

No. 13.

THE
CARBONEAR STAR,
AND
CONCEPTION-BAY JOURNAL.

Vol. I.

WEDNESDAY, MARCH 27, 1833.

No. 13.

ON SALE.

BY
COLLINGS & LEGG
50 Barrels American Flour
50 Barrels American Beef
30 Firkins Prime Butter
50 Boxes Raisins
And a general Assortment of Dry
Goods, Groceries, &c.
Carbonear, Jan. 9, 1833.

TO LET,

On Building Leases, for a Term of Years
A Piece of LAND, the Property of the
Subscriber, extending from the
House of Mr. Joseph Parsons, on
the East, to the House of Mrs. Ann Howell,
on the West, and running back from the
South Side of the Street, to the Subscriber's
House.

MARY TAYLOR,
Widow.
Carbonear, Feb. 13, 1833.

NOTICES.

DESERTED,
FROM THE SERVICE OF THE SUBSCRIBER,
On Wednesday last,
WILLIAM SHURBEN,
A LAD,
ABOUT FOURTEEN YEARS OF AGE,
A Native of England,
Of dark complexion; and very short in stature; had on, when he left, a suit of blue
flannel (nearly new), and a blue cloth cap.
This is to give notice, that if any person
harbour the said Deserter, he will be prosecuted
as the law directs.

DOUGLAS EDWARD GILMOUR.
Carbonear, March 12, 1832.

Dissolution of Co-partnership.

NOTICE is hereby given, that the Co-
partnership heretofore existing be-
tween the Subscribers, under the
Firm of PROWSE and JAQUES, Carbo-
near, Newfoundland, is this day, by mutual
consent, dissolved. All Debts owing to and
from the said Concern, will be received and
paid by the undersigned GEORGE ED-
WARD JAQUES. Witness our Hands, at
Carbonear, this 31st Day of December, 1832.
SAMUEL PROWSE, Jun.
GEORGE EDWARD JAQUES.

THE Business hitherto carried on in this
Town, under the Firm of PROWSE
and JAQUES, will be continued by
the Subscriber, from this date, in his own
Name.

GEORGE EDWARD JAQUES.
Carbonear, Dec. 31, 1832.

BLANKS of every description for sale
at the Office of this Paper.

**REPORT OF THE JUDGES OF THE
SUPREME COURT OF NEWFOUND-
LAND, TO HIS MAJESTY'S GOVERN-
MENT, UPON THE JUDICATURE
BILL,**

(Continued.)

The possession of Newfoundland, being,
as we apprehend, thus essential to the naval
power of Great Britain, the probable dura-
tion of such possession, must become a mat-
ter of the most interesting inquiry; and we
have, therefore, much satisfaction in detail-
ing those reasons, which induce us to con-

clude, that this island may be bound to the
mother-country by a more lasting tie than
most of her colonies.

