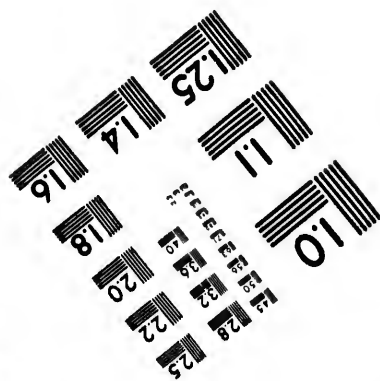
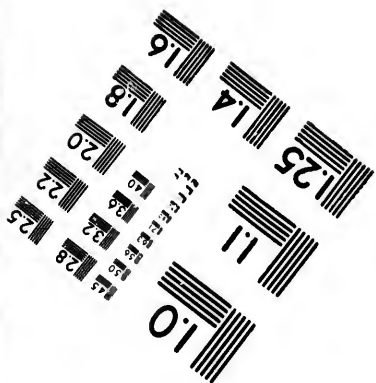
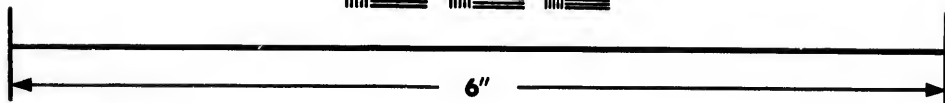
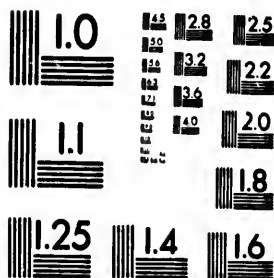


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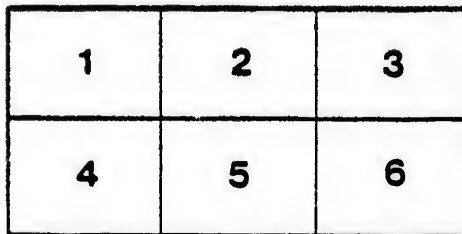
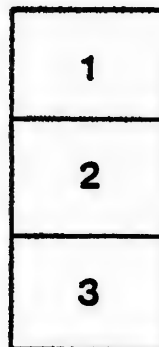
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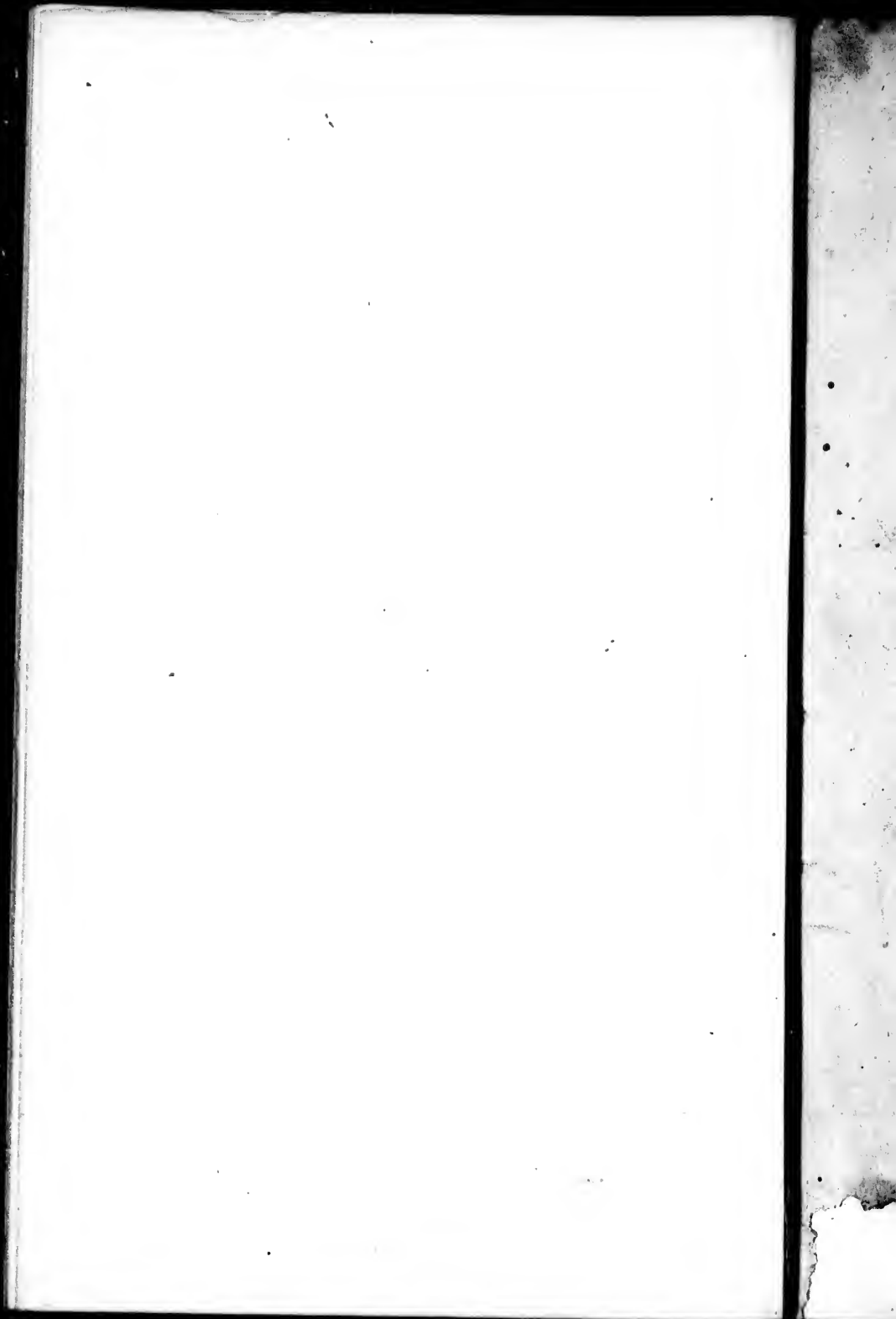
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Very good

OBSERVATIONS
ON THE
GOVERNMENT, TRADE, FISHERIES,
AND
AGRICULTURE
OF
NEWFOUNDLAND;
IN A SERIES OF LETTERS

ADDRESSED TO
THE RIGHT HONOURABLE
THE EARL BATHURST,
His Majesty's Principal Secretary of State for the Colonies.

By AN INHABITANT OF THE COLONY. *Pf 11002*

With an Appendix,

CONTAINING

A REPORT ON THE STATE OF THE ISLAND, ADDRESSED TO HIS
LORDSHIP BY THE COMMITTEE OF THE INHABITANTS
OF ST. JOHN'S; AND ALSO,
A STATEMENT OF THE REVENUES ARISING FROM THE
CUSTOMS AND CROWN RENTS.

LONDON:

Printed by A. Hancock, Middle Row Place, Holborn.
AND SOLD BY W. SIMPKIN AND R. MARSHALL, STATIONERS' HALL
COURT, AND J. BIGG, PARLIAMENT STREET.

1824.

RECEIVED
 OF THE
 SECRETARY OF THE
 DEPARTMENT OF THE INTERIOR
 BUREAU OF LANDS
 WASHINGTON, D. C.

RECEIVED OF THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR

BUREAU OF LANDS
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BUREAU OF LANDS
 WASHINGTON, D. C.

OBSERVATIONS, &c.

LETTER I.

MY LORD,

THE laws and government of Newfoundland being under the consideration of his Majesty's Ministers and Parliament, I am induced to offer a few observations to your Lordship on the system which has been adopted towards that ill-fated country, in the course of which I shall endeavour to prove the advantages of its trade, the great importance of its fisheries, and the lamentable effects of the restrictions on the culture of the soil.

