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NEWFOUNDLAND.

COPIES or **EXTRACTS** of **CORRESPONDENCE**
between the Secretary of State and the
Governor of *Newfoundland*, on the recent
Changes in the Constitution of that Colony.

(*Sir George Grey.*)

Ordered, by The House of Commons, to be Printed,
25 May 1855.

[*Price 1 s. 4d.*]

273.

Under 20 oz.

NEWFOUNDLAND.

RETURN to an Address of the Honourable The House of Commons,
dated 26 March 1855;—for,

“COPIES OF EXTRACTS OF CORRESPONDENCE between the Secretary of State
and the Governor of *Newfoundland*, on the recent CHANGES in the
CONSTITUTION of that Colony.”

Colonial Office, }
24 May 1855. }

JOHN BALL.

(*Sir George Grey.*)

Ordered, by The House of Commons, to be Printed,
25 May 1855.

133399

SCHEDULE.

No. in Series.	From Whom.	Date.	No.	SUBJECT.	Page.
1	The Duke of Newcastle to Governor Hamilton.	1854: 21 Feb. -	49	Announcing the Intentions of Her Majesty's Government as to the Concession of the system of Responsible Government to Newfoundland, as soon as certain necessary preliminary Conditions have been acceded to on the part of the Legislature - - - - -	1
2	Governor Hamilton to the Duke of Newcastle. (Extract.)	23 Feb. -	86	Opening of Session of Legislature; Governor's Speech on the occasion, and Address adopted by Assembly in reply; Adjournment of Assembly until Settlement of Question of Responsible Government - - - - - Report of Delegates to the Imperial Government on the subjects of Responsible Government, Free Trade, and other Affairs of the Colony of Newfoundland:—comprising the Correspondence of the Delegates and Mr. Hume, M.P., with the Duke of Newcastle and Mr. Frederick Peel - - Address of Assembly to Duke of Newcastle, dated 21 February 1854 - - - - - Memorial from St. John's Chamber of Commerce, 23 February 1854 - - - - -	2 8 35 36
3	The Duke of Newcastle -	17 March	50	Acknowledging the preceding communications -	37
4	Governor Hamilton -	20 Feb. -	85	Forwarding a representation from Mr. Crowdy on the subject of certain Assertions injurious to him, contained in a Statement to the Duke of Newcastle from the Delegates from the House of Assembly in Newfoundland - - - - -	37
5	The Duke of Newcastle -	21 March	52	In reply - - - - -	38
6	Governor Hamilton -	23 March	89	Forwarding a Petition to Her Majesty from the Protestant Residents of St. John, praying that until the Electoral Districts be subdivided, and Representation fairly apportioned, Responsible Government may not be established in Newfoundland - - - - - Address of Committee connected therewith, &c. - - - - -	38 39
7	The Duke of Newcastle -	20 April -	56	Acknowledging the above Petition - - - - -	41
8	Governor Hamilton	23 March	90	With copy of Message to the House of Assembly; forwarding copy of the Duke of Newcastle's Despatch, No. 49, of 21 February, on the subject of the new system of Government -	41
9	Governor Hamilton -	24 March	92	Transmitting an Address from the House of Assembly to the Secretary of State for the Colonies, dated 24 March 1854, objecting to the conditions proposed for the concession of Responsible Government by the Duke of Newcastle's Despatch, No. 49, of 21 February -	42

No. in Series.	From Whom.	Date.	No.	SUBJECT.	Page.
10	Governor Hamilton	1854: 14 June -	104	Reporting the Prorogation of the Legislature to the 14th August; Governor's Speech on the occasion; the ordinary Supplies left ungranted Address of Assembly to the Duke of Newcastle, 10 June 1854 Statement of the Business of the Session Proceedings with reference to the Representation Bill; Copy enclosed; Address of Council to the Duke of Newcastle; and Minutes of Conferences between the Council and Assembly on the subject Observations relative to the state of Parties	44 46 44 46 45
11	Governor Hamilton	15 June -	107	Transmitting an Address from the House of Assembly, notifying the Appointment of Delegates to the Imperial Government on the subject of Responsible Government	59
12	The Right Honourable Sir G. Grey, Bart.	6 July -	3	Acknowledging the preceding Despatches, Nos. 104 and 107, reporting the Prorogation of the Legislature, &c. Regret expressed at the present Religious Differences, and the Stoppage of the Supplies Cannot hold out expectation of Parliamentary interference in the Political Affairs of the Colony	59 59 59
13	Governor Hamilton	26 June -	108	Submitting Question relative to the Indemnification of the present Holders of Office Case of the Attorney-general Message to Assembly, and Address in reply, on this subject	60 60 60
14	Governor Hamilton	28 June -	109	Appointment, at the request of the Council, of Messrs. Archibald and Row, as Delegates to bring under the consideration of Her Majesty's Government the present condition of Newfoundland	62
15	The Right Honourable Sir G. Grey, Bart.	14 August	8	Statement of Views on the pending question with reference to the disputes between the Council and Assembly, and to the recent Addresses forwarded from these bodies Results of recent personal communication with the gentlemen deputed to represent both those Legislative bodies. Impossibility of interference by the Imperial Parliament. Questions of allowances to Retiring Officers, and payment of Members of Assembly for their expenses and attendance. Correspondence with the Delegates, comprising Letters from Messrs. Little, Emerson, Archibald, Row, &c.	62
16	Governor Hamilton	19 Sept. -	120	Inquiring whether if the Council and Assembly of Newfoundland agree upon the details, the Governor may assent to a Bill for increasing the number of Representatives of the General Assembly, without a clause suspending it for the Royal Assent	80
17	The Right Honourable Sir G. Grey, Bart.	24 Oct. -	13	In reply	81

No. in Series.	From Whom.	Date.	No.	SUBJECT.	Page.
18	Governor Hamilton (Extract)	1854: 3 Oct. -	-	Communication from Official Members of Council relative to the settlement of the points in dispute between the two Branches of the Legislature on the Representative Bill -	81
19	Governor Hamilton	14 Oct. -	123	Opening of the Session of the Legislature on the 18th October; Governor's Speech and Address of Council and Assembly in reply -	82
20	Governor Hamilton	28 Oct. -	124	With copy of the Votes and Proceedings of the Legislature from the commencement of the Session, which comprises a copy of a Report from the Delegates from the House of Assembly of Newfoundland to the Imperial Government on the subject of Responsible Government, with annexed Correspondence of the Delegates with the Right Honourable Sir George Grey, Mr. Frederick Peel, Mr. Hume, &c. &c. &c. -	84
21	Governor Hamilton	14 Nov. -	127	Reporting the adoption by the Legislative Council of the Representative Bill as finally amended by the Assembly -	102
				Progress of Legislation, with a view to the early termination of the Session. Proposed Pension Bill -	103
				Steps for holding the New Elections, and for securing the greater freedom of Elections -	103
				Opinion of Law Officers on the subject -	104
22	Governor Hamilton	29 Nov. -	130	Reporting progress of events of the Session in connexion with the Representatives and Pensions Bills. Report of circumstances leading to the prolongation of the Session -	104
				Obstacles in the way of holding the first Election under the new Representative Act at as early a period as originally contemplated -	105
				Provision for the Registration of Voters -	105
				Resolutions of House of Assembly of 27th November 1854 -	108
				Act to provide for the Retiring Allowances of certain Public Officers of the Government of this Colony -	112
				Petition of Assembly for removal of Governor, &c., 27 November 1854 -	113
23	The Right Honourable Sir G. Grey, Bart.	1855: 18 Jan. -	26	In reply to the preceding Despatch, and adverting to the Resolutions and Memorial of the House of Assembly therewith transmitted, impugning the Governor's conduct -	115
				Amended Instructions founded on the Duke of Newcastle's Despatch of 21 February 1854 will be furnished -	115
24	Governor Hamilton	1854: 30 Nov. -	132	Address of House of Assembly, notifying the appointment of Mr. Little to proceed to England to make representations to this Government on the affairs of the colony -	115
25	The Right Honourable Sir G. Grey, Bart.	30 Dec. -	21	In reply to the above Despatch -	116
26	Governor Hamilton	30 Nov. -	133	Reporting that a gentleman will proceed to England authorized by the Governor to explain the recent Legislative Proceedings -	116
27	The Right Honourable Sir G. Grey, Bart.	30 Dec. -	22	Acknowledging the above -	116

No. in Series.	From Whom.	Date.	No.	SUBJECT.	Page.
28	Governor Hamilton -	1854 : 9 Dec. -	134	Reporting circumstances connected with the dissolution of the House of Assembly - - -	117
				Directions given for the necessary revision of the Registration of Voters - - -	117
				Resolutions of Assembly on the subject of the Revenue Bill - - -	118
				The Representation and Pension Acts submitted for confirmation with as little delay as possible - - -	118
29	The Right Honourable Sir G. Grey, Bart. (Extract.)	1855 : 17 Jan. -	24	In reply ; the Acts referred to in the foregoing Despatches cannot receive Her Majesty's confirmation until their receipt in a duly authenticated form - - -	110
30	Governor Hamilton (Extract.)	1854 : 14 Dec. -	137	With reference to previous Despatch, No. 133, states that Mr. Hoyles, Solicitor-general, will proceed to England authorized by the Governor to explain the recent Legislative Proceedings -	110
31	The Right Honourable Sir G. Grey, Bart.	1855 : 24 Jan. -	27	In reply ; refers to the result of Mr. Hoyles' mission - - -	120
32	Governor Hamilton -	1854 : 26 Dec. -	138	Address of Legislative Council relative to the mission of Mr. Crowdy, Colonial Secretary, as a Delegate for the purpose of affording Her Majesty's Government information on the recent Legislative Proceedings - - -	121
33	Governor Hamilton -	20 Dec. -	142	Reporting that the Elections had been fixed to take place under the provisions of the New Representation Act, on the 7 and 12 of May, and requesting Instructions with reference to the separation of the Legislative and Executive Councils - - -	121
34	The Right Honourable Sir G. Grey, Bart.	1855 : 25 Jan. -	28	Acknowledging the foregoing Despatch, and stating that the necessary instrument under the Royal Sign Manual for the reconstruction of the Councils will be transmitted by an early opportunity - - -	123

APPENDIX.

- | | |
|--|-----|
| 1. An Act to provide for the Retiring Allowances of certain Public Officers of the Government of this Colony - - - | 123 |
| 2. An Act to increase the present Number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof - - - | 124 |

COPIES OF EXTRACTS OF CORRESPONDENCE between the Secretary of State and the Governor of *Newfoundland*, on the recent CHANGES in the CONSTITUTION of that Colony.

— No. 1. —

(No. 49.)

COPY of a DESPATCH from the Duke of *Newcastle* to Governor *Hamilton*.

No. 1.
Duke of Newcastle
to Governor
Hamilton.
21 February 1854.

Sir,

Downing-street, 21 February 1854.

I HAVE to acknowledge your despatch No. 41, of the 28th June last, transmitting an Address from the House of Assembly, announcing the appointment by that body of three of its Members to represent to Her Majesty's Government the state of the colony of Newfoundland, and operation of its present system of government, and on the establishment of reciprocal free trade with the United States of America.

2. Both during and since the visit of the gentlemen in question to England, I have given to the first of these subjects my fullest consideration, and have not failed to give due weight to the circumstance that the same expressions of opinions and wishes have proceeded from successive bodies of representatives elected by the people, with full knowledge that this important question was at issue.

3. Her Majesty's Government have come to the conclusion that they ought not to withhold from Newfoundland those institutions, and that system of civil administration which, under the popular name of responsible government, have now been adopted in all Her Majesty's neighbouring possessions in North America.

4. They are prepared to concede the immediate application of this system, as soon as certain necessary preliminary conditions have been acceded to on the part of the Legislature.

5. The first of these is the same which has been agreed to, and put in practice when the recent change of the same description took place in Nova Scotia and in Prince Edward Island, namely, the indemnification of present holders of those offices which, by the change in question, will be rendered liable to be vacated at the will of the majority of the Legislature. The provision in question should be made either in the form of pension, or of a round sum by way of indemnity; but as to the number of officers who must be regarded as thus liable to removal, and entitled to protection, and the amount and character of the compensation so to be given, I must rely on your judgment, with the advice of your Council, and of those whom you may think fit to consult with on this occasion; and you are authorised to submit any question which cannot be thus arranged, to myself for final decision.

6. The following are the remaining conditions which I consider indispensable, and which have been suggested to me by the consideration of circumstances peculiar to Newfoundland.

7. (1.)—A considerable increase of the members of the House of Assembly. I would suggest that the increase should be from the present number to 30, and that it should be effected, not by giving additional members to existing constituencies, but by subdividing, as equally as geographical positions would admit, the districts now returning members; which appear to be, in most instances, too large for the convenient exercise of the franchise.

8. (2.)—In reference to my despatch on the financial condition of the colony, lately directed to be laid before the Assembly, it appears to me necessary that the

law should be assimilated to that of Nova Scotia (Revised Statutes, c. 7, s. 44) with regard to the expenses of elections, which should no longer be paid from the Colonial Treasury, but be defrayed (under proper conditions as to amount) by the members.

9. (3.)—Payment of the members for their expenses and attendance to be no longer made by the Colonial Treasury, but by local assessment, levied in each electoral district.

10. These measures having been taken by the Legislature, Her Majesty's Government will proceed to separate the Executive from the Legislative Council, and to provide, by instructions from Her Majesty, that the latter shall consist of not less than 10 nor more than 15 members, nominated by the Crown.

11. With regard to the stipulations respecting the grant of a Civil List to Her Majesty, which have usually accompanied the grant of responsible government, it appears to me sufficient to refer you to the arrangements already made under the Act of Parliament 2 & 3 Will. 4, c. 78, and the Acts of the Newfoundland Legislature, 7 Vict., c. 1, & 8 Vict., c. 6, leaving it to yourself to consider whether any modification of these provisions is now required.

12. These are conditions some of which, I am persuaded, are essential to justice, and others highly important to the satisfactory working of the new system; and I trust that, with these additions, the adoption of the system in question will not merely satisfy the long-expressed desire of the majority of the people of Newfoundland for freer institutions, but will also prove favourable to practical improvements in the government of the colony.

13. As regards the portion of the Address which relates to free trade with the United States, you will inform the Assembly that Her Majesty's Government are still in negotiation with that of the United States, and that in the conduct of that negotiation every attention will be paid to their expressed wishes, and those of their constituents.

I have, &c.
(signed) *Newcastle.*

— No. 2. —

No. 2.

(No. 86.)

Governor Hamilton
to the Duke of
Newcastle,
23 February 1854.

EXTRACT of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*; dated Government House, St. John's, Newfoundland, 23 February 1854.

(Received, 13 March 1854.)

My Lord Duke,

(Answered, No. 50, 17 March 1854, page 37.)

I HAVE the honour to acquaint your Grace that on the 31st ultimo, I opened the Session of the Legislature with the accompanying speech, which was generally very well received, and was only excepted to by the Roman-catholic party in the House of Assembly, on account of its omission of all reference to the subject of responsible government.

A committee of five, three Protestants and two Roman-catholics, was appointed to draft an Address in reply; the three first-named of whom reported an address drawn in the manner heretofore usual, noticing the several matters referred to by me, and containing the usual assurance of a desire to co-operate in maturing the measures to which I had directed their attention.

The Address was read a first and second time, and on the 9th instant, was committed; but, on the first paragraph being proposed for adoption, Mr. Little addressed the House, and declared it to be the intention of himself and his party to permit the transaction of no further business under the present form of government;

ment; but after passing an address signifying this their determination, to await the decision of Her Majesty's Government upon their application for responsible government.

An amendment to the question was then proposed by Mr. Emerson, consisting of an address complete in itself, and which is herewith transmitted; and which after a lengthened opposition, was on the 13th instant, finally passed on the usual division; five Protestant members voting against it, seven Roman-catholic members and one Protestant (the proposer) voting for it.

On the 15th instant, I received this address, and made the reply herewith transmitted; the address being presented to me by the majority only, the minority absenting themselves on such occasion, to avoid, as I hear, the appearance of their having in any way concurred in its principle.

Having received my reply, the House adjourned to the 20th instant, the day on which the English mail was expected; Mr. Little having first given notice of a future address to the Colonial Office, should no satisfactory information be then received, and his party having expressed their determination then to adjourn for a further period of two months, to await the arrival of despatches from England.

The declaration of their intention to transact no further business, has, in the mean time, been carried into effect by their refusing to permit the introduction of a Bill, of which notice had been given by Mr. March, for the better regulation of the seal fishery now about to commence; and by the rejection on the 14th instant, of a Bill brought in by my directions, by the Solicitor-general, designed to check the ruinous traffic in bait, which has been heretofore carried on on the southern shores. The latter measure is one earnestly required by the people generally, and considered so imperatively necessary by the Assembly themselves, that during the last Session, they unanimously passed an address, praying that I would hire a steamer for effectually carrying out this service. Permitting this traffic is, in effect, a sanction of that theft of our seed which leaves our own district barren.

I need hardly observe, that this entire suspension of business, if continued, will produce a vast amount of mischief. The loss of the Bait Bill alone will most probably be felt in a failure of the fishery in many parts; without a Revenue Bill, the public creditor cannot receive his dividends, and the debt of the colony will be much increased, while the want of Supply and Education Bills will occasion great distress amongst many classes. * * *

Three courses present themselves for consideration:—First, the immediate unqualified concession of responsible government with its attendant evils and its injustice to the Protestant majority of the population. Second, its concession after a partial subdivision of the electoral districts, and an increase in the representation on a basis to be settled by Her Majesty's Government; and third, a return to the amalgamated form of government.

Having regard to the condition of the country and to the necessity for preventing future difficulties such as the present, the last system could be worked with greater certainty and with less expense than any other. Either course would, I presume, involve the principle of separate Councils, and can only be carried into effect by an Act of Parliament.

Should your Grace determine upon either of the above mentioned, or upon any other course of proceeding which will preclude the practicability of legislative action here before the expiration of the Local Revenue Act (16 Vict., c. 1), which will expire on the 28th of May, I would earnestly suggest the necessity for a short Act being passed in Parliament, continuing it for one or two years. The Assembly could then be dissolved and matters permitted to remain as at present, until the change determined on had been carried into effect. Indeed the absence of any intimation of your Grace's determination on the question is, at present, a fortunate circumstance, as it will afford the opportunity, of which I am informed the Protestant part of the population will avail themselves, to lay before Her Majesty's Government the expression of their opinions.

A report is in circulation here, founded on some private correspondence that it is the intention of Her Majesty's Government to concede responsible government upon certain conditions, which have not been mentioned. If these conditions be a fuller and a fairer representation in the Assembly, I very much fear—looking at the determination evinced by the Roman-catholic Members to accede to no representation which did not secure their present majority—that any proposal of that kind will prove nugatory; and, in view of such an event, the Imperial Act, for the continuance of the local Revenue Act, will still be necessary.

I annex a copy of the report of the delegates, and extracts from two local newspapers. The "Public Ledger" is the organ of the Protestant party; the "Newfoundlander" of the Roman-catholic party, in effect, of the Roman-catholic Bishop.

On Monday the 21st instant, to which day the House adjourned, to wait the arrival of the packet, Mr. Little being engaged in Court, and the Protestant minority not attending, in consequence of the resolution of the House to do no business, there was an adjournment for want of a quorum. On the next day, the minority still being absent, a vote of thanks was passed to the delegates, and the accompanying address to your Grace was adopted.

With reference to that part of the report of the delegates which relates to the acts of the Council in its legislative capacity, and on which is mainly grounded the necessity, in the judgment of the Assembly, for responsible government, I cannot do better than refer your Grace to Mr. Row, a Member of the Council, now in England, upon whose long experience, from his residence for half a century in this colony, his sound judgment and integrity, your Grace may safely rely for any explanation that you may require of the complaints of the Assembly in this respect. Without wishing to urge any opinion of my own, I may yet say that, except in the matter of the Road Bill, and then only to prevent what the Council deemed a gross injustice, they do not appear to me to have trespassed on the legitimate functions of the Assembly. The other points in discussion between the two Houses were those in which the Council might fairly differ from the views of the Assembly, and in so doing be very far from meriting the charge that they were not consulting the true interests of the country. On the contrary, in all these measures the reasons which guided the Council will, I have no doubt, on full consideration of your Grace, appear to be such as, in the independent exercise of their judgment, are fully as weighty and regardful of the public welfare as—if not more so than—those which actuated the Assembly. On all these points, however, I am glad to think that Mr. Row will be at hand to afford to your Grace every necessary information.

While writing this despatch, I have received a letter from the President of the Chamber of Commerce of St. John's, requesting me to forward the accompanying memorial to your Grace, referring to the present position of affairs here; inviting your Grace's attention to their address forwarded in February 1852, on the subject of responsible government; stating that their opinions on that subject are unchanged; and praying that the Revenue Act, now shortly to expire, may be continued by an Act of the Imperial Parliament, for such time as may be necessary to enable Her Majesty's Government fully to deal with the important subject of responsible government. This demonstration on the part of the merchants, shows that there is no desire on their part to take advantage of the opportunity which would occur, by the lapse of the Revenue Bill, of forwarding their own interests; but, on the contrary, a highly laudable desire to prevent that injury to the public credit which must inevitably result from the reckless course threatened by the Assembly.

For Report of Delegates, see page 8. "Public Ledger," 17 and 21 Feb. "Newfoundlander," 16 February.

21 February 1854. Page 35.

23 February 1854. Page 36.

Enclosure 1, in No. 2.

End. 1, in No. 1.

SPEECH of his Excellency the Governor, on Opening the Second Session of the Fifth General Assembly, Tuesday, 31 January 1854.

Mr. President, and Gentlemen of Her Majesty's Council;
Mr. Speaker, and Gentlemen of the House of Assembly;

THE duty of addressing you on your again meeting for the despatch of public business devolves upon me under circumstances which, while they demand our hearty acknowledgments to Almighty God for mercies bestowed and calamities averted, are not without alloy. While other countries have been sorely visited, we have mercifully enjoyed health and tranquillity; on the other hand, a renewed visitation, with unmitigated severity, of the potato disease in all parts of the island, and the failure of the fishery in many localities, have been followed by great distress among a large portion of our labouring population.

In closing the last Session of the Legislature, I expressed the hope that it would not be necessary for me, on our re-assembling, to make a further appeal to your liberality on behalf of the labouring population; but the great and continued prevalence of distress arising from the causes to which I have adverted, aggravated moreover, by the failure of the Electric Telegraph Company, rendered absolutely necessary the advance of a large amount in excess of the grant for the relief of the poor. I shall cause to be laid before you the details of this extra expenditure; and I rely upon your indemnifying me for an outlay, under all the circumstances of it, so unavoidable.

I am glad to be enabled to inform you that the revenue has exceeded the estimate made of its probable amount.

I shall direct to be laid before you copies of despatches on several matters which formed the subject of addresses passed during the last Session. From one of them you will learn that Her Majesty's Government decline to guarantee the repayment of the loan of 50,000 £. requested by you for the construction of main lines of road.

I have the satisfaction of being able to inform you, in reply to your address on the subject, that Her Majesty's Government will carefully maintain our rights of fishery, consistently with a faithful observance of the treaties with foreign powers.

To every country is assigned by Providence its peculiar productions, which may be interchanged among men for their mutual benefit. Although the climate of this colony is such that no available product is raised from the soil for export, yet we are more than compensated by the advantageous position of our shores for the prosecution of a valuable fishery. From the reports which I shall transmit to you, you will perceive that the object of the grant of the last Session, for the protection of the fisheries from external interruption, has been carried out with energy, and, to the extent of the means afforded, with success. Upon the prosperity of our fisheries the general welfare entirely depends; and it cannot, therefore, be superfluous to urge upon you the essential importance of guarding them not only against encroachment from without, but against the no less serious detriment to them resulting from the sale of bait by our own people on the southern coasts, to our great rivals. I commend, therefore, to your consideration the adoption of such legislative enactments, within the legitimate scope of the functions of the local Legislature, as will check, or greatly restrict this mischievous traffic. To enforce the provisions of the law in this respect, as well as to protect our river salmon fisheries on the west coast, I recommend you to place at the disposal of the Executive, adequate means for the maintenance of an efficient coast guard during the ensuing fishery season. A naval officer will be detached to the west coast for this last mentioned service by the Vice-Admiral commanding on the station, who has invited the co-operation of this Government.

In connexion with the subject of the fisheries, I would further submit for your consideration the expediency of reviving, in whole or in part, the Act for the inspection of pickled fish which has recently expired.

Mr. Speaker, and Gentlemen of the House of Assembly;

The financial statements and estimate for the ensuing year shall be laid before you without delay.

In consequence of the omission to provide means for defraying the expenditure contemplated by the Road Act of last Session, and owing to the unavoidable necessity of exceeding the appropriation for the relief of the necessitous, the revenue has been quite inadequate to cover the total expenditure of the year. To supply the deficiency, it will be necessary, during the present Session, to authorise the raising of a further sum by loan on the credit of the colony; whereby a considerable addition must be made to the already large public debt.

I deem the present opportunity, therefore, a fitting one for calling your earnest attention to the financial condition of the colony, and to its large and increasing debt. To reduce this debt in accordance with subsisting engagements, and to maintain the public credit in a sound and healthy condition, I need hardly point out to you the imperative necessity for discontinuing, or greatly curtailing, the casual and extraordinary appropriations for services not included in the estimates. Several of these services, as well as some of those heretofore included

included in the estimates, appear to me to be of so peculiarly local a character, as to demonstrate the reasonableness of their being made local burthens.

A disregard of economy, and a tendency to improvidence, can hardly fail to flow from a system which makes the public revenue the only fund from whence is defrayed, without discrimination or exception, the expenditure for charges and services purely local, which in other communities are provided for by local rates and assessments.

This observation will apply with equal force to the expenditure for the relief of the poor, which is defrayed entirely from the public chest; as well as to the mode of dispensing it, which, with all the precautions that, under the present system, can be observed, is still deficient in incentives to self-reliance on the part of the able-bodied poor, and calculated rather to increase than to check pauperism.

I commend these matters to your careful consideration, in the hope that you may be able to devise remedies for what cannot but be regarded as growing evils.

Mr. President, and Gentlemen of Her Majesty's Council;
Mr. Speaker, and Gentlemen of the Assembly;

The laws relating to education and the administration of justice in the out-ports will again come under your revision. I shall be happy to concur with you in any well considered enactments which you may adopt for the furtherance of objects so important to the present and future well-being of all classes of the community.

The encouragement of agriculture, with a due regard to the peculiarities of this soil and climate, but especially the introduction, breeding and rearing of live stock of a superior kind, deserve your consideration. By this means the employments and interests of our increasing population will be diversified and augmented, and the general good be advanced.

In fulfilment of the benevolent provisions of the Legislature, I have, during the recess, had the gratification of laying the foundation-stone of an asylum for the reception and curative treatment of pauper lunatics. Satisfactory progress has been made in the construction of that portion of the building for which funds were provided. The report of the Commissioners I shall direct to be laid before you; and I congratulate you on the near prospect of the completion of an institution in which may be put in practice the most approved methods of ameliorating the condition of this most unhappy class of our fellow-beings.

Through the mercy of Providence there has been no actual necessity, during the past year, for putting the Quarantine Act in operation. I deem it right, nevertheless, to impress upon you the importance of supplying any defects there may be in the existing laws for the removal of nuisances, and for enforcing general cleanliness, so essential to the public health.

I will only further detain you in assuring you that upon the subjects to which I have called your attention, and others which may be discussed in either branch of the Legislature, I shall be happy to facilitate to the utmost of my power your labours for the promotion of the public good.

On Tuesday the 14th instant, the Address of Her Majesty's Council, in answer, was presented to his Excellency at the Government House by the President and the whole House; and is as follows:—

To his Excellency *Ker Baillie Hamilton, Esq.*, Governor and Commander-in-Chief in and over the Island of Newfoundland, and its Dependencies, &c. &c.

May it please you Excellency,

WE, Her Majesty's dutiful and loyal subjects, the Council of Newfoundland, in general assembly convened, beg leave respectfully to thank your Excellency for the speech with which you have been pleased to open the present Session of the Legislature.

We concur with your Excellency that our humble and hearty acknowledgments to Almighty God are due for that measure of public health and tranquillity which has been graciously vouchsafed to this colony during the past year; blessings not without their alloy from the distress which unhappily prevails in consequence of the continuance of the potato disease, and the partial failure of the fishery.

Owing to the causes stated by your Excellency, it was obviously necessary to exceed the grant made last Session for the relief of the poor, and we shall readily concur in a measure to indemnify your Excellency for an outlay so unavoidable.

We are happy to learn that the revenue has exceeded the estimate made of its probable amount.

We thank your Excellency for your promise to lay before us copies of the despatches referred to by your Excellency, and we heartily rejoice to find that Her Majesty's Government will carefully maintain our rights of fishery, involving, as those fisheries do, interests of paramount importance to this colony, and of grave concern to the empire at large.

We agree in the opinion that, whilst agriculture is a valuable adjunct to our fisheries, it is upon the prosperity of these that the general welfare of this colony is dependent; and it shall be our endeavour, as it is our duty, to devise and promote the best means of guarding them against encroachments from without, and of suppressing the illicit and extremely injurious traffic in bait carried on by some of our own people with our foreign competitors.

We rejoice to learn that the service for which the grant made during the last Session for the protection of our fisheries has been carried out with energy, and has been productive of benefit; and we fully concur with your Excellency in the expediency of the Executive of this colony being placed in a position to maintain an efficient coast guard during the ensuing season.

We entertain the belief that there are many branches of trade connected with our fisheries that are capable of development and improvement, and which, if properly and economically conducted, would, by conducing to the maintenance and comfort of the labouring classes, ease the pressure upon the public funds for their relief, and add to the general wealth of the colony.

The laws relating to education and the administration of justice shall have, as they deserve, our best consideration.

We are happy to find that satisfactory progress is being made in the erection of a suitable lunatic asylum, and we shall hail with satisfaction the completion of an institution calculated to alleviate the condition and sufferings of that class of our fellow-creatures, who, of all others, have the strongest claim upon our protection and sympathy.

We shall cheerfully contribute our aid towards the encouragement of agriculture. We shall also devote our attention to the consideration of the Quarantine and Pickled Fish Acts.

In conclusion, we thank your Excellency for the assurance of your co-operation with us, and the other branch of the Legislature, in the promotion of such measures as may tend to the advancement of the true interests of this ancient and valuable colony.

William Robinson, President.

Council Chamber, 10 February 1854.

To which his Excellency was pleased to make the following reply:—

Mr. President, and Honourable Gentlemen of the Council,

I thank you for this address, and for the assurance it contains, that you will co-operate with myself and the other branch of the legislature in the promotion of measures recognised by you as tending to the advancement of the true interests of this ancient and valuable colony.

ON Wednesday the 15th inst., the Address of the House of Assembly was presented to his Excellency by Mr. Speaker and the whole House, and is as follows:—

To his Excellency *Ker Baillie Hamilton*, Esq., Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies.

May it please your Excellency,

WE, Her Majesty's dutiful and loyal subjects, the Commons of Newfoundland in general assembly convened, beg to assure your Excellency that while we thank your Excellency for the gracious speech with which you have been pleased to open the present Session of the Legislature, we sincerely reciprocate your expressions of regret at the present depressed condition of this colony, and the financial difficulties of the Government, which are attributable not only to the partial failure of the fisheries, and the visitation of the potato disease, but also to the character of the trade of this colony, and the absence of a vigorous, economical, and truly British system of Government, to encourage the development of its extensive resources, to uphold the rights and interests of the operative population, and faithfully administer the public affairs.

We cordially tender our acknowledgments to your Excellency for calling our attention to several subjects connected with the welfare of the country, and for the assurance of your desire to facilitate to the utmost of your power our labours for the promotion of the public good; at the same time, we frankly avow our mature conviction, that however anxious we may be to render our best exertions conducive to the prosperity of the people, judging from the experience of the past and the avowed policy of your Excellency's confidential advisers in their legislative capacity, we entertain no hope of obtaining their necessary co-operation in measures of general practical utility, except on terms alike injurious to the public service, degrading to the people's representatives, and subversive of the rights and privileges confided to our guardianship.

Having declared, as late as the last Session of the Legislature, that neither the anomalous system of Government in force in this island, nor your Excellency's Council, possessed the confidence of the public or of this House, we addressed a memorial to the noble Secretary of State for the Colonial Department, and both Houses of Parliament, praying for the immediate introduction of a responsible system of government into this colony; and we have been gratified to learn from the delegates deputed by this House to proceed to London for the purpose of promoting the objects of the memorial, that they have received such assurances from the noble Secretary, as induce us to conclude that the long-desired boon shall be conceded.

We respectfully solicit your Excellency to place before this House copies of any correspondence which may have taken place between your Excellency and the Colonial Department, since the last Session of the Legislature, on this highly important subject, the satisfactory settlement

settlement of which we deem essential to the useful existence of the popular branch of the Legislature, of paramount importance to the country, and indispensable to the better administration of the Government.

In conclusion, while we do not hesitate to assure your Excellency that you will be indemnified for any outlay that has been made or may be rendered necessary for the relief of the poor and the telegraph labourers, we deem it our duty to inform your Excellency, with the utmost reliance upon your Excellency's good sense and impartial judgment for a favourable construction of the motives influencing our conduct, that we have deliberately come to the conclusion to await the decision of the Imperial Government upon the right of the people of this old and loyal dependency of the British Crown to the possession of self-government, in the constitutional acceptation of the term, rather than waste our time and exhaust the patience of the public in witnessing a renewal of fruitless attempts at legislation under the present constitution.

John Kent, Speaker.

House of Assembly, 13 February 1854.

To which his Excellency was pleased to make the following reply:—

Mr. Speaker, and Gentlemen of the House of Assembly,

I HAVE not received a reply to my despatch forwarding the memorial of the House, praying for a change of the constitution of the colony; and I cannot adopt the irregular and inconvenient proceeding of laying before you correspondence on a subject referred to the Crown, and upon which a decision has not yet reached me. Indeed, upon this topic the delegation from your Honourable House appears to have received assurances which have not yet been communicated to myself.

I thank you for your assurance of indemnifying me for any outlay that has been made or may be rendered necessary for the relief of the poor.

I must, however, express my great regret that you have come to the conclusion to defer legislation on subjects—particularly those of vital importance to the colony—which it has been my duty to bring before you. Whether the public interests have been consulted in arriving at the determination to which you have come, is a question for your own consideration; and, with you will rest the responsibility for any detriment to those interests, which may result from the course you have resolved to pursue.

Enclosure 2, in No. 2.

Encl. 2, in No. 2. REPORT of DELEGATES to the Imperial Government, on the Subjects of Responsible Government, Free Trade with the United States of America, and other Affairs of the Colony of Newfoundland.

THE House of Assembly having hitherto struggled in vain against the local Executive for the establishment of a thorough British system of government in this island, and their repeated addresses to the Crown for justice having been met by evasions or direct refusals, it was resolved, during the last Session of the Legislature, that delegates should be sent from the Assembly to London, for the purpose of placing the affairs of the colony before the Imperial authorities in their true light, as a conviction existed in the public mind that they had not been fairly represented, or the parent Government would have long since conceded to Newfoundland its constitutional rights and privileges.

We are accordingly honoured with the important trust of representing the views of the country, as expressed by the Assembly, on the present system of government, the general state of the colony, and particularly the claims of this old and loyal dependency to the establishment of responsible government, and reciprocal free trade with the United States of America.

In the discharge of our duty, we now respectfully submit an outline of our proceedings for the information of the public and the Assembly.

Having proceeded to Halifax in the steamer "Ospray," and thence to Liverpool in the R. M. steamer "Niagara," we arrived in London on the 18th July last, and immediately applied ourselves to the fulfilment of the trust reposed in us.

Having prepared the annexed statements, Numbers 1 and 2, on the general affairs of the colony, we transmitted copies thereof, with our credentials, to his Grace the Duke of Newcastle, requesting at the same time an interview with him on the several matters which formed the subjects of our delegation.

My Lord Duke, (No. 1.)

Tavistock Hotel, London, 20 July 1853.
We have the honour to acquaint you, that the House of Assembly of Newfoundland, in the last Session, appointed us its delegates to proceed to London for the purpose of promoting the establishment of self-government in that old and loyal dependency of the British Crown, and reciprocal free trade between it and the United States of America. We therefore,

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

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

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

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

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

“Whether with one chamber or with two, the Government will always have to contend with the difficulties arising out of the conflicting interests of two great classes of the community

nity * * * the commercial and the resident class; and although it may be thought that, taken broadly, these interests must act and re-act upon each other, yet each will have separate objects to pursue, and separate views to promote, either by expenditure of public money, or by imposition of public taxes. The former of these classes, up to a recent period, monopolized the power, as they possessed the whole capital of the island, which it was their avowed object to consider merely in the light of a fishing station. In the pursuance of this policy, internal improvements were discouraged, and the island itself was looked upon as subservient to the interest of trade alone. The gradual increase of population has led to the formation of a rival interest, which has now obtained a large share of political power, which it desires, not unnaturally, to direct towards the furtherance of its own objects."

After a series of conflicts between the two branches of the Legislature, the constitution was suspended, and a single chamber of 10 Crown nominees and 15 representatives, with a distinct Executive Council, were substituted. This singular amalgamation lasted four years, when its expiration was hailed with unanimous approval. It was nothing more than an expensive delusion sustained by unexampled corruption, and calculated to bring the Executive, which possessed the chief power over its deliberations, into merited contempt. The popular will, however, sometimes found expression in the amalgamated assembly, notwithstanding the great odds with which it had to contend; and in the year 1846 it adopted the following Resolutions:

"Whereas Her Majesty's Government being about to submit, for the consideration of the Imperial Parliament, a form of constitution for this colony, it is therefore highly expedient that this House should make a declaration of opinion upon the principles of administration applicable to the Government of Newfoundland.

"Whereas the principles of administration applicable to the government of the North American colonies have been formally sanctioned by the highest authority on several occasions, and whereas the following resolutions, moved by Mr. Secretary Harrison, were adopted by the Parliament of Canada, in 1841:

"1st. That the most important, as well as the most undoubted of the political rights of the people of this province, is that of having a provincial Parliament for the protection of their liberties, for the exercise of a constitutional influence over the executive departments of their government, and for legislation upon all matters of internal government.

"2d. That the head of the Executive Government of the province, being, within the limits of his government, the representative of the Sovereign, is responsible to the Imperial authority alone; but that, nevertheless, the management of our local affairs can only be conducted by him, by and with the assistance, counsel, and information of subordinate officers in the province.

"3d. That in order to preserve, between the different branches of the provincial Parliament, that harmony which is essential to the peace, welfare, and good government of the province, the chief advisers of the representative of the Sovereign, constituting a provincial administration under him, ought to be men possessed of the confidence of the representatives of the people; thus affording a guarantee that the well-understood wishes and interests of the people, which our Gracious Sovereign have declared shall be the rule of the provincial Government, will on all occasions be faithfully represented and advocated.

"4th. That the people of this province have moreover a right to expect from such provincial administration the exertions of their best endeavours that the Imperial authority shall be exercised in the manner most consistent with their well-understood wishes and interests.

"And whereas his Excellency Sir Charles Metcalf has thus explained, in answer to an address from Gore, in Canada, his views of colonial government:

"With reference to your views of responsible government, I cannot tell you how far I concur in them without knowing your meaning, which is not distinctly stated.

"If you mean that the Governor is to have no exercise of his own judgment in the administration of the Government, and is to be a mere tool in the hands of the Council, then I totally disagree with you. That is a condition to which I can never submit, and which Her Majesty's Government, in my opinion, never can sanction.

"If you mean that every word and deed of the Governor is to be previously submitted for the advice of the Council, then you propose what, besides being unnecessary and useless, is utterly impossible, consistently with the due despatch of business.

"If you mean that the patronage of the Crown is to be surrendered for exclusive party purposes to the Council, instead of being distributed to reward merit, to meet just claims, and to promote the efficiency of the public service, then we are again at issue; such a surrender of the prerogative of the Crown is, in my opinion, incompatible with the existence of a British colony.

"If you mean that the Governor is an irresponsible officer, who can, without responsibility, adopt the advice of the Council, then you are, I conceive entirely in error. The deputed functions of the Governor are such, that he is not only one of the hardest worked servants of the colony, but also has more responsibilities than any other officer in it. He is responsible to the Crown and Parliament, and to the people of the mother country, for every act that he performs, or suffers to be done, whether it originate with himself, or is adopted on the advice of others. He could not divest himself of that responsibility by pleading the advice of the Council. He is also virtually responsible to the people of this colony, and practically

cally more so than even to the mother country; every day proves it, and no resolution can make it otherwise.

“But if, instead of meaning any of the above-stated impossibilities, you mean that the Government should be administered according to the well-understood wishes and interests of the people; that the Resolutions of September, 1841 should be faithfully adhered to; that it should be competent to the Council to offer advice on all occasions, whether as to patronage or otherwise; and that the Governor should receive it with the attention due to his constitutional advisers, and consult with them in all cases of adequate importance; that there should be a cordial co-operation and sympathy between him and them; that the Council should be responsible to the provincial Parliament and people; and that when the acts of the Governor are such as they do not choose to be responsible for, they should be at liberty to resign; then I entirely agree with you, and see no impracticability in carrying on responsible government in a colony on that footing, provided that the respective parties engaged in the undertaking be guided by moderation, honest purpose, common sense, and equitable minds, devoid of party spirit.”

“Therefore resolved, that this House recognize in the above resolutions and documents the true principles of colonial government, as applicable to any future form of constitution which the Imperial Parliament may, in its wisdom code to Newfoundland.”

The amalgamated system having expired, the Imperial Government most unaccountably restored the old form of constitution, placing in the hands of the Governor and a Council of nine gentlemen, executive and legislative authority, and leaving the Assembly, on its original basis, to encounter the influences in a separate chamber, which had well nigh undermined its foundation in the amalgamated Legislature. None of those salutary changes referred to in the foregoing resolutions, and admitted to be essential to the harmonious and useful operation of colonial government were adopted, though the old constitution was so altered as to secure to the Executive the initiation of money votes in the Assembly, which necessarily embarrassed the free action of the popular branch, and has enabled the Executive to refuse its assent to votes of a most useful nature, because sought to be initiated by members opposed to the Government. This power has been thus arbitrarily and corruptly used. The Council retaining the exercise of executive and legislative functions combined, the Government is without an organ in the popular branch, to explain its policy or take the lead in important matters of legislation. So situated, the Executive is without power or influence in the Assembly, and the Government has only worked on by sufferance for the last four years. The public are thus deprived of the great advantages of a well-directed executive influence in the conduct of public affairs, while the result of an exercise of constitutional control on the policy of the Executive, would be to stop the wheels of government altogether.

Such results as these were clearly foreseen, as the natural consequence of such a system, by the late Lord Sydenham, who gave his opinion as follows, in a confidential despatch, dated at Halifax, N. S., in the year 1840 :

“The last, and in my opinion by far the most serious defect in the Government, is the utter absence of power in the Executive, and its total want of energy to occupy the attention of the country upon real improvements, or to lead the Legislature in the preparation and adoption of measures for the benefit of the colony. It does not appear to have occurred to any one that it is one of the first duties of the Government to suggest improvements where they are wanted; that the constitution having placed the power of the Legislature in the hands of an Assembly and a Council, it is only by acting through these bodies that this duty can be performed; and that if these proper and legitimate functions of Government are neglected, the necessary result must be, not only the improvement which the people have a right to expect will be neglected, and the prosperity of the country checked, but that this branch of the Legislature will misuse its power, and the popular mind be easily led into excitement upon mere abstract theories of government, to which their attention is directed as the remedy for the uneasiness they feel.”

It was not to be supposed that the people of this colony could be satisfied with such a position of public affairs, and an address to Her Majesty was accordingly adopted by the Assembly in the year 1851, affirming the principles of self-government, and praying for the concession of executive responsibility. No just reason existed why a system of government, which every other British American province repudiated, and which every enlightened British statesman condemns, should be fastened upon that colony. Without the principles of executive responsibility, it was felt that the Government was not deserving the name, and that it was unjust and unmanly to tax the industry of the people for its support.

Acting, as we have good reason to understand, on the misrepresentations of the interested officials of the colony, and those who have invariably opposed an extension of popular rights in this the oldest and most neglected of Her Majesty's British North American colonies, Earl Grey, as Her Majesty's Principal Secretary of State for the Colonies, declined advising Her Majesty to comply with the prayer of that address, though his Lordship held out some hopes that his views might in some degree be influenced by the result of the general elections which were then shortly to take place in Newfoundland. Upon the communication of his Lordship's views to the Assembly in the Session of 1852, a suite of resolutions, expressing the opinions of the inhabitants being adopted, it was therefore resolved that a renewed application should be made by address not only to Her Majesty, but to both Houses of Parliament. Before the address reached home, the opposition had attained power, and the hopes of the colony

colony were again doomed to be crushed for a time by a ministry who had chosen as Secretary for the Colonies, Sir John Pakington, the former agent and active supporter of the obstructives of Newfoundland. The address of the Assembly to the House of Commons was kindly presented by the Right Hon. Sir William Molesworth, the indefatigable advocate of colonial rights. Nor was the Secretary for the Colonies, as we have reason to believe, unsupplied with secret despatches from the local authorities, containing fabricated statements as to the views of the people on this vital and all-absorbing question. They resorted to every expedient that self-interest, low prejudices, and unfair intrigue could devise, to defeat the people's representatives, and so far as their efforts have hitherto gone, to influence the decision of the British Government, they have been highly successful in securing the reins of power in their own hands, the offices of the Government for a favoured few, in contemning public opinion in the colony, in neglecting and actively opposing its best interests, on the questions of free trade, education, local improvements, representation, and several other important public measures.

In the autumn of last year the general elections took place in the island, and resulted in the return of a large majority in favour of the principles of self-government, who were pledged to adopt every constitutional means to secure its establishment. The resolutions of the late Assembly were again affirmed by the present House, four members only voting against them, and addresses to the Duke of Newcastle, and both Houses of Parliament were then agreed upon.

The anticipations of the Assembly on the course which the Council would likely pursue in the Session of 1853, on the Representatives' Bill, and several other Bills, were fully realised. Among the many measures passed by the Assembly last Session and rejected, or so mutilated by the Council as to cause their loss, we may mention, for the purpose of illustrating the antagonism existing between these bodies, and the hopelessness of expecting their co-operation for any general objects of legislation, the Bills introduced on the following subjects: A Bill for taking the Census of the Island, which was necessary, as no census had been taken there since 1845, to enable the Legislature to appropriate the Road and School Monies fairly among the several districts and for other purposes; a Bill for the Relief of the Poor. Owing to adverse circumstances, and the system of trade heretofore pursued in that colony, which made the operative population almost wholly dependent on a few capitalists, and consequently ill-prepared to withstand the effect of a temporary failure of their ordinary pursuits, pauperism has considerably increased within the last few years, especially among the aged and infirm. The Assembly was consequently obliged to make liberal provision for their relief, and the dispensation of the poor funds was entrusted to the Executive. So much was that trust abused, that the funds were not unfrequently spent for political purposes, and thus became a source of patronage in the hands of the Executive; the poor were wronged, and they appealed to the Assembly for protection. A Select Committee took the matter into consideration, and the Government Secretary of the Poor Board was summoned and gave evidence on the subject. It appears that some characters of bad repute were better provided for out of these funds than other persons more deserving and more destitute objects of charity; that the functions of the so-called Poor Board were only nominal, and that the head of the Executive managed its affairs as he thought fit; it has been since ascertained that a portion of these funds had been actually appropriated with his concurrence in providing him with bed and bedding for a sea voyage.

