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OPINION of Law Officers in respect of Courts established in Newfoundland under Act 49, Geo. XIII. Cap. 27. 12 Sept. 1820.

ORDER IN COUNCIL - signifying His Majesty's pleasure with respect to alteration made in Church Service in consequence of demise of King Geo. XIII dated 12 Feb. 1820 - 19 Feb. 1820
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- Directions that His Majesty's Troops serving in British Colonies abroad should in certain cases be paid in British Silver and Copper Money. Date of Order 23rd March 1825. May 1825.
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PARDON- granted to James Wade and James Lanigan in consequence of invalidity of Commission under which they were tried- owing to incompetency of Attorney General Mr. Westcote- 11 Aug. 1823.
- Resignation of Mr. Westcote- 30 Aug. 1823.

PENSION- of £30 per annum made to family of Mr. Westcote late Attorney General of Newfoundland. 30 July 1825.

PETITION- of inhabitants of Newfoundland to His Majesty the King for improvement of the laws or the amelioration of the system of Government to which they are subjected. 14 Nov. 1821.

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PUBLIC ACCOUNTS- Act respecting Audit of- 30 Feb. 1822.

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RETURN- of the Trade and Fishery of Newfoundland to be made up by Governor to the 1 July instead of 10 October- 27 Oct. 1820.

RETURNS- of Revenue and Expenditure- Instructions to Governor regarding the furnishing of- 5 June 1824.

ROADS- from Placentia to St. John's and from St. Mary's to Holywood- Pamphlet proposing plan for cutting a--- 6 July 1823.

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— Bond to be executed by Captain Buchan for performance of his duties as Sheriff— 16 Sep. 1825.

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STURGEYS THOMAS— convicted of Murder— pardoned by King Geo. IV on condition that he be transported to New South Wales. 15 February 1822. 30 Feb. 1822.

SUBSCRIPTION— raised by inhabitants of St. John’s amounting to £365.10. 6 to relieve distress among lower classes. 31 May 1825.

SUPREME COURT of Newfoundland. Charter of Justice under Great Seal transmitted by Secretary of State— 8 Oct. 1823.

SURROGATES SALARY— Application made by Captain Martin R.N. to Secretary of State for payment of salary during time he acted in capacity of Surrogate— 31 July 1822.

TROOPS— Inconvenience caused to at St. John’s by occupation of temporary barracks for Gaol— 9 Feb. 1820.

TRADE and Fishery of Newfoundland. Return to be made up to 1 July instead of 10 October— 27 March 1827.
UNDER SECRETARIES OF STATE - Division of business of Colonies between them - 1 July 1825.

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- for Council of Newfoundland. Question to be brought under notice of Secretary of State when Council is permanently formed - 2 Oct. 1825.

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- Act of Congress entitled "An Act to amend the several Acts for imposing duties on Foreign Imports" - 26 May, 1824.
VAUGHAN—RT. HON C.R. Assumes duties of His Majesty’s Envoy Extraordinary and Minister Plenipotentiary to the United States 20 Aug. 1825.

VESSEL—hired for use of service of Government of Newfoundland at the rate of £2500 per annum—16 June 1825.

Orders given for discharge of Seamen from the vessel "Forte" to enable them to join vessel intended for Nfld. 21 June 1825.

—Lords Commissioners of Treasury approve of hire of— at an annual expense of £2500 23 June 1725

—respecting ballast for— 24 June 1825.

—re. supply of guns and small ammunition to— 8 Aug. 1825.

15 Aug. 1825:

—Lords Commissioners of Admiralty do not feel at liberty to comply with request of Governor for Government vessel to carry a pendant—12 Sept. 1825.

—Lords Commissioners of Treasury approve of suggestion that Bills of Contractor for vessel be approved by Governor before made payable—17 Sept. 1825.

VICE ADMIRALTY COURT—Custom House London directs principal officers in Newfoundland to distribute proceeds of all seizures condemned—8 Oct. 1825.

VILLIERS—MR. HYDE—Appointed Agent for Colony of Newfoundland at a salary of £300 per annum. 6 Apr. 1725.
SUBJECT:

WARNE SUSANNAH- Mistress of Female School of Industry at St. John's- allowed the sum of £40 per annum from Crown Rents- 8 Apr. 1822.


- Resignation of office of Attorney General- 30 Aug. 1823
- Allowance of £150 for expenses of his return to England- 13 Decr. 1823.
- Pension of £30 per annum made to distressed family of-- 30 July 1823.

WORKS- at St. John's. Estimate of repairs &c. 3 Nov. 1821.

YORK-----Her Royal Highness the Duchess of-
Death of at Catlands- 9 Aug. 1820.
Downing Street,
8th January, 1820.

Sir,

I herewith transmit to you the copy of a Memorial addressed to me by Mr. Eaststaff late Surveyor of Lands in Newfoundland stating that you have given an Order to deprive him of two small grants which had been made to him by former Governors, and I am to desire that you will explain to me your reason for calling in question Mr. Eaststaff's rights to the lots referred to by him which appear to me to have been given decidedly to Mr. Eaststaff "as a compensation for the road called "Gower Street" passing through premises which became his property in right of his wife", and as I consider Mr. Eaststaff to have a claim to my favourable consideration I shall be glad to hear that you have felt yourself at liberty to permit him to dispose of the three lots mentioned in his Memorial without the delay of a further reference to this country.

I have etc.,

BATHURST.

NOR SIR C. HAMILTON, Bart.
EARL BATHURST,

SECRETARY OF STATE FOR COLONIAL DEPARTMENT
&c. &c. &c.

The Memorial of Thomas Geo. William Eaststaff,
nlate of the Corps of Royal Military Surveyors & Draftsmen.

Most humbly sheweth:

That your Memorialist begs leave with the greatest submission and respect to inform Your Lordship that your Memorialist has a wife and seven children to support in these distressing times, and has served in His Majesty's Ordnance Service Thirty five years, twenty two of which in the Island of Newfoundland, and several years of the last mentioned period as Surveyor to the Civil Government (for £25 per year) under their Excellency's the Governors and Admirals Sir E. Gower, Sir J.T. Duckworth, Sir Richard G. Keats, and F. Pickmore, Esq. all of which he begs leave to refer Your Lordship to for a character if necessary as to his conduct as an officer, more particularly a reference to Their Excellency's the Governors and Admirals Sir Richard G. Keats and to Admiral F. Pickmore, Esq. letters 1816 and 1817 particularly recommending him for the permanent situation of Crown Surveyor to the Civil Government of Newfoundland and as such your Memorialist when in London wrote to Secretary Henry Goulburn Esq. on the subject and received for answer January 3rd 1818 "that the subject was to be referred to the Treasury" and as such from distress your Memorialist was obliged
obliged to proceed to Canada with his wife and large family, and from extreme necessity was obliged to write to his Agent in Newfoundland to sell all his property to pay his just and lawful debts, but to his astonishment received for answer that the Governor Sir C. Hamilton would not suffer his two small Grants Lots D & E and J of about one acre of land to be sold or transferred with (Lot J) the building privileges of a House, the plea set up by His Excellency Sir C. Hamilton, as he says "granted under circumstances of personal consideration to Mr. Eaststaff as connected with his situation as Surveyor of lands, and by his removal from Newfoundland is cancelled" all of which plea Your Lordship will see by the note of privilege (marked Red in the margin of the Grant) is not correct and His Excellency must have been grossly deceived by his secretary Mr. LeGeyt (who was both Secretary to Admirals Sir Richard Keats and F. Pickmore Esq.) for there it is expressly stated most correctly as follows: "The Grant of this Ground with permission to build a house thereon is given to Mr. Eaststaff as a compensation for the road called Gower Street passing through the premises which became his property in right of his wife" as such your Memorialist most humbly request Your Lordship will condescend to take his case into consideration and order the Governor of Newfoundland to allow the sale or transfer of all his granted property Lots marked D & E and with the building privilege given to Lot marked J agreeable to the right of the grant in question his private property having been sacrificed for
for a public road, and further Your Memorialist hopes his is above all deception, as such he has enclosed copies of all the correspondence with Admiral Sir G. Hamilton together with a correct copy of the grant J, that Your Lordship may see the case without any disguise; all the conditions of the Grants in question such as fencing and cultivating the land at a very considerable expense Your Memorialist has already done, in order that the Governor might not have any just reason to complain. The Lot J (Grant) given as compensation Grant, only in equality with several other persons who did thus give up their private property in order to meet the particular wishes of the then Governor for the time being, and none of which has been disturbed by the Governors, but have had ever since peaceable enjoyment excepting this one single instance for what reason to the contrary Your Memorialist is at a loss to guess, unless his not having returned to Newfoundland, the reason of which has been before stated by Mr. Secretary Goulburn’s answer to him on the subject. Your Memorialist has also received another letter from Newfoundland that His Excellency is going to take away the other Lot D & E, (of about 1/2 an acre) and intending adding it to his own Government fields of about 14 acres, in which case he destroys the principal of his letter dated 30th April 1819 as enclosed, all of which conduct Your Memorialist most humbly and most earnestly solicits Your Lordship’s interference, or else nothing but complete ruin of
his property will take place.

And Your Memorialist will be ever bound to pray.

T.G.W. EASTSTAFF,

Oct. 8, 1819.

Quebec, Canada.
LOT J.

Thomas George William Eaststaff of St. John's space of ground as marked on the plan J situated on the North side of the public road leading from Fort Townsend to Fort William (which road is to be left 40 feet wide at all times and south of Mr. L. Chancey's ground— and bounded on the north by ground held by Mr. L. Chancey sixty six yards south by the above named road thirty four yards East by the road leading to Kean's Pinch and piling place forty yards and west by the road leading to the Powder House &c. thirty four yards. The whole piece of ground measuring one rood and twenty perches and not exceed.

T.G.W. EASTSTAFF,
Crown Surveyor.
By His Excellency Francis Pickmore Esquire
Governor and Commander in Chief in and over the Island of Newfoundland and its dependencies &c. &c.

BY VIRTUE of the power and authority to me given I do hereby grant permission to Thomas George William Eaststaff a resident inhabitant within the District of St. John's in the said Island TO HAVE, hold, use, occupy and enjoy for the purpose of cultivation for the use of his family a certain spot of Ground containing about but not exceeding one rod and twenty perches situate lying and being on the North side of the public road leading from Fort Townsend to Fort William bounded on the North by ground held by Mr. L. Chancey sixty six yards, on the south by the above mentioned road which is to be left forty feet wide and thirty five yards, on the East by road leading to Means Finch forty yards and on the West by the road leading to the Powder House &c. Thirty four yards, as described by the letter J in the plan on the other side hereof, for and during the full end and term of Thirty years subject to the payment of any annual rent of five shillings sterling money of Great Britain and one shilling like money for the use of the Newfoundland Hospital payable unto the Governor of Newfoundland for the time being, or his assigns, or to such person or persons as shall be duly authorised to receive the same at the Government House in St. John's aforesaid, on the first day of September in every year. But if it should be found necessary at any time or times hereafter that the whole or
or any part of the said ground should be possessed
and taken for His Majesty's service that fair compen-
sation shall be paid to the said Thomas George William
Eaststaff his heirs or assigns for his interest there-
in.

The said Thomas George William Eaststaff his
Heirs or Assigns is to enclose the said spot of ground
with a good and sufficient fence and to clear and
cultivate one full third part of the said ground
within three years from the date hereof, and the
remainder within ten years from the date hereof;
And shall and will at all times well and sufficiently
build, erect, repair, support, sustain and maintain
the fences which shall and may be needful to enclose
the said premises: And shall and will at all times
jointly with the person or persons occupying the
ground adjoining bear a just and equitable proportion
of the necessary expense in making repairing and
keeping in repair all the partition fences; And also
that he shall and will at all times bear his just and
equitable proportion of the necessary expenses in
making repairing and keeping in repair the public
roads near or adjacent to the said premises according
to such estimate or estimates as shall be approved of
by the Government of Newfoundland for the time being,
or by any person or persons appointed by him for that
purpose.

AND the said Thomas George William Eaststaff
His Heirs or Assigns is not to assign over or other-
wise dispose of his interest in the said premises
or any part thereof, to any person or persons whatsoever without the consent of the Governor of Newfoundland for the time being first had and obtained; and that he will upon any such sale or transfer taking place cause the same to be registered on Government records.

AND if the said Thomas George William Eaststaff his heirs or assigns at the expiration of the term of thirty years hereby granted having well and truly done observed and performed all and singular the covenants and stipulations herein contained, and which on his part ought to be done and performed according to the true intent and meaning of these presents, shall then pay or cause to be paid to the Governor of Newfoundland for the time being, or to such person or persons as shall be duly authorised to receive the same the sum of one pound lawful money of Great Britain: that in consideration thereof he may continue by virtue of his grant to hold the said premises for a further term of thirty years: and so also at the expiration of every thirty years afterwards, subject however to the payment of the like clear yearly rents and performance of all and singular the conditions and stipulations hereinbefore expressed.

Given under my hand and seal at Fort Townshend St. John's, Newfoundland, this twenty fifth day of October One thousand eight hundred and sixteen.

Command of His Excellency

FRANCIS PICKMORE.

P.C. LEGEYT.
Downing Street,
8 January 1820.

Sir,

I have the honour to acknowledge the receipt of your letter of the 4th instant relative to the sum overdrawn by you as Governor of Newfoundland from the period of your appointment and your arrival in the Island, and I have to regret that it is not in my power to afford you relief as it is an invariable rule that the officer who may temporarily succeed to the Administration of the Government should receive half the salary of the situation until he is relieved. The difference between your case and that of your predecessors arises from the circumstance of Admiral Pickmore having died in Newfoundland at a period of the year when it was absolutely necessary for some person to carry on the Government instead of resigning it at home during the winter (as had been previously the practice) into the hands of his successor.

I have etc.

BATHURST.

SIR C. HAMILTON, Bart.
Downing Street,
8 January, 1826.

Sir,

I have the honour to acknowledge the receipt of your despatch of the 27th September last stating the measures which you have adopted for opening friendly communication with the native Indians and to acquaint you that under the circumstances stated I entirely approve of the course which you have pursued and of the instructions given by you to Captain Buchan for his guidance in attempting any negotiation with them.

I have etc.,

BATHURST.

R. C. HAMILTON, BART
Downing Street,
25 January, 1820.

Sir,

It is with infinite concern that I communicate to you the intelligence of the Decease of His Royal Highness Edward Duke of Kent His Majesty's fourth son, which melancholy event took place at Sidmouth after a short illness on Sunday the 23rd instant.

I have etc.,

BATHURST.

VERNOR

SIR C. HAMILTON, BART.

&c &c &c.
Downing Street,

7th February, 1820.

Sir,

It is my painful duty to inform you of the Demise of His Majesty King George the Third. This melancholy event took place at His Castle of Windsor, on Saturday, the 29th ultimo, at 35 minutes past eight o'clock p.m. It will be satisfactory to you to learn that His Majesty, whose strength had gradually declined for some weeks, expired without the least apparent suffering.

His present Majesty was proclaimed on the 30th ultimo, as announced in the enclosed Gazette, which also contains His Majesty's Most Gracious Declaration in Council.

The Form to be observed in proclaiming within your Government His Most Sacred Majesty King George the Fourth is stated for your guidance in the accompanying communication from the Lords of His Majesty's Most Honourable Privy Council to which is annexed the Form of a Proclamation requiring all Persons being in Office of Authority or Government at the decease of the late King to proceed in the Execution of their respective Offices till His Majesty's Pleasure shall be further signified.

I have etc.

BATHURST.

SIR C. HAMILTON, BART.
Downing Street,
9th February, 1907.

Sir,

The Lords of the Treasury having brought under my consideration a letter from Lieut. Colonel Manners commanding the Troops in Newfoundland representing the inconvenience sustained by the occupation of two of the Barrack Rooms as a temporary Gaol and I am to desire that such an arrangement may be made for the safe custody of the Prisoners until the new Gaol is completed as may prevent its interfering with the necessary accommodation of the Troops.

I have etc.,

BATHURST.

Gouvernor

SIR C. HAMILTON, BART.
AT THE COURT AT CARLETON HOUSE

the 12th of February 1820.

PRESENT

THE KING'S MOST EXCELLENT MAJESTY

IN COUNCIL.

WHEREAS His Majesty was pleased this day, in Council, to Declare His Royal Will and Pleasure, That in the Prayer for the Royal Family in the Morning and Evening Service the words "Their Royal Highnesses, George Prince of Wales, the Princess of Wales, and" be omitted.

That the same omission take place in that part of the Litany or General Supplication in which the same words recur.

That in the title to the Form of Prayer to be used on the day of His Majesty's Accession to the Crown, the Words "Upon the twenty-fifth day of October" be struck out, and the words "Upon the twenty ninth day of January" be inserted."

That in the prayer found in this Service for the King and Royal Family, the Words "Their Royal Highnesses George Prince of Wales, the Princess of Wales, and" be omitted.

To the end that the same form and order may be observed in His Majesty's several Provinces, Islands and Settlements in America and the West Indies, and elsewhere within His Majesty's Foreign Dominions, It is hereby Ordered in Council, That the Right Honourable
Earl Bathurst, One of His Majesty's Principal Secretaries of State, do cause the necessary communications to be made to the Governors of His Majesty's said several Provinces, Islands, and Settlements respectively.

JAS. BULLER.
Downing Street,
27 March, 1820.

Sir,

I herewith transmit to you the copy of a letter from Captain Keen complaining that a Building which was erecting on his property in Newfoundland by Mr. Toby, was pulled down by order of a Magistrate, and I am to request that you will furnish me with any information which you may possess as to the circumstances of this case.

I have etc.,

BATHURST.

GOVERNOR

SIR G. HAMILTON, BART.
Teignmouth, Devon,
March 5th, 1820.

My Lord,

The great veneration I feel for Your Lordships administration has induced me to make an appeal to your Lordship's love of Justice under a singular case of oppression, being well assured from Your Lordship's urbanity, no man asks in vain. In the year 1817 I had the misfortune to be a great sufferer by fire in Newfoundland; having had property which was granted by patent in the reign of King Charles the Second situated in Hudson's Cove in the Town of St. John's and had been in possession of my grandfather more than a hundred years.