Necessity compels me to make the public press the medium through which I shall address your Lordship, difficulties having at all times stood in the way of the representations of the resident inhabitants of Newfoundland reaching the ears of his Majesty's Ministers; whilst a few persons on this side the Atlantic, who imagine that Newfoundland is their inheritance, and its people their property, have, through a little borough influence, had free access to them, by which means they have almost invariably succeeded in their narrow and contracted views, to the ruin, not only of the local interest of that colony, but also to those of the mother country; inasmuch as it is connected with the trade and fisheries of Newfoundland. These are not altogether my own opinions; they are also the opinions of one whose authority will not be questioned by your Lordship: Mr. Reeves, in speaking of those to whom I have alluded, in his History of the Government of Newfoundland, states that "they had been in the habit of seeing this species of weakness and anarchy, ever since Newfoundland was frequented, from father to son; it was favourable to their old impressions, that Newfoundland was theirs; and that all the planters and inhabitants were to be spoiled and

"devoured at their pleasure. In support of this they had opposed,
 "as we have seen, every attempt to introduce order and govern-
 "ment into that place ; it was in this spirit that they questioned
 "the King's right to appoint a civil Governor, to appoint Justices
 "of the Peace, to appoint Commissioners of Oyer and Terminer;
 "that they complained of the Custom-house, and even talked of
 "presenting it as a nuisance, because it was erected on ship's
 "rooms." To explain the causes which led Mr. Reeves to make
 these remarks, it may be necessary shortly to advert to a few facts
 connected with the history of that country : Newfoundland was
 discovered by Cabot, in the reign of Henry the Seventh, and shortly
 afterwards it engaged the attention of several Noblemen and
 others of the first distinction, who established settlements in the
 island. No long period elapsed when, in consequence of the
 great disorders committed by those who annually resorted thither
 for the purposes of the fishery, application was made by the resi-
 dent inhabitants for a governor, but the Merchants, ship-owners,
 and inhabitants of Totness, Plymouth, and Dartmouth, petitioned
 the Privy Council against such an appointment, stating it would
 be injurious to the fishery. In 1674 and 1675, further application
 was made for the same purpose, and referred to the Lords of Trade,
 who, after hearing the arguments for and against the Settlement,
 decided against the appointment of a Governor, and recommended
 that all plantations in Newfoundland should be discouraged, that
 the commanders of the convoys should be directed to oblige the
 inhabitants to depart from the island, as, by the Western Charter,
 "no planter was allowed to inhabit within six miles of the shore."
 The report of their Lordships was approved of by his Majesty,
 and orders were given to carry into effectual execution what was
 then recommended. Under the sanction of this authority, the
 most wanton acts of violence were committed, the houses of the
 inhabitants were burnt and destroyed, and every other violent
 means resorted to, to force them from the country. About this
 time the system of rapine and plunder was carried to such an ex-
 cess, that Sir John Berry, the commander of the convoy, repre-
 sented it in its true colours to Government, and strongly recom-
 mended the policy of colonization. The advice of Sir John Berry,
 supported as it was by wisdom and humanity, was not attended
 to. In 1676, one John Downing, a resident inhabitant of New-

foundland, petitioned the King against the perpetrators of these excesses; when his Majesty was pleased to direct, that the inhabitants should not be molested in their persons or property, and that part of the western charter, whereby no person was permitted to settle within six miles of the shore, was rescinded. From this period to the passing of the Act of 10 and 11 William and Mary, the History of Newfoundland exhibits one continual struggle between the resident inhabitants and the adventurers, the former smarting under the most intolerable yoke, and the influence of the latter at the seat of Government counteracting all the effects of their complaints. The passing of this Act formed a new era in its history; previously the Government of Newfoundland exhibited a scene of anarchy and injustice. It was ruled by a set of needy unprincipled adventurers, uncontrolled by any law, who possessed absolute power in their own persons, and exercised it with more than eastern despotism. Not even the unoffending native Indians escaped their relentless cruelty; they were hunted down like wild beasts, and destroyed without remorse or the fear of punishment.

It might have been expected that when the state of Newfoundland was taken into consideration by the enlightened Parliament of William and Mary, some sympathy would be felt for the unhappy people of that country; but instead of having a remedy made to them for such a long period of suffering and misrule, nearly the whole of the old system was embodied in this Act of Parliament, which was founded on the barbarous policy that had so long prevailed. It completely established the ascendancy of the adventurers, who had now an opportunity, in a more legalised form, and with the cruel mockery of justice, to exercise to their hearts' content their ruthless tyranny. The persons vested with authority under this Act bore the high sounding titles of *Admirals*, *Vice-Admirals*, and *Rear-Admirals*; the master of the first fishing vessel that arrived was *Admiral*, the second *Vice*, and the third *Rear-Admiral*, in their respective harbours. To such men were entrusted the Government of the country and the administration of justice. I shall not detain your Lordship with a disgusting detail of their proceedings; suffice it to say that not one in ten of these Governors and Judges could write their own names.

In 1720 a Governor was appointed by his Majesty. For a

considerable time afterwards we find his authority was disputed by the fishing Admirals, and in consequence of the confusion arising from the conflicting authorities, little benefit arose to Newfoundland from the appointment. The fishing Admirals, who were the servants of the merchants residing in England, were supported in their opposition to the Governors by their principals, who had sufficient influence with the Government to induce them to send orders to the Governor not to interfere with their authority. However, at length their power became so odious and contemptible, and their tyranny so oppressive, that the Governor took the power into his own hands, and established a Court of Justice in St. John's, in which he himself presided, and deputed his officers to administer the laws in the outports.

At length, in 1792, an Act was passed for establishing a Court of Civil and Criminal Jurisdiction in Newfoundland; and in the 40th of his late Majesty, the Judicature Act was passed, which still remains in force. Under the authority of this Act, a Supreme Court, with civil and criminal jurisdiction, was constituted; and his Majesty authorized to appoint a Chief Justice to preside therein. The same Act empowers the Governor, who is the Admiral holding the naval command on the station, to institute Surrogate Courts in different parts of the island, with full power to hear all complaints of a civil nature, and to determine them according to the laws of England. In exercise of this important power, the Governors have been in the habit of investing the Captains and Lieutenants of his Majesty's ships which happen to be on the station, with Surrogate commissions immediately on their arrival, and they are sent on maritime circuits, to expound the laws of England, in the character of Judges. It appears to me, my Lord, that the bane of Newfoundland has been, that it has been made the theatre of experiments, among which creating Naval Judges is not the least extraordinary. In the neighbouring Colonies in North America, and in all the British West Indies, the judgment-seat is filled with gentlemen of previous distinction at the bar. In the British possessions in the East, the persons who preside in the Courts are selected from the upright and cultivated ranks of Westminster Hall, and are only second to the Judges in England; but in Newfoundland, composed as it is of natives of Great Britain and Ireland, or their immediate descendants, and more closely

connected to the parent State by proximity of situation and frequency of intercourse, the administration of Justice is entrusted to Captains, Lieutenants, and even Sailing Masters in the navy. It is hardly possible for an Officer in his Majesty's navy, if he has been attentive to his own profession, to acquire a competent knowledge of the difficult and abstruse science of the law, so as to enable him to dispense justice to his fellow men. The gentlemen of the navy are educated from their youth in a system of their own, apart from the civil institutions of the country, and necessarily less conversant with those institutions than any other class of his Majesty's subjects; yet to such men the administration of justice has been entrusted in Newfoundland—and justice according to the laws of England!

17th May, 1824.

COLONUS.

LETTER II.

MY LORD,

In the last letter which I had the honor of addressing to your Lordship, I took a short, and I trust a faithful review of the Government of Newfoundland, from the time of its first settlement till the present; and your Lordship surely must in common candour admit, that such an undeviating system of misrule was never adopted towards any other portion of his Majesty's dominions; and to the desolating effects of that system alone can be attributed its present unimproved and impoverished state—without a Government efficient for any local purpose, without a police, without roads, without establishments for the education of the people—in short, without any of those institutions which are necessary for the well-being of every civilized country.

From the great advantages which have been derived from the trade and fisheries of Newfoundland, it might well be expected it would have received more attention and sympathy from the Parent Country. In my present communication, I shall endeavour to prove to your Lordship that the foundation of the great maritime power of the Empire was laid in the fisheries of Newfoundland: of this the Legislators of former days appear to have been fully sensible. In 1549, during the reign of Edward the Sixth, an Act was passed for the better encouragement of the

Fisheries of Newfoundland, which proves that they were ever then considered of sufficient importance to be made the subject of legislative enactment. In the reign of Queen Elizabeth there were 200 vessels employed in the Newfoundland fisheries; and as at that time the trade of England was comparatively trifling, and her foreign possessions few, it may fairly be inferred that these fisheries were then the principal nursery of those seamen who first established the superiority of the British Navy. During the reigns of James I. and Charles I. the trade and Fisheries of Newfoundland engaged much of the attention of the Government of those times. Charles I., in a commission "for well governing his subjects in Newfoundland," observes "that the navigation and mariners of the realm have been much increased by the Newfoundland fisheries." The preambles of Acts of 10th and 11th William and Mary, declare "that the trade and fishery at Newfoundland is a beneficial trade to this kingdom, in the employing great numbers of seamen and ships, &c. to the increase of his Majesty's revenue, and the encouragement of trade and navigation; and the preamble of the Act of the 15th of George III., for the encouragement of the Newfoundland fisheries, states, that the fisheries carried on by his Majesty's subjects of Great Britain, and of the British dominions in Europe, have been found to be the best nurseries for able and experienced seamen, always ready to man the royal Navy when occasion require, and it is of the highest national importance to give all due encouragement to the said fisheries." But, my Lord, however important the Government of Great Britain, *til within these few years*, considered the fisheries of Newfoundland, the Government of France always had, and *still have*, at least an equal sense of their value, and uniformly availed themselves of the advantages they afforded for the increase of their naval force. The great Colbert gave them every encouragement, and the navy of that kingdom consequently attained such strength, that in the war which followed the abdication of James the Second, it was able to make a powerful stand against the united fleets of England and Holland.

