



ROYAL GAZETTE.

[SUPPLEMENT.]

FREDERICTON, NEW BRUNSWICK, SATURDAY, JULY 23, 1842.

(Published by Command.)

PAPERS RELATING TO THE PROPOSED CHANGES IN THE CONSTITUTION OF NEWFOUNDLAND.

(Presented to Parliament by command of Her Majesty.)

—No. 1.—

(Confidential.)

Extract of a Despatch from Governor Sir John Harvey, K. C. B., to Lord John Russell, dated Government House, Newfoundland, 6th October, 1841.

In obedience to your Lordship's commands, I proceed to place before you the views and opinions which I have formed upon the actual condition of this Colony, from such observations as I have been afforded the opportunities of making, and such information as I have been enabled to acquire since my arrival in the Island.

1. The inhabitants of Newfoundland appear to be unequivocally loyal and firmly attached to British connexion.

No material degree of political excitement appears at present anywhere to exist, but on the contrary, an apparent approximation towards a general disposition to bury past occurrences in oblivion. The trade of the Colony is flourishing; its revenues ample and increasing; the fisheries of the present year, both of seals and cod-fish, have been highly successful.

2. The apparent suspension of their representative constitution, so recently conferred upon them, upon the ground of their gross abuse of the elective franchise, has evidently created much apprehension in the public mind, and has, I am willing to believe, produced such a moral effect as would exert a salutary influence in repressing any undue violence in future elections, in the event of Her Majesty's Government deciding on authorizing me to convene another Assembly. That there are persons of both intelligence and experience in this community who may entertain doubts on this subject I think very probable; but I cannot allow myself to believe that any intelligent individual in this Island would be found favourable to the extinction, or even to the suspension for any lengthened period, of those benefits which a representative constitution can alone confer upon its inhabitants, and this merely because, during the first few years of the experiment, it has not been found to work with that degree of harmony which is so desirable, but which has not always been exhibited in other Colonies, after a much longer trial. To some of the causes to which these discordant proceedings may be imputed I may hereafter advert; at present I will merely observe, that all parties are, I hope and believe, convinced that moderation in their measures and proceedings will best accord with their true interests; and all, every individual of every creed, party and denomination who has approached me, and with whom I have held communication, has expressed an anxious desire that its constitution should be restored to the Island, with certain modifications.

In submitting to your Lordship, therefore, a proposition that I should be authorized to convene the General Assembly of Newfoundland, I will at the same time suggest the modifications which appear to me to be desirable, if not absolutely indispensable—

1. That the qualification of the "Members" of the Assembly should be so raised as, if possible, to ensure the election of persons above the class of common labourers: the possession of an income of not less than £100 per annum, or of property of any kind of the value of—say £500, might, perhaps, effect this object.

2. Such a subdivision of the Electoral Districts, based upon population, as materially to increase the number of Members—say to nearly double the present amount.

3. The Elections throughout the Island to be simultaneous.

With regard to the qualification of "Voters," which is at present conferred by a mere residence in the Island for one year, although it certainly may be regarded as amounting to almost "universal suffrage," yet there are circumstances attaching to the

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unsettled and migratory character of a certain portion of the population of this Island, which may perhaps be regarded as constituting a sufficient cause for not at present interfering with the enlarged privileges granted to them by the Royal Proclamation of July 1832, but which would perhaps rather render it advisable to leave any limitation of these privileges (beyond perhaps extending the qualifying period to two years' residence) to the good sense of the Representatives of the people themselves, and to future Legislative enactment.

The modifications which I have above suggested are, therefore, the only propositions which I deem it necessary to submit your Lordship at present; but as these, in the event of their receiving your Lordship's concurrence and approbation, can only be effected, I apprehend by an Act of the Imperial Parliament, there will be sufficient time for me to learn your sentiments on the subject, and to offer such further suggestions as further information or more matured consideration may appear to render advisable.

I respectfully submit, that the Members of the Council, as it now exists, should be allowed to retain their legislative character, and that I should be permitted to recommend to Her Majesty such additional Members as I may consider fit and proper persons for raising that body, in point of numbers, to the amount which Her Majesty may be pleased to assign to it. The several interests of the Colony (and these are not limited to its trade and fisheries) might thus be duly represented in the Legislative Council, and that body would then assume its proper constitutional character, as a separate branch of the Legislature, independent alike of the throne and the people.

I have thus endeavoured to possess your Lordship of the result of my own observations, and of the information derived from other sources, during the brief period of my residence in this Island, and in doing this, I have endeavoured to divest that information of all tincture of local prejudice, and while applying to it whatever of practical experience I may have acquired in North American Colonial affairs, I have assuredly not sought to bend facts or circumstances to any preconceived theory or previously formed opinions; on the contrary, should further experience induce me to alter any of the views which I have now presented to your Lordship, I shall not hesitate in frankly bringing such changes of opinion, with the grounds upon which they may rest, to your Lordship's early knowledge.

Bespeaking your utmost indulgence for this early exposition of my impressions in relation to this ancient, loyal and valuable appendage of the British Crown, and soliciting as early an intimation as may consist with your Lordship's convenience, as to how far the principles upon which my suggestions are based have your Lordship's concurrence, or otherwise,

I have, &c.

(Signed)

J. HARVEY.

P. S. Although I have forborne to place this Report in the series of numbered Despatches, in consequence of its being of a somewhat confidential nature, yet I should be happy to receive your Lordship's permission so to record it, should you see no objection.

(Signed)

J. H.

—No. 2.—

(Confidential.)

Extract of a Despatch from Lord Stanley to Governor Sir John Harvey, K. C. B. dated Downing Street, 19th November, 1841.

I have had under my consideration your confidential Despatch of the 6th of October, addressed to my predecessor, which, in compliance with your expressed wish, I have directed to be recorded in this department among the numbered Despatches.

It affords me great satisfaction to learn that, so far as you had been able to form an opinion, the inhabitants of Newfoundland generally appear unfeignedly loyal and firmly attached to British connexion;

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