Having granted a building lease of part of the premises to Mr. Toby on condition he should rebuild it, and when he was proceeding to do so the Sheriff under the warrant of some magistrate pulled it down, to his great injury, as well as my loss of rent.

On his appeal to the Supreme Court of Judicature he could obtain no redress, the Court not wishing to interfere, giving the following reason: that there was an Act of Parliament depending in the House of Commons respecting the property in Newfoundland, and that he would not be allowed to go on, till it was decided.

I beg to observe to Your Lordship that the property extends East and West parallel to the harbour, that my tenant has retired several feet towards the Harbour for the accommodation of widening the street, but
but the part now taken from me is to make a cove of sixty feet, for the use of the public, cutting north and south through my property so as to render the whole of little or no service or value.

I make this appeal to Your Lordship with the greatest respect and deference because that branch of the Government over which your Lordship presides is named as the authority for which my property is taken from me.

When I explain to Your Lordship that I have been thirty seven years a commissioned officer in His Majesty's Naval service, actively employed in all wars in that period, you will not suppose me in thus addressing you in these perilous times, biased by any other than the warmest congratulations for your safety, as well as the most profound respect.

Your Lordship's obedient servant,

(Sd) ROBERT KEEN,

Captain Royal Navy.

To Right Honourable

Lord Castlereagh.
Downing Street,
27th March, 1820.

Sir,

Having referred to the consideration of the Lords of the Committee of Privy Council for Trade your letter of the 13th January last recommending that the Annual returns of the Trade and Fishery of the Island of Newfoundland should for the future be made up to the 1st July in each year, instead of the 10th October, I have now to acquaint you that Their Lordships are not aware of any objection to the alteration proposed by you.

I have etc.,

BATHURST.

GOVERNOR

SIR C. HAMILTON, Bart.

&c.  &c.  &c.
OFFICE OF ORDNANCE.

29th May, 1820.

Sir,

Having submitted to His Grace The Master General and Board of Ordnance your letter dated 30th instant stating that Earl Bathurst had referred to the Governor of Newfoundland my letter of 27th Oct. last respecting certain encroachments made for the purposes of cultivation in the vicinity of Fort Townshend and transmitting a copy of a letter in reply from Vice Admiral Sir Charles Hamilton, signifying at the same time that Lord Bathurst under the circumstances therein set forth sees no reason to disapprove the inclosure and cultivation by the Governor of the land in question.

I have the honour to acquaint you for the information of His Lordship that the Master General and Board have no objection to the ground alluded to being used in the manner stated provided it is distinctly understood that it belongs to the Ordnance and that no fence or building is to be erected upon it which can interfere with any system of defence that may be hereafter deemed advisable on that ground.

I have etc.

R.H. CREWE.

HENRY GOULBURN, ESQ.,

&c. &c. &c.
Downing Street,
5th June, 1820.

Sir,

I am directed by Lord Bathurst to acknowledge the receipt of your letter of the 9th April last relative to the Land in the vicinity of Fort Townshend inclosed by you for the purposes of cultivation, and to acquaint you that the same having been referred to the Master General and Board of Ordnance His Grace and the Board have no objection to your retaining possession of it provided it is distinctly understood that the land in question belongs to the Ordnance, and that no Fence or Building is to be erected upon it which can interfere with any system of Defence that may hereafter be deemed adviseable on that ground.

I have etc.,

HENRY GOULBURN.
Downing Street,
5 June, 1820.

Sir,

I have to acknowledge the receipt of your letter of the 7th April last relative to Mr. Eaststaff's grant of Land and to acquaint you that although I thought it necessary in this as in all other cases of complaint to make a reference to you on the subject yet I by no means intended to imply that your conduct had been improper or objectionable. I have only to add that your explanation is perfectly satisfactory and if the Buildings proposed to be erected by Mr. Eaststaff will in any degree interfere with the defences of the Fort you will continue to refuse Mr. Eaststaff's application.

I have etc.,

BATHURST.

GOVERNOR

SIR C. HAMILTON, Bart.

&c. &c. &c.
Downing Street,
10th July, 1820.

Sir,

Having referred to the consideration of the Lords Commissioners of the Treasury your letter of the 13th January last relative to the maintenance of the Public Hospital at Newfoundland I herewith transmit for your information and guidance the copy of a letter from Mr. Harrison in reply dated the 9th ulto. desiring that unless the inhabitants are disposed to incur the expense of supporting the establishment the Building should be appropriated to some other purpose or sold if not required for the public service.

I have etc.,

BATHURST.

Governor

SIR C. HAMILTON, Bart.

&c. &c. &c.
TREASURY CHAMBERS,
9 June, 1820.

Sir,

Having laid before the Lords Commissioners of His Majesty's Treasury your letter of the 28th March last transmitting an extract of one from Governor Sir C. Hamilton stating the embarrassment he feels with regard to the maintenance of the Public Hospital at Newfoundland the Inhabitants having declined to grant any further aid towards its support, and requesting by the desire of Earl Bathurst to be informed what measures it may be in Their Lordship's opinion be proper to adopt for defraying the expenses of the Hospital now thrown upon the public, I am commanded by Their Lordships to acquaint you for the information of Lord Bathurst that under the circumstances represented by Sir Charles Hamilton it appears to my Lords that he adopted the most proper course by withdrawing the few remaining patients from the building used as a Hospital; and unless the inhabitants of Newfoundland are disposed to incur the expense of supporting the establishment it appears to My Lords that measures should be taken for appropriating the building to some other purpose useful to the public or to sell the same if it is not required for the service of the public and to pay the proceeds into the public chest towards the public expenditure. With respect to the suggestion in the latter part of Sir C. Hamilton's letter relative
to the deduction under the Act of the 15 Geo. 3.
Section 15 of 40 shillings from the wages of each man proce eding to Newfoundland, my Lords will communi-
cate with the Lords of the Committee of Privy Council
for Trade but it appears to them that the owners of
the vessels are not entitled to make the deduction
for their own benefit but are in every case bound to
pay the same for the passage home of the individual
from whom the deduction was made.

I am &c.

GEORGE HARRISON.

HENRY SOULBURN, ESQ.

&c. &c. &c.
Downing Street,

9th August, 1830.

Sir,

It is with deep regret that I communicate to you the intelligence of the decease of Her Royal Highness the Duchess of York which melancholy event took place after a painful illness at Oatlands on Sunday last to the great grief of all the Royal Family.

I have etc.,

Bathurst.

Sir C. Hamilton, Bart.

&c. &c. &c.
DOWNING STREET,
12 September, 1820.

Sir,

Having referred to His Majesty's Law Officers your letter of the 30th April 1819 inclosing a case with regard to the jurisdiction of the Courts established in the Island of Newfoundland under the Act of the 49th Geo. 3, Cap. 27, I have the honour to acquaint you that they are of opinion

1. That the Supreme Court of Judicature in Newfoundland cannot take cognizance of any case decided upon in the Surrogate Court when the sum recovered does not exceed £40 whether judgment in the Surrogate Court be by default or otherwise, since the only jurisdiction given to the Supreme Court in cases proceeded upon in the Surrogate Court is by appeal and the appeal is expressly restricted to cases where the sum exceeds £40.

2nd. The decision of the Court of Session in cases within their jurisdiction is final and the Supreme Court has no authority to interfere in such cases.

3rd. The Chief Justice has no power according to the constitution of the Supreme Court by the Statute 49 Geo. III, Cap. 27 to issue a Certificari for the purpose of removing a cause from the Surrogate
Surrogate or Sessions Court.

4th. An Appeal only lies in those cases in which it is given by the Act, in all others the decision of the respective Courts is final and there can be no review of it whether it be objectionable in Law or otherwise.

I have etc.,

BATHURST.


SIR C. HAMILTON, Bart.

&c. &c. &c.
DOWNING STREET,

9th October, 1820.

Sir,

I have the honour to acknowledge the receipt of your letter of the 28th June last transmitting Captain Buchan's detailed account of his journey in search of the Native Indians in the early part of the present year, and to acquaint you that the conduct of Captain Buchan affords additional instance of the zeal energy and judgment of that officer in situations of no inconsiderable difficulty, and although he has not succeeded in the actual object which he undertook yet his failure is in no degree attributed to other than accidental causes.

I have etc.,

BATHURST.
DOWNING STREET,

8 January, 1821.

Sir,

I am directed by Lord Bathurst to acquaint you that the case of Walter Mansfield convicted of Manslaughter in the Island of Newfoundland having been referred to the consideration of the Attorney and Solicitor General they have reported that the Court possessed no power to imprison Mansfield in any other prison than that of the Colony and he has consequently been set at liberty.

I have etc.,

HENRY GOULBURN.

GOVERNOR

SIR C. HAMILTON, Bart.

&c. &c. &c.
DOWNING STREET,
14 March, 1821.

Sir,

I have received and laid before the King the Petition of certain inhabitants of Newfoundland transmitted in your despatch of the 3rd July last.

His Majesty will always be disposed to consider the propositions which may be submitted to him by any portion of his subjects for the improvement of the Laws or the amelioration of the system of government to which they are subjected. It will be satisfactory to the Memorialists to know that His Majesty has under consideration how far the altered state of Newfoundland require some alteration of the existing Laws with respect to it, but in communicating to you this information His Majesty feels himself compelled to discourage all expectation of his sanction being given to the establishment of an independent Legislature, for neither do the particular evils of which the Memorialists complain (even admitting them to be correctly stated) appear to arise from the absence of a legislature, nor does the representation given by the Memorialists of the state of the Colony give any reason to suppose that they could conveniently take upon themselves the charge now borne by Great Britain and which would in the event of the establishment of a Legislature necessarily fall upon the inhabitants of the Island.

Yours, &c.

I have the honour to be, &c.

C. HAMILTON, Bart.
DOWNING STREET,

14 March, 1821.

Sir,

The Lords Commissioners of the Treasury having approved of the completion of the new Court House and Gaol in the Island of Newfoundland I have to convey to you the necessary authority to proceed with the same according to the Estimate transmitted by you, and in case any of the materials can be provided at a cheaper rate in this country, I have to desire that you will furnish me with a list of them in order that the necessary directions may be given for providing and forwarding them to you by an early opportunity.

I have etc.,

BATHURST.

[Signature]

SIR C. HAMILTON, Bart.

&c. &c. &c.
SUPPLEMENT

to

THE LONDON GAZETTE of TUESDAY the

7th of August.

PUBLISHED BY AUTHORITY.

Wednesday August 8th, 1821.

Whitehall, August 8, 1821.

Yesterday evening at twenty five minutes after Ten o'clock the Queen departed this life, after a short but painful illness, at Brandenburgh-House, at Hammersmith.
Downing Street,
8 August, 1821.

Sir,

It is my duty to communicate to you the intelligence of the decease of the Queen, who departed this life yesterday evening at 25 minutes past 10 o'clock after a short but painful illness.

I have etc.,

BATHURST.

IMPR
SIR CHARLES HAMILTON, Bart.
&c.  &c.  &c.
DOWNING STREET,
13 August, 1821.

Sir,

Lord Bathurst having referred to the consideration of the Lords Commissioners of the Treasury your letter of the 19th November 1819, detailing the proceedings of a late Trial in Newfoundland relative to a piece of land which you allege to be the property of His Majesty, I have now the honour to inform you by His Lordship's directions that the Lords Commissioners having submitted the case to His Majesty's Attorney and Solicitor General, they are of opinion that it will not be proper to prosecute any Appeal against the Judgment given in this case in the Colony in which opinion their Lordship's concur.

I have etc.,

HENRY GOUldburn.
Downing Street,

20 September, 1831.

Sir,

I have the honour to acknowledge the receipt of your despatch further representing the urgent necessity of the appointment of some Law Officer of the Crown to advise in and conduct such matters as may be necessary to protect the property of Government and the officers acting under it in Newfoundland; and I am to acquaint you that as a gentleman has already proceeded to the Island as Attorney General, and as a salary has been voted on the Colonial Estimate, it is not now necessary for me to enter into any detailed observations in your despatch, further than to state that as a specific salary of Three hundred pounds a year has been voted for the Attorney General, the sum of £150 usually paid heretofore to the Clerk of Arrayns may be saved.

I have etc.,

BATHURST.

GOVERNOR

SIR CHAS. HAMILTON, Bart.

&c. &c. &c.
TREASURY CHAMBERS,
3rd November, 1821.

Sir,

Having laid before the Lords Commissioners of His Majesty's Treasury your letter of the 20th July last enclosing an Estimate of Works and Repairs proposed to be carried on at St. John's, Newfoundland, in the year 1822, I am commanded to convey to you their Lordships authority for the execution of such of these works as may be absolutely necessary for the preservation of the buildings.

I have etc.,

GEO. HARRISON.

SIR CHAS. HAMILTON,
&c. &c. &c.
St. John's, Newfoundland.
TREASURY CHAMBERS,
30 November, 1821.

Sir,

I am commanded by the Lords Commissioners of His Majesty's Treasury to transmit to you the Act of the last session of Parliament Cap: 121 for altering and abolishing certain forms of proceedings in the Exchequer and Audit Office relative to public Accountants and for making further provision for the purpose of facilitating and passing public accounts in Great Britain and to call your particular attention to the 20th section of the said Act by which any public officers abroad authorizing or directing any improper or irregular Expenditure may be rendered personally chargeable for the same. And also to the 27th 28th and 29th sections of the said Act by which Commissariat officers of Accounts, with the consent and authority in each particular case of the Governor or Lieutenant Governor or Officer for the time being in Command of His Majesty's Forces in such Colony or Possession, may call before them and examine upon Oath all Persons employed in the Commissariat Department or who may have supplied any articles or Things for the use of the Commissariat Department or for any Military Service and I am to desire that previously to any expense not sanctioned by His Majesty's Regulations being incurred that you will report the nature of the service, the causes that render the same necessary, an-
the probable expense thereof, and that you will wait
an express Authority from their Lordships previously
to your authorizing the same. Should however the
public service appear to you absolutely to require
that the Work should be undertaken or the service be
performed before an Authority from their Lordships
can be obtained, I am to desire that you will spec-
ially report the circumstances in order that they may
if they approve thereof convey their sanction to the
same, and by which sanction only you will be exempted
from trouble and inconvenience and perhaps from
pecuniary loss when the accounts in which such expen-
diture may appear may come under examination.

I am further commanded to desire that
whenever any circumstances may occur which in your
judgment render examinations by the Commissary of
Accounts under the said Act necessary and proper
that you will give the requisite authority to the
Commissariat Officer of Accounts for that purpose.

I am &c.,

GEO. HARRISON.

The Governor of Newfoundland.
DOWNING STREET,
26 February, 1822.

Sir,

Having referred to the consideration of Mr. Secretary Peel an extract from your despatch of the 4th December last recommending Thomas Sturgys who was convicted of Murder in the Island of Newfoundland as a fit subject for the Royal Mercy I have now the honour to transmit to you His Majesty's Most Gracious Pardon for the said Thomas Sturgys on condition of his being transported to the Coast of New South Wales or other of the Islands adjacent for and during the term of his natural life.

I have etc.,

BATHURST.

ENOR

SIR C. HAMILTON. Bart.

&c. &c. &c.
GEORGE R.

WHEREAS Thomas Sturgys was at a Supreme Court held at Newfoundland on the 7th day of November 1821, tried and convicted of Murder, and had sentence of Death passed upon him for the same: We in consideration of some favourable circumstances humbly represented to Us in his behalf are graciously pleased to extend Our Grace and Mercy to him and to grant him Our Pardon for his crime on condition of his being transported to the coast of New South Wales or some one or other of the Islands adjacent, for the term of his natural life.

OUR Will and Pleasure therefore is that You do give the necessary directions accordingly; and that he be inserted for his said Crime on the said condition in our First and next General Pardon that shall come out for the poor convicts in Newgate. And for so doing this shall be your Warrant.

GIVEN at our Court at Carlton House the fifteenth day of February 1822 in the Third Year of Our Reign.

To our Trusty and Well beloved

Sir Charles Hamilton, Bart. Governor of Our Island of Newfoundland, Sir John Silvester, Bart. Recorder of the City of London, and all others whom it may concern.
DOWNING STREET,
8 March, 1822.

Sir,

I herewith transmit to you the copy of a Memorial from Mr. Holdsworth complaining of the partial and oppressive conduct of Mr. Robert Carter, Judge of the Surrogate Court of Newfoundland. I am to desire that you will immediately institute an enquiry into the facts stated in the Memorial and I trust that it will be in the power of the Judge to exculpate himself in the most satisfactory manner from the tyrannical and unjustifiable conduct imputed to him.

I have etc.,

BATHURST.

Sir

SIR C. HAMILTON, Bart.

&c. &c. &c.
Colonial Office, Downing Street.

31st March, 1822.

Sir,

I have had occasion to remark that the want of a regular form of transmission of detailed information respecting the financial resources of His Majesty's Colonies, and the several branches of their expenditure is a deficiency which creates much inconvenience to the public service.

I transmit to you herewith the form in which it appears to me that the information alluded to may be most usefully arranged, and I am to signify to you His Majesty's pleasure that these returns should be filled up in the manner pointed out, and forthwith transmitted to me for His Majesty's information.

Under the First Division "Abstract of the nett Revenue of Expenditure" you will insert under general heads, the receipts and disbursements of your government, so as to exhibit distinctly and separately, the sources from which the receipts have been derived on the one hand; and on the other the total expense incurred by each department of the government, distinguishing the ordinary established charge of the several offices from their contingent and accidental expenses.

In addition to these abstracts you will transmit such observations as you may judge sufficient to explain the causes, and point to the remedy, of any deficiency.
deficiency in the Revenue, or excess in the expenditure.

Under the Second Division "Schedule of Taxes, Duties &c." will be contained a detailed account of all the Taxes and Duties collected within your Government, specifying the several authorities under which the same have been levied, whether by Act of Parliament, or by Order of the King in Council—by Act of the Colonial Legislature, Ordnance or other Authority of whatever description.