The author of "the considerations on the trade to Newfoundland," inserted in the second volume of Churchill's Collection of Voyages, observes, that "in the reign of Queen Anne, the French by this trade, had so far increased their riches and

" naval power, as to make all Europe stand in fear of them ;
 " which plainly shows, that 20 years quiet possession of this trade
 " is capable of making any prince the most formidable by sea
 " and land, by the yearly increase of men, ships, bullion, &c."

He asserts, that the whole increase of the naval greatness of
 France had its foundation from this trade, and thus explains the
 grounds of this assertion : " The nature of this trade is such,
 " that about one-fourth of the men employed in it are *green* men,
 " that is, men who were never before at sea ; and the climate
 " being very healthy, scarce one man in fifty dies in a voyage ;
 " whereas, in the voyages to the East and West Indies, few *green*
 " men are employed, and it is too well known what great num-
 " bers are swept away in those unhealthy countries. And it
 " further appears, that their naval strength arises from this trade,
 " by looking back to their first beginning therein. France had
 " before very few ships, and these were of very inconsiderable
 " force and bulk ; whereas they have since been enabled fre-
 " quently to contend at sea with the united Powers of England
 " and Holland, and have besides a great many stout and large
 " privateers to infest our coasts and ruin our merchants." He
 adds, that, " at this time," namely towards the end of the seven-
 teenth century, " the French were in the habit of employing in
 " their fisheries about 500 sail of ships, a great many of which
 " were of good burden, and mounted from 16 to 40 guns ; to
 " man which they have, by a moderate computation, about 16,000
 " men, of which one-fourth being *green* men, they must conse-
 " quently breed up by this single trade 4,000 sailors every year."

X In the course of the negotiations for the definitive treaty of
 peace concluded at Paris on the 10th February, 1763, France
 unequivocally acknowledged her sense of the importance of her
 Newfoundland fishery, by accepting that privilege as the com-
 pensation for her cession of the whole country of Canada. At
 the treaty entered into at the close of the late war, the French
 negociators also appeared more sensible of its importance than
 the negociators for Great Britain, and stipulated for the sove-
 reignty of the islands of St. Pierre and Miquelon, and the exclusive
 right of fishing from Cape Raye to Cape John, which includes by
 far the best part of the island for carrying on the fishery.

I have, my Lord, I trust, fully proved the importance of the
 fisheries of Newfoundland. In my next I will endeavour to

shew that the system adopted towards that country is not only subversive of many of the advantages which Great Britain ought to derive from such an invaluable possession, but that it will actually convert it into a nursery for seamen for our powerful transatlantic rivals.

May 22d.

COLONUS.

LETTER III.

MY LORD;

THAT great statesman, Mr. Burke, was fully sensible of the inestimable advantages of the Newfoundland trade, and I will give your Lordship his opinion in his own words—"The Custom-house entries furnish a most defective, and indeed a ridiculous idea, of the most valuable branch of the trade we have in the world, that with Newfoundland; observe what you export thither, a little spirits, provisions, fishing lines and fishing hooks—Is this export the true idea of the Newfoundland trade in the light of a beneficial branch of commerce? Nothing less; examine our imports from thence, it seems upon this vulgar idea of exports and imports to turn the balance against you, but your exports to Newfoundland are your own goods, your import is your own food, as much your own as that you raise with your ploughs out of your own soil, and not your loss but your gain; your riches, not your poverty. But so fallacious is the way of judging, that neither the export nor import, nor both together, supply any idea approaching to adequate of that branch of business. The vessels in that trade go straight from Newfoundland to the foreign market; and the sale there, not the import here, is the measure of its value. That trade, which is one of your greatest and best, is hardly so much as seen on the Custom-house entries, and it is not of less annual value to the nation than four hundred thousand pounds."

Since the year 1766, when Mr. Burke published this opinion, the Newfoundland trade and fisheries rapidly encreased. In the years 1812 and 1813 there were eight hundred vessels belonging to Great Britain and her colonies, employed in carrying the necessary supplies for the fisheries to Newfoundland, and transporting the produce to the different markets, manned by at least 7000 seamen.

The schooners, principally built in the island, employed in the seal fisheries amounted to three hundred and fifty, manned by crews of at least twenty men each, who were not only able and hardy seamen; but necessarily also expert in the use of fire-arms. The number of open boats, many of them of large tonnage, was at least eight thousand. The average annual catch of fish was one million two hundred thousand quintals, and calculating that each man and boy caught fifty quintals, the number employed was twenty-four thousand; the number of men employed in curing the fish is about one to three fishermen, making eight thousand. Although during the height of the fishery these men work on shore, they are occasionally employed at sea. Add to these the number of ship and boat builders, blacksmiths, sail-makers, coopers, men employed in manufacturing seal oil, merchants and clerks, and others employed about their establishments, shop-keepers, tradesmen, mechanics, servants, and laborers, some idea may be formed of the magnitude of the trade of Newfoundland, and the extent of its population. The value of the exports from Newfoundland during these years was upwards of two millions and a half, the remittances for the greater part of which were made from the foreign markets to Great Britain in return for the supplies sent for the fisheries.

The privilege given to the French, by the treaty entered into at the close of the last war, of fishing on the coast of Newfoundland, and the right granted to the Americans to fish at the Labrador, gave a death blow to the British fisheries. The most respectable and extensive merchants were reduced to bankruptcy, and the population to pauperism. The fishermen and seamen obliged to emigrate to the United States, and enter into the service of the American merchants who embarked in the Labrador fishery.

Thus that rising power which, according to the opinion of many is at no distant day to dispute with England her maritime dominion, has not only her own extensive fisheries as nurseries for seamen to increase her navy, but also, as a natural effect of the unwise system which has been so long pursued towards Newfoundland, our fisheries are made conducive to the same end.

I confidently appeal to the Governor of Newfoundland, Sir Charles Hamilton, whether during the period of his Government some thousands of fishermen and seamen have not quitted Newfoundland for Canada, Nova Scotia, New Brunswick, and Prince

Edward Island, which it is well known are merely stepping stones to the United States.

But, my Lord, it is not alone the treaties with foreign powers which have operated against the interests of our Newfoundland fisheries, there are other powerful causes; one arising from the unnatural restrictions on the cultivation of the soil, which according to the doctrine of the advocates of the old system is incapable of improvement, but if so, what necessity for restrictions? X Another cause arises out of a late legislative enactment, which prevents the free importation of bread and flour, articles of the first necessity for the supply of the fishery. I shall for the present confine my observations to the latter. It is not necessary for me to adduce arguments to prove, that any measure which has the effect of adding to the expense of catching fish by British subjects must be injurious, and have the effect of throwing another weight into the scale, to incline the balance still more in favor of our foreign competitors. Under the authority of the Act of 3 Geo. 4th, chap. 44, bread and flour are allowed to be imported into St. John's from the United States, on the payment of a duty of five shillings per barrel on flour, and about two shillings and six-pence per hundred on bread. Previously to the passing of this Act, American flour was permitted to be imported into Newfoundland by a circuitous way through Halifax, St. John's, New Brunswick and other parts of British America, and from Great Britain, free of duty, but under this Act a duty of five shillings must be paid on American flour from whatever country imported, whilst Canadian flour is admitted free. The duty on American flour operates more as a bounty to the Canadians than as a source of revenue, for since the passing of the Act an almost total stop has been put to the importation of American flour; and owing to the demand from the West Indian Islands and Newfoundland for Canadian produce, they have advanced the price very considerably, so that in fact the people of Newfoundland have now to pay the Canadians the duty, and even more than the duty, imposed on American flour, from the high price they charge for their produce. So that the importation of Canadian flour into Newfoundland, nominally duty free, is really no benefit to the latter country, and it is indeed doubtful whether it would not be to its advantage if the same duties were laid upon Canadian flour which are now laid upon the American, for then the produce of both

countries would come into the market upon equal terms, which would be a competition, and the consequence would be that we should have those articles in much greater abundance, and on lower terms than they are at present. The intention of the legislature was no doubt to give encouragement to the agricultural produce of Canada, but that intention is in a great measure defeated; for it is a well known fact that a considerable part of the flour shipped from Canada is not the produce of that country, but brought into it from the United States.