A Poor Relief Bill was then adopted by the late House, but rejected by the Council. The Assembly then voted the salary of the secretary of the Poor Board in Supply, at the rate fixed by the Executive, so as to make him in some degree independent of the undue influence of the Executive, and responsible to the Assembly for the discharge of his duty. Two attempts were made, in vain, by the Executive to expunge it from the Supply Bill, and a message was privately communicated to the opposing members, that if they persisted in retaining it in that Bill, the officer would be discharged. One of his brothers then held a seat in the Assembly, and another published a newspaper in the colony. The Executive was therefore desirous, for reasons that were quite apparent, of continuing a system which rendered that officer perfectly dependent on its will, not only for the tenure of his office, but for the amount of his salary, which had been nearly doubled within a year or two from his taking office. The Assembly refusing to recede, the officer was dismissed for no express cause, except an alleged intention of changing the system, but his brother had previously voted for responsible government. No actual change has been made in the system, except to appoint a brother-in-law of one of the Executive Council to fill the office thus vacated, and the gentleman so expelled has been appointed to an anomalous position as a member of the Board, at a reduced salary. During the last Session a Bill was again adopted by the Assembly to put a stop to these abuses, but again rejected by the Council, though strong complaints were raised against the present system, and helpless paupers have died through its inhuman operation. Bills for declaring the prior claims of seamen and fishermen to their wages out of the estates of their hirers and employers in cases of insolvency; for the extension and improvement of the Newfoundland Savings Bank, according to the general recommendation of the trade and the public; for the encouragement of ship-building; and for the establishment of a proper jury system in the Supreme and Central Circuit Courts, met a similar fate. An alteration of the present jury law in force in those courts was strongly recommended by the able and upright chief justice of the island, from a sense of its absurd and unjust operation, for under the law as it stands, persons without any property qualification whatever, are permitted to act as grand and special jurors in questions of life, liberty, and property, while equally and

not frequently,* more competent persons, who contribute from 100 l. to 500 l. a year in duties to the revenue, and are possessed of large properties in lands and houses, are excluded from the grand and special jury panels, simply because they do not, in the opinion of the sheriff, come under the qualification or denomination of "principal merchants or gentlemen." The consequence has been, that packed and prejudiced juries have been of frequent occurrence, and are almost unavoidable, without a change in the law. A political opponent has no chance of a fair trial before such a jury, however upright and high minded the court may be, and instead of British justice being administered in such cases, there is but the form observed, for the reality is not attained. The Bill passed by the Assembly was loudly called for, and met with general approval except from the Council, who also rejected a Bill for the prospective reduction of our enormous Civil List, although the colony is about 120,000 l. in debt, and its necessities imperatively demand a system of rigid retrenchment in all the public departments, in many of which officials are paid salaries for doing comparatively nothing.

The Road Bill, the Education Bill—both money Bills—the former appropriating 10,000 l. for the public road service, and the latter 7,500 l. for educational purposes, as well as the Supply Bill, were, in violation of the privileges of the House, all materially altered by the Council, and their total rejection was only saved by the forbearance and discretion of the Assembly, who preferred submitting to a temporary injustice rather than embarrass the public service, and deprive the country of the benefits resulting from these measures. A Bill to regulate our currency was also mutilated by the Council; and the last Bill which it negatived was a Delegation Bill sanctioned by the Governor, appropriating a sum of money to defray the expenses of delegates from the Council and Assembly to the Imperial Government, that both bodies might have an equal opportunity of being heard on the questions on which they have been so long at issue, and thus adopt the speediest means of terminating an agitation which will continue to distract the public mind and disturb the peace of society until they shall be satisfactorily settled. The liberal party in that colony have been persuaded that only one side of the question has hitherto obtained a ready credence from the Colonial Minister, owing to the misrepresentations of the local officials, and therefore solicited their opponents in legislation and progress to meet them manfully, where the arguments on both sides could be openly seen and discussed, not hid away in "secret despatches," which the local Executive has invariably refused to communicate to the Assembly; it has gone further, in refusing to communicate any despatches transmitted to Downing-street on the subject of self government. It must not, therefore, be a matter of surprise that men who sustain their position by such means, should reject the Delegation Bill as they did. In a word, the privileges of the Assembly have been utterly disregarded by the Council, and in the exercise of the only functions which the former branch conceived it might exercise unmolested by the Executive, that of taxation, a message of an intimidating character was delivered on the table of the Assembly by Mr. Secretary Crowdy, by the Governor's command, on the subject of the Revenue Bill, which was then pending on the Order Book for committal and the following resolutions were thereupon unanimously adopted by the Assembly:—

"Whereas a message has this day been received from his Excellency Ker B. Hamilton, Esq., the Governor of this island, which is a direct interference with the deliberations of this House, on the subject of the Revenue Bill, now pending before this House.

"Resolved, That the said message is a manifest breach of the privileges of this House; and however anxious this House is to maintain a good understanding with his Excellency, this House cannot, with due regard to its rights and privileges, which it is its sacred duty to uphold intact, permit this document to be recorded on its journals unaccompanied with the unequivocal expression of its opinion thereon.

"Resolved, That the course pursued by Her Majesty's Council on the important measures vitally affecting the public welfare, which have been sent to them for their concurrence by the Assembly during the present Session, has been the cause of protracting this Session of the Legislature to the present late period, and obliged this House in self-defence to withhold its prompt assent to the Revenue Bill.

"Resolved, That this House is most anxious to uphold the credit of the colony, and would deeply regret any step that would impair it; but looking to the present state of the country, the amount of public debt, and the demands on the public revenue, it feels persuaded that nothing tends more to the destruction of that credit than the present system of government, which is devoid of public confidence."

Having thus shown sufficient to convince any reasonable man of the impracticability of conducting the government of the colony under such a system, we shall briefly advert to the question of reciprocal free trade with the United States. The exports of Newfoundland, consisting nearly altogether of the produce of its fisheries, have been materially depreciated in their value in foreign markets, from the formidable competition of the French; it was therefore found that the interests of the country demanded new markets. We naturally looked to the United States for this purpose. For want of remunerative employment in Newfoundland, many of its hardy and intrepid fishermen were obliged to seek labour in the fishing vessels fitted out by the Americans; the old "supplying system," of the few merchants, who engross the greater part of the trade of that island, which enables them to command the produce of the fisherman's summer voyage at a price usually fixed by them at so low a rate, as to leave the industrious operative scarcely sufficient to support him and his family for the winter; and the ruinous effects of the credit and truck system, which form

the chief ingredients in the "supplying system" have all tended to retard the improvement of the fisherman and the progress of the country, and thus reduce to poverty the finest class of men to be found in any of Her Majesty's dominions, or drive them from our shores to contribute to the wealth of some foreign power.

When the question of reciprocity with the United States was first agitated in the colonies, the local Executive, without consulting the Assembly, transmitted a despatch to Halifax, where a meeting of delegates from all the neighbouring colonies was about to be held on the subject, declining to send delegates to the convention, and declaring that the people of Newfoundland were opposed to free trade with the neighbouring republic.

The principles of reciprocity were then affirmed. The despatch of our Executive was kept secret in the colony, and the very man who subscribed his name to it, Mr. Secretary Crowdy, denied, in the presence of one of the subscribers, that the Government had expressed any adverse opinion on the question; but fortunately the document found its way into the Journals of the Nova Scotia Assembly, and the fraud attempted on the people of Newfoundland was there discovered and made public, and could no longer be gainsayed by the Executive.

In the year 1852, the principles of reciprocity were affirmed by our Assembly, and in 1853, the following resolutions were also adopted:

RESOLUTIONS in Committee of the whole on Free Trade.

"Resolved, That the Assembly in its last Session affirmed the principle of reciprocal free trade between the United States and this colony, in resolutions which are recorded on the Journals of the House.

"Resolved, That in reply to the address of the House in which Her Majesty's Government was requested to include this colony in any general scheme of reciprocal trade between the North American colonies and the United States, the Secretary of State, in his despatch dated 26th August last, gives assurance that the interests of this colony shall receive the serious consideration of Her Majesty's Government.

"Resolved, That the official letter of Mr. Everett, the American Secretary of State, to the President of the United States, dated 7th February instant, in which he affirms that the Government of Her Britannic Majesty is prepared to enter into an arrangement for the admission of the fishing vessels of the United States, to a full participation in the public fisheries on the coasts and shores of the provinces, with the exception, at present perhaps, of Newfoundland, on condition of the admission of colonial produce duty free into the United States, is regarded by the House with surprise and regret, because of the special exception of Newfoundland from the proposed arrangement.

"Resolved, That the best interests of the population of this colony would be vitally compromised by the exclusion of Newfoundland from the contemplated treaty, and that this House do forthwith address Her Majesty's Government, setting forth the purport of these resolutions, praying that this colony may not be placed in so isolated and injurious a position, and that a copy of this address be transmitted to Her Majesty's Minister at Washington, requesting that he will wait further advices from Her Majesty's Government before concluding the treaty in question."

These resolutions embody the opinion, as they represent the interests of nine-tenths of the inhabitants of Newfoundland. According to the evidence taken before a Select Committee of the Assembly in the year 1852, it appears that the resident mercantile men engaged in the trade of the island, with scarcely an exception, admitted, that if the duty of 20 per cent. at present imposed on our produce in the American States, were taken off, a valuable market would thus be secured for our staple products, and they quite approved of the project, until they learned that the American government would require a free participation in our fisheries as a condition to the arrangement. They then feared the influence of honest and active competition at their own doors, in their colonial markets; that the American merchants, or speculators, would visit our coasts, engage our fishermen, occupy their flakes and stages, now falling into ruin and decay in many of our noble outports, and by thus infusing new life and energy into our pursuits, relieve the dependent fishermen from their present abject condition, and break up the monopoly which a few have too long enjoyed in that ill-governed colony.

It may be, however, that the fears of the few merchants are rather imaginary than real, for at present, the Americans have a concurrent right of fishing on the west coast of Newfoundland from the Rameau Islands to Cape Ray with British fishermen, and thence to Cape Quirpon with British and French fishermen, and a joint right of fishing with British subjects on the coast of Labrador, where our fishermen prosecute a very extensive fishery; as also the right of landing at such places on those coasts as are uninhabited, for the purpose of curing and drying their fish; but this privilege is seldom, if ever exercised. The only part of our coast on which they have no right to fish at present, lies between the Rameau Islands and Cape Quirpon along the south-west and north-east coast of the island, where a shore fishery is prosecuted by our fishermen, in which the Americans could only participate by employing our labour and fishing rooms, for labour is cheaper in Newfoundland than in the United States, and the occupation of our rooms in settled harbours would be necessary for their prosecution of the shore fishery under any circumstances. There would be a twofold advantage in such an arrangement, we should secure an extensive foreign market for our produce,

produce, the prospect of increasing the demand, and consequently enhancing the value of colonial labour.

France has, for several years past, given annual bounties of 3,900,000 francs, for the encouragement of her cod fishery, mainly prosecuted on the banks and shores of Newfoundland; and on the 22d July 1851, the National Assembly passed a law, continuing the bounties until the 30th June 1861, and extending them to 20 francs per quintal metrique of fish the product of their fisheries, exported to "transatlantic countries, provided the same be landed at a port where there is a French consul." This new provision is doubtless intended to meet our exports in the American continental markets, and in the West Indies. And should we act wisely in permitting them, after having injured our trade with Europe, to exclude us from the American markets, without making a struggle for our existence. If we, in common with the neighbouring colonies, can induce the Americans by any reasonable concession on our part, to receive our produce on more favourable terms than they should be inclined to admit the produce of the French fisheries, we should have achieved a triumph for our colonial interests, the importance of which would be incalculable to the colonies in a commercial view.

A few days before we left the colony for England, we learned that the local Executive addressed a letter to a commercial society formed in St. John's for the protection of their own interests, requesting their opinion on this subject, in view of our mission. Now, we simply ask, was this a fair way to meet the question? The Legislature was in session four months and a half, and only closed in the middle of June; the Assembly having unanimously adopted the foregoing resolutions on the 23d February last.

A delegate was thereupon sent by the Assembly to Washington to promote its views with the British Minister and the American Government, and we have reason to hope that the interests of this colony will be considered by the Imperial Government before any treaty shall be concluded on the subject. In the meantime the Council was doing comparatively nothing, except obstructing the progress of the Assembly in useful measures. Why the mercantile portion of that body did not take action on the question can only be thus answered:

That they preferred trusting to the "secret despatches" of the executive and the combination of self-constituted "cliques," representing no interests but their own, rather than either openly brave public opinion themselves, or oblige their allies, the paid officials of the Government, at the Council Board, to do so. The Assembly, as the only legitimate organ of public opinion, would have been a sufficient guide for a constitutional executive, and a reference of such a question to a private party sitting with closed doors would not be thought of out of Newfoundland, especially where that body are doubly represented in the Council.

We shall conclude with a few general remarks on the conduct of the Executive in the transaction of the ordinary affairs of the Government. In the distribution of its patronage, it has not been guided by considerations of merit or the qualifications of recipients for the discharge of their duties. Men who were formerly degraded for misconduct in public positions have been appointed to offices of trust in preference to more deserving and competent persons. The formation of a "family compact," and the promotion of individuals in whom the public have no confidence, are characteristics of its policy. Persons who have rendered themselves odious to the popular party by their offensive conduct have met with especial favour in the estimation of the Executive; and we do not hesitate to say that one person, at least, connected with a press in the colony, the publisher of what is termed the government organ, has been encouraged by the Executive in fomenting discord among the people, by every means in his power, that divisions may be created and extended among them, and that it may appear to strangers, through that contorted medium, that the community is so divided by sectarian and other differences, as not to be fit for the enjoyment of self-government.

The colony has been deeply involved in debt through the extravagant system of government pursued, and the public have not received benefits by any means adequate to the amount of money expended on public works or local improvements. Peculation, defalcation, and a total disregard of the law have been of frequent occurrence in several of the public departments.

Favourites of the Executive have been screened in their defalcations, and the Assembly, even during the last Session, was denied the papers necessary to enable them to investigate a charge of defalcation against an outport sub-collector of customs. While the sureties of the late treasurer have been proceeded against, and his family's property has been seized under a writ of extent by the Crown, for alleged defalcations in his department, only discovered it is said after his decease, amounting to over 6,000*l.*, and extending over several years; the sureties of the present treasurer have been expressly exonerated by their bonds from liability by reason of any loss that may occur from depositing the public monies, which pass through his hands, in a local branch of a private bank, chiefly owned by parties not resident in the colony.

For over 20 years has Mr. Secretary Crowdy held his present position as Colonial Secretary and chief adviser of every successive Governor, occasionally acting as administrator of the Government. It is notorious that whoever may be the Governor, he ultimately becomes the ruler of the island. All the evils and abuses of the Government have occurred during his connexion with it; and it has often been a matter of surprise to many, that defalcations could have happened in the treasury department on which he drew, or must have known all the warrants that were drawn on the late treasurer, without his being able to detect and expose them, during the lifetime of his co-official. By an Act of the local Legislature of

1845; the secretary was constituted the receiver of Crown rents for Crown lands. In 1847, the late Mr. Templeman, who was a colonial clerk in the secretary's office, acted as clerk to the receiver, and payments were frequently made of those rents to him, he giving receipts on behalf of the receiver, who was allowed a commission for collection of five per cent. on the amount of rents received. In the year of 1852 an account of Crown rents was furnished to the Assembly by Mr. Secretary Crowdy, in which it is stated that in the year 1847 "the sum of 286 L. 8 s. 5 d. was received, but not accounted for, by Mr. Templeman in this year." This account appears in the Appendix to the Journals of the Assembly for 1852, page 284; and the evidence of Mr. Secretary Crowdy thereon will be found in page 184. This defalcation was unknown to the Assembly until years after Mr. Templeman was dead. His estate was insolvent, and the colony has been wronged of the amount. But the real defaulter, we may fairly assume, even admitting Templeman appropriated the money to his own use, is not the dead clerk, but the paid living receiver of Crown rents, whose influence and high position have hitherto screened him from justice. He acknowledges no responsibility to the people, and therefore may treat public opinion, or his individual liability, with equal indifference.

See Governor
Hamilton, No. 85,
20 February 1854,
page 37.

For want of proper and detailed returns of the expenditure in the different public departments, the Legislature has been invariably delayed in the discharge of its business; and from this cause, and the obstructive and tardy policy of the Council, the Sessions of the Assembly have been unreasonably and unnecessarily protracted, until members from distant outposts have become wearied and obliged to return to their homes before their public business had been done.

Irresponsible commissioners to superintend the erection of public buildings have been appointed by the Executive, under whom very large sums of money have been squandered in the erection of very inferior though expensive buildings. In 1851 the sum of 7,500 L. was voted by the Legislature for the erection of a penitentiary in St. John's, and the commissioners, instead of completing a suitable building for the sum, which was quite sufficient for the purpose, there being less crime committed in Newfoundland than in any other colony under the British Crown, as shown by the public records of the colony, expended about 8,700 L. in paying for the materials and erecting the basement. The Executive then applied to the Assembly for a further sum of 7,000 L. or 8,000 L. to finish the building, which was, of course, refused.

This is the system of rule pursued in your oldest transatlantic colony; the abuses to which we have referred are only mentioned as specimens to illustrate its general working. Can it be expected in all justice, that men of common sense, with a reverence for British institutions inherited from their fathers, and a knowledge of their rights, will tamely submit to the degradation of such a system? Paying all our own civil expenditure, let us have a trial of self-government, and if Newfoundland should form an exception to the other North American colonies in working out its principles, and prove itself unworthy of such a boon, disfranchise it then, and place it under the rule of some fishing admiral or naval commander, as in former days. But let it first have, what it never yet has had since Cabot first discovered it, a fair trial, and we pledge the known virtue, well-tried loyalty and intellect of its inhabitants, that they will prove themselves worthy of the concession, and capable of appreciating the blessings of self-government.

We have, &c.
(signed) Philip F. Little,
Robert J. Parsons.

His Grace the Duke of Newcastle,
Her Majesty's Principal Secretary of State
for the Colonial Department, &c. &c. &c.

(No. 2.)

My Lord Duke,

Tavistock Hotel, London, 20 July 1853.

As delegates from the House of Assembly of Newfoundland to the Imperial authorities, on the subject of its demand for a reform in its system of government, it becomes our duty to state its claim to participate in the great principles of executive responsibility, which form the fundamental basis of the British constitution, and which are therefore claimed by the people of that colony as their inalienable birthright as British subjects.

Newfoundland is the oldest colony in North America; under the dominion of our Gracious Sovereign. As early as 1540 its fisheries were considered of immense importance to England. In 1618 there were 200 English ships engaged in them; and in 1626 there were 150 ships thus employed from Devonshire alone, supplying the Spanish and Italian markets with the produce of their voyages. Such was the importance attached to their possession of that valuable island, being the key to British America, standing nearest to England of all her transatlantic possessions, and commanding both the Atlantic on one side, and the Gulf of St. Lawrence on the other; that the Ministers of William 3. did not hesitate to deem the encroachments of the French on its rich and prolific waters, as one justifiable cause of the hostilities which broke out between England and that power in the early part of that monarch's reign. The inhabitants of Newfoundland have had to sustain many a severe conflict with the French for British supremacy, frequently sealing their loyalty with their blood; and the British Navy has been largely supplied with hardy and intrepid seamen nursed upon the coasts of Newfoundland.

It is to be for ever regretted that an unwise policy induced the Imperial Government to cede a large portion of the best of the fishing grounds to our old enemies, and thus gave them

them the means of fostering a rival power upon the seas, which is growing every day into more striking importance; and as illustrating the value they attach to these possessions, the French Government of to-day chiefly rely upon their Newfoundland fisheries to supply seamen for their navy, and, to this end, expend annually the enormous sum of 3,900,000 francs.

The policy pursued towards that colony up to the year 1697, was of a most extraordinary description; all settlement was forbidden under severe penalties, and it was not until the year above-mentioned that permanent possession of land was permitted, and then, and for more than a century afterwards, cultivation was not allowed farther than a few yards from the sea-shore.

In 1763, however, there was 400 sail of shipping trading between it, the mother-country, and other parts of the British dominions. In 1764 the British Parliament established the customs in that colony, the head collector being stationed at Boston; and although the inhabitants, like their fellow-subjects in Boston, at first resisted what they conceived to be an illegal imposition of taxes, levied and spent without their consent or control; yet, unlike the latter, their allegiance has to this day remained unshaken. Their sacrifices by the course they pursued in relation to the American war were great; for when that occurred, their trade with portions of the old colonies, being now part of the United States, amounted to 250,000 *l.* sterling annually, with increasing prospects; but it has never acquired its former footing since the passing of the Act of Congress of 1775, suspending commercial intercourse with the British colonies, and the final separation of the United States from the family of British colonial brotherhood.

In 1796 the probable amount of capital vested in our fisheries was one-and-a-half million pounds sterling. So long as the French could be kept out of the field of competition, our trade, fisheries, and population flourished. In 1813 for instance, just before the close of the second American war, the exports from Newfoundland amounted to 2,848,976 *l.* sterling; by the treaty of Paris, however, our rivals were reinstated on our shores to subserve the views of Imperial policy. In 1816 there were 80,000 inhabitants on the island, and 800 large vessels employed in its trade, yielding a very large revenue to the Imperial Exchequer.

Until 1832 the system of government was arbitrary and oppressive; a few capitalists or their agents did pretty nearly as they liked with the inhabitants; there was no redress for the injured to be found in the colony, and the voice of complaint lost its force before it reached the ears of the authorities on this side the Atlantic.

In 1832, by Royal Charter, a constitution was granted to Newfoundland, executive authority being vested in a Governor and Council, possessing also legislative authority, and a separate legislative branch or House of Assembly was also thereby created. Such is the present form of our constitution. The Council are irresponsible to the Crown, to the Assembly, and to the people, both for the advice they give the Governor, and for their conduct in their executive and legislative capacities. They have invariably opposed the popular branch in all important measures of reform, and general legislation has been rendered almost impossible through their obstructive conduct. A system of responsible government similar to that in successful operation in the neighbouring colonies is loudly demanded by the people, so that the government of the colony may be conducted, in the words and true spirit of Lord John Russell's declaration of British colonial rights, "according to the well understood wishes of the people, as expressed through their representatives in the House of Assembly."

This is the only mode by which the conduct of the local Executive will become amenable to public opinion, and the Government secure that confidence, insight, and power, which are necessary for the interests of all parties concerned. At present it is without any of these essential requisites; it possesses, nevertheless, the power of doing mischief, of creating discord, and bringing its own authority into contempt, as it has done by a career of misrule and repeated unconstitutional invasions of the rights of the people.

While even Prince Edward Island, in the Gulf of St. Lawrence, with its population in 1851 of only 65,000, with imports of about 120,000 *l.*, exports 55,000 *l.*, and a revenue of not more than 25,000 *l.*, obtained responsible government—all that we seek for our old and loyal colony—while we are furnished with the strong and undeniable claim of equal constitutional right too long withheld, which her sons have, as scions of the old stock, with more than historical consequences which have resulted to England in the old colonies, and more recently in Canada, by withholding popular rights from the sturdy offspring of her loins, with the concessions that have been wisely made to the neighbouring colonies, in granting them a practical control in the management of their internal affairs, and with the declaration of Earl Grey in his Lordship's despatch to the Governor of Prince Edward Island, dated 27th December 1849, that "it cannot be too distinctly acknowledged, that it is neither possible nor desirable to carry on the Government of any of the British provinces in North America in opposition to the opinion of the inhabitants;" may we not appeal with confidence to that spirit of justice and fair play which characterises British statesmen in these days, to redress the wrongs, and grant the reasonable request to the valuable and important dependency which we have the honour to represent. Why, we would ask, should she longer continue the victim of a local selfish clique, who flourish at her expense, who misrepresent her great resources, and sacrifice her best interests for the furtherance of their individual ends. Newfoundland has at present a population of at least 120,000 inhabitants; her imports, including those of her dependencies, are about 1,000,000 *l.* sterling, and her exports exceed that sum; her area is more extensive than that of Ireland, and she possesses more than a thousand miles of seaboard indented with noble bays and safe harbours, having abundance

of rich resources; lands of cultivable character, now chiefly the resort of vast herds of wild deer; mines of various kinds lying dormant, and quarries of almost every kind of stone, besides marble, limestone, and gypsum; surrounded by waters teeming with inexhaustible supplies of fish. She has a revenue of about 70,000*l.* sterling a year, she pays her own Civil List, amounting to about 30,000*l.* annually, raised by local taxation. She registers in the custom books of her chief port, St. John's, over 1,100 vessels of 60,000 tons burthen, and 170 English vessels of 16,000 tons burthen, chiefly owned and all engaged in the trade of the colony, besides 9,989 smaller craft employed in the cod-fishery. She sends yearly to the seal-fishery 400 vessels, manned by about 14,000 able seamen, and she employs annually 25,000 persons in her general fisheries besides. She has 60,000 acres of land under cultivation, a resource of much importance to the industrious fisherman who finds his farm a substantial auxiliary to his fishery. Schools have been established, through the exertions of the Assembly, in almost every settlement, and roads are, under the same encouragement, diverging in every direction, connecting one locality with another.

The commercial relations of this important but neglected colony extend to Great Britain and Ireland, Portugal, Spain, Italy, Naples, Germany, Denmark, and many other European ports, to the British North American colonies, the British, Spanish, and Danish West Indies, the United States, South America, the Ionian Islands, Malta, France, Gibraltar, and several other parts of the world.

From the capital of the colony (which contains 20,000 inhabitants) a line of telegraph is being completed to Cape Ray across the country and Gulf of St. Lawrence in Prince Edward Island, thence to the United States of America, so that steamers touching at St. John's, which they may do in less than seven days after leaving Liverpool, may transmit news to the most distant part of the American continent several days before any other conveyance could possibly accomplish it.

Such is a brief outline of the prominent features which mark the colony whose claim to self-government we respectfully advocate; and we earnestly ask, does not the picture we have hurriedly sketched prompt you to believe that the colony of Newfoundland is equally entitled to a reformed system of government with Canada, New Brunswick, or Nova Scotia, and certainly far more entitled to it than, comparatively speaking, the very inferior Island of Prince Edward.

His Grace the Duke of Newcastle,
&c. &c. &c.

We have, &c.
(signed) *Philip F. Little.*
Robert J. Parsons.

Note.

The population of Newfoundland is at least - - - - - 120,000

The average value of Exports is as follows, yearly:		£.
Dried cod fish, quintals	1,017,674	493,014
Oil, gallons	2,744,910	319,977
Sealskins, No.	511,630	76,596
Salmon, tierces	4,025	12,024
Herrings, barrels	36,259	18,261
Bait, &c., sold to the French	-	15,000
	£.	934,872
Besides our Labrador Exports of the above articles, say	-	300,000
Total Exports	£.	1,234,872
Amount of native produce consumed in the country yearly, viz.:		
Agricultural produce	-	252,992
Fuel	-	75,000
Game—venison, partridge, and wild fowl	-	10,000
Timber—boards, house stuff, staves, hoops, &c.	-	75,000
Fish, fresh of all kinds	-	43,000
Oil	-	10,600
Vessels built in the colony	-	15,000
Total Annual Produce	£.	1,716,464
The value of Property engaged in the Fisheries yearly is	-	529,000
Sterling	£.	2,236,464

The annual Imports are at least - - - - - £. 1,000,000

We also addressed many of the Members of both Houses of Parliament, enclosing copies of those documents, and soliciting their support and the exercise of their influence in promoting the objects of our mission.

According to appointment, we then waited on Joseph Hume, Esq., M. P., at his residence in Bryanstone-square, with a copy of the Resolution of the Assembly, soliciting him to present the Address of the Assembly on the subject of responsible government to the House of Commons, and to use his powerful co-operation as an experienced and influential Member of the House of Commons on behalf of the colony. This veteran, consistent and disinterested advocate of colonial reform and popular rights, cheerfully consented to undertake the advocacy of the cause of Newfoundland, and to use every constitutional means in his power to forward the views of the Assembly, stating that he had been for nearly a quarter of a century advocating responsible government for the British American colonies, and his conviction that it was not only the right of these colonies, one and all, to possess it, but he conceived it to be the interest of the mother country to concede it.

Having then entered into a history of the abuses of the present system of rule pursued in the colony, he inquired into the extent of its resources, population, trade, revenue, and public expenditure, and expressed his surprise that Newfoundland had not been in the enjoyment of self-government as well as any of the neighbouring colonies. He then addressed a letter to the Duke of Newcastle, requesting his Grace to fix a day for our interview, and kindly offered his services to accompany us, and offer his assistance at the interview.

We were equally successful in obtaining the advice and co-operation of other influential Members of Parliament of weight with the Government.

In accordance with appointment, we waited on his Grace the Duke of Newcastle, at the Colonial Office, in the afternoon of Tuesday the 27th July. Mr. Hume having expressed his desire to introduce us to the noble Secretary, we waited in the ante-room some few minutes for him, but being engaged on a Committee then sitting on India affairs, as we learned, we sent in our cards, and were forthwith ushered into the presence of the Duke. His Grace received us in the most courteous manner. We presented the Address of the Assembly on responsible government, a duplicate of which, he stated, he had previously received and read, that he was engaged just as we entered in perusing our printed documents (Nos. 1 and 2), and he would be happy to hear any observations which we deemed it proper to offer in addition to the matters therein set forth. He then listened patiently while the grievances of the people of Newfoundland were being unfolded, in the course of which the veteran friend of the colonies, Mr. Hume, came into the office, and was heartily and blandly received by the noble Secretary, and having apologised for not being in time to introduce us, playfully said, "I dare say, however, these gentlemen were well able to introduce themselves." The Duke stated that when Mr. Hume arrived, Mr. Little was giving a statement of the affairs of Newfoundland, which he would be pleased to continue until he had concluded the remarks he intended making. After the delegates had concluded their preliminary explanations and observations, Mr. Hume remarked that the observations and facts which his Grace had thus heard with relation to the affairs of Newfoundland, were in his opinion perfectly correct; they were, however, merely a repetition of those abuses and that state of circumstances which existed under the old system of misrule pursued so long and so unwisely in the other British North American colonies; that they were in fact inseparable from such an imperfect form of government as that in force in Newfoundland; that the only cure for those evils was self-government, the concession of which, when he first demanded it for Canada, in company with the Canadian delegates, would have prevented the rebellion which subsequently occurred and distracted the peace of that fine country. That it was notorious that none of the British American colonies would be satisfied with anything short of the management of their internal affairs, and he expressed his astonishment that this important colony should be denied its rights and privileges, while the neighbouring possessions of Canada, Nova Scotia, New Brunswick, and even Prince Edward Island were progressing, with marked success, since they obtained the control of their own affairs, and that such a denial would amount to an abrogation of the doctrine of the present Ministry.

The Duke declared that he was much pleased to receive the full detail with which he had been favoured by the delegates, of the past and present circumstances of Newfoundland. That his attention had been called to the subject of responsible government some three or four months since, by the Governor of the colony, upon the adoption of the address by the Assembly, and he had given the matter some consideration, though he had not had sufficient time, owing to his Parliamentary and official duties, to decide on the matter; and after inquiring how long the delegates intended remaining in England, on being informed that they awaited his pleasure, he stated his fear that at so late a stage of Parliament, and the great amount of business then falling on him to discharge, it would, he feared, be difficult for him to consider the affairs of the colony in all their bearings upon the important question of a change of constitution during the sitting of Parliament; but that he would, at as early a day as possible, take into his serious consideration the whole case, and submit it for the decision of the Cabinet. It was true, his Grace continued, that he entertained the opinion ascribed to him, that the colonies, wherever it was found practicable, should have the full measure of responsible government conceded to them; that if they were fit for representative institutions, they were certainly entitled to self-government; that it was not the interest of the parent State, nor his desire to withhold that system of rule, but it would be admitted by the delegates, he thought, that there were objections urged against the introduction of that system into the colony at present, which might be obstacles, not insuperable obstacles certainly, but supposed or apparent ones, which, if founded in fact, might interfere with the har-

monious and effective working of such a government. These obstacles might exist, for instance, in communities which were not of one description of people; where from the nature of the population and the limited representation, it might be difficult to find a sufficient number of persons qualified to carry out the system and justify the necessary increase of representatives for that purpose, or where divisions occur between different denominations of Christians. Now, with reference to the present application, he would wish it to be clearly understood that he did not mention these as insuperable obstacles, or that he regarded them in that light; but as matters that should of course be considered with the whole question in all its points of bearings before he could be expected to arrive at a satisfactory conclusion.

Mr. Hume here said to his Grace, give the colony responsible government and all the usual requirements will be found to carry it on, as they have been found in the other colonies, particularly in the smaller island of Prince Edward, which was inferior in point of population and resources to Newfoundland; that the sectarian difference to which his Grace referred, if they existed, would soon find their level and their best corrective in the principles of executive responsibility and free government. That he was acquainted with the views of some parties, formerly connected with the trade of Newfoundland, and they were under the impression that no change should take place there that would not subserve their class interests, or meet their very contracted policy. That Sir Alexander Bannerman's administration of the affairs of Prince Edward Island formed a remarkable contrast to that of former Governors, who had invariably failed in their efforts to satisfy the people of that colony, or carry on its government successfully.

The Duke remarked, that Mr. Hume knew how sincere his Grace was in his endeavours to carry out fully colonial reform; and the instance referred to by Mr. Little, where his Grace recently expressed his opinions on the affairs of Jamaica, was an evidence of that sincerity, and as such he wished it to be regarded. After a prolonged discussion on the political circumstances of Newfoundland, the delegates requested permission to furnish his Grace with a supplemental statement in answer to the two objections that were regarded with any degree of importance by him, to which he cheerfully assented.

They then referred to the great necessity of reciprocal free trade with the United States, and the impolicy and injustice of excluding this colony from a participation in any arrangement which may be concluded on that subject.

Upon this topic, as well as upon the other, it was evident that the authorities of the Colonial Office had been misled; they believed that until they had seen the resolutions of the Assembly on free trade with the States, that the people of the island were entirely opposed to the proposition; and his Grace was therefore rather taken by surprise, when the delegates assured him that a strong desire existed in the colony to see it accomplished; they further said that it was essential to the prosperity of Newfoundland, seeing that the French had by reason of their bounties, almost excluded the colonists from many of their best foreign markets for their staple produce, and that many of our able-bodied fishermen are leaving our shores to obtain remunerative employment in the United States.

His Grace stated, that he regarded this as a subject of vast importance; that it had been for some time under the consideration of the two Governments, that his views were in favour of the most unrestricted commercial relations, and he could see no reason why Newfoundland should form an exception in any general arrangement that may be concluded with the United States on this subject, provided any deficiency which might thereby be created in the revenue could be otherwise supplied. That he was in this view quite in favour of the proposition. That there was a gentleman connected with his department, who had recently arrived from Canada, conversant with the subject, with whom he would wish the delegates to confer on the details of this question, as it might affect Newfoundland, and also in relation to the French fisheries, adverted to by them; but before concluding that interview, he was most anxious to impress upon the delegates the necessity of abstaining from extremes in reference to the fishery question, that is, with the French and Americans. In the present state of political affairs it was above all things desirable that the greatest caution should be used, one injudicious act on the part of the colonists might involve the Union in a war which might disturb the peace of the world; and rather than such should be the alternative of pressing extreme rights, it would be a question for consideration whether the sacrifice of the whole colony would not be preferable.

The delegates replied that the colonists wanted no more than their rights, fair play for their talents, and a clear field for their industry and enterprise. They had, however, been seriously injured by the competition and encroachments of the French; and added to these causes of discontent, they were stung with mortification to find the local Executive lending their influence to oppose their desire for extended markets for the produce of their labour. That if a system of rule were established in which they reposed confidence, there was no doubt but a majority of the people's representatives would always be found to give practical effect to the views of the Colonial Minister, so long as they were conducive to the welfare of the colony. But at present the people had no motive for consulting his wishes, and any change which had a tendency to relieve the country from its continued and prolonged depression, and elevate their hopes of improving their condition, would be preferable to a system of government, alike contracted in principle and practice, under which the vast and valuable resources of the colony were left undeveloped, its progress retarded, and the political existence of the colonists ignored, except for the purpose of yielding taxes, which it was only candid to assume, they would not long continue to pay, after the successful example of constitutional resistance set by Jamaica, should their reasonable demands be refused, and their legitimate rights be any longer withheld.

His Grace then requested us to furnish some statistical information with the supplemental,
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in relation to the trade and revenue of the island, and again assuring us of his anxiety to promote its prosperity, we then took our leave, well satisfied with our interview, and of the determination evinced by the noble Duke to render justice at last to Newfoundland.

On Friday the 29th July, we had an interview with Mr. Strachey at the Colonial Department, according to the request of the Duke of Newcastle, on the subject of free trade with the United States, and the encroachments of the French on the fishery grounds of the colony. This gentleman evinced a lively interest in the matter of colonial trade, doubtless he had the full confidence of the Colonial Secretary, and entered with much particularity into its various relations and details. With regard to free trade, he stated that he had been led to believe that it was the desire of the inhabitants of Newfoundland not to be included in any measure which might be adopted on the subject; and this impression was strengthened by the representations of the Chamber of Commerce of St. John's; but he now formed a different opinion, looking to the resolutions of the Assembly, though Mr. Archibald, the Attorney-general of the island, who had been with him, urged an objection to the proposition of including that colony, as the loss which would accrue to the revenue by the free admission of American produce could not be made good. We removed this erroneous impression, showing that if there were a government in the colony which could command a majority in the Assembly, there might be any change effected in the tariff which would be rendered necessary to meet the objection stated; that as increased trade was anticipated from free intercourse with the Americans, the imports as well as exports would increase in proportion, and the revenue would not consequently suffer any diminution. Mr. Little entered into an elaborate statement of the trade returns of the colony, and the advantages of reciprocity, and stated that he did not conceive that the imposition of an equal rate of five or six per cent. *ad valorem*, for mere purposes of revenue, on certain stated articles imported into the island from the United States and all other countries, or into the United States from Newfoundland, would not form an obstacle to the proposed arrangement, but if it should be objected to, it should not stand in the way of a settlement of the question, as the advantages to be derived by the colony from the measure far outweighed a deficiency of revenue, which could be easily supplied by fairly reducing the Civil List, and re-adjusting the scale of duties imposed by the local Legislature.

Mr. Strachey then stated his convictions that no measure of reciprocity would be completed without including Newfoundland in any general agreement that might be effected, or in a separate clause bearing upon her peculiar position on the score of her revenue, and that he would be happy if we would see Mr. Cardwell, the President of the Board of Trade, on this subject. We stated our consent, and he undertook to procure an interview for us with him.

The other point which was deemed of great moment by Mr. Strachey, was the Fishery question. We said with regard to the French question, Newfoundland was almost solely interested—other colonies were not engaged in taking the cod to the extent that we were, and it was in reference to the cod fishery that we complained of the encroachments of the French. He said as there could be any variety of interpretations of the treaties between the two nations on the fishery, it would be well if they could be amended so as to define the actual rights of both nations. We agreed that it would be desirable, but we trusted that in any definition of the treaties, no right now possessed by the Newfoundlanders would be infringed, and particularly that Belle Isle should not be given up, nor should any right to fish for bait on our coast be permitted. He said there was no intention whatever to give up Belle Isle, but a concurrent right to fish there was mooted. We said it would be just as well to surrender Belle Isle altogether, as to allow the French a right to fish there, it was a station of the greatest importance to a large portion of the population of the colony who traded and fished at the Labrador. Well, he said the questions on which there was a difference of opinion with the French could only be settled by a compromise on both sides, the Newfoundlanders should not be too extreme; they might be less benefited by seeking too much, as by wisely conceding a little. He thought it would be most expedient that, as residence or establishment was now forbidden on certain portions of the shore, where good soil existed, that this part of the coast should be given up to the exclusive possession of the colonists—that is from Cape Ray to a point, say equidistant from it and Cape John, and the other part should remain in the possession of the French exclusively; this would remedy the present doubtful interpretation of the treaties with respect to concurrent rights of fishery. As to allowing them to take bait, he said, it was asked for, but not up to this present moment decided; but he thought that, if we allowed the Americans the right of fishery, we could not keep the bait from the French. We said we would rather risk that than give the French any right of taking bait unless they would agree to make good the loss which such a right would inflict upon the colony. Mr. Strachey said, there was something about an offer of 5,000*l.* on the part of the French. We said such a sum was a mere bagatelle—three times that amount would not repair the damage such a surrender of our right would inflict upon the people of Newfoundland. Well, but if, said he, you will give up nothing, how can the matter be settled? We said if the British Government gave the French the right of fishing at Belle Isle, and the right to take bait, they might as well give up Labrador, if not the entire colony to the French, for it would be impossible to compete with people who receive from their Government in bounties for every quintal of fish they catch more than our fishermen can sell their's for. After a long discussion, he said the amendment of the treaties would have the best consideration of the Government, and with a due regard to Imperial interests, the interests of the colonists would be protected. We said we should be happy to convey the pleasing intelligence to the people of Newfoundland, that the British Government had no idea of giving

up Belle Isle, or of allowing the French to fish for bait on the shores of the colony. Mr. Stracey begged us not to take what he said as coming from the Government, for he did not know their views authoritatively, but he merely stated what he believed to be the disposition of the Government upon these important subjects.

Mr. Stracey kindly favoured us with a second interview, in which he entered into the details of the foregoing questions, and obtained in writing the particulars of the duties collected on the articles imported into Newfoundland, which may be exempt under the proposed arrangement of reciprocity.

The encroachments of the French were again discussed, especially with reference to the rights of the Newfoundlanders to the exclusive fishery of the salmon brooks and rivers, from which they had expelled many of our fishermen. He stated that such an assumption was not justified by the treaties. We replied that their whole system of fishery was in direct violation of the treaties; that their use of bultowes and immense cod seines, as they were in the habit of using them, was particularly injurious to our fisheries, and not authorised by, but contrary to, the "mode of fishery" guaranteed by treaty. That the Legislature had made provision for the employment of a small steamer to protect our rights and prevent our fishermen from supplying the French bankers with bait. He said that there was no objection to that course, provided matters were prudently managed, and that he hoped by that means and the exertions of the Imperial Government, these vexed questions would be speedily, amicably, and satisfactorily settled with the French Government. According to his request Mr. Little left with him Mr. Andrews's late excellent Report on the Trade and Fisheries of the United States and the British North American Colonies, and other documents in support of our views.

Upon the subject of making St. John's a port of call, for a line of steamers running from some port in the United Kingdom, to either Canada or the United States, which we also brought under the notice of the Government, we were informed by Mr. Stracey that he had no doubt that as soon as definite arrangements were made for such a line of steamers, and they began to run permanently, the British Government would send the English mails intended for Newfoundland by them, as such a step would be of great importance to the people of the colony, and appeared not only reasonable, but highly desirable.

On the 30th July, we addressed the following letter to his Grace the Duke of Newcastle, with the supplemental statement marked No. 3; and it will be seen by the tenor of these, that we placed matters in as fair and clear a light as possible, and pressed our application for a prompt and definite decision as far as we prudently could:

My Lord Duke,

Tavistock Hotel, London, 30 July 1853.

WE have the honour of transmitting to your Grace our supplemental statement of the claims of Newfoundland to responsible government, and our reply to the only two objections to the concession, which you appeared to regard with any degree of importance.

Not knowing on what facts or representations the opponents of the desired reform, connected with the local Executive, rely to support these objections, which we assume have emanated from them, and they having twice rejected in the Legislative Council, a proposition made by the House of Assembly to send delegates from both branches of the Legislature, that the question at issue between them might be fairly discussed, we have therefore embodied in our reply only such general proofs of our position as are supplied by the Journals of the Assembly, the blue books furnished by the local Executive, and our own knowledge of the affairs of the colony.

Of course, we could not be expected to meet a series of misrepresentations, with the exact nature whereof we are unacquainted, but the existence of which, we presume from the necessity the local authorities have placed themselves under, of making out some justification for the course they have adopted with reference to the repeated collisions which have taken place between the Executive and the popular branch of the Legislature.

Wide-spread public discontent and active political strife, are the natural results of a system of government resting for support on representatives directly responsible to the people, and an executive repudiating all popular control, and pursuing an arbitrary policy, subversive of the interest of the Crown and the country, with confident impunity on account of their distance from the seat of that power to which they are amenable, and whose decision they have always anticipated in their own favour, from their confidential relation to the Imperial authorities, and their consequent facility of giving a favourable colouring to their transactions.

If, therefore, evils have flown from such a source, we have no doubt that upon a full consideration of the facts, your Grace's impartial and discriminating judgment will lead you to conclude, that the faults and errors of the past—whatever they may have been—in the government of Newfoundland, and the working of its constitution, as in the neighbouring colonies, under the old regime, are rather attributable to the system, alike unnecessarily expensive to the colony, and productive of discord in the hands of unscrupulous men, who have frequently provoked resistance by the contempt with which they have treated public opinion, than to any peculiar constitution of its society, or any erroneous estimate of the value of free institutions by the people.

In conclusion, we beg to inform your Grace that, as we are desirous of leaving England in the "Lady Eglinton," which will leave Liverpool on the 18th August, and without wishing to be deemed importunate, we trust that you may have sufficient leisure to decide the case

of that old and loyal colony, in the meantime, that we may be enabled to avail of that only opportunity of direct steam communication likely to be had for some time, in completing our voyage of over 6,000 miles, and bearing, as we fervently hope, to the homes of our fellow-colonists a guarantee of your impartial justice and sincere interest in their peace and welfare.

His Grace the Duke of Newcastle,
&c. &c. &c.

We have, &c.
(signed) Philip F. Little.
Robert J. Parsons.

(No. 3.)

SUPPLEMENTAL STATEMENT.

My Lord Duke,

Tavistock Hotel, London, 28 July 1853.

ON behalf of the House of Assembly of Newfoundland, we beg to tender our sincere acknowledgments for the cordial and gratifying manner in which your Grace was pleased to receive us, in company with Mr. Hume, on the 26th instant; for the marked attention paid to our statement of the affairs of that important colony; for the frank expression of your enlightened opinions, and the lively interest manifested by you in the great objects of our mission. By the spirited subjects of that ancient dependency, who have been heretofore treated with more than ordinary neglect, the details of our interview with your Grace will be received with lively gratitude and unfeigned satisfaction. In regarding the views expressed by your Grace as the indication of an earnest desire for a reform in its Government, and a compliance with the wishes of its inhabitants, we feel confident that we form a correct estimate of your high and honourable character as a British statesman, and of that wise and just colonial policy which you have adopted as a general rule, in conferring self-government upon the colonists wherever it is practicable.

In the course of our interview with your Grace, there were two points which appeared to have some weight with you, in reference to the propriety of conceding responsible government to Newfoundland; though you very fairly stated that you did not regard them in the light of insuperable objections. The first was the supposed difficulty of finding a sufficient number of persons in the colony qualified to conduct that system, and justify an adequate increase of its representatives; and, secondly, the alleged existence of such sectarian differences among the population as might interfere with its harmonious working. In accordance with your kind permission, we shall briefly address ourselves to these objections; and, we trust, to the entire satisfaction of your Grace.

Looking at the pursuits of our population and their communication with all quarters of the world; the extent of their trade, and the knowledge they must possess to transact their affairs, and the amount of political information acquired by them in the exercise of their political rights, as well as from the agitation of constitutional questions in that and the neighbouring colonies, we would respectfully submit, that in such a population of 120,000 there would be no difficulty in finding a sufficient number of persons, qualified by their local knowledge and general intelligence, as well as by their position in society, and their professional and other pursuits, to manage their own public affairs.

It is difficult to adduce direct proof of the existence of such intelligence in the mass of the population of Newfoundland as would qualify them for representative institutions. It is only by analogy, or comparison with other colonies which possess self-government, that we can best exhibit to your Grace their fitness for the reception of those rights which, as British subjects, the people of that colony claim at your Grace's hands. We state it advisedly when we declare, that neither Canada, New Brunswick, Nova Scotia, nor Prince Edward Island has, for the extent of its population, the aggregate of intelligence enjoyed by Newfoundland. Her merchants, planters, and middle class generally, are inferior to none in ordinary intelligence; and it is from these classes, who are sufficiently numerous, that the future legislators of the colony will invariably be drawn. The electors, the greater proportion of whom include the mechanics and fishermen who are householders, are not in the least of an inferior grade to the same class in England—possessed of great morality, discretion, and peculiar genius and industry, rarely to be met with elsewhere among the same class of men. It is no uncommon occurrence in Newfoundland for a planter to fell and bring out of the forest timber and other materials necessary to construct a vessel, to build her from keel to topmast himself, and afterwards to take charge of and navigate her in prosecuting the trade of the colony. Surely, then, such men are not to be supposed devoid of that intellectuality which would qualify them to become the recipients of a system of constitutional rule, under the enjoyment of which they observe their sister colonists thriving, and excelling in every social respect, while they are struggling beneath an anomalous representative form of government in which they place no confidence.

An objection similar to the first was urged by Earl Grey with reference to Prince Edward Island, with its more contracted population and resources, where it was more likely to hold good than in Newfoundland; but practical experience has shown that even there, under the enlightened administration of Sir Alexander Bannerman, there existed no real foundation for the assumption.

The increase of our representatives has been deemed desirable by the Assembly, for the despatch of public business, with a due regard to the proper subdivision of legislative labours,

labours, especially as the Government have taken little or no part in the preparation of general measures of legislation. Bill after Bill has passed the Assembly to duplicate the present number of its members, leaving the existing electoral districts as they were established by Sir Thomas Cochrane in 1832; the Council rejected these Bills, and another measure on this subject, of a compromise character, adopted by the Assembly last Session in a spirit of conciliation towards the Council, and sought the substitution of a close borough system, by subdividing certain districts, which would have the effect of concentrating undue influences in small localities and thus endanger the integrity of the representative principle. Hence no law has been formed on this subject by the local Legislature, and we deem it utterly hopeless to expect the present Council to agree to any just or generally acceptable measure on this head.

