

Laws of Her Majesty's Province of Newfoundland, passed in the year 1838.

2 Victoria – Chapter 10

An Act for Granting to Her Majesty a Sum of Money for defraying the Expenses of the Civil Government of this Colony, and for other purposes, for the year ending the Thirtieth day of June in the Year of our Lord One Thousand Eight Hundred and Thirty-nine. (Passed 25th October, 1838.)

May it Please Your Majesty,

We, Your Majesty's dutiful and loyal subjects the Commons of Your Majesty's Island of Newfoundland, have freely and voluntarily resolved to give and grant to Your Majesty a supply to defray certain charges for the support of the Civil Government of the Colony, and the Administration of Justice, and do humbly beseech Your Majesty that it may be enacted—and

Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, that from and out of such Monies as from time to time shall be and remain in the hands of the Treasurer of this Island, and unappropriated, there shall be granted to Your Majesty, Your Heirs and Successors, the Sum of Twelve Thousand Seven Hundred and Thirty-six Pounds, Seventeen Shillings and Sixpence, which said sum shall be applied in payment of the following charges, for the year commencing on the First day of July, One Thousand Eight Hundred and Thirty-eight, and ending on the Thirtieth day of June, One Thousand Eight Hundred and Thirty-nine, inclusive, and other purposes, as hereinafter mentioned, that is to say—

The sum of Two Hundred Pounds towards the salary of the Clerk of Her Majesty's Council.

And a further sum of Four Hundred Pounds, towards defraying the salaries of two Clerks in the Secretary's Office.

And a further sum of Sixty Pounds, towards defraying the salary of an Office Keeper in the Secretary's Office.

And a further sum of Sixty Pounds, towards defraying the salary of Messenger for the Secretary's Office.

And a further sum of Two Hundred Pounds, towards defraying the salary of the Clerk of the Northern Circuit Court.

And a further sum of Two Hundred Pounds, towards defraying the salary of the Clerk of the Southern Circuit Court.

And a further sum of Sixty Pounds, towards defraying the salary of the Crier and Tipstaff of the Supreme Court.

And a further sum of Fifty Pounds, towards defraying the salary of the Gaoler of St. John's.

And a further sum of Six Hundred Pounds, towards defraying the salaries of two Police Magistrates for the District of St. John's, being Three Hundred Pounds per annum for each Magistrate.

And a further sum of Eighty Pounds, towards defraying the salary of the High Constable for the District of St. John's.

And a further sum of Two Hundred and Seventy Pounds, towards defraying the salaries of six Police Constables in the District of St. John's, at the rate of Forty-five Pounds each.

And a further sum of Four Hundred Pounds, towards defraying the salary, office rent, and all contingencies of the Colonial Treasurer.

And a further sum of One Hundred and Fifty Pounds, towards defraying the salary of one Police Magistrate at Harbor Grace.

And a further sum of Eighty-five Pounds, towards defraying the salaries of three Police Constables at Harbor Grace, being Thirty-five Pounds for the High Constable, and Twenty-five Pounds each for the other two.

And a further sum of Fifty Pounds, towards defraying the salary of the Gaoler at Harbor Grace.

And a further sum of One Hundred and Twenty Pounds, towards defraying the salary of one Stipendiary Magistrate at Carbonear.

And a further sum of Seventy-five Pounds, towards defraying the salaries of three Police Constables at Carbonear, being Twenty-five Pounds each.

And a further sum of One Hundred and Twenty Pounds, towards defraying the salary of one Stipendiary Magistrate for the Town of Brigus.

And a further sum of Seven Hundred and Thirty-six Pounds, towards defraying the salaries of Gaolers and Constables in the following Out-Ports, that is to say—

A Constable at Brigus, Twenty-five Pounds.

A Constable at Port de Grave, Twenty-five Pounds.

A Constable at Trinity, Twenty-five Pounds.

A Constable at Catalina, Twenty-four Pounds.

A Constable at Bonavista, Twenty-five Pounds.

A Constable at Greenspond, Twelve Pounds.

Three Constables at Twillingate and Fogo, Forty-nine Pounds.

A Constable at Exploit's Bay, Twelve Pounds.

A Constable at Brigus by South, Twelve Pounds.

A Constable at Witless Bay, Twelve Pounds.

A Constable at Petty Harbor, Twenty Pounds.

A Constable at Old Perlican, Twelve Pounds.

A Constable at Heart's Content, Twelve Pounds.

A Constable at Hant's Harbor, Twelve Pounds.

A Constable at Bay de Verds, Twelve Pounds.

A Constable at Harbor Main, Twelve Pounds.

A Constable at Cat's Cove, Twelve Pounds.

A Constable at Western Bay, Twelve Pounds.

A Constable on the South Shore, Twelve Pounds.