To this statement should be annexed any additional information you may be able to furnish, respecting all the different sources of the public Revenue.

Under the Third Division "Military Expenditure" will be inserted an account of the Military Forts and Works, specifying whether the same are under the control of the Ordnance Department; with details of the expense incurred on account thereof by the Colony—a general return of the Militia and of any other local Corps, with the charge for the same—the pecuniary allowances (if any) granted to the King's troops; and the value of Rations, Quarters or other advantages received by them and forming a charge on the Colony.

The Fourth Division "Establishment" will comprise the General Establishment of your Government arranged according to Departments and including every Individual employed therein; with all the particulars specified in the several columns of the Return relative to the nature of their duties, their emoluments, length of service &c. also a return under similar
similar Heads of those public officers who may not be attached to any particular Department.

The Returns hitherto transmitted to this office are in general defective in many of these particulars, to which the Public Service requires that these should be the means of ready reference; and there are not wanting considerations connected with the Interests of the public servants themselves which render it no less desirable that this information should be fully and regularly furnished.

The Fifth Division "Schedules of the Fees &c." will contain Tables of all the established Fees received by the respective officers together with the authorities under which they are demanded.

It is His Majesty's Pleasure that a Report of this description should be made as soon as possible to this Department, after the close of every year; and I am to desire that the Forms which accompany this despatch may be filled up for the year 1821 under your immediate inspection, and returned to me forthwith, in original and duplicate; when it will be considered whether any alterations or additions may hereafter be requisite. In case any cause should retard the completion of these documents, you will not fail to inform me of the reasons why you have not been able to comply with His Majesty's instructions.

The several Heads or Divisions of this Return may be easily extended to any space required, adhering to the same forms; and any information or explanations
not particularly specified in it, which it may be in your power to afford, may be transmitted at the same time in a separate report.

I have etc.,

BATHURST.

GOVERNOR SIR CHAS. HAMILTON, Bart.

&c. &c. &c.
DOWNING STREET,
London.
3rd April, 1822.

Sir,

Considerable inconvenience having resulted to His Majesty's Service in several Colonies and Foreign Settlements of the Crown from an erroneous impression entertained by Officers administering the Government of these possessions; that my official correspondence with them was liable to be removed by them during their temporary absence, or upon their retirement from the Government, I have received the King's commands to signify to you His Pleasure, that with a view to guard against the inconvenience which I have mentioned, you take the necessary measures for preserving most carefully and methodically, in your official residence, the records of your own official correspondence with me, as well as all public dispatches and documents whatever, which have been already transmitted to you, or which may hereafter be sent to you; and you will consider that all such papers and documents are to be delivered over by you to the Officer who may be appointed to administer the Government, during your absence or upon your retirement.

I have etc.

BATHURST.

CHARLES HAMILTON, BART.
&c. &c. &c.
DOWNING STREET,
8th April, 1822.

Sir,

I have the honour to acknowledge the receipt of your letter of the 1st February last recommending that an allowance of £40 per annum should be granted to Susannah Warne the Mistress of the Female School of Industry at St. John's from the Crown Rents in consequence of the failure of the subscriptions from which her salary has hitherto been paid, and to acquaint you that under the circumstances represented by you I am induced to sanction a salary of £40 per annum to the Mistress of the Girl's school with an allowance of £20 per annum to an Assistant and also approve of the continuance of £60 per annum to the Master of the Boys School.

I have etc.,

BATHURST.

C. HAMILTON, BART.
&c. &c. &c.
Downing Street,
10 April, 1822.

Sir,

In the absence of Lord Bathurst I have the honour to acknowledge the receipt of your letter of the 25th February last requesting leave of absence to return to England in order to represent to His Majesty's Government the necessity which exists of making some alteration in the Laws by which the Island of Newfoundland is at present governed.

In reply I have to acquaint you that Lord Bathurst is perfectly satisfied that many of the Laws are inapplicable to the present state of the Island and that a revision of the judicial establishments in Newfoundland is particularly necessary. Under this impression it was intended to bring the subject under the consideration of Parliament during the present session, but in consequence of your letter and to enable Lord Bathurst to avail himself of your information and assistance His Lordship has determined to postpone any measure until the beginning of the next session and it will therefore be desirable that your arrival in this country should be as early in November as possible. I hope to be enabled to forward to you by the next opportunity a Memorandum relative to the measures in contemplation which will afford you the means of making further enquiry if necessary.
on any particular points previous to leaving the country.

A communication relative to your absence from Newfoundland will be made to the Admiralty consequently you need not postpone your return to England on that account.

I have etc.,

R. WILMOT.
Downing Street,
15 April, 1822.

Sir,

I am directed by Lord Bathurst to desire that the proceedings against Mr. Brooks may be further postponed for the space of six months.

I have etc.

R. WILMOT.

SIR CHARLES HAMILTON, Bart.
&c. &c. &c.
DOWNING STREET,

8th May, 1822.

Sir,

Having referred to the consideration of the Lords Commissioners of the Admiralty your letter of the 4th December last on the subject of relieving the Garrison of St. John's by Marines, I have now the honour to acquaint you that it is not in their Lordship's power to adopt your suggestion without an augmentation of the Marine Corps which is considered inexpedient.

I am &c.,

BATHURST.

GOVERNOR

SIR CHARLES HAMILTON, Bart.
&c. &c. &c.
TREASURY CHAMBERS,

11 June, 1822.

Sir,

With reference to your letter of the 19th May last I am commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you that in future all payments at Newfoundland, to be made by you for the public service should be made in the established currency of the Island, and you should give credit in your accounts for the premium upon the bills or take credit for the discount according to the rates of Exchange at which they may be negotiated. And I am further to acquaint you that my Lords have directed the Commissary at Newfoundland to negotiate all Bills drawn by you by public competition and upon the most favourable terms that can be obtained, and they see no ground whatever for reverting to the former practice of drawing at Par.

I am &c.,

GEORGE HARRISON.

As Admiral

SIR CHARLES HAMILTON, Bart.

&c. &c. &c.
DOWNING STREET,
6th July, 1822.

Sir,

I herewith transmit to you a Pamphlet proposing a Plan for cutting a Road from Placentia to the Town of St. John's, Newfoundland, with the view of facilitating a better mode of communication between that Island and the Island of Prince Edward and I also enclose a Memorandum containing some observations on the measure proposed. I am to desire that you will take the same into your consideration and favor me with your opinion thereupon and also transmit to me estimates of the expense of making a road from St. Mary's to Holyrood including the price of labour and the cost of implements and materials.

I have etc.,

BATHURST.

WERNOR

SIR CHAS. HAMILTON, Bart.
&c. &c. &c.
Downing Street,
31st July, 1823.

Sir,

I am directed by Lord Bathurst to acquaint you that an application has been made to His Lordship by Captain Martin of the Royal Navy requesting payment of the usual Surrogates salary during the period he acted in that capacity in the year 1820, and I am to request that you will inform me whether Captain Martin acted as a Surrogate and if so why the usual allowance was withheld from him.

I have etc.,

R. WILMST.
DOWNING STREET,
31st May, 1823.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 25 stating that in consequence of the distress prevailing amongst the lower classes a subscription had been raised by the inhabitants of St. John's amounting to £365.10.6 to which you have added a sum on the part of His Majesty's Government from the Crown Rents and to acquaint you that I entirely approve of the advance made by you which may continue to be charged to the Rent Accounts as well as the expenses which you have found it necessary to incur in granting medical assistance.

I have etc.,

BATHURST.

GOVERNOR

SIR CHARLES HAMILTON, Bart.

&c. &c. &c.
DOWNING STREET,
17 June, 1825.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 97 stating that in consequence of the absence of the Chief Justice of Newfoundland it became necessary to issue a Commission of Oyer and Terminer for the trial of several delinquents who had been for some time confined. I have transmitted the several documents enclosed in your letter to the consideration of the Secretary of State for the Home Department, and I will not fail to communicate to you the opinion of His Majesty's Law Officers on the legality of issuing a Commission of Oyer and Terminer should any unforeseen circumstance again render such a measure expedient.

I have to approve of the measures you adopted for relieving the distress of the poor during the last season and for removing some of them to the neighbouring Colonies where they had a better chance of obtaining employment.

In the event of the distresses of the poorer inhabitants continuing to require charitable aid you will consider yourself authorised to extend the same degree of relief on the part of Government viz:— a contribution equal to the amount of any subscriptions which may be raised or even to a further extent should you
you consider it to be absolutely indispensable.

I have etc.

BATHURST.

GOVERNOR

SIR CHARLES HAMILTON, Bart.

&c. &c. &c.
DOWNING STREET,
17 June, 1823.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 96 transmitting a copy of your general account current with the Lords Commissioners of the Treasury and I have to convey to you my sanction to the payment of the sum of £1717. 5. 9. the balance due to the High Sheriff on the public account produced of by the expenses maintenance and prosecution of prisoners expenses of the Courts of Judicature, various acts of Public Justice and Regulations of Police &c.

I have also to approve of the several charges enumerated in your letter which have been defrayed from the Rent account and which had not been previously sanctioned.

I have etc.,

BATHURST.

SIR CHARLES HAMILTON, Bart.
&c. &c. &c.
Downing Street,
21 July, 1823.

Sir,

I herewith transmit for your information and guidance the copy of an Order of His Majesty in Council dated the 21st instant imposing certain duties on American vessels and cargoes entering the British Ports in the West Indies and North America in the cases therein specified.

I have etc.,

BATHURST.

GOVERNOR

SIR CHARLES HAMILTON, Bart.

&c.  &c.  &c.
AT THE COURT AT CARLTON HOUSE, the 21st July, 1823.

PRESENT

THE KING'S MOST EXCELLENT MAJESTY,

IN COUNCIL.

WHEREAS by an Act passed in the Third Year of His Majesty's Reign, intitled "An Act to regulate the Trade between His Majesty's Possessions in America and the West Indies and other Places in America and the West Indies" certain Articles enumerated in the Schedule B annexed to the said Act are permitted to be imported into certain Ports in His Majesty's said Dominions, and Whereas some of the said articles are subject on Importation into the said Ports to the payment of certain Duties according to the Rates set forth in Schedule C annexed to the said Act, AND WHEREAS by an Act passed in the Fourth Year of His Majesty's Reign intitled "An Act to authorize His Majesty under certain circumstances to regulate the duties and drawbacks on Goods imported or exported on Foreign vessels, and to exempt certain Foreign vessels from Pilotage", His Majesty is authorised by and with the advice of His Privy Council, or by His Majesty's Order or Orders in Council, to be published from time to time in the London Gazette, whenever it shall be deemed expedient to levy and charge any additional duty or duties of Customs, or to withhold the payment of any Drawbacks, Bounties or Allowances upon any Goods, Wares, or Merchandize, imported into,
or exported from the United Kingdom, or imported into or exported from any of His Majesty's Dominions in vessels belonging to any Foreign Country in which higher duties shall have been levied, or smaller drawbacks, Bounties or Allowances granted, upon Goods, Wares or Merchandise, when imported into or exported from such Foreign Country in British Vessels, then are levied or granted upon similar goods Wares or Merchandise when imported or exported in vessels of such country; Provided always that such additional or countervailing duties so to be imposed, and drawbacks, Bounties or Allowances so to be withheld as aforesaid, shall not be of greater amount than may be deemed fairly to countervail the difference of duty, drawback Bounty or Allowance paid or granted on Goods, Wares or Merchandise imported into or exported from such Foreign Country in British vessels, more or less than the duties, drawbacks, Bounties or allowances, there charged or granted upon similar goods, Wares or Merchandise imported into or exported from such Foreign Country, in vessels of such Country".

And Whereas British vessels entering the Ports of the United States from the Ports of His Majesty's Possessions in America or the West Indies with cargoes consisting of Articles of the growth, produce or manufacture of the said Possessions are charged with a Duty of one dollar per ton for Tonnage duties and Light Money, and a discriminating duty of Ten per Cent is charged on the Cargoes of such vessels to which vessels
vessels of the United States and Cargoes of the same description entering the Ports of those States from the Ports of the said Dominions are not subject; His Majesty by virtue of the Powers vested in Him by the said last recited Act, and with the advice of His Privy Council, is pleased to order, and it is hereby ordered that from and after the date of this order there shall be charged on all Vessels of the United States which shall enter any of the Ports of His Majesty's Possessions in America or the West Indies with Articles of the Growth, Production or Manufacture of the said States a duty of four shillings and three pence sterling for each and every ton Burthen of such vessels equal as nearly as may be to ninety four cents of the Money of the United States, and being the difference between the Tonsage duty payable by vessels of the United States and British vessels entering any of the Ports of the said United States from any ports of His Majesty's Dominions in America or the West Indies above enumerated, and further an addition of Ten per cent upon the duties set forth in Table C above referred to, on any of the articles therein enumerated which may be imported in any such vessel of the said States, such duties to be levied, collected and applied in the same manner and to the same purposes as the duties levied under the authority of the said Act of the Third Year of His Majesty's Reign.

And
And the Right Honourable The Lords Commissioners of His Majesty's Treasury are to give the necessary directions herein accordingly.

(Sgd) JAMES BULLER.
Downing Street,
11 August 1823.

Sir,

I have the honour to transmit to you the copy of a letter addressed to my Under Secretary by direction of Mr. Secretary Peel stating that he has been under the necessity of advising Her Majesty to grant a free pardon to James Wade and James Lanigan in consequence of the invalidity of the Commission under which they were tried from the want of technical formality, and I have to acquaint you that in consequence of this and other similar representations of the incompetency of the Attorney General I have been under the necessity of submitting to His Majesty the name of another gentleman for that appointment which I am to desire you will communicate to Mr. Westcote.

I have etc.,

BATHURST.

[Signature]

CHARLES HAMILTON, Bart.
WHITEHALL,

June, 1823.

Sir,

I am directed by Mr. Secretary Peel to acquaint you that he has consulted with the Attorney and Solicitor General as to the validity of the Commission of Oyer and Terminer issued last year by Sir Chas. Hamilton, as Governor of Newfoundland, of which a copy was transmitted in your letter of the 31st ulto. and that the law officers have given their decided opinion that the Commission was invalid from want of technical formality.

This opinion renders it necessary for Mr. Peel to advise the King to grant a free pardon to James Wade and James Lanigan, who were sentenced to transportation by the Court constituted by the Commission in question although the Convicts have no merit otherwise to entitle them to the Royal Mercy.

Mr. Peel does not consider it necessary for him to comment upon the diversity of opinion which the Attorney General of the Island is reported by the Governor to have held on different occasions with regard to this Commission; but he deems it incumbent on him pointedly to call Lord Bathurst's serious attention to the grievous failure of justice which has arisen in this case exclusively from the default of the Attorney General of the Island, there being no doubt
doubt of the Governor's power to have issued the
Commission of Oyer and Terminer or of its validity
had it been drawn up in a technical form; and Mr.
Peel is convinced that Lord Bathurst will take means
for preventing the recurrence of an event which
necessarily brings the Administration of Justice in
the Colonies much into disrepute.

I have etc.,

H. HOBHOUSE.

R. WILMOT HORTON, ESQ.

&c. &c. &c.
DOWNING STREET,
30 August, 1825.

Sir,

I have the honour to acknowledge the receipt of your despatch of the 39th of July last reporting Mr. Westcote's resignation of the Office of Attorney General, and I beg to acquaint you that disposed as I am to consider favourably your recommendation of that gentleman's claims, I shall be glad to receive from you any practical suggestion as to the most expedient means of affording to him some remuneration.

Mr. Molloy, whose appointment as Attorney General is in course of preparation, will be immediately apprised of the circumstances which render it necessary that he should lose no time in repairing to Newfoundland.

I have etc.

BATHURST.

SIR CHARLES HAMILTON, K.C.B.

&c. &c. &c.
DOWNING STREET,
19 September, 1825.

Sir,

I have authorised the Secretary of the Society for the encouragement of Arts, Manufactures and Commerce to transmit to you in future through this office a copy of the Premiums offered annually by that body amongst which are many that have been expressly proposed for the benefit of British settlements abroad, and I have to desire that you will cause those which refer to Newfoundland to be published in the Gazette of the Colony with a view of exciting the attention of the inhabitants to the advantage that may accrue to them from the production of various articles of export apparently adapted to their climate and soil, and for a supply of which this Kingdom is now chiefly, if not altogether, dependent upon Foreign States. It is also my wish that every reasonable facility should be afforded for the transmission to England of communications and specimens of the Colonial productions.

I have etc.,

BATHURST.

GOVERNOR SIR C. HAMILTON,
&c. &c. &c.
NEWFOUNDLAND.
Colonial Office,
Downing Street,
30 September, 1823.

Sir,

In considering the state of the correspondence of the Government of the Island of Newfoundland with my office, and more particularly that of former years, it has occurred to me that some arrangement might conveniently be adopted which while it imposed no additional labour in the preparation of your despatches would have the advantage of materially facilitating the consideration of the subjects which you have occasion to bring under my notice and also of rendering much more expeditions hereafter the necessary reference to documents connected with those subjects.

This arrangement would mainly consist in abstaining from treating more than one subject in the same despatch, particularly when those subjects are essentially different in their nature and require not only distinct consideration but separate instructions for your guidance.

With this view it appears to me that your correspondence might be properly classed and your despatches divided under the following heads, viz:-

Executive Government.

Finance.
Trade.
Judicial Affairs.
Military Affairs.
Slavery.

Civil Servants, including all questions to
their Appointments, promotion, claims, leave of Absence, resignation &c. and Miscellaneous.

The subjects of your correspondence so specified may conveniently be expressed at the head of the despatches over their numerical enumeration which is essentially on distinct grounds.

While I am upon this subject I think it right to mention that as the correspondence of your Government is regularly bound in a series of volumes, and carefully preserved among the records of this office it is desirable that you should confine yourself to the use of some paper of uniform dimensions. The folio size is certainly the most convenient, that which in any degree exceeds it requires of necessity to be folded a process which exposes papers to material injury by frequent reference and use.

I have only further to desire that this arrangement may be adopted from the first of January next.