With reference to the second point, we would respectfully refer to the relative numbers of the different denominations of our population, and the amount of patronage they respectively hold under the Government of the colony, which may afford your Grace some clue to the motives of the few individuals connected with the local Executive, who have raised and resorted to every unfair means in exaggerating this objection. According to the Census of 1845, there were in the island,—34,291 members of the Church of England; 15,230 Dissenters, nearly all Wesleyan Methodists, making together 49,521 Protestants; and 46,995 Catholics. The members of the Church of England enjoy 18,500 l. sterling, yearly, out of the civil official expenditure; the Wesleyans 500 l., other Protestant Dissenters, numbering 970, 2,280 l. and Catholics 4,593 l. The Executive and Legislative Council consists of six members of the Church of England, three Dissenters (none of them Wesleyans), and one Catholic. During a period of 20 years, and five general elections, the number of Protestants returned to the Assembly was 39, and 36 Catholics. In six of the nine electoral districts into which the island is divided, there are a majority of Protestant electors, both collectively and separately, as shown by the annexed abstract from the Census of 1845. Although these districts have possessed the numerical power to return members of their predominant persuasion, yet several of them, like the districts where the Catholics are in the majority, have returned persons of different creeds as their representatives. Under such a state of facts, taken from the records of the colony, we are confident that your Grace will see that this objection is only a pretext put forward, most certainly not by your Grace, but by the local clique, as an expedient to prolong their tenure of irresponsible power.

Objections similar to this were strongly urged against the concession of self-government to several of the neighbouring colonies. In many of them there were stronger sectarian differences to be encountered than ever existed in Newfoundland, and more serious consequences have resulted from them at one election, in Prince Edward Island, under the old system, than ever has or ever will likely occur in our colony, whatever may have been the misrepresentations of interested parties to the contrary.

The population of Canada affords another illustration, not only of rife sectarian differences, but also of strong antipathies arising from national distinctions of race and language. Until a proper system of government was there established, that fine country was torn with internal dissensions, and enjoyed neither peace nor prosperity. Under the reformed administration, which has for its foundation equal rights to all denominations, the organization of society has been improved, and the genuine feelings of British loyalty and freedom, which exist in all British North America, have been strengthened in Canada and all the lower provinces, in the enjoyment of self-government; the principles of which are calculated to rectify the differences to which we have adverted. Where all are equally interested in the proper and economical management of public affairs, and where there is no peculiar Church establishment to be affected by the change, or supported by the colonial Legislature, there is really no force in the objection. No undue sectarian ascendancy is sought by the reformers in Newfoundland, and it is evident that none would be tolerated or practicable; but the Government of the colony should, of course, pay a due regard to the fair claims of all denominations.

For these reasons, and those previously advanced, we trust that your Grace may be induced to see that such objections are devoid of merit; and that you will, by the exercise of your authority, cause the present Council to be dissolved, distinct Executive and Legislative Councils created, and the salutary principles of responsible rule fully enforced in the colony, that harmony may be established between the co-ordinate branches of the Legislature, and the best interests of the country thus promoted.

We have, &c.
(signed) Philip F. Little.
Robert J. Parsons.

His Grace the Duke of Newcastle,
&c. &c. &c.

ABSTRACT—Census of 1845.

DISTRICT.	PROTESTANTS.	CATHOLICS.
Conception Bay - - - -	16,446	11,580
Trinity Bay - - - -	7,518	1,283
Bonavista Bay - - - -	5,418	1,809
Fogo - - - -	5,616	1,128
Burin - - - -	2,407	1,951
Fortune Bay, including La Poil, which is not in the electoral district.	4,703	392
St. John's - - - -	6,211	18,985
Ferryland - - - -	169	4,412
Placentia and St. Mary's - - - -	1,018	5,455

Which return 9 members to the Assembly.

Which return 6 members to the Assembly.

To this communication we received the following reply:—

My Dear Sir, Colonial Office, 1 August 1853.
 THE Duke of Newcastle is very much engaged at present, but hopes to be able to fix some time for the pleasure of seeing you again before you leave England; that with respect to your note of Saturday, the Duke wishes me to remind you that you were expressly told by his Grace that it would not be in his power (however willing) to come to any decision on the affairs of Newfoundland during the sitting of Parliament, and that before promulgating any such decision, when arrived at, it would be necessary for his Grace first to communicate his views to the Governor of the colony.

Believe me, &c.
 (signed) Henry Roberts, Private Secretary.

P. F. Little, Esq.
 R. J. Parsons, Esq.

On the receipt of this communication we addressed the following letter to his Grace, and transmitted it, with Mr. Hume's of the same date, to the Colonial Office:

My Lord Duke, Tavistock Hotel, London, 4 August 1853.
 THE House of Assembly of Newfoundland having requested us to solicit a Member of the House of Lords to present to that branch of the Legislature an address similar to that which we had the honour of presenting to you on the subject of responsible government, we take the liberty of soliciting your Grace to honour the colony we represent by taking charge of it, if you have no particular objection to its presentation. We are induced to make this request from our unbounded confidence in you, and your expressed desire to meet the wishes of the inhabitants of that colony.

With reference to the communication which we had the honour to receive from Mr. Roberts, on the 1st instant, we earnestly hope that your Grace may be enabled, consistently with official rule, to comply with the request contained in Mr. Hume's note, herewith enclosed, which fully expresses our views.

His Grace the Duke of Newcastle,
 &c. &c. &c.

We have, &c.
 (signed) Philip F. Little
 Robert J. Parsons.

Mr. Hume's Second Letter to the Duke of Newcastle.

My Lord, Bryanston-square, 4 August 1853.
 AFTER the interview I had the honour to attend with the deputies from the Assembly of Newfoundland, and the satisfactory manner in which you received their communications, I hope you will be able to give these gentlemen some assurance as to the probable course you will recommend to the cabinet as to placing that colony on the same footing of responsible government as Prince Edward Island and other British North American colonies.

I am not aware of any objections to give Newfoundland, as soon as leisure shall permit the necessary arrangements, that kind of government which Lord John Russell stated was the best for the colony of Canada, and which Lord Grey intimated in his despatch was necessary, when general objections existed to the present Government.

These gentlemen do not consider that they will have fulfilled their instructions, and the confidence placed in them by the Assembly of the island, if they return without some more decided and definite answer to their reasonable and constitutional request.

I have presented the petition of the Assembly to the House of Commons, and only recommended it to the favourable consideration of the Commons.

I am anxious that nothing more should be said in the Commons, and that the deputies should be able to leave England with such an assurance from your Grace as would warrant their going back.

I shall be obliged to you at an early time to give this note, and the request of these gentlemen, your favourable consideration.

The Right Hon.
His Grace the Duke of Newcastle.

I remain, &c.
(signed) *Joseph Hume.*

While waiting for a reply to these letters, we determined to request an interview with Frederick Peel, Esq., M. P., Her Majesty's Under Secretary of State for the Colonial Department; and having addressed him a note for that purpose, we received a polite reply from him, in compliance with our desire.

We proceeded to the residence of Mr. Peel, in Whitehall-gardens, on the morning of the 9th of August, and were received very affably. We entered at once into the objects of our mission, having previously furnished him with printed copies of the general statements which we had addressed to the principal of the Colonial Department. We gave him a truthful description of the parties in Newfoundland for and against reform; of its great resources; its healthful and invigorating climate; the nature of its anomalous government; the enormous amount of the Civil List; the abuses of Executive authority; the repeated violations of the Council and the Executive of the privileges of the Assembly; and the misrepresentations of the local authorities to the Colonial Office. After a preliminary discussion, he asked if legislative and executive functions were combined in the Council? How many officials had seats at the Board? And whether all were nominees of the Crown? We particularized the number of officials, and stated that the entire body were Crown nominees; he took notes of our replies. We detailed the number and nature of the Bills of the Assembly which they had rejected; and he seemed astonished that they should have rejected them; particularly the Census Bill.

He inquired if there was no officer of the Government in the Assembly to explain the views of the Executive? We stated there was the Solicitor-general; but he was not a member of the Executive, and was supposed to act only according to instructions; and that he had been appointed to the office since his election. He then asked if there was any obstacle to an officer of the Government being elected? We stated there was none. He said it was not the policy of the Imperial Government to refuse responsible government to any colony which was generally desirous of having it. We said that there was only a small number of monopolists in Newfoundland, who opposed the introduction of that system. Monopolist, he said, was a strong term; how were they monopolists? and having satisfied him on that point, he asked if, in the event of responsible government being conceded, how many offices would be considered political? and having stated our views on this head, by a reference to those considered so in the neighbouring colonies, he asked whether we would consider the Surveyor-generalship one of these, as that was a situation requiring some knowledge of certain duties, and some experience; and he thought the same with respect to the Collector of Customs. We said that we considered these offices as political ones; and with regard to the latter, the Royal Instructions made that official one of the Council, and consequently a political office. He then referred to the number of representatives as very small. We agreed with him, and showed our anxiety to increase the number by duplication, without dividing the districts; and that the Council refused to assent to any increase unless by a division of districts, which would destroy the present impartial basis. He then referred to the nature of the present system of voting; and inquired whether it would not be an improvement to allow each voter to have a vote for each member to be elected; that is, to give a voter in St. John's for instance, if there were six candidates, six votes, and allow him to give the whole six for one candidate; thus, he said, affording the minority, who might otherwise be unrepresented, the power of electing a representative? We did not comprehend how this would answer, and did not, on the impulse of the moment, express any opinion upon it, further than that we should consider it. He asked, had the colony improved or received benefit by the Legislature since its establishment? We replied that it had, but by no means adequate to the amount of taxation imposed on the people. We explained the general nature of the improvements, in opening roads, diffusing education, erecting public buildings, &c. If responsible government should be granted, he asked, would the Assembly assent to a permanent Civil List Bill? We replied in the affirmative, provided the Bill were such a one as would be justified by the circumstances of the colony; that attempts had been made to pass such a measure, having a prospective operation, but as it necessarily reduced the official salaries, it was rejected by the Council; that it was unjust to maintain an Imperial scale of salaries in a small colony, at the cost of the colonists, and refuse them the power or right of reduction; that it was equally unjust to impose upon 120,000 colonists the payment of over 3,000,000 sterling yearly for a Governor, who was, generally speaking, unacquainted with the island, its people and resources—whose policy was shaped and directed by a few leading officials in the island, who have usually managed to get the Governor to commit himself to them, bring him in contact with the Assembly, and oblige him sooner or later, in self-defence, to malign the people and the popular branch of the Legislature, in justifying himself before the Imperial Government, and endeavouring to retain the confidence of the Colonial Minister for the time being; while the State of Maine

numbering nearly 700,000 inhabitants, who elect their own Governor for his local and general knowledge and his identity with the country and its present and future welfare, only paid him about 625*l.* a year. We were satisfied to pay our public servants according to their merits and their positions, but no more. Reference was also made to a permanent Revenue Bill by him. If the representation were increased, he asked, could qualified persons be found in the outports to represent them? We replied that if the electors of the outport districts conceived that persons from their own localities would best promote their interests and represent their opinions, they could have no difficulty in finding such persons among themselves. In many of them such was the case at present, while in some instances they have chosen persons residing in the capital as their representatives.

We then referred to free trade, and showed the views of the Assembly upon that and other important questions under discussion. He said that the Government were in possession of the views of the Assembly, and that Newfoundland should necessarily be included in any arrangements which should be effected with the United States on this subject, as the resolutions of the Assembly must be regarded as reflecting the opinions of the people of the colony.

A variety of other subjects were brought under his notice, and fully discussed. In closing the interview, the delegates expressed their gratification at the opportunity thus afforded them of placing the views of the Assembly before the Government; as it had heretofore been the practice of the local authorities not only to misrepresent the people, but the Assembly, and they attempted last Session to force the Assembly into a premature exercise of its powers of resistance and the adoption of extreme measures, before they were enabled to place their opinions fairly before the home Government; but if any unforeseen circumstances should unfortunately arise hereafter to oblige the popular branch to adopt any such course as the Assembly of Jamaica had successfully adopted in vindication of their rights—a course, however, which they did not anticipate there would be any necessity to follow,—they would then rest satisfied to abide the consequences, having done all in their power to avert such a result, and that the Imperial Government would judge of their motives and their conduct from the representations of the delegates, and not through the contorted medium of any local authority inimical to colonial freedom. In plain terms, and to speak frankly, that they were pledged to impose no more taxes on the people unless they were granted the management of their own internal affairs. Reposing the fullest confidence in the present Ministry, we expressed our hope that as “all reason and experience prove that those rulers give twice who give quickly,” a speedy concession of rights too long withheld, may justify our high opinion of their intentions.

The interview then terminated by his assuring us that the Government had no interest in one system more than another—(except, remarked the delegates, in lightening the work of the Colonial Office, by throwing the duties of government, in a large degree, upon the shoulders of a responsible Council)—that the subject of self-government should have the earnest attention of the Cabinet during the recess, and thanking us for the important information we had communicated to him.

Having maturely weighed the suggestions made by the Under Secretary of State on the matters submitted for his consideration by us, we deemed them so important as to require a more formal and decided expression of our opinion than we had time or opportunity to give at the interview, and we accordingly addressed a letter to him, of which the following is a copy:

Sir,

Tavistock Hotel, London, 10 August 1853.

WE have the honour to tender our sincere thanks to you for the very satisfactory interview with which you were pleased to favour us on yesterday, relative to the affairs of Newfoundland.

With reference to the question of any alteration in the representation of that colony, we beg to repeat the deliberate opinion of the Assembly, that judging from the past, no change would be agreed to by the Council on this subject, that would be generally acceptable to the public, and consequently, that a reform in the system of government must take place before the consent of the co-ordinate branches of the Legislature can be had to a fair measure for increasing the number of representatives. The evils of which the colonists complain originate not in the Representative, but in the Executive department of the government, and the Assembly do not conceive that they would be justified in assenting to an alteration, or mutilation rather, such as the Council desire, which would not improve the latter; and having taken time to consider your novel suggestions, which was cursorily touched by you, and not maturely weighed or discussed by us at the interview, as to allowing each elector as many votes as there might be Members to be returned, with the option of giving all his votes to a single candidate, or to divide them among different ones at his pleasure; we take leave to remark, that however well such a system may be adapted, as an experiment, to the election of a Legislative Council at the Cape of Good Hope, the whole of which forms but one electoral district, we are positive it would not by any means answer or be acceptable for the election of a general assembly in any colony of British North America, subdivided into nine electoral districts as Newfoundland is, and accustomed to the old British practice of voting common to all the British American provinces. With these divisions of districts, the change suggested would virtually contract the basis of the representation, and give to the smaller number of voters, as much real power, if not more, than to the larger number, while the territorial divisions remain untouched; thus in a district of 4,050 voters, 2,500 of whom vote for six candidates, and the remaining 1,550 for three opposing candidates, the latter three would be elected by an apparent majority of 600 votes, while

while they were in an actual minority of 950, without the existence of any difference in the qualification of either set of electors.

We would respectfully remind you, that the right of self-government has been affirmed by three distinct Houses of Assembly in Newfoundland, two-fifths of one of these were nominees of the Crown; that according to the expressed opinions of the Members of Her Majesty's present government, that resolution must be regarded as the emanation of the only legitimate organ of public opinion in the colony; and that, having implicit confidence in the equal justice of their colonial policy, it is our sole desire, that the cause we advocate for a loyal people of thoroughly British origin, should rest upon the "broad and solid principles of truth and justice," practically demonstrated by the present ministry towards the colonies, and avowed by several previous Colonial Ministers, particularly by Earl Grey, in a despatch to the Right honourable Sir H. Pottinger, of the 2d November 1846, with reference to the Cape of Good Hope, wherein his Lordship states, that "without anticipating the views which you may form in communicating with the colonists, best qualified to afford you their aid, I, for the present, confine myself to the statement, that on a question of this nature, some difficulties may be wisely encountered, and some apparent risks well incurred in reliance on the resources, which every civilized society, especially every society of British birth or origin, will always discover within themselves, for obviating the danger incident to measures resting on any broad and solid principle of truth and justice. On such a basis, as I am convinced rests the policy of entrusting the remote dependencies of a metropolitan state with the largest powers of self-government, in whatever relates to their internal and local affairs." * * * * "I have ever been a convert to the opinion that, so soon as it is practicable, our colonies should be placed upon a footing of equality with the parent country, as tending to render them far sooner, and to a much greater degree useful to Her Majesty's dominions generally, by adding to their power and mutually cementing their union. There is a current conducting to liberal measures, which is progressing quietly but irresistibly, and can neither be stemmed, nor ultimately averted; and as the Attorney-general remarks, 'no privileges are so sure to be abused as principles wrung from reluctant hands.'"

In conclusion, we would remark that the people of Newfoundland have been wearied with anomalous and un-British constitutional experiments. If these have failed to give satisfaction, that only proves the superiority of the real principles of the British constitution, which have been tested for ages in the parent country, and have restored peace to your disturbed possessions; wherever they have been faithfully administered. They, therefore, anxiously desire to "be placed upon a footing of equality with the parent country and their sister colonies." If occasion should unfortunately arise, then would they prove their loyalty to the Crown, and their gratitude for justice at any sacrifice. But what motive can they have for peace, or how can they be expected to be contented, we would most respectfully suggest, under a system of government which so far discards their material interests as to attempt to sacrifice their staple pursuit to local monopolists, by opposing free trade with the United States, in the face of the various competition which they experienced from the subjects of France.

Frederick Peel, Esq., M.P., &c., &c.

We have, &c.
(signed) P. F. Little.
R. J. Parsons.

WE waited on Mr. Hume on the morning of the 10th August, for the purpose of determining on our future movements, but found that he had left home on business. In the course of the day we received the following note from him—

Bryanston-square, 10 August 1853.

"Mr. Hume presents his compliments to Mr. Little, and regrets that great press of business should have prevented him from seeing Mr. Little and Mr. Parsons this morning. Mr. Hume will be out of town all day to-morrow, but he, on Saturday morning at 10 o'clock, will be glad to see Mr. Little and Mr. Parsons if they can favour him with a call."

"Mr. Hume sends Mr. Little a copy of the Duke of Newcastle's note to Mr. Hume, which he requests may be treated as private."

According to appointment, we met Mr. Hume, and having fully discussed the noble Secretary's letter to him, and the favourable position of our affairs, and satisfied ourselves that we had done all that was practicable, Mr. Hume entirely concurred in this view, and embodied his noble sentiments in the following excellent declaration of the rights of Newfoundland, and addressed to the Secretary of State—a document which, independently of all his other valuable services to the cause of our country, entitles him to the lasting gratitude of the colonists, whose sincere and well-tried friend he has proven himself to be upon more occasions than this:—

My Lord Duke,

Bryanston-square, 12 August 1853.

I HAVE seen Mr. Little and Mr. Parsons, deputies from Newfoundland, since the receipt of your letter to me of the 5th instant, and placing, as I do, perfect reliance on the desire on your Grace to place the valuable colony of Newfoundland on the same footing of responsible government as the other British North American colonies; and knowing that the Cabinet

are at this time pressed by questions of foreign policy, as well as of domestic arrangements, I quite agree with your Grace that you should have time to give the important request made by the Assembly of that island the fullest consideration. I have recommended these gentlemen, therefore, not to urge their request for any more definite answer, than the favourable assurance you gave them at the interview when I was present, and to return to Newfoundland without troubling you more with their application. On behalf of the colony I would, however, remind your Grace, that the request now made by them for "responsible government" has been affirmed by three or four Houses of Assembly, and that the large majority of the inhabitants are anxious to be placed on the same footing as Prince Edward Island and other British possessions.

They consider that their loyalty to the Crown, and the comparative greater importance, in many respects, to the adjoining British possession of Prince Edward Island, fully and fairly entitle them to the same boon of self or responsible government, and they anticipate the same favourable results from a similar concession.

I hope at the same time, in justice to the Assembly and to the people of the colony, that you will direct the publication, by the Government of the island, of the decision of Her Majesty's Cabinet as soon as it can be made. With these opinions and impressions of what should be done at this time, I hope the deputies will be inclined to act as I have advised.

As an anxious friend to the British colonies, and an earnest advocate for equal justice, as the best means of promoting contentment, and of increasing the prosperity of the colony of Newfoundland,

I remain, &c.
(signed) *Joseph Hume.*

Tavistock Hotel, London,
12 August 1853.

My Lord Duke,

WE have the honour to express our concurrence in the course suggested by your Grace, and approved of by Mr. Hume, in the accompanying note. He has kindly consented to continue to communicate with you, if necessary, on the affairs of Newfoundland.

In taking our leave of your Grace, we beg to assure you that we are impressed with the conviction that the affairs of that colony shall be fairly and finally arranged by you, at your earliest convenience after the rising of Parliament. We have no doubt that upon a full consideration of its claims for justice, and all the circumstances connected with its present condition, with regard to its future welfare, you will be enabled to arrive at a satisfactory conclusion, by following the dictates of your own unbiassed judgment, and only giving the proper weight to the representations of parties interested in defeating the cause of good government in that important colony, which involves its permanent peace and prosperity. In conclusion, we hope that the decision of the Government may be published in the "Royal Gazette" of Newfoundland before the next meeting of the local Legislature.

We have, &c.
(signed) *P. F. Little.*
R. J. Parsons.

His Grace, the Duke of Newcastle,
&c. &c. &c.

Dear Sir, Tavistock Hotel, 12 August 1853.

WE took our leave of the Duke of Newcastle, and he gave us every assurance of his good intentions towards the cause of Newfoundland.

In due time we shall remind you, to move for copies of the despatches, public and confidential, which have passed between the local Government of Newfoundland and the Colonial Minister since 1848, on the subject of the constitution of that colony, responsible government, and the establishment of reciprocal free trade between the United States of America, and Newfoundland. In fact, we shall leave it to you when it would be prudent to move for them.

We saw Mr. Cardwell, or rather one of us saw him, and on the whole we have reason to regard the question of reciprocal free trade, so far as Newfoundland may be concerned with the United States, as in a safe position.

With sentiments of the deepest gratitude for your great kindness to us and the people of Newfoundland, who will remember it with equal gratitude, we wish you a prolonged life and health to continue the friend of justice and humanity, while we remain,

Dear Sir,
Your's most faithfully,
(signed) *P. F. Little.*
R. J. Parsons.

Joseph Hume, Esq., M.P.

To provide against disappointments in the chapter of accidents, we deemed it prudent to solicit the support of the able and energetic Member for Manchester, John Bright, Esq., among other influential Members of the Imperial Parliament. He was so kind as to remain in London for a day, on which he had previously arranged to go to Portsmouth, for the purpose

purpose of affording us an opportunity of laying our case before him, an act of kindness for which we felt deeply grateful. We found that gentleman manly and straightforward in his views of colonial government, and after discussing the affairs of Newfoundland, in which he manifested a lively interest, expressing surprise that the Government should have withheld the concessions demanded by the colonists, he cheerfully consented to use his exertions, in unison with Mr. Hume and other Parliamentary friends of colonial reform in the Imperial Parliament, in vindication of our rights, should occasion require them.

We subsequently received the following official despatches from Mr. Peel, the Under Secretary of State for the Colonies, one of them having been sent to the local Government for us.

Gentlemen,

Downing-street, 13 August 1853.

I AM directed by the Duke of Newcastle to acquaint you, that, in compliance with your request, his Grace has presented to the House of Lords the petition from the House of Assembly of Newfoundland, on the subject of responsible government, referred to in your letter of the 4th instant.

I am, &c.

(signed) *Frederick Peel.*

P. F. Little, Esq., and
R. J. Parsons, Esq.
Tavistock Hotel.

Gentlemen,

Downing-street, 13 August 1853.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 31st ultimo, transmitting a supplementary statement of the claims of Newfoundland to responsible government.

In reply, I am to acquaint you that, with every disposition to accede to your wishes, for an early intimation of the decision of Her Majesty's Government on the important question to which your letter and its enclosures refer, it will be impossible for his Grace to announce that decision until the prorogation of Parliament shall have afforded the requisite leisure for considering the subject. But no unnecessary delay shall take place in undertaking that investigation.

I am, &c.

(signed) *Frederick Peel.*

P. F. Little, Esq., and
R. J. Parsons, Esq.
Tavistock Hotel.

Having allowed sufficient time to expire, after our return to the colony, to enable the Imperial Government to obtain the views of the local Executive on the statements and charges made by us, and to arrive at a decision upon the two principal questions submitted by us, we addressed a letter to Mr. Hume, requesting him to ascertain if any decision had been come to, and if not, to urge the affairs of the island upon the attention of the Duke of Newcastle, that we might be enabled to obtain definite information as to the contemplated policy of the Government before the opening of the Assembly. We give the correspondence upon this renewed effort, with the exception of the letter of the Duke of Newcastle to Mr. Hume, of the 21st November, which we regret we cannot publish, as it is marked "private," and was only transmitted to us for our guidance.

St. John's, Newfoundland,
17 October 1853.

Dear Sir,

UNDERSTANDING by information of a reliable character, which we have just received from Washington, that negotiations are progressing between the British Government and that of the United States, on the subject of reciprocal free trade between the latter country and the British North American colonies, and that Mr. Crampton, the British Minister, has not yet received any definite instructions from the Imperial Government with reference to Newfoundland, we are therefore obliged respectfully to request you to apply to the Duke of Newcastle on this important question, and ascertain if the Cabinet have arrived at a decision upon it, and the more important one of responsible government. Fearing that foreign questions have engrossed the attention of his Grace, and that we may be driven to adopt a course similar to that resorted to by the Assembly of Jamaica, if redress be not granted without any further delay, we are, therefore, under the necessity of soliciting you to remind his Grace of his promise to you and to us that he would take up the affairs of this colony as soon as leisure would permit after the rising of Parliament. The people of this island

island will not submit to be kept in a state of suspense, and at the same time assent to our continuing to impose taxes on them for the support of an arbitrary and ruinous system of government. They are exceedingly grateful for your able and patriotic exertions. May we request their continuance—the favour of your early attention to this matter, and that you will be so kind as to inform us of the result of your application, while we have the honour to remain,

Joseph Hume, Esq., M.P.
&c. &c. &c.

Dear Sir, &c.
(signed) P. F. Little.
R. J. Parsons.

Gentlemen,

Burnley Hall, Norfolk, 17 November 1853.

I RECEIVED your letter of the 17th ultimo, and regret to learn that you have not had any communication from the Duke of Newcastle, on the two questions of "reciprocal free trade" and of "responsible government," which his Grace assured you, at the interview which I attended in Downing-street, should receive the early consideration of Her Majesty's Government.

I am aware that the affairs of the east of Europe have engrossed much of the time of the Cabinet, but the important questions submitted by you from the inhabitants of Newfoundland, ought not to have been neglected, and I shall immediately remind his Grace of the promise made, and of the necessity of not deferring longer to attend to your colony.

I shall communicate the result of my application, and remain,

P. F. Little, Esq.,
R. J. Parsons, Esq.,
St. John's, Newfoundland.

Yours, &c.
(signed) Joseph Hume.

P. S.—You may rest assured that I shall do all, in my power to direct the attention of the Government, and of Parliament, if the Government do not attend to your late communications. A petition in readiness to be presented to Parliament, as I shall judge requisite, would be a prudent measure.

(signed) J. H.

Gentlemen,

Burnley Hall, Norfolk, 24 November 1853.

I WILL not lose a post in sending you a copy of my letter of the 18th instant, to his Grace the Duke of Newcastle, and of his speedy answer to the same, for your guidance.

If you do not receive, as his Grace promises, an answer to your communication, I shall be ready to forward any letter you may wish to send him.

I would advise moderation in the communication, as there are difficulties which his Grace has in his way to do as he might like.

Messrs. Little & Parsons.

I remain, &c.
(signed) Joseph Hume.

My Lord,

Burnley Hall, Norfolk, 18 November 1853.

WHEN I had the honour of an interview with your Grace, to urge attention to the petition and memorial from the Assembly of Newfoundland, you stated to Messrs. Little and Parsons, the delegates from thence, that the matters submitted by them, viz.: that of free intercourse with the "United States," and a "responsible government" for the island, were then under the consideration of Her Majesty's Ministers; but that the pressure of business before Parliament at that time, prevented the subject from being properly considered.

You promised an early consideration of the important questions which these gentlemen had submitted, and that you would communicate with them.

I received a letter from Messrs. Little and Parsons, a copy of which I enclose; and I submit that, in the absence of information from you, the report of what is going on at Washington may be erroneous, and thus have misled them; but as they are very desirous to have the reforms required in Newfoundland carried through quietly, and to the satisfaction of the Assembly, I can sympathise with them in the anxiety they express to hear from your Grace, on the subjects submitted by them to you.

I am anxious to see responsible government established in every colony and possession (India excepted), and I desire to see every impediment to the free trade intercourse of nations removed as speedily as possible.

I have, &c.
(signed) Joseph Hume.

His Grace, the Duke of Newcastle, &c. &c. &c.

Downing-street.

Dear Sir,

St. John's, Newfoundland, 14 December 1853.

We have the honour to acknowledge the receipt of your respected favours of the 17th and 24th ultimo, with a copy of your excellent note of the 18th to the Duke of Newcastle, and his Grace's reply of the 21st ultimo.

A proclamation has been issued by our Executive, convoking the Assembly on the 31st January next. There is, therefore, a pressing necessity for an immediate decision by Her Majesty's Government upon the important questions submitted by us for their consideration, as the public are anxiously looking to the opening of the Legislature to know it, and the policy of the Assembly will be altogether influenced by the conclusion at which the British Cabinet may arrive. In fact, we anticipate that neither harmony, nor any measure of general practical utility will emanate from the different branches of the Legislature under the present constitution. Legislation will not, therefore, according to our apprehension be attempted by the Assembly, as it is worse than fruitless to expect the co-operation of the Council, except on the most humiliating terms, and at the sacrifice not only of principle, but also of the substantial interests of the country.

We have not only deemed it prudent, but our imperative duty to place these views before the Duke of Newcastle in the enclosed communication, which we have written according to your suggestion; and we shall avail of your very kind offer to place it in his possession, with such remarks as you may think proper to accompany it. We continue to entertain the most favourable opinion of his honourable intentions towards Newfoundland, but fear that the affairs of Eastern Europe may engross so much of his attention as to deprive this colony of the benefit of his immediate personal exertions in its behalf. There never was a period in its history, which demanded the aid of a wise and vigorous Government as the present, to improve the condition of the country, to promote the development of its vast dormant resources, to avert impending ruin, and secure its productive industry for its permanent improvement. The old system of trade has almost worn itself out; its redeeming qualities have disappeared and left little behind, except some of its worst effects on the operative population, who are consequently generally in a very dependent state, and many of them weekly quitting the island.

Reciprocal free trade with the United States will infuse new life, enterprise and capital into our trade and the prosecution of our fisheries, and in our opinion, go far to remedy the evils of the present system of trade.

Our Government is totally devoid of power, and is only tolerated in lieu of something better. Nothing good is expected from it, and even its former supporters admit the necessity for a change.

We should be very anxious to be particularly advised of the Duke of Newcastle's views on our affairs by the opening of the Assembly, as we should wish, if possible, to avoid, or prevent as far as may be in our power, the adoption of any course that would not meet with his and your entire approval. Any information which you shall therefore be enabled to supply in this respect, will be gratefully acknowledged.

Renewing the sincere expression of our high regard for your zeal and ability in the cause of this old and loyal colony, and soliciting the honour of your further interference for its welfare.

We remain, &c.

(signed) *Philip F. Little.*
R. J. Parsons.

P. S.—We shall forward a petition to you, if necessary, from the House of Assembly, to be presented to Parliament, or pursue any other course you may advise.

(signed) *P. F. L.*
R. J. P.

My Lord Duke,

St. John's, Newfoundland, 14 December 1853.

ACCORDING to the expressed desire of your Grace, when we had the honour of seeing you in London, we refrained from importuning you for an answer to the memorial and petition of the House of Assembly of this island on the questions of responsible government, and reciprocal free trade with the United States, in the confident expectation, that, as soon after the rising of Parliament as leisure would permit, you would fully consider them, and communicate to the Governor the decision of Her Majesty's Government upon these important subjects. Having recently requested Mr. Hume to ascertain the result of your deliberation on these matters, we have learned from that respected friend of the colonies, that foreign affairs had so engrossed your attention as to prevent your coming to a definite decision upon them up to the 21st ultimo.

As a proclamation has been issued by our Governor, convening the Legislature on the 31st January next; when it will be expected by the colonists and the Assembly that your views upon these vital questions, which have agitated the public mind so intensely, shall be made known, we have deemed it our duty, in discharging the trust reposed in us by the people, through their representatives, to impose so far on your kind disposition as to make this last appeal before the opening of our Assembly to your high and honourable principles as a British statesman, to place this old and loyal colony on a footing of equality with the neighbouring

neighbouring provinces, as to self-government, and a participation in any arrangement that may be effected with the American Government on reciprocity.

It is but candid that we should inform you, that, judging from experience, it will be perfectly useless for the Assembly to attempt any practical legislation with the Council under the present constitution, except at the sacrifice of its rights and the substantial interests of the country to the assumptions of the irresponsible nominees of the Crown. The Assembly has already submitted to so many repeated acts of humiliation, that no independent member in it will feel himself justified in consenting to a renewal of that course. We fear, indeed, that according to our pledges to our constituents, we shall not be able to impose any further Revenue Bill on the country for the support of the present system. Moderation and prudence alike demanded that forbearance, which the Assembly has for the last four years exercised, until the time had arrived when its views could be placed before an able and impartial Minister, who has the power and the disposition to redress the wrongs of which it justly complained.

Your Grace will, therefore, perceive the source of our anxiety for your decision upon the destiny of this colony, as it will influence the course not only of our legislation, but also of our trade, and affect the peace and prosperity of the country, according to the result at which you may arrive.

If Newfoundland should be destined to form a link in a federal or legislative union of the British North American possessions, it is desirable that it should without delay be placed in the enjoyment of those privileges, the proper exercise of which would be necessary to prepare it for a full participation in the advantages of so great and desirable a change.

With reference to the general finances of the colony, as bearing upon the question of reciprocity, we would respectfully remark that nothing would tend more to the improvement of our financial condition than the opening of new markets for the produce of our fisheries; and as the old contracted system of trade, heretofore pursued in this island, is inadequate to the independent maintenance of our operative population, many of whom are consequently at present thrown upon the Government for support, or driven from our shores to seek remunerative employment in the United States, we are persuaded of the necessity for the adoption of some such measure as reciprocity, which would induce capitalists of enterprise to embark in our trade, infuse new life and energy into the pursuits of the people, and develop the vast dormant and neglected resources of this extensive country.

On reference to the accompanying statistical statements, you will perceive that while our imports and exports have increased, or rather have not decreased since 1840, and our revenue has gradually grown from 43,863 *l.* 14 *s.* 1 *d.* in that year to 84,323 *l.* 4 *s.* 2 *d.* in 1852, the condition of the people and the state of the country have not improved by any means either in the ratio of taxation, or the results of the trade in favour of the mercantile body, compared with the bulk of the population, for you will perceive that the amount paid for the relief of the poor in 1840 was only 1,119 *l.* 16 *s.*, while it was in 1852, 8,683 *l.* 0 *s.* 1 *d.*, a large sum, even making allowance for the partial failure of the potato crop.

The colony is also in debt about 120,000 *l.*, and no adequate value has been received by the public for the taxes imposed and the debt incurred.

This is a state of things which, we humbly submit, clearly proves that there is just cause of complaint, and necessity for a reform in our institutions. With free trade and free institutions, this colony, after a few years, would not know such an affliction as pauperism, and the colonial debt, with the exercise of proper economy, would not be felt as a burthen by the people. They could then afford to bear increased taxation, if that were necessary, to sustain the credit of the Government or to promote the improvement of the country.

With undiminished confidence in your Grace, and sincere reliance on your candour and good will, we place these views before you, believing that you will regard them in the spirit in which they are really conceived; for we beg to assure you, that it is our earnest wish to see the affairs of the colony conducted in peace and harmony by properly constituted authorities; and in common with the majority of our fellow colonists, we should be delighted to be enabled to co-operate with a responsible executive in carrying out your views in promotion of the public welfare.

We have, &c.

(signed) P. F. Little.
R. J. Parsons.

His Grace the Duke of Newcastle,
&c. &c. &c.

Before long, we anticipate the arrival of despatches from the Colonial Office of a favourable character; if, however, contrary to the expectations we have been led to entertain, and to the favourable assurances we have received, our hopes should not be fully and promptly realised, there is but one course open to the Assembly in our judgment. That course is pointed out by Mr. Hume, and has been successfully adopted by the neighbouring colonies; a direct and manly appeal to the British Parliament by the people's representatives, and we assume the responsibility of adding, an entire suspension of all further legislative action until the inalienable right of self-government be conceded to Newfoundland.

Such is an outline of the measures which we have adopted, to give effect to the resolutions of the Assembly regarding the objects of our mission. That they will be crowned with the full measure of success, which we have reason to hope and believe, a short time will decide; much more has been achieved by it than our opponents anticipated; it remains for the Assembly to take advantage of the improved condition of its prospects. It has taken a high and honourable stand against the upholders of the present system of misrule; and has thus commanded the respect of at least one of the first Ministers of the Crown, and many other influential statesmen. The ultimate and speedy triumph of the cause in which we have been engaged is no longer a matter of mere speculation or honest doubt. The people have nobly done their part; they await with restless anxiety the decision of the Imperial authorities; their happiness, and the fate of this colony hang upon that decision. We repeat that we have every reason to confide in the principles and professions of the Ministry, and trust that the necessity for extreme constitutional measures may not arise; but "come weal or come woe," things cannot be worse than they are; for, under the present Government, ruin is impending over this fine old colony. Therefore no man who has laid his hand to the plough, and is sincere in his professions for the regeneration of our institutions, and the improvement of the country, will be so craven-hearted as to look back. The time for half-measures has passed away; nothing but the full concession of justice will satisfy the people, and a justification can no longer be desired or sought by their representatives for supporting any government not based upon the constitutional principles of executive responsibility.

We have the honour to submit this report, coupled with the general observations which we have taken the liberty of making, with the utmost respect.

(signed) *Philip F. Little.*
Robert J. Parsons.

St. John's, 19 January 1854.

Enclosure 3, in No. 2.

Encl. 3, in No. 2.

To his Grace the Right Honourable the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonial Department, &c. &c. &c.

May it please your Grace,

WE, the Commons of Newfoundland, in Legislative Session convened, having in the last Session of the Legislature addressed your Grace on the right of the people of this old and loyal British dependency to the enjoyment of responsible government, for the better administration of its affairs, and having deemed it expedient to depute two Members of this House to proceed to London for the purpose of placing the views of the Assembly more clearly before the Imperial Government, beg to tender our cordial acknowledgments to your Grace for the flattering manner in which you were pleased to receive these gentlemen, and the hopes you held out that justice should at last be done to this colony, no less proverbial for the well-tryed loyalty of its hardy and enterprising population, than remarkable as the only one on this side of the Atlantic of truly British origin, subject to the almost obsolete and arbitrary principles of irresponsible rule, administered by a Governor and 10 irresponsible Crown nominees, constituting a Council, and exercising executive and legislative powers in direct opposition to the popular will.

Convinced from long practical experience of the hopelessness of working such a system for the public welfare, necessity obliged us, in accordance with the well understood wishes of the people, declared at several general and partial elections of representatives in public meetings, by the independent portion of the press, and repeatedly affirmed by three distinct Houses of Assembly, to appeal to the parent Government for its abolition, as its tendency has been found to retard the improvement of the colony, to sacrifice the best interest of the industrial population, to involve the Government in unnecessary and ruinous debt by its extravagance, to produce public discontent and constant collisions between the co-ordinate branches of the Legislature, our functions have been rendered altogether subservient to the dictation of the Council, acting in their double capacity of Executive and Legislative Councillors, and equally irresponsible to the public, to the Crown, and to the representative branch for their conduct. Obligated to impose heavy taxes on the industry of the people for the support of this Government, we are denied the power to secure the faithful expenditure of such taxes, and, in fact, our only recognised use seems to be to levy taxes, and vote the salaries of the officials.

Under such a deplorable state of affairs, under the feelings of humiliation produced in our minds by the frequent violations of our undoubted privileges by the Council, and the contempt with

with which public opinion has been treated by that body, we have exercised no ordinary degree of prudence and forbearance thus long, in submitting our will and independence to those who are our superiors in no constitutional view, in the hope that this system of mis-government would be abolished in Newfoundland, as it has been in all the neighbouring colonies, where it had invariably produced similar results.

We respectfully submit that the principles of executive responsibility are the birthright of the people of this colony, as British subjects, that they have been recognised as the only true and just rule of colonial government by the most eminent British statesmen since 1839, when Lord John Russell embodied them in his famous Declaration of Colonial Rights, that they have been since practically demonstrated and successfully adopted in all our neighbouring colonies, where they have conferred the most substantial benefits upon the people. That in none of the British American possessions were the evils of the old system more severely felt, or more justly condemned, than in Newfoundland, which has been suffering from mis-government from the time of its settlement to the present day; while its resources, and the extent of its trade, the number, intelligence, fitness, and desire of its inhabitants for the exercise of a constitutional form of government, paying their own Civil List, contrasted with the condition and circumstances of the adjacent dependencies, justified us in claiming a participation in the privileges which have been granted to them.

We have adopted every prudential and necessary measure in our power to prepare for the advent of a reform which we have deemed inevitable; but nearly all our efforts in this respect have been opposed by the Council; an increase in the number of the Members of this Assembly has been frequently attempted by the Assembly; the other branch would agree to none that would secure the honest and independent exercise of the elective franchise throughout the island, and we have accordingly abandoned all hope of coming to a satisfactory arrangement with them on this subject. But, reposing the utmost reliance in the avowed colonial policy of the present Ministry, we have anxiously looked for their impartial decision to terminate these difficulties, and place the political institutions of the country upon the broad and solid foundation of those principles of constitutional freedom, which have been tested for ages in the mother country, and form the great element of progress and improvement in the neighbouring colonies.

Owing to the disturbed condition of affairs in Eastern Europe, we presume that your Grace has not had sufficient leisure to come to a definite conclusion upon our Memorial of last Session; and we have deliberately come to the resolution no longer to waste our time, and exhaust the patience of the public, in fruitless attempts at legislation under the present constitution, but to await, as we fervently trust we are justified in expecting the satisfactory and impartial decision of the Imperial Government upon the right of this colony to the blessings of self-government. We feel that, before coming to this conclusion, we had done all that loyalty to the Crown, and only what our duty to the people demanded, in advocating the rights of the latter, and respectfully placing Her Majesty's Government in possession of such unquestionable data as will enable it to arrive at a correct and just conclusion upon the subjects of our well-founded complaint and constitutional demand.

We, therefore, most humbly pray that your Grace will be graciously pleased to take the premises into your favourable consideration, and without further delay secure for this old and loyal dependency of the British Crown, the long-desired boon of responsible government, similar to that in successful operation in the other North American colonies; and for which, as in duty bound, we shall ever pray.

Passed the House of Assembly, 21 February 1854.

(signed) *J. Kent*, Speaker.

Enclosure 4, in No. 2.

To His Grace the Duke of Newcastle, Her Majesty's Principal Secretary of State
for the Colonies.

The Memorial of the Chamber of Commerce of St. John's, Newfoundland.

Humbly sheweth,

THAT the House of Assembly of this colony having resolved to do no further business under our present form of local government, and having in pursuance of such resolution adjourned for the period of one month; your memorialists deem it their duty respectfully to invite your Grace's attention to an address forwarded by your memorialists to the Colonial Office on the subject of responsible government in February 1852, and to assure your Grace that their sentiments on this subject remain unchanged.

That although unfairly and untruly charged in the report of the late delegates from the Assembly with being influenced solely by selfish views, with being actuated only by a spirit of monopoly, and, impliedly with combining to fix a price below its value on the staple produce of the country, and to establish and confirm a credit and truck system ruinous in its effects upon the operative population; your memorialists feel deeply interested in everything that concerns the welfare and prosperity, and the moral, political and social progress of this country; and on that account are desirous that responsible government should not be conceded to Newfoundland until all classes of its population are fairly represented in the Assembly.

That

That in proof of their disinterestedness they beg to assure your Grace, that should the course now pursued by the Assembly render necessary any change in the constitution of the colony, your memorialists would much regret any loss that might arise to its revenues from the expiration of the present Revenue Act, during the delay that may be necessary in that behalf, and although of all others most interested in a pecuniary point of view in a suspension of the Customs' duties, they humbly pray that the Revenue Act now shortly to expire may be continued by an Act of the Imperial Parliament for such time as may be necessary to enable Her Majesty's Government fully to deal with this important subject.

St. John's, Newfoundland,
23 February 1854.

(signed) *Peter M'Bride,*
President.

— No. 3. —

(No. 50.)

COPY of a DESPATCH from the Duke of *Newcastle* to Governor *Hamilton*.

Sir,

Downing-street, 17 March 1854.

I HAVE received your despatch, No. 86*, of the 23d of February last, transmitting copies of the speech with which you opened the Session of the Legislature of Newfoundland, and of the answers returned thereto, a memorial from the Chamber of Commerce, and an address to myself from the House of Assembly.

I consider that I shall best consult the convenience of your Government and the interest of the colony, by refraining from any discussion upon the contents of your despatch and the documents accompanying it. I will therefore merely refer you, and the public bodies which have addressed me, to my despatch of the 21st ultimo, and express my earnest hope, that the concession of "responsible government" to Newfoundland may be attended with all the benefits which the advocates for that system of Government anticipate.

I have, &c.
(signed) *Newcastle.*

No. 3.
Duke of Newcastle
to Governor
Hamilton.
17 March 1854.

* Page 2.

— No. 4. —

(No. 85.)

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
20 February 1854.

(Received, 13 March 1854.)

(Answered, 21 March 1854, No. 52, page 38.)

My Lord Duke,

I HAVE the honour to forward to your Grace a copy of a letter addressed to me by Mr. Crowdy, on the subject of certain assertions injurious to him contained in a statement* laid before your Grace by the delegates from the House of Assembly of Newfoundland.

I have already had occasion to inform your Grace that that statement consists in a great measure of fabrications, having but the very slightest foundation in truth; and this is an instance in which partial truth is used so as to produce the effects of total falsehood in regard to Mr. Crowdy; the partial truth of the assertions having no relation to him, and the superadded falsehoods being injuriously made to apply to this meritorious public officer.

I have, &c.
(signed) *Ker B. Hamilton.*

No. 4.
Governor Hamilton
to the Duke of
Newcastle.
20 February 1854.

* Page 16.

Enclosure 1, in No. 4.

Encl. 1, in No. 4.

Sir,

Secretary's Office, 7 February 1854.

THE Delegates appointed by the House of Assembly to bring certain matters under the consideration of Her Majesty's Government have made a Report which contains a statement said to have been laid before his Grace, the Secretary of State for the Colonies, in which are assertions and insinuations of a character injurious to me.

Had these imputations and insinuations been confined to this Colony, where a residence of upwards of twenty years has made me well known, and where these gentlemen are also perfectly well known, I should have treated them with utter indifference; but as they have formed part of a statement to the Duke of Newcastle, I feel it due to myself, and a duty to his Grace, to state that they are in every instance either wholly untrue, or such a perversion of truth as to be, if possible, more base than a direct untruth.

I take the liberty of requesting your Excellency to transmit this communication to his Grace the Duke of Newcastle.

I have, &c.
(signed) *Jas. Crowdy.*

— No. 5. —

No. 5.

Duke of Newcastle
to Governor
Hamilton.
21 March 1854.

(No. 52.)

COPY of a DESPATCH from the Duke of *Newcastle* to Governor *Hamilton*.

Sir, Downing-street, 21 March 1854.

I HAVE to acknowledge your despatch of the 20th February, forwarding the copy of a letter addressed to you by Mr. Crowdy, on the subject of certain assertions, which he considers as reflecting upon him, in the printed statement submitted to me by the delegates from the House of Assembly of Newfoundland, when they were in this country.

You will inform Mr. Crowdy that the statements of which he complains have not caused me to entertain any unfavourable opinion of him; and that the reputation which he bears in this department continues unimpaired.

I have, &c.
(signed) *Newcastle.*

— No. 6. —

No. 6.

Governor Hamilton
to the Duke of
Newcastle.
23 March 1854.

(No. 89.)

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
23 March 1854.

(Received, 10 April 1854.)

(Answered, 20 April 1854, No. 56, page 41.)

