

Laws of Her Majesty's Province of Newfoundland, passed in the year 1854.

18 Victoria – Chapter 3 (Session 2)

An Act to increase the present number of Representatives in the General Assembly of this Island, and to Regulate the Representation thereof. (Passed 30th November, 1854.)

Whereas by Proclamation bearing date the Twenty-Sixth Day of July, in the Third Year of the Reign of His late Majesty King William the Fourth, this Island was divided into Nine Districts, for the purpose of the Election of the Members of the Assembly thereof; by which Proclamation, the said Districts were authorised to return Fifteen Persons to Represent them as Members of the said Assembly, in the manner mentioned and provided in and by the said Proclamation: And whereas, for the good Government of this Island, it is expedient and necessary that there should be an Increase of Representatives therein:—

I. Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that from and after the passing of this Act, the House of Assembly shall consist of Thirty Members, of whom Ten shall be a Quorum; and that for the purpose of the Election of the Members of the said Assembly, this Island shall be divided as follows:—That is to say; The District of Twillingate and Fogo, which shall be comprised within the limits of the present Electoral District of Twillingate and Fogo, and shall be Represented in the said General Assembly by Two Members. The District of Bonavista, which shall be comprised within the limits of the present Electoral District of Bonavista, and shall be Represented in the said General Assembly by Three Members. The District of Trinity, which shall be comprised within the limits of the present Electoral District of Trinity, and shall be Represented in the said General Assembly by Three Members. The District of Conception Bay, which shall be comprised within the limits of the present Electoral District of Conception Bay, and shall be Represented in the General Assembly by Seven Members; of whom Two shall be chosen by the Electors residing in that part of the said District, to be called the Southern Division thereof, lying between the District of Saint John's and Turk's Gut inclusive; one by the Electors residing in that part of the said District to be called the Port de Grave Division thereof, lying between Turk's Gut exclusive, and Port de Grave inclusive; two by the Electors residing in that part of the said District, to be called the Harbour Grace Division thereof, lying between Port de Grave exclusive and Harbour Grace inclusive, including Harbour Grace Island; one by the Electors residing in that part of the said District, to be called the Carbonear Division thereof, lying between Harbour Grace exclusive and Fresh Water exclusive; one by the Electors residing in that part of the said District, to be called the Bay de Verds Division thereof, lying between Fresh Water and Bay de Verds both inclusive. The District of Saint John's, which shall comprise the present Electoral District of Saint John's, and shall extend Southward and West-wardly, to a straight line drawn from Petty Harbour inclusive to the Northern Goulds Bridge on the Bay Bulls Road, and thence to Broad Cove, inclusive, shall be Represented in the said General Assembly by Six Members, of whom Three shall be chosen by the Electors of the said District residing Southward of Saint John's Harbour, and Westward of a Line drawn from said Harbor through the centre of Beck's Cove, thence across Duckworth Street round the West side of Play House Hill, along the centre of Carter's Lane—up Cartel's Hill, thence along Cook's Town Road, thence along Fresh Water Road to the West end thereof, and thence in a direct line to Broad Cove Settlement inclusive; which shall be called the Division of Saint

John's West; and Three by the Electors of the said District residing Eastward and Northward of the above named Cove, Line, Lane and Roads, including Belle Isle; which shall be called the Division of Saint John's East. The District of Ferryland, which shall be comprised within the limits of the present Electoral District of Ferryland, and extending to the said South Western boundary of the said District of Saint John's, and shall be Represented in the said General Assembly by Two Members. The District of Placentia and Saint Mary's, which shall be comprised within the limits of the present Electoral District of Placentia and Saint Mary's, and shall be Represented in the said General Assembly by Three Members. The District of Burin, which shall be comprised within the limits of the present Electoral District of Burin, and shall be Represented in the said General Assembly by Two Members. The District of Fortune Bay, which shall be comprised within the limits of the present Electoral District of Fortune Bay, and shall be Represented in the said General Assembly by One Member; and also all that part of the South Coast of the Island, lying between Bonne Bay and Cape Ray, with the Islands adjacent thereto, shall form an Electoral District, to be called the District of Burgeo and LaPoile, and shall be Represented in the said General Assembly by One Member.

And whereas in pursuance of the Provisions of an Act passed in the Tenth and Eleventh Years of the Reign of Her present Majesty, entitled "An Act to render permanent certain parts of the Act for amending the Constitution of the Government of Newfoundland," Her Majesty, by Royal Instructions bearing date the Nineteenth Day of July, One Thousand Eight Hundred and Forty Eight, did among other things declare, that the Qualification of Persons thereafter to be Elected to serve as Members of the Assembly of this Island, should be fixed at a net annual income, arising from any source whatever, of One Hundred Pounds, or the possession of Property, clear of all Incumbrances, exceeding Five Hundred Pounds in value; and the length of the period of Residence within the said Island which should be required in addition to any other Qualification for being Elected to the General Assembly aforesaid, should be the Period of Two Years preceding such Election.

II. Be it therefore enacted, that the Qualification so hereinbefore declared, in addition to any other Qualification now by Law required for Members to serve in the General Assembly aforesaid, shall be and continue as the same are herein before declared and defined.

III. For the purpose of the Election of Members to serve in any General Assembly, it shall be lawful for the Governor for the time being to nominate and appoint proper persons to execute the office of Returning Officer in each of the said Electoral Districts, and Divisions of Districts, of this Island, to whom Writs in Her Majesty's Name shall be issued, directing them to summon the Freeholders and Householders of all the said Districts and Divisions of Districts respectively, to proceed to the Election of Persons to Represent them in the General Assembly according to the Regulations and Directions contained in Her Majesty's Royal Instructions aforesaid; and such other Regulations and Directions as shall be signified in any Proclamation or Proclamations, to be issued by the Governor according to the Laws of the Island now in force or hereafter to be in force in that behalf.

IV. The Returning Officer from each District shall be entitled to receive from the Colonial Treasury, Thirty Shillings for every Member returned, upon the Return of the Writ for such District. When there is no contest he shall be entitled to Ten Shillings for every Candidate for such District; and when there shall be a contest and Poll demanded, Twenty Shillings for every Candidate instead of Ten Shillings; and

further, when there shall be a contests there shall be paid to the Returning Officer of each District, by the Candidates for such District, in just proportions according to the number of the Polling Places in which each Candidate is interested, the following sums:—Twenty Shillings for procuring a Booth or Polling Place for each District or Division of District, except where the Polling Place shall be a Public Building that can be had without charge; Twenty Shillings for every Presiding Officer, and Ten Shillings for every Poll Clerk, to include their Travelling Fees; and the Fees shall be paid to the Returning Officer for each District on the day of Nomination of Candidates for such District; and the name of no Candidate shall be entered on the Returning Officer's Poll Book, or returned to Presiding Officers, who shall not have paid or tendered the full amount due from him under this Section before the expiration of the time named for the Nomination of Candidates: Provided always, that the amount to be paid by any Candidate shall not exceed the Sum of Ten Pounds.