The necessity of taking off the duties on the importation of American bread and flour into Newfoundland must appear obvious; they have a two-fold operation; in protecting Canadian, or rather American agriculture on the one hand, and the fisheries of our foreign rivals on the other, both combining to press heavily on a valuable branch of British industry and enterprize, which was before sinking under the weight of accumulated difficulties.

London, May 24th.

COLONUS,

LETTER IV.

MY LORD, The ruinous effects of the treaties with the French and Americans, to which I adverted in a former letter, very soon displayed themselves, in the sad reverses which followed, to the British merchants and others engaged in the Newfoundland trade and fisheries. When your Lordship considers the many superior advantages the merchants of the former countries possessed, you cannot be surprised that the competition to which these treaties gave rise, was so unfavourable to the latter.

In the first place, my Lord, the garden, if I may be allowed to use the term, of Newfoundland fishing ground, extending from Cape Raye to Cape John, was given up to the French. This part of the coast had been for upwards of twenty years, the principal resort of the British fishermen, who had expended large sums in making the requisite erections: these they were compelled to abandon to their rivals without receiving the slightest remuneration; and a great portion of our fishermen have ever since been

obliged to sail two or three hundred miles, passing the French shore, to fish on the coast of Labrador; but, my Lord, they were not even there permitted long to exercise undisturbed their skill and industry. The permission given to the Americans to fish on that coast, introduced rivals still more enterprising, and possessing greater advantages over them.

Secondly, The French obtain their supplies of provisions, salt, labour, &c. for little more than one half the price at which the British procure theirs. The American proceeds on his fishing voyage in his own vessel, built by himself, with timber grown on his own land, and with provisions supplied from his own farm. The Governments of both France and America give their fishermen still further advantages by bounties, especially the former, which are equal to the value of the fish when in a state fit for market; which, my Lord, is a convincing proof that those Governments consider their fisheries in a more important light, than as *profitable branches of commerce*, and that light can only be as *nurseries for seamen*. But, my Lord, I do not mean to contend that these are the only causes which operate against the British fisheries in Newfoundland. The sudden transition from war to peace, and the consequent reduction in the price of the necessary articles of subsistence in every country, had a corresponding effect on the produce of Newfoundland; but, my Lord, that was only a temporary evil; and would soon have found its level, but the encouragement given by the French and American Governments to their fishermen, must be in continual operation, and always sapping the foundation of our fisheries, until measures are taken to counteract its effects.

The consequences have already been, that the merchants and traders are, with very few exceptions, reduced to bankruptcy, and those who have escaped that misfortune, have been compelled to withdraw their capitals from the trade, or adopt altogether a new system in their mode of conducting it; which, although at present melancholy in its effects, may eventually, if due encouragement be given to the cultivation of the soil, be productive of lasting beneficial results. Under the old system the merchants advanced the planters the necessary supplies for prosecuting the fishery on the credit of its produce. Whatever the planter wanted for the use of his family, whether of food or raiment, it was from the store of the merchant alone he obtained it; but

now the merchant finds his returns not adequate to his advances, the doors of his stores are shut against these unhappy people, who have heretofore been accustomed to regard them as their only resources; and they are consequently reduced to the alternative either to emigrate or starve. Here we find the favorite policy of those who have been opposed to the improvement of the country put to the test; had the cultivation of the soil been permitted, the inhabitants would have possessed a certain resource against the horrors of famine, with which they have been more than once threatened of late years.

Here, my Lord, it may be necessary to recall your Lordship's attention to that system, so opposed to every dictate of sound policy, and every principle of humanity, which restricted the inhabitants from availing themselves of that means of support which providence designed for man.

The source from which this unnatural policy emanated, may easily be traced to those contracted principles of mercantile cupidity which have at all times been opposed to the true interests of Newfoundland; and not, I am convinced, to any indifference on the part of the Parent Government to its welfare and prosperity. The merchants entertained an idea that every barrel of potatoes grown in Newfoundland, would reduce the importation of provisions, from which they derived enormous profits; and being aware that it was a most important object with Government to increase the naval power of the empire by the extension of her fisheries, represented that a transitory and moveable one, *precisely such as they carried on themselves*, was the *only* one calculated to promote it. Deceived by these misrepresentations, Government issued that cruel edict, the Western Charter, which prohibited the inhabitants from settling within six miles of the shore; and threw every other possible obstacle in the way of settlement and agriculture, and also gave orders to the commanders of the convoys, to compel the inhabitants to depart from the island; and, at a later period, placed that monstrous authority in the hands of the ignorant fishing admirals, under colour of which they flogged and plundered the people at their pleasure, and forcibly deprived them of those little

* In the spring of 1817, potatoes imported from Great Britain and Ireland, which did not cost more than 3s. per barrel, were sold in Newfoundland for 30s. and the preceding winter, blacuit was sold at 50s. per Cwt.

spots of ground they had cultivated, under the false but specious pretext, that they required them for the purposes of the fishery. It is not matter of surprise, my Lord, that such atrocities should be committed during that unhappy period when Newfoundland was left at the entire mercy of a few needy adventurers, who sacrificed to their lust for gain, every principle of justice and humanity; when the distinguished titles of admirals, vice admirals, and rear admirals, were profaned and dishonoured in the persons of men of the most contemptible character: but it must indeed appear extraordinary, that when the government of the country was placed in the hands of honourable men, high in rank, and high in the confidence of their Sovereign, that they should act on the barbarous principles of their predecessors. It is true, indeed, the honourable and brave profession from whom the Governors of Newfoundland are selected, is not one among which it can be expected to find gentlemen calculated to preside over the *civil institutions* of a country, and such seems to have been the opinion of Mr. Reeves, who observes, that in 1728 "the design of establishing some sort of Government in Newfoundland, ended, not in the appointment of a person skilled in the law, but of Captain Henry Osborne, Commander of His Majesty's Ship the Squirrel."

I shall now trouble your Lordship with some observations on the proceedings of the Governors who annually visited Newfoundland, illumined by the rays of royalty, and the representatives of a sovereign, who was the common father of all his people; these observations shall be confined to the last eighteen years. The Governors arrived in Newfoundland in the summer of each year, remained one, two, or three months; and re-embarked for England on the 25th of October; their principal business, and indeed it appeared to me their only business, during the period of their residence within their government, was to prevent any improvement in the country that might add to the welfare or comfort of the people. Soon after his arrival he took a circuit round St. John's, and if he observed any new erection, or any old one repaired, immediate orders were issued for razing it to the ground. I have myself been an eye witness to many such acts executed by the Governor's orders, and without his even condescending to require the sanction of the subservient tribunals of those days, with which his will superseded all law. Many of these violations of the rights of

individuals have been committed since the passing of the Act of the 49th of His late Majesty, which declared that the people of Newfoundland should be governed according to the laws of England. The High Sheriff of Newfoundland required no further authority for the destruction of the property of His Majesty's faithful subjects in that country, than the mandate of the Governor; and this frightful, inquisitorial system was carried to such lengths, that if the people attempted to repair their dwellings, put a brick on a chimney, or a shingle on the roof of a house, to protect the inmates "from the pelting of the pitiless storm," it brought down on the offender the vengeance of His Majesty's representative in Newfoundland; in which case he might have considered himself lightly dealt with, if orders were not given to level his house with the ground.* The humane and benevolent mind of your Lordship must be shocked at the bare recital of these facts, and your Lordship may even doubt the correctness of my statement, but I pledge myself for its truth in every particular, and I call upon those who have been the advisers of these capricious mandates of illegal, usurped authority, to contradict me if they can: if they have the hardihood to come forward, I may then be induced to enter more fully into the subject, to "tell the secrets of the prison-house," in which I shall "a tale unfold" fraught with the greatest cruelty and injustice. I am quite sure if your Lordship had been made acquainted with these acts of "brief authority," you would very soon have terminated such proceedings; as your Lordship did flogging for contempt, when the cases of Butler and Landergan were represented to your Lordship. Unfortunately, at the period I allude to, there were no persons in the country who felt sufficient sympathy for the unhappy people, to represent their grievances to His Majesty's Government.