My Lord Duke,

1. I HAVE the honour to transmit to your Grace a petition to Her Majesty from Protestant residents of the district of St. John, praying that, until the electoral districts be subdivided, and the representation fairly apportioned among all classes, responsible government may not be established in this colony.

2. The minority in the House of Assembly opposed to the concession of responsible government, without at least a subdivision of districts and an increased representation, feeling that something more was required in the present crisis than an ineffectual opposition in the Hall of Assembly, determined upon appealing in support of their views to their Protestant fellow countrymen.

3. With this object they procured the formation, in St. John's, of a large committee, comprising members of every Protestant denomination in the island, who, believing that the best course for them to adopt in this matter would be to establish the fact, that the majority of the Assembly did not truly represent the wishes of the majority of the people (that is, the Protestants) on the subject of responsible government, adopted for circulation in the outports, the accompanying address and petition, and appointed sub-committees to procure signatures forthwith to a similar petition in the district of St. John's.

4. Within the last 10 days these sub-committees have performed the task so assigned to them, and have procured to their petition the signatures of 1,640 male Protestants, adults, from a population (Protestant) of between 6,000 and 7,000

7,000 men, women, and children, and have thus proved beyond contradiction that in this district, at least, the Protestant population are entirely opposed to a change which they believe will have the effect of placing the governing power absolutely in the hands of the Roman-catholics.

5. In forming the committee care was taken, as I am informed, to exclude members of the Council and officers of the Government, in order to avoid all shadow of reason for the assertions which the Roman-catholic leaders have before so unreservedly made, that these classes, from interested motives, alone opposed their views; and for a like reason the signatures to the petition were procured entirely without the co-operation or assistance of the parties referred to. The only exception was in the case of the acting Solicitor-general, who, as Member for Fortune Bay for years before he was connected with the Government, invariably opposed the unqualified concession of the change of system in question.

6. The petitions from the outports cannot be expected in St. John's for some months, in consequence of the difficulties of communication at this season of the year, and of the delay that will be occasioned by the absence of the people at the seal fishery; but there can be little doubt, so far as I am informed and believe, that, making a reasonable allowance for the difference between a district like St. John's, where the inhabitants are collected within a small compass, and the outport districts where they are scattered over a large extent of coast, the outport petitions will show a like result with the one from St. John's.

7. I have mentioned these particulars, because the prayer of this petition to the Queen, delivered to me by a deputation of respectable inhabitants of this town, for transmission to your Grace, before the receipt by me of your despatch No. 49, of the 21st of February, is for the fulfilment of the most important of the conditions which your Grace considers essential to justice, and requisite to the satisfactory working of the new system of government.

I have, &c.

(signed) Ker B. Hamilton.

* Page 1.

Enclosure in No. 6.

Enclosure in No. 6.

(Circular.)

Sir,

St. John's, 6 March 1854.

You are doubtless aware that for some years past, the Roman-catholic majority of the House of Assembly have been unceasing in their efforts to obtain the establishment in this colony of what is termed responsible government; a change which the Protestant minority have steadily opposed, from the conviction that the introduction of that system, without a subdivision of the more populous districts and an increase of representatives, fairly apportioned among all classes, would be highly dangerous to our civil and religious liberties, as under the present unfair scale of representation, the Roman-catholic minority of the population have a majority in the Assembly, and the practical operation of responsible government would be, to vest in the Roman-catholic clergy, by whose influence such majority are elected, the whole legislative and executive powers of the local Government.

You will also have learned through the local press, that with the object, doubtless, of coercing the Imperial Government into this concession, the same majority have now deliberately resolved to discontinue all legislative action under our present form of government; and have carried their resolution into effect by adjourning until the 20th instant.

It is hardly necessary to observe, that this step will probably oblige the Imperial Government, either to accede to their wishes, or to make such alterations in the constitution, as will place it beyond the power of a few individuals to prevent its harmonious working; and that no effort may be spared on the part of the Protestant population, to avert from this colony what will, doubtless, be injurious alike to its moral, social, and political condition and prospects; a committee, consisting of the undersigned, has been formed in St. John's, for the purpose of adopting such measures as will unite the Protestant population in a combined appeal to the Imperial Government, in the hope that a true representation of their sentiments on this subject may influence the Government in its decision on a case of the whole merits of which it may not be fully informed.

With this view, the committee have prepared petitions to the Queen and both Houses of Parliament, a set of which they take liberty of transmitting to you, with a request, that should you concur in opinion with them, you will further the common cause by promoting the establishment of a local committee in _____, and by procuring to the petitions the signatures of every male Protestant in the district, who, having arrived at years of discretion, and having the effect and object of the petitions explained to them, will concur in their prayer.

You will observe, that in framing these petitions, all reference to any ground of objection to responsible government, other than the main one above referred to, has been avoided; as

well with the view of not lessening the paramount importance of that objection, by its connexion with minor considerations, as because there is reason to believe that, were this grand objection removed, differences of opinion as to the applicability of responsible government to this colony in other respects, might perhaps be reconciled.

When fully signed, the petitions may be returned by some safe hand to either of the undersigned.

H. W. Hoyles, Chairman.
 Robert Prowse.
 William Freeman.
 Nicholas Gill.
 James J. Rogerson.
 Henry K. Dickenson.
 P. G. Tessier.
 William Rendell.
 Patrick Tasker.
 F. C. K. Hepburn.
 J. S. Clift.
 J. B. Barnes.
 Nicholas Stabb.
 J. Macgregor.
 T. R. Smith.

David Steele.
 Henry Alsop.
 H. Winton.
 N. Mudge.
 John Bond.
 John Bulley.
 James Murray.
 Stephen March.
 John Winter.
 John H. Warren.
 S. Rendell.
 John Goodridge.
 Wm. Warren, jun.
 James Scaton, Secretary.

POPULATION of the several Districts, according to the Census of 1845, with their Representation in the present House of Assembly, elected in 1852.

	Protestants.	Roman Catholics.	Members.	
			Prot.	R. C.
St. John's - - - -	6,210	18,986	0	3
Conception Bay - - -	16,446	11,580	2	2
Trinity Bay - - - -	7,518	1,283	1	0
Bonavista Bay - - -	5,418	1,809	1	0
Twillingate and Fogo - - -	5,616	1,128	1	0
Ferryland - - - -	169	4,201	0	1
Placentia and St. Mary's - - -	1,018	5,455	0	2
Burin - - - -	2,407	1,951	0	1
Fortune Bay - - - -	2,557	363	1	0
Burgeo and Lapoile - - -	2,151	29	(not represented.)	
	49,510	46,785	6	9

Remarks.— Notwithstanding the large Protestant majority in the district of Conception Bay, the election riots in that district, on several occasions, sufficiently explain the cause of its representation being two Protestants and two Roman-catholics.

Trinity Bay, with a population of 8,801, Bonavista Bay, with 7,227, and Twillingate and Fogo, with 6,744, have only one representative each, while Placentia and St. Mary's, with only 6,477 has two—thus three districts with a population of 18,552 Protestants and 4,420 Roman-catholics, have only three representatives, whereas Placentia and St. Mary's, with 5,455 Roman-catholics and 1,018 Protestants is represented by two Members.

Burgeo and La Poile, with a coast line of about 200 miles, extending from the district of Fortune Bay to Cape Ray, with a population numbering 2,180, nearly all Protestants, in 1845, and now increased to at least 3,500, is wholly unrepresented. Although several Bills for giving a representative to that district, were brought into the House of Assembly, they were thrown out by the votes of the Roman-catholic majority.

To Her Most Gracious Majesty the QUEEN.

The Petition of the undersigned Protestant Residents of the District of _____ in Newfoundland,

Humbly Showeth,

THAT it appears by the reported proceedings of the House of Assembly of this colony, that a majority of that body have resolved to do no further business during the continuance of the present form of local government, and that this course has been adopted with the view of inducing the Imperial Government to concede responsible government to Newfoundland.

That

That your petitioners are entirely of opinion, that until the more populous electoral districts be subdivided, with an increase of Members, so that the representation may be fairly apportioned amongst all classes, such concession would be dangerous to the civil and religious liberties of your petitioners, and prejudicial to the best interests of the colony; inasmuch as by means of the unfair scale of representation on which Members of the Assembly are now elected, our Roman-catholic fellow subjects, although a minority of the population, return a majority of the House; and the practical operation of responsible government would be, to vest in the Roman-catholic clergy, by whose influence such majority are elected, the whole Legislative and Executive powers of the local government.

Petitioners therefore humbly pray, that until the electoral districts be subdivided, and the representation fairly apportioned amongst all classes, responsible government may not be established in this colony.

And, as in duty bound, petitioners will ever pray.

Newfoundland,

March, 1854.

— No. 7. —

(No. 56.)

No. 7.

Copy of a DESPATCH from the Duke of Newcastle to Governor Hamilton.

Duke of Newcastle to Governor Hamilton, 20 April 1854. * Page 38.

Sir,

Downing-street, 20 April 1854.

I HAVE to acknowledge the receipt of your despatch, No. 89,* of the 23d of March last, enclosing a petition to the Queen from the Protestant residents of the district of St. John, praying that until the electoral districts be subdivided, and the representation fairly apportioned among all classes, responsible government may not be established in Newfoundland.

I have to request that you will acquaint the petitioners that I have received and laid their petition before Her Majesty.

I have, &c.

(signed) Newcastle.

— No. 8. —

(No. 90.)

No. 8.

Copy of a DESPATCH from Governor Hamilton to the Duke of Newcastle.

Governor Hamilton to the Duke of Newcastle, 23 March 1854.

Government House, St. John's, Newfoundland,

23 March 1854.

My Lord Duke,

(Received, 10 April 1854.)

I HAVE the honour to enclose a copy of my message transmitting to the House of Assembly your Grace's despatch, No. 49, of the 21st ultimo, on the subject of the new system of government.

I have, &c.

(signed) Ker B. Hamilton.

Enclosure in No. 8.

Encl in. No. 3.

THE Governor having forwarded to the Secretary of State for the Colonies the Address from your honourable House to his Grace of the 15th June last, upon the subjects of responsible government, and reciprocal free trade with the United States of America, has, this day, received from his Grace a despatch in reply, of which the Governor herewith transmits a copy.

With reference to the proposed new form of Government for this colony, the Governor will be happy to co-operate with your honourable House in fulfilling those pre-requisites, some of which his Grace considers essential to justice, and others highly important to the satisfactory working of the new system of government. The Governor hopes that the result of the deliberations of the Legislature, with a view to the introduction of the new system, and the operation of the system itself, will conduce to the welfare of this ancient dependency of the Crown.

22 March 1854.

well with the view of not lessening the paramount importance of that objection, by its connexion with minor considerations, as because there is reason to believe that, were this grand objection removed, differences of opinion as to the applicability of responsible government to this colony in other respects, might perhaps be reconciled.

When fully signed, the petitions may be returned by some safe hand to either of the undersigned.

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Remarks.—Notwithstanding the large Protestant majority in the district of Conception Bay, the election riots in that district, on several occasions, sufficiently explain the cause of its representation being two Protestants and two Roman-catholics.

Trinity Bay, with a population of 8,801, Bonavista Bay, with 7,227, and Twillingate and Fogo, with 6,744, have only one representative each, while Placentia and St. Mary's, with only 6,477 has two—thus three districts with a population of 18,552 Protestants and 4,420 Roman-catholics, have only three representatives, whereas Placentia and St. Mary's, with 5,455 Roman-catholics and 1,018 Protestants is represented by two Members.

Burgeo and La Poile, with a coast line of about 200 miles, extending from the district of Fortune Bay to Cape Ray, with a population numbering 2,180, nearly all Protestants, in 1845, and now increased to at least 3,500, is wholly unrepresented. Although several Bills for giving a representative to that district, were brought into the House of Assembly, they were thrown out by the votes of the Roman-catholic majority.

To Her Most Gracious Majesty the QUEEN.

The Petition of the undersigned Protestant Residents of the District of
in Newfoundland,

Humbly Showeth,

THAT it appears by the reported proceedings of the House of Assembly of this colony, that a majority of that body have resolved to do no further business during the continuance of the present form of local government, and that this course has been adopted with the view of inducing the Imperial Government to concede responsible government to Newfoundland.

That

That your petitioners are entirely of opinion, that until the more populous electoral districts be subdivided, with an increase of Members, so that the representation may be fairly apportioned amongst all classes, such concession would be dangerous to the civil and religious liberties of your petitioners, and prejudicial to the best interests of the colony; inasmuch as by means of the unfair scale of representation on which Members of the Assembly are now elected, our Roman-catholic fellow subjects, although a minority of the population, return a majority of the House; and the practical operation of responsible government would be, to vest in the Roman-catholic clergy, by whose influence such majority are elected, the whole Legislative and Executive powers of the local government.

Petitioners therefore humbly pray, that until the electoral districts be subdivided, and the representation fairly apportioned amongst all classes, responsible government may not be established in this colony.

And, as in duty bound, petitioners will ever pray.

, Newfoundland, March , 1854.

— No. 7. —

(No. 56.)

No. 7.

COPY of a DESPATCH from the Duke of *Newcastle* to Governor *Hamilton*.

Duke of Newcastle
to Governor
Hamilton.
20 April 1854.
* Page 38.

Sir,

Downing-street, 20 April 1854.

I HAVE to acknowledge the receipt of your despatch, No. 89,* of the 23d of March last, enclosing a petition to the Queen from the Protestant residents of the district of St. John, praying that until the electoral districts be subdivided, and the representation fairly apportioned among all classes, responsible government may not be established in Newfoundland.

I have to request that you will acquaint the petitioners that I have received and laid their petition before Her Majesty.

I have, &c.
(signed) *Newcastle*.

— No. 8. —

(No. 90.)

No. 8.

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Governor Hamilton
to the Duke of
Newcastle.
23 March 1854.

Government House, St. John's, Newfoundland,
23 March 1854.

My Lord Duke,

(Received, 10 April 1854.)

I HAVE the honour to enclose a copy of my message transmitting to the House of Assembly your Grace's despatch, No. 49, of the 21st ultimo, on the subject of the new system of government.

I have, &c.
(signed) *Ker B. Hamilton*.

Enclosure in No. 8.

Encl in. No. 8.

THE Governor having forwarded to the Secretary of State for the Colonies the Address from your honourable House to his Grace of the 15th June last, upon the subjects of responsible government, and reciprocal free-trade with the United States of America, has, this day, received from his Grace a despatch in reply, of which the Governor herewith transmits a copy.

With reference to the proposed new form of Government for this colony, the Governor will be happy to co-operate with your honourable House in fulfilling those pre-requisites, some of which his Grace considers essential to justice, and others highly important to the satisfactory working of the new system of government. The Governor hopes that the result of the deliberations of the Legislature, with a view to the introduction of the new system, and the operation of the system itself, will conduce to the welfare of this ancient dependency of the Crown.

22 March 1854.

— No. 9. —

(No. 92.)

No. 9.
Governor Hamilton
to the Duke of
Newcastle.
24 March 1854.

Copy of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
24 March 1854.

My Lord Duke,

(Received, 10 April 1854.)

WITH reference to my despatch, No. 90,* of the 23d instant, enclosing a copy of my message transmitting to the House of Assembly your Grace's despatch No. 49, of the 21st ultimo, on the subject of responsible government, I have the honour to inform your Grace that I received from that body on the evening of yesterday, the 23d, the enclosed Address, requesting me to cause the mail steamer to be delayed for a period of 24 hours, to enable them to forward by this mail what they termed "a reply to such despatch." This request I complied with.

2. I have just received an address from the Assembly to your Grace, which I enclose herewith.

3. This address states that the concession of responsible government, on the conditions attached by your Grace, instead of being received with approval by the people, would be rejected without hesitation; but the accompanying "Public Ledger" * of this day—the ablest and most influential journal of this colony, which represents the sentiments of the Protestants, that is, of the majority of the people—in addition to saying that the terms of your Grace's despatch exactly meet the prayer of their recent petition to the Queen, has the following statement: "And we have no doubt that the Protestant population generally will be gratified at the opportunity of evincing how much they concur in the justice of the principles contained in the despatch of the noble Duke, who has so much entitled himself to their best and warmest thanks."

4. The enclosed minutes of this day's proceedings show the opinion of the minority of the House in the shape of an amendment which confirms the statement above referred to.

5. As to the stereotyped observations respecting the Council, I need not occupy your Grace's time by remarks upon them.

6. The principles of a subdivision of the more populous districts, and an increase of the representation on a fair basis, adopted in your Grace's despatch, and so earnestly insisted on by the Protestants of the country, ought not, I think, on any account, to be abandoned, as the result of such a course would be that which I have so frequently pointed out.

I have, &c.

(signed) *Ker B. Hamilton.*

Encl. 1, in No. 9.

Enclosure 1, in No. 9.

To his Excellency *Ker Baillie Hamilton*, Esq., Governor, &c.

May it please your Excellency,

THE House of Assembly respectfully beg leave to thank your Excellency for the promptness displayed by your Excellency in laying before this body the despatch of his Grace the Duke of Newcastle upon the subject of responsible government, and respectfully request that your Excellency will be pleased to cause the mail steamer to be delayed for the period of 24 hours, to enable the Assembly to forward by this mail a reply to such despatch.

(signed) *John Kent*, Speaker.

House of Assembly,
23 March 1854.

Encl. 2, in No. 9.

Enclosure 2, in No. 9.

Sir,

Government House, 23 March 1854.

ALTHOUGH the mail steamer is already behind time, I have not hesitated to request the agents to detain her for some further time, not having myself that power. I shall, therefore, be enabled to receive anything that may be forwarded to me from the Assembly for transmission to the Secretary of State up to two o'clock P.M. to-morrow.

(signed) *Ker B. Hamilton.*

His Honor The Speaker.

Enclosure 3, in No. 9.

Encl. 3, in No. 9.

To his Grace the Duke of Newcastle, Her Majesty's Principal Secretary of State for the Colonial Department.

May it please your Grace,

We, the Commons of Newfoundland, in Legislative Session convened, beg to inform your Grace, that we are gratified to learn from your despatch of the 27th of February last to his Excellency the Governor of this island, that Her Majesty's Government have come to the conclusion that they ought not to withhold from Newfoundland those institutions, and that system of civil administration, which under the popular name of responsible government have now been adopted in all Her Majesty's neighbouring possessions in North America.

But we beg to state that some of the conditions on which the Imperial Government are prepared to concede the immediate application of that form of government to this colony, are so objectionable in their character, as to render its introduction upon such terms utterly impracticable.

The intended boon, instead of being received with approval by the people, with such qualifications, would be rejected without hesitation.

The conditions deemed objectionable by the Assembly are, first, a general geographical subdivision of our electoral districts; secondly, the imposition of local taxation by assessment, for the purpose of defraying the allowance usually granted to Members of the Assembly for their attendance during the sittings of the Legislature; and thirdly, the imposition of general election expenses on the Members elected.

The first condition cannot be carried out so as to secure a faithful return of independent representatives, owing to the scattered and widely extended nature of our settlements in nearly all of our outport districts, any general geographical subdivision mainly based upon territorial extent, would throw the elective power into the hands of the most scattered and isolated portions of our population, and thereby unjustly act upon the more populous and wealthy settlements. Besides the Assembly have invariably objected to any general subdivision of our electoral districts, because it would result in the creation of mere nomination or rotten boroughs, and throw the representation of the country into the hands of a few individuals who have invariably opposed the introduction and progress of free institutions in this colony, and by the system of trade which they have long pursued, reduced our operative population to a deplorable degree of misery and dependence. They form a leading portion of the Executive Council of this colony, and being identified with the policy and interest of that body, the Assembly are likewise confident, judging from the repeated efforts which they have made in vain with the Council, to induce them to pass a fair Bill, for the increase of our representatives, that no measure will be assented to by them that will in any degree endanger their paramount influence and their political position in the government of the colony.

But to convince your Grace of our desire to meet your view, we shall again endeavour to bring the Council to terms on this subject, and relax the resolution which after mature deliberation we had formed, of not attempting to renew an abortive system of legislation upon general subjects with the Council, a body consisting of ten irresponsible Crown nominees, one of whom is absent from the colony, and only one of whom has supported the measures of the liberal party which have been brought before them.

With reference to the second condition, the Assembly would remark that there is no such measure in operation in any other British North American colony; that local assessments are only imposed for local or municipal purposes or measures, and any attempt to saddle on our population a system of direct taxation for the payment of Members, cannot be favourably regarded, and must prove a failure, being unjust in principle, and unprecedented in the other colonies, it would be deemed oppressive by the people of this. As the third condition would be viewed in the same light by the Members elected.

The Assembly would further submit that these conditions are such as have not been annexed to the concession of responsible government to any of the neighbouring colonies, and being put forward by your Grace as indispensable precedents to the change of government sought by the people, we are convinced that in this view your good intentions on their behalf will be utterly frustrated, and their hopes disappointed.

We therefore trust, that upon a reconsideration of this important subject, your Grace will see the propriety of withdrawing these objectionable conditions, and granting responsible government to this colony on the same terms as it has been granted to the neighbouring colonies.

In conclusion, we have respectfully to thank your Grace for the information you have conveyed regarding the question of reciprocal free trade with the United States, on which your Grace acquaints us that Her Majesty's Government are in negotiation with that of the United States, and that in the conduct of that negotiation every attention will be paid to the expressed wishes of the Assembly on this subject.

And for which, as in duty bound, will ever pray.

Passed the House of Assembly, 24 March 1854.

John Kent, Speaker.

Encl. 4, in No. 9.

Enclosure 4, in No. 9.

AMENDMENT proposed by Mr. Hoyles, seconded by Mr. Warren, on the Address to the Duke of Newcastle, on Responsible Government.

WHEREAS the present concession of responsible government to Newfoundland would, under the existing unfair scale of representation and division of the electoral districts, place the whole legislative and executive functions of the Government in the hands of the Roman-catholic minority of the population, and be an act of great injustice to the Protestant majority of the people: And whereas the hope that after such concession this or any other Assembly elected under the present system, would increase the representation in such a manner as would be just to all classes, would prove fallacious, as has been frequently shown by the pertinacious refusal of the Roman-catholic majorities of this and the last Assembly to assent to any scheme of representation and subdivision, other than such as would ensure their preponderance in that body, and by the repeated rejection, by a like majority in the last House, of Bills brought in for giving a representative to the large and important district of Burgeo and La Poile, which, although containing a population estimated as over 3,000, almost exclusively Protestant, and contributing largely to the revenue, is not represented in the Assembly.

Therefore resolved, that in the concession of responsible government, upon the conditions precedent of a subdivision of the more populous districts, and an increase of representatives in a manner fair towards all classes, we gratefully recognize the determination of Her Majesty's Government not to permit injustice to be done to the Protestant people of this colony, nor to sacrifice its best interests to the aggrandizement of any class of the community.

Negatived, on division.

For the Amendment.

Against the Amendment.

Mr. Hoyles.

Mr. Emerson.

Mr. Bremster.

Mr. Parsons.

Mr. March.

Mr. Little.

Mr. Hayward.

Mr. Hoysett.

Mr. Warren.

Mr. Talbot.

Mr. Winsor.

Mr. Benning.

Mr. Harnaham.

Extracted from the Journals, 24 March 1854.

(signed) John Stuart, Clerk.

No. 10.

Governor Hamilton to the Duke of Newcastle.

14 June 1854.

Copy of a DESPATCH from Governor Hamilton to the Duke of Newcastle.

Government House, St. John's, Newfoundland,

14 June 1854.

(Received, 3 July 1854.)

(Answered, 6 July 1854; No. 3, page 59.)

My Lord Duke,

I HAVE the honour to acquaint your Grace that I have to-day prorogued the Legislature to the 14th August.

2. I enclose a copy of my speech on that occasion; together with an Address to your Grace, adopted by the Assembly on the 10th instant; by which you will perceive that, after an ineffectual attempt to carry out the conditions of your Grace's despatch of the 21st February last, the two branches have separated without granting the ordinary supplies.

3. Although the Session has been a long one, but very little business has been transacted. Adhering to the resolution expressed in their Address to me of the 15th February, on my opening the Session (transmitted in my despatch No. 86, of the 23d February), of doing no business until the final settlement of the question of responsible government, the Assembly have, with a few exceptions, rejected every measure of public utility brought before them. Those exceptions consist of the Telegraph Bill, the Revenue Bill, a Loan Bill for 6,000 £, where 15,000 £. at least were absolutely required; and a Bill passed yesterday, intended to have merely a temporary operation, for legalizing the sovereign at 24 shillings currency. The House rejected a Bill to prevent the destructive traffic in bait;

No. 1.

No. 2.

* Page 2.

a vote for the protection of the northern fisheries; Bills for the regulation of the seal fishery; for the inspection of pickled fish; for the incorporation of a joint-stock bank company, and by repeated postponements until it was too late to pass a measure of such importance, a Bill for the regulation of the currency; and finally, refused all supplies, even those necessary for the continuance of the common schools now in operation in the colony.

4. The evil consequences of this course of proceeding, and the distress that will be occasioned to the humbler officials, need not be enlarged upon.

5. It is only necessary that I should inform your Grace that the cause, which has produced this state of things, has been the disagreement between the Protestant and Roman-catholic interests upon the subject of the Representation Bill.

6. Of this measure, as both branches are sending delegates to your Grace's department to represent their different views, it is only necessary I should say, that the Assembly, having passed a Bill, herewith transmitted, which, while it professed to provide for a return of 15 Protestants and 14 Roman-catholics, was stoutly opposed by the minority of that body, on the ground that the majority would, in effect, be the other way; the Council made upon it such amendments, as by the application of the one vote principle to the district of Burin, and by taking one Member from Placentia and St. Mary's (Roman-catholic district), and adding it to Bonavista (Protestant district), rendered the result which the Assembly professed a desire to attain, namely, 15 Protestants to 14 Roman-catholics, tolerably certain. But the proceedings of the Council are so clearly and temperately expressed in their Address to your Grace, which I append, that it would be superfluous for me to say more on these points.

7. To the amendments of the Council, the Assembly, although not appearing to dispute the certainty of their result, objected on the score of the novelty of the principle applied to Burin, and insisted moreover on the third Member for Placentia and St. Mary's, while they consented to one additional for Bonavista. But as this disposition would at the best give 15 to 15, being less than it was admitted the Protestants were entitled to, the Council, although ready to abandon the new principle, if the assumption that Burin would return one Member of each creed were admitted, could not assent to the arrangement. And after application by the Assembly to me to influence the Council to conform to their views, the Bill was lost between the two branches.

8. There can be, in my opinion, very little doubt that the struggle on the part of the Roman-catholics is one for ascendancy; the Protestant party, fully alive to the importance of the subject, seem resolved to maintain their position at all hazards; and, on the other hand, the Roman-catholics seem determined, if possible, to coerce the Government into the immediate concession of responsible government on their own terms, a concession, the ill consequences of which I have before adverted to. It is only because it might be considered a duty on my part to express an opinion on this occasion, that I venture to say that, as the principle of responsible government has been conceded, then, however much an exception to the usual course of procedure it may be, it might be a question for consideration whether, under the peculiar and embarrassing circumstances I have stated, an Act, establishing a representation that would be fair to all parties, might be passed through Parliament, in order to render the new form of government as applicable as possible to the condition of the colony.

9. After all, whatever the question of representation to be settled, how a Government is to be carried on by a majority of 1, in a House of 29 Members, when the excited antagonism of two rival creeds, and the intolerance of control which characterises those by whom the Roman-catholic Members are returned, forbid all hope of compromise, is a problem which the future must solve.

I have, &c.
(signed) Ker B. Hamilton.

No. 3.

No. 4.

Encl. 1, in No. 10.

Enclosure 1, in No. 10.

SPEECH of his Excellency the Governor, on closing the second Session of the Fifth General Assembly, Wednesday, 14 June 1854.

Mr. President, and Gentlemen of the Council;
Mr. Speaker, and Gentlemen of the Assembly,

In my reply to the Address of the Assembly in answer to my Speech on opening the present Session, I expressed my regret at the course the Assembly then appeared resolved to pursue; and that whether the public good had been consulted in arriving at the determination to which they had come, was a question for their own consideration; and that with them would rest the responsibility for any detriment to important public interests which might arise from such course. And, now, whether circumstances—especially since the communication to the Assembly of the Duke of Newcastle's despatch of the 21st February last, on the subject of responsible government—justify the course of procedure on the part of the Assembly, announced by them in their Address to his Grace, is a point on which I forbear to express an opinion; but which must be submitted to the consideration of the Imperial Authorities.

The Session having extended over four months and a half, and the Assembly having, at the expiration of that protracted period, stated their determination, for reasons mentioned in their Address to Her Majesty's Secretary of State, not to grant to Her Majesty supplies for defraying the expenses of the civil government of the colony, I am induced, by regard for the honour of the Crown, formally to terminate the Session by prorogation.

Encl. 2, in No. 10.

Enclosure 2, in No. 10.

ADDRESS from the House of Assembly of Newfoundland, to his Grace the Duke of Newcastle, on the subject of the Increase of Representatives Bill.

To his Grace the Duke of Newcastle, Her Majesty's Principal Secretary for the Colonies.

May it please your Grace,

THE House of Assembly beg leave to inform your Grace that since the receipt of the despatch of your Grace of the 24th February last, they have endeavoured to carry out the views of your Grace with reference to the conditions declared in the despatch referred to as necessary precedents to the introduction of responsible government into this colony.

The Bill for the increase of representatives in the Assembly being the most prominent of these conditions, a Bill to provide for this object was introduced without delay, on a basis which provided for the fair representation of the Liberal and Conservative or Mercantile interest, and appropriated the Members to the several electoral districts with a due regard to the two great religious denominations of the colony; the number of Protestants being by the last census 49,523, and of Catholics 46,983; and the number of Members allotted by the Bill, being, to nine districts having decided Protestant majorities, 15, and 14 Members to six districts having Catholic majorities; a test of settlement, as far as the religious aspect of it is concerned, which the Assembly have always repudiated, and which they have reluctantly assented to in the present instance, from an anxious desire to meet the objections of the party opposed to responsible government, whose objections took the assumed ground that the change would result in the establishment of Catholic ascendancy.

The House beg leave to annex, for the information of your Grace, a tabular statement of this Bill, and they submit to the impartial decision of your Grace whether the facts disclosed in this statement was not an ample refutation of the charge that the Assembly are animated by a desire for any undue religious ascendancy in this colony.

Assuming that the Council would be desirous to give effect to the instructions of your Grace, the Assembly did not anticipate that any material objection would be made by that body to the adoption of a measure which carries with it the proofs of fairness and equity. It soon became apparent, however, that the question was to be considered not by regard to its abstract merits, but in reference to the issue it contemplated; for notwithstanding that the principle of responsible government had been conceded by the despatch of your Grace, Members of the Council, as though this concession were still a question, mixed up with the discussion on this Bill, their selfish arguments against the change of system which your Grace had decreed. Influenced by such views, the fairness of the Bill was not calculated to be its recommendation, and it was amended by abstracting one Member from the liberal district of Placentia and St. Mary's, which is not amenable to mercantile influence, and bestowing it on the mercantile district of Bonavista, and by introducing a principle, to be applied only in the district of Burin, by which the minority might return one of the two Members for that district.

The object of the party who have opposed the introduction of responsible government into this colony, has been to show that our social condition was anomalous, and that sectarian asperities.

asperities had acquired an intensity which so separated the different religionists, that to none but Members of their own communion would they severally confide their political trust. The amendments made by the Council with reference to Burin assumes as facts these statements, which our political history proves to be aspersions on the character of the people; and as the adoption of this principle would create the evils it asserts to provide for, and as, moreover, the Council are unable to prove any peculiarity in the condition or character of the people of this colony, to require the adoption of a novel principle in our plan of representation, and to apply this device in the case of an isolated district, while a general, well-understood principle governs all the other returns, the Assembly refused to assent to the scheme, as involving a stigma on the colony, and as giving a statutable recognition to sustain differences where political rights are enjoyed by all alike, and where all denominations must participate equally in the benefits of a vigorous constitutional administration of public affairs.

The Assembly, however, having entered on the consideration of this Bill with a view to the adjustment of the differences that might arise, anxious to bring to a conclusion the long-pending controversy between the two branches of the Legislature on this subject, resolved to compromise the matter in dispute, and passed an amendment on their original Bill, conceding an additional Member for the district of Bonavista; thus giving to nine districts having Protestant majorities, 16 out of the now proposed number of 30 members. A tabular statement, showing the nature of this proposal, is annexed (No. 2.), and in informing your Grace that it has been rejected by the Council, we feel assured your Grace will come to the conclusion which the Assembly have arrived at, that it is useless to expect the concurrence of that body in any just or generally acceptable measure of representation.

Her Majesty's Council have consistently opposed every effort to introduce responsible government into this colony, and they still openly manifest their hostility to the change.

Under these circumstances the Assembly entered upon the task of endeavouring to adjust these pre-requisites as far as the question is concerned, solely in deference to the wishes of your Grace, for the House thought it not reasonably presumable that Her Majesty's Council would concur in any measure of representation they believed the Assembly could accept, because the settlement of this question would ensure the result to which the Council had been steadily opposed, and by which the long enjoyed position and influence of that body would be subjected to constitutional checks and corrections.

Your Grace will doubtless perceive in the conduct manifested by the Council, herein referred to, those evidences of unwarranted obstruction which have led the Assembly to the deliberate conviction that, notwithstanding the concession of the principle of responsible government, the Council will leave no means untried to stay the introduction of the change. The Assembly, to sustain the credit of the colony, passed the Revenue Bill, as well as a Loan Bill, required to provide for liabilities the Government had incurred. But they felt they would assist the efforts to prolong the present system by granting the supplies necessary to carry it on, and they therefore came to the conclusion that the interests of the country would be best consulted by withholding the usual Supply Bill, and that the inconvenience that may thereby result will be esteemed by the people a small evil as compared with the continuance of a system under which the country is without a Government for any useful purpose.

The House, therefore, submit to your Grace that they are justified in requesting the immediate concession of responsible government, with the understanding that, on the formation of a new Council, a measure of representation similar to that they recently adopted, be passed and brought into operation without delay.

(signed) J. Kent, Speaker.

House of Assembly, 10 June 1854.

TABLE No. 1.

Distribution of Members according to Census of 1845.	Population.	Protestant.	Catholic.	Members		Proportion for each Member.
				Pro- testant.	Catholic.	
St. John's is divided into two Districts by a line running north from Beck's Cove to Broad Cove	25,100	6,210	18,986	-	6	4,190
Trinity District	8,801	7,618	1,283	3	-	2,933
Bonavista District	7,227	5,418	1,809	2	-	3,613
Fortune Bay District	2,920	2,557	363	1	-	2,020
La Poile District	2,180	2,151	29	1	-	2,180
Ferryland District	4,581	182	4,399	-	2	2,290
Burin District	4,358	2,407	1,951	2	-	2,170
Placentia and St. Mary's District	6,473	1,018	5,455	-	3	2,157

Distribution of Members according to Census of 1845.	Population.	Protestant.	Catholic.	Members		Proportion for each Member.
				Pro- testant.	Catholic.	
Conception Bay is divided into five Dis- tricts, to return seven Members for a Population of 28,026, averaging one for every 4,000, viz.:						
Horse Cove to Cupids, inclusive	6,722	2,614	4,108	-	2	3,361
Port de Grave to Bay Roberts, inclusive	4,612	3,806	806	1	-	4,612
Spaniard's Bay to Harbour Grace, in- clusive	6,182	3,698	2,484	2	-	3,091
Carbonear to Musquito, inclusive	5,071	2,340	2,731	-	1	5,071
Fresh Water to Bay de Verds, inclusive	5,430	3,988	1,451	1	-	5,430
Twillingate and Fogo, inclusive	6,744	5,616	1,128	2	-	3,872
	96,506	49,523	46,983	15	14	

Note.—The Council stated last Session, in their Conference, that thirteen Protestants and thirteen Catholics would result from their amendments on the Representation Bill of that Session. The Bill of this Session gives the power of returning fourteen Catholics and fifteen Protestants. While the Assembly do not recognise the necessity or justice of obliging the districts to effect that result, it is more than probable the number of Protestant returns would be much larger under this Bill than fifteen, as Catholic districts would doubtless continue to return independent Protestants as they have heretofore done.

TABLE NO. 2.

Distribution of Members according to Census of 1845.	Population.	Protestant.	Catholic.	Members		Proportion for each Member.
				Pro- testant.	Catholic.	
St. John's is divided into two Districts by a line running north from Beck's Cove to Broad Cove	25,196	6,210	18,986	-	6	4,100
Trinity District	8,801	7,518	1,283	3	-	2,023
Bonavista District	7,227	5,418	1,809	3	-	2,409
Fortune Bay District	2,920	2,557	363	1	-	2,920
La Poile District	2,180	2,161	20	1	-	2,180
Ferryland District	4,581	182	4,399	-	2	2,200
Burin District	4,358	2,407	1,951	2	-	2,170
Placentia and St. Mary's District	6,473	1,018	5,455	-	3	2,157
Conception Bay District is divided into five Districts, to return seven Members for a Population of 28,026, averaging one Member for every 4,000:—						
Horse Cove to Turk's Gut	3,997	767	3,230	-	2	1,998*
Turk's Gut to Port de Grave, exclusive	5,538	4,150	1,388	1	-	5,538*
Port de Grave to Harbour Grace, in- clusive	7,981	5,198	2,783	2	-	3,900*
Carbonear to Musquito, inclusive	5,071	2,340	2,731	-	1	5,071
Freshwater to Bay de Verds, inclusive	5,430	3,988	1,451	1	-	5,430
Twillingate and Fogo, inclusive	6,744	5,616	1,128	2	-	3,872
	96,506	49,523	46,983	16	14	

* The relative numbers of these three districts, as altered by the Council, stand as here stated; the population was more equally divided in the Bill as sent up by the Assembly.

Encl. 3, in No. 10.

Enclosure 3, in No. 10.

AN ACT to increase the present Number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof.

Preamble.

WHEREAS by proclamation, bearing date the 26th day of July, in the third year of the reign of his late Majesty King William the Fourth, this island was divided into nine districts, for the purpose of the election of the Members of the Assembly thereof, by which proclamation the said districts were authorised to return 15 persons to represent them as Members of the said Assembly, in the manner mentioned and appointed in and by the said proclamation: And whereas, for the good government of this island, it is expedient and necessary that there should be an increase of representatives therein:

Be

Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, that from and after the dissolution or expiration of the present General Assembly, the House of Assembly shall consist of 29 members, of whom 10 shall be a quorum; and that for the purpose of the election of the members of the said Assembly this island shall be divided as follows; that is to say, the district of Twillingate and Fogo, which shall be comprised within the limits of the present electoral district of Twillingate and Fogo, and shall be represented in the said General Assembly by two members. The district of Bonavista, which shall be comprised within the limits of the present electoral district of Bonavista, and shall be represented in the said General Assembly by two members. The district of Trinity, which shall be comprised within the limits of the present electoral district of Trinity, and shall be represented in the said General Assembly by three members. The district of Conception Bay, which shall be comprised within the limits of the present electoral district of Conception Bay, and shall be represented in the General Assembly by seven members; of whom two shall be chosen by the electors residing in that part of the said district, to be called the southern division thereof, lying between the district of St. John's and Cupids inclusive; one by the electors residing in that part of the said district to be called the Port de Grave division thereof, lying between Cupids and Bay Roberts inclusive; two by the electors residing in that part of the said district, to be called the Harbour Grace Division thereof, lying between Spaniards' Bay inclusive and Harbour Grace inclusive, including Harbour Grace Island; one by the electors residing in that part of the said district, to be called the Carbonear Division thereof, lying between Harbour Grace exclusive and Fresh Water exclusive; one by the electors residing in that part of the said district, to be called the Bay de Verds Division thereof, lying between Fresh Water and Bay de Verd, both inclusive. The district of St. John's, which shall comprise the present electoral district of St. John's, and shall extend southward and westwardly to a straight line drawn from the northern Gould's Bridge, on the Bay Bulls road, to Broad Cove, both inclusive, shall be represented in the said General Assembly by six members; of whom three shall be chosen by the electors of the said district residing southward of St. John's Harbour, and westward of a line drawn from the said harbour through the centre of Beck's Cove, thence across Duckworth-street, round the west side of Play-house Hill, along the centre of Carter's-lane, up Carter's Hill, thence along Cook's Town-road, thence along Fresh Water-road to the west end thereof, and thence in a direct line to Broad Cove settlement inclusive, which shall be called the Division of St. John's, West; and three by the electors of the said district residing eastward and northward of the above-named cove, line, lane, and roads, including Belle Isle, which shall be called the Division of St. John's, East. The district of Ferryland, which shall be comprised within the limits of the present electoral district of Ferryland, and extending to the said south-western boundary of the district of St. John's, and shall be represented in the said General Assembly by two members. The district of Placentia and St. Mary's, which shall be comprised within the limits of the present electoral district of Placentia and St. Mary's, and shall be represented in the said General Assembly by three members. The district of Burin, which shall be comprised within the limits of the present electoral district of Burin, and shall be represented in the said General Assembly by two members. The district of Fortune Bay, which shall be comprised within the limits of the present electoral district of Fortune Bay, and shall be represented in the said General Assembly by one member. And also all that part of the south coast of the island lying between Bonne Bay and Cape Ray, with the islands adjacent thereto, shall form an electoral district, to be called the district of Burgeo and La Poile, and shall be represented in the said General Assembly by one member.

House of Assembly to consist of 29 Members.

Electoral districts defined, and representatives thereof apportioned.

And whereas, in pursuance of the provisions of an Act, passed in the 10th and 11th years of the reign of Her present Majesty, intituled, "An Act to render permanent certain parts of the Act for amending the Constitution of the Government of Newfoundland," Her Majesty, by Royal Instructions, bearing date the 19th day of July 1848, did, among other things, declare, that the qualification of persons thereafter to be elected to serve as members of the Assembly of this island, should be fixed at a net annual income, arising from any source whatever, of 100*l.*; or the possession of property, clear of all incumbrances, exceeding 500*l.* in value; and the length of the period of residence within the said island which should be required, in addition to any other qualification, for being elected to the General Assembly aforesaid, should be the period of two years preceding such election:

Preamble.

II. Be it therefore enacted, that the qualification so hereinbefore declared, in addition to any other qualification now by law required for members to serve in the Assembly aforesaid, shall be and continue as the same are hereinbefore declared and defined.

Qualification of Members of the House of Assembly.

III. For the purpose of the election of members to serve in any future General Assembly, it shall be lawful for the Governor for the time being to nominate and appoint proper persons to execute the office of returning officer in each of the said electoral districts, and divisions of districts, of this island, to whom writs, in Her Majesty's name, shall be issued, directing them to summon the freeholders and householders of all the said districts and divisions of districts, respectively, to proceed to the election of persons to represent them in the General Assembly, according to the regulations and directions contained in Her Majesty's Royal Instructions aforesaid, and such other regulations and directions as shall be signified in any proclamation or proclamations to be issued by the Governor, according to the laws of this island now in force, or hereafter to be in force in that behalf.

Elections of Members of the House of Assembly to be held agreeably to Royal Instructions, &c.

IV. That this Act shall have no force or effect until Her Majesty's pleasure shall have been first duly signified.

Suspending clause.

TABULAR STATEMENT Referred to above.

	Population.	Protestants.	Roman Catholics.	Pro- testants.	Roman Catholics.
District of St. John's - - - -	25,196	6,210	18,986	-	6
" Trinity - - - -	8,801	7,518	1,286	3	-
" Bonavista - - - -	7,227	5,418	1,809	3	-
" Twillingate and Fogo - - -	6,744	5,616	1,128	2	-
" Ferryland - - - -	4,581	182	4,399	-	2
" Placentia and St. Mary's -	6,473	1,018	5,455	-	2
" Burin - - - -	4,358	2,407	1,951	1	1
" Fortune Bay - - - -	2,020	2,557	363	1	-
" La Poile - - - -	2,180	2,151	29	1	-
District of Conception Bay, viz :-					
1st Subdivision, Horse Cove to Turk's Gut, inclusive -	3,997	769	3,230	-	2
2d ditto Brigus to Port de Grave, both inclusive - - -	5,538	4,150	1,388	1	-
3d ditto Bay Roberts to Harbour Grace, both inclusive -	7,981	5,198	2,783	2	-
4th ditto Carbonear and Mosquito	5,071	2,340	2,731	-	1
6th ditto Fresh Water to Bay de Verd, inclusive - - -	5,439	3,988	1,451	1	-
				15	14

Council Chamber, 3 June 1854.

(signed)

W. Robinson, President.

INSTRUCTIONS to Conferes on the subject of the last Conference with the Council, on their Amendments on Bill to Increase the Representation.

House of Assembly, Thursday, 1 June 1854.

Mr. LITTLE, from the Select Committee appointed to prepare reasons to be offered at the conference to be requested with Her Majesty's Council on the subject-matter of the last conference, reported the following, which he handed in at the Clerk's table, where the same were read :

The House of Assembly have requested this Conference with Her Majesty's Council, on the subject of the last conference for the purpose of acquainting Her Majesty's Council, that they cannot recede from the amendments made by them upon amendments made by Her Majesty's Council, in and upon a Bill intituled "An Act to Increase the present number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof," for the following reasons :

1st. In the amendments made by the House of Assembly, on the amendments sent to them from Her Majesty's Council, the Assembly had prominently in view the following considerations which influenced them in forming the Bill originally ; viz : first, the maintenance of the present relative adjustment of districts as far as practicable, submitting in a spirit of concession to a subdivision of the only two districts the Council have heretofore particularly sought to subdivide, against their conviction of the necessity or the public policy for such a course, especially when it is borne in mind that, under the present electoral divisions of this island established upon the granting of a representative form of government to this colony, and tested for a period of twenty years at five general elections, the returns to the Assembly have been a fair representation of the various interests and opinions of the people of this colony, and do not justify the objections taken to them even in a denominational view, as there have been 39 Protestant members and 36 Catholics returned during that time, and although there are six of the existing nine electoral districts of this colony capable of returning three-fifths of the members of the Assembly of the Protestant persuasion, as shown by Table No. 1 annexed, yet they have not done so, nor have the Catholic districts acted in a less liberal spirit in the return of liberal and independent Protestants, who gained the public confidence by their liberal and enlightened views, integrity of character, and a regard for the substantial interests of the people, irrespective of sectarian distinctions.

2d. That the great body of the people, who constitute the liberal and progressive party in this colony, and who are comparatively free of mercantile and official control, should have their due share of representation, while those districts which are subject to such control should not have an undue proportion of members.

3d. As the Council have heretofore refused to duplicate the present number of members on the basis of the non-division of the present electoral districts on alleged sectarian grounds not distinct,

distinct, as the Assembly assume, from mercantile and official interests. The Assembly were therefore solicitous to meet this view, and accordingly arranged their amendments so that the two principal denominations should have the power, if they wished to exercise it, of securing the return of members according to the relative numbers of these denominations.

The Council assumed, for the purpose of sustaining their amendments last Session, that as the two principal denominations were so equal in numbers (there being in the year 1845, 49,523 Protestant inhabitants, and 46,983 Catholics in this island), the returns under the amendments made by them on the Bill of the Assembly, and then forming the subject of a conference, would be 13 Protestants and 13 Catholic members; a result which would be fair though it would not have taken place (the Assembly conceive) under these amendments. There being no State Church to be supported in this colony, and no special reason, therefore, why the electors of any denomination should seek to uphold any undue sectarian ascendancy in the government, it is unreasonable to suppose that either the Protestant or the Catholic districts will be exclusively influenced by denominational considerations in the return of their members. Apart from the unfair distribution of patronage and places of honour by the present government, the only public question on which a sectarian difference has arisen here, is that of education, and this difference has not existed between Protestants and Catholics, but between a portion of the members of the Church of England and the dissenters of this colony; the former contending for the exclusive control of their share (according to numerical proportion) of the Protestant education grant, and the latter for a non-division of it.

The Assembly therefore appropriated the members to the fifteen districts mentioned in their Bill, with a due regard to all these considerations, without undertaking to guarantee a relative return of 13 and 14 upon denominational grounds; their Bill certainly gave the power to effect that result, though they are confident the proportion of Protestants that would be returned under it, would be much more than 15, judging from the experience of the past. On reference to Table No. 2, hereto annexed, it will be seen that the distribution of members under this Bill was made with a due regard to the denominational, among the other important considerations already referred to.

