

within any Electoral District in the said Island which shall be required, in addition to any other qualification, for Voting at Elections within such District, or for being elected to serve as a Member of the Assembly, provided that such period shall not extend beyond the period of two years next preceding any such Election: Now we do therefore, by this our Commission, and in pursuance of the powers in us vested in and by the said recited Act of Parliament, fix and determine the length of the period of residence within any Electoral District in the said Island which shall be required in addition to any other qualification, for voting at Elections within such district, or for being elected, (that is to say) the period set forth in and by the before-mentioned Instructions: And whereas it is by the said recited Act of Parliament further enacted that it shall be lawful for Us, in manner aforesaid, to restrain the said Assembly from appropriating to the Public Service within the said Island any part of the public revenue thereof, in cases where such Services shall not have been previously recommended or such grants of money shall not have been previously asked by Us or on our behalf: Now we do hereby, by this our Commission, and in pursuance of the powers in Us vested by the said recited Act of Parliament in that behalf, restrain the said Assembly from appropriating to the public service within the said Island any part of the Public Revenue thereof in cases where such services shall not have been previously recommended, or such grants of Money shall not have been previously asked by Us or on our behalf: And whereas it is by the said recited Act further enacted that it shall be lawful for us, in manner aforesaid, to restrain and prohibit the Election of Members to serve in the said Assembly in different Districts on successive or different days, and to require that all such Elections shall be simultaneous, and shall be completed within a time to be limited: And we hereby, by this our Commission, and in pursuance of the powers in us vested by the said recited Act of Parliament in that behalf, restrain and prohibit the Election of Members to serve in the said Assembly in different Districts on successive or different days, and do require that all such Elections shall be simultaneous and shall be completed within a time to be limited (that is to say) within the period of Ten complete days from the day of the receipt, by the Returning Officer of each District, of the writ authorizing such Election, and that the Polling at every such Election shall be completed within Eight successive hours next immediately following the commencement of each polling. And whereas it is by the said recited Act further enacted that it shall be competent to Us, in manner aforesaid, to establish an Executive Council, for advising the Governor of the said Island, apart and distinct from the Legislative Council thereof: Now we do hereby, by this our Commission, and in pursuance of the powers in us vested by the said recited Act of Parliament, establish an Executive Council for advising the Governor of the said Island, apart and distinct from the Legislative Council thereof—which Executive Council shall consist and be composed of such persons as are mentioned or referred to in and by the Instructions, under our Signet and Sign Manual, accompanying and referred to in this our Commission. And whereas it is by the said Act further enacted, that it shall be lawful for Us, in manner aforesaid, to abolish the Legislative Council of the said Island as a distinct House or Branch of the Legislature thereof, and to authorize and empower the Members of the said Legislative Council to sit and vote in the House of Assembly, as Members thereof, as fully in all respects as the elected Members of the said House;—Provided always, that the number of members so to be authorized to sit and vote in the said House of Assembly shall never be more than two fifths of the whole number of the members of such House of Assembly:

Now we do hereby, by this our Commission, and in pursuance of the powers in us vested by the said recited Act of Parliament, direct that the Legislative Council of the said Island shall no longer sit and vote as a distinct House or Branch of the Legislature thereof; And do authorize and empower the Members of the said Legislative Council to sit and vote in the House of Assembly, as Members thereof, as fully, in all respects, as the Elected Members of the said House—It being our will and pleasure that the total number of the Members for the time being of the said Council shall henceforward be equal to, but not more than two-fifths of the whole number of the Members of the said House of Assembly. And whereas it is necessary, in order that the total number of the Members of the said Council henceforth may be equal to two-fifths of the said House of Assembly, that the number of the Members of the said Council at present appointed under our authority should be increased; and it is expedient that you, the said Sir JOHN HARVEY should be authorized and empowered to appoint such additional number of Members of the said Council as will make up the total number of the Members for the time being to be equal to two-fifths of the said House of Assembly: We do therefore, by this our Commission, authorize and empower you, the said Sir JOHN HARVEY, to nominate and appoint, from time to time, such and so many persons to be Members of the said Council as will make up the total number of the Members for the time being to be equal to two-fifths of the whole number of the said House of