In thus strongly representing the proceedings of some of the late Governors of Newfoundland, it may be necessary for me to

* As a proof of the extent to which preventing the erection of buildings in Newfoundland was carried, a Merchant of St. John's has now in his possession a petition dated in 1786, from a person occupying a plantation called the Grove, situated upwards of a mile from the town of St. John, to the Governor, praying for permission to build a *pig-sty*, and as an inducement to his Excellency to comply with it, he assures him it should be built upon rollers, and not affixed to the soil.

explain, that there is nothing further from my intention than to attribute to those gentlemen wilful cruelty or injustice. In their private characters, without a single exception; those who came under my observation were humane and benevolent; but immediately on their arrival, they were surrounded by certain individuals not possessing a single distinct idea abstracted from their own interest, and who were ever ready to sacrifice at that shrine the welfare of the country, and the happiness of the people. Those persons, and not the Governors, were the real authors of the arbitrary acts committed under the sanction of their authority. It is further necessary for me to state, that I have not spoken in reference to the present Governor, Sir Charles Hamilton, who resided in the country, and whose government has been marked with great mildness, and who I am sure had every inclination to improve its condition as far as his limited authority would permit. It is only within these few years an amelioration of the system has been adopted, and the Governors have been induced to give small grants of land to the inhabitants, but clogged with many absurd and improper restrictions. From two-and-sixpence to twenty shillings per acre, annual rent, has been charged for waste land held under government in Newfoundland, with heavy expenses for leases, and fines on renewal; whilst lands have been granted in Nova Scotia, New Brunswick, and the Canadas, at a nominal quit-rent, which has seldom been exacted. It must appear extraordinary, that the rent charged for the soil of Newfoundland, which is represented as incapable of improvement under the husbandman's toil, should be so much higher than in those countries the fertility of which is acknowledged. This fact, coupled with the other obstacles which have been opposed to its improvement, would be a sufficient argument to meet those who have the temerity to state, that the soil is not "susceptible of agriculture," and who are anxious to continue them. If such is the case, nature has placed sufficient barriers which require no aid from these profound political economists. The season for misrepresentation is gone by; that the soil of Newfoundland is capable of great improvement is evident from the fact, that it has been improved, and that since the peace of 1814, a considerable portion of the subsistence of the people has been drawn from it; and I have no hesitation in stating that the British fisheries

have been mainly preserved by the auxiliary support they have received from that source.

I trust, my Lord, that the question respecting the agriculture of Newfoundland is brought within a narrow compass, no person possessing a scintilla of common sense, combined with common honesty, will dispute its advantages; and he must be possessed of a contracted mind, and a worse heart, who will attempt to throw obstacles in the way of the internal improvement of that country. It cannot be opposed to the mercantile interest, for what would benefit the condition of the people must naturally benefit the merchant, as the prosperity of the one leads to the prosperity of the other; a man who would attempt to maintain a different opinion deserves either pity or contempt. The parent country will also be benefited, for, as Newfoundland increases in wealth and population, her demand for the manufactures of this country will increase in proportion; and, what is of yet greater importance, Newfoundland will afford a desirable settlement to that class of persons who now emigrate to the United States, and are adding to the rapidly increasing strength of that haughty republic. But, my Lord, without some constitutional form of Government, calculated to foster and bring forth the internal resources of the country, it is vain to hope for improvement: it appears such governments were granted to the other colonies in their infancy. Mr. Justice Blackstone, in his Commentaries on the Laws of England, in the chapter on the Countries subject to the Laws of England, observes that, "with respect to their interior polity, our colonies are properly of three sorts, 1st, Provincial Establishments, the constitutions of which depend on the respective commissions issued by the crown to the Governors, and the instructions which usually accompany those commissions, under the authority of which provincial assemblies are constituted, with the power of making local ordinances not repugnant to the laws of England. Second, Proprietary Governments, granted out by the crown to individuals in the nature of feudatory principalities, with all the inferior regalities and subordinate powers of legislation, which formerly belonged to counties Palatine. Third, Charter Governments, in the nature of civil Corporations, with the power of making bye-laws for their own interior regulation." The sort of Government adopted for Newfoundland is one, with which this

great constitutional lawyer was either unacquainted, or for which he could not devise an appropriate designation.

It is full time, my Lord, that some form of Government should be bestowed on Newfoundland, consonant to the principles of the British Constitution; I am aware that a system of local Government, similar to that enjoyed by the other colonies in North America and the West Indies, is discountenanced by His Majesty's Government, for the two following reasons: First, That Newfoundland is not in a situation to bear those expenses, which it was said are now sustained by Great Britain. Secondly, That there are no roads by which the members of the assembly could travel to the seat of Government. In reply to the first argument, I have only to refer to the Statement of the Revenues of Newfoundland, contained in the papers relating to that Country, printed by order of the House of Commons; by which it will appear, that within these last ten years they have amounted to near one hundred and forty thousand pounds, whilst the expenses of the civil establishment for the same period have not amounted to sixty thousand. With respect to the second argument, I shall merely observe, that the formation of roads cannot precede the authority which is to make them; and in no country can they be made with greater facility and at less expense than in Newfoundland. Local Governments have been conceded to the Canadas, Nova Scotia, New Brunswick, Prince Edward's Island; and the least considerable of the islands in the West Indies, whilst it has been withheld from Newfoundland alone. I beg most humbly to submit to the consideration of your Lordship, the wisdom of that policy which strengthens those countries immediately in the neighbourhood of the United States; and which, according to the opinion of many, and I know of some of the greatest men and ablest politicians in the empire, are at no distant period to form a part of that wide-spreading republic; whilst Newfoundland, protected as she is by her insular situation, the only possession in North America which Great Britain can be secure in the possession of, and the only one, I may say, in that quarter, which can be of any real advantage to her to preserve; a country so closely connected with the parent state, with feelings, manners, and customs, as much British as if they were but one people, is left in a state of weakness, without a government calculated to make its means available at home, or to protect it

from aggression from abroad. I would ask you, my Lord, if in the event of a war, it would not be prudent to have some authority in the country to make a militia law, so that the loyal and brave population might be able to defend it from forsign invaders. Whatever show of reason there might be in preventing settlement in Newfoundland, whilst the United States formed part of the British Empire, the instant the flag of Independence was hoisted in that country, it was the obvious policy of England to reverse that system, and give every encouragement to it. I am fully persuaded that with the aid of a good government, and with the fostering protection of Great Britain, a naval power might be raised in that country which would in a short time rival any other on that side of the Atlantic. Newfoundland is situated in nearly the same position with reference to the continent of America, as England is to the continent of Europe. Her shores are indented with the most commodious harbours, which would give her the command of the gulph of St. Laurence, and a great part of the American coast. She possesses in her fisheries more of the elements of commerce than any other country in North America, her produce finds a market in every quarter, her climate is most favourable to the health of the human species, and cultivation and population would no doubt amellorate its severity.

In support of these opinions respecting the great importance of Newfoundland, I have only to refer to Holland as an example; her fisheries were the foundation and support of her naval and mercantile greatness, which she maintained, notwithstanding her many natural disadvantages; these great sources of wealth and commerce enabled her to rise triumphant over every effort of her powerful and vindictive enemy, by them her naval strength so rapidly increased that she even had the temerity to dispute the sovereignty of the seas with that country which was then, and I trust ever will be, mistress of the Ocean.

London, May 26th.

COLONUS.

APPENDIX, I.

Copy of the Resolutions of the Right Hon. the Secretary of State for the Colonies, dated in December, 1852, from the Committee appointed by the Inhabitants of St. John's in Newfoundland, at a Public Meeting, held there on the 10th of August, 1852.

Copy of a Letter from the Committee of the Inhabitants of St. John's, Newfoundland, to the Right Honourable Earl Bathurst, &c. dated 25th December, 1852.

Mr. Lobb, St. John's, Newfoundland, 26th Dec. 1852.

