

ds  
£ 172, 2, 10, 51.

1800

Pay to Richard Routh Esq Chief Justice  
of the Island of Newfoundland the sum of one Hundred and  
seventy two pounds two shillings and two pence 51. being the  
aggregate Balance of the Supreme Court Surrogate Court also  
the District of St John's account approved by the Magistrates  
between the 21st. of October 1799, and the 20th. October  
following at part of payment of the Dalaries of the respective  
part of payment of the Salaries Officers of the Supreme Court  
for that period.

Henry Philips Esq.

High Sheriff.

Fort Townshend.

20th. October 1800.

Paid the Surrogates the undermentioned sums by Bills on the Rt. Hble. the Lords Commissions of His Majesty's trading being the amount of their Salaries for the time at against their names expressed.

Jonathan Ogelen Esq Surrogate for St John's District  
and the whole Island from 21st. October 1799, to 29th.  
October 1800 £ 100.

Captain Edgell Supreme Surrogate.....do.....do.....£ 60.  
John Bland Esq District of Bonavista.....do.....60.  
Revd. J. Clinch do..... Trinity.....do.....do...60.  
Robert Carter Esq. do Ferryland..... do.....do.60.  
Chas. Garland Esq. do.....Harbour Grace...do.....60.

St. John's,

11 October 1798.

Sir,

I have received the honour of Your Excellency's letter of the 28th ultimo informing me that His Grace the Duke of Portland had signified to you by his letter of the 13th June His Majesty's pleasure that the Chief Justice of Newfoundland should continually reside within the settlement excepting in cases where he shall receive His Majesty's permission through one of His Principal Secretaries of State, or the permission of the Governor to absent himself from his duty for a certain time to be specified in such permission which you had thought proper to communicate for my guidance.

I take the earliest opportunity of replying thereto, and trust that under the pressure of my affairs I shall be favoured with Your Excellency's particular attention, and in soliciting your indulgence to return to England late in the season when the business terminates, permit me to assure Your Excellency it is a favour on which the welfare of my family and private affairs are pending.

I was appointed Chief Justice on the 23rd of June two days previous to your intended sailing from England had the wind been favourable. I set off the following day to embark at Portsmouth, and although we were long detained there I had no

opportunity

opportunity of attending to any private business  
whatever, or of making any arrangement towards the  
removal of my family to this Island, which I propose  
doing the ensuing winter, and will resume my post  
here by the spring convey.

I have &c.,

(Sd) Richard Reuth,  
Chief Justice.

His Excellency

The Hon. Wm. Waldegrave,

Governor of Newfoundland.

&c. &c. &c.

Fert Townshend,

12 October 1798.

Sir,

In reply to your request of the 10th inst. setting forth your reasons for requesting my permission to depart for England late in the season when the business terminates, to return hither by the spring convey, I can only say that your request appears to be so very just, that I should hope His Majesty's Secretary of State will not be displeas'd at my granting you this permission notwithstanding I confess that by all I have learn'd since my arrival here, I am more fully convinced than ever of the necessity of His Majesty's Chief Justice residing in the Island during the winter.

I am &c.,

(Sd) Wm. Waldegrave.

R. Reuth Esq.

Whitehall.

13th. June 1798.

Sir,

Inconsequence of your representation to me of what importance it is to the Peace, Good Order, and Welfare of the Inhabitants of Newfoundland, that the Chief Justice of that settlement should quit his Post as seldom as possible giving it, at the same time as your opinion, that the annual return of that Magistrate to this Country, as at present tolerated, is the principal cause of the discontents and long disputes with which you were perpetually harassed during the last season, I am to signify to you the King's Pleasure that the Chief Justice should constantly reside within the settlement, excepting in cases where he shall receive His Majesty's permission, thro' one of his principal secretaries of State, or the permission of the Governor, to absent himself from his duty, for a certain term to be specified in such permission, and you will not fail to inform the Chief Justice accordingly.

With

With respect to the certificate which you are required to transmit to the Lords Commissioners of the Treasury, specifying from time to time the whole amount of the fees received in the Supreme Court of Newfoundland, and also that no part thereof was paid to or received by the Chief Justice, I conceive that the declaration of the Chief Justice to that effect, made before you and signed by himself, is sufficient to authorize you in making the certificate above mentioned

I am &c.

Vice Admiral Waldegrave.

(sd) Portland.

&c.

&c.

&c.

Port land Place,

19th June 1798.

My Lord,

I have to acknowledge the receipt of Your Grace's letter of the 13th instant, in answer to mine of the 11th on the subject of the necessity of the Chief Justice of Newfoundland becoming resident in that Island.

Your Grace is pleased to inform me that it is His Majesty's pleasure that the Chief Justice should constantly reside in that settlement, excepting in cases where he shall receive His Majesty's permission through one of His Principal Secretaries of State, or the permission of the Governor, to absent himself from his duty for a certain time to be specified in such permission, and Your Grace further directs me to give the Chief Justice the said notification. May I be permitted to represent to Your Grace that no such indulgence can be granted for the present, without a risk of its being attended with the most fatal consequences to the Island of Newfoundland &

Your Grace is well acquainted that nearly nine tenths of the inhabitants of this Island are either natives of Ireland or immediate descendants from them, and that the whole of these are of the Roman Catholic persuasion. As the Royal Newfoundland Regiment has been raised in the Island; it is needless for me to endeavour to point out the small proportion the

native



native English bear to the Irish in this Body of men.

I think it necessary to mention this circumstance, in order to shew to Your Grace how little dependence could be placed on the Military, in case of any civil commotion, in the Town of St. John's. It is therefore to the wise and vigilant administration of the civil power that we must look to preserve peace and good order (the present times considered) in this settlement.

As I have too much reason to fear that Doctor Ogden, who has so long distinguished himself by his good sense, knowledge and indefatigable zeal in the capacity of Chief Magistrate of the district of St. John's will on my arrival, resign his Commission and he is the only one now remaining in whom any real confidence can be placed, this surely My Lord, becomes, at this critical juncture, another very forcible argument for the Chief Justice <sup>of</sup> Newfoundland not to quit his post, for the shortest space of time, until peace and tranquility be once more <sup>thoroughly</sup> restored to Europe. ]

It is by no means my wish to alarm Your Grace with apprehensions relative to any civil disturbances, that may spring up in Newfoundland but at the same time I consider it to be my duty to point out whence they may arise, and in what manner they may be averted.

If speedy and impartial justice be duly administered to the Inhabitants, I have no doubt

but

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but that all will go on quietly and peaceably but  
unless this be strictly adhered to, the worst of  
consequences may be expected. I leave to Your  
Grace's judgment to determine how far the  
presence of the first Law Officer in the settlement  
be necessary towards the preservation of good order  
and tranquility in an Island thus situated.

I have &c.,

(Sd) Wm. Waldegrave.

His Grace

The Duke of Portland.