A Constable at Ferryland, Twelve Pounds.

A Constable at Bay of Bulls, Twelve Pounds.

A Constable at Toad's Cove, Twelve Pounds.

A Constable at Cape Broyle, Twelve Pounds.

A Constable at Caplin Bay, Twelve Pounds.

A Constable at Aquafort, Twelve Pounds.

A Constable at Fermeuse, Twelve Pounds.

A Constable at Renewes, Twelve Pounds.

A Constable at Placentia, Twenty-five Pounds.

A Constable at Portugal Cove, Twenty Pounds.

A Constable at Little Placentia, Twelve Pounds.

A Constable at Barren Island, Twelve Pounds.

A Constable at Merasheen, Twelve Pounds.

A Constable at Burin, Twenty-five Pounds.

A Constable at St. Lawrence, Twelve Pounds.

A Constable at Lamaline, Twelve Pounds.

A Constable at St. Mary's, Twenty-five Pounds.

A Constable at Trepassey, Twelve Pounds.

A Constable at Harbor Britain, Twelve Pounds.

A Constable at Grand Bank, Twelve Pounds.

A Constable at New Harbor, Twelve Pounds.

A Gaoler at Ferryland, Twenty-five Pounds.

A Gaoler at Placentia, Twenty-five Pounds.

A Gaoler at Trinity, Twenty-five Pounds.

A Gaoler at Burin, Twenty-five Pounds.

And a further sum of One Hundred Pounds, towards defraying the salary of a Stipendiary Magistrate at Bay of Bulls.

And a further sum of One Hundred Pounds, towards defraying the salary of a Stipendiary Magistrate at Ferryland.

And a further sum of One Hundred Pounds, towards defraying the salary of a Stipendiary Magistrate at Placentia.

And a further sum of One Hundred Pounds, towards defraying the salary of a Stipendiary Magistrate at Burin.

And a further sum of One Hundred Pounds, towards defraying the salary of a Stipendiary Magistrate at Trepassey and St. Mary's.

And a further sum of One Hundred Pounds, towards defraying the salary of a Stipendiary Magistrate at Harbor Britain.

And a further sum of One Hundred and Twenty Pounds, towards defraying the salary of a Stipendiary Magistrate at Trinity.

And a further sum of One Hundred Pounds, towards defraying the salary of a Stipendiary Magistrate at Grand Bank.

And a further sum of One Hundred Pounds, towards defraying the salary of a Stipendiary Magistrate at Bonavista.

And a further sum of One Hundred Pounds, towards defraying the salary of a Stipendiary Magistrate at Fogo and Twillingate.

And a further sum of Eighteen Pounds, towards defraying the salary of the Clerk of the Peace at Harbor-Grace.

And a further sum of Two Hundred and Fifty Pounds, towards defraying the Attorney-General's Fees, and in lieu thereof.

And a further sum of Four Hundred and Fifty Pounds, towards defraying the Expense of Printing and Stationery, exclusive of the Sheriff's Office.

And a further sum of Five Hundred and Fifty Pounds, towards defraying the Expense of Civil and Criminal Prosecutions.

And a further sum of Six Hundred Pounds, towards defraying the Expense of Gaols, Dietry, &c.

And a further sum of One Hundred and Forty Pounds, towards defraying the Expense of Coroners.

And a further sum of Two Hundred Pounds, towards defraying the Expense of Fuel and Light for Public Buildings, exclusive of the Sheriff's House and Offices.

And a further sum of Four Hundred and Sixty Pounds, towards defraying the Expenses of hiring Vessels and covering all Expenses of the Judges, on the usual Circuits.

And a further sum of Five Hundred Pounds, towards defraying the Expenses of Unforeseen Contingencies, for the Year from the 30th June, 1838, to the 30th June, 1839.

And a further sum of One Hundred Pounds, towards defraying the Expense of Postages, &c.

And a further sum of One Hundred and Eighty Pounds, towards defraying the Ordinary Repairs of Court Houses and Gaols.

And a further sum of Seven Hundred and Fifty Pounds, towards the Support of the Poor for the District of Saint John's, provided the same shall be disbursed by Nine Commissioners, Three of whom shall be a Quorum, that is to say—