The Committee of the inhabitants of St. John's, Newfoundland, having been informed, that it is in the contemplation of His Majesty's Government the next session of Parliament, to make a revision of the laws of this country, have the honour of transmitting to your Lordship, a Report on the state of that Country, to which they respectfully request your Lordship's attention.

And have the honour to be, &c.

Patrick Morris, Chairman,

Wm. Carson, Secretary,

Patrick Doyle,

Geo. Lilly,

Thos. Beck,

Henry Shea,

John Ryan,

John Burke,

Timothy Hogan,

R. Brine,

Rob. R. Wakeham.

ENCLOSURE

(signed)

Right Hon. Earl Bathurst,
&c. &c. &c.

A REPORT of the state of Newfoundland, for the information of the Right Hon. Earl Barington, Principal Secretary of State for the Colonies, Department, &c. &c. &c.

The Committee of the Inhabitants of St. John's, Newfoundland, in consequence of being informed, from the highest authority, that it is in the contemplation of His Majesty's Government, to make a revision of the laws of that country, consider it their duty to communicate to your Lordship their view of the present state of the Island, and the causes that have led to it; and most respectfully to recommend the adoption of such measures, as they deem best calculated to lessen the accumulated evils under which the country now labours.

Preliminary to their Report, the Committee beg leave to call the attention of your Lordship to the petition of the Inhabitants of this town to our most gracious Sovereign, forwarded by his Excellency the Governor the early part of last year. With the most painful sensations, the Committee, in common with the other petitioners, observed a report of a discussion which took place in the House of Lords last session, wherein your Lordship is stated to have said, "that inquiry had been made into the allegations contained in the petition, and that they were found, in many instances, grossly exaggerated." The petitioners yielding to no body of men in the empire in attachment, loyalty, and veneration to their beloved Sovereign, most sensibly feel the imputation cast on them.

The Committee are not aware of the sources from whence your Lordship derived your information; but had your Lordship required from the petitioners explanation respecting the various subjects contained in the petition, they had it in their power most fully to prove the facts stated therein. They were of recent occurrence, and too well known and glaring, to be controverted by ex-parte statements. The petitioners complain of the delay in passing the Act for the rebuilding the town of St. John, and of the great inconvenience, and loss that arose therefrom; of the manner in which justice is administered in the subordinate courts; and of the incompetency of the persons who generally presided therein. They referred to a number of cases then recently decided; the case of Crawford and Co.'s law

solvency, in which from the surrogate's utter ignorance of the laws which he was sworn to administer, an immense loss accrued to the creditors of that firm residing here; the unparalleled case of Landergan, so inhumanly flogged by the orders of Captain Buchan and the Rev. Mr. Leigh; and the case of Beard versus Long and Jennings; the most glaring features of the latter case were suppressed, as they were proved in the supreme court, that the surrogate before whom that case was heard, gave a judgment according to previous instructions received from his Excellency the Governor, without inquiring into the law or merits of the case; and these two industrious men were ruined, without the possibility of obtaining legal redress. The petitioners further state, that the naval surrogates were in the habit of exacting Greenwich Hospital dues from fishermen in open boats, which is too notorious to require proof.

These are the facts stated in the petition, and the Committee are not aware of exaggeration or misrepresentation; they were chiefly developed in the supreme court of the island, and the Committee have only to refer to the records to prove their correctness in every particular.

The Committee consider it a duty they owe the petitioners and themselves, thus far to explain their statements; they now beg leave to call the attention of your Lordship to the present state of Newfoundland, a country of great extent, the oldest of the British settlements in America, placed nearly in the same latitude as England, with a climate peculiarly favourable to the health of its inhabitants, possessing more of the elements of commerce than any other of the colonies of North America, and of the greatest importance to the parent state, not only as a valuable acquisition to the commercial interests of the empire, but as the best nursery for seamen to support its naval ascendancy; now, after the lapse of near three centuries, being almost in the same state as when first discovered by Cabot. With a population of one hundred thousand persons, without any certain mode of employment or subsistence, without a government efficient for any local purpose, without roads, without means of education for the people, without any of those institutions which are necessary for the government of every civilized country. The trade and fisheries, hitherto the chief support of the people, languishing for want of due encouragement.

The Committee, in their endeavours to trace the causes that have led to the present state of things, have observed that it has been the constant and prevailing policy to view Newfoundland merely as a fishing establishment and a place of trade; this policy, so long adopted towards the country, they do not hesitate to say, was the primary cause.

From the earliest period, the attention of the settlers, as well as transient persons, was exclusively turned towards the fisheries, and the commercial pursuits connected with them. They were the only source which the inhabitants looked up to for support, consequently they were subject to the vicissitudes of such uncertain employments; when the fisheries flourished, the inhabitants were enabled to obtain a comfortable subsistence; when they declined, they suffered in exact proportion to that decline; such has invariably been the situation of the people; and such ever will be their state, until they can get more certain means of employment than can be afforded by the fisheries. Merchants will only employ their capital so long as there is a fair prospect of gain; if that prospect be reversed, they will withdraw from the trade; and it forms no principle of mercantile economy to enquire how the people are to exist, by whose labour and industry in more prosperous times, they gained all their wealth and importance. If this mode of reasoning be true, in reference to trade in general, how much more applicable is it to the uncertain trade carried on in the fisheries of Newfoundland?

From the earliest period, the affairs of Newfoundland were mainly influenced by merchants residing in England; the trade and fisheries were a monopoly in their hands, to preserve which they exerted all their influence to prevent the improvement or settlement of the country, apprehensive that it would be fatal to their monopoly. They represented the soil as barren and incapable of improvement; the climate so extremely severe, as to render it uninhabitable; aware that it was a favourite object with government to increase the naval strength of the empire by the extension of the fisheries, they stated the moveable fishery carried on by themselves as the best to promote that object, and that the sedentary fishery of the natives would defeat it.

The parties thus interested in the trade, influenced government to second all their views; every obstacle was thrown in the way

of settlement; a policy was pursued, and laws were formed, that had the direct tendency of preventing the cultivation of the soil, to which justly may be attributed the present wretched state of the island.

The government of Newfoundland was in a great degree placed in the hands of a few merchants, and it is not at all surprising that they were influenced by the same principles which had invariably governed merchants, in every age and country, to sacrifice every other interest to their own. Their object was to make money, and in the shortest time possible; the facility they found, during a long period of a profitable trade and successful fishery, to realize large fortunes, made them consider their residence in Newfoundland merely as a probation for a few years, after which they expected to be able to retire, and enjoy the fruits of their prosperous industry in other countries. Within the last thirty or forty years, a great number of persons have retired from this country, carrying with them large sums realized out of the trade and fisheries. Fortunes, of from 50, 100, 200, and 300,000*l.* have been made by individuals who came to the island without a shilling, and who are now removed to other countries. It must appear evident, that such a continual drain of capital must have been most injurious to its interests; and it was only a country possessing an inexhaustible mine of wealth in her fisheries, that could permit such to take place.

The adventurers to the other colonies had the improvement and cultivation of the soil to look to as the chief source of wealth and commerce, and even if they were successful enough to realize a sufficient sum to enable them to retire, they could not carry away their improvements along with them; the country was at least so much benefited by them.

The peculiar state of Newfoundland, where the labour and skill of the people being exclusively turned towards the fisheries, every other interest being sacrificed to them, permitted the adventurer to accumulate a fortune without making the slightest improvement. He remained in the country only a few months in the summer, he had no object in making improvements beyond what was necessary to protect his goods from the weather, until they were shipped off. It is well known that the houses in which many of the persons lived, who made the largest fortunes in

Newfoundland, were so mean, that the cottages of English peasants would be considered palaces in comparison. These kind of houses are the improvements, if improvements they can be called, made in Newfoundland by the most wealthy merchants in the trade.

A variety of causes have operated within these few years, to interfere with the monopoly of the merchants. Notwithstanding the impediments thrown in the way, the population has very much increased; so many hands being employed in the fishery, cause the supply of fish very much to exceed the demand; the trade is very much divided, which keeps up a spirit of competition unfavourable to the old state of things. The important privileges granted to the French and Americans, to fish on the best part of our coasts, with the bounties and other encouragement they obtain from their respective governments, enable them to supply the foreign markets at a price much lower than the British, which causes a rivalry that our merchants cannot contend with. These causes have very much interfered with the monopoly so long in the hands of the merchants in the trade.

