm, and proceeds along a valley, with a gradual inclination, to Ryan's farm. A quarter of a mile next to Neil's farm has been repaired, and about a quarter of a mile drained.—A bridge is required to be built on this road about 12 feet span. This is one of the most level winter roads coming into St. John's. There are many old settlers along this road, and several new grants of land have recently been taken. Were the road properly made the value of the land would be considerably enhanced.

ROAD FROM ST. JOHN'S TO TOPSAIL AND HOLYROOD.

At River-head this road departs from the Petty Harbor and Bay of Bulls line, and continues the old line to Brookfield, where it branches off from the old Placentia road, still continuing the old line to about 5 ½ miles from the Court House in St. John's. It then keeps to the Westward of the old line, preserving a much better level until it meets the old line again at the sixth mile post. It then, for the most part, continues on the old line which was opened in 1834, for 2 miles, thence keeping to the Westward, on the lowest elevation, by Brazil's and Neil's ponds, it again meets this line at Topsail large pond, by which several large steep hills are avoided. Here it follows the old line for about 40 perches, and then keeping to the Westward partly along Topsail pond, it descends gradually for about 2 miles to Topsail, (distance from St. John's about 12 miles) thence keeping near the beach (or Salt) ponds, it passes over undulated land to Kellygrews, (distance from Topsail about 6 miles) and continues over hill and dale by the head of Lance-Cove-Pond, and by the hill called the Little Butter Pot, to the Southern arm of Holyrood, preserving the best level and the shortest line which this part of the country affords. From River-head to Brookfield (distance upwards of 2 ¼ miles) the road has been partially repaired. On this part there are 2 new bridges built from 2 to 3 feet span, and a good bridge near Brookfield 10 feet span. Several old bridges have been repaired. Parts of the 5th mile, and on towards Kean's house are getting very much cut up. In 1836, when part of the fourth and most of the 5th mile was repaired, those parts which are now very bad, and which pass through wet land, were only stripped of the peat or soft soil, and small drains made. There is a good bridge 10 feet span, built on this part, and several cross drains. Many parts of this road have been well made, and last spring when most of the roads in the district were cut up there were about one hundred horses and carts working on it. Those roads in the district on which the peat and soft soil have been left, and which are apparently well made, cannot stand the work of other roads from which these substances have been removed. From Kean's to near Brazil's pond (distance about 2 ¾ miles) the road is thoroughly made. The hills have been reduced and the vallies raised from 1 to 4 feet. On this part there are 10 small bridges well built, from 2 ½ to 4 feet span, and several other minor ones. There is also a bridge, the span of which is 15 feet, strongly built. There are nearly 3 miles which have been only opened from 24 to 26 feet wide, the wettest parts of which have been drained. On this part, which is the most level of the entire line, there are 11 good cross-drains

built, and a few smaller ones. There is likewise a good strong bridge erected, the span of which is 18 feet. From this part, extending mostly on the side of a ridge, there is upwards of a mile prepared for gravel. The hills have been reduced from 1 to 3 feet, and the vallies raised from 1 to 4 feet.—Several rocks have been cut through 4 feet deep and about 20 feet long.—Before this part of the road had been levelled it was quite impassable for horses; but there is now a free access to Topsail. On this distance there are 7 good cross-drains and a few French drains made,—and a strong bridge erected, 18 feet span. A very considerable improvement has been effected on this part by the alteration of the line. In this instance the necessity of having proper preliminary surveys made is fully exemplified; for had the money which has been expended in the opening and draining of the rejected line, and the building of bridges thereon, been laid out on improving the new line, the road would now be in a fit state for the reception of gravel. From Topsail to Kellygrews the road has been opened 24 feet wide, and might be slightly improved. The drains on this part are inferior, and in some places the side drains are closed up. There are three good bridges built, from 6 to 10 feet span—2 good cross-drains, and 16 lesser ones—and 4 temporary bridges from 10 to 18 feet span, on this part. Bridges are very much wanted to be built over Manuel's river, which is 100 feet wide—over the main brook of Long Pond, 50 feet wide,—and over Kellygrews river, which is 45 feet wide. The only possibility of crossing these at present is on two sticks which have been thrown across, and placed close to each other. From Kellygrews to Holyrood the road has been opened 12 feet wide. There are good side drains made 3 feet wide and 2 feet deep on most of the wet parts, and there are about 30 cross-drains contracted for. A good substantial bridge has been built over Seal's Cove river, the span of which is 28 feet; and 2 good temporary bridges have been thrown over the Gullies rivers; one 28 feet, and the other 12 feet span. Over Indian pond river there is also a good temporary bridge, 24 feet wide. There are 5 other temporary bridges built over brooks from 6 to 12 feet wide. A good bridge has also been erected on shores over the Southern Gut of Holyrood, the flooring of which is 84 feet long. Between Indian pond river and the Butter Pots there are several large loose rocks on the surface of the road which ought to be removed. This road will form part of the main road which is intended to open the Bays to the North and Westward.

SOUTH RIVER ROAD.

This road is part of the old road to Bay of Bulls, and about half a mile of it has been repaired. A good bridge, 14 feet span, and 5 new cross drains have been built upon it. It would be desirable to have about three quarters of a mile more of this road made, as there are several industrious settlers upon it.

PETTY HARBOUR ROAD.

About a quarter of a mile to the South West of Waterford Bridge this road branches off from the Bay of Bulls road, and passes through some good land. It then proceeds by the Western end of Petty Harbor Long Pond, winding its course by several hills and ponds, and descending through barrens to Petty Harbour, where it will have to pass through private property. There are nearly three miles from 7 to 10 feet wide levelled and prepared for gravel. The hills have been lowered and the vallies raised from 1 to 4 feet, and several rocks have been cut 2 feet deep. There are 21 good cross drains made from 2 to three feet wide, and several other inferior ones. In 1836 the mile of road near Long Pond being rough and rocky and very difficult to travel was levelled and made, but owing to some of the vallies having been partly levelled with sticks, boughs and

peat, and not having a sufficient quantity of road material placed over them it is now in need of repair.—There are 2 miles yet remaining to be repaired. Were this road finished it would be of great benefit not only to the inhabitants of Petty Harbour, but also to the Farmers in the neighbourhood of Waterford Bridge and Blockmakers Hall, who look forward in expectation of being enabled to obtain fish offal for manure in Petty Harbour, when the road shall be completed.

WATERFORD BRIDGE.

This is a good stone bridge, the span of the arch is 35 feet—the height of the abutments 4 feet,—the width of the road way 20 feet—the parapets are nearly 110 feet long on each side of the road, and 2 feet thick. The average height of the retaining walls and parapets is about 12 feet. The bridge and walls require to be pointed, and if the bed of the river on both sides of the bridge were cleared it would be of great benefit to it, and to the road on the North-east side, as the water would then have a free run.

HOSPITAL BRIDGE.

Although this bridge has been repeatedly repaired, it is far from being substantial. Most of the materials of which it is constructed are in a decayed state, and it will be very expensive to keep it in proper repair. There being much intercourse over this bridge I would recommend a stone one being built.

JOB'S BRIDGE LEADING TO THE SOUTH SIDE.

This bridge was completed in 1838, and has been found of great benefit to the public. The length of the embankment is about 44 perches, and the width about 16 feet. The Eastern side is not substantial enough to resist the surf of the sea in heavy weather. This fact was exemplified during the severe gale on the 24th November last, when several breaches were made in it;—the damage, however, has since been repaired. To render this structure permanent it would be advisable to form a new wall on the exposed or Eastern side, which should be faced with much larger stones than those in the present work.

The span of this bridge is nearly 38 feet. The opening however is too narrow for the body of water which has to pass through during the influx and reflux of the tide. This causes a strong current, which has formed a channel about 10 feet deep at high water—by which is created a sort of whirlpool near the abutments that may ultimately undermine them if necessary precaution be not taken to prevent it.

GENERAL OBSERVATIONS.

Of the new roads in this district (St. John's), the greater part are 20 feet wide between the side-drains,—the centres of which are gravelled from 12 to 16 feet wide. Almost in all cases where the hills have been lowered, the banks on each side of the road

have been left nearly perpendicular, and are now falling down and filling up the side-drains. Had the banks been sloped at an angle of 45 degrees, this fault would in a great measure be obviated.

On an attentive perusal of this report it will be observed that the principal defects in many of the roads throughout the Island are, that the side drains have not been made sufficiently large—that in opening the roads the stumps of the trees have been left standing too high, and in making them the roots have not been taken up—that embankments have been formed with boughs, sticks and peat, thrown loosely together, and the hollows in the roads have been filled up with the same materials. Sticks or boughs should not be used except in soft peaty marshes where it cannot be avoided, in order to admit horses and carts upon them when making the roads ; but they should always be laid with care, and a sufficient weight of other material placed over them.

It will also be perceived from this report, that in the first laying out of most of the roads in the Island a manifest want of experience, or much carelessness, is exhibited. It is quite evident that in many places the line of road could be made much shorter and more level. I have found since the roads have been opened, that there are individuals enclosing and improving the lands adjacent to them ; and many of these improvements are now made in those places where the road would pass, had it been laid out on the best line. If the objectionable parts of the roads be finished as they are at present laid out, it will be found when the traffic and intercourse upon them increases, that it will be absolutely necessary to avoid them and alter the lines. The Colony will then not only sustain a loss of the amount expended in making these parts, but parties will have to be remunerated for the improvements made on the adjacent lands through which the improved line will have to pass. Before further improvements therefore are made by individuals, or more expense is incurred in finishing these parts of the roads alluded to, I would respectfully submit the expediency of having the best lines marked out, and sufficient space reserved for the public road. Were this done, those parts of the existing lines where no alteration is necessary, might be first finished, and the improved parts subsequently made, as circumstances would admit.

I cannot close this report without observing, that did I conceive it within the scope of my duty to notice other roads and bridges in the Island beyond those "*which have been made under the provisions of the several Acts of the Legislature*," I might point out several which are in a very bad state, and which, if repaired, would be of great benefit to a large portion of the population. I would further remark, that from the state in which I have seen many of the streets, roads, and bridges, unless the improvements which have been commenced are continued and completed, the money which has been laid out upon them will, in a great measure be so much uselessly expended.

The various roads alluded to in this report, although many of them are in an unfinished state, yet they are of great benefit to the different settlements through and near which they pass ; and would be still more so if a certain distance were made on each side of every harbor, fit for the purposes of carts and other wheeled carriages. Another great advantage would accrue to the public by opening cross-roads, particularly between the main lines and the sea shore. These would not alone facilitate the hauling of timber to the water's edge, but would conduce to the conveying of sea-weed, fish-offal, and other manure for agricultural purposes.

