

Laws of Her Majesty's Province of Newfoundland, passed in the year 1855.

18 Victoria – Chapter 8

An Act to Reduce and make provision for the payment of the Salaries of the Principal Officers of Her Majesty's Government in this Colony, and to Repeal certain Legislative Enactments in reference thereto. (Passed 4th August, 1855.)

Whereas it is expedient and necessary to reduce the Salaries of the Principal Officers of the Civil and Judicial Establishments of this Island, and to make adequate Provision, according to the means and ability of the People of this Island, for the said Officers.

Be it therefore Enacted, by the Governor, Legislative Council, and Assembly, of Newfoundland, that there be Granted to Her Majesty, Her Heirs and Successors, out of the Public Revenue of this Island, in every year; such Sum of Money as will suffice to pay unto the several and respective Persons appointed or to be appointed to the several Offices in the Government of this Island as are hereafter mentioned, the following yearly Salaries and allowances in Sterling Money, that is to say:—

Unto any Person who shall hereafter be appointed Chief Justice of Her Majesty's Supreme Court of this Island, the sum of Eight Hundred and Fifty Pounds.

To any Person who shall hereafter be appointed Assistant or Puisne Judge of the said Court, the sum of Six Hundred and Fifty Pounds.

Colonial Secretary and Clerk of the Council, the sum of Five Hundred Pounds.

Receiver General, the sum of Five Hundred Pounds.

Attorney General, the sum of Five Hundred Pounds.

Solicitor General, the sum of Two Hundred Pounds.

Surveyor General and Chairman of the Board of Public Works, the sum of Four Hundred Pounds.

To such Person as shall be appointed, by the Governor in Council, the Financial Secretary of this Island, the sum of Three Hundred Pounds.

To the Sheriff of the Central District, the sum of Three Hundred Pounds Provided that so long as the present Incumbent of that Office shall hold the same, he shall receive the sum of Two Hundred Pounds in addition to the said sum of Three Hundred Pounds.

To the Sheriff of the Northern District, the sum of Three Hundred Pounds.

To the Sheriff of the Southern District, the sum of Two Hundred Pounds.

II. All the said respective Salaries shall be paid by Warrant under the Hand and Seal of the Governor, on the Receiver General of this Island, by Four Quarterly Payments, at the Four most usual days of payment in every year

III. The said Salaries of all the said respective Officers, except that of the Colonial Secretary, shall be in full payment of the services of the Incumbents thereof, and shall be in lieu of all Fees of Office, and Perquisites whatsoever: Provided always, that all the Fees by law recoverable in the said respective Offices, except in that of the Colonial Secretary, shall be paid into the Treasury, or Office of the Receiver General of this Colony, for the use thereof.

IV. And Whereas by an Act of the Imperial Parliament, passed in the Fifth year of the Reign of his late Majesty, King George the Fourth, intituled "an Act for the better Administration of Justice in Newfoundland and for other purposes," and which said Act was to continue in force for the period of Five Years, it was Declared and Enacted that it should be lawful for His said Majesty, by His Charter or Letters Patent tinder the Great Seal, to institute a Supreme Court of Judicature in Newfoundland, which should be called "The Supreme Court of Newfoundland;" and whereas by subsequent Acts of the Imperial Parliament, passed respectively in the Tenth year of the Reign of His said Majesty, and in the Third year of the Reign of His late Majesty, King William the Fourth, the said recited Act was continued in force until the same should be repealed, altered, or amended by any Act or Acts which might, for that purpose, be made by His Majesty, with the advice and consent of any House or Houses of General Assembly, which His Majesty might at any time see fit to convoke within the Colony of Newfoundland: And whereas in pursuance of the Provisions of the first recited Act, His said Majesty, King George the Fourth, by Letters Patent under the Great Seal, and dated at Westminster, the Nineteenth day of September, in the Sixth year of His said Majesty's Reign, did erect and constitute a Supreme Court of Judicature in Newfoundland, and in and by the said Letters Patent did further Ordain and Declare that the Chief Judge and Assistant Judges of the said Court, as long as they should hold their respective Offices, should be entitled to have and receive the following Salaries; That is to say:— The said Chief Judge a Salary of One Thousand Two Hundred Pounds, Sterling money, by the year; and each of the said Assistant Judges a Salary of Seven Hundred Pounds, like Sterling money, by the year; and that such Salaries should be in lieu of all Fees of Office, Perquisites, Emoluments and Advantages whatsoever: And whereas it is expedient for the public interest that the said respective Salaries should be reduced and limited to the respective amounts provided for and limited in respect of the said respective Offices in and by the First Section of this Act.

Be it therefore further Enacted, by the Authority aforesaid, that when and as soon as either of the Offices of Chief Judge or Assistant Judges of the said Court shall become vacant by the death, resignation, removal or otherwise, of the present Incumbents of said Offices, or any of them, their Successors in the said respective Offices shall not receive any larger or greater amount of Salary or Compensation for discharging the duties of the said, respective Offices of Chief Judge and Assistant Judge of the said Court than the amount of Salary described, limited and provided for the said respective Offices in the said First Section of this Act, notwithstanding any thing to the contrary contained in the said recited Acts and the said Letters Patent.

V. When and as soon as the Offices of Chief Judge and Assistant; Judges of the Supreme Court of and for this Colony shall severally become vacant after the passing of this Act, the Act of the Legislature of this Colony, passed in the Sixth year of the Reign of Her Majesty, intituled “ an Act to extend and continue certain Provisions of an Act of the Parliament of the United Kingdom, passed in the Second and Third year of the Reign of his late Majesty, King William the Fourth,” shall cease, determine and stand repealed, so far as the said recited Act provides for the yearly payment of the respective Salaries of the said Chief Justice and Assistant Judges; and so far as the said Act provides for the Salaries of the Colonial Secretary and Attorney General, the same is hereby repealed from the passing of this Act.

VI. The Fourth, Sixth, and Seventh Sections of an Act passed by the Legislature of this Colony, in the Tenth year of the Reign of Her Majesty, intituled “an Act to regulate the appointment of Sheriffs;” are hereby repealed, so far as the said Sections of the said recited Act provide for or relate to the Salaries and allowances to Sheriffs.

VII. That the Eighteenth Section of an Act passed in the Seventh year of the Reign of Her Majesty, intituled “an Act to make Provision for the disposal and Sale of ungranted and unoccupied Crown Lands within the Island of Newfoundland and its Dependencies, and for other purposes,” be and the same is hereby Repealed, as far as the same relates to or provides for the Salary of the Surveyor General, and for the payment of the sum of Fifty Pounds per annum to the Colonial Secretary, in lieu of Office Fees on the issue of Crown Grants: Provided always, that the Colonial Secretary shall not be entitled to receive any Fee on the issue of Crown Grants of Land.

VIII. That the Nineteenth Section of the said last recited Act be also Repealed, and the same is hereby Repealed.

IX. From and after the passing of this Act the whole of the General and Casual Revenues now derived or that may hereafter be derived from and out of the Sale and Rentals of all Crown Lands and Ships Rooms within this Colony or its Dependencies, together with the surplus or balance remaining in the hands of the late Receiver thereof, shall be for the future received and collected by the Receiver General of the Colony, to be appropriated and applied for the General uses and purposes thereof.