I have etc.,

BATHURST.

GOVERNOR

SIR C. HAMILTON, Bart.
Sir,

Will you allow me to suggest with reference to the mutual convenience of both Parties, that in addition to the regular duplicates of your dispatches officially transmitted to this office, you should send me (as Under Secretary) a short summary of the separate points contained in any series of them, referring to the numbers and dates of each dispatch — this summary not to go into details but merely sufficient to revive the recollection of any person who has carefully read the dispatches.

There is also another request which I have to make which is that you will be so good as to keep your private and public correspondence with me (and equally so with Lord Bathurst) entirely distinct — and the practical test of this distinctness will be, simply to consider whether there is any objection as affecting the public interest that the subject discussed, or proposed, should appear in the Archives of the Department. If no objection should exist, it is infinitely more convenient for the despatch of public business that the matter should be expressed in a public letter and kept with the other records of the Department and that for this purpose the letter should begin "Sir" and not be marked "private". I find upon the experience of a year and a half, that in my private correspondence three fourths of the letters are of a public
public nature, and might much more conveniently have been entered in the public correspondence— the remaining fourth being strictly private, and proper to be kept with my private (and in an official sense) unproducing correspondence. I beg you to consider these observations as perfectly general, and have no doubt that you will agree with me upon the advantage of making this distinction, which will equally apply to my answers—but if the correspondence addressed to me is marked "Private" I have no alternative but to return a "private answer", which unnecessarily multiplies my private correspondence without producing any public convenience or advantage.

I have etc.,

R. WILMOT HORTON.

GOVERNOR

SIR CHARLES HAMILTON, Bart.
ESTIMATE of the Charge of defraying the Civil Establishment of NEWFOUNDLAND; from the 1st day of January to the 31st December 1823.

L 6,273. 11. 6.

Proposed Distribution of the above sum of L6,273. 11. 6d. on account of the Civil Establishment of Newfoundland for 1823.

L. s. d.

Salary of the Governor----------------------1000. . .

Governor's Secretary------------------ 182. 10. 0.

Chief Justice----------------- 1000.
Attorney General------------- 300.
Clerk of the Supreme Court ------ 70.
Marshal------------------------ 50.
Saelex------------------------ 36.
Supreme Surrogate------------- 100.
Seven Surrogates at L60 per annum each 420.

Judge of the Admiralty------ 500.
Naval Officer----------------- 100.
Surbeyer of Lands--------------- 200.
Schoolmaster------------------- 35.
Allowance to a Sheriff----------- 252. 10.

Allowance to G. Colclough esq. late Chief
Justice, in consideration of his services and of his infirm health 400.

Allowance to G. Coots, Esq. late Supreme Surrogate, and Chief Magistrate of St. John's in consideration of his long and able services------------------ 300. 0

Allowance to a Clerk to the Secretary----- 60.
Agent-------------------------- 100.

To the Society for the propagation of the Gospel, in aid of the expenses of the Society in Newfoundland.

On account of fees for receipt and audit
Downing Street,
1st October, 1823.

Sir,

As very considerable inconvenience has arisen in the House of Commons from the imperfect information of which the Colonial Department is in possession with respect to the persons and situations voted in Estimate, and as the Agents of the Colonies frequently omit to inform this Department of the deaths of persons which are discovered for the first time when the Estimate is discussed in the House, I have to request that you will be so good as to send me detailed observations on the accompanying estimate, recording all the changes which it is necessary to advert to in preparing the Estimate for the ensuing year.

I have etc.

BATHURST.

Governor

SIR CHARLES HAMILTON, Bart.

&c. &c. &c.
Treasury Chambers,
7 October, 1833.

Sir,

I am commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you- in reply to your letter of 21st August last that your former letter enclosing Estimates of repairs required to the Government House and Buildings at Newfoundland was transmitted to the Board of Ordnance with a request that they would give directions for the execution of these repairs, the same appearing to be absolutely necessary.

I am &c.

GEO. HARRISON.

GOVERNOR

SIR CHARLES HAMILTON,

&c. &c. &c.

Newfoundland.
DOWNING STREET,
13 December 1823.

Sir,

I am directed by Lord Bathurst to acknowledge the receipt of your letter of the 1st November last proposing to allow Mr. Westcocte the late Attorney General of Newfoundland the sum of £150 to defray the expenses of his return to England and to acquaint you that his Lordship approves of your paying the same from the balance of Crown Rents in your hands.

I have etc.,

R. WILMOT HORTON.

SIR CHARLES HAMILTON, Bart.
&c. &c. &c.
Downing Street,
20 December 1823.

Sir,

I have the honour to acknowledge the receipt of your despatch of the 1st ultim enclosing a letter from Mr. Tucker the Chief Justice explaining the reasons which induce him to decline entering into the examination of the charges preferred against Mr. Surrogate Carter and to acquaint you that under the circumstances stated by Mr. Tucker I have to desire that you will immediately instruct Mr. Melley to proceed with the enquiry in the manner pointed out in my former letter.

I have etc.

BATHURST.

GOVERNOR

SIR CHARLES HAMILTON,

BART. &c. &c.
In the Supreme Court, St. John's, Newfoundland, October 30th 1823 the Honourable Richard A. Tucker, Chief Justice.

On a Motion made in open Court this day by William Dawe on behalf of James Miller, upon an affidavit sworn by the said James Miller for a rule for Philip Tree who acts as Under Sheriff of the District of Ferryland to shew cause why he should not deliver up to him the said James Miller three letters addressed to him the said James Miller by Henry Holdsworth Esq. of Dartmouth which were taken from a certain Trunk attached by him the said Philip Tree at the suit of Andrew Morrison and also two letters addressed to the said James Miller by Henry Hawson of St. John's Merchant which were also taken from a certain trunk or bag attached by the said Philip Tree at the suit of the said Andrew Morrison.

It is ordered by the Court that the said Philip Tree do within fourteen days after service of this rule appear in the Supreme Court and shew cause why he, should not deliver up the said letters to the said James Miller.

Dated the thirtieth day of October one thousand eight hundred and twenty three.

By the Court.

(Sgd) James Blacker,

C.S.C.
Pleadings in the Supreme Court, Saint John's, Newfoundland, 29th November 1823. The Honourable Richard A. Tacker, Chief Justice.

James Miller

versus

Philip Tree.

In pursuance of the rule served upon the defendant at the instance of the plaintiff, under date of the 30th day of October last past, Philip Tree late Deputy Sheriff for the district of Ferryland in his proper person appeared in Court and delivered in an affidavit of which the following is a copy:

"NEWFOUNDLAND. In the Supreme Court. Philip Tree of Ferryland maketh oath and saith that he never saw the contents of two trunks which were attached by this deponent as Deputy Sheriff of the Surrogate Court at Ferryland under a writ of attachment from the said Court against James Miller at the suit of Andrew Morison in the month of December One thousand eight hundred and twenty one, nor either of them, and that deponent believes the said trunks, or either of them were never opened from the time of their attachment to the time of their being sent to St. John's to the High Sheriff. But that a Bag attached at the same time was opened in the presence of this deponent upon the application of Mr. John Steer the Agent in Ferryland for Mr. Henry Holdsworth who represented that the books of the said Henry Holdsworth were contained therein and that the said Bag was opened for the sole purpose of delivering the said Henry Holdsworth's books which were delivered accordingly, and this deponent further saith that at the time of delivering said books there was in the said bag
bag a letter directed to the said James Miller which was from Henry Rawson and deponent further saith that he did not see any other letter or letters contained in said bag, or trunks, than the one before mentioned and has never seen the letter since.

(Sgd) PHILIP TREE.

Sworn at St. John's this 29th November 1823 before R.A. Tucker, Chief Justice of Newfoundland."

The foregoing affidavit having been read in open Court, the Chief Justice enquired what had become of the letter alluded to by Mr. Tree in his affidavit and was told by him that the said letter had been delivered over to Robert Carter Esq., the Surrogate in pursuance of his directions.

The Court then expressed an opinion that Mr. Tree had acted very improperly in taking away the letter and that no order from the Surrogate was a sufficient authority to justify him in so doing. But as it appeared to the Court that Mr. Tree had resigned his office as Deputy Sheriff some time since, the Court did not conceive that it could proceed any further in the investigation of a subject over which it ceased to have any jurisdiction as soon as the party complained of had ceased to be one of its ministerial officers, and the Chief Justice added that if he had been aware of the circumstance of Mr. Tree's resignation of his appointment when this rule was moved for he should not have felt himself at liberty to grant it.

These are to certify that the preceding six pages is a true copy of the original.

(Sgd) JAMES BLAIKIER.

C.S.C.
DOWNING STREET,
20 December 1823.

Sir,

I have the honour to acknowledge the receipt of your letter of the 31st October last enclosing a notification which you had received from Mr. Charles Browning calling himself the Heir of the late Lord Baltimore of his claim to the Province of Avalon and to acquaint you in reply that Mr. Browning has not supplied such information as is necessary to enable me to form any judgment on the merits of the claim advanced and it is impossible for me to intimate any opinion on the subject without inspecting the whole of the documents on which Mr. Browning's title depends and especially the Charter of King James the First.

I have & c.,

BATHURST.

GOVERNOR

SIR CHARLES HAMILTON,
Bart.
NEWFOUNDLAND.

Estimate of the Charge of defraying the Civil Establishment of the Island of Newfoundland from the 1st day of January to the 31st day of December 1824.

L4881.

Proposed distribution of the above sum of L4881 on account of the Civil Establishment of Newfoundland for 1824.

Salary of the Governor-----------------L1000

Governor's Secretary----------------- 182. 10.

Chief Justice----------------- 1000.

Attorney General----------------- 300.

Clerk of the Supreme Court----------------- 70.

Marshal----------------- 50.

Gauger----------------- 36.

Supreme Surrogate----------------- 100.

7 Surrogates at L60 per annum each----------------- 420.

Judge of the Admiralty----------------- 500.

Naval Officer----------------- 100.

Surveyor of Lands----------------- 200.

Schoolmaster----------------- 35.

Allowance to a Sheriff----------------- 252. 10

Allowance to J. Coote Esq. late Supreme Surrogate and Chief Magistrate of St. John's in consideration of his long and able services----------------- 300.

Allowance to a Clerk to the Secretary----------------- 60.

Agent----------------- 100. 0

L4, 696.

On account of fees for receipt & audit L 134. 15

L 4, 230. 13

N.B. The sum of L1000 has also been noted in aid of the Funds of the Society for the Propagation of the Gospel and which will be issued to the Agent.
CUSTOM HOUSE,

LONDON.

17 February, 1824.

Sir,

Having taken into consideration the 24th section of the Act of the 4th Geo. IV. Ch. 41, which directs, that in cases where the Certificate of Registry of any Ship or Vessel shall be lost or mislaid, so that the same cannot be found or obtained for the use of such ship or vessel, before Registry de Nove be made, or Licence shall be granted, the Owner or Owners and Master shall give Bond in such sum as we shall see fit, with the conditions prescribed in the said section.

We have the honor to inform Your Excellency that we have directed our Principal Officers in the Plantations to take Bond in cases of such nature in the following sums, viz-

If the vessel be a decked vessel, or be above the Burthen of 15 tens and not exceeding 50 tens, in the Penalty of £100.

If exceeding the Burthen of 50 tens, and not exceeding 100 Tons, in the Penalty of £300.

If exceeding 100 Tons and not exceeding 200 Tons, in the Penalty of £500.

If exceeding 200 Tons, and not exceeding 300 Tons, in the Penalty of £800; and if exceeding the Burthen of 300 tons in the Penalty of £1000.

We have etc.

F. RICHMOND.
His Exg. H.C. KING.
The Governor at Malacca.

W. HOLT HUTCHINSON.
FRED H. WATSON.
TREASURY CHAMBERS,
18 February 1824.

Sir,

The Lords Commissioners of His Majesty's Treasury having had under consideration the subject of Advances made by the Commissariat Department to the Heads of Public Departments at Newfoundland; and my Lords being of opinion that it would be expedient that whenever you may have occasion for money for the Public Service you should obtain the same from the Military Chest upon certificates to be granted by you similar to those granted by the Ordnance, instead of drawing Bills upon this Board I am commanded by their Lordship to authorize you to obtain such sums as you may require for the Public Service in the manner above mentioned, and to grant the certificates in question accordingly.

I am etc.,

GEO. HARRISON.

TO

THE GOVERNOR

at NEWFOUNDLAND.
WASHINGTON,
May 26th, 1824.

Sir,

I have the honour to transmit to you, herewith for the information of those concerned, the copy of an Act entitled "An Act to amend the several Acts for imposing duties on foreign imports," which has recently received the sanction of the Executive Government of this Republic and will go into force on the 30th June next.

I have etc.

H. M. ADDINGTON.

His Excellency
Major General

SIR CHARLES HAMILTON, Bart.

&c. &c. &c.
PUBLIC ACT.
AN ACT to Amend the several Acts for imposing Duties on Imports.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the thirtieth day of June, one thousand eight hundred and twenty four, in lieu of the duties now imposed by law on the importation of the articles hereinafter mentioned, there shall be levied, collected, and paid, the following duties, that is to say:

First, On sail duck, oznaburgs, burlaps, and ticklenbergs, a duty of fifteen per centum ad valorem.

On all manufactures of wool, or of which wool shall be a component part, except worsted stuff goods and blankets, which shall pay twenty-five per centum ad valorem a duty of thirty per centum ad valorem until the thirtieth day of June one thousand eight hundred and twenty five, and after that time a duty of thirty three and a third per centum ad valorem: Provided, That on all manufactures of wool, except flannels and baizes the actual value of which at the place whence imported, shall not exceed thirty three and a third cents per square yard, shall be charged with a duty of twenty five per centum ad valorem.

Second. On all manufactures, not herein specified, of cotton, silk, flax or hemp, or of which either of these materials shall be a component part, and on all manufactures of silk, or of which silk shall be a component material, coming from beyond the Cape of Good Hope,
a duty of twenty-five per centum ad valorem; on all other manufactures of silk, or of which silk shall be a component material twenty per cent ad valorem! Provided That all cotton cloths whatsoever, or cloths of which cotton shall be a component material, excepting nankeens imported directly from China, the original cost of which, at the place whence imported with the addition of twenty per centum if imported from the Cape of Good Hope, or any place beyond it; and of ten per centum if imported from any other place, shall be less than thirty cents per square yard, shall, with such addition be taken and deemed to have cost thirty cents per square yard, and shall be charged with duty accordingly. And that all unbleached and uncolored cotton twist, yarn, or thread, the original cost of which shall be less than sixty cents per pound, shall be deemed and taken to have cost sixty cents per pound, and shall be charged with duty accordingly. And all bleached or colored cotton yarn, twist or thread, the original cost of which shall be less than seventy-five cents per pound, shall be deemed and taken to have cost seventy-five cents per pound and shall be charged with duty accordingly. Provided, also, That the provisions of this Act shall not apply to, or be enforced against importations of goods from ports or places eastward of the Cape of Good Hope, or beyond Cape Horn, before the first of January next ensuing.

Third. On wool unmanufactured a duty of twenty per centum ad valorem, until the first day of June one thousand eight hundred and twenty-five; afterwards a duty of twenty-five per centum ad valorem until the first June one thousand eight hundred and twenty-six;
afterwards a duty of thirty per centum ad valorem;
Provided That all wool, the actual value of which at
the place whence imported, shall not exceed ten cents
per pound, shall be charged with a duty of fifteen per
centum ad valorem, and no more.

Fourth. On all Leghorn hats or bonnets, and
all hats or nonnets of straw, chip, or grass, and all
flats, braids or plats for making of hats or bonnets
a duty of fifty per centum ad valorem; Provided, That
all Leghorn hats and bonnets, and all hats erhannets of
straw chip or grass, which, at the place whence impor-
ted with the addition of ten per centum, shall have
cost less than one dollar each, shall, with such additio
be taken and deemed to have cost one dollar each, and
shall be charged with duty accordingly.

Fifth. On Japanned wares of all kinds, on plated
wares of all kinds, and on all manufactures, not other-
wise specified, made of brass, iron, steel, pewter,
lead, or tin, or of which either of these metals is a
compaent material, a duty of twenty five per centum
ad valorem.
On bolting cloths, fifteen per cent ad valorem;
On hair cloth and hair seating, thirty per centum ad
valorem;
On marble, and all manufactures of marble, thirty per
cent ad valorem;
On all paper hangings forty per cent ad valorem;
On coach laces, of cotton or other material thirty five
per centum ad valorem; on all other laces, twelve and
a half per centum ad valorem;

On lead, in pigs, bars, or sheets, two cents per
pound.
On leaden shot, three and one half cents per pound;  
On red or white lead, dry, or ground in oil, four  
cents per pound;  
On Brussels, Turkey, and Wilton Carpets and  
carpeting, fifty cents per square yard;  
On all Venetian and ingrain carpets or carpeting  
twenty five cents per square yard;  
On all other kinds of carpets and carpeting, of  
wool, flax, hemp, or cotton, or parts of either,  
twenty cents per square yard.  
On oil cloth carpeting, and on oil cloths, of  
every description, a duty of thirty per centum ad valo-  
rem;  
On all other carpets, and carpeting, mats and  
floor cloths, made of tow, flags, or any other mater-  
ial, a duty of thirty per centum ad valorem;  
On hemp, at the rate of thirty five dollars per  
ten;  
On tarred cables and cordage, four cents per  
pound;  
On unta red cordage, yarns, twine, pack thread,  
and seines, five cents per pound;  
On cotton bagging, three cents and three fourths  
of a cent per square yard;  
On iron, in bars or bolts, not manufactured, in  
whole or in part, by rolling, ninety cents per hundred  
and twelve pounds;  

On round iron, or braziers; rods, of three  
sixteenths to eight sixteenths of an inch diameter,  
inclusive; and on iron, in nail or spike rods; slit;  
and on iron, in sheets, and hoop iron; and on iron,  
slit or rolled, for band-iron, scroll-iron, or casement
caseement rods, three cents per pound;
On iron spikes, four cents per pound;
On iron nails, cut or wrought, five cents per pound;
On tacks, brads, and sprigs, not exceeding
sixteen ounces to the thousand, five cents per thousand;
exceeding sixteen ounces to the thousand, five cents per pound;
On iron, or steel wire, not exceeding
number eighteen, five cents per pound; over number
eighteen, nine cents per pound;
On square wire, used in the manufacture of
stretchers for umbrellas, twelve per centum ad valorem;
On anvils and anchors, two cents per pound;
On iron cables or chains, or parts thereof, three
cents per pound; and no drawback shall be allowed on
the exportation of iron cables, or parts thereof;
On mill cranks and mill irons, of wrought iron,
four cents per pound;
On mill saws, one dollar each;
On blacksmiths' hammers and sledges, two and a half
cents per pound;
On muskets, one dollar and fifty cents per stand;
On rifles, two dollars and fifty cents each;
On all other fire arms, and on side arms, thirty
per centum ad valorem;
On cutting knives, scythes, sickles,
and reaping hooks, spades and shovels, of iron or steel,
the thirty per centum ad valorem;
On screws of iron, weighing twenty five pounds
or upwards, thirty per centum ad valorem; on screws
On screws of iron, for wood, called wood screws, thirty per cent. ad valorem.