Respectfully submitted by

THOMAS BYRNE.

ACCOUNT

Of the claims of persons for the support of Aged, Infirm, Infant, and Idiot Paupers, for the period unpaid, ending the 1st March, 1841.

Name.	Amount claimed.	Rate per Day.		Amount allowed.	Rate per Day.	
Margaret Fleming	£ 6 17 0	6d.	For 9 months	£ 4 11 4	4d.	Orphan
James Cormack	9 17 0	6	For 13 months	6 11 4	4	Ditto
Ann Moore	9 17 0	6	Do. do. do.	6 11 4	4	Do.
Edward King	9 17 0	6	Do. do. do.	6 11 4	4	Do.
James Doyle	9 17 0	6	Do. do. do.	6 11 4	4	Do.
Eleanor Kiely	4 18 6	3	Do. do. do.	4 18 6	3	Fatherless
Mary Moore	9 17 0	6	Do. do. do.	6 11 4	4	Bastard
M. Summers	9 17 0	6	Do. do. do.	6 11 4	4	Orphan
Robert Roach	9 17 0	6	Do. do. do.	6 11 4	4	Bastard
Rebecca Rickets	9 17 0	6	Do. do. do.	6 11 4	4	Ditto
Thomas Sutton	9 17 0	6	Do. do. do.	6 11 4	4	Do.
Eliza Hurley	9 17 0	6	Do. do. do.	6 11 4	4	Do.
C. Shannahan	9 17 0	6	Do. do. do.	6 11 4	4	Orphan
Margaret Sheehan	9 17 0	6	Do. do. do.	6 11 4	4	Ditto
Bridget Sheehan	5 14 6	6	"7 mo's. 16 days	3 16 4	4	Do.
C. Sheehan	9 17 0	6	" 13 months	6 11 4	4	Do.
O. Comerford (dec'd.)	15 4	4	" 1 mo. 15 days	0 15 4	4	Deceased
Margaret Butler	9 17 0	6	" 13 months	6 11 4	4	Bastard
E. Walsh (blind)	14 15 6	9	" do. do.	6 11 4	4	Orphan
Johannah Hully	2 10 4	4	" 5 do.	2 10 4	4	Ditto
John Colbert	9 17 0	6	" 13 do.	6 11 4	4	Bastard
Agatha Hearn	9 17 0	6	" do. do.	6 11 4	4	Orphan
James Leacy	9 17 0	6	" do. do.	6 11 4	4	Bastard
Catherine Hearn	9 17 0	6	" do. do.	6 11 4	4	Orphan
John Bolan	9 17 0	6	" do. do.	6 11 4	4	Ditto
Mary Tobin	9 17 0	6	" do. do.	6 11 4	4	Do.
Johanna Clare	9 17 0	6	" do. do.	6 11 4	4	Do.
James Gladney	6 11 4	4	" do. do.	6 11 4	4	Cripple & fatherless
Sarah King	9 17 0	6	" do. do.	6 11 4	4	Do. & Orphan
Stephen Miller	6 11 4	4	" do. do.	6 11 4	4	Do. & fatherless
Joseph Maccasy	4 16 6	6	"6 mo's 12 days	3 4 4	4	Orphan
Mary Perkins	4 16 6	6	" do. do.	3 4 4	4	Ditto
Mary Fitzgerald	1 10 0	4	" 3 do. do.	1 10 0	4	
Michael Daley	9 17 0	6	" 13 months	6 11 4	4	Orphan
John Costello	9 17 0	6	" do. do.	6 11 4	4	Do.
Bridget Costello	9 17 0	6	" do. do.	6 11 4	4	Do.
James Costello	9 17 0	6	" do. do.	6 11 4	4	Do.
John Breen	9 17 0	6	" do. do.	6 11 4	4	Bastard
Patrick Merner	6 11 4	4	" do. do.	6 11 4	4	Do.
Bridget Purcell	9 17 0	6	" do. do.	6 11 4	4	Orphan
John Murphy	7 12 6		" do. do.	6 11 4	4	Do.
Elizabeth Daley	9 17 0	6	" do. do.	6 11 4	4	Do.
Carried forward.....	£359 13 8			£247 15 10		

Brought forward.....	£359	13	8			£247	15	10		
John Kelly	£ 0	0	0	0d	For 13 months	£ 4	5	0	d	Orphan
John Grace	0	0	0	0	Do. 3 do.	1	10	0	4	Bastard
Catherine Wall	6	11	4	4	Do. 13 do.	6	11	4	4	Orphan
Michael Hearn	3	19	6	9	"3 mo's16 days	1	15	4	4	Do.
Michael Daley	0	0	0	0	" 13 months	6	11	4	4	Do.
Emma Doyle	4	0	8	7	"4 mo's 3 days	2	1	4	4	Bastard
Anne Smart (widow)	4	11	0	4	"8 do. 30 do.	4	11	0	4	Cripple
S. Quintam (widow)	9	17	0	6	" 13 months	6	11	4	4	Bed-ridden
A. Minchinton (blind)	14	15	6	9	Do. do. do.	9	17	0	6	Blind
Mary Fardy (widow)	9	17	0	6	Do. do. do.	4	12	0		Ulcerated Leg
Edward Pendergast	0	0	0	0	Do. do. do.	4	12	0		Paralytic
George Soper	0	0	0	0	" 13 months	6	11	4	4	Aged & infirm
M. Hickey (deceased)	8	2	6	10	"6mo's. 16 days	4	19	0	6	Deceased
William Roach	17	13	4	10	" 14 months	9	17	0	6	Aged & infirm
Johannah Murphy	9	17	0	6	" 13 do.	6	11	4	4	Ditto do.
John Hickey	9	17	0	6	" do. do.	9	17	0	6	Cripple & bed-rid.
Sarah Best (widow)	0	0	0	0	" do. do.	6	11	4	4	Aged & infirm
Mary Tuffin (widow)	9	17	0	6	" do. do.	6	11	4	4	Ditto do.
J. Kennedy (deceased)	17	9	2	10	" do. do.	9	14	6	6	Deceased
C. Cleary (widow)	9	17	0	6	" do. do.	6	11	4	4	Aged & Infirm
M. Power (widow)	9	17	0	6	" do. do.	6	11	4	4	Ditto do.
E. Valley (widow)	6	11	4	4	" do. do.	6	11	4	4	Ditto do.
Edward Snow (blind)	14	15	6	9	" do. do.	6	11	4	4	Blind, 4 children
James Barnet	14	14	0	9	" 12 do.27 days	9	16	0	6	Cripple
Adam Rose (blind)	0	0	0	0	" 13 do.	6	11	4	4	Blind
J. Kean (widow)	0	0	0	0	" do. do.	2	0	0		Aged and infirm
E. Bradbury (blind)	0	0	0	0		3	0	0		Blind, 3 children
J. Doyle (widow)	9	17	0	6	" do. do.	6	11	4	4	Palsied
P. Ryan (blind)	5	0	0	0	" 10 do.	3	0	0		Nearly blind
Henry Pynn	0	0	0	0	" 3 do.	1	10	8	4	Aged and infirm
Eliza Tracey	2	11	0	0		1	19	0		
M. Hickey (widow)	14	15	6	9	" 13 months	6	11	4	4	Widow, 7 children
T. Clarke	0	0	0	0	" do. do.	6	11	4	4	Aged and infirm
H. Hayes (widow)	14	15	6	9	" do. do.	6	11	4	4	Widow, 4 children
M. Mackey (widow)	9	17	0	6	" do. do.	6	11	4	4	Ditto 3 do.
B. Oates (widow)	0	0	0	0	" do. do.	6	11	4	4	Ditto 3 do.
Mary Kiely (widow)	14	15	6	9	" do. do.	6	11	4	4	Ditto 5 do.
B. Power (widow)	0	0	0	0	" do. do.	2	0	0		Ditto 3 do.
C. Walsh (widow)	0	0	0	0	" 12 do.	6	1	8	4	Ditto 4 do.
B. Fitzgerald (widow)	0	0	0	0	" do. do.	6	1	8	4	Ditto 3 do.
M. Connors (widow)	0	0	0	0	" do. do.	6	1	8	4	Aged and infirm
Mary Ann Nugent	0	0	0	0	" do. do.	6	1	8	4	Cripple
A. Kennedy (widow)	0	0	0	0	" 13 months	6	11	4	4	Widow, 2 children
M. Fitzpatrick (widow)	0	0	0	0	" do. do.	3	0	0		Ditto 5 do.
James Fitzpatrick	0	0	0	0	" do. do.	6	11	4	4	Bed ridden
J. Butler (widow)	0	0	0	0	" do. do.	6	11	4	4	Widow 2 children
C. Delaney (widow)	0	0	0	0	" 12 do.	6	1	8	4	Aged 1 sickly daug
B. Clooney (widow)	0	0	0	0	" do. do.	6	1	8	4	Widow, 4 children
A. Byrne (widow)	0	0	0	0	" do. do.	6	1	8	4	Sickly, 3 do.
Carried forward.....	£613	8	0			£528	13	8		