The Council assume that the district of Burin would not return two Protestants, and therefore adopted a novel principle of representing the Catholic minority in that district. The Protestant majority in the district of Burin is 456 inhabitants; three Protestant gentlemen have been returned to the Assembly for that district, and only one Catholic member has sat in the Assembly for it, he being a resident in the district for more than forty years; and although supported by local friends, Catholic and Protestant, he was defeated in a contest with a Protestant merchant, who represented the district in the late House. It is, therefore, unjust to regard his return as a sufficient reason to justify the adoption of this untried principle of representing minorities in this single district. Besides, while there is a less Catholic majority (only 390) in the district of Carbonear, on which the return of a Catholic may be said to rest, if viewed in a sectarian light, and, while the number of inhabitants in that district is 5,071 to return only one member, the district of Burin with a population of 4,358 would have two members, with the majority of 450, and the same strong mercantile influence existing there, which succeeded before.

One member was then taken from the liberal and Catholic district of Placentia and St. Mary's, and one added to the Protestant district of Bonavista, which is much more under mercantile influence. Now, the district of St. Mary's and Placentia is more extensive than that of Bonavista, and the difference in their respective populations is only 754 inhabitants. In 1850 the present acting Solicitor-general, in an amendment on the Representation Bill then before the Assembly, proposed to give the district of St. Mary's and Placentia four members, and Bonavista only two.

There does not, therefore, appear to be any reason why the latter district should now occupy a better position in the proposed arrangement than the former; nor do the Assembly conceive that any circumstances exist to justify the giving of a third member to Bonavista; but they consented to it for the purpose of effecting a compromise with the Council, not from a sense of justice. They deemed it more expedient for the general good to adopt that course, than to sanction any further subdivision of districts, or permit the introduction of the novel principle intended by the Council to be applied in Burin.

The distribution of members under the amendments made by the Assembly, differs in some important particulars from that under the original Bill, as appears by Table No. 3, hereto annexed.

The proposition to annex a part of the district of Trinity under decided mercantile influence, to a part of Bonavista, an essentially conservative district, but not so thoroughly subject to that influence as Trinity district, and the alternative suggested by Her Majesty's Council, of subdividing Burin, which cannot be equally or fairly divided, without producing Protestant majorities in both subdivisions, would involve, not only the question of general subdivision of all the electoral districts, but would give an undue preponderance to mercantile influence in those two districts and in the aggregate returns.

Under these circumstances, rather than submit to the amendments of Her Majesty's Council, the Assembly would prefer the measure proposed in the Assembly by the present acting Solicitor-general in 1850; an abstract of which is annexed in the Table No. 4. However unfair its application would be felt in some cases, or objectionable on the score of the subdivision of certain districts, the only qualification they would annex to the subdivision

of the districts not already agreed to be divided, is, that two-fifths of the registered voters in any district shall first approve thereof by requisition to the Governor before such district be subdivided.

The House of Assembly, in their proceedings on this measure, have been influenced by an earnest and sincere desire to do unqualified justice to all classes of Her Majesty's subjects in this colony, and they hesitate not to express their conviction, that any material departure from the principles on which they have founded their amendments, would tend to the withholding of their just rights, from one or other of these classes.

(signed) *John Kent*, Speaker.

House of Assembly, St. John's, Newfoundland,
30 May 1854.

TABLE No 1.

ABSTRACT of Census for 1845.

DISTRICTS.	PROTESTANTS.	CATHOLICS.	
Conception Bay	16,446	11,580	} Which return Nine Members to the Assembly.
Trinity Bay	7,518	1,283	
Bonavista Bay	5,418	1,809	
Fogo	5,616	1,128	
Burin	2,407	1,951	
Fortune Bay (including Burgeo and La Poile not represented)	4,703	392	} Which return Six Members to the Assembly.
St. John's	6,211	18,985	
Ferryland	160	4,412	
Placentia and St. Mary's	1,018	5,455	

TABLE No 2.

Distribution of Members according to Census for 1845.	Population.	Protestant.	Catholic.	Members		Proportion for each Member.
				Pro- testant.	Catholic.	
St. John's is divided into two Districts by a line running north from Beck's Cove to Broad Cove	25,106	6,210	18,986	-	6	4,199
Trinity District	8,801	7,518	1,283	3	-	2,933
Bonavista District	7,227	5,418	1,809	2	-	3,613
Fortune Bay District	2,920	2,557	363	1	-	2,920
La Poile District	2,180	2,151	29	1	-	2,180
Ferryland District	4,581	182	4,399	-	2	2,200
Burin District	4,358	2,407	1,951	2	-	2,179
Placentia and St. Mary's District	6,473	1,018	5,455	-	3	2,157
Conception Bay is divided into five Dis- tricts, to return seven Members for a Population of 28,026, averaging one for every 4,000, viz.:-						
Horse Cove to Cupids inclusive	6,722	2,614	4,108	-	2	3,361
Port de Grave to Bay Roberts inclusive	4,612	3,806	806	1	-	4,612
Spaniard's Bay to Harbour Grace in- clusive	6,182	3,698	2,484	2	-	3,091
Carbonear to Mosquito inclusive	5,071	3,340	2,731	-	1	5,071
Fresh Water to Bay de Verds inclusive	5,439	3,988	1,451	1	-	5,439
Twillingate and Fogo inclusive	6,744	5,616	1,128	2	-	3,872
	96,506	49,523	46,983	16	14	

Note.—The Council stated last Session, in their Conference, that thirteen Protestant Members, and thirteen Catholics, would result from their amendments on the Representation Bill of that Session. The Bill of this Session gives the power of returning fourteen Catholics and fifteen Protestants, while the Assembly do not recognize the necessity or justice of obliging the districts to effect that result, it is more than probable the number of Protestant returns would be much larger under this Bill than fifteen, as Catholic districts would doubtless continue to return independent Protestants, as they have heretofore done.

TABLE No. 3.

Distribution of Members according to the Census of 1845.	Population.	Protestant.	Catholic.	Members.		Proportion for each Member.
				Protest- ant.	Catholic.	
St. John's is divided into two Districts, by a line running north from Beck's Cove to Broad Cove - - - - -	25,106	0,210	18,986	-	6	4,100
Trinity District - - - - -	8,801	7,518	1,283	3	-	2,933
Bonavista District - - - - -	7,227	5,418	1,800	3	-	2,409
Fortune Bay District - - - - -	2,020	2,557	363	1	-	2,020
La Poile District - - - - -	2,180	2,151	29	1	-	2,180
Ferryland District - - - - -	4,581	182	4,399	-	2	2,200
Burin District - - - - -	4,358	2,407	1,951	2	-	2,179
Piacentia and St. Mary's District - -	6,473	1,018	5,455	-	3	2,157
Conception Bay is divided into five Dis- tricts to return seven Members for a popu- lation of 28,026, viz.						
Horse Cove to Turk's Gut - - - - -	3,907	707	3,230	-	2	1,908*
Turk's Gut to Port de Grave exclusive	5,538	4,150	1,388	1	-	5,538*
Port de Grave to Harbour Grace inclu- sive - - - - -	7,081	5,198	2,783	2	-	3,900*
Carbonear to Musquito inclusive - - -	5,071	2,340	2,731	-	1	5,071*
Fresh Water to Bay de Verds inclusive	5,439	3,988	1,451	1	-	5,439
Twillingate and Fogo inclusive - - - -	6,744	5,616	1,128	2	-	3,372
	60,506	40,523	46,083	16	14	

* The relative numbers of these districts, as altered by the Council, stand as here stated; the population was more equally divided in the Bill as sent up by the Assembly.

TABLE No. 4.

The Acting Solicitor-general's Amendment provides for 31 Members. The Island to be divided into 17 Districts, to be called and Represented as follows:

	Members.		Members.
The District of St. John's, East - - -	3	The District of Twillingate - - -	1
" Ditto - West - - -	3	" Fogo - - - - -	1
" Brigus - - - - -	2	" Ferryland - - - - -	1
" Port de Grave - - - - -	2	" Bay Bulls - - - - -	1
" Harbour Grace - - - - -	2	" Placentia (West) - - -	2
" Carbonear - - - - -	2	" Placentia & St. Mary's	2
" Trinity (South) - - -	1	" Burin - - - - -	2
" Trinity (North) - - -	1	" Fortune Bay - - - - -	2
" Bonavista (South) - - -	1	" Burgeo - - - - -	1
" Bonavista (North) - - -	1		
			31

INSTRUCTIONS to Conferees from Her Majesty's Council, on the Representative Bill, 3 June 1854.

HER MAJESTY'S Council have requested this conference with the House of Assembly on the last conference on the amendments made in the Bill to increase the number of representatives, for the purpose of acquainting the Assembly, that, having considered the instructions of the Assembly to their managers, the Council see in them no reason whatever for departing from the principle of giving to the respective religious denominations, with reference to their numbers, their due proportion of representatives; a principle which, while it has been the avowed object of both branches of the Legislature, would not have been carried out by the Bill as sent up from the Assembly, but would be effectuated by the amendments of the Council. The Council cannot, therefore, recede from their amendments except that in reference to the expenses of electors, as already signified to the Assembly.

The Council, in making the amendments granting an enlarged exercise of the franchise to the electors of the Burin district, were desirous, with a view to the general arrangement, to ensure

ensure the return of one Roman-catholic Member for that district, notwithstanding they were convinced from past experience, that such return would be made under the present Bill without such amendment.

In the last paragraph but one of their instructions to their Conferees, the Assembly appear to express a desire to abandon the Bill which they have deliberately passed and sent up for the concurrence of the Council, and to substitute in its stead a proportion (which is nevertheless characterised as objectionable and unfair, and as still requiring a peculiar qualification) made at a former period, by a Member of their own House. Were it not for the gravity with which this proposition is introduced, the Council would abstain from bringing under the notice of the Assembly, that, to refer in a conference between the two Houses, to the views and opinions of individual Members by either body, expressed now or at any former period, is a proceeding of a novel, and, as the Council submit, of an unparliamentary character, and an irregularity which might lead to great inconvenience.

Much of the force of the arguments urged by the Assembly, appears to depend upon the use of peculiar appellations applied to certain districts and classes of electors. The Council feel it right, therefore, to renew the intimation of their opinion, expressed upon a former occasion, that as these appellations are, at best, but mere titles of assumption, and do not affect the merits of the question under consideration, it is desirable to abstain from the use of them, in the communication between the two branches.

The Council deem it unnecessary to enter into any lengthened discussion of the statements contained in the instructions of the Assembly to their conferees; in which the Council fail to discover any ground for concluding that the views entertained and expressed by the Council are inconsistent with a due regard to the just rights of all classes of the inhabitants of the colony; unless it be in the having assented to a scheme of representation from which the wealthy and important Protestant minority of the district of St. John's is virtually excluded.

(signed) *Wm. Robinson*, President.

Council Chamber, 3 June 1854.

INSTRUCTIONS to Managers on the part of the Assembly on the Increase of Representatives Bill.

THE House of Assembly have requested this conference with Her Majesty's Council, on the subject of the last conference on the amendments made in the Bill to increase the number of representatives, for the purpose of acquainting the Council, that having considered the instructions of the Council to their managers, the Assembly regret to perceive in them the absence of that spirit of conciliation and fair play which has influenced the conduct of the Assembly upon this important question; and they are therefore confirmed in the opinion which they have entertained, that it is utterly hopeless to expect the concurrence of the Council in any just or generally acceptable measure upon this subject. They are now satisfied, however, that they have left untried no constitutional means at present available to them in the colony, to effect an understanding with the Council. The objects of the Council, in their treatment of the Representation Bill, appear to have been twofold: first, the maintenance of the existing system of government, and the perpetuation of sectarian ascendancy in the government of this colony; and secondly, the consolidation of that mercantile influence which has predominated in the Government from the time of the concession of the constitution to the present day.

It should be borne in mind that in this, as in the neighbouring colonies, there have always been rival interests, having different objects in view, and adopting different means to attain their ends. From the earliest days in its history, the merchants of Newfoundland have endeavoured to keep the trade of the country in their hands, and the operative population in a state of vassalage. To effect this object the better, they strongly opposed the granting to this colony a representative form of government, and other institutions incident to a progressive state of society. When, however, against their will, they were granted to the people, they managed to obtain a control over them, and thus carry out in one way what they had failed to achieve in another; hence their position in the Government, and the alliance which has been formed with their interest at the Council Board, to oppose all popular movements, and especially the just settlement of a measure deemed essential to the proper working of a reformed system of government; hence the united opposition of the Council (with one honourable exception) to responsible government, and hence the foundation for the distinction which facts and history have drawn, but to which the Assembly have only adverted, as existing between the conservative or obstructive party, and the liberal or progressive party, who have gained for the people all the most cherished privileges they enjoy, and all the reforms that have been made in our political and other public institutions.

The Assembly should not have deemed it necessary to trace to its source the distinctive and combined policy which the Council desire to carry out, or the party to whom they are allied, had their attention not been called to the manner by which they have taken exception to the use of these "peculiar appellations" of "liberal" and "conservative" or "mercantile districts," and endeavoured to substitute for them mere denominational distinctions, which have obtained an undue prominence in their proceedings on this measure, while the real interests which the Council seek to uphold have been kept in the back ground.

The Assembly would not wish to be understood as detracting from the consideration due to the different religious denominations of this island, in the arrangement of the increase of the

the representation, and they do not hesitate to refer to the Bill, as introduced and amended by them, to prove the fairness of their views in the distribution of the members; but they feel it their duty to protest against the manner in which this element has been treated by the Council.

The alleged anxiety of the Council to secure the return of a Catholic member for the district of Burin, by the introduction of a new and untried principle, is regarded by the Assembly, not as a constitutional safeguard, but as a dangerous expedient to divide the people, by promoting sectarian divisions, and prove the existence of anomalies in the state of society in this colony, which do not exist except in the constitution of its government. If the electors of Burin have on two occasions returned Catholic members to the Assembly, while they have had the power of returning Protestants, it shows that they do not recognise the sectarian standard as the test of representative qualification; and the Assembly do not recognise the necessity or propriety of obliging them or any other constituency to conform to a principle which often begets strife, without securing Parliamentary usefulness or political integrity.

The Assembly regret to perceive a disregard of facts on the part of the Council in their statement that the Assembly "appear to express a desire on their part to abandon the Bill which they had deliberately passed and sent up for the concurrence of the Council."

As an alternative, they stated that rather than accede to the Council's amendments, they would prefer the measure introduced by the now acting Solicitor-general, in 1850, with a slight modification, and they are quite at a loss to understand in what sense it can be considered unparliamentary or irregular to refer to that measure, or to the name of the introducer of it, for the purpose of designating and identifying it, nor do they think the Council should have raised any objection, on the score of inconvenience, to a reference to such a record of the expressed opinions of any member of their Board, or any officer of the Government, when the settlement of an important political question is sought to be effected.

The Liberal district of St. John's, which has invariably returned a Protestant member to the Assembly, commencing with the Hon. William Thomas, who occupies a seat in the Council, would (the Assembly are confident) under their Bill, continue to display the same liberality in the return of members deserving of public confidence, irrespective of sectarian distinctions. The Assembly are therefore surprised that the Council should have repeated an allegation which the Assembly have heretofore passed unnoticed, that even under the scheme of representation to which they have assented, "the wealthy and important Protestant minority of the District of St. John's is virtually excluded," while the gross population of the district is 25,196, of whom 18,986 are Catholics, and it is only allowed six members, being one for every 4,199 inhabitants, or as the Council would erroneously assume, one for every 3,132 Catholics: forgetting that the conservative and mercantile district of Trinity, with only 8,801 inhabitants, not half the Catholic population of St. John's, and a little over a third of its gross population, was to have three members, being one for every 2,933 of its inhabitants, or one for every 2,506 Protestants in the district, and La Poile would have one member for 2,151 Protestants; that, according to the reasoning of the Council, there are more than 11,000 Catholics unrepresented in nine districts having Protestant majorities; and that, in fact, the arrangements in the Bill, as passed by the Assembly, were so made as to leave no reasonable ground of objection on this or any other head, a conclusion in which disinterested men of all denominations, who have considered the subject, fully concur.

In conclusion, the Assembly have also to express their regret, that in the discussion of the question the Council should have so far forgotten the dignity which ought to characterise the grave deliberations of either branch of the Legislature, as to give vent to the display of temper which pervades the instructions to their managers; and the Assembly take the liberty of suggesting, without intending any disrespect, that as the arguments put forward by them, in support of their amendments are evidently unanswerable, it would be more magnanimous in the Council to submit to them with becoming grace, than to continue to oppose the popular will.

House of Assembly, St. John, Newfoundland,
5 June 1854.

(signed) *John Kent*,
Speaker.

RESOLUTIONS adopted in Committee of the whole; Thursday, 8 June 1854.

RESOLVED, That in deference to the recommendations of his Grace the Duke of Newcastle, as communicated in the despatch from his Grace of the 24th February last, the House of Assembly have since zealously applied themselves to the carrying out of the conditions declared by his Grace to be necessary pre-requisites to the introduction of responsible government.

2. Resolved, That as a leading feature in these conditions, the Bill for the increase of representatives was passed by the Assembly on a basis which provided for the fair representation of the liberal, and conservative or mercantile interests, and appropriated the members to the several electoral districts with a due regard to the relative claims of the two great religious denominations of the colony, the number of Protestants being, by the last census, 49,523; and of Catholics, 46,983; and the number of members allotted by the Bill of the Assembly being, to nine districts, having each a decided Protestant majority, 15; and 14 members to six districts, having Catholic majorities.

3. Resolved, That the settlement of the question of representation by reference to a sectarian test, has always been, and now is, repudiated by the House of Assembly; and its adoption has proceeded solely from an anxious desire to meet the objections of the party opposed to the concession of responsible government, and whose objections took the professed ground that the change would result in the establishment of Catholic ascendancy.

4. Resolved, That the passage of the Bill referred to abundantly exonerates the Assembly from the charge that they are influenced by a desire for any undue ascendancy in the colony.

5. Resolved, That notwithstanding the unimpeachable fairness of the Bill by reference to the issue raised by Her Majesty's Council, that body refused to assent to the measure, and amended it by abstracting one Member from the liberal and Catholic constituency of Placentia, and adding it to the mercantile and Protestant district of Bonavista, and by introducing a principle to be applied only to the district of Burin, by which the minority might return one of the two members for that district.

6. Resolved, That the Assembly believe that the application of a special principle to the return for one district, while a different principle governs the returns for all other districts, involves an anomaly without precedent in the history of representative institutions.

7. Resolved, That this proceeding appears to the Assembly to proceed from a desire to establish the proposition that the people of this colony are so separated by sectarian feeling that they will place political confidence only in their co-religionists—an inference triumphantly refuted by our past history in regard to election returns.

8. Resolved, That the adoption of this novel principle in the district of Burin would necessarily produce a permanent separation between the different religionists in that locality, and give a statutable recognition to those differences which Her Majesty's Council affect to deplore.

9. Resolved, That the Assembly refused to assent to a principle so novel and anomalous, and which, in its effects, would be destructive to the peace of a thriving community.

10. Resolved, That though the Bill originally sent from the Assembly was strictly defensible in a denominational point of view, yet, from a desire to conciliate differences, and bring this long pending question to a settlement, the House passed an amendment on their Bill, conceding an additional member to the Protestant and conservative district of Bonavista, thus giving to nine districts, having Protestant majorities, the power to secure the return of 16 out of the proposed number of 30 Members.

11. Resolved, That this concession has been rejected by Her Majesty's Council; and the House, having thus exhausted all means at their disposal to effect a settlement, it is hopeless to expect the concurrence of that body in any just or generally acceptable measure of representation.

12. Resolved, That Her Majesty's Council, having consistently opposed every effort to introduce responsible government into this colony, and their hostility to the change being still openly manifested, it was hardly to be expected they would concur in any measure of representation they believed the Assembly could accept, because the settlement of this question would insure the result to which the Council have been steadily opposed, and by which their long-enjoyed position and influence would be subjected to constitutional checks and correctives.

13. Resolved, That all the other points recommended in the despatch referred to, and that were insisted on by Her Majesty's Council, have been agreed to by the House.

14. Resolved, That Her Majesty's Government be requested to concede the immediate application of responsible government, with the understanding that, on the formation of a new Council, a measure of representation similar to that recently adopted by the Assembly be passed, and brought into operation without delay.

15. Resolved, That it is the deliberate opinion of the House, that notwithstanding the concession of the principle of responsible government to the colony by his Grace the Duke of Newcastle, the present Council will leave no means untried to stay the introduction of the change. It is therefore our firm conviction that we shall consult the best interests of the country in refusing to grant the supplies necessary to carry on the existing system, and that the people will consider the inconvenience that may accordingly result, a small evil, as compared with the continuance of a system under which the country is practically without a government for any useful purpose.

16. Resolved, That an address be adopted to Her Majesty's Principal Secretary of State for the Colonies, and both Houses of Parliament, embodying the foregoing resolutions, and that delegates be appointed by the House to proceed to London, to advocate and sustain the views of the Assembly in the present position of affairs, and to present a duplicate of the said address to his Grace.

— No. 11. —

(No. 107.)

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
15 June 1854.

(Received, 3 July 1854.)

(Answered, 6 July 1854, No. 3, *infra*.)

My Lord Duke,

I HAVE the honour to transmit an address to your Grace from the House of Assembly acquainting your Grace with the appointment, by that body, of Messrs. Little, Parsons and Emerson, to be delegates to the Imperial Government on the subject of responsible government.

I have, &c.
(signed) *Ker B. Hamilton*.

Enclosure in No. 11.

Enclosure in No. 11.

To his Grace the Right Honourable the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonies.

May it please your Grace,

THE House of Assembly of Newfoundland in Legislative Session convened, beg leave respectfully to inform your Grace, that they have during the present Session appointed Philip Francis Little, George Henry Emerson, and Robert John Parsons, Esquires, Members of their body, as delegates with power to any two of these gentlemen, to represent to Her Majesty's Government the state of this colony; and to advocate the claims of its inhabitants to responsible government with reference to the circumstances referred to in an address to your Grace and both Houses of Parliament on the subject passed this day.

They, therefore, trust that your Grace will be pleased to give a favourable hearing to their delegates, and upon a full consideration of the matters which they will deem it their duty to submit, your Grace may be enabled to advise Her Majesty's Government to adopt such measures as will meet the views of the Assembly, and thereby confer upon the people of this colony a full participation in such rights and privileges as have been granted to the neighbouring colonies, and are shown to be productive of the peace and prosperity of the people.

Passed the House of Assembly, 10 June 1854.

(signed) *John Kent*, Speaker.

— No. 12. —

(No. 3.)

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor *Hamilton*.

Sir,

Downing-street. 6 July 1854.

I HAVE to acknowledge your despatches of the numbers and dates specified in the margin, reporting the prorogation of the Legislature to the 14th August, and transmitting an address from the House of Assembly.

I cannot but feel great regret and disappointment at the termination of the Session, without any progress having been made in the settlement of the question of responsible government on the terms indicated by the Duke of *Newcastle*, in his despatch of 24th of February last; but it is a source of still greater regret that the chief obstacle to this settlement appears to arise from the mutual jealousy of the members of the religious denominations into which the community is divided. It is deeply to be lamented that religious differences should stand in the way of general co-operation for the promotion of measures conducive to the common interests of all; and it should be the constant endeavour of the local Government to mitigate these hostile feelings, and, as far as possible, to prevent merely political questions from being mixed up with religious disputes.

These misfortunes are rendered more serious by the refusal of the Assembly to grant the supplies requisite for the public service; but I cannot hold out to you any expectation of Parliamentary interference on this or any ground, in the present political affairs of the colony.

No. 12.
Sir *G. Grey*, Bart.,
to Governor
Hamilton.
6 July 1854.

No. 104, 14 June
1854, page 44.
No. 107, 15 June
1854, page 59.

As members have been deputed both by the Council and Assembly to represent to Her Majesty's Government the respective views of the two branches of the Legislature, it is unnecessary for me, while expecting their arrival, to enter more into details.

I have, &c.
(signed) G. Grey.

— No. 13. —

(No. 108.)

Copy of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
26 June 1854.

(Received, 17 July 1854.)

My Lord Duke,

Among the pre-requisites to the introduction of responsible government referred to by your Grace in your despatch of the 21st February last, an important one was the indemnification of the present holders of those offices which, by the change in question, will be rendered liable to be vacated at the will of the majority of the Legislature.

2. I accordingly transmitted to the Assembly a message upon the subject and received from that body an address in reply, copies of which and of my answer I enclose.

3. I pointed out to the Members who waited upon me with the address from the Assembly that that House had, eight years ago, in a resolution unanimately adopted by them (herewith enclosed) emphatically urged upon the Executive Government the claims of the present Attorney-general to advancement on the ground of meritorious public service, and had thus recorded their recognition of public service rendered by Mr. Archibald up to a period antecedent to that from which, in effect, they would now date the commencement of his public service; but that the Assembly would now use to his disadvantage those services and their recommendation of them which had had weight in procuring his appointment to his present office. I concluded by informing the deputation that I could not consent to the injustice thus involved.

4. I think your Grace will agree with me that the claim I asserted on the behalf of the Attorney-general, that he should be placed in the same category with the Colonial Secretary, and Surveyor-general is just and indisputable; and I request your Grace will be so good as to determine the question, and thus preclude further discussion on this point with the Assembly.

5. With the desire to exclude any possible objection, I adopted, in the first instance, a scale of indemnification lower than that recommended to me by the unofficial Members of my Council, and lower than what I thought just. The Assembly, however, have gone lower still.

I have, &c.
(signed) Ker B. Hamilton.

P.S.—It may not be improper for me to add, that, although the scale I recommended to the Assembly, applied only to services rendered to this colony, yet, the Colonial Secretary has been in the public colonial service for forty years, and the Surveyor-general for thirty-eight years.

(signed) K. B. H.

Enclosure 1, in No. 13.

REPLY of his Excellency the Governor to the Address in reference to the Retiring Salaries of Officers of the Government on the advent of Responsible Government.

THE Governor in reply to the Address of the House of Assembly requesting him to lay before the House a statement of his views as to the retiring allowances which should be granted to the officers whose places will be vacated on the introduction of responsible government, with a view to the satisfactory adjustment of this subject, informs the Assembly:—

1st. As to the indemnification of the holders of offices which, by the introduction of the change of system, will be liable to be vacated at the will of the majority of the Assembly, the Governor has adopted the following scale of retiring allowances, viz.: To officers who shall

No. 13.
Governor Hamilton
to the Duke of
Newcastle.
26 June 1854.

Encl. 1, in No. 13.

shall not have been five years in the public service of the colony, a round sum in full of all claims; to officers who shall have been five years in the public service of the colony, a pension equal to not less than one-fifth of their official incomes; to those officers who shall have been 12 years in the public service of the colony, a pension equal to not less than two-fifths of their official income; to those officers who shall have been 20 years in the public service of the colony, a pension equal to not less than three-fifths of their official income.

2d. As to the offices which must be regarded as liable to be vacated on the introduction of the change, the Governor considers it sufficient to name, for the present, those of the Colonial Secretary, Attorney-general, Surveyor-general, and Solicitor-general—the present holders of the three first-mentioned offices being also members of the Executive Council. The Governor strongly recommends, for the consideration of the Assembly, the expediency of conjoining the offices of Treasurer and Collector into one, to be held free from changes of administration, and at the same time to create an office of Auditor-general, from the competent discharge of the duties of which great advantage would, in the Governor's opinion, be. Such an office, if established, might be subject to be vacated on changes of administration.

(signed) K. B. H.

EXTRACT of Report of Select Committee on the Message of his Excellency the Governor, in reference to Retiring Allowances of certain Officers on the introduction of Responsible Government.

(Presented by Mr. Shea, 3 June 1854.)

THE Select Committee appointed to consider the Message of his Excellency on the subject of the allowances to be made to the officers of the Government, whose offices shall be liable to be vacated on the introduction of responsible government, take leave to inform the House that they have fully and carefully considered the matter embraced in the said Message, and beg to report to the House the result of their investigations.

In their inquiries, the Committee deemed it necessary, not only to regard the message of his Excellency, but to consider as well what had been done under similar circumstances in Nova Scotia and Prince Edward Island, the colonies referred to by his Grace the Duke of Newcastle, as a criterion in the settlement of the retiring allowances.

In Nova Scotia the only officer who was held entitled to a pension, on the change of system, was the Provincial Secretary, and in Prince Edward Island the claims were limited to the holders of offices of Colonial Secretary and Attorney-general.

The committee have failed to discover any analogy between the scale of compensation proposed by his Excellency and that which has been adopted in the colonies in question; and while they are of opinion that an equitable provision should be made for parties vacating offices, who have admitted claims on the colony for compensation, they cannot assent to the justice of demanding from this colony larger relative sums than were deemed a sufficient discharge of similar claims in Nova Scotia and Prince Edward Island.

Those who entertain the most conservative views of the claims of officials displaced in subservience to a question of public policy, usually admit that the example of England is a safe and just guide for the settlement of any analogous case. The committee append a statement showing what was the scale of compensation adopted for the officers who were dismissed under the Imperial Customs Act of 1853; and here it will be seen that there is as little affinity with the scale proposed by his Excellency, as in the arrangements adopted in the two provinces before mentioned.

In Nova Scotia the Provincial Secretary, an officer of 30 years' standing, received a pension of 400*l.* sterling per annum. The Attorney-general in Nova Scotia, who had been seven years in that office, and who held the office of Solicitor-general previously, received no retiring allowance; and in Prince Edward Island the sum of 133*l.* 6*s.* 8*d.* was granted to the displaced incumbent, who had held the office for 20 years.

The committee propose for the following officers to be removed on the introduction of responsible government, the yearly pension as follows, which do not materially differ from the scale suggested by his Excellency:

	£.
The Colonial Secretary, in office over 20 years - - - -	400
The Surveyor-general, ditto - - - -	285
The Attorney-general, in office 8 years - - - -	140

The Solicitor-general being under suspension, the committee do not conceive that they have at present any power definitely to determine. Should he be restored, they think he would be entitled to a pension of 90*l.*

Respectfully submitted,
(signed)

A. Shea.
P. F. Little.
Edm. Hanrahan.
Clem. Benning.
Geo. J. Hogsett.

Committee-room, 3 June 1854.

REPLY of his Excellency the Governor.

I AM happy to receive the assurance, contained in this address, of the desire of the Assembly to make an equitable arrangement in respect of the officers whose places will be vacated on the introduction of responsible government.

I perceive from the report of the committee which accompanies the address, that the scale of retiring allowances recommended by me is not acquiesced in; and that the committee has not adopted the received principle on which I had proceeded, and which justice requires, namely, that the loss of a regular service under the Crown in the colony is the point for consideration, and the loss to be compensated for, and not merely the loss of a particular office held at a certain juncture, and which might have been held for one month only by an officer whose period of service had extended over 20 or 30 years. If the principle I have adverted to should be departed from, it would operate with manifest injustice towards the Attorney-general.

I do not concur in the rule proposed to be applied to the case of the Attorney-general; a reference to the blue book of the colony shows that he has been in the service of the colony for nearly 22 years; and the House will, I doubt not, on further consideration of the circumstances, see the justice of adopting the scale I had laid down, or of placing the Attorney-general in the same category with the Colonial Secretary and the Surveyor-general.

Enclosure 2, in No. 13.

VOTE of Thanks to Clerk.

Tuesday, 28 April 1846.

ON motion of the Honourable C. F. Bennett, seconded by the Honourable Mr. Morris, Resolved unanimously, That this House cannot separate without expressing its sense of the merits of Edward Mortimer Archibald, Esq., Clerk of this House, and of his strong claims upon its regard. Educated under the especial care of his late lamented father, when Speaker of the House of Assembly of Nova Scotia, he arrived in this country at the period of the first introduction of a representative form of government. Under his instructions the members of the first House of Assembly were initiated into a knowledge of those laws and rules so necessary for the guidance of deliberative bodies. From that time to the present period, with some slight interruption, he has filled the important office of clerk to the House of Assembly, in which office his unceasing industry, his great abilities, and his obliging disposition have, even under circumstances of the greatest political excitement, invariably won the lasting esteem of every Member of the House, and they therefore deem it a duty they owe him to place on record this public acknowledgment, and to express a wish that services such as these may be appreciated by his sovereign and his country.

— No. 14. —

No. 14.

(No. 109.)

Governor Hamilton
to the Duke of
Newcastle.
28 June 1854.

COPY of a DESPATCH from Governor *Hamilton* to the Duke of *Newcastle*.

Government House, St. John's, Newfoundland,
28 June 1854.

My Lord Duke,

(Received, 17 July 1854.)

I HAVE the honour to inform your Grace that, in compliance with a request contained in an address from the Council to me, I have appointed Mr. Archibald and Mr. William Row to be delegates from that body to Her Majesty's Government, for the purpose of bringing under the consideration of Her Majesty's Government the present condition of Newfoundland, and of supplying such information as may be required touching the affairs of this colony.

I have, &c.

(signed) *Ker B. Hamilton.*

— No. 15. —

(No. 8.)

No. 15.
Sir G. Grey, Bart.,
to Governor
Hamilton.

COPY of a DESPATCH from the Right Honourable Sir *G. Grey*, Bart., to Governor *Hamilton*.

Sir,

Downing-street, 14 August 1854.

ADVERTING to my despatch of the 6th* ultimo, in answer to yours of the 14th* of June, forwarding addresses from the Council and Assembly of Newfoundland on the subject of responsible government, I have now to inform you that I have attentively considered the substance of those addresses, and have also had the advantage of personal communication with the gentlemen who have been deputed to visit me on the part of both those legislative bodies.

2. Her

2. Her Majesty's Government cannot but greatly regret the state of political feeling which these addresses represent. The language in which each of the contending parties has thought proper to characterise the acts of the other, is much to be lamented; and still more the step which the Assembly has taken, assuming the hopelessness of any satisfactory adjustment; namely, that of subjecting the island to the serious inconvenience which must result from their withholding the usual Supply Bill.

3. It is especially to be regretted that these feelings should have been exhibited when there is so very little of substantial difference between the two parties. The conditional concession of responsible government made by Her Majesty's Government meets with opposition from no party. The terms of that concession were framed by the Duke of Newcastle after full consideration of what had been urged on both sides; nor is any objection taken to the more important of these terms, which, for my own part, I regard as reasonable, and calculated to meet the exigencies of the case in a satisfactory manner. The subsisting quarrel turns almost wholly on matters of detail; questions as to the mode of carrying out the general views entertained by Her Majesty's Government; and I cannot but believe that mutual concession and forbearance, even after all that has passed, may find a way to dispose of them.

4. I shall therefore continue to hope for a peaceful solution of these disputes, and that the Council and Assembly may be brought to act together in the promotion of their common interest, irrespectively of those religious differences on the political bearing of which a stress has been laid which I trust is very exaggerated, and I entertain no doubt that you will feel it to be your peculiar duty to exercise all the influence you may possess, as an impartial arbitrator, in soothing irritated feelings, and reconciling discordant views.

5. But whatever may be your success, I can only refer you to my former^r despatch, as expressing my conviction that Parliamentary interference is not to be expected. It is not from any feeling of indifference, or any want of sympathy with the trouble which these political differences have brought on the community of Newfoundland, that Her Majesty's Government must continue distinctly to decline making any application to Parliament for such interference; it is from consistent adherence to established policy, and from a conviction that if Parliament were to interfere, it would only be to the ultimate aggravation of existing differences. The only measure which Her Majesty's Government have in their own power is, that of advising Her Majesty to remodel the Council in such a manner as to make it act harmoniously with the Assembly; a measure to which they would resort to with regret, and of which they at present cannot admit the necessity.

6. To apply the foregoing observations more in detail to the points at issue. The principal dispute brought before me relates to the projected electoral divisions: both parties being agreed on their expediency, and differing only on a narrow question of detail, supposed to affect the balance of parties in the island. On this question I feel myself incompetent, in the absence of minute local knowledge, to express any opinion, farther than by saying that undue importance seems to me to have been attached to it. I must add, however, that the exceptional provision introduced by the Council into the Bill as to the mode of voting in the district of Burin, appears to me open to considerable objection. Without entering into any question as to the general expediency of such a mode of voting, there would be a great anomaly in enforcing or allowing it in one district exclusively.

7. With regard to allowances to retiring officers, the scale suggested by yourself appears to meet with general acquiescence; the only debated question regards the amount to be allotted to Mr. Archibald; a question which forms the particular subject of your despatch, No. 108,* of the 26th June last, hereby acknowledged. I cannot concur in the view, that this gentleman is entitled to a pension, calculated only on the period of his service as Attorney-general, exclusive of his previous service in the colony. But I think that a satisfactory arrangement may be arrived at, by calculating it on the whole length of his services to the colony in whatever capacity, but not according to the amount of his annual income during the eight years of his tenure of the office of Attorney-general, but the annual average of his income from public funds during the whole of his service in the colony.

* Page 60.

8. With regard to the condition embodied in paragraph 9, of the Duke of Newcastle's despatch of 21st February last, requiring that payment of Members of Assembly for their expenses and attendance should be made, not by the Colonial Treasury, but by local assessment, I have to state, that although I concur in the expediency of the measure itself, it is not one which I consider indispensable, and as it has not been insisted on in other North American colonies, I am not prepared, if the other conditions are complied with, to press for a fulfilment of this one, against the deliberate opinion of the Assembly.

9. It will be desirable, with a view to the settlement of this question, that the Legislature should be called together at an early period. The circumstances indeed under which the last Session terminated, would in any case render it inconvenient that a long interval should be allowed to elapse before another Session is held.

10. In order that you may be fully aware of all that has passed in this country, I transmit to you copies of the representations in writing which have been made to me by the delegates of both parties, and of the answers which I have caused to be returned to them.

I have, &c
(signed) G. Grey.

Enclosure 1, in No. 15.

Tavistock Hotel, Covent-garden, London,
22 July 1854.

Sir,

HAVING requested the honour of an interview with you on behalf of the delegates appointed by the Assembly of Newfoundland to represent their views on the subject of responsible government, I deem it my duty, in the absence of my colleague, who has not yet arrived in London, to place before you a brief outline of the present state of the question, while I take the liberty of soliciting your particular attention to the accompanying documents and those which I have already transmitted for your consideration.

According to the despatch of his Grace the Duke of Newcastle, dated the 24th February last, the principles of responsible government were to be put in operation in Newfoundland upon the performance by the Legislature of the four following conditions, viz.: First, that retiring allowances should be provided for such officials as were subject to removal upon the adoption of the new system, according to the rule pursued in Nova Scotia and Prince Edward Island; secondly, that a law should be passed to increase the number of members in the Assembly from 15 to 30; thirdly, that the election expenses should be paid by the candidates; and fourthly, that the allowance usually granted to members to meet their expenses during their attendance in the Assembly should be defrayed by direct assessment on their constituents in their respective districts. Some of these conditions were deemed by his Grace essential to justice, and others necessary to the proper working of the new system.

You will perceive by the Address of the Assembly to his Grace the Duke of Newcastle, a duplicate of which I have had the honour to transmit to you, and which I should state was adopted before they were advised of your appointment; that all of these conditions, on which the Council insisted, have been complied with on the part of the Assembly; and if they have not become the law of the island, I venture to affirm, the fault does not rest with them, for they have honestly and earnestly endeavoured to carry them out, waiving anything approaching to extreme opinions, for the purpose of effecting a compromise on the points in dispute.

As the most conclusive evidence of the anxiety of the Assembly to meet the Council fairly, I would refer, not only to their general measures on the subjects in question, but also to an Address* adopted by them to his Excellency the Governor, soliciting his mediation with the

* The following is a copy of the Address above referred to, as extracted from the Journals of the House of Assembly.

To his Excellency *Ker Baillie-Hamilton*, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c. &c.

May it please your Excellency,

THE House of Assembly beg to inform your Excellency, that since the receipt of your message of the 22d March last, accompanying a copy of the despatch of his Grace the Duke of Newcastle on the subject of responsible government, they have passed a Bill for increasing the number of Members of the Assembly, in accordance with their address to his Grace in reply to the said despatch, and to carry out as far as practicable his wishes in this respect.

That for the purpose of anticipating and obviating objections on the part of the Council, the Assembly subdivided in their measure all the districts heretofore sought to be divided by the former; added two Members to the mercantile district of Trinity, instead of one allotted to it in former Bills, and so framed their Bill as to give the mercantile, fishing, farming, in fact all classes and denominations, as they humbly conceived, a just share of representation. A mainly denominational and mercantile basis having

the Council in their executive capacity on the Representation Bill, in accordance with his previous tender of co-operation to carry out the conditions mentioned in the despatch, after the Assembly had vainly used every reasonable means in their power to conciliate the Council; having made several substantial concessions in the details of that measure by subdividing the districts of St. John's and Conception Bay; by conceding two members more to the mercantile and conservative districts of Trinity and Bonavista than they had on any former occasion felt themselves justified in granting; and by imposing the election expenses on candidates. His Excellency sent a written message through Mr. Secretary Crowdy to the Speaker of the Assembly, declining to receive the address, as he considered it unconstitutional for them to make such a request, or for him to interfere; I may not use the exact language of the message, as it was privately withdrawn, and at his Excellency's request returned to him by the Speaker, after it had been received and opened by the latter, but before it was formally communicated to the House. Such, however, was the purport of his Excellency's subsequent reply to the deputation who presented the address.

As to the first condition, I would respectfully refer you to the accompanying copy of the Report of the Select Committee (No. 1) adopted by the Assembly on the subject of the retiring allowances. Looking at the financial condition of the colony, and the manner in which the retiring officials have been treated in the neighbouring colonies of Nova Scotia and Prince Edward Island, the Assembly were persuaded that they have gone as far as justice and a regard to the public interest required. Although his Excellency suggested a higher scale than the Assembly adopted, yet by his message (No. 2) he admits inferentially the reasonable character of the allowances provided by them, with the exception of the case of Mr. Attorney-general Archibald, for whom he claimed a retirement, not only for the period he held the office of Attorney-general, but also for the time he was clerk of the Supreme and Circuit Courts of the island, being about 14 years, an office which is not affected in any way by the contemplated change of government, which is not of a political tenure in any of the colonies, and which he voluntarily abandoned for the office of Attorney-general, after resolutions affirming the principles of responsible government, as applicable to Newfoundland had passed the amalgamated Legislature. In his case, the Assembly were inclined to act as liberally as the circumstances would permit, and they offered him the full amount prescribed by the Governor himself for an officer of 6 years standing and under 12 years (140*l.*), being one-fifth of his salary; while they felt that it would be wrong to extend the compensation to any special service not coming within the rule prescribed by the Duke of Newcastle, and followed in the colonies named by his Grace.

As

been forced upon their consideration by the manner in which previous Bills on this subject had been treated by the co-ordinate branch of the Legislature, they respectfully refer your Excellency to the accompanying Tabular Statement, No. 1,* to illustrate the justice of their distribution of Members on this head, and also the fairness of its operation in respect of the popular and conservative parties and their interests in this colony.

That this measure thus passed by the Assembly, having been sent to Her Majesty's Council for their concurrence, has been returned by them, with several amendments upon it, first taking away the third Member from the popular district of St. Mary's and Placentia, and adding a third Member to the conservative district of Bonavista, which is more under mercantile influence than the other, and besides being territorially not nearly as extensive, the difference in the population of these respective districts is only 751 inhabitants, according to the census of 1845. By another amendment, a novel principle of representing Ministers was introduced in the district of Burin. This principle was merely suggested by Mr. Frederick Peel, the Under-Secretary of State for the Colonial Department, for the consideration of the Delegates of the Assembly; they showed that it would not apply to the circumstances of this colony, and it must be regarded as abandoned by the Imperial Government, if they ever entertained the idea of testing it in this colony, for the Duke of Newcastle suggests a general subdivision of districts in lieu of it. Its partial application in Burin, with its limited population, to return only two Members, would only tend, like a subdivision of that district, to promote mercantile interests and sectarian differences, and there is no precedent to be found for it on this side of the Atlantic, or in Great Britain. Without any real necessity, but for the purpose of combining mercantile influences in the district of Trinity, as defined by the proclamation of Sir Thomas Cochrane, was also sought to be mutilated for the purpose of adding a portion of it to the district of Bonavista, while the extent and boundaries of no other district in the island were disturbed. An unusually high scale of election expenses to be paid by candidates was also added to their Bill.

Thus altered and amended, the Bill was returned to the Assembly, and for the purpose of putting an end to further agitation on this important question, more than from a sense of justice, they consented to allow the third Member to remain to the district of Bonavista, but as a consequence of this concession to the views of the Council, they deemed it but fair, in justice to its relative population and territorial claims, to restore the third Member to the district of Placentia and St. Mary's; they also provided a reasonable scale of election expenses to be paid by candidates, since assented to by the Council, and disagreed to the other amendments of Her Majesty's Council. The Tabular Statement, No. 2,† hereto annexed, will show, even on the denominational and mercantile basis, the Bill thus passed returned to the Council cannot, with any show of reason, be objected to by the parties the Council assume to represent.

Your Excellency having in your message tendered your co-operation to the House of Assembly, "in fulfilling those pre-requisites, some of which his Grace considers essential to justice, and others highly important to the satisfactory working of the new system of Government," and the Increase of Members Bill being deemed by his Grace one of those pre-requisites referred to by your Excellency, the Assembly therefore avail of your Excellency's offer, and most respectfully solicit your mediation with your Excellency's confidential advisers in the Executive Council, to induce them to come to an understanding and agreement with the Assembly upon this subject.

The Assembly adopt this course for the purpose of exhausting every means available in this colony to settle this question; and while they concede to the Council their right of exercising their best judgment upon the matter, they most respectfully submit that, under the present anomalous constitution, and the existing state of the affairs of the Government, your Excellency may with propriety intimate your opinion to your confidential advisers for the purpose of terminating the agitation existing on this subject.

* See page 47 of this Paper.

† See page 48 of this Paper.

As regards the Bill for the increase of the representation of the people, I would also respectfully refer you to the accompanying copy of the Bill (No. 3), and the reasons of the Assembly (No. 5 and No. 7), to prove the fairness of the measure in every point of view. The assumed anxiety of the Council to balance the representation solely by a reference to sectarian distinction, is an utter fallacy; and the Assembly have always repudiated the attempts of the Council to foist such a standard upon the public as the sole basis of representation, while they have invariably desired that equal justice should be done to all denominations in the distribution of members. That the Council have made use of the sectarian hue, which they have managed to impart to the question, as a cloak to conceal their real object—being the peculiar interests of themselves and their mercantile allies—can be seen upon the least impartial consideration of the facts and figures contained in the reasons of the Assembly upon their conferences with the Council.

At present the island is divided into nine districts; in six of these, there are Protestant majorities of electors, capable of returning nine of the 15 Members who represent the colony, if they were influenced by the test of the Council. The Assembly have always been willing to duplicate the representation without disturbing the existing electoral districts, which would give a result of 18 Protestants to 12 Catholics by the same mode of action. But the Council have always opposed that proposition, and contended for a subdivision of the districts. Their motives are apparent from the facts, that the electors have not acted on the sectarian test; that in the districts of Conception Bay, for the subdivision of which they have so long contended, and which the Assembly have at length granted, there are 16,446 Protestants and 11,580 Catholics (according to the Census of 1845), giving a majority of 4,866 Protestant inhabitants or about 800 electors; that they have also contended for and obtained the consent of the Assembly to subdivide the district of St. John's, where the Catholic majority of electors being so large, that if they were influenced by the Council's test, they could return all the members for the district of their own persuasion, contrary to their invariable course; that after the Assembly had consented to give a third member to the mercantile district of Trinity, the Council, in their amendments on the Representation Bill, cut off a portion of this district and added it to the conservative, though not so mercantile district of Bonavista; that they have also attempted to provide, in the district of Burin, for the representation of a majority, by allowing each elector the power of giving two votes to one candidate or dividing them, to secure, as they alleged, an aggregate result of 15 Protestants and 14 Catholics; while they refused to accept the proposal of the Assembly, to add a third member to Bonavista, which would be 16 to 14 in the distribution of members, viewed in the sectarian light, although they proposed a measure in the Session of 1853, by which they then stated that a fair return of 13 to 13 would be the result; that in a measure of the present acting Solicitor-general, in the Assembly of 1850, he proposed to allow the liberal district of St. Mary's and Placentia, which has been lately rapidly freeing its trade from the control of the merchants of St. John's, four members, and only two to Trinity and two to Bonavista; while the Assembly have allowed three to each of the latter, and only require three for St. Mary's and Placentia, to which the Council would only allow two.

In order to arrive at a correct conclusion on this singular array of facts, it is necessary to inquire into the constitution of that body, who could be guilty of such contradictions and resort to such expedients as I have pointed out. It is mainly a combination of irresponsible salaried officials and their mercantile friends, who have always united in opposition against all popular reforms in the colony. The mercantile body, though few in number, first opposed the granting of a representative form of government to the colony; defeated in their opposition, they have obtained the control of the Government, not as the elected of the people, but as the irresponsible nominees of the Crown. As they have so long and so fatal to the progress of the colony, to the increase and independence of its population, and the development of its vast resources, monopolized the trade, they naturally desire the power to continue this state of affairs, so conducive to their individual aggrandizement, that after being a few years engaged in its trade, they retire from the country to some other land with handsome fortunes, handing their business over to clerks or agents, who assume the position and, in time, follow the example of their employers.