On vessels of cast iron, not otherwise specified, one and a half cents per pound;

On all other castings of iron, not specified, one cent per pound;

On all vessels of copper, thirty five per centum ad valorem;

On quills, prepared or manufactured, twenty five per centum ad valorem;

On slates and tiles for building, twenty five per cent ad valorem;

On black lead pencils, forty per centum ad valorem;

On tallow candles, five cents per pound;

On spermachet candles, eight cents per pound;

On saep, four cents per pound;

On lard, three cents per pound;

On wheat, twenty five cents per bushel;

On oats, ten cents per bushel;

On wheat flour, fifty cents per hundredweight;

On pitlasses, ten cents per bushel;

On coal, six cents per heaped bushel;

On corks, twelve cents per pound;

On prunelle and other shoes or slippers of stuff or nankeen, twenty five cents per pair;

On laced boots, or booties, one dollar fifty cents per pair;

On linseed, rape seed, and hemp seed oil, twenty five cents per gallon;

On caster oil, forty cents per gallon;

On ale, beer, and porter, imported in bottles,
twenty cents per gallon; imported otherwise than in bottles, fifteen cents per gallon;

On beef and pork, two cents per pound;
On hams and other bacon, three cents per pound;
On butter, five cents per pound;
On vinegar, eight cents per gallon;
On alum, two dollars and fifty cents per hundredweight;

On refined saltpetre, three cents per pound;
On blue or Roman vitriol, four cents per pound;
On oil of vitriol, three cents per pound;
On Glauber salts, two cents per pound;
On Epsom salts, four cents per pound;
On camphor, crude, eight cents per pound;
On camphor, refined, twelve cents per pound;
On copperas, two dollars per hundredweight;
On Cayenne pepper, fifteen cents per pound;
On ginger, two cents per pound;
On chocolate, four cents per pound;
On currants and figs, three cents per pound;
On plums, prunes, Muscatel raisins, and raisins in jars and boxes, four cents per pound;

On all other raisins three cents per pound;

On window glass, not above eight inches by ten inches in size, three dollars per hundred square feet; not above ten inches by twelve inches in size, three dollars and fifty cents per hundred square feet; and if above ten inches by twelve inches in size, four dollars per hundred square feet; Provided, That all window glass, imported in plates, uncut, shall be chargeable with the highest rate of duties hereby imposed;
On black glass bottles, not exceeding the capacity of one quart, two dollars per gross; on bottles exceeding one quart, and not more than two quarts, two dollars and fifty cents per gross; over two quarts and not exceeding one gallon, three dollars per gross;

On demijohns, twenty five cents each;

On apothecaries viams, of the capacity of four ounces, and less, one dollar per gross; on the same above four ounces, and not exceeding eight ounces, one dollar and twenty five cents per gross;

On all wares of cut glass, not specified, three cents per pound; and in addition thereto, an advalorem duty of thirty per centum;

On all other articles of glass, two cents per pound, and in addition thereto an advalorem duty of twenty per centum;

On all books, which the importer shall make it satisfactorily appear to the Collector of the port at which the same shall be entered, were printed previous to the year one thousand seven hundred and seventy five and also on all books printed in other languages than English, four cents per volume, except books printed in Latin or Greek; on all books printed in Latin or Greek, when bound, fifteen cents per pound; when not bound, thirteen cents per pound;

On all other books, when bound, thirty cents per pound; when in sheets or boards, twenty six cents per pound;

On folio and quarto post paper, of all kinds twenty cents per pound;

On foolscap and all drawing and writing paper
seventeen cents per pound;

On printing, copperplate, and stainers papers, ten cents per pound;

On sheathing, paper, binders and box boards and wrapping paper, of all kinds, three cents per pound;

On all other paper fifteen cents per pound;

A duty of twelve and a half per centum ad valorem on all articles herein specified, and now paying a duty of seven and a half per centum ad valorem; with the exception of patent adhesive felt for covering ships bottoms; which shall be admitted free of duty until June thirtieth, one thousand eight hundred and twenty-six.

Sec. 2. And be it further enacted, That an addition of ten per centum shall be made to the several rates of duties hereby imposed upon the several articles aforesaid which, after the said respective times for the commencement of the duties hereby imposed shall be imported in ships or vessels not of the United States; Provided That this addition shall not be applied to articles imported in ships or vessels, not of the United States, entitled by treaty, or by any Act of Congress to be admitted on payment of the same duties that are paid on like articles imported in ships or vessels of the United States.

Sec. 3. And be it further enacted, That there shall be allowed a drawback of the duties by this Act imposed upon the exportation of any articles that shall have paid the same, within the time, and in the manner, and subject to the provisions and restrictions, prescribed
prescribed in the fourth section of the Act entitled "An Act to regulate the duties on imports and tonnage" passed the twenty seventh day of April, one thousand eight hundred and sixteen;

Sec. 4. And be it further enacted, That the draw-back allowed by law on plain silk cloths, shall be allowed, although the said cloths, before the exportation thereof, shall have been colored, printed, stained, dyed, stamped, or painted, in the United States. But, whenever any such cloths, so imported, shall be intended to be so colored, printed, stained, dyed, stamped, or painted, and afterwards to be exported from the United States, with privilege of draw-back, each package thereof shall, before the same shall be delivered from the public stores, be opened and examined by an inspector of the customs, and the contents thereof measured or weighed, and the quality thereof ascertained, and a sample of each piece thereof reserved at the custom house; and a particular account of registry of such examination describing the number of pieces in each package, their weight or measure, and the samples thereof reserved, shall be entered on the books of the custom house; and after such examination said goods shall be repacked in the original package and the said original package shall be marked with a custom house mark. And whenever any such goods, being thus colored, printed, stained, dyed, stamped, or painted, shall be entered at the custom house for exportation and draw-back, the same shall be so entered in the original package, marked as aforesaid, and not otherwise, unless the person, so entering the same, shall give satisfactory evidence to the collector or
naval officer, or one of them, that such original package has been lost or destroyed by accident; and no such application for drawback shall be made, except on the contents of entire packages; and, upon application for such entry and drawback, the contents of the packages so offered, shall be examined by an inspector of the customs, and measured or weighed, and compared with the original entry, registry, and samples; and if, upon such comparison and full examination the collector shall be satisfied that the contents of each package are the identical goods imported and registered as aforesaid, and not changed or altered except by being colored, printed, stained, dyed, stamped, or painted, as aforesaid, then the person so entering such goods shall be admitted to the oath prescribed by law, to be used in cases of application for exportation of goods, for the benefit of drawback, and shall, thereupon, be entitled to drawback, as in other cases: Provided, That the exporter shall, in every other particular, comply with the regulations and formalities heretofore established for entries of goods for exportation, with the benefit of drawback. And if any person shall present, for exportation and drawback, any colored, printed, stained, dyed, stamped, or painted silk, or nankeen cloths, knowing the same not to be entitled to drawback, according to the provisions of this Act, or shall wilfully misrepresent or conceal the contents or quality of any package as aforesaid, the said goods, so presented or entered for drawback, shall be forfeited, and may be seized by the collector, and proceeded with, and the forfeiture distributed, as in other cases.

Sec. 5. And be it further enacted, That the exist
existing laws shall extend to, and be in force for, the
collection of the duties imposed by this Act, for the
prosecution and punishment of all offences, and for
the recovery, collection, distribution, and remission
of all fines, penalties and forfeitures, as fully and
effectually, as if every regulation penalty, forfei-
ture, provision, clause, matter and thing, to that
effect, in the existing laws contained, had been
inserted in, and reenacted by, this Act.

Sec. 6. And be it further enacted, That the
provisions of the second section of the Act of Congress
entitled "An Act to regulate the duties on imports and
tonnage" approved April twenty seventh, one thousand
eight hundred and sixteen, shall extend and enure to
the benefit of the schools and colleges within the
United States, or the territories thereof, in the same
manner, and under the like limitations, and restrictions
as is provided in said Act, with respect to seminaries
of learning.

H. CLAY.
Speaker of the House of Representatives.

JOHN CAILLARD,
President of the Senate, pro tempore.

Washington, May 23rd, 1824.

Approved:

JAMES MONROE.
CIRCULAR.

DOWNING STREET,

3rd June, 1834.

Sir,

I am commanded by His Majesty to direct your attention to the Instructions which I addressed to you on the 31st March, 1832, and in order to enable you the more readily to transmit to me Returns of Revenue and Expenditure, and of the Civil Establishment of your Government for the last year, I enclose to you a Book containing the various returns which are required, and which I request you will take care to return to this office at the earliest possible period.

I have etc.,

BATHURST.

The Officer Administering

The Government of Newfoundland.
CIRCULAR.

DOWNING STREET,
4 June, 1824.

Sir,

I transmit to you herewith a copy of a letter which has been addressed by Mr. Back to the Secretary 16 March of the Treasury by which you will learn it is the intention of His Majesty's Government to take into their early consideration with a view to its general revision the subject of the heavy charges to which the navigation and commerce of this country are liable in His Majesty's Colonies in North America. I have therefore to direct you forthwith on the receipt of this dispatch, to cause to be drawn up for the information of His Majesty's Government such a report as shall exhibit a view of all money which is raised under the head of Custom House fees and Perquisites, and Fees and Allowances to the Naval Officers whose emoluments are in any way levied on the tonnage of cargoes of vessels resorting to the Colony under your Government, shewing the authority under which all such charges are made and the nature of the tenure by which the interests in them are held by the present possessors. I have also to desire that you will accompany this report by any remarks which it may be in your power to offer illustrative of the statements which it will contain.

I have etc.,

BATHURST.

TO

The Officer Administering
the Government of Newfoundland.
Office of Committee of
Privy Council for Trade.

16 March, 1824.

Sir,

The Lords of the Committee of Privy Council for Trade have received so many, and such strong representations against the very heavy charges to which the Navigation and Commerce of this Country are liable in His Majesty's Colonies generally, but more especially in the West India Islands and the British Provinces and Possessions on the Continent of America, that they feel it absolutely necessary with a view to the maintenance and encouragement of our shipping and trading interests in the competition which they have to sustain with the merchants and shipowners of other states to request the early and serious attention of the Lords Commissioners of His Majesty's Treasury to the nature and amount of these charges, and more especially to those which are levied under the heads of Custom House Fees and Perquisites and Fees and allowances to the Naval officers, harbour masters, and other officers of this description whose emoluments are stated to press very heavily on the tonnage and cargoes of vessels resorting to these Colonies. In addition to the fact which cannot have escaped the notice of the Lords Commissioners of the Treasury that the presence of these charges has been the frequent subject of complaint in the House of Commons since the Restoration of the Peace, and that an expectation has more than once been given that the subject would be taken into consideration the Lords of this Committee cannot omit to convey to the Lords of His Majesty's Treasury the
strong sense which they entertain of the expediency of reducing as much as possible all incidental charges of this nature on the navigation of the United Kingdom.

The Lords of this Committee have already proposed and effected several reductions in the dues demanded from British ships in the Narrow Seas and the Ports of the United Kingdom, and their attention is now directed to a plan for reducing in a considerable degree the Consular charges to which they are liable in Foreign Ports. Under these circumstances they feel it the more incumbent on them to recommend that no further delay should take place in granting as much relief as possible from corresponding charges in the Colonial trade, a relief rendered in their judgment the more urgent from the commercial intercourse of other countries, and particularly with the extensive possessions and Islands in South America not belonging to the British Crown, but affording similar productions to those of the British Plantations which had heretofore been placed under a system of strict colonial exclusion.

I am &c.

THOMAS LACK.

J. C. HERRIES, ESQ.,

&c. &c. &c.
DOWNING STREET,
20 July, 1824.

Sir,

I have the honour to acknowledge the receipt of your letter of the 1st instant with various documents relating to the case of two seamen now in confinement at St. John's Newfoundland, charged by a woman of the name of Brown with having committed a Rape while the vessel lay at Torbay, and as there is not at present any Court in the Island competent to try the prisoners I am to desire that you will send the prisoners to England, where the crime is alleged to have been committed, unless the woman should be indisposed to prosecute.

I am &c.

BATHURST.

Vice Admiral

Sir Charles Hamilton,

&c. &c.- &c.
DOWNING STREET,

3 September, 1824.

Sir,

I am directed by Lord Bathurst to transmit to you the copy of a letter from Mr. Dawe on the subject of the Charter which it is proposed to grant to the Town of St. John's, and I am to desire that you will inform me for His Lordship's information whether it is probable that any representation respecting the Charter of Incorporation will be transmitted from the Colony.

I have etc.

R.W. HORTON.

THE OFFICER ADMINIST RING

THE GOVERNMENT OF NEWFOUNDLAND.
17 Speldhurst Street,
Brunswick Square,
11 July, 1824.

My Lord,

I am apprehensive that the 35th section of the Act for the better Administration of Justice in Newfoundland will create the greatest alarm and uneasiness among the inhabitants who dread the consequences of a power being vested in any persons in the Island in whose election they have no voice, to enact laws for their government in any respect. But My Lord the many important benefits which during the last Session of Parliament were conferred on that country so manifestly evince your desire to promote the happiness and welfare of the people that I am induced to hope Your Lordship will not carry into effect measures which would have a directly opposite tendency.

It is true My Lord a Charter might be drawn for St. John's, which is I believe the only town intended to be incorporated, which would in some degree meet the wishes of the Inhabitants, without being repugnant to the Act; but in a matter of such importance I am averse to making any suggestions till I am further instructed by them, and I therefore hope Your Lordship will not cause any Charter to be granted till I have heard from Newfoundland on the subject.

One very objectionable part of the clause is that the intended Corporation is empowered to impose rates upon the inhabitants householders only. Your Lordship
Lordship is perhaps not aware that the greatest part of the Town of Saint John's belongs to persons resident in England by whose ancestors it was occupied for the purposes of the fishery and to which the present owners claim title from long possession. Since the town has grown into commercial importance they have leased their lands for building on for very short terms at rents of about a guinea a foot. It would surely my Lord be but just that they should contribute towards the security and improvement of property so acquired and in which their interests are so much greater than their tenants. However, as I am given to understand that Your Lordship contemplates the appropriation of the rents of ships rooms and lands, and the duty on licenses to retail Ale and Spirits arising within the District for the purposes of the Corporation, I trust they will be sufficient without the aid of Taxation.

The Session of Parliament having terminated I hope Mr. Wilmet Herton will shortly find leisure to grant me an interview on the subject.

I have etc.

W. DAWE.
DOWNING STREET,
30 October, 1824.

Sir,

In consequence of a communication which I have received from the Secretary of State for the Home Department complaining of the great practical inconvenience which has been found to result from the frequent reference of late years in criminal cases, from the Colonies to this country, with regard to the confirmation of sentences pronounced by the Colonial Courts, I have to give you the most particular direction to avoid any recurrence to this practice, except in cases of most serious doubt, wherein in your judgment alternative remains, but to appeal to the Government at home. A reference home—except on a doubt with respect to the construction of law, must necessarily so raise the hopes of the unfortunate convict that it becomes hardly possible to direct the execution of the sentence of Death after the long interval which must elapse between the time when the reference is made and that at which the answer will arrive, and thereby does in effect leave His Majesty's Government no other alternative than what under other circumstances would be considered a lax execution of the law.

I have etc.,

BATHURST.

To the Officer Administering
The Government of the NEAR EASTERN PROVINCE.

The Governor of New South Wales.
CIRCULAR.

BOWING STREET,
20 November, 1834.

Sir,

I have the honour of enclosing an Order which the King has been graciously pleased to direct should be transmitted to Governors and Acting Lieutenant Governors for a Uniform which they are permitted to wear.

By this order you will observe that there is also a uniform which the superior officers of each Colonial Government will be permitted to wear— you will therefore notify to me the names of those superior officers within your Government who may appear to you most deserving of this distinction, and it must be understood that none but those whose names you shall have transmitted to me for His Majesty’s approval shall be at liberty to wear this uniform.

I have etc.

BATHURST.

TO SIR THOS. COCHRANE—

sc.  sc.  sc.
GEORGE R.

THE UNIFORM FOR COLONIAL GOVERNORS.

The same uniform as that worn by the Lord Lieutenants of the English Counties, only the body of the Uniform to be blue with red lapells. The Spaullettes and embroidery to be also the same as the Lords Lieutenants of Counties.

SUPERIOR CIVIL OFFICERS.

Blue coats but no spaullettes nor lapells. Button holes upon the cuff and collar only, but the same pattern as the Lord Lieutenants.

9th November 1824.
ESTIMATE OF THE CHARGE OF DEFRAYING THE CIVIL
ESTABLISHMENT OF THE ISLAND OF NEWFOUNDLAND FROM THE
1st of January to the 31st December 1825.

L 11,081.

Proposed distribution of the above sum of L11,081 on
account of the Civil Establishment of Newfoundland
for the year 1825.