Brought forward....	£613	8	0				£528	13	8			
Ann Granville, widow	£ 9	17	0	d6	For 13 months		£ 9	17	0	d6	Cripple & bedridden
Thomas Whelan					" Do. do.		2	0	0		Aged and infirm
Mary Ryan, widow	19	14	0	1s	" Do. do.		6	11	4	4	Cripple, 2 children
Ann Dunn, widow	7	7	6		" 10 do.		6	11	4	4	Aged and infirm
J. Cahill, widow					" 13 do.		2	0	0		Ditto ditto
Jane Meany, widow							2	0	0		Ditto ditto
Mary Butler, widow	9	17	0	6	" 13 do.		9	17	0	6	Widow, 4 children
E. Mumford, widow					" Do. do.		2	0	0		Aged and infirm
Thomas Kelly	14	15	6	9	" Do. do.		3	0	0		Ruptured, 4 children
B. Armstrong, widow	9	17	0	6	" Do, do.		6	11	4	4	Aged and infirm
Jeffery Walsh					" Do. do.		2	10	0		Amputated leg, 4 children
Elizabeth Sinnott					" do. do.		3	0	0		Husband cripple, & 7 chil
Ann Dwyer, widow	14	15	6	9	" do. do.		4	12	0		Widow, 3 children
Mary Roach					" do. do.		4	12	0		Bedridden and dropsical
E. Walsh, widow					" do. do.		4	12	0		Widow, 3 children
Jane Cook, widow	9	17	0	6	" do. do.		2	1	0		Aged and infirm
E. Glascott, widow	14	15	6	9	" do. do.		3	0	0		Widow, 3 children
Jane Turner, widow					" do. do.		2	0	0		Aged and infirm
Alice Bryan, widow	9	17	0	6	" do. do.		3	0	0		
Mary Hulkam, widow					" do. do.		4	0	0		Ulcerated leg
Mary Keating, widow					" do. do.		1	15	0		Aged and infirm
Mary Kenny, widow					" do. do.		2	0	0		Ditto do.
Eliza Barnes, widow					" do. do.		4	0	0		Widow, 2 children
John M. Spry					" do. do.		3	0	0		Bedridden
C. Leary, widow	9	17	0	6	" do. do.		4	12	0		5 children, 1 idiot
M. Hearn, widow	5	14	0		" do. do.		3	15	0		Widow, 4 children
A. Daughton, widow					" do. do.		2	0	0		Do., 1 son bedridden
Ellen Breen, widow	14	15	6	9	" ditto ditto		6	11	4	4	Ditto, 4 children
Mary Dinn, widow					" ditto ditto		2	0	0		Aged and infirm
John Durdell	6	11	4	4	" ditto ditto		1	0	0		Ditto and cripple
Ellen Reardon, widow					" ditto ditto		6	11	4	4	Widow, bedridden
B. Power, widow	9	17	0	6	" ditto ditto		6	11	4	4	Ditto, 3 children
Thomas Coady					" ditto ditto		2	0	0		Part of feet amputated
M. Walsh, widow					" 12 ditto		6	1	8	4	Widow, 2 children
E. Cummins, widow					" 13 ditto		2	10	0		Ditto, 4 do.
Michael Hickey	5	18	4	10	" 4 do. 21 days		2	15	6	6	Deceased
Ann Long, widow	6	11	4	4	" 13 ditto		6	11	4	4	Widow, 3 children
Bridget Kelly, widow	9	17	0	6	" ditto ditto		6	11	4	4	Aged and infirm
Bridget Roach, widow					" 12 ditto		6	1	8	4	Widow, 3 orphans
Mary Power					" ditto ditto		6	1	8	4	Do. 4 chil., 1 orphan
Johanna Brine					" 13 ditto		6	11	4	4	1 child
Patrick Devan					" ditto ditto		6	11	4	4	Bedridden
Catherine Kelly	1	12	8	4	" 3 do. 8 days		1	12	8	4	
G. Murphy, Carbonear							4	0	0		
M. Burke, Carbonear							4	0	0		
W. Fannon, do.							4	0	0		
Patrick Congdon, do.							4	0	0		
Mary Cooney	14	15	6	6	" 13 months		6	11	4	4	Idiot
John Culleton	19	3	0		" 12 do. 18 days		19	3	0	1s	Ditto
Carried forward.....	£838	13	8				£751	7	6		

Brought forward	£838	13	8			£751	7	6	
Mary M'Mannis				6d	For Eight months	£6	1	6	6 Idiot
W. Fitzsimmons	£9	17	0	6	" 13 do.	6	11	4	4 Do.
Mary Sullivan	9	17	0	10	" do. do.	6	11	4	4 Do.
Mary Ann Murphy	12	13	4		" 9 do., 22 days	7	7	6	6 Do.
Winifred Coady					" 13 do.	4	12	0	Do.
Mary Morrisy	6	7	4		" Washing for sundry persons	1	15	0	
T. M'Ken, M. D.	3	3	0		Attendance on widow Ryan, broken leg	3	3	0	
Fanny Neill		15	0		" Washg. &c. for M. Hickey				
Bridget Marshall	9	17	6		Arrears for sup. of J. Colbert—orphan				
Mary Butt	6	17	6		Arrears for support of A. Granville				
Elizabeth Milton	3	0	0		Arrears for support of Sarah King				
Elizabeth Breen		18	0		Coffin, Grave, &c. for O. Comerford				
John Finn	4	3	4	4	" 9 months	4	3	4	4 Idiot
Michael Murphy.	4	4	0	6	" 5 ditto 17 days	4	4	0	6 Cripple.
	£910	6	8			£795	16	6	

A RETURN

OF ALL CAUSES TRIED BY SPECIAL JURIES IN THE CENTRAL CIRCUIT COURT FROM THE 1st JANUARY 1834, TO THE 1st JANUARY 1841, SETTING FORTH THE NAMES OF THE SIXTEEN JURORS STRUCK FOR THE TRIAL OF EACH CAUSE.

Date.	Parties.	Names of Jurors.
1834. July 4.	Aaron Hogsett vs. William Carson and Robert J. Parsons.	William H. Gaden, John Eales, jr., John Nichols, Charles McCallum, James Tobin, Nicholas Gill, Robert Brine, Sen., John Brine, jr., Robert Job, Nicholas Gill, jr., Alexander McGregor, John Howley.
1835. May 18.	William McCarthy & Thomas Knight vs. R. R. Wakeham.	Charles Bowring, Thomas Bennett, James Tobin, Charles McCallum, John Brine, Sen., Richard F. Hunt, Robert Brine, Sen., James J. Grieve, James Clift, Nicholas Gill, jr., Ralph Trimingham, John B. Bulley.
May 20.	Nicholas Power vs. Francis Marrett Daniel P. Marrett James Remon	John Sinclair, Richard Perchard, jr. John McWilliam, Abraham LeMessurier, Laurence O'Brien, Robert Job, Hannibal Murch, Wm. Warren, jr., James Cruden, John B. Tremlett, Ralph Trimingham, John Boyd.
May 22.	Patrick Mackay vs. Patrick Kough	Jas. Cruden, Kenneth M'Lea, John Eales, jr., Richard F. Hunt, Robert Alsop, Richard Langley, Peter LeMessurier, John Sinclair, Nicholas Mudge, Robert Job, Ralph Trimingham, William Warren, jr.

As Writs of Distringas were not made use of until the Autumn of 1836, I am not enabled to furnish the Names of more than the twelve jurors sworn on each trial previous to that time. The practice was, for the Sheriff to furnish the Clerk of the Court with the names of the Jurors drawn or struck, on each cause, which were returned to him again after the conclusion of the Trial.

May 28.	1835.	Thomas McNamara vs. James Tubrid	John Eales, jr., James Fergus, Robert Alsop, Thos. Job, Nicholas Gill, Richard Perchard, jr., Robert Brown, Nicholas Mudge, John M. Rendell, Robert Brine, Sen., William Jordan, John B. Bulley.
May 30]		Benjamin G. Garrett vs. James Douglas and Robert J. Parsons.	Nicholas Gill, Hannibal Murch, Richard F. Hunt, James Fergus, Nicholas Mudge, Charles Bowring, Peter LeMessurier Robert Alsop, Daniel P. Marrett, James J. Grieve, Abraham LeMessurier, William Jordan.
June 4.		John Doe, Lessee of Benj. G. Garrett vs. Patrick Walters.	William Jordan, Robert Alsop, Monier Hutchings, John Sinclair, Ralph Trimingham, Robt. Job, John B. Bulley, John Nichols, James Cruden, Richard F. Hunt, Peter LeMessurier Richard Langley.
July 10.		John Speed vs. William Blake	Abraham LeMessurier, Richard Langley, John B. Tremlett, Robert Brown, Ralph Trimingham, Robert Brine, Sen., James Cruden, Hannibal Murch, Charles M'Callum, Richard F. Hunt, Joseph Gill, Richard Perchard, jr.
Nov. 2.		William Harvey vs. Daniel P. Marret.	Dugal McKellar, George Morgan, John B. Bulley, Edward Francis, Abraham LeMessurier, John Sinclair, Nicholas Gill, jr. John M. Rendell, James Clift, Charles Bowring, John Brine, Sen., William Warren, jr.
Nov. 2.		William Harvey vs. Francis Marrett Daniel P. Marrett James Remon.	Patrick Kough, Robert Alsop, Abraham Le Messurier, John Jennings, John M. Rendell, John B. Bulley, William Jordan, Kenneth M'Lea, John B. Tremlett, Nicholas Gill, jr, John Brine, Sen., Dugal M'Kellar.
Nov. 2.		William Maxwell vs. Richard Perchard & James Boag.	Henry Winton, Nicholas Gill, jr. Dugal McKellar, William Jordan, Abraham LeMessurier, Kenneth M'Lea, John Sinclair, John B. Bulley, Robert Alsop, Patrick Kough, John B. Tremlett, John Brine, Sen.
Nov. 10.		Patrick Morris vs. Daniel Codner & John Jennings.	James Fergus, John B. Tremlett, John Eales, jr., Nicholas Gill, jr. Ralph Trimingham, John Sinclair, Dugald McKellar, John Brine, jr., Walter Grieve, John Brine, Sen., James Cruden, Patrick Kough.
Nov. 10.		Thomas Murphy vs. Matthew Pope.	James Cruden, Ralph Trimingham, Charles Bowring, Patrick Kough, Abraham LeMessurier, John Brine, Sen., John Shea, John McWilliam, Kenneth McLea, John M. Rendel, George Morgan, John B. Tremlett.
Nov. 19.		John Colbert vs. Richard Howley.	Walter Grieve, Nicholas Gill, jun., Abraham LeMessurier, John Brine, jr. J. McWilliam, Charles Bowring, John Sinclair, James Cruden, Dugal McKellar, William Warren, jr., James Fergus, Robert Job.