It is, therefore, no matter of surprise that the Council, so constituted, and influenced by such objects, should have opposed free trade with the United States, the introduction of responsible government and the passing of any measure of representation that would have the effect of obliging them to relinquish their ill-used authority, or submit to the constitutional checks secured by responsible rule. But to attempt to cover their intentions with the assumed garb of religion, is, I do not hesitate to assert, without wishing by any means to wound their pious sensibilities, little more than mere hypocrisy.

Having, I trust, fully shown that the Bill of the Assembly was a fair measure, and ought to have been accepted by the Council, it is only necessary that I should state that the Assembly complied with the third condition; and as to the fourth, I presume that, as in Canada, Nova Scotia, New Brunswick, and Prince Edward Island, the people think fit to pay the expenses of members during their Parliamentary attendance out of the general revenue, and no precedent is to be found to the contrary, even in the United States, Newfoundland should not form an exception to the general rule adopted in the neighbouring colonies.

In conclusion, I beg most respectfully to say, that, as the Assembly anticipated, it was utterly hopeless to expect any arrangement with the Council on the Representation Bill, and the prolonged agitation of the matters in difference can lead to no beneficial results to the colony, all that they ask is, that you adopt the same course with reference to that body, as

was found necessary to adopt under similar circumstances in Nova Scotia and Prince Edward Island. They want no other rights or privileges for the people than Her Majesty's Government have granted to the far less important and less populous Island of Prince Edward. Had the Imperial Government waited for the concurrence of the Councils in the neighbouring colonies under the old system of colonial government, before they granted them the constitutional management of their own affairs, no reform would have taken place in them to this day; and the consequences would have been a subject of common regret to the parent Government as well as to the colonies. As a British colonist, I am happy to find that such a line of policy is the reverse of that liberal and enlightened system of colonial administration, which experience has justified the Imperial Government in adopting. The people of Newfoundland, therefore, appeal with confidence to you to place them upon a footing of equality with their fellow subjects in Nova Scotia and Prince Edward Island, that they may participate in the blessings of that wise and prudent system of colonial government, for the judicious extension of which Her Majesty's present Ministry have been so peculiarly distinguished; and under which all the British North American provinces in the enjoyment of its invigorating influence, are flourishing and contented; while Newfoundland, the oldest of the sisterhood, is bowed down under accumulated afflictions, and oppressed with a combination of adverse circumstances, which nothing will so much tend to correct as a total change in its government.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

I have, &c.
(signed) P. F. Little.

SCHEDULE of Papers transmitted with the foregoing Letter.

1. Report of Select Committee in reference to Retiring Allowances. (See Extract at page 61.)
2. Reply to Governor to Address on Retiring Official Allowances. (See page 62.)
3. Act to increase the present number of Representatives in the General Assembly, and to regulate the Representation. (This copy differing from that printed at page 48 is annexed *infra*.)
4. Instructions to Managers of Conference on the Representation Bill, 29 May 1854. (See page 51.)
5. Instructions to Conferrees on the subject of the last Conference with the Council on their Amendments on Bill to increase the Representation, 1 June 1854. (See page 52.)
6. Instructions to Conferrees from Her Majesty's Council on the Representative Bill, 3 June 1854. (See page 55.)
7. Instructions to Managers on the part of the Assembly on the Increase of Representatives Bill, 5 June 1854. (See page 56.)
8. Resolutions of House of Assembly, 8 June 1854. (See page 57.)

Sub-Enclosure to Enclosure 1, in No 13.

AN ACT to increase the present Number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof.

WHEREAS by proclamation, bearing date the 26th day of July, in the third year of the reign of his late Majesty King William the Fourth, this island was divided into nine districts, for the purpose of the election of the members of the Assembly thereof, by which proclamation the said districts were authorised to return 15 persons to represent them as members of the said Assembly, in the manner mentioned and appropriated in and by the said proclamation; and whereas, for the good government of this island, it is expedient and necessary that there should be an increase of representatives therein:

Be it therefore enacted, by the Governor, Council and Assembly, in legislative session convened, that from and after the dissolution or expiration of the present General Assembly, the House of Assembly shall consist of 30 members, of whom 10 shall be a quorum, and that for the purpose of the election of the members of the said Assembly, this island shall be divided as follows; that is to say, the district of Twillingate and Fogo, which shall be comprised within the limits of the present electoral district of Twillingate and Fogo, and shall be represented in the said General Assembly by two members; the district of Bonavista, which shall be comprised within the limits of the present electoral district of Bonavista, and shall be represented in the said General Assembly by three members; the district of Trinity, which shall be comprised within the limits of the present electoral district of

Trinity, and shall be represented in the said General Assembly by three members; the district of Conception Bay, which shall be comprised within the limits of the present electoral district of Conception Bay, and shall be represented in the General Assembly by seven members, of whom two shall be chosen by the electors residing in that part of the said district, to be called the Southern Division thereof, lying between the districts of St. John's and Turk's Gut, exclusive; one by the electors residing in that part of the said district, to be called the Port de Grave Division thereof, lying between Turk's Gut, exclusive, and Port de Grave, inclusive; two by the electors residing in that part of the said district, to be called the Harbor Grace Division thereof, lying between Port de Grave, exclusive, and Harbor Grace, inclusive, including Harbor Grace Island; one by the electors residing in that part of the said district, to be called the Carbonear Division thereof, lying between Harbor Grace, exclusive, and Fresh Water, exclusive; one by the electors residing in that part of the said district, to be called the Bay de Verds Division thereof, lying between Fresh Water and Bay de Verds, both inclusive; the district of St. John's, which shall comprise the present electoral district of St. John's, and shall extend southward and westwardly to a straight line drawn from Petty Harbour, inclusive, to the Northern Goulds Bridge on the Bay Bulls Road, and thence to Broad Cove, inclusive, shall be represented in the said General Assembly by six members, of whom three shall be chosen by the electors of the said district residing southward of St. John's Harbour, and westward of a line drawn from said harbour through the centre of Beck's Cove, thence across Duckworth-street round the west side of the Playhouse-hill, along the centre of Carter's-lane, up Carter's-hill, thence along Cook's-town-road, thence along Freshwater-road to the west end thereof, and thence in a direct line to Broad Cove Settlement, inclusive, which shall be called the Division of St. John's, West, and three by the electors of the said district residing eastward and northward of the above-named Cove Line, lane, and roads, including Belle Isle, which shall be called the Division of St. John's, East; the district of Ferryland, which shall be comprised within the limits of the present electoral district of Ferryland, and extending to the said south-western boundary of the district of St. John's, and shall be represented in the said General Assembly by two members; the district of Placentia and St. Mary's, which shall be comprised within the limits of the present electoral district of Placentia and St. Mary's, and shall be represented in the said General Assembly by three members; the district of Burin, which shall be comprised within the limits of the present electoral district of Burin, and shall be represented in the said General Assembly by two members; the district of Fortune Bay, which shall be comprised within the limits of the present electoral district of Fortune Bay, and shall be represented in the said General Assembly by one member; and also all that part of the south coast of the island lying between Bonne Bay and Cape Ray, with the islands adjacent thereto, shall form an electoral district, to be called the district of Burgeo and La Poile, and shall be represented in the said General Assembly by one member.

And whereas, in pursuance of the provisions of an Act passed in the 10th and 11th years of the reign of Her present Majesty, entitled "An Act to render permanent certain parts of the Act for amending the Constitution of the Government of Newfoundland," Her Majesty, by Royal Instructions bearing date the 19th day of July 1848, did, among other things, declare that the qualification of persons thereafter to be elected to serve as members of the Assembly of this island, should be fixed at a net annual income, arising from any source whatever, of 100*l.*; or the possession of property, clear of all incumbrances, exceeding 500*l.* in value; and the length of the period of residence within the said island which should be required in addition to any other qualification for being elected to the General Assembly aforesaid, should be the period of two years preceding such election:

2. Be it therefore enacted, that the qualification so hereinbefore declared, in addition to any other qualification now by law required for members to serve in the General Assembly aforesaid, shall be and continue as the same are hereinbefore declared and defined.

3. For the purpose of the election of members to serve in any future General Assembly, it shall be lawful for the Governor for the time being to nominate and appoint proper persons to execute the office of returning officer in each of the said electoral districts; and divisions of districts of this island, to whom writs in Her Majesty's name shall be issued, directing them to summon the freeholders and householders of all the said districts, and divisions of districts respectively, to proceed to the election of persons to represent them in the General Assembly according to the regulations and directions contained in Her Majesty's Royal Instructions aforesaid, and such other regulations and directions as shall be signified in any proclamation or proclamations to be issued by the Governor according to the laws of the island now in force or hereinafter to be in force in that behalf.

4. The returning officer from each district shall be entitled to receive from the Colonial Treasury thirty shillings for every member returned upon the return of the writ for such district. When there is no contest he shall be entitled to ten shillings from every candidate for such district and when there shall be a contest and poll demanded, twenty shillings from every candidate instead of ten shillings; and further, when there shall be a contest, there shall be paid to the returning officer of each district by the candidates for such district, in just proportions, according to the number of the polling places in which each candidate is interested, the following sums: Twenty shillings for presiding in booth or polling place for each district, or division of district, except where the polling place shall be a public

a public building that can be had without charge; twenty shillings for every presiding officer, and ten shillings for every poll clerk, to include their travelling fees; and the fees shall be paid to the returning officer for each district on the day of nomination for candidates for such district, and the name of no candidate shall be entered on the returning officer's poll book, or returned to presiding officers who shall not have paid or tendered the full amount due from him under this section before the expiration of the time named for the nomination of candidates: provided always, that the amount to be paid by any candidate shall not exceed the sum of ten pounds.

5. That this Act shall have no force or effect until Her Majesty's pleasure shall have been first duly signified.

Enclosure 2, in No. 15.

Encl. 2, in No. 15.

Sir,

Tavistock Hotel, Covent-garden, 31 July 1854.

In compliance with your request, we have the honour to enclose the accompanying letter, containing the substance of our remarks at the interview with which you were pleased to favour us.

Reposing the same confidence in your judgment and impartiality as the Assembly did in the Duke of Newcastle, we are confident that, upon a perusal of the documents submitted on both sides, your decision will be in favour of the Assembly. Experience has shown that in the conflicts which have taken place between the Councils and the popular branches in all the other British North American provinces on the question of self government, the Imperial Government have decided in favour of the latter, notwithstanding all the intrigues and secret misrepresentations that were made use of to mislead the judgment of the Imperial authorities.

The Assembly of Newfoundland have always felt that the rights of the colonists have been more endangered by similar expedients than they possibly could have been by any open attempts that can be made to crush them.

If the principles of self government have been conceded to the colony against the opinion and desire of the Council, we would respectfully submit that the Assembly are thereby justified in their belief, especially from what has since transpired, that the Government cannot consistently stop short in their work of reform; but, regarding the Assembly as the organ of public opinion in the colony, expressing the well understood wishes of the people, carry their proceedings out in the same direction to their practical and logical conclusion, otherwise the concession would be only nominal, and tend to impart an impetus to renewed political agitation, and spread general discontent among the colonists.

The necessity for a prompt and final decision we are persuaded must be apparent to you. Procrastination is the aim of the Executive party. They have nothing to lose by delay; but the public service must suffer. While the officials are sure of their full salaries being ultimately paid, no consequence how they may prolong the contest.

Permit us respectfully to remind you of Mr. Hume's remark to you, that it was as a mere matter of form he presented the petition of the Assembly to the House of Commons; and, relying on the assurances of the Duke of Newcastle, who kindly presented a counterpart of it to the House of Lords, he refrained from taking any action whatever on it, and the delegates returned to the colony under the promise that as soon after the rising of Parliament as leisure should permit, the affairs submitted for the consideration of Government would be finally arranged. Mr. Hume now holds another petition from the Assembly to the House of Commons, and he hopes that there may not be any necessity for even presenting it, conceiving that reason, justice, and the moderation displayed by the Assembly will justify the expediency of placing Newfoundland upon a footing of equality, as to self government, with Prince Edward Island without any further delay.

Soliciting your indulgence for what may appear to be importunity in our manner of urging the rights of the people whom we represent, may we take the liberty of requesting copies of any documents which may have been, or shall be, received from the delegates of the Council on the subjects in controversy, that we may have an opportunity of answering them. While,

We have, &c.
(signed) P. F. Little.
G. A. Emerson.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

Tavistock Hotel, Covent-garden, London,
28 July 1854.

Sir,

1. WE have the honour to tender our acknowledgments to you for the interview with which we were favoured, in company with Mr. Hume, by you on yesterday, and for the frankness with which you discussed the various matters which we, as the delegates of the House of Assembly of Newfoundland, deemed it our duty, in accordance with their resolutions on responsible government, to submit for your consideration. In accordance with your request, we have much pleasure in thus formally submitting the substance of our verbal remarks upon that occasion.

2. In the first place, the House of Assembly had every reason to expect, from the assurances of his Grace the Duke of Newcastle to Mr. Hume and their delegates, that Newfoundland should participate fully in that reformed system of government which had been granted to the neighbouring colonies, especially as his Grace fairly stated the Imperial Government had no interest in upholding any but a good system of colonial government. The Assembly hoped that they would not again be reduced to the necessity of seeking the concurrence of the Council in passing a Bill for the increase of members in the popular branch, as they had failed in their efforts for several years past to induce the Council to consent to a fair Bill on this subject; nor did they expect that the passing of such a Bill by the Council would have been made a condition precedent to the surrender of their political position in the government of the colony, or to the introduction of that responsible system which they had most strenuously opposed.

3. The conditions mentioned in the despatch of his Grace, dated 24th February last, were, first, that retiring allowances should be provided for the officials, who were subject to removal upon the introduction of the new system of government; secondly, that a law should be passed by the local Legislature for increasing the number of members in the Assembly from 15 to 30, not by a duplication of the present representation, but by a subdivision of the present electoral districts; thirdly, that the election expenses, now defrayed out of the Colonial Treasury, should be paid in future by the candidates; and, fourthly, that the allowance usually granted to members, to meet their expenses during their Parliamentary attendance, should be defrayed by direct assessment on their constituents. It was evident to the Assembly that all these conditions but one were specified, not in deference to the opinion of the Assembly, but of the local Executive, and that his Grace put some of them forward in connexion with the concession of the principles of self government, with the view of conciliating both parties, and inducing them to compromise their differences. The result shows how useless it was to hope for a favourable issue from bodies so differently constituted, and having such diverse objects in view, as the Assembly and Council of Newfoundland have always had.

4. But, as the Assembly reposed the most implicit confidence in the intentions of his Grace, they sincerely determined to adopt all the means in their power to comply, as far as practicable, and consistently with the rights confided to their guardianship, with the conditions mentioned in his despatch. In carrying out this intention they acted in a spirit of unusual liberality towards the outgoing salaried officials, and of compromise towards the Council, and made several substantial concessions to them in some of the most important details of the Representation Bill, while we defy them to point out in their amendments a single real concession to the views of the Assembly, except on the question of election expenses, which the Assembly assimilated to those allowed in Nova Scotia, to prove the existence of a corresponding spirit on their part, or that they were actuated by a sincere desire to arrive at a just and reasonable settlement with the Assembly.

5. As to the first condition, that has been fully complied with by the Assembly, and no objection has been made to the retiring allowances which they have provided for the outgoing officials entitled thereto, except in the case of Mr. Attorney-general Archibald, who claims a pension, not only on account of the loss of the office of Attorney-general, but for his period of service in the office of chief clerk and registrar of the Supreme and Central Circuit Courts, an office which he voluntarily relinquished for his present position, and which cannot be in any way affected by the contemplated change. Besides, resolutions affirming the principles of responsible government were passed by the amalgamated Assembly before he became Attorney-general. Under these circumstances the Assembly felt that they could only regard the office to be affected by the change in awarding him a pension as compensation for its loss, and accordingly allowed him one-fifth of the official income thereof as a retirement. Mr. Johnstone had been Attorney-general in Nova Scotia for eight years when responsible government was introduced into that province, and he received no retirement. The amount allowed by the Assembly to Mr. Archibald exceeds that given by the Legislature of Prince Edward Island, upon the change in its government, to its Attorney-general, although the latter was in that office for nearly 25 years, while Mr. Archibald has held his office not quite eight years.

6. It is therefore evident that he has no claim, of right, to any additional allowance, and it would only be with the view of all other differences being now satisfactorily disposed of, that we should feel ourselves authorised to pledge the Assembly to increase his allowance, in accordance with your suggestion; for it would be manifestly unfair that they should be called upon generously to reward him for his continued hostility to the rights of the people.

7. As to the second condition, we feel that we can fearlessly refer to the Bill, as originally passed by the Assembly, to prove the fairness of the measure in every point of view. Before entering into its details, we should state that they, and the whole liberal party in the colony, have for many years contended against the adoption of the sectarian standard which the Council have endeavoured to make the ostensible basis of a new Representation Bill. The island is at present divided into nine electoral districts, six of them having decided Protestant majorities of electors, able to return nine members of the 15, who constitute the Assembly, if they acted on the test of the Council. The Assembly have always been willing, and passed Bills which were rejected by the Council, to duplicate the representation, without disturbing the existing electoral districts, which would give a result, if the mode of action which the Council would force upon the country were adopted, of 18 Protestant members to 12 Catholics. But the Council have opposed this proposition, and

and contended for the subdivision of the electoral districts, so that the popular party should be divided, and mercantile and official influences should triumph under a close borough system.

8. The Bill passed by the Assembly provided for the return of 29 members, and to meet the views of the Council two of the largest districts, in population were divided, St. John's, the capital of the island, where a large majority of the electors are Catholics, which is territorially small, though more populous than any other district, except Conception Bay, was divided into two, and Conception Bay district, where there is a majority of about 800 Protestant electors, was divided into five divisions; a new district was also created, called La Poile, a mere mercantile nomination borough, having about 300 electors, and adjoining another similar borough called Fortune Bay, where there has never been a contested election, and which is at present represented by the acting Solicitor-general, who, we understand, took his election writ in his pocket last year to that district, and brought back his own return. The number of electoral districts was thus increased from 9 to 15, and in the distribution of members regard was had, as far as practicable, to population, and to the present relative adjustment of members, which was, however, deviated from in three important particulars, in trebling the representation of Trinity, a mercantile and conservative district; in only giving one member, in addition to the present number, to the liberal district of St. Mary's and Placentia; and reducing the chances of the liberal party by one in Conception Bay; while the representation of all the other districts, except one, where the population was small, was doubled.

9. The Bill was then sent to the Council, and they made several amendments on it, by taking away the third member from the liberal district of St. Mary's and Placentia, where mercantile influence is powerless, by adding a third member to the Conservative district of Bonavista, which is considerably under mercantile influence, by taking off a portion, about five or six miles, of the adjoining mercantile district of Trinity, and adding it to Bonavista district, to neutralise the liberal votes in the present Bonavista district, and thereby secure a complete triumph to the mercantile and official party there, by introducing the novel principle of representing a minority in one district, Burin, for the alleged object of securing a return of 15 Protestant and 14 Catholic members, and by introducing an enormous scale of election expenses, to be paid by candidates, which would have had the effect of throwing the representation into the hands of a few capitalists and officials.

10. The Bill thus altered, was returned to the Assembly; and for the purpose of satisfying the Council, though against their sense of justice to the popular party, the third member added by the Council to the district of Bonavista, was agreed to by the Assembly; the third member taken away by the Council from the popular district of St. Mary's and Placentia, was restored; the clause introduced by the Council to secure, as they alleged, a member to the Catholic minority in Burin, but which would have had the effect of permanently establishing sectarian feuds, and prove the existence of an anomalous state of society in Newfoundland, different from that which really exists—was disagreed to, as well as that cutting off a portion of the district of Trinity; and a scale of election expenses, similar to that in force in Nova Scotia, was substituted for that proposed by the Council.

11. The Assembly conceived that the Bill, thus amended, was open to no objection from the mercantile or official party, for while it gave 30 members, the exact number prescribed by the Duke of Newcastle, the distribution of them, even by the Council's sectarian test, gave to nine districts, with Protestant majorities in each, the power, if they wished to exercise it, of returning 16 members out of the 30. But the Council refused to agree to the amendments of the Assembly, or to recede from their amendments.

12. The points of difference between the Assembly and the Council are, therefore, not merely one, as the latter erroneously state, in their late address, but three, viz., First, shall the liberal district of St. Mary's and Placentia have a third member, or no increase on its present representation? Secondly, shall the more independent portion of the electors of Bonavista be overpowered by the mercantile dependents from that portion of the district of Trinity, sought to be added to the former, while the territorial boundaries of no other district have been disturbed? And, Thirdly,—Shall the untried principle of representing minorities be adopted in the district of Burin, to serve the double policy of the Council and their mercantile friends?

13. To adduce additional evidence of the anxiety of the Assembly to come to an agreement with the Council, the former proposed, rather than accede to the amendments of the Council, to abandon their own Bill altogether, and adopt a measure introduced by the present acting Solicitor-general in 1850, with a slight modification: that the division of any other districts, besides St. John's and Conception Bay, should be made only on a requisition to the Governor by two-fifths of the electors of any district requiring such subdivision. That measure proposed four members for St. Mary's and Placentia district, for which the Assembly in their last Bill only claimed three, and to which the Council would only give two; two to Bonavista, to which the Assembly allowed three; and two to Trinity, to which the Assembly also allowed three. The Council refused to comply with this offer. The Assembly appealed to the Governor to use his mediation. He refused to interfere. Four months and a half were chiefly spent on the measure. The representatives of the people did their utmost to effect an arrangement, according to the desire of the Duke of Newcastle; and failing to effect it, they determined to appeal again to the Imperial Government for a change of system, as they found from long experience, that it was impossible for them to work with the Council.

14. As to the fourth condition, it is only necessary, we presume, that we should state that neither in Canada, Nova Scotia, New Brunswick, nor Prince Edward Island are the members of the Assembly paid by direct assessment on their constituents, but out of the general revenue; and there does not appear to be any reason why a different course should be adopted in Newfoundland. The address of the Council, which we regret to perceive displays a total disregard of facts, to which it is our duty respectfully to direct your attention—states that it was “from a regard to the privileges of the House of Assembly, the Council did not insert a provision for preventing members receiving pay from the public chest;” a statement singularly at variance with their imposition of election expenses on candidates, in the insertion of which provision in the Bill sent up from the Assembly, the privileges of the Assembly were as much involved as they could have been on the other question, and evinces a regard for those privileges, which is both novel and unexpected, especially in the face of their repeated violations thereof, in altering Education, Road, and other Money Bills of the Assembly, Session after Session. It would, however, have been more frank on the part of the Council to have stated the fact, that every member of the Assembly, with the exception of the Solicitor-general, was opposed to that condition, and would have resisted its adoption in any shape, if the attempt had been made to insert it.

15. The assumed dignity, with which the Council charge the Assembly, “with having cast unworthy and unwarranted imputations” on them, they consider sufficient evidence of the existence of such imputations, without on their part deigning to particularise, or answer any of them; while they also assume that their character justifies their passing them, if they have been made, without observation. Now, we are perfectly satisfied, that the conduct of both branches of the Legislature, on the Representation Bill, and on all their other measures bearing on the differences between them, shall be judged not by the mere professions of either party, but by the intrinsic merit of their actions.

16. They state, that by taking one member from St. Mary's and Placentia, with a population of 6,743 (in 1845), and now nearly 10,000, leaving it only two, being no increase in its present representation, and allowing three to Bonavista, with a population of 7,227 (in 1845), “secured the object equally desired by both branches, without in any degree affecting the fair principle of representation as regards population.” Now the proportion of the population for each member of thirty would be about 3,200. To give three members to 7,227, and only two to 6,473, while the district of La Poile, like Fortune Bay, a mere mercantile nomination borough, was to have had one member for 2,180, and Fortune Bay one for 2,920, are facts not at all consistent with the unqualified statement of the Council. How this unjust mode of action could secure the object of the Assembly we are at a loss to understand. This is like their gratuitous libel on the peaceable character of the electors of Burin; certainly in accordance with the acts of a body who acknowledge no responsibility to the public for their conduct; and as they are not obliged to justify themselves in any constitutional manner, they conceive that they may with impunity continue to misrepresent the people, as they have hitherto done.

17. They also state that “because the amendments of the Council do not suit the views of eight or nine members of the Assembly, the Council shall be put aside or reconstructed, so as to be the mere instrument of the Assembly, is too extravagant to require observation.” This assumption strikes at the root of responsible government, and is quite in keeping with many others of a similar character made by the Council, to justify their acts and conceal their weakness. It is not alone for this reason, but because they have by their general mismanagement of the affairs of the colony forfeited, if they ever possessed the confidence of the people, that they must submit to the consequences of their conduct and the action of public opinion. It is evident from this view of their position that they are resolved to retain their salaries and power as long as they can, and that they will not sanction the passing of any measure of representation that will deprive them of either.

18. As a consequence of the refusal of the Assembly to grant supplies, they state that act “will leave a vast number of aged, infirm, and widowed paupers without legal provision, and will also leave the youth of the colony utterly destitute of the means of education.” * * * “Such conduct proclaims the unfitness of its authors for being the depositories of legislative powers.” The Assembly were assured that they could not, consistently with their pledges to their constituents, and the rights and integrity of the popular branch, vote supplies for the support of a system of government which they had frequently declared had lost all public confidence, without compromising their honour, and stultifying their previous resolutions; which would have aroused public indignation, and brought on the Assembly a share of that odium which attaches to the conduct of the Council, whose unfitness to govern the colony has been too clearly demonstrated to require any other proof than that which their address affords. The Assembly regretted the necessity imposed on them by the Council of taking such a step: it was taken upon calm and due deliberation, and from a sense of honour as well as a knowledge of their constitutional rights; and they were prepared to assume all the responsibilities consequent upon their determination.

19. But at the opening of the last Session, the Assembly gave a guarantee to his Excellency in reply to his opening speech, that they would indemnify him for his past extra expenditure for the relief of the poor, and also for any future outlay that might be necessary for that purpose. His Excellency acted upon this assurance for several months; and to remove any doubt on this head, and prevent any difficulty occurring to the Government thereon, the liberal party, on the last day of the Session of the Assembly, moved an address to

to his Excellency, authorising a continuance of any necessary expenditure for the relief of the poor, the support of the lunatic paupers, and an outlay of about 750*L.*, for the completion of the new lunatic asylum, so as to render it fit for the immediate reception of the lunatic paupers. This address was strongly opposed by Mr. Hoyles, the acting Solicitor-general, who spoke for nearly two hours, against time, to prevent its passing, until the Governor summoned the attendance of the Assembly before him in Council, for the purpose of proroguing the Legislature; and he thus succeeded in defeating it, though standing in a minority.

20. Now, we must suppose that the Solicitor-general acted thus according to instructions from the Government, as the usual practice had been given in the Assembly of the address, and a copy of the previous day's proceedings, containing the notice, had been sent to the Governor, according to the practice of the House. Then, for the Council, under these circumstances, to state that through the misconduct of the Assembly, no provision has been made for this branch of the public service, is not only untrue in fact, but the conduct of their organ in the Assembly reflects great discredit upon them, for resorting to such an expedient to make out a case against the Assembly. The Assembly were actuated by a desire to meet, as far as they consistently could, the more pressing demands on the executive; and the claims of the poor were, in their opinion, of such a character as to justify them in making an exception in their favour. Besides passing the Revenue Bill for the current year, they also passed a Loan Bill, to enable the Government to raise 6,000*L.* to meet past and accruing liabilities.

21. As regards the Education Bill, the Assembly have been so often subjected to the dictation of the Council, in attempting to pass a measure on this subject, and the Council having, in the Session of 1853, informed the Assembly, by a written message, of their expectation that the Assembly would pass one in accordance with their views, having refused, at that time, to pass the Act of 1853 for more than one year; the Assembly, therefore, resolved not to subject themselves to a renewal of a controversy on this question, as it was likely to result in no practical good. This was an influential motive on the part of the Assembly for their conduct on this subject; and the manner in which the Council had acted on the Education Bill in previous Sessions, partly induced the adoption of the general resolution not to vote any supplies.

22. The assumption of the Council, that a majority of the Assembly represent a minority of the people, is too transparent to require any further remark, than that, in the course pursued by the Assembly, on the points where they have differed with the Council, they are sustained by all the liberal and enlightened men in the colony, by every disinterested observer outside of the Government circle, and on the general principles at stake, by no less than three or four distinct Houses of Assembly.

23. As for the community of interest which the Council state exists between certain members of their body, and the operative and other classes, they have taken a singular mode of giving effect to such a notion. It is notorious, that they have resorted to every expedient to rivet the chains in which they, and others like them, have bound the operative population. That only a few years since they secretly obtained, through the Imperial Government, the repeal of the Fishermen's Charter, which, since the time of the benevolent Sir Hugh Palliser, had secured them in the payment of their hard-earned wages out of the proceeds of their voyage; and now, if the voyage should fall short of the amount of the outfits given to the planter, with their most enormous overcharges, the unfortunate fisherman is deprived of his wages and thrown on the Government to be supported as a pauper. That this same disinterested body have rejected several Bills sent up by the Assembly, to secure the poor fishermen in the payment of their wages, out of their voyage, in case of the insolvency of the planter; and from the monopolising spirit of these few St. John's merchants, the shopkeepers and tradesmen of St. John's are scarcely able to maintain their business, and many of them have, therefore, like vast numbers of our oppressed fishermen, been obliged to leave the country, for the purpose of improving their condition. Let us not be understood as including in the mercantile-official party, all the gentlemen engaged in the trade of Newfoundland. There are some honourable exceptions—high-minded men, who have declared that the Representation Bill of the Assembly was a fair and reasonable measure, and that Newfoundland is as well entitled to responsible government as any of the neighbouring colonies.

24. In conclusion, permit us to state, that it will be perfectly useless for the Imperial Government to send us back to the colony to tell the people, that their representatives must again submit to a renewal of their efforts to appease the Council on the Representation Bill; especially if the latter should succeed in inducing the Government to acquiesce in their desire to postpone the concession of responsible government, until they come to an agreement with the Assembly, which they have assailed in the most unmeasured terms in their address: and it should be remembered that, however desirable an increase of representatives may be to work out the details of the new system, such a measure is not necessary before its introduction.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

We have, &c.
(signed) Philip Francis Little.
Geo. H. Emerson.

Enclosure 3, in No. 15.

Encl. 3, in No. 15.

Sir,

3, Tanfield-court, Temple,
28 July 1854.

Mr. Row and myself, who have been named by the Governor of Newfoundland as delegates to furnish information in reference to the state of the colony, and more especially in reference to the measures preliminary to the introduction of responsible government, considering that it will be more convenient that, in any statement we may submit, we should confine our observations to the points which may have been raised, or allegations made by the delegates of the Assembly, respectfully request, for this purpose, that we may be put in possession of, or be furnished with a copy of any representation which may have been laid before Her Majesty's Government by the delegates of the Assembly.

The Right Hon. Sir George Grey, Bart.
&c. &c. &c.

We have, &c.
(signed) *E. M. Archibald.*

Enclosure 4, in No. 15.

Encl. 4, in No. 15.

Sir,

17, St. Alban's-place, London,
7 August 1854.

As delegates named on behalf of the Council of Newfoundland, we have the honour respectfully to submit for your consideration, some observations upon the subject matters which we have been authorised to bring under the notice of Her Majesty's Government, and to some of which, at the interview with which we were honoured, we have already called your attention.

We deferred submitting any formal statement, in the expectation of being furnished with a copy of any representation which may have been made by the delegates of the House of Assembly, in order that we might direct our observations more particularly to any allegations or statements therein put forth, which it might be necessary to controvert or explain; but it not being deemed advisable (we presume) to furnish us with the documents in question, we proceed to state for your information, as briefly as we may, our observations on the following matters.

From the communications which doubtless will have been made by the Governor of Newfoundland, and the addresses and documents from both branches of the Legislature, Her Majesty's Government will have learnt the state of confusion in which the public affairs of the colony have been involved by the Assembly, in the virtual abdication of its functions for the purpose, in the first place, of compelling the Imperial Government to concede the introduction of responsible government; and, in the second place, of coercing the Council, in disregard of the equal rights and interests of all classes of the population, to submit to the dictation of a majority of the Assembly, not fairly representing a majority of the people, upon the details of the Bill for the increase of the number of representatives.

The great injury to the public service and to the educational and other public institutions of the colony, and the severe distress and privation inflicted, more particularly on all the subordinate functionaries of the Government, as well as on the aged, infirm and lunatic poor, by the reckless refusal of the Assembly to grant the usual supplies for the support of the civil government, have already been noticed in the address of the Council,* of which we beg to annex a copy, and upon which we need hardly enlarge. We trust that Her Majesty's Government will not be misled by the assertion that the inconvenience which has resulted and will result from this step is, in any view of the question, esteemed by the people other than an evil of great magnitude. It was a bold proceeding in order to give a fictitious importance to the question at issue; but not more by the Protestant population than by those whom a majority of the Assembly represent, could their voice be fairly heard, is this proceeding condemned and deplored.

We may further remark, that not only has the Assembly refused to grant the usual supplies, but it likewise failed to fulfil its engagement, entered into at the commencement of the Session, to indemnify the Governor for advances made by him, at their especial instance to meet certain exigences of the public service.

The question of the introduction of responsible government is no longer, perhaps, to be regarded as a practical one, except so far as concerns the adoption of the pre-requisites prescribed in the despatch of his Grace the Duke of Newcastle; but many circumstances in the social and political condition of the colony, which had a bearing upon the main question, are yet important to be borne in mind in the adjustment of the details of the precedent conditions referred to.

Of these conditions, manifestly the most important, is that for the increase of the number of representatives in the Assembly. Difficulties in the regulation of the details of such a measure are not of recent origin or occurrence. For, notwithstanding, that from the very institution

* See page 50.

institution of the Legislature, an increase of the number of members was recommended and was obviously necessary, every attempt made since the year 1834 (when an useful Act passed for this purpose, was disallowed by the Crown solely owing to a geographical error) has, sometimes in the Assembly, sometimes from disagreements between the Council and Assembly, signally failed.

The question of such a measure has from the outset, or rather since the year 1834, assumed a sectarian aspect; and the history of the different struggles upon it, which have taken place, clearly proves that the leaders of the Roman-catholic party in the Assembly never would consent to any Bill, however reasonable, which did not admit of their gaining an ascendancy. If the objections to yielding to the unreasonable demands of that party heretofore were well founded, there is the greater necessity, under the important modification which is now about to be introduced into the constitution of the colony, which will place the whole executive as well as legislative authority under the control of the majority of the Assembly, for establishing a fair and just representation of the relative numbers of the different religious bodies, which, in fact, is the only classification in regard to political rights that now, by common consent, obtains in the colony. This classification, we beg to observe, had its origin in the perfect union and organization, with which ever since the year 1836; if not from an earlier period, the members of the Roman-catholic persuasion have been constrained, at the dictation of their clergy, to act in the exercise of their political rights. There are no such class interests in Newfoundland, as in other countries grow out of the conflict of different industrial employments and pursuits.

The great body of the population, employed in one unvarying pursuit, is scattered along a rugged coast line, a thousand miles in extent; postal communication is imperfectly maintained with any of the outports except those in Conception Bay; and during the winter season, the population in many parts of the island are in entire ignorance of what transpires in the capital. Local, that is, county and township organization, such as exists in the continental provinces, is entirely unknown. With the exception of a partial contribution in the district of St. John's for the support of a seaman's hospital, no public rate or assessment is collected in the island. Not a single newspaper is now published out of St. John's. Two-thirds of the members of the Assembly are residents in the capital; and the legislative constitution itself has failed to command, especially in the outports, much, if any, sympathy among the great body of the people.

The Bill for increasing the number of representatives, adopted by the majority of the Assembly during the last Session, and sent to the Council for its concurrence, the history of which will be found in the conferences upon it between the two Houses, was framed by the Assembly, avowedly, on a sectarian basis; and although assumed party names, such as Conservative and Liberal are used, there are, in reality, but two general parties known in the colony, Protestant and Roman-catholic. The former being the majority of the population, the Assembly admitted were entitled, in the scale of representation, to a majority of one member, and they professed to have provided for this. But, apart from the fact that the Protestants are not only the majority of the population, it is important to bear in mind that they are composed of two distinct bodies; viz., members of the Church of England and Wesleyans, between whom jealousies will naturally exist, and who do not, therefore, act always in unison; and that, as separate and distinct religious communities, an adjustment of the representation in proportion merely to their aggregate number will not, at the best, more than place them on an equality as to political influence with the Roman-catholics, who act in thorough union. Now, while on the part of the Protestant population there has been no hindrance to, nor any desire to restrict the free exercise by their Roman-catholic brethren of their political rights, the former entertain a too well-grounded fear, that with the undue ascendancy of the latter, the whole body politic would be subjected to the dominancy of a centralizing power, inconsistent with the freedom of representative institutions; in other words, instead of being governed by the influence of the independent opinions of their Roman-catholic brethren, they would be subject to the irresponsible control of the head of the Roman-catholic Church.

In the Bill in question, the Assembly did not adopt the suggestion of a new general subdivision of the electoral districts, which in other respects than the exercise of the elective franchise is highly desirable. The Council seeing what a field of controversy it would open up, and might possibly cause the whole measure to fail, deemed it wise not to enter on any such subdivision. The Bill being referred by them to a sub-committee, a report was submitted showing certain anomalies and defects in the measure, and the unsupported assumptions on which the Assembly professed to have provided for the return of 15 Protestant and 14 Catholic members. To this report,* a copy of which is hereto annexed, and more particularly to the fourth, eighth, and ninth paragraphs of it, we beg leave particularly to refer.

In the first electoral division of the island (in 1832) an error was committed in assigning to the district of Placentia and Saint Mary's two members; a district not so populous and certainly not so important in other respects as the district of Bonavista, or that of Twillingate and Fogo, and greatly inferior to that of Trinity, to each of which districts but one member was assigned. Again, the district of Burges and La Poile was neither represented by itself, nor embraced in the district of Fortune Bay, though contributing to the colonial revenue much more than that of Placentia and Saint Mary's.

If sectarian considerations had any influence at the time, which is hardly possible, it might be said that the district of Conception Bay, of the population of which a considerable majority was Protestant, had four members assigned to it; but the history of the returns in

this district is instructive. In no one instance have the Protestants been able to return more than two out of the four members; at one general election, only one Protestant member; at another they did not return one. In short, out of the 20 members returned in all for this district, seven have been Protestants and thirteen Roman-catholics. This result is attributable to the violence and outrages which have marked the contested elections in this district, and which have had the effect of deterring the peaceful inhabitants from the exercise of their franchise. In the Burin district, again, to which one member had been assigned, and which had not quite so large a relative Protestant majority as Conception Bay, in the three last elections, which have been the only contested ones, a Roman-catholic has been twice returned, and a Protestant once. These are important facts.

Now, in the amendments which Council made in the Bill, in order to carry out, in fairness, the proposition of the Assembly (and for which we beg to refer to the address of the Council), it is impossible to be shown either that injustice is done to any one district in the relative number of members assigned to it, or that in the general adjustment, the full proportion of members claimed by the Roman-catholic party, is not secured to them.

In the amendment made by the Assembly on the Council's amendments, they left Bonavista with a third member, but assumed a third member also for Placentia and St. Mary's (to which in point of population it was not entitled, until the district of Twillingate and Fogo had three members first assigned to it), making 30 in all; and thus giving, at the most, but an equality to the Protestants, whom they had clearly admitted to be entitled, in proportion to numbers, to a majority, at least, of one. In their Bill as sent to the Council, the Assembly assumed, contrary to the results of experience both in Conception Bay and Burin, that the latter district would return two Protestants. Their last amendment, however, would on this assumption give a majority of two against the Roman-catholic party in the general arrangement; whereas, the Council's amendments protected them against such a contingency, and would in fairness effectuate the original proposition in the Bill.

The proviso with regard to the mode of voting in Burin (a district which it is very difficult to divide geographically with fairness), a proviso which, it should be borne in mind, is in its terms permissive and not compulsory, does nothing more than what both parties have agreed to do in Conception Bay, where, notwithstanding there is in the whole district a Protestant majority of nearly 5,000 inhabitants, five sections or subdivisions have been created for the express purpose of securing the return of three Roman-catholic with four Protestant members.

As bearing on the probable returns for Burin, we beg to call attention to the fact that to the section of Carbonear, with a population of 5,000 inhabitants, and having a Catholic majority of 350, the Council had first assigned two members,* assured that the Roman-catholic body there, from their union and organisation, would return both members, but on the representation that with two members assigned to Carbonear, one would be returned by the Protestants, the Council, in a spirit of fairness, at once transferred one of the representatives to the Harbour Main section, with a population of barely 4,000, almost entirely Roman-catholics, thus giving two members to this, the less populous section, and but one to Carbonear. Now the result which it was feared would take place at Carbonear, and against which the Council thus provided, is morally certain to occur at Burin; and the Council only manifested the sincerity of its opinion in this respect by the adoption of the proviso in question.

But while Conception Bay has thus been subdivided to secure the return of members representing as well the minority as the majority in that district, no such provision has been made for the district of St. John, where a Protestant minority of 6,000 out of 25,000 is unrepresented by a member of their own choice.

On the whole, we feel confident that on an impartial consideration of the amendments of the Council, it will be admitted that their adjustment of the representation is one which will work not the slightest injustice to the Roman-catholic body, but rather falls short of the justice due to the interests of the two other religious denominations. At least, it will honestly and fairly effectuate the arrangement professed to be a just one by the Assembly, but which their Bill would not have carried out.

In reference to the alteration of the boundary line of the districts of Trinity and Bonavista, the reasons stated by the Council in their conference we feel assured will be deemed quite satisfactory. The provision in the Bill, as altered by the Assembly, for defraying the expense of the election of members is altogether inadequate; and we deem it of importance to call attention to this particular. The scale of charges adopted by the Assembly is, it is true, a copy of that adopted in Nova Scotia, but clogged with the rather absurd addition of a limitation of the maximum amount to 10%. The extent of districts, want of facilities for communication, and other circumstances in the condition of Newfoundland, require a larger scale of compensation to enforce the proper performance of the necessary duties, and defrayal of incidental expenses; otherwise, unless it be intended that the returning officer is to bear all charges beyond the maximum limit, a considerable expense must be borne by the public revenue. We would recommend the adoption of the moderate scale of fees and charges proposed by the Council in their amendment, of which a copy is annexed.†

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† This is not annexed, but will be found in the Minutes of the Council and Assembly for May, transmitted to the Colonial Department.

*See the Report of their Committee.

As stated in the address of the Council, a regard for the privileges of the Assembly prevented the Council from inserting in the Bill a provision that members of the Assembly should not receive pay from the public revenue. This is, however, regarded as one of the most important and beneficial conditions in his Grace's despatch; but the Council anxious that no objection should be taken to the Bill on the ground of privilege, were content to let that subject be otherwise regulated. The very large amount of the contingent expenses of the Legislature, which with an increase of the number of members, under the present system will be greatly extended, suggests the necessity for a reform in this branch of expenditure, which (without any addition to the number of members in the Assembly) has already, from the average annual amount of 1,264*l.*, in four sessions of the first General Assembly, gradually increased to a sum upwards of 5,000*l.* in the Session preceding the last one.

Upon the subject of the remaining condition prescribed by his Grace, viz., the compensation to those officers who may be displaced on the introduction of responsible government, we deem it hardly necessary to say anything in support of the justice and propriety of the views entertained by the Governor of the colony, which will doubtless receive due consideration from Her Majesty's Government, to whom, by the terms of his Grace's despatch, the subject was in case of difficulty to be submitted.

Among the measures which are intended to precede the introduction of so important a modification of the constitution of the colony as that contemplated, we think it advisable that the existing law in reference to the qualification of members should be more clearly defined. An amendment of the local law, relating to the registration of voters, providing, as in this country, that none except those who are duly registered shall be entitled to vote, would also prevent disputes, difficult of adjustment, which are of frequent occurrence in the taking of the polls. Whatever may be the conditions Her Majesty's Government may now finally prescribe as pre-requisites to the introduction of responsible government, we would respectfully suggest the expediency of the whole being embodied in one enactment for the amendment of the constitution.

In submitting the foregoing statements and explanations, we have not thought it necessary to make any allusion to the imputations on the Council in which the Assembly have indulged, as well in their addresses and other documents in reference to the matters above adverted to, as in their representations upon other occasions. Nor would we now allude to them at all, except merely to remark, that while they are as unwarranted as they are unbecoming, and cannot impose on parties in the colony, where all the facts and circumstances, as well as the characters of individuals are well known, the object of them is to create prejudices, and, if possible, to mislead the judgment of parties elsewhere, especially of those under whose review the subject matters may be brought.

In the discharge of the duty which has devolved upon the Council in legislating on the matters in question, the Council is content (if any vindication were necessary) to rely upon its acts and proceedings, as its best justification to Her Majesty's Government. In the arrangement of the preliminary measures which are to usher in so important a modification of the constitution, the Council has endeavoured to maintain the balance equally between the different parties in the colony; and while the majority of the Assembly are forward to complain that it has not adopted their views upon the Representatives' Bill, complaints are not wanting on the other hand, that the Council has not in many respects, done justice to those not represented by the majority of the Assembly.

In the observations which we have made, we have thought it best to speak with plainness, and not to mislead by using terms which suppose the existence of other than sectarian parties interested in the distribution of political power in the colony. We assure Her Majesty's Government that the Council unfeignedly laments that such should be the case; but being so, it is not the less essential that the relative rights and interests of these parties should be duly guarded; and that in the inception of so important a change of system as that now about to be introduced, the body most numerous, and possessing the greatest stake in the community, should at least have its fair share of influence in the future government of the colony.

We, have, &c.
(signed) *E. M. Archibald.*
W. R. Row.

The Right Hon. Sir George Grey, Bart.,
&c. &c. &c.

Sub-Enclosure 1 to Enclosure 4, in No. 15.

[COPY of an ACT to increase the present Number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof. (As sent up to the Council)—will be found printed at page 48.]

Sub-Enclosure 2 to Enclosure 4, in No. 15.

REPORT of Select Committee of the Council on Increase of Representatives Bill.

1. THE Select Committee to whom was referred the Bill for increasing the number of representatives, have examined its provisions, and find that the Bill proposes to increase the number of representatives to 29, of whom 10 shall be a quorum; that with the exception of the formation of La Poile into a new district, never before represented, and now to have one member, the original electoral districts of 1832 are retained; that of St. John's to return six members, comprising two subdivisions; and Conception Bay, comprising five subdivisions, which will now return, in all, seven members.

2. The proportion of representatives to the whole amount of population, according to the last Census (of 1845), is one for every 3,327; but this proportion is, of course, far from uniform; and indeed would be impracticable in view of the principle which, second only to that of an increase of the number of members of the Assembly, is the professed object of this Bill—namely, the securing the probable return of certain relative numbers of representatives of the two great religious denominations, that is to say, 15 members representing the whole Protestant population of 49,521, composed of different sects, and 14 members representing the whole Roman-catholic population of 46,775.

3. The Committee consider the suggestion of the Right honourable Secretary of State contained in his recent despatch on this subject, a wise and judicious one, namely, that "the increase should be effected, not by giving additional members to existing constituencies, but by subdividing, as equally as geographical positions will admit, the districts now returning members." And if, with this modification, provision were made for the representation of minorities in districts returning more than one member, on a plan now likely to be adopted in the representation of counties in England, and which is practised with advantage in other countries possessing representative institutions, justice would be done to all parties, and the whole constituency be fairly represented.

4. By this means also, the errors and inequalities in the first division of the island into electoral districts, as well in the extent of the districts as in the number of representatives assigned to each, and which division, it was then intended, should be but temporary, would be removed or remedied. It could alone have been owing to imperfect information of the extent of population, that two members were assigned to the district of Placentia and St. Mary's, while but one was assigned to each of the districts of Bonavista and Twillingate and Fogo; since (according to the last Census) the first-named district has but 6,473 inhabitants, while the two latter have respectively 7,227 and 6,744, an injustice which the present Bill would confirm and perpetuate.