The Committee having endeavoured to state the injuries arising to the country from the undue influence of the mercantile interest, they have now to request your Lordship's attention to the system of government, and the administration of justice which have so long prevailed, and which they consider a great source of evil.

Notwithstanding Newfoundland is one of the oldest possessions of His Majesty in America, a century has not elapsed since any thing like a regular government was established. At this late period, it rests in the hands of a Governor, being at the same time admiral, holding the chief naval command on the station; he appoints and removes at his pleasure, the judges of the surrogate courts (who are generally selected from the officers of his fleet,) the magistrates, high sheriff, coroner, and every other officer under the Crown, with one or two exceptions; with so much unconstitutional authority, he has no legal power for any local purpose whatsoever; he may have the best intentions, but, under existing circumstances, it is utterly out of his power to do any thing for the improvement of the country, or the permanent good of the people, unless he acts on his own responsibility.

The Governors may have been inclined to do all the good their

limited authority would permit, but in consequence of the absence of that regular and constitutional authority, which would at the same time advise what would tend to the honor of the Crown and the good of the country, they have had persons for advisers whose sole object was their own private advantage. As might be expected from such an order of things, a line of separation was drawn between the Governor and the inhabitants, and that confidence in the government, so much to be desired, did not exist in the minds of the people. They view the Governor, and those in authority under him, merely as persons whose sole object is to make as much as possible by their offices, and then leave the country, if not in a worse, not in a better situation than they found it. Under such a government, it is impossible for the country to advance in improvement or civilization. The Committee have no doubt but your Lordship will see that it is a system of government that ought no longer to exist. As respects the defective manner in which justice is administered, the Committee do not think it necessary to enter further on the subject, but to refer your Lordship to the petition of the inhabitants, and from the gracious reply of our beloved sovereign, they have every confidence that the grievances they complain of will be removed.

The Committee having endeavoured to trace the principal causes that have led to the present state of Newfoundland, they now beg to recommend to your Lordship such measures as they confidently hope, if adopted, will lay the foundation of its future prosperity, and make it a more valuable appendage to the empire.

It is admitted by every person conversant with the affairs of Newfoundland, that the trade and fisheries are not capable of affording employment and subsistence to the large population that has grown up in the country. If not, it becomes a most important question, How are they to be supported? In reply, the Committee state, the soil affords ample means, and that it is only by its more general cultivation the present population can be maintained in the country. In Newfoundland there are millions of uncultivated acres, capable of producing food for a population much greater than it now contains. If agriculture were more generally encouraged, the country would afford a comfortable settlement, not only to the present population, but to a great proportion of those persons who now find their way to

the United States. The Committee are aware, a very general opinion has prevailed, that the produce of the soil is not adequate to the labour and expense of the cultivation, than which nothing can be more illfounded, as every day's experience most fully disproves it. In no one instance where skill and industry have been employed in improving or clearing the soil, have they failed amply to repay the cultivator. In opposition to the greatest obstacles, fine farms have been cleared and successfully cultivated in the neighbourhood of St. John's, in Conception Bay, and in several other parts of the island; manure can be obtained in the country with very little trouble; the offal of the fish mixed with the earth is found to answer for all the purposes of husbandry; at present, instead of its being used for that purpose, the greater part is thrown back into the sea. With proper attention, most of the natural productions of England can be brought to perfection in this country. It is only on the margin of the coast that cultivation has been attempted, the interior remains unexplored; and there can be but very little doubt, that there are many parts of the interior more favourable to agriculture: it is found that the soil at the head of the large bays, which run a considerable distance into the country, is much more luxuriant and productive than that close to the ocean. As a proof of the advantages of cultivation, the Committee would only refer to the respective situations of the labouring classes, the few, who even in the present backward state of agriculture, attended to their little farms, are in a comfortable situation, *at least beyond want*; while those who exclusively turned their labour towards the fisheries, are very little removed from pauperism.

Persons most obstinately opposed to the possibility of advantageously employing the soil of Newfoundland for the purposes of husbandry, admit that it is particularly favourable to the growth of potatoes and other excellent roots; an increase from twelve to twenty fold is the usual produce from the cultivation of the potatoe, and the quality not inferior to that of any other country. With proper encouragement, a sufficient quantity could be raised, which, with the abundance of fish to be had on every part of the coast, would supply the labouring classes with a wholesome nutritious food, which being a produce of their own labour, would make them independent of foreign supplies, at least for the necessaries of life.

The causes which operated in the early stages of the fishery, to prevent the cultivation of the soil, have long since passed away, and it is now as much the interest of the merchant, as it is of the more resident part of the community, that every just encouragement should be given to the improvement and cultivation of the soil. The interest of all classes are the same; the prosperity of the one naturally leads to the prosperity of the other.

If the great body of the people of Newfoundland remain in their present state of beggary and want, it is an illusion if the trading part of the community expect to be much better in their condition. To enable the people to buy and pay for their goods, a proportion of their labour must be turned into some more productive channels than the fisheries can afford. The experience of the last eight years ought to be sufficient to convince the few merchants who remain in the country, and who were able to stem the overwhelming torrent which brought destruction on so many respectable houses, that the trade and fisheries of the country are not alone adequate to the support of the people, and if they follow up the old system of supplying in the fishery, their ruin is equally certain.

To enable the merchants of Newfoundland to cope with their rivals in foreign markets, fish must be caught at much less expense than hitherto, which cannot be done as long as every thing necessary for the maintenance of the people must be imported from distant countries. By the more general cultivation of the soil, the people would be enabled to raise a great proportion of their food; it would afford profitable employment for that part of the population which cannot be employed in the fishery; and it would be far the most effectual and best auxiliary to it. It is well worth the trial.

The Committee, therefore, recommend this most important subject to the consideration of your Lordship; and they again repeat, that it is by a more general cultivation of the soil alone, that the present population can be supported in the island.

The Committee are aware, that many years must elapse, even with due encouragement, before Newfoundland can make much progress in agriculture. It is now a trading country, and the encouragement of its trade and fisheries must always be a paramount consideration; they are the great source of wealth, which

if made available to the interest of the country, will lay the foundation of its future prosperity. It has been said, that the fisheries of Newfoundland are mines of national wealth, superior to those of Mexico and Peru; other countries have reaped the advantage of them, it yet remains for this country to participate in their benefits.

Owing to the right of fishing granted to the French at the close of the last war, and to the Americans by the treaty of 1818, the advantages of these great fisheries, are, in a great degree, lost to the subjects of Great Britain. The French and American governments give bounties and other encouragements to their fisheries on this coast. The fish caught on this coast by the subjects of these powers, can be sold in every market on much lower terms than fish caught by British subjects. If they be not put on a footing with the subjects of these powers, the advantages they possess over the British, must have the effect of sapping the foundation of the trade, and subverting the fisheries altogether.

The Committee are aware, that many other subjects might be recommended for the improvement of the country, but they are impressed with the conviction, that to be beneficial they must emanate from a local government that would sympathize with the wants and wishes of the people. It is only under such a government that the country can improve; it would foster the resources of the country, educate and civilize the people. No country, ancient or modern, improved without the aid of a local government; it cannot be expected that Newfoundland can form an exception to the past and present state of the world. Considerable improvement has taken place in the intelligence of the people of Newfoundland; they are every day getting more enlightened; they see that the cause which has led to their present degraded state, is the want of a local government that would watch over the interests of the country.

The Committee consider it unnecessary to adduce further arguments to your Lordship, so distinguished as a statesman and legislator, to prove the advantage and necessity of a government formed on the basis of the constitution of England.

It has been said, that the people of Newfoundland are not in a situation to pay the expenses necessarily attending a local government. The Committee have no hesitation in saying, that

such is not the case; and have not the slightest doubt of the competency of the country, even in its present depressed state, without inconvenience, to bear all the expenses necessary for that purpose. It has been a favourite object with interested persons to throw a cloud of misrepresentation on every thing connected with the country; its resources were little known, except to those who were making them subservient to their interest.

If Newfoundland has not possessed the means of paying the expense of a civil government, it must appear extraordinary that so many persons who came there without a shilling in their pockets were able, in the course of a few years, to realize fortunes, to retire from the island, and live in splendour in other countries. The Committee can now point out to your Lordship individuals residing in London, Poole, Dartmouth, Bristol, Edinburgh, Greenock, Cork and Waterford, and other parts not alone of the United Kingdom, but even in the United States of America, who made their properties in Newfoundland. If individuals could in a few years realize from the labour and industry of the people sufficient to enable them to retire from the country to live independently in other countries, surely it is not too much for the Committee to say, that the same people can pay the expenses of their government which would revert back on themselves with manifold advantages.