The Reverend Mr. Carrington
The Reverend Mr. Troy
The Reverend Mr. Ward
The Reverend Mr. Faulkner
The Honorable J. B. Bland
The Honorable William Thomas
Patrick Doyle, and
Patrick Morris, Esquires, and
Mr. Patrick L. Power;

and on the Death, Resignation, or absence from the Colony, of any of the said Commissioners, his or their place or places shall be filled up by His Excellency the Governor, or the Administrator of the Government for the time being, and which Commissioners shall have power to appoint a fitting Person who shall act as Secretary to the Commissioners, and who shall keep a Book, well bound, in which shall be written the names of the Persons relieved, and the quantum of relief afforded, and who shall investigate into the state and condition of all Paupers receiving continuous relief out of the monies voted for the Relief of the Poor in this District, and shall make an Annual Report of the same, minutely detailing every circumstance, so as to enable the Commissioners to judge of the propriety of continuing, or otherwise, such relief as aforesaid; and said Commissioners shall have power and are hereby authorized to remunerate, out of such funds, such person so appointed ; and provided further, that His Excellency the Governor be empowered to nominate and appoint four Medical Practitioners, resident within the District, to act as, and be, the District Surgeons or Medical Attendants of the District of Saint John's; and to deduct the sum of One Hundred and Twenty Pounds, from the said sum, towards defraying the Salaries of the four District Surgeons, being the sum of Thirty Pounds for each, for the said period; and a further sum of Forty Pounds towards the purchase of Medicines, to be dispensed in the District—tenders for the supply and dispensing of such Medicines to be called for by public notice, and the lowest tender shall be preferred.

And a further sum of Seven Hundred and Fifty Pounds, towards the support of the Poor of the Out-Ports,—provided that the same shall be disbursed by Commissioners, to be appointed by His Excellency the Governor, in the several Electoral Districts; and the particulars of such disbursements shall in detail be made to His Excellency, for the use of the Legislature.

And a further sum of Sixty Pounds, as a retiring salary to John Buckingham, of Carbonear, Esquire, in consideration of his services as Stipendiary Magistrate in Conception Bay; this sum being identical with that sum voted in the Bill of Supply for the year ending the 30th June, 1838, and not paid owing to certain circumstances, contingent on its payment, not having taken place; the said sum is now re-appropriated as a retiring salary for the said John Buckingham, Esquire.

And a further sum of Two Hundred and Ten Pounds Nineteen Shillings and Eight Pence, to enable His Excellency to discharge the debt due to the Directors of the Saint John's Hospital, for Paupers admitted into the said institution.

And a further sum of Two Hundred and Fifty Pounds, towards defraying the expense of Firing Fog Guns.

And a further sum of Twenty-five Pounds, towards defraying the Quarter's Salary, from the 18th August to the 18th November, of the Sub-Collector for the Port of Green's Pond.

And a further sum of One Hundred Pounds, towards the support of Sarah Blaikie, Widow of the late James Blaikie, Esquire, Stipendiary Magistrate for the District of Saint John's, and Clerk of the Supreme and Circuit Courts for many years.

And a further sum of Twenty-six Pounds, towards compensating William Martin, for his past services as High Constable of Conception Bay.

And a further sum of Ten Pounds, towards remunerating James McDonald, of Harbour-Grace, for supporting a deserted Child (Thomas Fanning.)

And a further sum of Three Pounds Eleven Shillings and Six-Pence, towards defraying the expense of Registering Voters in the District of Ferryland, by John Cummins, in the year 1835.

And a further sum of Twenty-six Pounds, towards the support of Matthew Stevenson, for the loss of his Office as Clerk of the Peace at Harbour Grace.

And a further sum of Fifty Pounds, to be placed at the disposal of the Magistrates at Brigus, towards the Repairs and Purchasing Furniture for the Sessions House at Brigus.

And a further sum of Fifty Pounds, towards the support of Johanna Armstrong, Widow of William Armstrong, late Marshall of the Supreme Court.

And a further sum of Sixty-one Pounds Eight Shillings and Five Pence, to be placed at the disposal of William Langley and John Butler Bulley, to enable them to discharge their Contract, for the Building of a Bridge at River-head of Saint John's, with Roger Flahavan.

And a further sum of Fifty Pounds, to be placed at the disposal of the Magistrates of Carbonear, towards the Building of a Fence round the Sessions House at Carbonear, and other Incidental Repairs.

And a further sum of One Hundred Pounds, towards the painting, fitting up, and otherwise decorating, the interior of the Saint John's Court House, not including the Sheriff's apartments.

