

that political excitement was subsiding, and the internal prosperity of the Colony, in reference to its trade and revenue, steadily upon the increase. In such circumstances, I regret that recent events should have imposed upon Her Majesty's late servants the necessity of directing the suspension of the representative and legislative privileges conferred upon the Island in 1832; at the same time that I understand it to be your own opinion, as it seems to be that of most persons conversant with the state of affairs in Newfoundland, that it would be a hazardous experiment to call together a new House of Assembly without some modification of the existing constitution. Such modifications, if undertaken at all, can only be so by an Act of the Imperial Parliament; and my present purpose is, to invite your attention to the changes which you may be disposed to recommend, to some of which you advert in the despatch to which I am now replying. The alterations to which you seem disposed to direct the consideration of Her Majesty's Government are,—

1. A qualification for members of the Assembly.
2. A subdivision of the electoral districts, with an increase of the number of members.
3. Simultaneous elections.
4. A slight modification in the qualification of electors.
5. A separation of the Legislative and Executive Councils.

So far as my attention has yet been called to the difficulties connected with the administration of the affairs of Newfoundland, they appear to me to arise mainly from three causes:—1st. The interference of the Roman Catholic priesthood with election matters, which has led to feelings of religious animosity previously unknown in the colony, and to scenes of a scandalous character, shocking to religious and well-disposed Roman Catholics. 2d. The undefined and exaggerated notions which the two Houses, and especially the House of Assembly, entertain of their peculiar rights and privileges; and 3dly. The conflicting interests of two great parties in the island, the resident and the mercantile portion of the community.

With respect to the first of these causes, I much doubt the efficacy of any legislative remedy consistent with the maintenance of those free institutions, the withdrawal of which, unless under circumstances of more urgent necessity than at present exist, I am not prepared to advise. Something may, perhaps, be done towards mitigating the evil by an increase of the qualification of the electors, so as to afford a more really independent constituency; but I am aware that this attempt is surrounded by great difficulties, arising out of the minute subdivision of property, the scattered character of the population (except in the great towns,) and the absence of any considerable middle class between the opulent, or, at least, prosperous merchant, and the lowest class of occupiers. It is clear that these difficulties would be rather enhanced than diminished, if your suggestion be acted on, of increasing the numbers and narrowing the limits of the present electoral divisions. I must own I do not precisely understand the object with which this suggestion is made; but is one upon which I should be glad to be favoured more at large with your views as to the object to be attained, and the details of the arrangement by which you think that it can be effected. From the migratory character of a great part of the population, I do not doubt that requiring two years' residence would increase the respectability of the constituent body; but you will oblige me by furnishing any details which you are able to procure, as to the extent of change which this regulation would produce, and also as to the effect upon the constituency which would result from raising the household franchise in towns to £5, or even £10. Unless I am misinformed, it would be very difficult to establish an uniform franchise, with any considerable increase on the present amount, as in the country districts a very trifling increase would operate a very large disfranchisement, while the high rate of house-rent in St. John's would there leave the constituency, even at £10, not materially altered, unless some alteration were made with regard to the state of the law as to separate occupiers under one roof. The subject is one involving so much of detail, that I should be glad to receive from you such calculations as you may be able to give of the effects which would be produced, in different localities, by different alterations of the franchise, giving the present proportions of the constituency to the population, with the proportions which would subsist under the different modifications. You will also have the goodness to send me your scheme for a new division of the electoral districts, with the grounds on which you recommend it. A qualification for members of the Assembly, I think, is right in principle, and would probably have the effect of inducing a superior class of men to offer their services, and thus raise the tone and character of the Assembly.

There is, however, another change, of a more important character, to which you do not advert, and to which I am aware that many plausible objections may be urged, but from which, could it be introduced without creating great dissatisfaction, I conceive that much advantage would result,—I mean, the abandonment of the fancied analogy to the Imperial Parliament, and the union, in one chamber, of the representatives of the people, and the nominees of the Crown. I am strongly of opinion, that half the difficulty of governing small colonies arises out of the feuds and jealousies engendered by contests about the privileges of the two Houses, and the necessity in which the Crown finds itself of establishing a certain counterpoise to the democratic spirit in a separate Council, rather than in the body of a single legislative Assembly. I should be glad that you should consider, with reference to past

events, the practicability of introducing such an alteration into the constitution of Newfoundland, and the effect of amalgamating the Council and Assembly, the members of the former being to the latter in a proportion of about two to three.