1836. May 23.	John Howley vs. Thomas Butler.	Nicholas Gill, jr., Monier Hutchings, Walter Grieve, John Dunscomb, James Boag, Nicholas Gill, Sen., John Thompson, Henry Winton, Thomas Job, John Sinclair, Peter M'Bride Charles Bowring.
1837. May 24.	James Gloady vs. Joseph Furneaux.	John. M. Rendell, Benjamin Scott, James B. Wood, James Clift, John Brine, jr., William Langley, John Wyatt, Wm. Jordan, Charles McCallum, Abraham LeMessurier, Bartholomew Bonifant, Ralph Trimingham, James Boag, Robert Clapp, John B. Bulley, Hannibal Murch.
May 29.	Thomas Newman Robert Newman and others vs. John Dunscomb.	Patrick Kough, Samuel Mudge, William Warren, jr., Thomas Bearnes, Garland C. Gaden, Charles McCallum, John McWilliam, Isaac Cheetham, Hannibal Murch, Monier Hutchings, John O'Mara, John Brine, jr., Richard Howley, Robert Clapp, Robert Brine, John Kent.
June 5.	Luci. McPherson vs. John Eales, Jun.	Ralph Trimingham, John Dunscomb, James Clift, James Haly, James Boag, William Langley, Mark Willoughby, Walter Grieve, Monier Hutchings, William Rendell, John Warren, Robert Brine, John Wyatt, Jeremiah Ryan, John Howley, John Nichols.
June 5.	L. T. R. Chancey vs. John Bulley William Freeman Amos Perrington.	John B. Bulley, John Eales, jr., Walter Grieve, James B. Wood, Nicholas Mudge, John Sinclair, John Dunscomb, Thomas Job, William Jordan, John Brine, jr., John Boyd, William Warren, jr., Henry P. Thomas, Jeremiah Ryan, John Nichols, John Wyatt.
June 6.	Charles F. Bennett & Thomas Bennett vs. John Dunscomb.	John Wyatt, Mark Willoughby, Timothy Hogan, John M. Rendell, Robert Brine, Jeremiah Ryan, Henry Winton, James B. Wood, John Howley, John Cusack, William Jordan, Patrick Doyle, John Warren, Hannibal Murch Fred. Rennie, John Brine, jr.
June 10.	Michael Scanlan vs. John O'Mara.	James Clift, Kenneth McLea, John B. Bland, Robert Alsop, James Fergus, John Wyatt, John Thompson, John Brine, Han. Murch, John Sinclair, Richard Langley, John Eales, jr., Henry P. Thomas, William Warren, jr., Richard Perchard, John Boyd.
June 10.	James Rogerson James Tasker and others vs. William Lucas.	Robert Alsop, John Wyatt, Henry Winton, Nicholas Gill, jr., Patrick Kough, William Richards, Edward Francis, John Trimingham Hannibal Murch, James B. Wood, Samuel Mudge, John M. Rendell, William Jordan, Monier Hutchings, William Thomas, Jeremiah Ryan.

1837. June 15.	Patrick Doyle vs. Thomas Barnes.	Nicholas Gill, jun. Patrick Kough, Robert Alsop, John Dunscomb, John Thompson, Hannibal Murch, Richard Perchard, Thomas Job, Walter Grieve, Nicholas Gill, Sen., John Sinclair, John Wyatt, Edward Francis, John Brine, Sen., Jeremiah Ryan, J. M'Gibbon.
June 16.	Charles Bird and Ann, his Wife, and Ann Brophy vs. John Shea.	Hannibal Murch, Edward Francis, Benjamin Scott, Henry P. Thomas, Richard Howley, William Jordan, John Boyd, Thomas Glen, John McWilliam, Robert Job, John Howley, John Nichols, William Thomas, Matthew Stewart, James Fergus, Garland C. Gaden.
Nov. 23.	Walter Baine, James Johnston Grieve, and Walter Grieve vs. John Dunscomb.	Robert Clapp, John Brine, Sen., William Jordan, Hannibal Murch, Matthew Stewart, Weston Hunt, John M. Rendell, Timothy Hogan, Frederick Rennie, John Sinclair, Patrick Doyle, Robert Alsop, John Thompson, John Warren, Abraham LeMessurier, James Rennie.
Nov. 23.	Benjamin Scott vs. John Rielley.	Kenneth M'Lea, Thos. Glen, Samuel Mudge, Thomas Job, Patrick Huie, Nicholas Gill, jr., John Stuart, James Grieve, Hannibal Murch, John M. Rendell, John B. Bland, John Trimingham, Ewen Stabb, John B. Bulley, Ralph Trimingham, John Nichols.
Nov. 25.	James Mulloy vs. John Hayse.	Patrick Doyle, John Stuart, John Trimingham Weston Hunt, James Fergus, William Rendell Robert Brine, Matthew Stewart, John M. Rendell, Laurence O'Brien, Archibald Kerr, Garland C. Gaden, Thomas Williams, Gilbert Clapp, Timothy Hogan, Patrick Huie.
Nov. 27.	Charles Antle and Jane Antle vs. Samuel Carson and John Rochford.	Patrick Kough, Garland C. Gaden, Richard Howley, James B. Wood, John Jennings, John Wyatt, Nicholas Gill, Sen., Mark Willoughby, John Cusack, Hannibal Murch, James Boag, William Warren, William Jordan, Richard F. Hunt, Samuel Mudge, Monier Hutchings.
1838. May 9.	Thos. B. Tremain vs. Charles F. Bennett George Morgan.	Samuel Mudge, Patrick Huie, John Brine, jr., John Cusack, James Fergus, Hannibal Murch, Robert Alsop, Weston Hunt, Abraham LeMessurier, Thomas Glen, William Warren, jr., John M. Rendell, Frederick Rennie, John Wyatt, Patrick Kough, Robert Brine.
May 11.	George Morgan vs. Charles F. Bennett.	John Brine, jr., John Nichols, Charles McCallum, Gilbert Clapp, Richard Howley, John Dunscomb, John Thompson, James Clift, Patrick Kough, John Warren, Ralph Trimingham, Hannibal Murch, James Fergus, John B. Bulley, Kenneth McLea, Charles Bowring.
May 19.	Aaron Crossman vs. Matthew Pope.	John Stuart, John Thompson, John M. Rendell John Sinclair, John McWilliam, John Warren, Jeremiah Ryan, Dugald McKellar, George Morgan, L. O'Brien, P. Kough, Robert Alsop, N. Gill, jr., T. Job, S. Mudge, T. Glen.

1838. Nov. 12.	Matthew Stewart vs. George Carew.	John M. Rendell, Robert Job, Jeremiah Ryan Wm. Wheatley, Thomas Glen, Samuel Mudge, John Jennings, Thomas Job, John Eales, jr., William Warren, jr., Monier Hutchings, Geo. Morgan, Henry Winton, John Brine, jr., John Brine, Sen., John Wyatt.
Nov. 13.	Richard Perchard vs. Robert J. Parsons.	Eugenius Harvey, Jeremiah Ryan, Thomas Williams, James B. Wood, Walter Grieve, Monier Hutchings, John Nichols, Edward Francis, Nicholas Mudge, Thomas Glen, John Brine, jr., John Wyatt, John McWilliam, John B. Bulley, John Stuart, John Cusack.
Nov. 16.	Benj. G. Garrett vs. Patrick Morris.	Thomas Williams, William Warren, jr., Wm. Wheatley, Charles F. Bennett, Henry P. Thomas, William Calver, Thomas Bennett, Eugenius Harvey, Nicholas Mudge, John Brine, jr., Andrew Milroy, Samuel Mudge.*
Nov. 22.	Benj. G. Garrett vs. Robert J. Parsons.	John Brine, Peter McBride, John Warren, John Wyatt, John McWilliam, John Eales, jr. Edward Francis, Thomas Bennett, Samuel Mudge, Andrew Milroy, James B. Wood, Gilbert Clapp, John Nichols, Frederick Rennie, Nicholas Mudge, John Jennings.
Nov. 24.	James Kelly vs. William Boden.	Walter Grieve, John Wyatt, Kenneth McLea, Ewen Stabb, John McWilliam, Robert Brine, Thomas Bearnes, James B. Wood, John McGibbon, Eugenius Harvey, William Wheatley, John Brine, jun, John Nichols, Richard Howley, John Warren, Patrick Kough.
1839. April 22.	Thomas Dillon vs. Timothy Flannery.	Peter McBride, John B. Bulley, Thomas Bennett, Charles Bowring, John Wyatt, Henry Winton, John Sinclair, Nicholas Mudge, Dugald McKellar, James B. Wood, Hannibal Murch, John Brine, Sen., John Stuart, John Warren, Nicholas Gill, jr., Thomas B. Job.
May 3.	James Brine vs. James M. Henderson & J. B. Bland.	William Warren, jr., John Nichols, Patrick Doyle, Peter McBride, Frederick Rennie, Thomas Glen, Robert Alsop, James Rennie, Dugald McKellar, Eugenius Harvey, John Warren, Richard Langley, John Brine, Sen., James B. Wood, Henry P. Thomas, Thomas Bennett.
May 9.	William Hart vs. Jas. M. Spearman & George Bayly.	Richard Perchard, James Fergus, James B. Wood, Patrick Kough, Gilbert Clapp, Thomas Bearnes, John Nichols, Robert Brine, John Sinclair, Dugald McKellar, J. Trimingham, Thomas Williams, James Rennie, Hannibal Murch, Eugenius Harvey, Thomas B. Job.

* The Distringas in this case, was executed by the Coroner, and does not appear to have been returned into Court—I can therefore, furnish the names only of the twelve Jurors sworn.

1839. May 11.	John Nichols vs. John B. Bland.	Patrick Huie, John B. Bulley, Henry Winton, John Cusack, Timothy Hogan, Frederick Rennie, Edward Francis, Thomas Glen, Robert Prowse, Hannibal Murch, John Brine, Jeremiah Ryan, Patrick Kough, William Rendell, Dugald McKellar, James Rennie.
Oct. 29.	Gilbert Clapp & Robert Clapp vs. Benj. G. Garrett	John B. Bland, Robert Prowse, John Stuart, Ralph Trimingham, Andrew Milroy, John M'William, Wm. Richards, Eugenius Harvey, James B. Wood, Robert Job, Benjamin Scott, Charles Bowring, Dugald McKellar, Patrick Kough, John Cusack, Henry P. Thomas.
Nov. 7.	Daniel Codner and John Jennings vs. William Thomas.	John Brine, Sen., William Wheatley, Eugenius Harvey, Matthew Stewart, Frederick Rennie, Robt. Brine, Monier Hutchings, Jas. B. Wood, Robt. Clapp, Hannibal Murch, John Howley, Samuel Mudge, Hen. Winton, John Wyatt, Nicholas Gill, jr., Dugald Makellar.
Nov. 14.	William Firth vs. George Morgan.	William Warren, jr., Robert Job, William Richards, Monier Hutchings, John McGibbor, John Wyatt, Walter Grieve, Patrick Kough, James Fergus, Laurence O'Brien, Kenneth M'Lea, Robert Alsop, John Boyd, James B. Wood, Nicholas Gill, Sen., Henry Winton.
Nov. 15.	William Doyle vs. Michael Rowell.	Richard Perchard, Thomas Bennett, Thomas Bearnes, John Brine, jr., Gilbert Clapp, John Jennings, William Warren, jr. John B. Bulley, Benjamin Scott, Laurence O'Brien, Hannibal Murch, Samuel Mudge, John B. Bland, James B. Wood, Wm. Thomas, Robert Brine.
Nov. 19.	James Clift vs. Geo. H. Emerson.	Gilbert Clapp, John Wyatt, John Warren, Thos. Bearnes, Nicholas Mudge, Ed. Francis, Mon. Hutchings, Dugald McKellar, Matthew Stewart, Frederick Rennie, Hannibal Murch, James B. Wood, Richard Langley, John Nichols, Robert Brine, John McGibbon.
1840. May 14.	Richard Windle vs. Levi Stephens.	Kenneth McLea, William Warren, jr. Nicholas Gill, jr., Robert Clapp, John B. Bulley, John Warren, John Brine, jr., Samuel Mudge, Robert Job, Eugenius Harvey, Matthew Stewart, Dugald McKellar, James B. Wood, Peter McBride, Henry P. Thomas.
May 14.	John Boyd vs. G. H. Harrison.	James B. Wood, Charles Bowring, Richard Langley, Hannibal Murch, John Stuart, Nicholas Gill, jr., Robert Prowse, Frederick Rennie, Thomas Bearnes, Robert Brine, John McWilliam, Jeremiah Ryan, Monier Hutchings, Matthew Stewart, Dugald McKellar, John Wyatt.