5. Again, it is proposed by the Bill to double the number of members of the district of St. John's, which increase, in proportion to the whole number of representatives, and having regard to the rule which in the United Kingdom is invariably applied to the representation of large towns, is a larger proportion than is fairly due to the district. When it is borne in mind that the sessions of the Legislature are held in St. John's; that at present many outport members reside here, and that with an increase of members there is every probability of an equally large, if not a greater proportion of members for the outport districts being residents in the capital; so large an increase of the number of representatives as this Bill assigns to it, will, it is to be feared, create a preponderance of influence in its favour injurious to the interests of the outport districts. Five out of 29 would, under all circumstances, be a more just proportion (six being even in excess of the existing proportion), and, moreover, a larger proportion of the whole representation, the committee believes, than that of the metropolitan county or district of any of the British North American provinces. The subdivision of the town and district into two parts will have no other influence on the returns, than that of avoiding the inconvenience of electing so many representatives at once.

6. The committee, however, in noticing these among other inequalities, which are owing in no small degree to the representation being adjusted to the old electoral districts, recommend that no alteration be made in the principle or details of the Bill sent up from the Assembly, beyond such as will effectuate the object which the Assembly professes to have in view, namely, that of providing for the probable return of 15 Protestants and 14 Roman-catholics.

The committee will therefore confine their suggestions of alteration to two or three districts only. In that of Conception Bay, it is proposed by the Bill to provide for the return of four members representing the Protestant inhabitants (16,445), and three members representing the Roman-catholic inhabitants (11,570). The scheme of subdivision in the Bill will, as it appears to the committee, effect this object, but for the reasons which influenced the Council last year, they think it desirable that Brigus should not be included in the first subdivision, namely, that from the St. John's district to Cupids; but, in place thereof, they recommend the subdivision at the foot of this report as well in respect of the first as of the other four subdivisions. The proportion of inhabitants to each member will be somewhat different, but this is of little importance, as the end sought by all parties in reference to the general return for the district will be equally attained.

7. There

7. There is likewise another mode of effecting the same object (that of allowing the minority as well as the majority of the extensive district of Conception Bay being fairly represented) which the committee suggest for consideration, namely, to form one district from Horse Cove to Brigus exclusive, containing 3,230 Roman-catholics, and 737 Protestants, with one member; and to embrace the rest of the district in two subdivisions, each to return three members: the electors in the two latter subdivisions being permitted, at their option, to give three votes to one candidate, or one vote to each of three candidates. These subdivisions might extend from Brigus to Harbour Grace inclusive, and from Carbonear to Bay de Verds inclusive, the former containing 9,348 Protestants, and 4,168 Catholics; the latter, 6,328 Protestants and 4,182 Catholics.

8. The reasons which on former occasions have influenced the Council in refusing to assent to an increase of the number of members for the district of Placentia and St. Mary's, appear to the committee to be unanswerable; and until the two districts of Bonavista and Twillingate and Fogo shall first have had three members assigned to each of them, they can see no justice in assigning three members to that of Placentia and St. Mary's.

9. It cannot fail to be perceived that while provision is made for the full representation of both religious denominations in Conception Bay, and while, at the same time, a minority of 6,210 Protestants in the district of St. John's, embracing the principal portion of the commercial body of the island, is overlooked; the three districts of Ferryland, Placentia, and Burin, with an aggregate population of 15,201 inhabitants, have seven members apportioned to them, and the three districts of Trinity, Bonavista, and Fogo, with an aggregate population of 22,942, being an excess of 7,348; have, by the Bill, only an equal number.

10. But, in order to carry out the intentions of the Assembly, and to preserve the relative proportion of members to represent Protestant and Roman-catholic constituencies, the committee recommend that three members be assigned to the district of Bonavista, and two to the district of Placentia and St. Mary's.

11. In this adjustment the committee assume that the return from Burin, which will now have two members, will be of one Protestant and one Roman-catholic. Notwithstanding there is in that district a majority of Protestants, yet, in two contests which have taken place, a Roman-catholic member has been returned to the rejection of the Protestant candidate. But to put at rest all cause of dispute on this point, and to remove every objection to the fairness of the adjustment, the committee recommend that in this district, at all events, the principle above adverted to be acted on, if the Council should not think fit to adopt it elsewhere (and which the committee are not at present prepared to recommend) namely, that of allowing the constituents to vote for one candidate only, which will allow the minority to be represented.

(signed) *E. M. Archibald.*
W. Thomas.

Committee Room,
27 April 1854.

PROBABLE Returns under the Bill, if amended as above suggested.

	Population.	Protestants.	Catholics.	Pro- testants.	Catholics.
District of St. John's - - - -	25,196	6,210	18,986	- -	6
" Trinity - - - -	8,801	7,518	1,286	3	-
" Bonavista - - - -	7,227	5,418	1,809	3	-
" Twillingate and Fogo - -	6,744	5,616	1,128	2	-
" Ferryland - - - -	4,581	182	4,399	- -	2
" Placentia and St. Mary's	6,473	1,018	5,455	- -	2
" Burin - - - -	4,356	2,407	1,951	1	1
" Fortune Bay - - - -	2,920	2,557	363	1	-
" La Poile - - - -	2,180	2,151	29	1	-
District of Conception Bay:					
1st Subdivision, Horse Cove to Turk's Gut, inclusive - - - -	3,997	769	3,230	- -	1
2d ditto, Brigus to Port de Grave, both inclusive - - - -	5,538	4,150	1,388	1	-
3d ditto, Bay Roberts to Harbour Grace, both inclusive - -	7,081	5,198	2,783	2	-
4th ditto, Carbonear and Musquito -	5,071	2,340	2,731	- -	2
5th ditto, Fresh Water to Bay de Verds, inclusive - - - -	5,430	3,938	1,451	1	-
				15	14

Sub-Enclosure 3 to Enclosure 4, in No. 15.

[COPY of an ADDRESS from the Legislative Council to his Grace the Duke of Newcastle, Her Majesty's Principal Secretary of State for the Colonies, &c. &c. &c., dated 13 June 1854, will be found printed at page 50 of this Paper.]

Encl. 5, in No. 15.

Enclosure 5, in No. 15.

Sir, Downing-street, 9 August 1854.
I AM directed by Secretary Sir George Grey to state in reply to your letter of the 28th ultimo, requesting on behalf of yourself and Mr. Row to be placed in possession of any representation which may have been made to Her Majesty's Government by the delegates of the Assembly, that Sir George Grey has already since his interviews with the delegates of both parties, addressed to the Governor of Newfoundland, a despatch embodying his views on the points in dispute. He is not aware, therefore, that any object is to be attained by a prolongation of the controversy. But he considers it just to both parties that each should be aware of the arguments which may have been used by the other; and you are, therefore, at liberty to read, on application to this Department, such letters as have been received from Mr. Little and Mr. Emerson.

Copy of your letter and this answer have been sent to those gentlemen.

E. M. Archibald, Esq.,

I have, &c.
(signed) F. Peel.

Encl. 6, in No. 15.

Enclosure 6, in No. 15.

Sir, Downing-street, 9 August 1854.
I AM directed by Secretary Sir George Grey to transmit to you copy of a letter which has been addressed to him by Messrs. Archibald and Row, and of the answer which he has caused to be made thereto, and which you will consider as conveying a similar permission to yourself and Mr. Emerson with that granted to those gentlemen.

P. F. Little, Esq.

I have, &c.
(signed) F. Peel.

Encl. 7, in No. 15.

Enclosure 7, in No. 15.

Gentlemen, Downing-street, 31 August 1854.
I AM directed by Secretary Sir George Grey to acknowledge your letter of the 7th of this month, in which, as delegates on behalf of the Council of Newfoundland, you submit for his consideration some remarks upon the subject of your mission.

2. With reference to your observation, that you presume it is not deemed advisable to furnish you with copies of representations made by the delegates of the Assembly, I am to refer you to my letter of August 9, in which you were told that you were at liberty to read the letters received from Mr. Little and Mr. Emerson. The same facility has been afforded to those gentlemen to read the letters addressed by you to Sir G. Grey.

3. Previously to the receipt of your letter, and after hearing the representations personally made to him by you on the one part, and by Messrs. Little and Emerson on the other, Sir G. Grey had addressed instructions to the Governor as to the course to be taken with reference to the points in dispute between the Council and Assembly.

With the purport of these instructions you are already acquainted.

Under these circumstances Sir G. Grey does not think that it could tend to any practical benefit to prolong a correspondence on the topics referred to in your letter.

E. M. Archibald, Esq.
W. B. Row, Esq.

I have, &c.
(signed) F. Peel.

No. 16.

Governor Hamilton
to Sir G. Grey,
Bart.
19 September 1854.

— No. 16. —

(No. 120.)

COPY of DESPATCH from Governor Hamilton to the Right Honourable
Sir George Grey, Bart.

Government House, St. John's, Newfoundland,
19 September 1854.

(Received, 10 October 1854.)

Sir,

(Answered, 24 October 1854, No. 13, page 81.)

INTENDING to summon an early Session of the Legislature for the purposes,
and pursuant to the instructions contained in your despatch No. 8*, of the 14th
August.

August, I have to request the further directions of Her Majesty's Government, as to my assenting to a Bill for increasing the number of Representatives without a clause suspending it for the Royal Assent.

2. Should the Council and Assembly, as I trust they may, agree upon the details of such a measure within the first fortnight of the Session, and it be necessary to transmit the Bill to England for Her Majesty's approval and then returned to me; it will then, I fear, be too late to hold the elections this year, or, indeed, before the month of May, and in such case, the principal object for which the Session will have been held at considerable public expense and inconvenience, will be defeated.

3. Although it is not probable that any Bill that may now be passed will substantially vary from the Bill of last Session which has already been under the consideration of Her Majesty's Government, yet I should hardly feel myself justified in assenting to it without a Suspending Clause; and, under these circumstances, I think it advisable that I should be instructed to assent to the Bill when passed, should there be nothing of an extraordinary nature in it, in order to obviate the inconvenience that will result from the delay in obtaining the Royal Assent, should circumstances permit the holding of the elections this autumn; of which I cannot, as yet, form a definite judgment.

4. A reply to this communication, if despatched by the first mail after its receipt, will reach me by the 31st of October.

I have, &c.
(signed) *Ker B. Hamilton.*

— No. 17. —

(No. 13.)
COPY of a DESPATCH from the Right Honourable Sir G. Grey, Bart., to Governor *Hamilton.*

No. 17.
Sir G. Grey, Bart.
to Governor
Hamilton,
24 October 1854.

Sir,

Downing-street, 24 October 1854.

I HAVE received your despatch of the 19th September, No. 120, inquiring whether, if the Council and Assembly of Newfoundland agree upon the details, you may assent to a Bill for increasing the number of Representatives of the General Assembly without a clause suspending it for the Royal Assent.

I regret that the interval between the arrival of your despatch, and the first outward mail did not allow of answering your despatch as promptly as you wished that I should do.

I have now to state, that provided the Bill which you expect will be passed appears to you in other respects unobjectionable, you are at liberty, under the peculiar circumstances of the case, to assent at once to it, although containing such a provision as that to which your inquiry refers.

I have, &c.
(signed) *G. Grey.*

— No. 18. —

EXTRACT of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir G. Grey, Bart.; dated Government House, Newfoundland, 3 October 1854.

(Received, 15 October 1854.)

“Just before the departure of a steamer direct to England, I have received the enclosed letter from the Official Members of the Council.”

No. 18.
Governor *Hamilton*
to Sir G. Grey,
Bart.
3 October 1854.

Encl. in No. 18.

Enclosure in No. 18.

Sir,

St. John's, 3 October 1854.

As official Members of the Council we beg leave to call your Excellency's attention to the present position of the differences between the two branches of the Legislature on the Representatives Bill and the difficulties with which the measure will still be beset in the ensuing Session.

A reference having been made to the Imperial Government, we hoped that some expression of the opinion entertained by the Government on the points in dispute would have been given which might have led to a settlement of the question.

The propositions of the Council in the last Session were such as appeared to us to be fair to all parties, but as we believe the Government are anxious to have the disputes on this matter terminated, if the Bill, as last amended by the Assembly, appears to Her Majesty's Government to be fair and such as should be adopted, we shall feel ourselves bound (in case the two branches cannot come to an agreement otherwise) to act upon such view of the question as the Government may be pleased to express.

We have, &c.
(signed) *E. M. Archibald.*
Jas. Crowdy.
Jo. Noad.

His Excellency the Governor.

— No. 19. —

No. 19.

(No. 123.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable
Sir *G. Grey*, Bart.

Governor Hamilton
to Sir G. Grey,
Bart
14 October 1854.

Government House, St. John's, Newfoundland,
14 October 1854.

(Received, 20 November 1854.)

Sir,

HAVING summoned the Legislature to meet on the 10th instant for the despatch of business, I have the honour to enclose a copy of the speech with which I opened the Session, and of the addresses of the Council and Assembly in reply.

I have, &c.
(signed) *Ker B. Hamilton.*

Encl. in No. 19.

Enclosure in No. 19.

SPEECH of his Excellency the Governor on opening the Third Session of the Fifth
General Assembly.

Tuesday, 10 October 1854.

Mr. President, and Gentlemen of Her Majesty's Council ;
Mr. Speaker, and Gentlemen of the House of Assembly ;

THE circumstances under which the last Session terminated having resulted in a reference by both branches of the Legislature to Her Majesty's Government, who have expressed their views upon the matters brought under their consideration, in despatches from Her Majesty's Secretary of State, copies of which I will cause to be laid before you, I have, in compliance with the instructions conveyed to me, called you together at this period of the year—inconvenient though I fear it may be as regards the general business of the country—for the purpose of settling the preliminary conditions to the introduction of the system of responsible government, and of remedying the inconveniences arising from the circumstance of last Session having closed without the usual Bill of Supply.

The suggestions and recommendations contained in the despatches of Her Majesty's Secretary of State leave me little to add beyond the expression of a hope that in the apparently only remaining point at issue between the two Houses, namely, the settlement of the details of the Representation Bill, the discussion of whatever measure may be proposed will be conducted in a spirit of moderation on all sides; and that such a Bill may be perfected as will be fair, and, I trust, acceptable to all parties.

I have to acquaint you that a treaty for the reciprocal free interchange of certain staple products of the United States and the British North American colonies was signed at Washington on the 5th of June last between the Government of Great Britain and that of the United States; and has since been ratified by the two Governments. The admission of Newfoundland to a participation in this treaty is conditional on certain preliminary arrangements, and the action of the Legislatures as well of the United Kingdom and United States, as of this colony.

I shall

I shall cause to be laid before you copies of a despatch addressed to me by Sir George Grey on this subject; but in the absence of an authentic copy of the treaty, and of the suggestions of the Governor-general of Canada, which the Secretary of State has informed me I shall receive for my guidance in proposing any measure for securing to this colony the advantages derivable from the treaty, I am not at present in a position to invite your further attention to this matter.

During the recess my attention has been directed to the defective sanitary state of St. John's. While we gratefully acknowledge the distinguishing mercy shown to us by Divine Providence in exempting us from such visitations of sickness as have devastated other countries, both of the old and new world, we are warned that even in this climate of extraordinary salubrity we cannot neglect with impunity certain general sanitary laws. I will cause to be laid before you a report prepared by a competent person with a view to a system of drainage of St. John's, and specifying that part which being immediately indispensable, I directed to be performed. I recommend this subject to your consideration; and that provision be made for giving effect to such measures for the preservation of the public health as may be approved of by the Board of Health.

Although I regret to say the fishery during the past season has, to a great extent, failed on some parts of the coasts of the island, I trust that the general fishery will, on the whole, be found to have been not below an average one. On the other hand, I have to congratulate you on the very great diminution of the potato disease compared with its ravages in past years.

Mr. Speaker, and Gentlemen of the House of Assembly;

I will transmit to you a statement of the revenue up to the present period of the year. I will also direct to be laid before you the estimates for the present year, and rely on your making the necessary provision for the public service, and for the additional expenditure incurred in carrying out measures to protect the public health.

On Saturday the 14th inst., at a quarter before two o'clock, the address of Her Majesty's Council, in answer, was presented to his Excellency at the Government-house, by the President and the whole House; and is as follows:

To His Excellency *Ker Baillie Hamilton*, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c., &c.

May it please your Excellency,

WE, Her Majesty's dutiful and loyal subjects the Council of Newfoundland in General Assembly convened, beg leave to thank your Excellency for the gracious speech with which you have been pleased to open the present Session of the Legislature.

Called together, as the Legislature has been for the purpose of settling the preliminary conditions to the introduction of responsible government, and of remedying the inconvenience arising from the circumstance of last Session having closed without the usual Supply Bill; we assure your Excellency that any despatches from Her Majesty's Secretary of State on these important subjects which your Excellency may be pleased to lay before us, shall receive our earnest and careful attention; and we will add that it is our sincere desire to enter on the discussion of whatever measure may be proposed for the settlement of the details of the Representative Bill, in such a spirit of moderation as may tend to the final and satisfactory adjustment of that question.

The subject of free trade between Newfoundland and the United States is one of great moment, and any documents in relation to a matter which will have an important bearing on the prosperity of this island, which your Excellency may now or hereafter be enabled to lay before us, we shall thankfully receive, and will devote to them our best consideration.

We join your Excellency in gratefully acknowledging that mercy which for so long a time has been providentially extended to us, in preserving us from those severe visitations of sickness, which have spread over so many other parts of the world; and, at the same time, we beg to express not only our readiness, but our solicitude to join in perfecting such measures as have for their end the preservation of the public health.

We regret to learn that the fishery should, to a great extent have failed, on any portion of our shores during the past season; but trust with your Excellency that from the abundant catch on other parts of our coasts, it will, on the whole, be an average fishery.

With feelings of great satisfaction we reciprocate your Excellency's congratulation on the diminution of the potato disease; a fact which seems to warrant our entertaining the hope that we may escape its ravages in future years.

Edward D'Alton, President.

Council Chamber, 13 October 1854.

To which His Excellency was pleased to make the following reply:—

Mr. President, and Honourable Gentlemen of the Council;

I thank you for this address.

On the same day, at two o'clock, the address of the House of Assembly was presented to his Excellency by Mr. Speaker and the whole House; and is as follows:

To his Excellency *Ker Baillie Hamilton*, Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c.

May it please your Excellency,

WE, Her Majesty's dutiful and loyal subjects the Commons of Newfoundland, in General Assembly convened, thank your Excellency for the gracious speech with which you have been pleased to open the present Session of the Legislature.

The Imperial Government having determined to introduce responsible government into this colony, in accordance with the reiterated demands of the people and the necessities of the country, it is satisfactory to find that the conduct of the Assembly, in reference to the preliminary conditions, has met the approval of the Imperial authorities in such a manner as to lead us to anticipate that no further difficulty will be experienced in effecting that desirable change. The only point, in the measures of the Assembly, to which any exception has been taken, being the retiring allowance of the Attorney-general, is susceptible of easy adjustment; and while we shall willingly reconsider that matter with the view of meeting their suggestions, we should hope that the Representation Bill, the only remaining preliminary, as adopted by the Assembly in its last Session, may without any further opposition or procrastination become the law of the land. It contains several substantial concessions to the opinions of Her Majesty's Council, and looking to the fairness of its details, and the result of the late appeal of both branches to the Secretary of State for the Colonies, we deem it almost needless to add that a regard for the interests of the people and the beneficial working of the new system entirely prevent our making any further concessions in relation to that measure. We, therefore, hope that Her Majesty's Council may at length see the propriety of meeting the Assembly in a conciliatory spirit, and by terminating the differences on this measure, enable your Excellency to give effect to the liberal intentions of Her Majesty's Government.

These being the only measures, for the settlement of which this Session has been wisely called at this unusual period of the year, under the instructions of the Secretary of State, that an end may be put as speedily as possible to the present unfortunate state of affairs; we beg to assure your Excellency that as soon as they shall be adjusted we shall not hesitate to pass the usual Bill of Supply, and such other Bills as the welfare of the country and the brief period which we expect to be in Session, may warrant.

We are gratified to learn that a treaty for the establishment of reciprocal free trade in certain staple products, between the United States and the British North American colonies, has been passed and ratified by the Government of Great Britain and the United States, and that Newfoundland has been included in its arrangements.

We are fully alive to the great advantages which this colony must derive from a participation in that measure; and we anticipate no difficulty in adjusting our tariff of duties so as to avail of its terms as soon as circumstances shall permit.

We cordially acknowledge the correctness of your Excellency's suggestions in reference to the draining and sewerage of St. John's; and we shall give due consideration to any report which your Excellency may be pleased to furnish thereon with the view of adopting measures for the improvement of the sanitary condition of this town.

We reciprocate your Excellency's congratulations on the subject of our fishery during the past season, which, though only partially successful in some localities, will on the whole, we have reason to believe, amount to an average; and it is no less a subject of thankfulness to Divine Providence that the potato disease has been far less extensive than in past years.

In certain localities, however, relief will have to be provided for the support of the really destitute; and we beg to assure your Excellency that we shall not only indemnify you for any past expenditure, but also for any future outlay that may be necessary for this branch of the public service.

House of Assembly, 12 October 1854.

John Kent, Speaker.

To which his Excellency was pleased to make the following reply:

Mr. Speaker, and Gentlemen of the House of Assembly;

In replying to this address I will confine myself to thanking you for the assurance it contains that you will pass such Bills as the welfare of the country may warrant, and that you will indemnify me for any past expenditure for the support of the poor, and also for any future outlay that may be necessary for this branch of the public service.

— No. 20. —

(No. 124.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
26 October 1854.

(Received, 20 November 1854.)

Sir,

I HAVE the honour to transmit herewith, copies of the Votes and Proceedings of both branches of the local Legislature from the commencement of the Session until the departure of the present mail.

I have, &c.
(signed) *Ker B. Hamilton*.

No. 20.

Governor *Hamilton*
to Sir *G. Grey*,
Bart.
26 October 1854.

Enclosure in No. 20.

Encl. in No. 20.

EXTRACT of the Journal and Proceedings of the Third Session of the Fifth General Assembly of Newfoundland.

Tuesday, 10 October 1854.

MR. LITTLE, as member of the delegation appointed last Session to proceed to London to advocate the claims of this colony to responsible government, presented the report, which he handed in at the clerk's table, when the same was read, as follows:—

Report of the Delegates to London.

REPORT of *Philip F. Little, Esq., M. H. A.*, and *George H. Emerson, Esq., M. H. A.*, Delegates from the House of Assembly of Newfoundland, to the Imperial Government, on the subject of Responsible Government.

THE House of Assembly having honoured us with the appointment of delegates to represent their views to the Imperial Government, on the right of the people of this colony to the enjoyment of self-government—on the obstructive policy of Her Majesty's Council in resisting its introduction, and the proceedings of the Assembly on the Duke of Newcastle's despatch—we beg to submit the following report of our proceedings, in discharge of the high and responsible trust reposed in us.

Mr. Little having arrived in London on the 20th July, immediately applied to that able and faithful friend of colonial reform, Joseph Hume, Esq., M. P., for an interview, which was promptly granted on the same day. Mr. Hume having been in possession of the past history of the misgovernment of this colony furnished by the delegates of the Assembly last year, Mr. Little now laid before him an accurate detail of the proceedings of the Assembly upon the despatch of his Grace the Duke of Newcastle to the Governor, dated February last, in compliance with the principal conditions thereof; and having satisfied Mr. Hume that the Bill adopted by the Assembly to increase the number of members in the Assembly was a fair and reasonable measure, he described the conduct of the Council thereon, and the necessity which they had thrown on the Assembly of stopping the supplies. Mr. Hume quite approved of the course pursued by the Assembly, declaring that he saw no other one open by them, under the circumstances, as the Council had evinced an obstinacy and overbearing tone, which evinced anything but a sincere desire to settle the preliminaries for a change of government; that he would cheerfully continue to sustain the right of the people of Newfoundland to self-government, and, if necessary, present the petition of the Assembly to the House of Commons, which was entrusted to him by the resolution of the Assembly, and now delivered to him with other documents by Mr. Little; that he would, however, first adopt such steps, in a conciliatory spirit towards the Imperial authorities, as would probably be effectual, and obviate the necessity for presenting the petition; that the friendly intentions of the Duke of Newcastle in favour of the extension of constitutional freedom of the colony remained unchanged; and that he had no doubt Sir George Grey, the newly-appointed Secretary of State for the Colonies, would realise those just intentions. Having obtained full information on the present state of our affairs, he made arrangements to obtain an interview for the delegates with the Secretary of State, and kindly offered to accompany them upon the occasion.

On the following day (the 21st) Mr. Little waited upon Frederick Peel, Esq., M. P., Under Secretary of State for the Colonial Department, at his residence in Whitehall-gardens, who received him very affably, and entered frankly into a lengthy and interesting discussion upon the conduct of the Assembly and the Council in relation to the conditions mentioned in the Duke of Newcastle's despatch. After hearing attentively a statement of what the Assembly had done to comply with them, he stated that he regretted to learn, from information previously received, the extent to which sectarian differences appeared to have gone into the proceedings on the Representation Bill; that he considered the Bill as amended by the Assembly a fair and reasonable measure; that he conceived it ought to have been assented to by the Council, and had he been a member of that body he would have assented to it; that the Governor might with propriety have acted as a mediator between the Assembly and the Council, as requested by the former, and that according to his views, there could be no danger of any undue sectarian ascendancy under that Bill, as, if parties wished to act, and the electors voted on denominational grounds, the result would be 16 Protestants and 14 Catholics; or if Burin returned a Catholic, 15 and 15 would be the result of the Parliamentary elections; but he trusted that experience would show the folly of adopting any exclusively denominational standard of qualification for candidates, and men would not be accepted or rejected simply on account of their religious belief. Mr. Little stated that it should be clearly understood, that the Council forced on the Assembly the consideration of the denominational element in adjusting the Representation Bill; that the Assembly did not desire, and would not sanction, any undue sectarian ascendancy in the hands of any party; that the only fear the Council's party had on this head was, that their individual interest would suffer if the existing sectarian and family compact ascendancy, which they sustained in the government of the colony, were broken down, and the portals of office thrown open to men of meritorious character and ability, in whom the people reposed confidence, irrespective of sectarianism; not but reference should be had to the rights of all denominations entitled to participate in power and patronage, and that it should be divided among them as fairly and equally as might be practicable and consistent with the

public service. It was evident, however, that the Council made use of the sectarian element to cover their real objects, and that their great anxiety was to secure the extension of mercantile influence over the electors, and thereby continue to rule the country.

With reference to the condition to provide retiring allowances for the outgoing officials, he thought the Assembly had acted liberally, except in the case of Mr. Archibald, the Attorney-general; and although he did not conceive that there was any principle involved in the difference on the allowance to be made to him; yet concessions should be made in political life, or there would be great difficulty experienced in most positions in getting on: he felt that the Assembly would not be wrong in giving way on that point. Mr. Little replied that there was no desire on the part of the Assembly to underrate the services or claims of any of the out-going officials; that they were allowed a higher scale of retirements than had been adopted in any of the other colonies, and that if the Attorney-general's were the only point of difference, that might have been settled in the colony, if he were reasonable in his expectations; but his conduct in the Council as the admitted leader of the most obstructive party at the Board, did not place him in a favourable position before the people, or entitle him to any special favour from the Assembly. After a lengthy and satisfactory discussion on other points, Mr. Little left with Mr. Peel the duplicate of the address of the Assembly to the Secretary of State on the subject of the delegation, with other documents bearing thereon, and requested him to have the kindness to inform Sir George Grey of his desire to obtain an interview with him for the delegates at an early day. He kindly promised compliance, and stated that he would be happy to see Mr. Little and Mr. Emerson again if they should desire it.

Mr. Little then addressed a letter [marked No. 1 in the annexed correspondence] to Mr. Peel, with a duplicate of letter No. 2, for Sir George Grey; this was done before Mr. Emerson's arrival in London, as time was of much importance at that juncture of affairs, and as the delegates of the Council and Mr. Hoyles, who it was understood pretended to represent some party or interest in Newfoundland, had been pressing their views on the Secretary of State. They were, no doubt, anxious to have the first story with the Minister; and it was, therefore, desirable at once to counteract any erroneous impressions they may have attempted to make.

Sir George Grey having named the 27th July for an interview with the delegates, Mr. Hume was so kind as to attend with them (Mr. Emerson having arrived on the 25th July), at the Colonial Office at four o'clock p.m. on the former day, for the purpose of laying the whole case before the Secretary of State. Sir George received the deputation very courteously; and Mr. Hume having intimated to him that Mr. Little was prepared to enter into a detail of the proceedings of the Assembly and the Council, since the receipt of the Duke of Newcastle's despatch by the Governor of Newfoundland in March last, that it was to be greatly regretted that the Governor of the colony did not act with firmness towards his Council, for had he done so in an impartial manner, it was quite evident, from the moderate and just conduct of the Assembly, matters might have been arranged without obliging the Assembly to stop the supplies, and appeal again to the Imperial Government for justice, but he would reserve his further remarks for the present.

Mr. Little then proceeded to lay before Sir George Grey his statement: he referred to the measures adopted by the Assembly since 1846, on the subject of responsible government, to the constitution of the present Government, and the general desire of the inhabitants for a fundamental change; the opposition given by the Council to send home delegates from both branches last year, arising, doubtless, from fear of an exposure of the abuses perpetrated under the present system, and a conscious weakness of their position; to the proceedings of the delegates of the Assembly last year; to the assurances of the Duke of Newcastle of his desire to place Newfoundland upon a footing of equality as to responsible government, with Prince Edward Island and the other neighbouring provinces; to the four conditions on which the noble Duke had granted responsible government to Newfoundland, as stated in his despatch of February last to the Governor, and the compliance of the Assembly with three of them; to the differences which existed between the Governor and Assembly in relation to the allowance provided for the Attorney-general, and with the Council on the Representation Bill; to the Sectarian standard forced on the consideration of the Assembly by the Council in reference to that measure, and the attempts of the latter to increase the political power of a few mercantile houses, to the detriment of the popular party, and the progress of the colony; to the large concessions made by the Assembly to conciliate the Council, and, if possible, settle the preliminaries of the change without further troubling the Imperial authorities; to the absence of a corresponding spirit on the part of the Council, as shown by the fact, that they had not made one substantial concession in the Representation Bill, on the contrary, the terms they claimed were more unreasonable than they contended for at any previous period; to the appeal made by the Assembly to the Governor, to act as a mediator to induce the Council to come to an arrangement with the Assembly, and his refusal to interpose; to the circumstances connected with the address presented to the Governor, and his manner of treating it; to the stoppage of supplies, which was an inevitable step, and the determination of the Assembly not to grant any to support the present system; to their guarantee of an indemnity to the Governor for the necessary outlay for the support of the poor; to the misrepresentations by the Council of the acts of the Assembly, and particularly in reference to the vote of indemnity for the relief of the poor. That in fact the Assembly had done all that was in their power to comply with the conditions stated by his Grace, with the exception of the fourth, and as there was no such condition as the payment of members by assessment in force in

any other British colony, the people of Newfoundland were unwilling to submit to it, and the Assembly therefore considered that the Imperial Government would not attempt to enforce it. He also referred to the financial affairs of the colony, which he said was in a deplorable state; and it required no small amount of economy and judgment to place them upon a safe and desirable footing; and he concluded, by repeating the prayer of the address of the Assembly for the immediate dissolution of the Council, as they only obstructed the contemplated change, and the preliminaries to its introduction might now be considered as settled by the Assembly, for whatever they might do as to Mr. Archibald's retirement on the suggestion of Sir George, they were determined, at any risk, to adhere to their Representative Bill, and not to make any further concessions therein.

Sir George Grey deprecated the idea of attempting to divide the colony, or any part of it, into electoral districts, not so much by a reference to population, as to denominational distinctions, and expressed a hope that the difficulties which were anticipated on the score of sectarianism, in the working of the new system, would not be experienced; that there was so little to differ upon, as to the retiring allowance of the Attorney-general, he conceived, if other matters were disposed of, the Assembly should not hesitate to take an average of his official income received from the colony for the offices of Clerk of the Court and Attorney-general, and allow him a retirement on that basis, which would be less than if the retirement were calculated upon his official income as Attorney-general, but more than the sum allowed by the Assembly. With reference to the Representation Bill, he was sorry and surprised that it had not been adjusted in the colony; the points of difference were now so few between the Assembly and the Council upon it, that he was convinced there would be an arrangement effected upon them through the intervention of the Governor, whom he would instruct to act as arbitrator or mediator for the purpose of effecting a settlement. As he had little doubt under the instructions which would be sent out of any further difficulty being experienced on this head, he did not think it would be necessary at present to resort to the extreme step of dissolving the Council to secure the passing of the Bill, while he refused to sanction the application which had been made for Parliamentary interference with the constitution which the Duke of Newcastle intended to confer on the island, or the enactment of any Imperial Statute or Revenue Bill, as sought by a petition from some commercial men in the island, which would infringe upon those rights which have been impliedly, if not expressly, guaranteed to Newfoundland under the general rule adopted towards all the British North American colonies for their better government, he meant the rule of abstaining from any acts of legislation upon purely local affairs, which properly formed matter of local concern, and should therefore be disposed of by, and according to the opinions and judgment of those to be affected by them; the only interference that he could, therefore, advise, until the conditions were arranged for the general change, would be the modification of the Council if it should be found, contrary to his anticipations, that they did not come to an arrangement with the Assembly on the Representation Bill. He much regretted the necessity of stopping the supplies, and hoped the Assembly would not be again placed in such a position as to deem a repetition or continuance of such an extreme course necessary.

The delegates here stated, that it was their duty and desire to be candid on this point; and they did not hesitate to say, that as the anticipations expressed by the delegates last year to the Duke of Newcastle, and also by the Assembly, both before, upon, and since the receipt of his Grace's despatch, as to the improbability of the Council agreeing on a fair Representation Bill had been realised; so had any promises which the delegates had made to the Duke, as well as their anticipations of the stoppage of supplies, as a consequence of the continued obstructive conduct of the Council. Yes, remarked Mr. Hume, that is quite true, and for his part, he saw no other course open to the Assembly than that which they adopted, to vindicate the rights of the people and demonstrate their entire want of confidence in the present Council, and the system which they have fought so hard to uphold. That the Assembly, as well as himself, regretted the necessity they were under of taking so extreme a step, but who is to blame for its serious consequences? Not certainly the Assembly, but the Council and the Governor, who refused to interpose, and who acted more as a partisan of his Council than as an impartial ruler between the contending parties. He was convinced, as the delegates were, if the Governor had acted upon the address of the Assembly with firmness and discretion, his Council would, under the circumstances then existing and the position of parties in the Council at that time, have been brought to terms, and the country would have been saved from any loss or inconvenience which may result from the present unfortunate state of things. With reference to the support of the poor, he thought the Assembly had acted with much consideration; and he put it to Sir George Grey, to say, what was to be expected from the executive party when they permitted their Solicitor-general to speak for two hours against time in the Assembly to prevent the passing of an address to the Governor, authorising a continued outlay for the support of the poor, the lunatic, and the completion of the lunatic asylum, and then attribute to the misconduct of the Assembly the absence of any legal provision for that part of the public service; surely, he continued, such things cannot be sustained or tolerated in any person connected with the Government. Sir George Grey appeared to be much surprised at this description of the conduct of the executive party and their organ in the Assembly, and expressed a hope that in future extremes would be avoided on both sides.

The delegates stated, that the measures of the Assembly were an evidence of their moderation; and, in continuation of the observations they were making when Mr. Hume

introduced his appropriate remarks, they felt themselves bound to inform Sir George Grey, that whatever might be the consequences, the Assembly would not surrender one jot more of the people's rights to subserve the caprice or policy of the Council, and if the question of self-government were not settled satisfactorily without delay, the people would not submit to any further taxation for the support of the present corrupt and arbitrary system; that Sir George was at liberty, if a radical change did not soon take place in the Government, to take away the sham representative Government with which the colony was burthened, and introduce whatever form he pleased in its stead, provided he undertook to relieve the people from all taxation and supported the public institutions and necessary public improvements in the colony, which would cost the Imperial Government about 200,000 *l.* a-year. No, replied Sir George Grey, I shall not advise the adoption of any such policy with the colony. It is the desire of the Government that Newfoundland should stand upon an equality with the neighbouring colonies; reforms are not effected in a day, even in England; we only gain them by degrees, and you must have a little patience and all will be right by and by. Doubtless, they replied, our affairs will be ultimately right, but while the contending parties have been discussing abstract points, or having settled these, have come to a dead lock on details, the operative population are quitting the country, the middle classes are following in their footsteps, and with the exception of the mercantile body who are realising fortunes, the whole colony going to ruin. This is plain language, Sir George, remarked Mr. Hume, but there is nothing like speaking out plainly upon such an occasion as the present, and I have no doubt that it will not be lost on the present Government. Had such language been attended to many years ago, when I appealed to the Secretary of State for the Colonies on behalf of Canada, the outbreak of 1837 would not have taken place, and all the reforms which have since been made in that fine country would have been matured long ago, and we should not have to deplore a sacrifice of blood and treasure to uphold bad government and family compacts.

After a lengthened discussion on several other points taken up by Mr. Emerson, the Secretary of State informed the delegates that he should fully consider the matters submitted; and if they desired any further interviews, he would be happy to see them.

He said that he required a little time for consideration, as he was not then prepared to express conclusively the opinion of the Government upon the points submitted. In the meantime, however, he would remark in reference to the Representation Bill, that he could not sanction the principle introduced to secure the representation of a minority in Burin. It was contrary to the practice of the mother country and the neighbouring colonies, and without expressing any more definite opinion on the general principle, he did not see anything to justify its adoption in the district of Burin. As to the cutting off a portion of Trinity district to add to Bonavista, he could see no necessity for that. And it therefore follows, gentlemen, remarked Mr. Hume, that as there is only about 100 less electors in Placentia and St. Mary's district than in Bonavista, that the former is entitled to a third member; with such an expression of Sir George's opinions, I should advise you to be content at present, and allow him time to mature his views. When I have fully determined on the course to be taken, remarked Sir George, I shall have no objection to show Mr. Hume the despatch which I shall write to the Governor on the subject, and inform you of its substance. He then requested the delegates to reduce the matters they had brought under his notice to writing, and furnish him with a statement of them. They felt that decision and candour were more than ever necessary in their movements, as Sir George appeared to be undecided in his intended line of action, and they availed of the opportunity thus afforded to place their views clearly before him, and expressed in the copy of their letters No. 3 and No. 4 in the annexed correspondence.

Perceiving by the reported Parliamentary debates in the London "Times" of the 1st August, that Sir John Pakington had stated on the previous day in his place in Parliament, on asking a question as to the intentions of the Government with reference to the affairs of Newfoundland, that he understood the Assembly had rejected the conditions on which the Duke of Newcastle had granted responsible government to the colony, we deemed it necessary to bring the misrepresentation of the proceedings of the Assembly under the notice of the Government, through Mr. Hume, as will appear by our letter, No. 5, to him, and his No. 6, to Sir George Grey, in the correspondence annexed. It was gratifying to perceive that Sir George Grey denied in Parliament the matter alleged by Sir John Pakington, as to the course taken by the Assembly, and stated that they had complied with the principal conditions mentioned in the noble Duke's despatch, though a difference arose between the Assembly and the Council on a few matters of detail, which he conceived would be easily adjusted.

Mr. Hume intimated to the delegates, that as the Duke of Newcastle was much interested in the welfare of Newfoundland, and anxious to see the principles of self-government infused into its constitution, as he had assured him frequently before our arrival in London, as well as since, we determined, at Mr. Hume's suggestion, to address his Grace on the subject of our affairs. This step was deemed the more advisable as Sir George would, as he stated, carry out the Duke's intentions. We therefore, on the 1st August, addressed a letter, No. 7, to his Grace, with a copy of letter No. 4, and of the last resolutions of the Assembly on the state of the colony; and on the following day we were gratified to receive the satisfactory reply (No. 8) from the noble Duke, by which it will be seen that he fully recognises "the great concessions made by the Assembly in a conciliatory spirit," and takes a fair and impartial view of their proceedings, with a clear assurance "that the close of this unfortunate contest is near at hand;" a conclusion which he subsequently repeated to Mr. Hume in unmistakable terms.

Upon the receipt of the Duke's despatch, we sent a copy of it to Mr. Hume, with letter, No. 9, requesting him to remind Sir George Grey of our anxiety for a final decision, and pointing out the practical details which should be adopted to put an end to the existing differences, and organise a new Government: first, by an immediate dissolution of the Council; secondly, an absolute concession of responsible government, the appointment of two separate Councils; the Legislative Council to consist of not more than 15 members, and the Executive nine; the members of the latter to hold seats, some in the Assembly and the rest in the Legislative Council, and to include all the heads of the principal departments; and thirdly, the new Government should be directed to pass the Pension and Representation Bills; and that the general elections should take place this autumn.

As Mr. Hume was about to place these views before Sir George Grey, we deemed it advisable to address letter No. 10 to him, for the purpose of briefly reiterating the three points of dispute in the Representation Bill—the admission frankly made by the Duke of Newcastle of the “great concessions” made by the Assembly in a “conciliatory spirit,” and the determination of the Assembly to make no further concession in the measure;—that the Assembly applied to the Imperial Government, not simply to obtain the expression of its opinion on their measures, but also for the immediate concession of responsible government; that we conceived that it would be useless to give the Council another chance to come to an agreement upon it; and unless, Sir George Grey should satisfy him as to the propriety of the course he was disposed to adopt, that he would bring the affairs of the colony before Parliament; and we should solicit the influential co-operation of certain liberal Members of Parliament.

On the 9th August we, in company with Mr. Hume, were favoured by the Secretary of State with another lengthy interview; at his instance, Sir George having delayed writing his despatch to the Governor of the colony until he should more fully know our opinions, we showed, by a reference to the past acts of the Council, as well as their conduct on the Representation Bill, why they ought to be dissolved, why they have fomented sectarian discord, and involved the Governor in their obstructive policy; that they ruined Sir Gaspard Le Marchant's administration, and prevented him and other Governors before him from exercising an independent and impartial opinion; and as they have been so far successful in their machinations with Mr. Hamilton, they would doubtless endeavour to persuade him to continue to identify himself with their party, for the ostensible purpose of justifying his previous policy in the eyes of the Imperial Government, but for the real object of securing his co-operation to obstruct the progress of reform in the colony, prolong their tenure of power, not caring anything about the consequent obloquy which they would bring on him as they had brought on his predecessor, nor the wide-spread discontent, and the consequences which would inevitably flow from a continuance of their influence in the government of the colony. No consequence who the Governor might be, under the present system, if he followed their advice his administration would be unpopular and impracticable, while the marked success attending Sir Alexander Bannerman, certainly a Governor of rare abilities and long Parliamentary experience, in the government of the smaller colony of Prince Edward Island, as well as that of Sir Gaspard Le Marchant, who had failed to give satisfaction in Newfoundland, but has experienced no difficulty in the government of Nova Scotia, proved beyond doubt, not only the adaptation, but absolute superiority of the responsible system over any other. Although our Council are confident that the day of their dissolution cannot be very distant, and the official members have had retiring allowances provided for them, they will hold on to full pay as long as possible; the non-official would lend their influence to the official members of the Council, and put themselves in the foreground to stave off the change, all indulging, too, in the vain hope that some fortunate circumstance might happen in the chapter of accidents to restore their advocate, Sir John Pakington, to power, when they as vainly imagine they would obtain a renewal of their reign of misrule; that as Sir George Grey would not venture to disapprove of the conduct of the Assembly, and only took exception to the retirement named for the Attorney-general, there could be no hesitation in complying with the demand of the Assembly. There is no doubt that secret misrepresentations of the grossest character had been made to the Secretary, which in justice ought to have been shown to us, that we might have had an opportunity of exposing their fallacy; that, whatever the Council's delegates might say to the contrary, more competent, and as respectable citizens as any in the present Executive, would be found to work out the new system. But they said that there was a fear of Catholic ascendancy; there was no danger of that, if, as they stated, a majority of the colonists be Protestants, with the power given to them, under the Representation Bill of the Assembly, then, if they wished to use it, of returning 16 out of the 30 members, and the certainty, judging from the past, that in the districts where Catholics are a majority, several liberal Protestant members will be returned, who would not, of course, sanction anything like Catholic ascendancy. But this cry is the strongest evidence of the expedients to which the Council resort to cover their retreat; they certainly measure their neighbour's corn by their own bushel, and as they only allow one solitary Catholic to sit in their Council, and only deign to give one-fifth of the patronage of the Government to persons of the Catholic religion, and this from their spirit of exclusiveness and intolerance towards nearly one-half of the population, they would contort the recognition of the right of that half to perfect equality and fair play into an undue ascendancy; the Catholics seek no undue ascendancy, and would not have the power to carry on any government based on so pernicious and objectionable a principle.

Sir George Grey remarked, that, even admitting for the sake of argument, we were quite

correct in reference to the past conduct of the Council, it should not be forgotten that they had something at stake besides their opinion, and he could not suppose, if the Representation Bill were referred back to them, that an arrangement would not be effected. He meant plainly to state that he would instruct the Governor that a modification of the Council should take place if they could not be brought to agree with the Assembly; it would be fair, therefore, to that body to let them know their true position, and not impose so heavy a penalty on them as that which would result from their immediate dissolution.

There is certainly one point which strikes me, said Mr. Hume, if the Council be dissolved now, as they and the Governor are identified in all their recent transactions, that would necessarily lead to his recall; and, while I am decidedly of opinion that the conduct of the Governor and Council merits such treatment, it may be that delicacy or prudence would point to the adoption of the course suggested by Sir George, that they may have a fair trial; and if either of them fail to realise the expectations of Sir George, certainly there would be no alternative left to the Imperial Government but to appoint other men to do the work, and carry out the intentions of the Government. For my part, however, continued Mr. Hume, I have no delicacy or hesitation in supporting the demand of the Assembly for a dissolution of the Council at once.

Well, remarked the delegates, if, Sir George, you are so confident of success in your experiment, we must say that, while we are inclined to protest against it, we shall give it full consideration. It certainly may be successful if the Governor acts with energy and determination, if he judges for himself, and shapes his own policy by a reference to the intentions of the Imperial Government as expressed by the Duke of Newcastle and yourself. A regard for his own position, under this new responsibility which is thrown on his shoulders, to act as mediator or arbitrator, and a decided expression of the opinion of the Government, would not only influence and fortify him in shaking off the trammels in which the Council have held him, but enable him to control them. It is therefore desirable that four points should be clearly expressed to him as the first has been to us; viz., first, that the Bill of the Assembly is a fair measure; secondly, that the Legislature should be convened without delay to test the experiment; thirdly, that in case a reorganization of the Council be necessary, it shall be made upon the advice of a majority of the Assembly by the Governor; and fourthly, that general elections shall take place in the autumn of this year. As to the first point, replied Sir George, all I can say to you is to offer a general opinion of the fairness of the Bill; I have not sufficient local knowledge to pronounce upon all of its details, but the instructions of the Governor will be such that I shall have no reason to anticipate any further difficulty on this subject. The second point is new, and I shall consider it. There are certainly advantages in it, as I presume supplies and other necessary measures would be passed upon the present difference being adjusted. Certainly, we replied, but not otherwise. The third point would be a matter of course, if the necessity should arise; and as to the fourth, that is only reasonable, as it is desirable to put an end to the present contest and place the Government of the colony upon a permanent and satisfactory footing. If matters should not turn out as I anticipate, you can appeal to me again, but shall not have occasion to come across the Atlantic again on this subject. If, remarked Mr. Hume, the official members of the Council should give any further opposition to the wishes of the Government, the Assembly would be justified in withholding their retirements.

Having considered the views expressed by Sir George Grey, we then determined to follow our original instructions—that is, not accept them as a compliance therewith; to maintain the rights of the people to call for the immediate introduction of self-government; and although we regarded the course he had resolved on pursuing as a decided triumph to the liberal party, it did not satisfy us, because it was not final. We therefore addressed letter No. 15 to Mr. Hume, which more fully expressed the position which we conceived it advisable to take under the circumstances.

On the following day (the 10th August) Mr. Hume addressed letter No. 16 to Sir George Grey, enclosing a copy of ours (No. 15) of the previous day to him. It will be seen by these communications that neither he nor we used language that could be misunderstood. We felt that the subject and the occasion alike demanded the unequivocal expression of our convictions, as to the consequences which would result from further delays, nor has any exception been taken by Sir George Grey to our frankness. Doubtless the Assembly will not hesitate to realise, not only every assurance which we made to the Minister as to their legislation on the matters in dispute, and, if necessary, resort to every constitutional means to vindicate the rights of our fellow-colonists to self-government.

Before we received an answer to those communications we addressed a more specific note (No. 17) to Mr. Hume for his decision, on the propriety of presenting the petition of the Assembly to the House of Commons. In the meantime he had seen the Duke of Newcastle and Sir George Grey, and held communications on the affairs of the colony, not only with them, but also with other influential members of the Government, and the result was of so favourable a character as to justify him in advising us to return to the colony without any apprehension as to the success of the course resolved on by Sir George Grey; that he had placed matters in such a train that a failure could not be anticipated. After a full explanation from him on the matters on which he founded his advice, some of which being of a private and confidential nature, we determined to acquiesce in his decision, as expressed in his letter (No. 18) dated 11th August, and rely on the expressed determination of the British Government to render constitutional justice to Newfoundland.