To prove the ability of the inhabitants to pay the expense of their government, the Committee beg to state a few well known facts: The town of St. John's is the capital of the island, and the principal depositary for the supplies and productions of the fishery; the ground on which the stores, wharfs and dwelling-houses are erected, is chiefly owned by persons residing in Great Britain, whose ancestors gained a title to it merely by occupying it for the purposes of the fishery; in consequence of the great increase of trade and population, the ground has become valuable, and the rent now charged for that situate at the waterside of Saint John's, is from 20 to 40s. per foot, on which large sums have been expended by the tenants in making the necessary erections; a sum not less than £ . . . is annually remitted from the town of Saint John's for rents; can it then be doubted that a people, who pay such large sums to absentee landlords, who do not contribute in the slightest degree to the support of the country, could pay the expenses of a civil government?

It is well known, that the mercantile houses, which accumulated all their capital in this trade, have in prosperous times, made profits of from 20 to 30,000 pounds in one year, a sum more than adequate to the support of a civil government.

The Committee beg further to state to your Lordship, that the people of Newfoundland have been paying for many years duties on spirits and wine, out of which a considerable revenue has arisen; also a considerable revenue is raised from the rents of the public ship-rooms let under the authority of the Act 51 Geo. 3. c. 45. with the rents for lands in the vicinity of Saint John's, let out for the purposes of agriculture, for which from 2s. 6d. to 20s. per acre is annually obtained. Considerable additions will be made to the revenue of the country from the duties on foreign goods that may be imported under the free-port Act. There are many other sources of revenue which could be resorted to without inconvenience, and which there can be little doubt would enable the country amply to pay the charges of a civil government.

Local governments have been ceded to the Canadas, Nova Scotia, Prince Edward Island, Bermuda, and some of the most inconsiderable islands in the West Indies; while Newfoundland, of equal importance to the parent state, the most ancient of her possessions in America, is deprived of similar advantages.

The Committee in concluding their Report, beg most respectfully and earnestly to press on your Lordship, the necessity of a government such as they recommend. Nothing else can be of much service to the country, or satisfy the just wishes of the people.

The Committee have been informed, that it is the intention of his Excellency the Governor to recommend to your Lordship, that a Governor and council should be appointed with legislative powers;—such an unconstitutional government would be, most obnoxious, and the people would prefer remaining in their present state. The Committee, therefore, most humbly request, that your Lordship will not give your sanction to such a system of overnment.

(Signed as the preceding Letter.)

APPENDIX II.—AN ACCOUNT of the Amount of GOVERNMENT RENTS in NEWFOUNDLAND, for the last Ten Years; as printed by order of the House of Commons.

| YEAR | AMOUNT OF RENTS RECEIVED. | | | | | |
|-------|----------------------------------|----|----|--|----|----|
| | For Building Leases in the Town. | | | For Leases and Grants in the Vicinity of the Town. | | |
| | £. | s. | d. | £. | s. | d. |
| 1813 | 1,535 | 2 | 6 | 167 | 14 | 0 |
| 1814 | 1,553 | 12 | 6 | 196 | 18 | 6 |
| 1815 | 1,549 | 2 | 6 | 215 | 0 | 6 |
| 1816 | 1,311 | 15 | 0 | 300 | 19 | 0 |
| 1817 | 685 | 5 | 0 | 157 | 6 | 0 |
| 1818 | 1,006 | 18 | 4 | 315 | 12 | 0 |
| 1819 | 881 | 4 | 6 | 270 | 10 | 6 |
| 1820 | 920 | 9 | 6 | 198 | 2 | 0 |
| 1821 | 885 | 13 | 6 | 265 | 13 | 6 |
| 1822 | 875 | 14 | 10 | 386 | 3 | 0 |
| Total | 11,204 | 18 | 2 | 2,474 | 19 | 0 |
| | 2,474 | 19 | 0 | | | |
| | 13,679 | 17 | 2 | | | |

APPENDIX III.—A Return of the Amount received as Customs in the Island of Newfoundland, in the last Ten Years; distinguishing the Amount and Rate of Duty on each Article in each Year, and how the same have been applied; as printed by order of the House of Commons.

| YEARS. | By 52 Geo. 3, c. 106. | | 4 Geo. 3, c. 15. 51 Geo. 3 c. 97. | | 6 Geo. 3. c. 52. | | 4 Geo. 3. c. 15. 4 Geo. 3. c. 15. | | 16 Geo. 2. c. 13. 4 Geo. 3. c. 15. | | 25 Car. 2. c. 7. | | TOTAL. | | | | |
|--------|---|----------------------|--------------------------------------|------------------|--------------------|-----------------|--------------------------------------|---------------------|---------------------------------------|---------------------|-------------------|-------------------|----------|---------------------|---------------------|-------------------|---------------------|
| | RUM and SPIRITS. | | WINES. | | MOLASSES. | | British Plantation COFFEE. | | FOREIGN COFFEE. | | TOBACCO. | | | FOREIGN SUGARS. | | COCOA. | |
| | at 6d. per Gallon. | at 1s. 6d. per Gall. | at 7s. per Ton. | at 10s. per Ton. | at 1d. per Gallon. | at 7s. per Cwt. | at 8d. 10s. 6d. per Cwt. | at 1s. 6d. per Cwt. | at 1s. 6d. per Cwt. | at 1s. 6d. per Cwt. | at 1d. per Pound. | at 1d. per Pound. | | at 1s. 6d. per Cwt. | at 1s. 6d. per Cwt. | at 1d. per Pound. | at 1s. 6d. per Cwt. |
| 1813 | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. | £. s. d. |
| | 12,794 13 0 | 896 17 0 | 183 6 0 | 108 12 6 | 1,007 16 10 | 23 3 0 | 23 3 0 | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - |
| 1814 | 10,460 1 0 | 6,462 13 6 | 57 4 6 | 230 5 11 | 942 2 0 | 22 5 5 | 22 5 5 | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - |
| 1815 | 10,920 5 0 | 3,759 1 6 | 569 19 10 | 231 13 6 | 861 4 8 | 269 19 5 | 269 19 5 | 111 5 2 | 111 5 2 | 907 16 0 | 2 17 3 | 2 17 3 | - - - | - - - | - - - | - - - | - - - |
| 1816 | 10,349 8 6 | 1,539 19 6 | 63 18 4 | 64 16 9 | 1,471 17 10 | 160 19 5 | 160 19 5 | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - |
| 1817 | 2,373 16 0 | 807 15 0 | 122 13 4 | 37 13 2 | 760 16 8 | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - |
| 1818 | 8,668 2 6 | 1,216 17 0 | 97 7 4 | 16 8 6 | 1,023 17 0 | 72 13 11 | 72 13 11 | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - |
| 1819 | 6,564 7 6 | 1,500 3 0 | 153 3 10 | 64 13 7 | 1,508 11 3 | 49 0 3 | 49 0 3 | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - |
| 1820 | 9,446 8 6 | 2,207 0 6 | 547 8 5 | 79 14 7 | 1,598 3 6 | 29 7 5 | 29 7 5 | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - |
| 1821 | 9,308 12 6 | 854 12 6 | 442 14 6 | 85 6 8 | 1,366 7 10 | 61 8 1 | 61 8 1 | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - |
| 1822 | 4,522 16 6 | 647 16 6 | 143 14 8 | 22 4 11 | 1,306 17 10 | 38 0 11 | 38 0 11 | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - | - - - |
| Ditto | Received on sundry Articles, under the Acts of the 3 Geo. IV. c. 44 & 45. | | | | | | | | | | | | | | | | |
| Total | 85,366 11 0 | 19,922 18 0 | 2,356 10 9 | 938 10 1 | 11,687 15 5 | 746 16 10 | 746 16 10 | 111 5 2 | 111 5 2 | 907 16 0 | 0 9 4 | 0 9 4 | 3 4 9 | 3 4 9 | 129,008 15 1 | 129,008 15 1 | 129,008 15 1 |

N. B. The Net Proceeds of the Revenue remitted by the Collector to the Receiver General of His Majesty's Customs, London, as soon as practicable after each Quarter closes.

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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |

**London: Printed by A. Hancock,
 Middle Row Place, Holborn.**

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