1840. May 18.	G. R. Robinson vs. John Kent.	Andrew Milroy, John Brine, jr., William Thomas, Eugenius Harvey, Robert Alsop, Dugald McKellar, Nicholas Stabb, John M. Rendell, William Warren, jr., William Richards, Samuel Mudge, John Stuart, Han. Murch, Richard Langley, James Fergus, Robert Prowse.
May 20.	Edward Delany vs. Richard O'Dwyer.	Jeremiah Ryan, Hannibal Murch, Patrick Doyle, Patrick Kough, Nicholas Gill, jr. Jas. B. Wood, Richard Perchard, John McWilliam, Eugenius Harvey, Robert Clapp, John Howley, Matthew Stewart, Peter McBride, John M. Rendell, John Brine, jr., John O'Mara.
May 22.	Nicholas Coady and others vs. Stephen S. Clarke.	William Wheatley, Nicholas Gill, jr., John Warren, John Wyatt, Jeremiah Ryan, James B. Wood, Monier Hutchings, John B. Bulley, Henry Winton, Ralph Trimingham, Nicholas Stabb, Hannibal Murch, Lawrence O'Brien, Richard Perchard jr., Robert Alsop, Matthew Stewart.
May 25.	James Douglas and Thomas McMurdo vs. Benjamin G. Garrett.	Thomas Bearnes, Andrew Milroy, John Cusack, John Stuart, Richard Langley, Wm. Calver, Henry P. Thomas, John Boyd, James Fergus, Nicholas Gill, jr., Robert Alsop, Samuel Mudge, John Wyatt, Robert Clapp, Frederick Rennie, William Warren, jr.
May 28.	Henry Lea vs. James Hudson.	John Brine, jr., John M'Gibbon, John Boyd, Hannibal Murch, Kenneth McLea, Thomas Glen, Monier Hutchings, Nicholas Mudge, Peter McBride, John Jennings, William Warren, jr., William Richards, Benj. Scott, Charles Bowring, John McWilliam, Robert Clapp.
Nov. 6.	Robert Kent vs. John Ryan.	Charles Bowring, John M. Rendell, Patrick Doyle, James S. Clift, John Wyatt, John Brine jr., Frederick Rennie, Peter Mc'Bride, Richard N. Goff, Richard Langley, John Cusack, John McGibbon, Robt. Brine, Patrick Kough, James B. Wood, James Kent.
Nov. 7.	John Kent, and James Kent vs. William Thomas.	John Brine, jr., Frederick Rennie, Thomas Glen, James B. Wood, Edward Francis, Wm. Wheatley, John M. Rendell, William Warren, jr., Nicholas Mudge, Nicholas Stabb, Dugald McKellar, John Wyatt, Robert Clapp, Charles Bowring, Matthew Stewart.
Nov. 9.	Archibald Mc'Kinnon vs. William Firth.	Charles Bowring, John Trimingham, John B. Barnes, Andrew Milroy, Robt. Alsop, William Warren, jr., Thos. Bearnes, R. N. Goff, Daniel Fowler, Patrick Kough, James Douglas, Timothy Hogan, Frederick Rennie, William Rendell, Nicholas Stabb, Mich. Kavanagh.

1840. Nov. 9.	Pierce Power vs. John Kent and Richard O'Dwyer.	Robert Prowse, John Stuart, John Brine, jr., John McWilliam, John Wyatt, Peter M'Bride, Geo. Morgan, Edward Francis, John Brine, Sen., William Wheatley, John M. Rendell, William Thomas, John Warren, James B. Wood, Andrew Milroy, J. B. Bland.
Nov. 10.	James Simpson and Alexander Simpson vs. Matthew Stewart.	Patrick Kough, Dugald McKellar, Robert Clapp, Robert Alsop, George Dunscomb, Andrew Milroy, Jeremiah Ryan, John B. Barnes, John Brine, jr., Thomas Glen, Thomas Job, William Calver, James Fergus, Nicholas Gill, Sen., John O'Mara, Richard Langley.
Nov. 11.	Thomas Blake vs. William Thomas.	Robert Brine, Dugald McKellar, John M. Rendell, Edward Francis, Timothy Hogan, Samuel Mudge, John Wyatt, Thos. Bearnes, Richard Langley, Frederick Rennie, Matthew Stewart, John McWilliam, Andrew Milroy, Thomas Williams, Benj. Scott, Eugenius Harvey.
Nov. 13.	John Nowlan vs. Bart. M'Grath.	John B. Bulley, Ralph Trimingham, Weston Hunt, Samuel Mudge, James Hutton, Thos. Glen, William Wheatley, Kenneth McLea, George Dunscomb, John Trimingham, Frederick Rennie, Walter Grieve, Charles Bowring, Matthew Stewart, William Warren, jr., Andrew Milroy.
Nov. 16.	James Furniss vs. Patrick Jordan.	Ralph Trimingham, Jeremiah Ryan, Patrick Kough, James S. Clift, James Douglas, Daniel Fowler, John Wyatt, Thomas Glen, Timothy Hogan, Richard Perchard, John M. Rendell, John B. Barnes, Richard Howley, Matthew Stewart, John McWilliam, Kenneth McLea.
Nov. 17.	John Renouf vs. Patrick Walsh.	James Hutton, Richard Langley, Thos. Row, Jeremiah Ryan, William Wheatley, Walter Grieve, Henry Winton, George H. Dunscomb, Nicholas Mudge, Robert Clapp, Andrew Milroy, Monier Hutchings, John Jennings, Thos. Williams, Samuel Mudge, John Stuart.
Nov. 18.	Thomas D. Quinn vs. William Richards.	John Stuart, Dugald McKellar, Thomas Glen, Jeremiah Ryan, John McWilliam, Hannibal Murch, Patrick Huie, Samuel Mudge, Patk. Kough, Peter McBride, James Fergus, John Brine, Sen., John Warren, James B. Wood, Richard Howley, James Rennie.

E. M. ARCHIBALD,

Clerk and Registrar Central Circuit Court.

April 22, 1841.

A RETURN

OF ALL CAUSES TRIED BY SPECIAL JURIES IN THE SUPREME COURT, FROM THE 1st JANUARY, 1834, TO THE 1st JANUARY, 1841, SETTING FORTH THE NAMES OF THE SIXTEEN JURORS STRUCK FOR THE TRIAL OF EACH CAUSE.

DATE.	PARTIES.	NAMES OF JURORS.
1834. Jan. 18.	B. G. Garrett vs. William Carter.†	John Jennings, Richard Langley, John Eales jr., Hannibal Murch, Timothy Hogan, Thos. B. Job, Robert Brine jr., Joseph Gill, John B. Tremlett, William Warren, Sen., John Howley, John Sinclair.
Jan. 21.	Patrick Lynch vs. John Job, Thos. Bulley, Robt. Job, Thomas B. Job.	John Dunscomb, John Nichols, Benjamin Bowring, John Boyd, John Dillon, James Cruden, Kenneth M'Lea, Daniel P. Marrett, Nicholas Gill, jr., John Brine Sen., John M. Rendell, William Warren.
Nov. 26.	Anastatia Bates vs. John Howley.‡	John M. Rendell, Hannibal Murch, Richard Langley, Robert Brown, John B. Tremlett, John Brine, Lawrence O'Brien, John Bulley, Richard F. Hunt, John Jennings, Monier Hutchings, Thomas Beck.
Nov. 28.	Edward Flaherty vs. William Percey & Stephen Percey.	Wm. Warren, Sen., John M. Rendell, Robt. Brown, Robt. Brine, Sen., John B. Bulley, John Nichols, Richard Langley, John Boyd, Peter LeMessurier, Ralph Trimingham, Lawrence O'Brien, John B. Tremlett.
Nov. 28.	Charles F. Bennett, Thomas Bennett, and George Morgan vs. John Dunscomb.	John Eales, jr., John Rendell, Sen., John M. Rendell, Abraham LeMessurier, Robt. Brown, Richard Howley, Charles McCallum, Richard Langley, Timothy Hogan, John B. Tremlett, Nicholas Mudge, P. LeMessurier.
Nov. 28.	Thomas Mara vs. John Boyd.	Henry Hawson, Charles Bowring, John Brine, William Warren, Sen., Robert Alsop, jr., Hannibal Murch, Charles McCallum, John Sinclair, John Eales, jr., Richard Langley. John B. Tremlett, Peter LeMessurier.
Dec. 1.	W. J. Harvey & others vs. Nathaniel Munden, William Wells, and George Wells.	Peter LeMessurier, John B. Tremlett, John Eales, Richard F. Hunt, William Kydd, Robt. Brown, Robert Brine, jr., Abraham LeMessurier, James J. Grieve, Edward Francis, Thomas B. Job, Kenneth McLea.

† This cause and the following one were tried by Special Juries, drawn and summoned under the Rules of the Supreme Court in force prior to the January Term of 1834—I have no record of the names of those of the 18 drawn who were not sworn.

‡ In April, 1834, the new General Rule of the Supreme Court (No. 10) for the striking of the Special Juries came into operation, but as Writs of Distringas were not in use until the Autumn of 1836, I am not enabled to furnish the names of more than the 12 Jurors sworn on the trials previous to that time.