And a further sum of One Hundred and Sixty-two Pounds Six Shillings and Seven Pence, to defray the expense of the Elections in 1838, as follows—For the District of St. John's; to Patrick Kielty, for Hire of Poll Room, Twenty-five Pounds; to John Long, for erecting Hustings, Twenty-five Pounds; to John Shea, Returning Officer, to Pay the Printers' Accounts, Twelve Pounds Seven Shillings and Seven Pence; to Richard Holden, for acting as Poll Clerk, Ten Pounds. To Henry Earle, Poll Clerk at Trinity, Ten Pounds. To Thomas Gaden, for expenses at Fortune Bay, One Pound Six Shillings. To William Hooper, to pay the expense of Messengers and other Incidentals at Burin, Six Pounds Sixteen Shillings and Six Pence. To James Doyle, for acting Poll Clerk at Burin, Ten Pounds. To Robert Lee Whiting, for Building the Hustings at Harbour Grace, and for Hire of House, Fifteen Pounds; to Robert John Pinsent, for Printers' Accounts, Six Pounds Sixteen Shillings and Six Pence. To Robert Carter, of Ferryland, to pay Printer's Accounts, One Pound; to pay the Hire of a Poll Room at Cape Broyle, Two Pounds; to pay for the hire of a Poll Room at Renew's, One Pound ; to pay a Messenger to Bay Bulls, One Pound. To F. L. Bradshaw, for sundry Expenses at St. Mary's, Seven Pounds. To Thomas Harrington, Poll Clerk at St. Mary's, Ten Pounds. To Samson Mifflin, of Bonavista, for Boat Hire and sundry expenses, Fifteen Pounds. To Samuel Cozens, for sundry expenses, Three Pounds.

And a further sum of One Hundred and Fifty Pounds, towards compensating the Clerk and Serjeant-at-Arms appointed by the Crown to the House of Assembly; this sum being voted in consequence of His Excellency the Governor acquainting the House, by Message of the 28th September, 1838, that any Supply Bill providing for the Clerk and Serjeant-at-Arms nominated by the House of Assembly, cannot be assented to by him unless provision be also made for the Officers who held these appointments under the Crown, provided the said sum is not to be paid to the said Officers without the approval of Her Majesty's Government in England being first had and signified.

And a further sum of One Hundred Pounds, to be placed at the disposal of the Chairman, Secretary, and other Officers of the Factory, to be applied for the support of the said Institution.

And a further sum of Twenty-six Pounds Eleven Shillings, to pay the expense of an investigation, in a case of supposed poisoning at Bay Roberts.

And a further sum of Three Hundred Pounds, to defray the expense of the Light House on Harbor-Grace Island, to be expended as follows:—To the Keeper of the Light House, Seventy Pounds ; The Assistant Keeper, Twenty-five Pounds; For Oil, Wick, Coal, and other expenses, Two Hundred and Five Pounds.

And a further sum of Five Hundred Pounds per Year, for Three Years, to be placed at the disposal of His Excellency the Governor, to be paid to any Company or Individual who will place a suitable Steamer, not less Steam Power or Burthen than the Steam Ship Sirius, now plying between Great Britain and the

United States, and being the First Steamer that crossed the Atlantic, to ply between the Port of Saint John's, and a Port in Great Britain and Ireland—the said Steamer to make at least Four Trips out, and Four Trips home, in each Year.

And a further sum of Six Pounds Eleven Shillings and Eight Pence, to defray the Contingent Expenses of the Board of Control for the past year.

And a further sum of Six Pounds Six Shillings towards defraying the expense of the attendance of Doctor Walsh, in a case of supposed poisoning at Bay Roberts.

And a further sum of One Hundred Pounds, to be placed at the disposal of the Commissioners of the Grammar School at Carbonear, towards the procuring or building of a School in said Town.

And a further sum of Fifteen Pounds to defray the salary of the Barber of the Gaol of St. John's.

And a further sum of Twenty Pounds to defray the salary of the Medical Attendant of the Gaol at Harbor Grace.

And a further sum of Twenty-five Pounds to the Gaoler of Burin, for his services last year, this sum being omitted in the Supply Bill of last year by mistake.

And a further sum of Forty Pounds to defray the salary of the Medical Attendant of the Gaol of St. John's—provided that the Medical Attendant of the Gaol shall not hold the appointment of District Surgeon, or Medical Attendant of the Poor, for the District of St. John's.

And a further sum of Fifty Pounds to the Ladies of the Indigent Sick Society.

And a further sum of Twenty-one Pounds Sixteen Shillings, to Henry Corban Watts, for his services as Acting Clerk of the Peace at Harbor Grace, in the year 1835.

And a further sum of Seventeen Pounds Five Shillings and Ten Pence to John McLennan and James Boyd, being the amount of a judgment for damages given against them for carrying into effect a judgment of the Court of Sessions in the case of Carroll versus Ashman.

And a further sum of Two Hundred and Eighty-nine Pounds One Shilling and Six Pence, to enable His Excellency the Governor to discharge the Debt due by the District for the Support of Sick and Indigent Paupers.

And be it further enacted, that the sums of Money hereby granted shall be paid by the Treasurer of the Colony, in discharge of such Warrant or Warrants as shall be issued by the Governor or Person Administering the Government of the Colony for the time being, in favor of any Person or Persons, to be applied to the purposes of this Act; and that it shall not be lawful for the said Treasurer to pay any Sum or Sums of Money out of the Treasury of the Colony other than such as are expressed and directed in this or some other Act or Acts of the Legislature of this Colony.