Salary of the Governor-----------------------L 4,200.
Governor's Secretary
Chief Justice------
3 Assistant Judges at L700
Attorney General---------------
Clerk to the Supreme Court
Salary of the Caeles-----------------------
Judge of the Admiralty-----------
Naval Officer---------------------
Surveyor of Lands---------------
Schoolmaster---------------------
Allowance to a Sheriff--------------
Retired allowance to Mr. Bland, late Sheriff
Allowance to T. Coote Esq. late Supreme Surro-

gate and Chief Magistrate of St. John's
in consideration of his long and able
services. --------------------------
Allowance to 3 Clerks attached to the Secretary
at L200 per annum each------------
Agent-----------------------------

On account of fees for receipt and audit-----

L 11,081.

COLONIAL OFFICE,

1 January, 1825.

(Sgd) ADAM GORDON.
DOWNING STREET

CIRCULAR. 1st March 1835.

SIR,

With reference to my Circular despatch of the 20th November last I am now to signify to you His Majesty's pleasure that the uniform which His Majesty has been pleased to appoint for the use of the superior civil officers in the Colonies should be worn only by the Chief Justice in the Island under your Government.

I have etc.

BATHURST.

THE OFFICER ADMINISTERING

THE GOVERNMENT OF NEWFOUNDLAND.
DOWNING STREET,
31st March, 1835.

Sir,

I am directed by Earl Bathurst to transmit to you the enclosed copy of a communication which has been received from Captain Buchan, Sheriff of Newfoundland, in which that officer requests that certain additions may be made to the house appropriated for his residence and I am to acquaint you that considering the insufficiency of the accommodation which that house is represented to afford at present, Captain Buchan's request must shoukd be complied with.

I have the honour to be as,

R.W. Horton.

Captain Sir Thomas Cochrane,

Ac. Ac Ac
Woolwich,
15 March 1825.

Sir,

On the 30th ultimo I had the honour of communicating to you my opinion of the necessity that an under Sheriff should be appointed to assist me in the discharge of the accumulated duties incident to the Sheriff's Office at Newfoundland. I now beg leave to represent that the house appropriated for the Sheriff (and which forms a part of the Court House building) is exceedingly small, as described in the accompanying schedule together with the alterations I solicit which, it will be seen, is nothing more than what is really necessary, and which can be done at an inconsiderable expense.

I have also to request that the following articles of furniture be allowed for the Sheriff's Office, viz: a writing Table, four chairs, Carpet and a Book Case for the reception and security of Official Books, Papers &c.

I am &c.

D. Buchanan.

R.W. Horton, Esq.

&c. &c. &c.
SHERRIFF'S HOUSE, NEWFOUNDBEARD.

Ground Floor. Kitchen, and a small room for a servant.

FIRST FLOOR. Dining Room, and a small room used as an office and communicates with the Court House.

SECOND FLOOR. One tolerable sized bedroom, one do. very small.

Proposed enlargement and alteration.

Present kitchen to be made a sitting room and a kitchen to be built with a servants room over it.

The present office to become a bed room and one of the Court House rooms to be appropriated for an office.

D. Buchan.
Downing Street,
5th April, 1825.

Sir,

Having taken into consideration certain representations which have been made to me since it has been contemplated to alter the Constitution and Establishment of Newfoundland of the benefit which might be derived by that Colony from an appointment similar to those from which much advantage has been by the rest of His Majesty's Colonies, of an Agent whose duty it would be to attend to its interests and transact its business in this country, I think such an appointment will be highly expedient and a salary of £300 per annum may I conceive be appropriated to this object out of the Funds of the Colony to commence from the 6th instant as I have directed Mr. Hyde Villiers to give his attention to the duties of the situation until the agency shall be regularly established. He is in every respect qualified to fulfil these duties and I beg to recommend his being established in the appointment.

I have etc.,

BATHURST.

GOVERNOR

SIR T. COCHRANE,

Ac. Ac. Ac.
OFFICE OF ORDNANCE.

13 April, 1826.

Sir, I have had the honour to receive and lay before the Board of Ordnance your letter dated the 6th instant notifying your intention of shortly proceeding to Newfoundland to assume the Government and requesting that orders may be sent for repairing the Government House.

In answer, I am commanded to acquaint you that in conformity with a communication which the Master General and Board had with the Lords of His Majesty's Treasury, orders were given on the 30th August 1824 for repairing the house and premises alluded to, at an expense of L362 and on the 29th October following further orders were given for expending L170 in repairing the roof and chimneys which were reported to have been damaged by severe gales. The repairs the Board understood have been executed and I beg leave to state that any enquiries you may wish to make on the subject on your arrival at Newfoundland may be addressed to the Commander Royal Engineers at that place.

I have etc.

W. GRIFFIN.

SIR THOMAS COCHRANE,

Ac. Ac. Ac.

36 Jermyn Street.
Downing Street,
26th April, 1825.

Sir,

I transmit to you herewith a copy of a letter from Thomas Latriffle requesting information respecting certain property which he states to have been bequeathed to his wife by her brother Daniel Scanlan whom he represents to have died at St. John's Newfoundland between the years 1807 and 1810, and I request that on your arrival in your Government, you will make inquiry into the circumstances and transmit the result to me for the information of Thomas Latriffle.

I have etc.,

BATHURST.

Lieutenant Governor

Sir Thomas Cochrane

Ac-  Ac-  Ac-
LIMERICK,
13 April, 1825.

My Lord,

Having obtained information that a brother in law of mine named Daniel Scanlan formerly of Castle Town Reach in the county of Cork, Ireland, but lately a planter at the harbour of St. John's, Newfoundland, North America, died at that place about or between the years 1807 and 1810, and was strongly and credibly informed that he made a will some time previous to his death in which he left a considerable sum of money and other property to my wife his sister— that the money was given into the hands of the then Governor of the place and that the names of the executors were Mr. John Murray and Mr. Josh. Costello both of St. John's in said place and not knowing any other channel whereupon I could be able to procure any information than through Your Lordship's interference as Secretary to the Colonial Department, I therefore crave Your Lordship will order such enquiries to be made as will lead to a discovery of the property which can be had from the then Admiral who was of course the Governor for the time being— and there can also be any information required obtained from a Mr. John O'Neill, planter, at St. John's, or from the then Bishop Lambert of that place by whom my late brother in law was prepared; the names of the persons to whom it is supposed the will was made are, Ellen Scanlan, alias Lattrife, and her two brothers Carm Scanlan of Mallow, and David Scanlan of Charles, this being
being all that I can learn for Your Lordship's information, humbly request you will make the necessary enquiries relative thereto which will be the means of serving

My Lord,

Your Lordship's most obedient

humble servant,

THOS. LATRIFFE.

THE EARL BATHURST,

Ac. Ac- Ac-
ROYAL HOSPITAL, CHELSEA.

3rd May 1835.

Sir,

I beg leave to acquaint you that I have received a letter from Mr. Norton conveying to me the authority of Earl Bathurst to pay to Sir Charles Hamilton his full salary to the 31st December last, and a moiety of the increased salary of the Governor of Newfoundland from the 1st January of the present year to the time of the appointment of yourself as Governor of the Colony as notified in the Gazette.

And I am to pay to you the remaining moiety for the same period, and subsequently to that date the whole of the salary at the increased rate.

I have etc.,

ROBERT GWILT,

King's Agent.

(John, 17. 3.

Sir J.T. Cochrane,

Governor of Newfoundland.
ROYAL HOSPITAL, CHELSEA.

31st May, 1825.

Sir,

I have had the honour to receive your letter of yesterday, in reply to which I beg to acquaint you that I shall pay into the hands of Messrs. Coutts & Co. this day the sum of six hundred and nine pounds 17/3 being a moiety of the salary of the Governor of Newfoundland from the 1st of January to the 10th of last month, the other moiety having been received by Sir Charles Hamilton in pursuance of the directions contained in a letter from Mr. Horton to me dated the 27th ulte.

I had proposed to pay the salaries half yearly namely, on the 30th June and 31st December, so that the dates may correspond with the vote of Parliament which is for the period commencing and ending with the year—but if you prefer any other mode, I shall be happy to adopt whatever suggestion you may be pleased to make for your own convenience and that of the several officers upon the Civil Establishment of the Island under your Government.

I have etc.,

ROBERT GWILT,

King's Agent.

SIR THOMAS BUCHANAN,
SIR,

His Majesty's Government having taken into consideration the expediency of establishing the British Metallic Currency as the circulating medium of all the Colonial Possessions of the Crown, I transmit to you enclosed an Order of His Majesty in Council declaring that a tender or payment of British Silver coin to the amount of 4s. 4d. should be considered as equivalent to the Tender or payment of one Spanish Dollar and so in proportion of any greater or less amount of Debt and also that British Copper money should be made a legal tender to the amount of 12d. in one payment in all the British Colonies for its due and proper proportions of British Silver money and I have to signify to you His Majesty's Commands that on the necessary previous arrangements being made with the officer in charge of the Commissariat you cause the said Order to be duly promulgated and carried into execution in the Colony under your Government. I also transmit for your information a copy of the circular instructions which the Lords Commissioners of the Treasury have directed to be addressed to the officer in charge of the duties of the Commissariat Department in the Colonies by which you will learn the principles and grounds upon which 4s. 4d. of British Silver and copper money is declared to be equivalent to the Spanish Dollar.

With a view to give the fullest effect to the intentions of the Lords Commissioners of the Treasury I have to direct that at the same time that you promul-
gate the Order in Council public notice be given that
the holders of British Silver Money may demand from the
officer in charge of the Commissariat Department Bills
upon the Lords Commissioners of the Treasury at 30 days
sight in exchange for any sums whatever tendered by
them in British Silver not less in amount than £100
at the fixed rate of a Bill for £100 for every £103
of British Silver money so tendered.

And you will further publicly declare what is
the sum of money of account to which the British Silver
money is in the spirit of these instructions equivalent
thus, if the Spanish dollar current is equivalent to
5s. of "money of account" you will declare that 17/4d.
of British silver and copper money is equal to one
pound of such "money of account". If the Spanish
dollar is equivalent to 5s. 4d. of the "Money of Account"
16/3d. of British silver and copper money must be
declared equal to one pound of such "money of account" and if the Spanish Dollar is equivalent to 6/8d. of
"Money of Account" 15s. of British Silver money must be
declared equal to one pound of such "money of Account". If the actual value of the Spanish Dollar in the "Money of Account" is not furnished by any of those examples the proportions between the British Silver money and the "Money of Account" may be easily calculated upon
the same principle according to the actual value.

I have only further to acquaint you that the
Lords Commissioners of the Treasury have caused to be
shipped for the Colony under your Government the sum
of £5000 in British Silver Money and a small supply of
Copper Money for the service of Newfoundland.

LINOT. GOVERNOI
SIR THOMAS COCHRANE, No.

I have etc. BATHURST.
TREASURY CHAMBERS

12 February, 1825.

Sir,

The Lords Commissioners of His Majesty's Treasury having had under their consideration the rate at which the dollar is issued to the Troops at the Station under your charge and having also adverted to the difficulty which exists at many stations of procuring not only the Spanish Dollar, but also the proportional parts of the Dollar, so as to form a convenient medium for the issue of pay to the Troops; have determined to send to all the Colonies British Silver and copper money, which is to be issued for the Pay of the Staff and Regimental Officers and the non-commissioned officers and soldiers—and also for the pay of all persons having permanent appointments in any of the Civil Departments of the Army, at its nominal rate; and they have requested the Secretary of State to make such communications to the Governors of the several Colonies as may ensure its general use as a circulating medium.

With a view of attaining that object, and to secure its circulation without the great fluctuation in the rate of the exchange to which a circulation of Spanish Dollars is subject, with reference to Bills drawn upon this Board in Sterling Money.

I am commanded by their Lordships to direct that at certain hours in every day, or upon one certain day of each week, as the Officer Commanding the Forces may deem most expedient, you will be prepared to receive British Silver Money in sums of not less than £100 from any
any Persons whatever who may tender the same; and that you will grant to such Persons Bills upon the Board at thirty days sight, for the Money so tendered, at the fixed rate of a Bill for L 100 for every L 103 of Silver Money. You will, of course, take care that you do not receive in exchange for Bills upon this Board any British Silver Money wantonly or fraudulently defaced, or reduced in its true weight, but such only as may be perfect, and you will receive all such money by tale; but a very satisfactory check upon the tale may be obtained by weighing the coin, which may be tendered to you in Exchange for Bills; as every lb. troy should produce by tale L 3- 6 (i.e. 66 shillings) and therefore L 103 to be given in exchange for a Bill of L 100 should weigh 3 lb. 2 oz. 10 dwt. 21 9/11 grains troy; but which weight may be subject to a slight variation from the fair wear of the coin.

I am further to desire that you will not on any account or under any pretence, receive British Silver Money in exchange for Bills upon this Board at any other rate than that before specified, and that whenever you have British Silver Money in the Chest you will issue it for the Pay of the Troops in preference to every other species of Coin.

Copper Money will be sent to you with the British Silver Money and it is to be issued from time to time at its nominal rate; but My Lords desire that fractions only of less than 6d. may be issued in this Coin unless particularly requested by the persons who are to receive the same.
In the event of your not having sufficient British Silver Money in the Military Chest, for the purpose of making the necessary payments to the Troops, you will issue to them Spanish Dollars as at present, but at the rate of 4s. 4d. per dollar; and you will issue all other Dollars or Coins in payment to the Troops at the same proportionate rate with reference to their actual contents in pure Silver. A scale of the Rates at which some of the Coins should be so issued is inclosed.

The principle upon which Their Lordships are pleased to direct the Dollar to be issued to the Troops at 53d. each is, that this is its nearest value as compared to British standard silver at 5/3d. per oz. being the antient standard of the Silver Coin of the Realm, and therefore, in fixing the value of all other coins with reference to the standard, it is necessary that you should attend not only to the weight of the coin, but to its contents in pure silver.

A pound Troy of Standard Silver containing 11 oz. 2 dwts. of Pure silver and 18 dwts of Alloy, the proportion between pure and standard silver, may be expressed by the fractions \(\frac{233}{240} = \frac{37}{40}\).

The pound Troy of Spanish dollars contains 10 oz. 14 dwts of pure silver, and 1 oz. 6 dwts. of Alloy, and the proportion between the gross weight of the Spanish dollar, and its contents in pure silver may be expressed by the fractions \(\frac{244}{240} = \frac{107}{120}\).

I am further to direct that in negotiating Bills upon this Board for dollars or any other coin (except British Silver Coin) you will pursue the present course and
and obtain the same upon the most reasonable rates of Exchange that may be practicable; it not being their Lordship's intention that any other coins than British Silver coins should be received into the Military Chest in exchange for Bills upon this Board, at any other than the current rate of exchange.

My Lords further desire that the arrangement with respect to the Rate at which British Silver Money or Dollars is to be issued in payment to the Troops, may take place from the 34th of the month next after day of the General Order, which the Officer Commanding the Forces may issue in consequence of the Instructions which will be conveyed to him, for giving effect to this measure.

With respect to the mode of paying for supplies of every description which may have already been agreed or contracted for, My Lords desire that the payments may be made in every respect in the same manner, and at the same rates as the payments would have been made if the proposed alteration had not been directed: and in all future cases where articles may be contracted for, my Lords desire that it may be expressly stated in the advertisement for the supply, and also in the contract to be entered into, that the payments are to be made in proportion to the existing rate of the British Silver Money in the chest.

I am further directed to acquaint you that it may
may much facilitate their Lordship's object in obtaining a circulation for British Silver Money in all the Colonies if all your sub-accountants at detached stations where there is a branch of the Military Chest, were furnished by you with Bills upon this Board, drawn in their favour for sum of £100 each, and with which you might charge them as with cash; and which Bill they should be instructed to endorse over to those persons, who may lodge in the Military Chest, under their charge £103 of British Silver Money for each Bill. The regulation now in force for ascertaining the balance of money in the Military Chest, will be as equally applicable to Bills as to cash: and with a view to simplify the transaction as much as possible, and to guard against any irregularities their Lordships have directed me to transmit blank bills, which may be used exclusively for this purpose.

I am further directed to acquaint you that their Lordships have called the attention of the Officer Commanding the forces to the rates in Money, granted as pay to persons holding local or temporary appointments, and also in lieu of allowances of Forage, Fuel, Lodging &c. to Regimental and Staff Officers; and which rates have been fixed with reference to the expense of the Articles, in lieu of which the Money Allowance was granted, and to the value of the Currency in which the Pay and Allowances were issued, with a view to his causing Boards to be assembled for revising the whole of these allowances, and for fixing new rates of Pay and Allowances in lieu thereof, payable in British Silver Money; by which My Lords expect that a nominal reduction will be made in the amount of these allowan-
allowances, equal, or nearly equal to the difference between the value of the dollar as it has heretofore been issued, and 4s. 4d.

You will also issue to the Officers of all public departments to whom you may be called upon to make payments in exchange for their Certificates, Bills or Drafts, British Silver Money at its nominal Rate, Spanish Dollars at 4/4d. each and other dollars or coins at the same proportionate rate; but the payment of the Drafts of the Ordnance Officers for materials or other articles of supply, under existing contracts, you will of course make in the same manner, and in coins at the same rate as the payments would have been made in the event of the foregoing arrangement not having been adopted.

I am further directed to acquaint you that supplies of British money will from time to time be sent to you, and of the shipments of which you will be duly apprised.

I have etc.,

THE COMMISSARIAT DEPARTMENT.
TABLE of the Gross Weight, of the contents in pure silver, and of the value computed at the rate of 5s. 3d. per oz. Troy, British Standard fineness, of the under-mentioned Silver Coins, taken from assays made at the Mints at Paris and London, together with the rate at which these coins are to be issued (when British coin is not in the Military Chest) for the Pay of the British Troops in the Colonies.