1835.	Dec. 14.	Richard Holden vs. James Fergus.	William H. Gaden, Jas. Clift, Thomas Bennett, John Nichols, Richard Perchard, jr., Thomas Williams, John B. Bland, Daniel P. Marrett, Robert Job.
	Dec. 17.	Doe de. William Newman vs. James Leary.	James J. Grieve, Garland C. Gaden, William Langley, John Brine, jr., Robert Brown, Thos. Job, John McWilliam, Kenneth McLea, Jas. Boag, James Cruden, Patrick Kough, Thos. Glen.
	Dec. 24.	Patrick Fitzpatrick vs. Maurice Quirk.	Richard F. Hunt, Nicholas Gill, jr., John Sinclair, George Morgan, Kenneth McLea, Robt. Alsop, jr., John Nichols, Wm. Warren, jr., James J. Grieve, Wm. Richards, Charles Bowring, Robert Brine, Sen.
	Dec. 29.	Francis Marrett and Daniel P. Marrett vs. William Harvey.	Kenneth McLea, John McWilliam, Jas. Clift, John Brine, jr., Richard F. Hunt, Richard Langley, John Nichols, Robert Alsop, jr., Nicholas Gill.
	Dec. 31.	William Graham and others vs. William Talbot.	William Thomas, Hannibal Murch, Patrick Kough, Nicholas Gill, John Brine, jun., John Nichols, James Clift, John McWilliam, James J. Grieve, Charles F. Bennett, John Sinclair, James Fergus.
1836.	Dec. 6.	Charles F. Bennett and Thomas Bennett vs. Robert Prowse.	John Nichols, John Brine, John Warren, Pat. Kough, Daniel P. Marrett, Jas Clift, Thos. Glen, Frederick Rennie, John H. Cozens, James Cruden, Dugald McKellar, Charles Clarke.
	Dec. 19.	Charles F. Bennett and Thomas Bennett vs. William McCarthy.	John McWilliam, John Nichols, Jeremiah Ryan, James B. Wood, Robert Clapp, Rich. F. Hunt, James Rennie, Abraham LeMessurier, John Thompson, John Wyatt, John Dunscomb, James Fergus, Hannibal Murch, John Sinclair, Robert Alsop, John Boyd.
	Dec. 19.	Charles F. Bennett and Thomas Bennett vs. Thomas M. Roe.	John Nichols, Thos. Bearnes, Henry Winton, Hannibal Murch, Charles Bowring, Robert Brine, John Eales, John Thompson, James Boag, Robert Alsop, Lawrence O'Brien, Thomas Glen.†
	Dec. 26.	Patrick Kough vs. Robert J. Parsons.	John Brine, Hannibal Murch, Jas. Grieve, Monier Hutchings, Wm. Richards, Abraham LeMessurier, W. Grieve, John Dunscomb, Kenneth McLea, Peter LeMessurier, Richard Perchard, John Brine, jr., Ewen Stabb, John McWilliam, John Thompson, Wm. Jordan.
	Dec. 27.	John Long vs. Denis Hannigan.	James Rennie, Robert Clapp, James Boag, Hannibal Murch, John Sinclair, Robert Brine, Charles McCallum, James Clift, Wm. Warren, jr., Kenneth McLea, Matthew Stewart, Samuel Mudge, John McWilliam, John Wyatt, John Nichols, Thomas Glen.

† In this case the Jurors were summoned without a Distringas, and I am consequently unable to furnish the names of the whole 16 struck.

1837. April 27.	William Carson vs. John McCoubrey.	John Brine, John Thompson, Thomas Williams, Ewen Stabb, Richard Perchard, jr., Wm. Thomas, Thomas Glen, John Nichols, Frederick Rennie, Richard Langley, Robt. Brine, John Sinclair, Henry P. Thomas, John Dunscomb, William Jordan, John McWilliam.
April 27.	John Dunscomb, John Eales, jr., and William Rendell Trustees of the Estate of Marrett Insolvent. vs. Thomas Bearnes.	Nicholas Gill, jr., Thomas Job, Samuel Mudge, Rich. Langley, Wm. Richards, John Thompson, John Shea, Dugald McKellar, Thomas Bennett, Walter Grieve, James Fergus, Rich. F. Hunt, Richard Howley, James Boag, Patrick Kough, Gilbert Clapp.
May 5.	William Carson vs. John McCoubrey.	Richard Langley, Peter LeMessurier, John Nichols, John Wyatt, John Jennings, John Shea, John Stuart, Mark Willoughby, Robert Alsop, Frederick Rennie, Dugald Makellar, James Fergus, Robert Job, William Langley, William Jordan, Robert Clapp.
May 11.	John B. Cox and Michael Knight vs. David Buchan.	John Trimingham, John McWilliam, Robert Clapp, Robert Brine, John Dunscomb, Wm. Rendell, Hannibal Murch, Thos. Glen, Robt. Alsop, Mark Willoughby, John Howley, William Thomas, John Cusack, William Calver, Richard F. Hunt, Wm. Jordan.
May 11.	Patrick Doyle vs. Thomas Bearnes.	John Brine, Hannibal Murch, John Nichols, Robert Job, John Boyd, John Thompson, Richard Perchard, Thos. Bennett, Kenneth McLea, Walter Grieve, Nicholas Gill, John B. Bland, Robert Alsop, Henry P. Thomas, James Clift, James Boag.
May 12.	Samuel Carson vs. Edward Kielley.	John Howley, John Stuart, Thomas Glen, John Wyatt, Robert Alsop, Thos. Williams, Wm. Calver, John Brine, John Nichols, Daniel P. Marrett, Monier Hutchings, John Jennings, William Warren, William Thomas, Matthew Stewart, Kenneth McLea.
1838. June 6.	Charles F. Bennett, & George Morgan vs. Thomas D. Quinn,	Jas. Fergus, Benj. Scott, Kenneth M'Lea, Jas. Clift, Wm. Richards, Matthew Stewart, John Brine, jr., John Stuart, Hannibal Murch, Charles Bowring, Samuel Mudge, Henry Winton, John Dunscomb, John McWilliam, Eugenius Harvey, William Langley.
June 7.	Robert Scaife vs. Joseph Ryan and Catherine Morris.	Ewen Stabb, James Fergus, John Sinclair, William Thomas, John B. Bulley, Thomas Glen, John M'Gibbon, John Brine, jr., Gilbert Clapp, Kenneth M'Lea, John Boyd, John B. Bland, Nicholas Gill, jun., John M. Rendell, John McWilliam, Henry Winton.

1838. June 9.	Aaron Hogsett vs. G. H. Emerson.	John Sinclair, Jas. Clift, Thos. Bearnes, Thos. Williams, Samuel Mudge, Matthew Stewart, William Warren, jr., Gilbert Clapp, Frederick Rennie, Richard Howley, William Thomas, John Stuart, Thomas Glen, John Cusack, J. M'Gibbon, Abraham LeMessurier.
Dec. 17.	Charles F. Bennett & George Morgan vs. Richard Perchard.	James Fergus, John Thompson, John Wyatt, Thomas Bearnes, John McGibbon, Wm. Rendell, Jas. Clift, Robt. Alsop, John Sinclair, James B. Wood, John McWilliam, John M. Rendell, Matthew Stewart, Richard Langley, Patrick Kough, Nicholas Gill, jr.
Dec. 19.	Samuel Parsons and others vs. Samuel Bulley, John Job, and others.	Walter Grieve, Jas. Rennie, Robt. Brine, John Brine, Sen., Charles Bowring, Robt. Alsop, Wm. Wheatley, Ralph Trimingham, Thomas Williams, Wm. Rendell, Dugald McKellar, Nicholas Gill, jun., Wm. Thomas, Hannibal Murch, Edward Francis, Nicholas Mudge.
Dec. 20.	Joseph Soper vs. Geoffrey Cooney.	John Nichols, Robert Job, Robert Alsop, Ralph Trimingham, Nicholas Gill, jr., Peter M'Bride, Benjamin Scott, Henry Winton, Gilbert Clapp, John Jennings, Walter Grieve, John M'William, Kenneth McLea, Thomas Bennett, Charles Bowring, John B. Bulley.
Dec. 20.	James Clift vs. Simon Morris.	Kenneth McLea, Dugald McKellar, John McWilliam, Frederick Rennie, Peter McBride, Charles Bowring, Thomas Job, Gilbert Clapp, John Brine, Sen., Han. Murch, Ed. Francis, John Stuart, Robt. Alsop, John McGibbon, Samuel Mudge, John Warren.
Dec. 21.	John V. Nugent vs. Henry D. Winton.	John Brine, John Warren, Walter Grieve, John Nichols, John Jennings, Eugenius Harvey, James Fergus, Robert Prowse, Robert Brine, John Wyatt, Patrick Kough, Peter McBride, Wm. Rendell, Monier Hutchings, Kenneth McLea, John Brine, jr.
Dec. 22.	John V. Nugent vs. J. W. McCoubrey.	John Brine, jr., Benj. Scott, Gilbert Clapp, John Jennings, Andrew Milroy, Wal. Grieve, John Wyatt, Robert Alsop, John B. Bland, James B. Wood, Jeremiah Ryan, Fred. Rennie, Monier Hutchings, Geo. Morgan, John McWilliam, William Wheatley.
Dec. 26.	Edward Murphy & Edward Murphy vs. Charles F. Bennett & Thomas Bennett.	John Stuart, Charles Bowring, John B. Bulley, Walter Grieve, Robert Prowse, John Trimingham, John Sinclair, Robert Job, Peter McBride, Ewen Stabb, Eugenius Harvey, Edward Francis, Gilbert Clapp, Robert Brine, John Warren, Nicholas Gill, jr.

