

fore, respectfully address you, as a friend of colonial reform and free trade, and earnestly solicit your co-operation in bringing to a successful issue the arduous struggles of its inhabitants with the monopolists of its trade and its government, who have formed a combination for their own selfish purposes, to defeat the popular will on these important subjects.

In direct opposition to these adverse parties, displayed in every possible shape, this colony received a representative form of government in 1832, of a nature similar to that which has been successively abandoned in all the other North American dependencies. In a despatch, dated 27th July 1832, from Lord Goderich to the governor of that island, accompanying the Royal Instructions, which are the basis of its constitution, his Lordship declared that—

“It may seem, however, superfluous to accumulate reasons in proof of the propriety of establishing in Newfoundland that form of constitution which generally prevails throughout the British transatlantic colonies; the difficulty would consist rather in finding valid arguments for withholding it. The reasonable presumption seems to be, that a system of colonial government which has been attended with so many advantages in British North America, would produce similar benefits at Newfoundland, if transferred to that settlement. I do not indeed mean to deny that some considerable inconvenience has occasionally resulted from the adoption, in those dependencies of Great Britain, of constitutions modelled into a miniature resemblance of our own; but I know not what is the system of which the same might not be truly asserted. It is sufficient to say of the scheme of internal policy in force in Nova Scotia and New Brunswick, that in all the colonies to which it has been extended, it has invariably secured the attachment of the people, by giving them a large share in the management of their own affairs; by affording an open field for the free exercise of talents and public spirit; by providing honourable ambition with a legitimate object and reward; by insuring immediate and careful attention to the various exigencies of society; and by promoting a frugal and judicious administration of public affairs. With the single exception of those colonies in which the people are separated from each other by distinctions analogous to those of caste, representative assemblies are not only recommended by abstract considerations drawn from the genius and principles of our own Government, but by a long course of experiments pursued under a great variety of circumstances, but still leading to the same general result.

“In accordance with the uniform course of precedents, your commission constitutes a Council, which will participate with the Assembly in the enactment of laws. It is not, however, to be denied that this part of the established system of colonial legislation has been practically found to be attended with some serious difficulties. The members of Council, deriving their authority from the Royal Commission, have not seldom been regarded with jealousy and distrust by the great body of the people. Their elevation to rank and authority has but too often failed to induce a corresponding degree of public respect. Even the most judicious exercise of their powers has occasionally worn the semblance of harshness when opposed to the unanimous, or the predominant opinions of those to whom the colonists looked with confidence as their representatives. The Councils, it must be confessed, have not uniformly exerted themselves to repel, or to abate this prejudice. The acrimony engendered by such disputes has sometimes given occasion to an eager assertion of extreme rights on the part of the Council, and to a no less determined denial of their necessity and constitutional privileges on the part of the Assembly. The Councils have also been employed as instruments for relieving Governors from the responsibility they ought to have borne for their rejection of measures which have been proposed by the other branch of the Legislature; and have not seldom involved them in dissensions which it would have been more judicious to decline. Some of the principal inhabitants of the colony, as well as the chief officers of the local Government, being usually members of the Council, are removed from the prospect of obtaining seats in the House of Assembly. Even in colonies in which there is a larger society, and a greater number of proper persons to become members of the Legislature than in Newfoundland, considerable inconvenience has been found to result from raising to the rank of councillors the leading members of the Assembly, and thereby losing their services in that body. The want of any member competent to explain or vindicate the course pursued by the executive authorities, has been still more severely felt; measures have not unfrequently been misunderstood, and it has happened that a trifling misconception which a few words of timely explanation would have removed, has grown into a serious and embarrassing controversy. The effect of the institution, therefore, is too often to induce a collision between the different branches of the Legislature, to exempt the Governor from a due sense of responsibility, and to deprive the representative body of some of its most useful members. Yet the compensation which might atone for these evils is not obtained, and the Council does not assume in the colony a position or an influence analogous to that of the House of Peers, because entirely destitute of that hold on public opinion which the property and independence of its members, as well as the antiquity of the institution itself, confer upon the peerage of this country.”

All the difficulties anticipated by Lord Goderich, and which colonial experience has shown to be incidental to such a system, have been fully realised in Newfoundland; it was, indeed, unreasonable to expect harmonious working between our executive body, composed of persons avowedly hostile to the concession of a representative constitution, and the popular branch of the Legislature. The commercial monopolists, whose influence predominated in the Executive Council, and which has been always used by the local officials to sustain their policy, is thus adverted to by Lord Stanley, in a despatch to the Governor of this colony, dated 19 November 1841.

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.