Assembly; Provided nevertheless, and it is our further pleasure, that the Members of the said Council who may be so nominated and appointed by you shall hold their seats provisionally and until our further pleasure shall be signified: and you are forthwith to report to Us, through one of our Principal Secretaries of State, the names and qualifications of the persons who may be so appointed by you to be Members of the said Council, in order that We may, under our Signet and Sign Manual, confirm or disallow any such provisional appointment, as we may see occasion. And in case of your death, or absence out of our said Island and its dependencies, We do hereby give and grant all and singular the powers and authorities herein to you granted, to our Lieutenant Governor for the time being of our said Island, or in the absence of any such Lieutenant Governor to such Person as we may by Warrant under our Signet and Sign Manual authorize and appoint to be the Administrator of the Government of our said Island—such powers and authorities to be by him executed and enjoyed during our pleasure. But if, upon your death or absence out of our said Island and its dependencies, there be no person upon the place commissioned and appointed by us to be our Lieutenant Governor, or especially appointed by us to administer the Government within the said Island and its Dependencies, Our will and pleasure is, that until you return from any such absence, or until Our further pleasure shall be known, the Senior Military Officer for the time being in Command of our Land Forces within our said Island of Newfoundland and its Dependencies, shall take upon him the administration of the Government thereof, and shall execute this our Commission, and the Instructions herein referred to, and the several powers and authorities herein, and in the said Instructions contained, in the same manner and to all intents and purposes as other our Governor and Commander in Chief should or ought to do. And we do further declare our pleasure to be that this present Commission, and the Instructions accompanying it, shall continue in force until the first day of September, one thousand eight hundred and forty six, and no longer, unless Parliament shall otherwise order. And we do hereby revoke and annul the said recited Letters Patent, of the twentieth day of July, one thousand eight hundred and forty one, and our Instructions under our Sign Manual and Signet, accompanying and referred to in the said Letters Patent, so far as the same are in anywise repugnant to this our Commission and the said recited Act, or to either of them.

In Witness whereof we have caused these our Letters to be made Patent. Witness ourself, at Westminster, the first day of September, in the sixth year of our Reign.

By Writ of Privy Seal.

EDMUNDS.

His Excellency having, in consequence of the said Commission, caused Her Majesty's Council to be assembled at the Government House at three o'clock this afternoon, delivered to them the following

#### ADDRESS:

"Honorable Gentlemen,—

"Having received Her Majesty's commands to carry into immediate operation the Act recently passed by the Imperial Parliament, entitled "*A Bill for amending the Constitution of Newfoundland*," the duty is imposed upon me of intimating to you that, in consequence of the separation of the Legislative and Executive functions made by that Act, your functions in the latter capacity are at an end:

"In making this communication, I request you to receive from me the assurance of my warmest acknowledgements and sincerest thanks for the very able and cordial support which you have afforded me upon every occasion upon which I have found it expedient to resort to your advice—and it will be my pleasing duty to convey to Her Majesty's Government a declaration of my sentiments on this subject, to be laid at the foot of the Throne.

"In the meantime, it is to me a source of no trifling satisfaction that, though disunited in one respect, we are far from being so in an other, and that, in your Legislative capacities, Her Majesty's subjects and interests in this Colony will continue to experience the benefits of your valuable and patriotic services—in the performance of which it will be my gratifying duty to afford to you and to the Representatives of the people of this loyal Colony, my most zealous co-operation.

"Gentlemen, with sentiments of the sincerest good will, I bid you adieu for the brief period which may intervene before I may again meet you in your Legislative capacity."

Council Board, Government House,  
23d September, 1842.

ALL Persons having any demands against the Estate of the late MOSES COBURN, Senior, deceased, are hereby requested to render the same duly attested, within three months from the date hereof; and all those who may be indebted to the said Estate, will make immediate payment to the Subscribers.

ISAAC BURPE,  
BENJAMIN BARKER, } *Executors.*  
Sheffield, 24th September, 1842.