1838.	Dec. 27.	Charles F. Bennett & Thomas Bennett vs. Thomas D. Quinn.	Jas. Fergus, Benjamin Scott, Kenneth McLea, Jas. Clift, William Richards, John Brine, jr., Matthew Stewart, John Stuart, Hannibal Murch, Charles Bowring, Samuel Mudge, Henry Winton, John Dunscomb, John McWilliam, Eugenius Harvey, Wm. Langley.
	Dec. 29.	Sarah Blaikie, Administratrix of the Estate of James Blaikie vs. N. W. Hoyles.	Charles Bowring, Jas. B. Wood, John Warren, Kenneth M'Lea, Patrick Kough, Wm. Warren, jun., Patrick Doyle, Robt. Alsop, Dugald McKellar, John Brine, Sen., Richard Langley, John M'William, Ralph Trimingham, Thos. Glen, John Stuart, Matthew Stewart.
1839.	Dec. 11.	John Doe de. Thomas Ryan vs. John O'Mara.	Nicholas Gill, jr., Jas. Fergus, Monier Hutchings, Matthew Stewart, Peter McBride, Rich. Langley, John Warren, Dugald McKellar, John Stuart, Robt. Brine, Thos. Bennett, Andrew Milroy, Robert Prowse, Gilbert Clapp, Henry P. Thomas, Patrick Huie.
	Dec. 14.	Gilbert Clapp and Thomas Clapp vs. Thomas Bearnes.	Patrick Huie, John Stuart, Robt. Alsop, Matthew Stewart, Thomas Glen, Wm. Thomas, William Wheatley, Patrick Morris, John Sinclair, Henry P. Thomas, John McWilliam, Peter McBride, John O'Mara, Robert Brine, John Nichols, Nicholas Gill, jr.
	Dec. 17.	Pierce Power vs. James Douglas and others (Road Commissioners.)	Monier Hutchings, Dugald McKellar, Thomas Glen, John Brine, Robert Alsop, Hannibal Murch, Wm. Warren, jr., John Stuart, John B. Bulley, Eugenius Harvey, John McGibbon, Kenneth McLea, Robert Brine, Peter M'Bride Edward Francis, Samuel Mudge.
	Dec. 18.	Benjamin G. Garret vs. Michael Allen.	Dugald McKellar, James B. Wood, Hannibal Murch, Jeremiah Ryan, Robert Alsop, Wm. Warren, Monier Hutchings, Henry P. Thomas, John Wyatt, John Cusack, Eugenius Harvey, John Nichols, Wm. Rendell, James Fergus, Patrick Kough, John Stuart.
	Dec. 19.	Gilbert Clapp and Thomas Clapp vs. John Buckley.	Jas. Fergus, Andrew Milroy, Charles F. Bennett, Richard Perchard, jun., John Stuart, Weston Hunt, Thos. Glen, William Thomas, Wm. Richards, Wm. Warren, jun., Timothy Hogan, John Warren, Kenneth M'Lea, Richard Howley, Jas. B. Wood, Charles Bowring.
1840.	Dec. 7.	Thomas Casey vs. Thomas Parker.	William Wheatley, Nicholas Gill, jun., Thos. Glen, Dugald McKellar, James S. Clift, Peter McBride, Robt. Clapp, Matthew Stewart, Ptk. Doyle, Wm. Thomas, Walter Grieve, John M. Rendell, George H. Dunscomb, Frederick Rennie, Nicholas Stabb, John M'Gibbon.

1840. Dec. 7.	John Murphy vs. Richard Perchard.	John M. Rendell, John O'Mara, Thomas Bearnes, Wm. Rendell, John Jennings, Nicholas Gill, jr., John Cusack, Jas. B. Wood, Geo. H. Dunscomb, Jas. S. Clift, R. N. Goff, Richard O'Dwyer, Richard Langley, Robert Alsop, Thos. Glen, Wm. Richards.
Dec. 17.	Charles F. Bennett vs. Thomas Beck.	Robert Brine, John Wyatt, Wm. Rendell, Wm. Thomas, Thomas Glen, Patrick Huie, George Winter, jr., Jas. B. Wood, John Brine, jr. Peter McBride, Wm. Richards, Henry P. Thomas, Thomas Job, Nicholas Mudge, Nicholas Gill, jr., Hannibal Murch.

April 22, 1841.

E. M, ARCHIBALD

Chief Clerk and Registrar.

INDEX.

A

ADDRESSES—To Her Majesty—8, 9, 18, 43, 45, 49, 65, 209.

———————To Prince Albert and the Duchess of Kent—10.

To His Excellency the Governor, in answer to his Excellency's speech at the opening of the Session—8, 9, 11; presented 10, reply, ibid.

For copies of documents relative to the Conception Bay election—14.

For vouchers from the Colonial Treasurer—15; presented 21, reply, ibid.

For documents connected with the late election—16; presented 21, reply, ibid.

For copies of proclamations &c., relative to St. John's Hospital, 35, 36, 38, presented 41, reply, ibid.

To advance a sum for the relief of the poor, 38, presented 133, reply, ibid.

For Coroners accounts, &c., 55.

In reference to an address in the last Session, on the return of fees from the Police Office, St. John's, 55, 57; presented 66, reply, ibid.

For the information on which his Excellency grounded his opinion of the late Election, 60, 63; presented 70, reply, ibid.

For a copy of the Road Surveyor's report, 61, 64, presented 71, reply, ibid.

On the subject of the Dock Yard, 67, presented 76, reply, ibid.

For Gaol Returns from Harbor Grace, 70, 75, presented 79, reply, ibid.

For copy of Mr. Elias Rendell's report, 82, 84, presented 94, reply, ibid.

On Fishery laws, 85, presented 96, reply, ibid.

For returns of Imperial duties, 86, 93, presented 96, reply, ibid.

In answer to his Excellency's message on the subject of Geological specimens, &c., 95, 96, presented 102, reply, ibid.

Copy of petitions and paupers accounts, 109, presented 111, reply, ibid.

Addresses—For copies of correspondence on the subject of a Light House on Cape Pine, 118, presented 127, reply, ibid·
Issue Warrants on account of Grants to the poor, 126.
To thank him for his exertions in reference to the Light House on Cape Pine, 128, presented 133, reply, ibid.
On the subject of pauper claims, 165, presented 175, reply, ibid.
For lists of Grand and Special Jurors, 184, 187, presented 195, reply, ibid.
To draw certain amount from the Treasury for repairs of Fort William, 199, presented 203, reply, ibid.
To issue his warrant for the payment of certain sums, 206, 207, presented 220, reply, ibid.
Academy—Bill to establish, see bills No. 1.
Albert Prince, address to.
Alms House bill to establish, see bills No. 24.
Appeal Case of Kielley vs. the Speaker and others, letter from the Solicitor in London respecting, 105.
Attachment Law bill to amend, see bills No. 22.
Assembly meets, 5.

B

BAYLEY JAMES—Petition of, see petitions.
Bennett Samuel and others petition of, see petitions.
Ballot bill to establish, see bills No. 31.
Benevolent Irish Society petition of, see petitions.
Bills, No. 1. To establish an Academy, 8, 18, 28, 38, 41, 44.
2. To regulate servants wages, 8, 33, 56, 132, 156, 162, 168, 174.
3. To regulate persons employed in the Seal Fishery, 14, 77.
4. To establish Fire Company at Carbonear, 16, 98, 100, 103, 107—G. A. 226
5. To establish a Catholic Academy, 17.
6. To amend Irish Society Incorporation Act, 18, 59, 68, 74, 76, 117, 121 122—G. A. 226.
7. To incorporate Natives Society, 18·
8. To regulate the office of Sheriff, 19, 51.
9. To regulate Elections, 19, 59, 78, 85, 93, 99, 104, 108, 121, 124, 132, 134
10. To provide for the contingencies of the 4th and 5th Sessions, 20, 22, 28 29, 34, 40, 43.
11. To encourage Ship Building, 28, 30, 33, 37, 47, 53.
12. To fix the terms of the Courts, 28, 40, 108.
13. To authorize the Sheriff to levy execution after final judgment, 34, 39, 4 50, 53, G. A. 226.
14. To declare vacant the seats of Members in certain cases, 34, 37, 40, 5 56, 68.
15. To regulate Juries, 35, 39, 54, 58.
16. To provide for the Poor, 35, 117.
17. To give protection to the printers in Legislative reports, 39, 54, 58.
18. To provide for the making of Tanks in St. John's, 43, 58.
19. To amend Whale Fishery Act, 46, 68, 78, 85, 86.
20. To revive Quarantine Act, 56, 58, 64, 65—G. A. 226.
21. To revive deserted wives and children's act, 56, 58, 64, 65—G. A. 226.
22. To further amend the law of attachment act, 56, 61, 69, 81, 82.

Bills No. 23. For the encouragement of education, 66, 95, 99, 102, 157.
24. To establish an Alms House, 68, 194.
25. To indemnify the Governor for certain advances, 73, 76, 77.
26. For making and repairing roads and bridges, 73, 80, 82, 108, 120, 130, 134.
27. To provide for certain sums of contingencies, 75, 80, 82.
28. To indemnify Commissioners of Roads, 78, 93, 94, 98, 100, 106, 170, 172.
29. To repeal in part Seamen's relief act, 98, 100, 103, 104.
30. To prevent fraud in the sale of certain articles, 107, 110, 111, 114.
31. For the establishment of vote by ballot, 109, 117, 125, 129.
32. To afford a remedy in cases of the felonious destruction of property, 112, 134.
33. For the erection of a Light House on Cape Bonavista, 117, 122, 124, 135, 168, 176, 184, G. A. 226.
34. To continue Pilots act, 121, 134, 140, 144, 176, 184, G. A. 226.
35. To re-appropriate Grammar School Grant for Carbonear, 124, 132, 134, 144, 154.
36. To raise a loan for the Placentia road, 125, 130, 139.
37. To provide for making a line of road to Placentia, 125, 130, 132, 138.
38. Bill for the regulation of Crown Lands, 149.
39. For granting supplies, 152, 154, 155, 161.
40. Granting certain duties on imports, 162, 164, 166, 168, 171, G. A. 226.
41. To provide for the contingencies of the present session, 192, 200.

Blackman Charles and others petition of, see petitions.
Blaikie Sarah petition of, see petitions.
Brazil Patrick and others petition of, see petitions.
Brine Robert and others petition of, see petitions.
Brophy Michael and others petition of, see petitions.
Burke Lawrence and others petition of, see petitions.
Bussell George and others, petition of, see petitions.
Butler Thomas and others petition of, see petitions.
Byrne Michael and others petition of, see petitions.
Byrne Thomas petition of, see petitions.
Byrne John petition of, see petitions.

C

CATHOLIC Academy bill to establish, see bills No. 5.
Casey Michael and others petition of, see petitions.
Currigan Thomas and others petition of, see petitions.
Cleary Patrick and others petition of, see petitions.
Contingency bill, see bills No. 10.
Do. do. do. 41.
Courts, bill to fix the term of, see bills No. 12.
Coughlan Patrick and others petition of, see petitions.
Collins Luke petition of, see petitions.
Condon Patrick petition of, see petitions.
Costigan Vincent and others petition of, see petitions.
Committees—to audit public accounts, 8, 13.
To inquire into the state of St. John's Hospital, 16.
To act with the committee of H. M. Council on the subject of the Fort William Buildings, 20, 30, Report 74.

Committees—To act with the committee of her Majesty's Council on Fishery Act, 19, 20, 32.
On privilege, 27, report, ibid.
To report on expiring laws, 41, report, 42.
On Supply, 52, 81, report 88, 101, 110, 117, 126, 143, 145, 160.
On Ways and Means, 55, report 119.
On Roads and Bridges, 60.
To search the Journals of H. M. Council, 115, report 116—170, report 171.
Cross W. D. and others, petition of, see petitions.
Croke Nicholas petition of, see petitions.
Crown Lands bill to provide for, see bills No. 39.
Cullen James and others petition of, see petitions.
Currie Robert and others petition of, see petitions.
Cumberland J. and others, petition of, see petitions.