<table>
<thead>
<tr>
<th>Weight of the coins</th>
<th>Contents in pure silver</th>
<th>Value at 5s. 3d. to be issued to the Troops at standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>FRANCE.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/4 of 1 franc</td>
<td>328.</td>
<td>344. 9</td>
</tr>
<tr>
<td>2 ditto</td>
<td>165</td>
<td>170. 8</td>
</tr>
<tr>
<td>FRANCE--------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/2 of 1 franc</td>
<td>77 1/2</td>
<td>89. 4</td>
</tr>
<tr>
<td>SUIZA.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/6 of 1 Scudo</td>
<td>433</td>
<td>448. 2</td>
</tr>
<tr>
<td>1/2 of 40 grains</td>
<td>141</td>
<td>157. 5</td>
</tr>
<tr>
<td>3/4 ditto</td>
<td>72.</td>
<td>59. 1</td>
</tr>
<tr>
<td>PAKISTAN.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/4 of 1 Rupee</td>
<td>416</td>
<td>370. 9</td>
</tr>
<tr>
<td>1/2 of 40 rupees</td>
<td>416</td>
<td>370. 1</td>
</tr>
<tr>
<td>INDIAN RUPEES-------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/4 of 1 Rupee</td>
<td>192.</td>
<td>175. 9</td>
</tr>
<tr>
<td>1/2 of ditto 179.</td>
<td>164. 7</td>
<td>1. 11. 81</td>
</tr>
</tbody>
</table>
AT THE COURT AT CARLTON HOUSE,
33rd March, 1825.

PRESENT,
THE KING'S MOST EXCELLENT MAJESTY
IN COUNCIL.

WHEREAS it has been represented to His Majesty at this Board, by the Lords Commissioners of His Majesty's Treasury, that they have given directions that His Majesty's Troops serving in the several British Colonies and Possessions Abroad should in certain cases be paid in British silver and Copper money, and that with a view of securing the Circulation of such money in these Colonies it would be expedient that an Order in Council should be issued declaring that in all those Colonies where the Spanish Dollar is now either by Law, Fact, or Practice, considered as a legal tender for the Discharge of Debts, or where the Duties to the Government are rated or collected, or the Individuals have a right to pay in that description of Coin, that a tender and payment of British silver money to the amount of Four shillings and Four pence should be considered as equivalent to the tender or payment of One Spanish Dollar, and so in proportion for any greater or less amount of Debt.

And whereas it has been further represented by the Lords Commissioners of His Majesty's Treasury, that with respect to the Cape of Good Hope where there are not any Spanish Dollars in Circulation, but where the Circulation consists entirely of Paper Rix Dollars and its proportions; and with respect to Seylon, where
the Circulation consists of Silver and Paper Rix Dollars as well as of a variety of other coins, which are generally received and paid with relation to their value as compared with Rix Dollars, it would be expedient that a tender and payment of 1s. 6d. in British Silver money should be considered as equivalent to a tender and payment of one such Rix Dollar so current at the Cape of Good Hope and Ceylon respectively, and so in proportion for any greater or less sum, and also that British Copper money should be made a legal tender in all the British Colonies for its due and proper proportions of British Silver money as by Law established in Great Britain, but that no person should be compelled to take more than 12d. in Copper money at any one payment; His Majesty having taken the said representation into consideration, is pleased by and with the advice of His Privy Council, to approve of what is therein proposed, and the Right Honourable the Lords Commissioners of His Majesty's Treasury, and the Right Honourable Earl Bathurst, one of His Majesty's Principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

(Signed)

C.G. GREVILLE.
TREASURY CHAMBERS,
31st May, 1825.

Sir,

In answer to your letter of the 16th ulto., enclosing copy of an application from the Governor of Newfoundland for articles to replace furniture and for other accommodations in the Government House of that Colony, I am commanded by the Lords Commissioners of the Treasury to acquaint you for the information of Earl Bathurst that it is not usual to furnish the houses of Governors of other Colonies at the expense of the public, and it does not therefore appear to be proper that the articles in question should be provided for Newfoundland, but as several articles of furniture were formerly provided for this house when the Governors were Naval Officers Commanding the station, My Lords will not object to these articles of furniture remaining in the house for the accommodation of Sir Thomas Cochrane and future Governors, and they therefore desire me to suggest that Sir Thomas Cochrane should be instructed to have a schedule or inventory made of such furniture and transmitted to this Board.

I am &c.

GEO. HARRISON.

E.W. HORTON, ESQ.

&c. &c. &c.
TREASURY CHAMBERS,
16th June, 1825.

Sir,

I am commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you with reference to your letter of the 6th instant that my Lords have been pleased to signify to Earl Bathurst their approval of the hire of a vessel to be sent to Newfoundland at the rate of £2500 per annum.

I have etc.,

Geo. Harrison.

Sir Thomas Coghlan,
43 Bryanstone Street,
Portman Square.
ADMIRALTY OFFICE,
21 June, 1825.

Sir,

In answer to your letter of the 29th instant I am commanded by My Lords Commissioners of the Admiralty to acquaint you that their Lordships have given orders for the discharge of the six men named in the margin, late belonging to the Fort and now on board the BRITANNIA to enable them to join the yacht intended to be allowed the Government of Newfoundland now preparing at Plymouth, agreeable to your request.

I am As.

JOHN HARROW.

SIR THOMAS COCHRANE, Knt.
42 Bryanstone Street.
DOWNING STREET,
23rd June, 1835.

SIR,

Having laid before Earl Bathurst your letter of the 9th instant requesting a full length Picture of His Majesty, I am directed by His Lordship to acquaint you in reply that it is not usual to make such a gift from the Lord Chamberlain's office to the Governors of Newfoundland.

I have etc.,

R.W. HORTON,

20,

GOVERNOR

SIR THOMAS COCHRANE,

&c. &c. &c.
DOWNING STREET,

23rd June, 1825.

Sir,

I am directed by Earl Bathurst to acquaint you in reply to your letter of the 6th instant that the Lords Commissioners of the Treasury have been pleased to approve of your hiring a vessel for the service of the Government of Newfoundland at an annual expense of two thousand three hundred pounds.

I have etc.,

R.W. HORTON.

TO

THE GOVERNOR

SIR THOMAS COCHRANE,

Ac. Ac. Ac.
NAVY OFFICE,
24 June, 1828.

Sir,

In answer to your letter of the 33rd instant on the subject of Mr. Cunard the person who has engaged to furnish the Colonial vessel at Newfoundland being furnished with Ballast for her from the dock yard at Plymouth, we acquaint you that we do not consider it expedient to comply with this gentleman's request but there is a quantity of packet ballast in store which he may purchase if he is desirous of so doing, at the rate of eight pounds per ton.

We are, Sir,

Your humble servants,

Rd. Sippings

H. Legge.

R. C. Middleton.

Captain Sir Thos. Cockrane,

42 Bryanstone St.

Fleming Square.
TREASURY CHAMBERS.
1st July, 1825.

Sir,

I am commanded by the Lords Commissioners of His Majesty's Treasury to acquaint you that my Lords have been pleased to direct the Commissioners of Customs to permit your wines and bottles to be re-shipped duty free as requested in your letter of the 27th ulto.

I have etc.,

GEO. HARRISON.

Admiral Sir Thos. Cochrane,
42 Bryanstone Street,
Fleming Square.
COLONIAL OFFICE,

6 July, 1825.

Sir,

Mr. R.W. May having been placed on the establishment of the Colonial Office as additional Under Secretary of State I enclose a memorandum stating the manner in which the division of the business between the Under Secretaries has been arranged, in order to facilitate your communications with this office.

I have etc.

BATHURST.

Governor

Sir T. Cochrane,

Ac. Ac. Ac.
West India Islands.
Demerara
Barbice
Honduras.
Bahamas.

North American Provinces.

Prince Edward's Island.

Barbary States.

Gibraltar

Sierra Leone

Gold Coast

Heligoland

New South Wales and Van Diemen's Land.
CIRCULAR.

SIR,

Much inconvenience having been experienced from the want of some uniform mode in which all official should be addressed to this Department by those employed under it, and the private directions which have been issued on this subject not having been permanently followed in many instances, I am directed by Earl Bathurst to convey to you the following relative to the forms to be observed in your official correspondence with this Department.

1st. You will number your Dispatches, beginning at the commencement of each year with No. 1, and proceeding with the numbers successively to the end of the year.

2nd. You will take especial care that each dispatch and letter of a public nature shall be docketed. The docket of a dispatch to consist of the name of the place where it was written, its date; your own name, the number of its enclosures if any, and a short abstract of its contents.

3rd. Should you have occasion to address letters to this office on subjects not immediately connected with the series of your official correspondence, but which are not of a private and confidential nature, you will not number such letters, but will mark them "Separate". If however you find occasion to write on subjects which are strictly of a private nature, and intended only for the consideration of the Chief Secretary, and Under Secretaries of State, you will
not number such letters but will mark them "Secret and Confidential", but it is distinctly to be understood that no letter for this Department are to be so marked excepting such as are of so private a nature, as to prevent their being deposited with propriety among the Archives of this Department and that all other letters be so deposited.

4. You will as far as possible confine each dispatch to one subject, and whenever you may be obliged to deviate from this instruction you will make a note in the margin of each new subject.

5th. In submitting enclosures in your dispatches you will state briefly in the body of the dispatch the contents of each of the enclosures, at the same time directing attention to such points contained in them as may appear to you to be particularly deserving notice.

6th. On the 1st January each year you will acquaint His Majesty's Secretary of State for the Colonial Department with the number of despatches and letters which you may have addressed to this Department during the preceding year with copies of the docketts of each dispatch and letter.

You will consider these instructions as superseding any former directions upon the subject which may have been given for the separate headings of the different subjects of your Colonial correspondence, and the regular transmission of duplicates.

I have etc.,

R.W. MORTON.
DOWNING STREET,
26 July, 1835.

Sir,

Lord Bathurst having had under his consideration
the plans for the future Government house at Newfoundland,
had directed me to acquaint you that he is inclined
to consider them as more extensive than is necessary
and that previous to His Lordship coming to a decision
on the subject he is desirous of seeing the estimate
of the expense that would be incurred.

Lord Bathurst approves of your Secretary being
under the same roof, but is apprehensive that some
inconvenience may arise from being of different
heights in a country where one of the chief dangers
to be guarded against is the pressure of snow. Lord
Bathurst would therefore suggest that the top of the
house should be of one uniform height.

I have etc.,

R.W. HORTON.

TO

GOVERNOR

SIR THOMAS COCHRANE.

&c. &c. &c.
DOWNING STREET,
27 July, 1825.

Sir,

I am directed by Earl Bathurst to acquaint you that the Lords of the Admiralty have appointed His Majesty's ship ROMNEY now at Portsmouth for your conveyance to Newfoundland, and that the Captain has been directed to receive on board any of your baggage that may be sent down for conveyance to that station.

I have etc.

R.W. HORTON.

To

GOVERNOR

SIR THOMAS COCHRANE—

&c. &c. &c.
DOWNING STREET,
30 July, 1825.

Sir,

Having had under my consideration the distressed state in which the Family of Mr. Westcoot late Attorney General of Newfoundland are situated, and the expenses to which he was exposed during the short time he held that office— I have to desire that you will take measures for remitting to the Agent of the Colony in this country the sum of Thirty Pounds per annum as a Pension granted by His Majesty to Mrs Anne Westcoot from the revenues at the disposal of the Crown.

This pension is to commence from the 9th April last and is to be remitted quarterly.

I have etc,

BATHURST.

To

GOVERNOR

SIR THOS. GOVERNOR.
SIR,

I have the honour to acknowledge the receipt of your letters dated 10th June last and yesterday on the subject of arming a Yacht hired for colonial purposes at Newfoundland; and I am to acquaint you the Board have given orders for eight brass four pounders upon sea carriages and a proportion of arms for twenty men to be supplied to the "Forte" Yacht as requested by you.

I have etc.,

W. GRIFFIN.

TO

CAPTAIN

SIR THOS. COCHRANE,
Post Office,
Devonport.
OFFICE OF ORDNANCE,
15 August, 1835.

Sir,

I have had the honour to receive and submit to the Board of Ordnance your letter dated the 13th instant in reference to my communication of the 9th respecting the Armament of the "Forte" Treasury yacht for service of the Government of Newfound land and in reply I beg to inform you that the Board have authorised their officers at Devonport to supply that vessel with eight 8 pounders of 5 feet in length in lieu of the 4 pr. guns mentioned in the order of the 8th instant.

I have the honour

W. GRIFFIN.

SIR THOS. COCHRANE,

Ac. Ac. Ac.

Devonport.
DOWNING STREET,

15 August, 1835.

Mr. Wilmot Horton presents his compliments to
Sir Thomas Cochrane and having been informed by Sir
Charles Hamilton the late governor that the returns of
the revenue and expenditure and of the establishments
of Newfoundland for the year 1835 are ready for making
up, but have been delayed in consequence of the non-
arrival of the blank blue books Mr. Horton takes this
opportunity of transmitting two blank forms which he
requests Sir Thomas Cochrane will cause to be filled
up and returned to the Colonial Office with as little
delay as possible.

GOVERNOR

SIR THOMAS COCHRANE.
CIRCULAR.

DOWNING STREET,
20 August, 1825.

SIRs,

Col. 4 0.73.

I have the honour to transmit for your inform-

" "105"mation certain Acts specified in the margin which have

" "109 been passed in the last Session of Parliament for the

" "110 regulation of Trade in His Majesty's Colonial

" "111 Possessions.

" "112.

I have etc.

BATHURST.

GOVERNOR

SIR THOS. COCHRANE.

Ac. Ac. Ac.
WASHINGTON,
August 20th, 1825.

Sir,

I have the honour to acquaint Your Excellency with my arrival in this city to take upon myself the duties of His Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of North America.

I shall be happy at all times to receive any communication with which Your Excellency may find it expedient to honor me, and you may depend upon my cordial concurrence in whatever may conduce to his Majesty's service in this part of the world, or contribute to maintain the good understanding so happily subsisting between Great Britain and the United States.

I am with great truth and regard

Your Excellency's most obedient,

humble servant,

CHAS. B. VAUGHAN.

His Excellency

Sir Thomas J. Cochrane,

Ac. Ac- Ac.
DOWNING STREET,  
25 August, 1828.

Sir,

I have the honour herewith to transmit to you a Commission under the Great Seal appointing you Governor of the Island of Newfoundland and its dependencies with Instructions under the Royal Signet and Sign Manual appointing a Council to assist you with their advice in the execution of that office. Immediately upon receiving this Commission you will repair with all practicable expedition to Newfoundland to assume the exercise of the Office which the King has been graciously pleased to confar upon you.

I have also the honour to transmit to you Letters Patent under the Great Seal for constituting the Courts of Civil and Criminal Justice in Newfoundland in pursuance of the Statute 5 Geo. 4, Cap.

Your Commission as Governor refers to your general instructions under the Signet and Sign Manual as prescribing in certain particulars the course of conduct which it will be your duty to observe in administering the Government. I regret that circumstances have delayed the completion of these Instructions, and that you could not be the bearer of them to Newfoundland without postponing your departure to a degree which would be highly prejudicial to the public service. I trust however that it will be in my power to forward your Instructions by an early opportunity. With reference to that part of your Commission in which you are required upon your arrival to call
together certain persons appointed to be members of Council within your Government under the Royal Signet and Sign Manual, in whose presence you are directed to cause your said Commission to be read and published and by whom the usual oaths are appointed to be administered to you it has been necessary to name a Council pro tempore for these and other occasions in which you may more immediately require their assistance; a more permanent arrangement of the Council with directions for the Regulation of their proceedings will be contained in the General Instructions to be hereinafter transmitted to you.

In the meantime I must refer you for your guidance to those Instructions under which your immediate predecessor acted; in many particulars indeed they will be found inapplicable to the present circumstances and altered constitution of His Majesty’s settlements in Newfoundland. You will therefore regard them as binding on yourself so far only as they have not become obsolete and inapplicable.

It will be highly expedient that I should receive from you with the least possible delay, a Report of the names and qualifications of such persons as you may judge most fit to act as Members of the Council. You will therefore avail yourself of the earliest opportunity of transmitting to me such report in order that a sufficient number of Councillors may be nominated in the general Instructions intended to be transmitted to you.

The three Acts of Parliament which were passed in the Session of 1634 for regulating the Fisheries of Newfoundland— for establishing Courts of Justice
Justice there; and for the due celebration of marriages throughout these settlements will be found to contain rules for the guidance of your conduct upon all of the most urgent and material questions which will come under your consideration, and I have to direct your very particular attention to the provisions of these Acts.

The Letters Patent, or Charter of Justice which I now forward has been framed in order to give effect to the Newfoundland Judicature Act and by reference to these Letters Patent you will perceive what is the Constitution of the Courts of Justice which under the very peculiar circumstances of the case His Majesty's Government have thought fit to sanction. It will be among the most important of your duties to give full effect, as far as may be possible, to this measure, and to form a distinct estimate of the benefits which may be expected to arise from it, as well as of the obstacles which may impede its full and practical completion.

The settlement of such lands as may be susceptible of profitable cultivation having now for the first time become an object of national policy in the Government of Newfoundland, you will at once proceed to adopt such preparatory measures as can be taken for that purpose, postponing till the receipt of your further instructions under the Sign Manual, the actual execution of any Grants of Land.

The division of the territory of Newfoundland into districts, for the purpose of holding circuits under the recent Act of Parliament is another subject which will require your early attention and
upon which I shall expect to receive a full report from you.

The Act of Parliament having also provided for the creation of Bodies Politic and Corporate for regulating the Police of the Towns in Newfoundland you will consider and report to me what measures it may be proper to adopt on this subject and what Provisions it may be proper to introduce into a Charter of Incorporation in case it should be considered expedient to grant one in pursuance of the Statute.

I have etc.

BATHURST.

GOVERNOR

SIR THOMAS JOHN COCHRANE.
27 August, 1835.

Sir,

You will herewith receive a dispatch from Lord Bathurst together with your Commission as Governor of Newfoundland, your Commission of Vice Admiral- Instructions under the Royal Sign Manual and three printed Acts of Parliament.