Whatever the value of the Canadas, and
of our other continental provinces in Amer-
ica may be, it is impossible for any one who
looks back on the past, contemplates the
present, and anticipates the future condition
of them, not to regard their separation, at
some time or other, from Great Britain, as
an event of the most probable occurrence;
and it is equally probable that the Islands in
their immediate vicinage, will share the same
destiny with them. To determine, precisely,
at what period this separation will take place,
may, perhaps, be altogether beyond the
reach of human prescience: and we are sen-
sible that it would be most idle in us to en-
ter, here, into any speculations upon it. We
simply maintain, that it is an event, which,
like natural dissolution, must happen: though
nobody can exactly tell when it will occur;
and our deduction from this theorem is,
that the value of those Provinces and Is-
lands to Great Britain, must be lessened, in
proportion to the chances of the nearness of
the day in which their separation from her
will take place. If, therefore, it can be pro-
ved, that over Newfoundland, Great Britain
may, if she pleases, possess "IMPERIUM SINE
FINES," it must be admitted that this Colony
is, on that account, an object of greater in-
terest to her, than any of those which she
holds by a less permanent bond of connec-
tion. Now it may be safely laid down as a
position, of universal application, that no
country will long remain in a state of de-
pendence on another, after it shall have ceas-
ed to require assistance from her: and as
this Island may induce a belief that it is ca-
pable, with the aid of its fisheries, to nour-
ish a population, rich enough to provide
for their own wants, and sufficiently nume-
rous for their own protection, persons may
suppose, that, at a future period, NEWFOUND-
LAND may also be disposed to assert, and
able to maintain her INDEPENDENCE. But a
slight attention to the nature of her soil and
climate must effectually dissipate so absurd
a notion: for though there may be a few
small tracts of pretty good land, scattered
about in different parts of the Island, and
though the partial cultivation of even the
inferior soils, by hands which could not, in
any other way be profitably employed, may
be highly useful, as furnishing a subsidiary
means of support to the fisherman, yet every
one, who has visited many parts of the is-
land, must know, that if from the whole
number of acres it contains, those which are
covered with water, and those which can
yield nothing but rocks, were to be deducted,
the remainder would be reduced to a most
insignificant sum; and when it is further
considered, that vegetation is totally sus-
pended here, through the effects of the cli-
mate, for, at least, seven months out of the
twelve, it will, at once, be seen, that with
equal advantages of soil, agriculture could
not, possibly, be carried on in Newfound-
land, with anything like the success with
which it is prosecuted in more temperate
regions. Without consuming, therefore,
any more time and paper on this topic, we
will assert, under a full assurance of not be-
ing contradicted by a single rational being,
who possesses local information, to enable
him to form a correct view of the matter,
that Newfoundland never can become a self-
subsisting and perfectly independent state.
At this moment, indeed, her population—
which is certainly less than 100,000 souls—
presses so hard upon the means of subsis-
tence, that scarcely a winter passes without
exposing the inhabitants to a scarcity of
food, approaching very nearly to actual fa-
mine: and it is manifest, that so long as the
causes which now depress the fisheries shall
exist, the major part of this population must
continue poor and indigent, even under a
permission of cultivating as much land as
they please, without paying any rent what-
ever for it. As an auxiliary to the fisheries
the free cultivation of that soil, which a
French geographer aptly terms "*ingrat et
sterile*," ought to be allowed; but so far is
the land from being, by itself, capable of
furnishing a substantial fund for the sup-
port of any considerable number of persons,

that the whole population of the island can-
not, possibly, exceed, except in the most
trifling degree, the number of inhabitants
who can earn the principal portion of their
livelihood by the fisheries. To them, there-
fore, the politician may safely refer as a true
measure of the population of this Colony;
and will accordingly find, that even under
the most favorable circumstances of market
which the world can offer, it will always be
confined within such narrow limits as must
completely exclude the idea that NEWFOUND-
LAND can ever become INDEPENDENT. There
is, consequently, no reason why the connec-
tion between Great Britain and her should
ever cease; as it can only be dissolved by
her placing herself in a similar state of de-
pendence upon some other nation, which she
can never have a motive for doing, whilst
she is treated with that fostering care and
kindness which she fondly hopes to receive
from her present powerful guardian and pro-
tectors. From the nature, too, of the oc-
cupation and pursuits of the bulk of this
population, they must, continually, depend
upon the mother-country for the whole of
their clothing and other manufactured arti-
cles, as well as for a large proportion of their
food: and thus the growth and prosperity
of this Colony, instead of detracting from
its value to the parent state, by leading to a
future separation between them, must add,
incalculably, to the advantages which the
latter cannot fail to derive from a connexion
capable of being extended to the remotest
ages. To condense, then, the various claims
of Newfoundland upon Great Britain, into a
narrow compass, by a brief recapitulation of
the several grounds upon which they rest:
it appears, that besides the negative virtue
of having cost very little to the mother
country, she possesses the positive merit of
having sent a large sum of money to her
Public Treasury,—and of having added a
thousand-fold more to her stock of private
wealth.—That the possession of her is, dur-
ing war, of vital importance to the commerce
and naval power of the British Empire—
and that the other benefits, which that Em-
pire must derive from a connexion with her,
are neither limited in their duration, nor
circumscribed in their extent; but may, by
proper management, be made to endure for
ever, continually augmenting with her growth
and increasing with her prosperity.

(To be continued.)

Legislature of Newfoundland.

HOUSE OF ASSEMBLY,

Friday, March 1.

DEBATE ON THE REJECTION OF THE REVENUE
BILL BY THE COUNCIL.
(Continued from our last.)