D

DAWLEY Patrick and others petition of, see petitions.
Devereaux Michael and others petition of, see petitions.
Delegation appointed, 224.
Dorcas Society petition of, see petitions.
Doyle James petition of, see petitions.
Dryer W. B. and others petition of, see petitions.
Dunscomb John and others petition of, see petitions.

E

EAGAN Daniel petition of, see petitions.
Education bill for the encouragement of, see bills No. 23.
Election bill, see bills No. 9.
Execution after Final Judgment, bill to authorise the levying of, see bills No 13.

F

FIRE Company in Carbonear bill to establish, see bills No. 4.
Foot John and others petition of, see petitions.
Factory Committee petition of, seee petitions.
Fraud in the sale of certain articles, bill to prevent, see bills No. 30

G

GOVERNOR'S speech at the opening of the Session, 6,—at the close, 225.
Griffin Daniel and others petition of, see petitions.
Grammar School Grant Carbonear, bill to re-appropriate, see bills No. 36.

H

HARTRY Thomas and others petition of, see petitions.
Hanrahan Edward and others petition of, see petitions.

Hickey Thomas and others petition of, see petitions.
Houlton Thomas petition of, see petitions.
Howell Mary petition of, see petitions.
Houlton Thomas and others petition of, see petitions.

I

IRISH Society Incorporation Act, bill to amend, see bills No. 6.
Jury, bill to regulate, see bills No. 15.
Joy William and others petition of, see petitions.
Indigent Sick Society petition of, see petitions.

K

KENT Duchess address to, 10.
Keating Michael petition of, see petitions.

L

LETTER from the hon. Mr. Crowdy transmitting documents, 24, 30, 46, 71, 100, 104, 113, 118, 222, 131, 194.
———— Transmitting despatch from the Secretary of State, 153.
From William Witham Esq., 221, reply, 222.
Light House on Cape Bonavista, bill to provide for the building of, see bills No. 33.
Loan for the road to Placentia, see bills No. 37.
Lowe George petition of, see petitions.

M

MESSAGE from his Excellency the Governor commanding the attendance of the House at the opening of the Session, 5,—at the close, 225.
———— Ditto transmitting documents, 17, 31, 47, 61, 83, 94, 116, 123, 157.
From her Majesty's Council requesting conferences, 73, 163, 168, 174, 188, 196, 200, 207, 208.
Acceding to conferences, 177, 192, 204.
Transmitting bills without amendments, 95, 138, 176, 185.
Transmitting bills with amendments, 106, 136, 140, 150, 160, 167, 168, 172, 178, 185, 186, 198.
With an address for the concurrence of the Assembly in reference to the buildings at Fort William, 143.
Maccasey Laurence and others petition of, see petitions.
Martin Thomas and others petition of, see petitions.
McCarthy Felix and others petition of, see petitions.
McCarthy Charles and others petition of, see petitions.
Members of the Assembly bill to provide for the vacating seats of, see bills No. 14.
Moore Mr. reprimanded by Mr. Speaker, 26.
Morris Simon and others petition of, see petitions.

Morris Edward petition of, see petitions.
Murphy John and others petition of, see petitions.
Mullowney Patrick and others petition of, see petitions.

N

NEAL Michael and others petition of, see petitions.

O

O'BRIEN Mr. oath administered to, 5.
O. Pack Stephen and others petition of, see petitions.

P

PACK Robert and others petition of, see petitions.
Ditto ditto ditto.
Parsons Robert J. petition of, see petitions.
Petitions—of Michael Keating and others, 8.
Of Laurence Burke and others, 13.
Of William Williams and others, 18.
Of John Casey and others, 20.
Of Thomas Hartrey and others, 21.
Of Michael Neal and others, 22.
Of John Dunscomb and others, 22.
Of James Tracey and others, 24.
Of John Power and others, 24
Of William Walsh and others, 26.
Of Patrick Brazil and others, 32.
Of John Murphy and others, 33.
Of W. D. Cross and others, 33.
Of Laurence Maccassey and others, 34.
Of Thomas Houlton, 34.
Of John Purcell and others, 37.
Of Joseph Ryan and others, 37.
Of Robert Pack and others, 43.
Of Simon Morris and others, 43.
Of W. B. Dryer and others, 44.
Of Daniel Griffin and others, 44.
Of Nicholas Roach and others, 44.
Of P. Mullowney and others, 46.
Of Michael Scanlan and others, 46.
Of William Redmond and others, 46.
Of Edward Pike and others, 47.
Of John Rourk and others, 47.
Of Mary Howell, 49.
Of Robert Saunders and others, 52.
Of James Power and others, 52.
Of Thomas Hickey and others, 52.
Of Samuel Rose and others, 52.
Of Robert Pack and others, 53.
Of Patrick Coughlan and others, 54.

Petitions—of Joseph Templeman and others, 54.
Of the Ladies of the Dorcas Society, 59.
Of Luke Collins, 59.
Of William Whelan, 59.
Of George Winter and others, 60.
Of Robert Brine and others, 62.
Of Thomas Houlton and others, 62.
Of John Foot and others, 63.
Of William Joy and others, 63.
Of Peter Doyle and others, 63.
Of John Tricket and others, 66.
Of Stephen O. Pack and others, 66.
Of Edmund Hanrahan and others, 66.
Of James Whelan and others, 66.
Of James Tobin, 68.
Of Indigent Sick Society, 72.
Of George Lowe, 72.
Of John Byrne and others, 72.
Of James Cullen and others, 72.
Of James Whelan, 76.
Of Matthew Pope, and others, 76.
Of Patrick Cleary and others, 76.
Of Robert Pack and others, 79.
Of Robert Currie and others, 79.
Of Michael Wade and others, 79.
Of Thomas Martin and others, 79.
Of George Bussell and others, 79.
Of Thomas Butler and others, 79.
Of Felix M'Carthy and others, 79.
Of John Walsh and others, 80.
Of James Bayley, 82.
Of Patrick Condon, 87.
Of Michael Devereaux and others, 96.
Of Richard Rossiter and others, 96.
Of Jonas Soper and others, 98.
Of Charles M'Carthy and others, 98.
Of Factory Committee, 101.
Of Patrick Ward and others, 102.
Of Charles Blackman and others, 102.
Of Patrick Ryan and others, 102.
Of Samuel Bennett and others, 102.
Of J. Cumberland and others, 103.
Of James Sharp, 103.
Of Sarah Blaikie, 107.
Of Vincent Costigan and others, 107.
Of Thomas Carrigan and others, 105.
Of Richard Sullivan, 109.
Of Michael Croke, 112.
Of Edward L. Moore, 113.
Of Benevolent Irish Society, 115.
Of John Brophy and others, 115.
Of Thomas Byrne, 118.
Of Patrick Dawley, 121.

Petitions—Of Robert John Parsons, 124.
Of James Doyle, 129.
Of Daniel Eagan, 129.
Of Richard Perchard, 130.
Of William Sweetland and others, 133.
Of John Vinnicomb and others, 134.
Of John Brown, 135.
Of Road Commissioners of H. Grace, 136.
Of John Rochford, 139.
Matthew Stevenson, 156.
Perchard Richard petition of, see petitions.
Pike Edward and others petition of, see petitions.
Pilots Act bill to continue, see bills No. 34.
Pickled Fish Act, bill to revive, see bills No. 35.
Power John and others petition of, see petitions.
Poor, Bill to provide for, see bills No. 16.
Power James and others petition of, see petitions.
Pope Matthew and others petition of, see petitions.
Privilege House in Committee on, see Committees.
Printer to the House appointed, 42.
Public Accounts Committee to Audit, see Committees.
Purcell John and others petition of, see petitions.

Q

QUARANTINE Act bill to revive, see bills No. 20.

R

REVENUE Bill, see bills No. 41.
Redmond William and others petition of, see petitions.
Roach Michael and others petition of, see petitions.
Rourk John and others petition of, see petitions.
Ross Samuel and others petition of, see petitions.
Roads and Bridges bill to provide for, see bills No. 26.
Road Commissioners bill to indemnify, see bills No. 28.
Road to Placentia bill to provide for making, see bills No. 38.
Rossiter Richard and others petition of, see petitions.
Rochford John petition of, see petitions.
Ryan Joseph and others petition of, see petitions.
Ryan Patrick and others petition of, see petitions.

S

SAUNDERS Robert and others petition of, see petitions.
Scanlan Michael and others petition of, see petitions.
Seal Fishery bill to regulate, see bills No. 3.
Seamen's relief act bill to repeal in part, see bills No. 29.

Sheriff's Bill, see bills No. 7.
Ship building, Bill to encourage, see bills No. 12.
Sharp James petition of, see petitions.
Soper Jonas and others petition of, see petitions.
Speakers address on the amended money bill, 186.
St. John's Hospital committee to enquire into the state of, see committees.
Stevenson Matthew petition of, see petitions.
Supply House in Committee on, see Committees.
Sullivan Richard petition of, see petitions.
Sweetland William and others petition of, see petitions.

T

TANKS in St. John's, bill to provide for the making of, see bills No. 18.
Templeman Joseph and others petition of, see petitions.
Tobin James petition of, see petitions.
Tracey James and others petition of, see petitions.
Tricket James and others petition of, see petitions.

V

VINNECOMB John petition of, see petitions.

W

WAGES of servants bill to regulate payment of, see bills No. 2.
Ways and means, see Committees.
Walsh William and others petition of, see petitions.
Walsh John and others petition of, see petitions.
Ward Patrick and others petition of, see petitions.
Whale Fishery Act bill to amend, see bills, No. 19.
Whelan William petition of, see petitions.
Whelan James and others petition of, see petitions.
Whelan James petition of, see petitions.
Wade Michael and others petition of, see petitions.
Williams William and others petition of, see petitions.
Wives and Children deserted by their husbands and parents bill to revive act for the relief of, see bills No. 21.
Winter George petition of, see petitions.

DOCUMENTS CONTAINED IN THE APPENDIX.

Estimate, 1.
Customs Accounts, 5.
Statement, 7.
Treasury Accounts, 8.
Despatches, 17.
Crown Lands, 35.
Report of Mr. Rendell's proceedings on the coast of Labrador, 42.
Report of Captain Milne relative to the Fisheries, 43.
Education reports, 58.
Light House reports, 73.
Miscellaneous, 78.
Registration of Voters account, 134.
Returning Officers accounts election expenses, 144.
Report Geological Survey, 149.
Report Road Commissioners, 151.
Account of the claims of persons for the support of aged and infirm paupers, 194.
Return of Special Juries, 199.