It has been found impossible to forward to you at Cork the Letters Patent for Establishing Courts of Judicature, without occasioning a considerable delay in the departure of the ROMNEY. You will therefore proceed with the documents now transmitted, and the Charter before mentioned will be forwarded to you by the earliest opportunity.

I am directed by Lord Bathurst to desire you will instruct your agent to pay to Mr. Gordon, Chief Clerk of this Department the sum of £557. 3/- on account of stamp duties and charges in passing the Letters Patent appointing you to be Governor.

I am, Sir,

Your most obedient servant,

R.W. Horton.

CAPTAIN

SIR THOMAS J. COCHRANE,

&c. &c. &c.
ADMIRALTY OFFICE,
31 August, 1826.

Sir,

In reference to your letter of the 30th inst. I am commanded by My Lords Commissioners of the Admiralty to transmit to you herewith Thirty Mediterranean passes of the form A together with the necessary Bonds, affidavits, and Certificates, to be issued at Newfoundland and I am to desire that you will acknowledge the receipt of the same.

I am &c.

JOHN BARROYS.

CAPTAIN

SIR THOMAS COCHRANE,
&c. &c. &c.

Newfoundland.
DOWNING STREET,
3rd September, 1835.

Sir,

Several instances having occurred of omission on the part of the Governors of His Majesty’s Colonies to transmit in conformity with their instructions for my information copies of the Minutes of the Proceedings of the Houses of Assembly and of the Heads of Privy and Legislative Councils in their respective Governments I have to desire that you will in future transmit these documents once in every six months and that such transmission may not be delayed beyond the necessary time required for their preparation after each yearly term.

With reference to the form in which all minutes of these bodies are prepared, it will be convenient that you should give directions that they should bear a running date on the upper margin of each page, and be accompanied each by an Index referring to its more material contents, and I have also to call your attention to that clause of your instructions in which it is specified that on each page of such minutes there should be marginal abstracts of its contents.

I have further to direct that in the despatch in which you transmit such minutes you will call my attention specially to any point and specifically to the printed page in which such point may be introduced, which may appear to you to require my attention.

I have etc.,

Governer

BATHURST.

SIR THOMAS COCHRANE.

&c. &c. &c.
DOWNING STREET,
10 September, 1828.

My dear Sir,

The enclosed is a copy of a private communication which has been sent by the mail to the Governors of North American Provinces; I am aware that the enquiries contained in it respecting the condition of granted and ungranted lands are more or less inapplicable to the circumstances of Newfoundland, but you will perceive the tenor of the enquiry and you will have the good ness to transmit to Lord Bathurst such information corresponding with it as you may be enabled to furnish.

I remain, my dear Sir &c.

R. W. HORTON.

GOVERNOR

SIR T. COCHRANE.
Downing Street,

Private & Confidential. 9th September, 1835.

Dear Sir,

It would be desirable previous to the transmission of a public despatch that we should receive such information as can be communicated without going into great detail, on the subject generally of such grants of lands as have been made during the last 20 years to individuals under the King's instructions particularly explaining the nature of the rent or quit rent which may have been imposed on such lands, as well as the degree of settlement duties which by the terms of the Grant may have been required to be performed by the Grantees - as also whether such settlement duties have practically been carried into effect.

It would also be desirable to receive general information as to the extent and quality of the lands which have at any time been recorded as granted under the King's Instructions, as well as of the waste lands which may still be ungranted, and to receive some general estimate of the value per hundred acres of the different qualities which may be presumed to exist in such ungranted lands. Also an enumeration of the maximum and minimum of the number of acres that have been granted at different times to any individual.

I remain very truly yours,
DOWNING STREET,

12 September, 1827.

Sir,

Having by the direction of Lord Bathurst referred for the consideration of the Lords Commissioners of the Admiralty your letter of the 26th July last requesting that the Colonial vessel attached to your Government might be allowed to carry a Pendant, I have now the honour to transmit to you a copy of a letter from Mr. Barron stating that their Lordships do not feel themselves at liberty to comply with your request.

I have etc.,

R.W. HORTON.

TO

GOVERNOR

SIR THOS. COCHRANE.

Ac. Ac. Ac.
ADmiralty,
5 September, 1825.

Sir,

Having laid before my Lords Commissioners
of the Admiralty your letter of the 16th of last month
enclosing a copy of a letter which Earl Bathurst has
received from Governor Sir Thomas Cochrane requesting
that the Colonial vessel attached to the Government
of Newfoundland may be allowed to carry a Pendant; I
am commanded by their Lordships to request you will
acquaint Lord Bathurst that they do not feel themselves
at liberty to comply with this request as they consider
that it would be at variance both with the letter and
with the spirit of His Majesty's Regulations for His
Service at Sea.

I am &c.

J. Barron.

R. Wilmot Horton, Esq.
TREASURY CHAMBERS,

16 September, 1835.

Sir,

I herewith transmit by command of the Lords Commissioners of His Majesty's Treasury a bond to be executed by Captain Buchan for the due execution of his office as Sheriff of Newfoundland and I am to desire you will call upon Captain Buchan to execute the same the proper stamp being duly affixed thereto, and return it to my Lords when executed.

I am also to desire you will instruct Captain Buchan to remit to Mr. Maule of Lincoln's Inn their Lordship's solicitor the sum of £6, 4s. 10d the amount of the expenses incurred in the preparation and execution of the bonds of Captain Buchan and his sureties.

I have etc.,

Geo. Harrison.

THE GOVERNOR OF NEWFOUNDLAND.
SIR,

Having laid before the Lords Commissioners of His Majesty's Treasury your letter of the 33rd ulto. stating that you have been informed by Mr. Cunard the person who has contracted to supply the Colonial vessel for Newfoundland that he is to be paid the sum allowed him half yearly by Bills on Government, and suggesting with a view to secure the due fulfilment of the contract that such Bills shall only be payable if accompanied by the approval of the Governor of Newfoundland for the time being I am commanded by my Lords to acquaint you that they are pleased to approve of your suggestion.

I am &c.

J. C. HERRIES.

SIR J. T. COCHRANE,
GOVERNOR OF NEWFOUNDLAND.
SIR,

I am directed by Lord Bathurst to transmit to you the copy of a letter from Mr. Herries, dated the 24th instant requiring detailed information as to the manner in which it is proposed to build the new Government House at Newfoundland—how the materials of the present building are to be disposed of, and whether Mr. Baxter by whom the estimate transmitted by you is made is an officer of Government; and I am to desire that you will furnish me with as little delay as possible full explanation upon the several points upon which the Lords Commissioners of the Treasury require further information.

I have etc.,

R.W. HORTON.

GOVERNOR

SIR THOMAS COCHRANE,

Ac.  Ac.  Ac.
TREASURY CHAMBERS,
24th September, 1835.

Sir,

Having laid before the Lords Commissioners of His Majesty's Treasury your letter of the 31st ulto. transmitting copy of an estimate of the expenses of works required in the erection of a new Residence for the Governor of Newfoundland I have it in command to acquaint you for the information of Earl Bathurst that my Lords presume that His Lordship has satisfied himself of the absolute necessity of erecting a new Residence for the Governor; and that such a measure would be more expedient than the repair of the present Government House. Assuming this to be the fact the sanction of His Majesty's Government to the erection of a new residence would seem necessarily to follow, and the only question for consideration would be what is the most economical mode of executing the service. The Estimate appears to my Lords to be a large one, and they would wish to be informed before the final sanction of His Majesty's Government is given for the execution of these works according to the estimate transmitted whether Mr. Baxter, by whom the estimate is made is an Officer of the Government, and if so, in what situation it would be desirable also to know whether it is practicable to execute such a work by a contract in Newfoundland.

My Lords would also wish to be informed whether the present residence of the Governor is public property, and if so, to what purpose it is proposed to apply the
same, and whether, if it is proposed to build the new residence upon the site of the present one, the materials of the latter might not be made use of in reduction of the expense of the new building, or if upon another site, whether the present residence might not be sold, and the monies arising from the sale applied in part payment of the expense of building the new residence, and I am to acquaint you that my Lords are of opinion that full information should be obtained upon all these points before this work receives the final sanction of His Majesty's Government.

I am &c.

J. C. HERries.

R. W. Hortos, Esq., M.P.

&c. &c. &c.
CIRCULAR.

DOWNING STREET,
5 October, 1825.

Sir,

I have to instruct you to transmit to me without loss of time a return of all civil and other Officers under your Government, who up to the present period have been accommodated with houses or lodgings at the public expense stating the value of the houses if they belong to the Crown, and if hired from individuals, the amount of the rent which may be paid for them. You will likewise specify the particular authority under which such accommodation may have been granted to those persons who enjoy it.

I have etc.,

BATHURST.

GOVERNOR

SIR THOMAS COCHRANE,

&c. &c. &c.
DOWNING STREET,
8 October, 1825.

Sir,

I have received your despatch of the 31st August last requesting to be informed whether it is intended that the Council of Newfoundland should be permitted to wear the uniform lately established for Colonial Officers, and I am to acquaint you in reply that it would be desirable that this question should be again brought under my notice when the Council of your Government shall be permanently formed.

I have etc.,

BATHURST.

To

GOVERNOR

SIR T. COCHRANE.
DOWNING STREET,

8 October, 1825.

Sir,

I am directed by Lord Bathurst to transmit to you His Majesty's Charter of Justice under the Great Seal for establishing the Supreme Court of Newfoundland.

I have etc.,

R.W. HORTON.

GOVERNOR

SIR THOMAS COCHRANE.
CUSTOM HOUSE,
London.
8th October, 1825.

Sir,

We have the honour to acquaint Your Excellency that we have directed our principal officers at Newfoundland to distribute the proceeds of all seizures condemned in the Vice Admiralty Court between the 5th January 1824 and the 6th July following against which condemnation no appeal has been entered in the High Court of Admiralty.

We have etc.

C.H.F. Villiers.
W.V. Roe.
R. Bouverie
Ed. Earl.

His Excellency the Governor
or Commander in Chief,

Ac. Ac. Ac.
Newfoundland.
JUPITER in Halifax Harbour,
27 October, 1825.

SIR,

I have the honour to acknowledge the receipt of the duplicate of your Excellency's letter of the 12th instant apprizing me of your arrival and assumption of the Government of Newfoundland and, under the circumstances therein mentioned, representing the necessity of having a vessel of War stationed at Harbour Grace during the winter months.

I beg to assure Your Excellency that I shall be at all times happy to afford you the most ready aid and cordial cooperation in all matters tending to the good of His Majesty's service, so far as the same may be in my power.

It having been represented to me that the stationing of a vessel of War at Harbour Grace during the winter, was unnecessary, it was not my intention to send one there this winter. One of the sloops under my command having been found unfit for further service and it having became necessary, on account of the late calamitous fire at Marimachi, to send a vessel to that quarter, the squadron has been reduced; and as the two gun brigs CLINKER AND FELTER have been nearly three years in Commission, it is not improbable that the next packet will bring me instructions to send them home to be paid off; in which case it would be out of my power to comply with your request for a vessel to be sent to Harbour Grace. Under these circumstances I forward by the SURVEYING VESSEL, INSTRUCTIONS TO
Captain Aplin of the Grasshopper to proceed to Harbour Grace in that Sloep, should she not have been dismantled, or in the latter case, to use the best means in his power in conjunction with Your Excellency for the preservation of the public peace in that quarter.

I have etc.

W. S. Lake,

Rear Admiral.

Commander in Chief.

His Excellency

Sir Thomas Cochrane,

Governor of Newfoundland.
LONDON,
October 28, 1835.

Sir,

As I am anxious that the appointment which I have received of Agent for Newfoundland should be rendered useful by every means which it is open to me to adopt, I beg to acquaint you that I shall pay immediate attention to any communication from you which shall afford me an opportunity of endeavouring to promote the interests of the Colony in this Country. I have been for some time past conversant with the affairs of the Colony under your Government and am still in frequent communication with the Colonial Department; I therefore hope that there may be many matters of interest to Newfoundland in which my services might be employed with advantage.

As no communication has yet reached me from any of the Colonial authorities, it only remains for me to assure you that I shall receive any such with much desire to accomplish any beneficial object to which my attention may be directed.

I have etc.,

F. HYDE VILLIERS.

GOVERNOR

SIR THOMAS COCHRANE,
&c. &c. &c.
DOWNING STREET,

30 November, 1826.

Sir,

I have to desire that you will forthwith transmit to me an account of all fees levied on the shipping and Trade of the Colony under your Government received by yourself as Governor, by your Secretary, or by any other individual not connected with the collection and management of the Customs Revenue.

You will transmit the average amount of those fees for the last five years, duly attested; and you will take care minutely to explain in what manner they are collected, and under what authority, and to whom they are in the first instance paid.

I have etc.,

BATHURST.

GOVERNOR

SIR THOMAS COCHRANE,

&c. &c. &c.
HORSE GUARDS,
7 December 1825.

Sir,

I have submitted to the Commander in Chief your letter of the 30th October last with its enclosure and am directed to acquaint you, that your claim in regard to military honours appears to be well founded and that it is borne out by the General Order of the 3rd June 1822 which regulates salutes to Civil and Military Officers (not Princes of the Blood) and which specifies that Governors by the King's appointment are entitled to the highest honours after the Royal Family—namely, 19 Guns.

In page 34 of the Army Regulations, Governors are entitled only to the honors due to their Military Rank, and those Governors who are not general officers are placed, as in the Order of Sir George Prevost of 1st May 1808, on the footing only of Brigadier Generals, but this Regulation has reference only to Officers in Command of Forts and Garrisons, and does in no way affect Governors by the King's special appointment.

At all events the General order of 3rd June 1822 (of which I enclose a copy) which regulates salutes, is decision, by analogy, of this question as regards yourself.

I have etc.,

G.H. TAYLOR.

CAPTAIN

SIR THOMAS COCHRANE, Kt.
GENERAL ORDER.

HORSE GUARDS,

3rd June 1832.

The King having been graciously pleased to approve of the following Regulation for saluting the Civil and Military Officers, (not Princes of the blood) therein specified, the same is henceforth to be strictly observed by all Commanders of Ports, Garrisons and Batteries in His Majesty's Colonies, viz:--

No. of Guns.
Governor, or Commander of the Forces, by the King's appointment------------------- 19
Lieutenant-Governor administering the Government by the King's appointment 17
Ditto when not administering the Government, but holding the King's appointment------------------- 18
Officer Commanding the Troops in the Colony (if a General Officer) by the King's appointment, but not holding the Commission of Commander of the Forces or that of Governor or Lieut. Governor. 15.

Two guns less are to be given when any of the above specified stations are filled by temporary appointment— not confirmed by the King.

This Regulation does not apply to Great Britain, Ireland or the East India Company's Territories.

By Command of His Royal Highness
The Commander in Chief

HENRY TOWERS,

ADJUTANT-GENERAL.
HALIFAX,

December 14, 1825.

Sir,

We have the honour to acknowledge the receipt of your letter of the 17th August, informing us that His Excellency Sir Thomas Cochrane, was dissatisfied with the size of the FORTA, and that she is "different in all respects to what we led His Excellency to expect". Our Tender dated 23rd April is as follows:

"We hereby offer to supply a brig for the service of Government, of about one hundred and fifty tons burthen, navigated by a suitable master, other officers, and crew, consisting in the whole of twenty persons, to be provided with all necessary stores, and to be in every respect fitted for the service - the vessel to be furnished immediately for twenty four hundred pounds sterling per annum".

but in consequence of His Excellency stating that the vessel would be laid up during the winter, and therefore at little expense, we subsequently proposed to take £2300. At this time we were offered a fine brig of 165 tons, but being unable to obtain an answer to our Tender we were obliged to decline purchasing, and afterwards found it impossible to procure a suitable vessel, in any part of the Kingdom. We then applied for a vessel from the service, and obtained an order for the sale of the Vandaleur. She was rated in the books of the Navy Board, and Customs, at 151 Tons, and it was under an impression of her being of that tonnage that we applied for her. We shall procure for the information of His Excellency a certificate from those departments. We could have had no object in
wishing to deceive His Excellency by supplying a vessel a few tons less, as the cost of outfit would be the same on one as on the other.

At the time we proposed to furnish a vessel, we had no idea that His Excellency intended to put us to the immense expenses which have been incurred in fitting up the FORTE. We presumed we were to fit her up in a neat and comfortable manner, but not in the expensive style in which she is done. A very much larger sum per annum would not have tempted us to lay out so large an amount, in articles that must be useless for any other purpose independent of the additional interest and insurance, on the amount. The outfit at Plymouth exclusive of cost of vessel was nearly £3000 sterling.

It is utterly out of our power to furnish another vessel, and should His Excellency determine on giving the FORTE up, we trust that the Treasury will remunerate us, on our statement of the heavy loss we shall sustain in the outfit of this vessel.

With respect to your observations on the pay we receive, for the vessel on this station, we beg to inform you that ever since the year 1815, and until lately we received £3400 sterling, for the hire of that vessel, she is fitted up quite plainly, and at one fourth the cost of the FORTE. CHIPUOTO is 133 tons, and the vessel which we had in the service prior to her was 106 tons, for which we received the same rate. It would only give you unnecessary trouble, to enter into a statement, of the reasons that induced us to take a rate so much less, but if a vessel were now required,
She could not be had for the original sum paid to us. We enclose a quarterly bill to show the rate we received.

We still trust that when His Excellency shall have had an opportunity of knowing the good proper ties of this little vessel, that he will be pleased with her, and that all will yet be to his satisfaction, and we assure you that we are desirous in all cases to so far as practicable to meet the wishes of His Excellency.

We have &c.

S. CUNARD & Co.

E.H. BRENTON, ESQ.

&c. &c. &c.

St. John's.
S Suffolk Street,
Fall Hall East,
15 December 1825.

Sir,

I have received your letter dated the 10th October last stating that, it having become necessary that an Agent should be appointed to attend to the interests and transact the business in this country of the Colony under your Government, you had thought proper to confirm me in that office, to which I had been provisionally nominated. I have to return you my best acknowledgments for the honour of this communication and I remain

Sir,
Your most obedient servant

F. HYDE WILLIAMS.

SIR THOMAS COCHRANE,

ac. ac. ac.