

NEWFOUNDLAND

—No. 5.—

(Confidential.)

EXTRACT of a DESPATCH from Governor Sir *John Harvey*, K.C.B., to Lord *Stanley*, dated Government House, St. John's, Newfoundland, 10 January 1842.

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Extract Despatch
from Sir J. Harvey
to Lord Stanley.
10 Jan. 1842.

WITH reference to your Lordship's despatch of the 19th November, marked "Confidential," I now proceed to place before your Lordship some further observations and information explanatory of the views which I had the honour to present to you in my confidential report of the 6th October 1841.

Qualification of Voters.

I am of opinion that to require any rent qualification whatever, or any property one, beyond perhaps the lowest value of a log hut (say 40s.), and that, in fact, can scarcely be regarded as the property of the squatter, from being erected on ground to which he can have acquired no other title than such as an unauthorized occupancy may be considered conferring upon him, would operate a very extensive disfranchisement in the country districts, without at all improving, or indeed materially changing, the description of voters; and with regard to the towns, the qualifications being already restricted by an Act of the local legislature to one person in each house, viz., him by whom the rent is paid, no further provision would appear to be required upon this subject. At the same time I would observe, that if a rent qualification of, say 5*l.*, in towns, be considered desirable, and could be confined to the towns, I do not think, for the reason which I have just assigned, that it would produce any material diminution in the number of voters, although it certainly would, if extended to the district in which those towns are situated; this effect, however, might be guarded against by an alteration in the electoral divisions.

The class of emigrants which I understand is in the habit of resorting to this island may be described as being of a transitory, unsettled, experimental character, a considerable proportion of it passing onwards into some of the other colonies of British America, or into the United States, after having tried the fisheries as servants or labourers for a single season, and not relishing the pursuit, which is one of considerable hardship, but having through it acquired the means of proceeding onwards. This class, having no settled interest in the colony, should be excluded from the constituency; but after a residence in the island of full two years, by which a pledge is in some measure afforded of a disposition to adopt the island as a future abode, the object of the government and of the legislature should then, I conceive, be to encourage and confirm that disposition, by conferring upon such persons the elective franchise. Again, with reference to a rent or property qualification as regards the inhabitants of the country districts, I am inclined to think that considerable difficulty might be found to exist (even if the government was ready in all cases to confirm the squatters in the occupation of their lots) from the circumstance of their not having been regularly surveyed. Perhaps the quickest and simplest mode of escape from this difficulty might be, to institute a scrutiny into the fact of the continued occupation of their lots for two complete years, and then to allow the establishment of that fact not only to confer upon the occupant a claim to the elective franchise, but also a title to the ground in his actual occupation, and consequently to the improvements which he may have made upon it. Such an arrangement would not be attended with any material difficulties.

From the constituency, both in towns and the country, should certainly be excluded, if practicable, paupers, individuals receiving public charity for themselves or their families, and persons of notorious bad character, or such as may have been convicted of any offence of a deeply criminal character.

With these observations and explanations, I beg to renew my recommendation that the qualifications for voters for members of the popular branch of the legislature in Newfoundland be not for the present raised beyond two years' continued residence in the island. This recommendation refers, of course, only to British subjects.

Qualification of Members.

With regard to the qualification of the members of the Assembly, I have found no reason to alter, but many to induce me to adhere to, my former suggestions on this