MR. THOMAS could not conceal the disap-
pointment which he felt on hearing the Re-
port of the Committee appointed to search
the Journals of the Upper House, by which
it appeared that his Majesty's Council had
thrown out the only Bill which had yet pass-
ed this House to provide a Revenue for the
Colony. It could not be denied, that for
the last few days clouds had hung over the
Legislature of this Island which threatened
its very existence, but he trusted they would
prove to be the clouds of Error, which the
breath of Truth would speedily dispel.

On looking over Lord Goderich's Instruc-
tions to his Excellency the Governor, he
was pleased to observe the spirit of kindness
and conciliation toward the people of this
Island which breathed through the whole of
that important document. He would take
the liberty of reading an extract:—"In ad-
vising his Majesty to convene an Assembly
from among the inhabitants of Newfoundland,
I have therefore not yielded myself to the
guidance of any improved theory, but
have simply extended to another of the co-
lonial possessions of the Crown principles
which have been elsewhere brought to the
test of repeated and successful experiment.
Yet I do not conceal from myself, nor wish
to deny, that the duty which you will have

to perform will be attended with some diffi-
culty, and that you will have large scope for
the exercise of circumspection and industry.
In the first execution of such a design,
many questions will probably arise which it
were impossible to anticipate distinctly.—
From the novelty of the duties cast upon
them, and from their inexperience in civil
business of that nature, I can foresee that
the returning officers, the voters, and the
members of the Assembly, may all in some
instances misapprehend the functions which
they will have to discharge, or the proper
mode of proceeding for the methodical and
accurate discharge of them. Cautiously ab-
staining from the appearance of usurping any
undue authority over matters properly fall-
ing within the cognizance of the Assembly,
you will yet be prompt to afford to all par-
ties whatever counsel or assistance you can
render them, to obviate difficulties of this
nature. It cannot be made too apparent
that the boon which has been granted is se-
cured by the cordial good-will and co-opera-
tion of the Executive Government, and
that the House of Assembly is regarded,
*not as a rival power, but as a body destined
to co-operate with yourself in advancing
the prosperity of the settlement.* For your
own guidance it may be right to observe,
that colonial assemblies, as they derive their
general form from the British House of
Commons, so they have drawn their rules
and system of procedure from the same
source. The distinctions are of course both
numerous and important, and grow out of
the dissimilarity of circumstances of the re-
presentative bodies of a small colony and of
an extensive kingdom; but in general the
analogy is maintained, and therefore the
laws and rules of Parliament, as modified
by the exigencies of the case, may be taken
as the safest guide for the conduct of the
Council and Assembly, and for your own
proceedings towards them."

In another part of those Instructions, the
Right Hon. Secretary, in alluding to the dif-
ferences which had existed between the
Councils and Assemblies in the Colonies,
says:—"In accordance with the uniform
course of precedents, your Commission con-
stitutes 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 local legisla-
tion has been practically found to be attended
with some serious difficulties. The mem-
bers of Council, deriving their authority
from the Royal Commission, have not sel-
dom been regarded with jealousy and dis-
trust by the great body of the people.—
Their elevation in rank and authority, has
but too often failed to induce a correspond-
ing degree of public respect. Even the
most judicious exercise of their powers has
occasionally worn the semblance of harsh-
ness 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 them-
selves 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 necessary and constitutional privi-
leges on the part of the Assembly." How
truly had the Right Hon. Secretary depicted
our present condition! Could it ever have
occurred to the Right Hon. Secretary, or to
his Majesty's Government, that the Colony
of Newfoundland could have been placed in
such a situation that it required a majority
of three-fourths of the Legislative Council
to pass the first Revenue Bill? Yet such
was absolutely the case—for there were only
four members present at the Council in the
debate on the Revenue Bill, two of whom,
the Hon. Mr. Secretary Crowdy, and the
Hon. Collector Spearman, were in favour of
the Bill, and the other two, the Hon. the
Chief Judge, and the Hon. Attorney-Gen-
eral, were opposed to it: and the Bill was
consequently lost for want of a majority,
when such majority could not by possibility
have been obtained unless three out of four
had voted in its favour.

He would now go to the arguments which