Whether with one Chamber or with two, the Government will always have to contend with the difficulties arising out of the conflicting interests of two great classes of the community (independently of religious distinctions,) the commercial and the resident class; and although it may be true that, taken broadly, these interests must act and re-act upon each other, yet each will have separate objects to pursue, and separate views to promote, either by expenditure of public money or by imposition of public taxes. The former of these classes, up to a recent period, monopolized the power, as they possessed the whole capital of the island, which it was their avowed object to consider merely in the light of a fishing station. In pursuance of this policy, internal improvements were discouraged, and the Island itself was looked upon as subservient to the interest of trade alone. The gradual increase of population has led to the formation of a rival interest, which has now obtained a large share of political power, which it deserves, not unnaturally, to direct towards the furtherance of its own objects.

If the power of this resident interest predominate, as with a low qualification I apprehend it may in the House of Assembly, its objects will naturally be the expenditure of large sums of public money on the improvement of internal communications, and the increase of local advantages to be obtained by taxation upon the British Merchant and British trade.

I am far from saying, that the object within reasonable bounds is not a legitimate and praiseworthy one; but it is one which may easily be carried to an extreme, at least, as prejudicial as the opposite policy which has guided the mercantile class. The balance between these interests requires to be held with a steady hand by the Executive.

I apprehend that the union of the two Houses would enable the Governor to hold this balance with comparative ease; but I am certain that with this, among other objects, it will be necessary in any modification of the constitution, to reserve to the Crown, as in England, and as recently in Canada, the exclusive right of originating all grants of public money. In the interval which must elapse before the Legislature can be again called together (more especially if you are decidedly of opinion that a Summer Session is impracticable,) I shall hope to receive from you full information as to the state of the Public Revenue and expenditure, and of the objects to which you conceive that the former may be most advantageously applied. Your despatch, now before me, gives a more favourable report than I was prepared to receive of the capabilities of the Island in point of soil and climate, which I shall rejoice to find that you are able to confirm upon further investigation. I shall receive with interest the further communications which you lead me to expect on these subjects; and you may rely upon my cordial co-operation, and that of Her Majesty's Government, in any measures which may seem to hold out a reasonable prospect of developing and increasing the resources of the remote, but not unimportant portion of Her Majesty's dominions which is intrusted to your charge. Into these topics, on the present occasion, I shall decline to enter, my object having been to address myself to the subject of the political changes which it may be necessary to introduce into the constitution of the Colony, and in which I shall hope to receive, at your earliest convenience, such further and more detailed reports as longer experience and mature consideration may enable you to furnish.

I had almost omitted to say that if the colony will supply materials, I should approve of your proposed separation of the Executive and Legislative functions, and of the mode which you suggest for the constitution of the Executive Council.

—No. 3.—

Extract of a Despatch from Governor Sir John Harvey, K. C. B., to Lord Stanley, dated Government House, Newfoundland, 21st December, 1841.

With reference to one of the concluding paragraphs of my confidential Despatch of the 6th October, I have now the honor to invite your Lordship's attention to the following observations:—

Having since the date of that Despatch seen some reason to apprehend that to find at present in this Colony a sufficient number of persons of suitable respectability, intelligence and attainments, from which to construct a machinery of government and legislation so extensive as two Councils and an increased Assembly, may not be easy, if it be even practicable, I have turned my attention to the devising of some means of escape from this dilemma, without depriving the people of their elective franchise; in doing this, the suggestion contained in Lord Goderich's Despatch, No. 15, of 27th July, 1832, has naturally presented itself to my mind; and after having given it mature consideration, I am inclined to the opinion that a modification, or rather a slight extension of the plan therein suggested, of uniting the Council and Assembly in one legislative body, might perhaps, with the addition of a Council of advice for the Governor, properly composed, constitute a form of government not unadapted to the present condition of this Colony.

I now proceed to Lord Goderich's suggestion, and to the adaptation of it to the actual circumstances of this Colony; and in expressing my ideas on this point, I would merely submit that the