On the 15th August we were favoured by Frederick Peel, Esq., Under Secretary of State, with a very satisfactory interview at his residence. He repeated the opinion which

he had expressed to Mr. Little as to the Representation Bill of the Assembly; discussed many details as to the organization of the new Government under the system about to be introduced; declared, in answer to a question put by us, that as a draft of the Representation Bill had been sent home by the Governor, and fully considered by the Government, there would be no necessity whatever for a suspending clause to it. After all that had been said on the Bill on all sides, he remarked, the Governor cannot for a moment imagine, under his instructions and the despatches which he will receive, that such a clause would be necessary. The object in directing the Legislature to be convened at an early day, we stated would be frustrated if such a clause were necessary. The Bill once passed, the general elections may take place in the coming autumn, which could not be if any mistake occurred on this head. There is no danger of that, he replied; it is too clear a matter to require a moment's consideration; and it is a point on which the Governor cannot err, as he will know the anxiety of the Government to have the matter settled without further reference to the Colonial Office. The financial condition of the colony was then discussed, and Mr. Peel stated his opinion, that if responsible government were necessary for no other purpose in Newfoundland, its establishment was desirable for the improvement of its financial affairs, and the mode of expending and appropriating public monies. There were several other important points touched upon, and after receiving such assurances from him as to the course to be taken by the Governor, we took our leave of him, perfectly satisfied, not only with the manly avowal of the only true principles of colonial government, but of the sincere determination of the Government to carry out the Duke of Newcastle's despatch.

On the 17th August we addressed Sir George Grey by letter (No. 20) enclosing copies of our communications with Mr. Hume, informing him of our determination to accept his terms and return to our homes, in the hope that his assurances would be realised, and requesting copies of the extraordinary and, we might almost say, unexampled documents addressed to him by the delegates of the Council and Mr. Hoyles. Having been made acquainted with the contents of these novel and almost fabulous productions, we conceived that common justice demanded their publication in the colony, that the people might see to what unscrupulous lengths the leaders of the obstructive party have gone to frustrate their hopes of political freedom, and blast the character of a large portion of the population. It will be seen by letter No. 24, from Herman Merivale, Esq., Under Secretary of State, that Sir George Grey was of opinion that to furnish us with copies of the correspondence of the Council's delegates might only lead to further discussion, tending to no practical benefit; and with respect to Mr. Hoyles's letter, "that he did not address Sir George Grey in any public capacity, nor was he understood by Sir George Grey to be the authorised representative of any party in the colony," hence we were enabled to do no more in this respect than obtain a perusal of these documents, which we trust their authors may have the courage to publish in the colony. They will give some idea of the character of the misrepresentations which have been heretofore made by the Council's party to the Imperial Government, to prejudice the minds of the Imperial authorities, and make them believe that Newfoundland is totally unfit for self-government.

On the 26th August we received a note (No. 23), from Arthur Blackwood, Esq., informing us that it was the wish of Sir George Grey that we should peruse the despatch which was addressed by the present mail to the Governor of Newfoundland, on the subject of responsible government. On the 28th we waited on Mr. Merivale for that purpose, and having read the despatch and discussed its terms, we submitted to Mr. Merivale a legal point with reference to the re-organization of the Legislative Council, upon the change taking place under the Royal Instructions to the Governor, and he expressed his concurrence in the view we took thereon.

We should mention that we had interviews with several highly influential members of Parliament, when we contemplated bringing the affairs of the island before the House of Commons. We were gratified to find them true to the principles of colonial reform, anxious to meet our views, and willing to lend their aid in promoting them. They treated with ridicule the obstacles attempted to be thrown in the way of its introduction by the Council, and some of them expressed their surprise at the flagrant acts of misgovernment which were perpetrated under our system, and said they would not hesitate to expose them in Parliament, as we were prepared to prove the truth of them before a Committee of the Commons if necessary; but from the assurances we received from the Government, both directly and through our faithful adviser, Mr. Hume, we conceived that it was unnecessary to resort to Parliament, and that justice would be speedily rendered to the colony by Sir George Grey, in pursuance of his promises, the general colonial policy of the Government, and the expressed intentions of the Duke of Newcastle.

Mr. Bright, the talented and energetic Member for Manchester, told us that Mr. Hoyles had been with him, and that he was disgusted with the sectarian statement of the affairs of the colony given by Mr. Hoyles; that Mr. Hoyles had said, if the Assembly had their way the Catholics would oppress the Protestants; to which Mr. Bright replied, that he did not agree in that conclusion at all, but rather thought the oppression would come from the other side, if they had undue power; that the 15 and 14 arrangement was ridiculous. We found him, as the delegates did last year, a manly advocate of colonial freedom. He read our documents, and asked if he could do anything for our cause, only to give him notice of our desire and he would co-operate with Mr. Hume in obtaining justice for the colony. The able and indefatigable Mr. Cobden, having read our statements also, freely consented to lend his very influential and practical support in connexion with Mr. Hume and Mr. Bright. And, among several other Members on whom we relied for support, we should

mention that Mr. Lucas, alike remarkable for his zeal and his talent, had fully informed himself on the abuses of the Local Government, and was prepared to expose them to the House of Commons if the affairs of the colony came before Parliament.

It must be gratifying to the Assembly and the public, as it has been to us, that our delegation has been so successful.

The points gained by our mission may be thus briefly recapitulated: First, the course pursued by the Assembly on the Duke of Newcastle's despatch has met the approval of the Imperial Government, except as to the retiring allowance of the Attorney-general. This is clear, not only from the opinions expressed by the present Secretary of State, Sir George Grey, and Mr. Under Secretary Peel, but put beyond doubt by the Noble Duke of Newcastle, who, to use the words of Mr. Hume's note of the 18th of August (No. 21) "told me, (Mr. Hume) last night that he had read the letters I sent to him with attention, and that he was pleased with the conduct of the Assembly." He greatly regretted the conduct of the Governor and Council in not meeting the Assembly; but he hoped that all would be settled on the receipt of Sir George Grey's despatches; stronger evidence is unnecessary to prove the fairness of the Assembly's Representation Bill, and the light in which their measures are viewed by the home Government. Secondly, instead of stopping the supplies by the Assembly, and their consistent refusal to attempt to renew the farce of general legislation with the Council, being considered a justification for withdrawing our constitution, according to the request of some of our opponents, the Imperial Government merely "regretted the necessity of having recourse to the strong measure of stopping the supplies," but positively refused to sanction the introduction of any Act in the Imperial Parliament to infringe on our colonial rights. The party who created the "necessity," the cause of the regret, are clearly admitted by the Government in the Duke of Newcastle's despatch to us (No. 8), and Mr. Hume's letter (No. 21), to adduce no further testimony, not to be the Assembly, but their opponents. Thirdly, whatever objection his Excellency the Governor had last session to interpose for the purpose of inducing his Council to come to an arrangement with the Assembly on the Representation Bill, he can have no further hesitation on this subject, as we have been assured by the Imperial authorities that instructions have been sent to his Excellency to carry out the wish of the Assembly in that respect; and Mr. Merivale states in his communication of 31st August (No. 24), that Sir George Grey had despatched "instructions to the Governor as to the course he is to take on the points disputed in the last session between the Legislative Council and the Assembly;" and the Duke of Newcastle concludes, in his despatch of 2d August to us, that "the close of this unfortunate contest is now near at hand." The general despatch which his Excellency has received, corroborates this view conclusively; and, Fourthly, that the only interference which the Secretary of State will advise Her Majesty to adopt with our institutions, is to recommend the modification of the Council if they should not harmonise with the Assembly for the introduction of the new system.

Such is an outline of the proceedings adopted by us to carry out the resolutions of the Assembly, and other objects of our mission. If we have not attained the end which the Assembly sought in the direct way prayed for, we conceive that we have put in the power of the Assembly the means of attaining it in another way.

The responsibility will rest with his Excellency to carry out the intentions of the home Government. The Assembly have clearly done their part on the Representation Bill, consistently with the interests of the popular party, and the rights of all parties, and it is clear that no further concession can be made by them on that subject.

The arrangement of the points of difference will, therefore, have to be made really between the Governor and Council; and we only think it proper to state, that we have assured the Secretary of State, notwithstanding any opposition which the Assembly have experienced from his Excellency, there would be no hesitation in giving him a fair trial, and the most cordial support in any measure which he may adopt to carry out the liberal intentions of the Right honourable Secretary of State, and his noble predecessor in the Colonial Department, so as to enable his Excellency to bring the new system into operation, and conduct the affairs of the colony effectively and harmoniously.

Before concluding this report, we conceive that we should be highly ungrateful and censurable if we did not avail of this opportunity of recording our sense of the deep and lasting obligations due by the people of Newfoundland to the veteran reformer, Joseph Hume, Esquire, for his noble and energetic exertions in their behalf, without whose effective co-operation we should have been comparatively powerless, except in the innate strength of our cause; but to his great exertions, and the liberal and sound colonial policy of the present Ministry, must we attribute our success. As a token of regard for his disinterested exertions, we have procured for the Assembly a lithographic copy of his likeness, taken from the original recently presented to him for his distinguished public services by Lord John Russell, and several other Members of the present Ministry, including a large number of the Members of the House of Commons.

All which we most respectfully submit,

St. John's, Newfoundland,
30 September 1854.

(signed)

Philip F. Little.
Geo. H. Emerson.

(No. 1.)

Mr. *Little's* Letter to *Frederick Peel*, Esq., Under Secretary of State.

Dear Sir,

I HAVE the honour to transmit the accompanying documents to you, and to request that you will be pleased to lay them, with those which I left with you on yesterday, before the Right honourable Sir George Grey, after you shall have perused them, and to retain the duplicates of the printed documents for your own information.

May I take the liberty of asking your special consideration of their details, and I am satisfied you will perceive in them a full justification for the course adopted by the Assembly, and that no other was open for their adoption consistently with the maintenance of their integrity, and their obligations to their constituents.

They considered that, if they granted supplies to a Government in which the public have no faith, it would have been construed into a want of confidence, and have tended to stultify all their previous proceedings and pledges to effect a change of system. They regretted the necessity they were under of again appealing to the Imperial Government for the rights of the colonists, but they had no other alternative, as the Governor refused to interpose.

Presuming that the Government can have no further difficulty now in deciding upon the claims of Newfoundland to be immediately placed upon a footing of constitutional equality as to responsible government with my native island of Prince Edward, I shall hope that I am not asking too much in soliciting the exercise of your influence to secure the decision of Her Majesty's Government as soon as may be consistent with the convenience of Sir George Grey and yourself.

I fully expect the arrival of my colleague, Mr. Emerson, by Monday next, and I hold a written authority from Mr. Parsons, the other delegate, expressing his concurrence in such steps as we may adopt consistently with the resolutions of the Assembly, to accomplish the object of our delegation.

I have, &c.
(signed) *P. F. Little.*

(No. 2.)

Mr. *Little's* letter to the Right honourable Sir *George Grey*, Secretary of State, dated Tavistock Hotel, Covent-garden, London, 22 July 1854, will be found already printed at page 64 of this Paper.

(No. 3.)

DELEGATES' Letter to the Right honourable Sir *George Grey*, Bart., dated Tavistock Hotel, Covent-garden, 31 July 1854, will be found already printed at page 69 of this Paper.

(No. 4.)

STATEMENT of Case by the Delegates to the Secretary of State, dated Tavistock Hotel, Covent-garden, London, 28 July 1854, will be found already printed at page 69 of this Paper.

(No. 5.)

THE Delegates' Letter to *Joseph Hume*, Esq.

Tavistock Hotel, Covent-garden,
1 August 1854.

Dear Sir,

WE beg to draw your attention to a statement reported in to-day's "Times," as having been made by Sir John Pakington in his place in Parliament last evening, upon putting a question to the Right honourable Sir George Grey, in reference to the affairs of Newfoundland, to the effect that the Legislature of Newfoundland had rejected the conditions on which responsible government was granted by the despatch of the Duke of Newcastle.

Now, as Sir John is the acknowledged agent of the Executive party, we feel that we have good cause to complain of this misrepresentation, at least, of the conduct of the Assembly in relation to those conditions. They have done their utmost to comply with them as far as practicable. The failure to comply with them rests therefore with the Council, who, we presume, has been misled in this matter by their delegates, or some of their colleagues connected with the local Executive.

We have, &c.
(signed) *P. F. Little.*
G. H. Emerson.

(No. 6.)

LETTER from *Joseph Hume, Esq.*, to *Sir George Grey*.

My dear Sir George,

Bryanston-square, 1 August 1854.

FROM the question put to you last night by Sir John Pakington, I fear that the delegates from the Council have been making erroneous representations, calculated to widen and not to heal the breach that remains between the Council and the Assembly.

The difference is so trifling that I hope you will exercise your power in settling it, and you cannot be wrong in deciding to place the people of Newfoundland (as promised by the Duke of Newcastle) on the same footing as the provinces of Nova Scotia, Prince Edward Island, &c. &c.

The people of Newfoundland want nothing more, and I really cannot think that the delegates here can be satisfied with less.

My anxiety to see all the differences healed will, I hope, excuse,

Yours sincerely,
(signed) *Joseph Hume*.

P. S.—I will call, or see you in the House, on Thursday, by which time I hope to learn that all has been adjusted.—*J. H.*

(No. 7.)

THE Delegates' Letter to his Grace the Duke of *Newcastle*.

My Lord Duke,

Tavistock Hotel, Covent-garden,

1 August 1854.

WE have the honour to inform you, that we have been requested by Mr. Hume to enclose for your perusal the accompanying letter, containing a report of our statements to Sir George Grey, as to what the Assembly of Newfoundland have done in compliance with the conditions mentioned in your despatch of the 24th February last, and of the exact position of the differences between them and the Council.

We trust that your Grace will perceive in the proceedings of the Assembly, a display of no ordinary degree of moderation, and an anxious desire to preserve that just opinion which you formed of them, when you resolved, in compliance with their address, to place Newfoundland upon a footing of equality with her sister colonies as to the enjoyment of responsible government.

In their anxiety to carry out your wishes, and, if possible, conciliate the Council on the Representation Bill, in the opinion of many of their friends, they have gone too far in their concessions; their advances, however, have not been met, for, as they fully anticipated, nothing would satisfy the Council but an absolute surrender of the rights of the people into their hands.

Under these circumstances, we feel that as the delegates of the Assembly, it is our duty to inform you of these facts, as bearing upon an important act of your colonial administration. You gave the Council the best possible chance of obtaining reasonable terms for their party in connexion with the contemplated change of government. They have gained much by the opportunity thus afforded. Nor are the Assembly disposed to retract any of their concessions, but they cannot make any further concession, nor would it be just to require them to submit to any further sacrifice of the people's rights and what is due to their own honour.

May we, therefore, so far intrude upon your friendly disposition and your spirit of fair play, as to interpose on behalf of the people of Newfoundland, that your expressed intentions to the delegates last year may not be frustrated, and that responsible government may at once be put into operation, upon the understanding that one of the first acts of the new Government should be to pass a Representation Bill similar to that agreed to by the Assembly last Session.

In thus intruding upon you, we most frankly apologise for the adoption of what we conceive to be an irregular mode of proceeding; but we feel that in thus following the advice of a mutual friend, anxious that justice shall be done, with your friendly disposition, you will not misconstrue our motives, nor fail to do that, as one of the most exalted of Her Majesty's Ministers, which we are confident you would not have hesitated doing as the head of the Colonial Department.

We beg to inform your Grace, that we have a petition from the House of Assembly to the House of Lords, but we hope there may not be any necessity to solicit your Grace to honour the Assembly by presenting it.

We have, &c.
(signed) *P. F. Little*.
Geo. H. Emerson.

(No. 8.)

THE Duke of Newcastle's Reply.

Gentlemen,

Downing-street, 2 August 1854.

I AM obliged to you for sending me a copy of your letter to Sir George Grey, and for informing me of the present position of your differences in Newfoundland upon the subject of responsible government.

I have carefully perused your letter and its enclosures, and I am glad to express the great satisfaction with which I learn that the Assembly departed from the determination to adhere to its extreme demands, which I was apprehensive they meant to make upon the receipt of my despatch to the Governor in March last.

Great concessions in a conciliatory spirit seem to have been made, and the points of difference between you and the Council are now so few and so small, that I feel very confident that the close of this unfortunate contest is now near at hand.

I come to this conclusion the more hopefully in consequence of the conversation which I have this day had with Sir George Grey, in whose hands I am sure you will leave the settlement with safety and without apprehension.

Sincerely hoping that prosperity and concord, free from all religious differences, may be in store for the colony of Newfoundland,

P. F. Little, Esq., and
George H. Emerson, Esq.

I am, &c.
(signed) Newcastle.

(No. 9.)

THE Delegates' Letter to Joseph Hume, Esq.

Tavistock Hotel, Covent-garden,
3 August 1854.

Dear Sir,

We have the honour to enclose, for your information, a copy of a letter which we have just received from the Duke of Newcastle, in reply to our communication to his Grace, and also a copy of your letter to Sir George Grey.

Judging from the just and impartial views of the Duke of Newcastle, we think that Sir George Grey can have no hesitation in deciding at once to comply with the address of the Assembly, by issuing instructions to the Governor, first, dissolving the Council; secondly, conceding responsible government to Newfoundland, as it is in force and understood in Prince Edward Island, and authorising the immediate appointment of two separate Councils, the Legislative Council to consist of not more than 15 members, and the Executive Council not more than nine; the latter to be selected from both branches of the Legislature, including the heads of the principal departments; and thirdly, directing the new Government, upon its organisation, to pass a Pension Bill, securing the retiring allowances to the outgoing officials, a Representation Bill, similar to that adopted by the Assembly last Session, and such other measures as the exigencies of the Government may judge expedient. The Assembly are bound by their resolutions of the 5th June last to pass these Bills, and we do not hesitate to say that they will honourably discharge their obligation.

To enable the new Government to pass these measures without delay and dissolve the Assembly, so as to have the general elections for the island in the coming autumn, it is necessary that Sir George should decide as soon as possible.

If you will be so kind as to place these views before him, you will add to the many favours you have conferred upon the people, whose rights you have so ably and disinterestedly advocated.

With sentiments of gratitude, we beg to say, that one of us will take the liberty of calling on you to-morrow morning, to ascertain the result of your interview with Sir George Grey, while we have the honour to remain.

Your, &c.
(signed) P. F. Little.
G. H. Emerson.

(No. 10.)

THE Delegates' Letter to Joseph Hume, Esq.

Tavistock Hotel, Covent-garden,
5 August 1854.

Dear Sir,

WE beg to remind you that the three points of difference between the Assembly and Council of Newfoundland on the Representation Bill are, first: Shall a portion of the mercantile district of Trinity be cut off and added to the district of Bonavista, to neutralise the liberal votes in the latter, and secure the return of three mercantile members for that district? Secondly, shall the only member added to the representation of the popular district

of St. Mary's and Placentia be taken away, territorially one of the most, if not the most extensive district in the island, while the representation of nearly all the other districts—many of these being smaller in size and population—has been doubled, and in two districts trebled, one of which contains only 100 more electors. And, thirdly, shall the principle of representing minorities, by allowing each voter to give two votes to one candidate, be adopted in the district of Burin, while no such principle is sought to be applied to any other district?

The Assembly, so far as they are concerned, have decided these questions in the negative; and having, as the Duke of Newcastle, in his letter to us of the 2d instant, correctly states, "made great concessions in a conciliatory spirit," they have resolved to make no further concessions on this subject, nor could they surrender their position on any of those points without sacrificing the right of the people.

On the 8th June last the Assembly resolved to appeal to the Imperial Government, not simply to obtain the expression of its opinion on their measures, but to concede the immediate application of responsible government, with the understanding that on the formation of a new Council, a measure of representation similar to that recently adopted by the Assembly, be passed and brought into operation without delay. While, however, we are grateful for the expression of the just opinion formed by his Grace on the conduct of the Assembly, and satisfied to adopt his suggestion, "to leave the settlement with safety and without apprehension" to Sir George Grey, we should not feel justified in transferring it to the Governor and his Council. Such an experiment, we are confident, would only result in prolonging the conflict, as the Council would return to the consideration of the subject with feelings of triumph, arising from the inevitable conclusion that their obstructive policy having been so far successful, they were in the right, and would be justified in maintaining their position.

Looking to their past conduct and the desire of the Council for such a contingency, the Assembly, as late as the 8th June, declared their opinion, that notwithstanding the concession of the principle of responsible government, "the present Council will leave no means untried to stay the introduction of the change."

If, under these circumstances, Sir George Grey should imagine that the Council of Newfoundland, if unfortunately for the colony they should be continued in power, may in their future proceedings form an exception either to their past history, or the character common to all such bodies, aptly described by Mr. Peel on yesterday, in the House of Commons, on the discussion of the Canada Bill, as "obstructive" to legislation; then, we must say with great deference, that we know of nothing in this case to justify the exception, or the adoption of a different policy in Newfoundland, from that which has been successfully pursued in Canada and Prince Edward Island in relation to their obstructive Councils.

If, therefore, Sir George Grey should not satisfy you as to the propriety of the course he may be disposed to adopt, you will oblige us by showing him this letter, and informing him of the reluctance we have evinced to adopt any step in relation to our affairs that should not meet the approval of the Duke of Newcastle and himself. In such case our duty obliges us to repeat our request, that you will be so kind as to present the petition of the Assembly to the House of Commons, and move for the despatches mentioned in a former note. As soon as you shall inform us of the necessity, we shall see Mr. Bright, and we have already arranged to meet other Members, who, like him, have tendered their co-operation to obtain equal justice for Newfoundland.

Yours, &c.

(signed) P. F. Little.
G. H. Emerson.

(No. 11.)

THE Delegates' Letter to *Richard Cobden, Esq., M. P.*

Tavistock Hotel, 5 August 1854.

Messrs. Little and Emerson, the delegates from the Assembly of Newfoundland, present their compliments to Mr. Cobden, and have the honour of enclosing the accompanying documents, to which they would respectfully call his attention. They consider that colony as well entitled to the possession of self-government as any of the neighbouring provinces, and they therefore solicit the influential co-operation of Mr. Cobden, in whom the colonists repose the utmost confidence, to obtain equal justice for the oldest and worst governed of Her Majesty's British North American possessions.

Mr. Hume is in possession of the petition of the Assembly of Newfoundland to the House of Commons, praying for the immediate introduction of responsible government, and as soon as he may determine on the course to be adopted in relation to it, the delegates will inform Mr. Cobden thereof.

(No. 12.)

LETTER from *Frederick Peel*, Esq., to Mr. *Little*.

Sir,

Downing-street, 9 August 1854.

I AM directed by Secretary Sir George Grey, to transmit to you copy of a letter which has been addressed to him by Messrs. Archibald and Row, and of the answer which he has caused to be made thereto; and which you will consider as conveying a similar permission to yourself and Mr. Emerson with that granted to those gentlemen.

I am, &c.
(signed) *Frederick Peel*.

(No. 13.)

LETTER from the Hon. *E. M. Archibald* to Sir *George Grey*.

Sir,

3, Tanfield-court, Temple, 28 July 1854.

MR. ROW and myself, who have been named by the Governor of Newfoundland as delegates to furnish information in reference to the state of the colony; and more especially in reference to the measures preliminary to the introduction of responsible government, considering that it will be more convenient that in any statement we may submit, we should confine our observations to the points which may have been raised, or allegations made by the delegates of the Assembly; respectfully request for this purpose, that we may be put in possession of, or be furnished with, a copy of any representation which may have been laid before Her Majesty's Government by the delegates of the Assembly.

We have, &c.
(signed) *E. M. Archibald*.

(No. 14.)

LETTER from *Frederick Peel*, Esq., to the Hon. *E. M. Archibald*.

Sir,

Downing-street, 9 August 1854.

I AM directed by Secretary Sir George Grey to state, in reply to your letter of the 28th ultimo, requesting on behalf of yourself and Mr. Row to be placed in possession of any representation which may have been made to Her Majesty's Government by the delegates of the Assembly, that Sir George Grey has already, since his interviews with the delegates of both parties, addressed to the Governor of Newfoundland, a despatch embodying his views on the points in dispute. He is not aware, therefore, that any object is to be attained by a prolongation of the controversy, but he considers it just to both parties that each should be aware of the arguments which may have been used by the other, and you are therefore at liberty to read, on application to this department, such letters as have been received from Mr. Little and Mr. Emerson.

Copy of your letter and his answer have been sent to those gentlemen.

I am, &c.
(signed) *F. Peel*.

(No. 15.)

THE Delegates' Letter to *Joseph Hume*, Esq.Tavistock Hotel, Covent-garden,
9 August 1854.

Dear Sir,

WE have the honour to inform you of our opinion on the course which Sir George Grey intimated to us to-day it is his intention to pursue upon the application of the House of Assembly of Newfoundland for the immediate introduction of responsible government into that colony.

In declining to comply with the request of the Assembly to dissolve the Council without any further delay, and referring back the Representation Bill to the Local Legislature, with the view of making the Governor a mediator between both branches, so as to effect an arrangement on its details, he seemed, at first, to forget that, upon the conditions mentioned in the Duke of Newcastle's despatch being complied with, the Council should be forthwith dissolved, otherwise there would be no practical concession of the new system.

The course adopted in Canada, Prince Edward Island, and all the neighbouring colonies, upon the introduction of responsible government, was to dissolve the old obstructive Councils and organise new bodies, in accordance with public opinion, in their stead. Upon a little reflection Sir George admitted that the same course should be adopted in Newfoundland, upon the conditions being complied with. It is desirable that there should be no mistake on this point; for if the Council are to retain power after the conditions shall have been fulfilled, and general elections should take place under their administration, there would be a plain injustice to the Assembly and the people in such a step. This is the view generally entertained in the colony as to the purport of the Duke's despatch.

There is a more serious aspect of our affairs to which we deem it necessary to call your attention and that of the British Government. Believing in the injustice and inutility of obliging the Assembly to renew their abortive efforts to come to an arrangement with the obstructive Council on the Representation Bill—a majority of whose members do not care for any mediation that might have the effect of depriving them of their position in the Government, or what becomes of the colony or the people, so that they can carry out their own selfish policy—we have therefore to enter our protest against the adoption of such a measure. If the Assembly is to be regarded as the organ of public opinion in advocating the principles of responsible government, and the Council are admitted to be wrong in originally resisting and still continuing their opposition to its introduction, we are at a loss to know why the Government have hesitated to apply the same impartial mode of reasoning to the details of a measure which has been deemed necessary for the better working of the new system. As, however, the Government have resolved to try the experiment, we think it fair that they should fully understand the determination of the Assembly, that the responsibility may rest in the proper quarter for the consequences which may result from this line of action.

The Governor is a decided partizan of his Council, and all the Government patronage which he has had at his disposal he has bestowed on their favourites. When the Assembly sought his mediation on the Representation Bill last Session, he insulted them by declaring their address unconstitutional, then refusing to receive it, and afterwards, on retracting that resolution, positively declining to interpose. He has come into collision with the Assembly on other occasions, instigated by the Council, and the Assembly have denounced his conduct in reference to their proceedings on two distinct subjects, and at two separate periods, one of them being in reference to the Representation Bill. Is it reasonable, then, we would ask, to make him an umpire between his own Council, to which he is so allied, and the Assembly, which he has thus opposed? Besides, we think it only frank to state, that the Assembly have resolved not to recede one jot from their late Representation Bill, as they have already conceded too much, for the purchase of peace and the settlement of the question in dispute. The question then remains to be solved by the Imperial Government as to which party shall give way.

If, however, the Government have resolved upon the expedient with a sincere desire for a settlement, we would suggest the propriety of its efficacy being at once tested, by calling the Legislature together forthwith, and using their influence with the Council to pass the Representation Bill of the Assembly. If that be adopted, the Assembly would not hesitate to pass a Supply Bill, and other necessary measures for the benefit of the public service. But until the people are in the full enjoyment of their constitutional rights, the Assembly have resolved to vote no supplies, and they will not hesitate to throw out the Revenue Bill next year, if the question of self-government should not be satisfactorily settled in the meantime. Hence the necessity for an early call of the Legislature. The Liberal representatives of the people are pledged to their constituencies to follow this line of action. Their past conduct shows that they have sufficient spirit to maintain the people's rights. The time for half measures with the colonies we hoped had passed away, and we trust that the people of Newfoundland will find a justification before the British public for refusing to support (if matters should unfortunately be driven to such an extreme) as pure an engine of oppression and misrepresentation as can be devised under the form of an irresponsible Colonial Government.

Thanking you for your great kindness and valued services to obtain equal justice—long withheld and still denied to Newfoundland—and requesting your opinion on the propriety of presenting the petition of the Assembly to the House of Commons,

We have, &c.
(signed) P. F. Little.
Geo. H. Emerson.

(No. 16.)

LETTER from *Joseph Hume, Esq.*, to *Sir George Grey*.

My dear Sir,

Bryanstone-square, 10 August 1854.

ON my return here I found a letter from Messrs. Little and Emerson, dictated evidently from the conversation that passed with you yesterday afternoon.

I have read their letter with care, and I am obliged to agree with them.

The party in the Council, who have acted so inconsistently, seems utterly regardless of the demands of the population of 120,000 souls.

Both Protestants and Catholics desire responsible government, and the despatch of the Duke of Newcastle concedes it.

To give an idea of the reckless manner in which the party are acting, I mention that Mr. Hoyles, the Solicitor-general, one of the public officers, has come to this country as the pretended representative of the Protestant interest, whereas he is the paid agent of a few of the merchants, who, in a hole and corner meeting, in private, subscribed to pay him and his expenses.

Surely such a proceeding shows the animus of the Governor who permits his Solicitor-general so to act; and I have no hopes of any change, such as has taken place in Canada, Nova Scotia, and Prince Edward Island, to meet the Assembly, and bring matters to a settlement.

I hope

I hope these facts may have the same effect on your mind as they have made on mine, and then you cannot hesitate as to the course to be taken.

In the letter, however, now sent to you, there is the means pointed out of your bringing the dispute to an early settlement; viz., your directing the Assembly to be called together in the end of the next month, for the renewal of the negotiations between the Council and the Assembly.

I partake strongly in the belief that the members of the Council care little about the desire of the population, and that they will, if countenanced by the Governor, hold on to the last extremity.

I am anxious to avoid that, and venture to suggest the early meeting of the Assembly, to bring matters to the test, and to put an end as speedily as possible to the present unseemly state of affairs there.

The letter of Mr. Archibald, of the 28th July, to you, stating that he and Mr. Row have been sent by the Governor as delegates, mark, in my opinion, the intention of the Governor and his Council, if you shall send these delegates back without decidedly making up your mind and telling them what it is. But I must conclude, and remain,

Yours sincerely,
(signed) *Joseph Hume.*

(No. 17.)

THE Delegates' Letter to *Joseph Hume, Esq.*

Tavistock Hotel, Covent-garden,
11 August 1854.

Dear Sir,

HAVING been hitherto guided by your advice in our proceedings, the time has now come to request your decision on the propriety of presenting the petition of the House of Assembly entrusted to you to the House of Commons, and your advice as to our future measures; and, whilst we shall be entirely directed by you in carrying out the resolutions of the Assembly, we must assure you that the people of Newfoundland will be dissatisfied and disappointed if we return without obtaining the favourable determination of Her Majesty's Government.

With sentiments of gratitude, we have the honour to remain,

Yours, &c.
(signed) *P. F. Little.*
G. H. Emerson.

(No. 18.)

LETTER from *Joseph Hume, Esq.*, to the Delegates.

Gentlemen,

Bryanstone-square, 11 August 1854.

I HAVE received your letter of this date, and am well aware of the anxiety you must have as to the course to be adopted, when only a few hours remain of the present Session.

I have seen the despatch prepared by Sir George Grey to the Governor of Newfoundland, and I have conversed fully on the subject. I have the conviction that Sir George will give the requisite orders for establishing responsible government as speedily as the forms which he considers requisite will admit.

To present the petition (entrusted to me by the House of Assembly) to the House of Commons would be to throw doubts on the intentions of the British Government as to their sincerity in placing Newfoundland on the same footing as Nova Scotia, Prince Edward Island, and other British colonies.

I assure you that I have no such doubts as to the future, and I therefore advise that the petition should not be presented, and that you should return to the colony in the perfect confidence that Sir George Grey will carry out the despatch of the Duke of Newcastle, and that he will not allow the Governor and Council any longer to oppose and protract the establishment of responsible government, but that he will, by the modifying of the Council, do as has been done in all the other British North American provinces.

This is my deliberate advice, and it rests with you to act, in your very responsible situation, with the knowledge you have of what passed at the Colonial Office.

Messrs. P. F. Little, and
George H. Emerson.

I remain, &c.
(signed) *J. Hume.*

(No. 19.)

THE Delegates' Letter to *Joseph Hume, Esq.*

Dear Sir,

Tavistock Hotel, London, 12 August 1854.

WE have the honour to acknowledge the receipt of your favour of the 11th instant, and in reply we beg to inform you that we shall follow your advice and rely upon the assurances of the Duke of Newcastle and Sir George Grey, to place Newfoundland upon a footing of equality with the neighbouring colonies, by the immediate introduction of responsible Government.

We regret that there should have been any hesitation, on the part of Sir George Grey, to adopt the only practical course open to him, by dissolving the Council according to the practice pursued in all the other colonies with their Executive Councils, upon the concession of responsible Government to them.

If, however, Sir George thinks fit to refer the Representation Bill again to the Council, in the hope that they will pass it—of course we mean the Bill of the Assembly—we feel confident that he will be disappointed. Being convinced that the Council, in pursuing their obstructive policy, will hold on to the last; if any good can come from this experiment, it can only be by the Government giving positive orders to the Governor to the following effect, viz.:

1. That the Representation Bill passed by the Assembly is a fair measure, and has met the approval of the Secretary of State. If this opinion should not be clearly expressed, the whole of the details will be re-opened, and all the old ground will have to be gone over again without any rational prospect of effecting a settlement.

The justice of the Bill in every respect, and the resolution of the Assembly not to depart from it, not only justify but require the expression of that opinion by the Government.

2. If the Council should not sanction the Bill, the Secretary of State should instruct the Governor forthwith to organise the Council "according to the well understood wishes of the people as expressed by their representatives."

3. That two separate Councils should then be formed and responsible Government put into immediate operation, as in Prince Edward Island and Nova Scotia, which is all that the Assembly ask, and which the Duke of Newcastle promised.

Such are the suggestions which we deem it incumbent on us to offer upon the determination of Sir George Grey, and we need only add that a compliance with them on his part will go far to satisfy the people of Newfoundland of his desire to meet their views and place the Government of the colony upon a safe, just, and permanent footing.

Awaiting the final, and we trust satisfactory, determination of Her Majesty's Government,

We have, &c.

(signed) P. F. Little.
G. H. Emerson.

(No. 20.)

THE Delegates' Letter to Sir George Grey.

Tavistock Hotel, Covent-garden, London,
17 August 1854.

Sir,

WE have the honour to enclose for your information, copies of certain communications which have passed between Mr. Hume and us on the subject of our delegation.

Being anxious that no further appeal should be rendered necessary from the Assembly of Newfoundland to the Imperial Government, on the pending difficulties with the Council, and believing in the sincerity of the assurances which we have received from you and the Duke of Newcastle, as well as from Mr. Hume and Mr. Peel, that it is the sole desire of Her Majesty's Government to render equal constitutional justice to this colony, before quitting England, and would respectfully refer you to the suggestion contained in your letters to Mr. Hume, of the 5th, 9th, and 12th August, and those which we have since made to Mr. Peel, as to the most practical means of effecting that desirable object.

Having read Messrs. Row and Archibald's letter of the 9th of August to you, at the Colonial Office yesterday, we deem it our duty to request a copy of it, and also of Mr. Hoyles's letter to you of the 12th July last, which Mr. Blackwood did not consider himself authorised to permit us to peruse, but with the general contents of which we have been otherwise made acquainted.

While Mr. Hoyles, though the Acting Solicitor-general and one of the Executive party, cannot be regarded as the authorised delegate of the people, or any party in the colony, except his few mercantile friends who subscribed to pay his expenses, and those who privately nominated him, and while both of these communications bear their own condemnation on their face, yet we should desire an opportunity of placing before you a clear and minute refutation of their wilful misrepresentations and our drawn conclusions, which we cannot satisfactorily do without copies of them. If you should not deem it expedient to comply with this request, we beg to solicit the favour of your transmitting such copies to the Governor, with instructions to lay them before the Assembly, together with the communications we have had the honour of addressing to you.

This would be a simple yet an important act of justice to the people of Newfoundland. While they have been confident that the Imperial Government has been unfortunately too often misled by such representations, they have been denied the opportunity of exposing them, from the secret and confidential manner in which it is understood they have been made. Nor should they be surprised at the policy heretofore adopted by the Imperial Government, on the information supplied by such extraordinary productions.

In charity, however, we conclude that, as we conceive these are the last, they are therefore their most unscrupulous efforts to retain power in the hands of that party whose leaders have by such means gone far to alienate the affections of the colonists from the Crown.

We should not wish the frankness of our language to be misconstrued into mere personal recrimination. Standing upon the broad and solid principles of truth and justice, we feel that we can afford to pass unnoticed the insulting remarks contained in these documents, in
relation

relation to the members of the Assembly and the liberal party in Newfoundland. But no consideration of unmerited forbearance would have justified us in the eyes of our constituents, in passing entirely without observation the mis-statements of Mr. Hoyles and the delegates of the Council.

Thanking you for the consideration you have given to the important subject of our mission,

We have, &c.
(signed) *P. F. Little.*
G. H. Emerson.

(No. 21.)

LETTER from *Joseph Hume, Esq.*, to *Mr. Little.*

My dear Sir,

Bryanston-square, 18 August 1854.

I HAVE left a letter for the Speaker of your Assembly, which I request you will take charge of, and if you should not have left London on Thursday next, I shall be here at 10 a. m., to take leave before going to Scotland.

In the meantime you will be pleased to learn that the Duke told me last night, that he had read the letters I sent him, with attention, and that he was pleased with the conduct of the Assembly.

He greatly regretted the conduct of the Governor and Council in not meeting the Assembly; but he hoped that all would be settled on the receipt of Sir George Grey's despatch.

Wishing you a speedy and pleasant passage, I remain,

Yours sincerely,
(signed) *Joseph Hume.*

(No. 22.)

LETTER from *Joseph Hume, Esq.*, to the Hon. the Speaker of the Assembly of Newfoundland.

To the Honourable *John Kent*, Speaker of the Assembly of Newfoundland.

Sir,

Bryanston-square, 19 August 1854.

THIS will be delivered by Mr. Little, who with Mr. Emerson, have been active to carry out the wishes of the Assembly and of the people of Newfoundland; and they will show by the copies of the correspondence, what has been done and why they return without having the petition for the Assembly presented to the House of Commons.

I found in His Grace the Duke of Newcastle and in Sir George Grey, great regret that the Governor and Council had not met the House of Assembly to settle, as in the other provinces, responsible government. They regretted, as I do, the necessity of having recourse to the strong measure of stopping the supplies, and assured me that the despatch by the first packet should enjoin the carrying out of the Duke's intention.

With the knowledge and the assurances that measures would be taken to place Newfoundland in the same situation as the other provinces of British America, I determined not to present the petition to the House of Commons.

I know that that course has given satisfaction, and I trust that I shall soon learn that you approve of what I have done, and that the changes requisite to be made, have all been made to the satisfaction of the people of Newfoundland.

I cannot allow Mr. Little and Mr. Emerson to return without assuring you of their devotion to fulfil your wishes, and of the zeal and ability they have manifested in the delicate proceedings they have had to conduct here.

I trust that the same moderation in your proceedings with the Governor and Council will secure that mutual good feeling which must exist in every responsible Government.

As long as my services can be useful to the province, I shall with pleasure afford every assistance in my power to promote peace and good feeling, the harbingers of prosperity in every country.

I remain, &c.
(signed) *Joseph Hume.*

(No. 23.)

LETTER from *Arthur Blackwood, Esq.*, to *Mr. Little.*

Dear Sir,

Colonial Office.

SIR GEORGE has intimated his wish that you and Mr. Emerson should peruse the despatch which he addressed by the last mail to the Governor of Newfoundland, on the subject of responsible government. Mr. Merivale will therefore be happy to show you the despatch if you will take the trouble to call on him here on any day except Saturday, from 2 to 5 p. m., giving him notice beforehand which day you select.

I am, &c.
(signed) *Arthur Blackwood.*

(No. 24.)

LETTER from *Herman Merivale, Esq.*, Under Secretary of State, to the Delegates.

Gentlemen, Downing-street, 31 August 1854.
 I AM directed by Secretary Sir George Grey, to acknowledge your letter of the 17th of this month, enclosing copies of certain communications which have passed between Mr. Hume and yourselves on the subject of your delegation.

2. With reference to your request for a copy of Messrs. Archibald and Row's letter of the 9th August, I am to state, that as Sir George Grey afforded to the representatives of each party the opportunity of reading what has been addressed to him by the other, and has despatched instructions to the Governor as to the course which he is to take on the points disputed in the last session between the Legislative Council and Assembly, he does not think that any advantage could arise from his complying with an application which might only lead to further discussions, tending to no practical benefit.

3. With respect to Mr. Hoyles's letter (of which you also apply to be furnished with a copy) I am to state, that Sir George Grey has never received this letter in manuscript, a printed copy only has been placed in his hands, and he presumes that you will not have any difficulty in obtaining one; but I am to add, that Mr. Hoyles did not address Sir George Grey in any public capacity, nor was he understood by Sir George Grey to be the authorised representative of any party in the Colony.

P. F. Little, Esq., and
 George H. Emerson, Esq.

I have, &c.
 (signed) *Herman Merivale.*

(No. 25.)

Mr. Little's Letter to *Arthur Blackwood, Esq.*

Tavistock Hotel, Covent-garden,
 26 August 1854.

Dear Sir,
 I HAVE the honour to acknowledge the receipt of your polite note of the 24th instant, which I found at my hotel on my return this evening.
 Mr. Emerson unites with me in requesting you to have the kindness to tender our acknowledgement to Sir George Grey, for his consideration in intimating a wish that we should peruse the despatch which he had addressed by the last mail to the Governor of Newfoundland on the subject of responsible government, and that we shall be happy to comply with his desire on Monday next.

I remain, &c.
 (signed) *P. F. Little.*

— No. 21. —

(No. 127.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable *Sir G. Grey, Bart.*

Government House, St. John's, Newfoundland,
 14 November 1854.

(Received, 5 December 1854.)

Sir,
 I HAVE the honour to acknowledge the receipt of your despatch No. 13,* of the 24th of October, authorising me to assent to the Bill for increasing the number of members in the General Assembly, without the addition thereto of a Suspending Clause. As the Bill had not passed through its final stage in the Council, which will take place to-day, this despatch has reached me just in time to obviate the necessity of adding the Suspending Clause.

2. The Bill sent up from the Assembly to the Council was precisely the same as the one finally amended by the Assembly during the last Session, providing for the return of 30 members, and which was the subject of the reference to Her Majesty's Government. In the Council, after considerable discussion, an amendment was made on the Bill, by taking away one member from each of the districts of Bonavista and Placentia, thus reducing the whole number of members from 30 to 28. This alteration, notwithstanding it was admitted that it would not produce a different result, so far as regards the balance of parties, from that which would follow from the Assembly's Bill, was rejected by the Assembly; and the Council having since receded from its amendment, have at length by the votes of the majority, consisting of the official members and of Mr. O'Brien, adopted the Assembly's Bill.

3. The

No. 21.
 Governor Hamilton
 to Sir G. Grey,
 Bart.
 14 November 1854.

* Page 81.

3. The Assembly, who had postponed all other business to the passing of this measure, have now gone vigorously to work, and are engaged in voting the supplies, passing the Pension Bill, and other pressing matters, with a view to bringing the Session to an early termination; which, I think, may be accomplished in the course of another week or 10 days.

4. So soon as the Representation and Pension Bills shall have been assented to by me, I will bring under the consideration of my Council, the question of the proper time for holding the elections. At the time I addressed my despatch to you of the 19th of September,* I counted on a much earlier close of the Session than can now be the case; and, at the same time, I did not sufficiently consider the length of time, which would be requisite for completing the revision of the registration of electors, as required by the Local Act (13 Vict., c. 14), and the necessary preliminary registration, for the first time, of the electors in the new district of Burgeo and La Poile under the Local Act. 4 Will. 4, c. 15. The remoteness of this district, as well as those of Twillingate and Fortune Bay, and the infrequency and difficulty of communication with them and their different outports at this late period of the year, and especially during winter, seem to render quite impracticable, in such a country and climate as this, the holding of the elections before May; any earlier period would, under these circumstances, be unfair to electors, as well as to intending candidates under the increased representation now to take place. I will, of course, be guided by the advice of my Council, at the proper time, upon this point.

* Page 80.

5. It is perhaps hardly necessary for me, after all the information which has been laid before Her Majesty's Government on the subject, to say that the Bill just passed is not such a one as, in the estimation of the Protestants generally, secures to them that share in the representation to which they conceive themselves entitled. I say secures; for although the district of Burin which will return two members, and which is the turning point, has a considerable Protestant majority, still it is urged that, considering past experience, violence and intimidation will be resorted to by the Roman-catholic party; and the returns will therefore be different from what they would be, if the electors were left to exercise their free choice. In this colony, we are unfortunately, so defective in our police arrangements, that it is impossible to prevent or check violence or intimidation by such means; while it is quite out of the question to recommend or countenance a resistance of force by force.

6. There is one mode, by which it appears to me, that greater freedom of election can be secured to voters, and which may in a great degree prevent a resort to lawless violence during the elections; and that is by permitting duly registered electors, in the districts, at all events, of Fogo, Bonavista, Placentia, Burin, and Fortune Bay, and the new district of La Poile, under the necessary regulations, to vote by written notice, in the same manner as electors may vote whose dwelling-houses are distant 15 miles from the nearest polling station. The Proclamation of the 26th July 1832, and the Royal Instructions authorise the issuing of subsidiary proclamations, containing requisite directions and regulations for the proper conducting of the elections. Such proclamations have from time to time been issued, containing directions and provisions, modified to meet the exigencies of the case, and will be found in the preface to the Assembly's Journals for the years 1843 and 1848-49. And in the Bill which has just been passed, it is provided, that the Governor shall appoint proper persons as returning officers in the different districts and divisions of districts to whom the writs shall be issued, directing them to proceed to the election of persons to represent the freeholders and householders, according to the regulations and directions contained in Her Majesty's Royal Instructions, and "such other regulations and directions as shall be signified in any proclamation or proclamations, to be issued by the Governor, according to the laws of the island now in force, or hereafter to be in force in that behalf." I enclose for reference a printed copy of the Bill.

7. As I apprehend, therefore, it will be consistent with the power vested in me to insert such a regulation as that to which I refer, in the proclamations for holding the elections, and as it will conduce to the greater freedom and convenience of election, and cannot with any show of fairness be objected to by any party, it is my intention in issuing the necessary proclamations (which will

in other respects require alterations in some details from those adopted on previous occasions) to insert a direction permitting electors in the districts in question, probably in all the districts, to vote, under certain qualifications, in the manner above adverted to, unless Her Majesty's Government be of opinion that it is not competent for me to do so. Should any doubt be entertained on this point, the opinion of the Imperial law officers of the Crown can be obtained in ample time for my guidance, as it will not be necessary to issue the proclamations until within two months of the period of the holding of the elections, which, under all circumstances, I feel convinced cannot be earlier than May.

8. By the next mail I hope to be able to report the termination of the Session.

I have, &c.
(signed) *Ker B. Hamilton.*

— No. 22. —

No. 22.
Governor Hamilton
to Sir G. Grey,
Bart.
29 November 1854.

(No. 130.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable
Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
29 November 1854.

(Received, 18 December 1854.)

(Answered, 18 January 1855, No. 25, page 115.)

Sir,

* Page 102.

In my despatch, No. 127*, of the 14th instant, by the last mail, I informed you that the Council had receded from their amendments on the Increase of Representatives Bill, and had finally passed it as sent up from the Assembly. Since then the Pension Bill has also been passed by both Houses; and although the allowances are in every instance less than the sums prescribed in the scale submitted by me to the Assembly last Session, the Council made no amendment on this Bill.

2. These two measures, which form the preliminaries to the introduction of responsible government, are now only waiting my assent; but, in reference to certain proceedings of an extraordinary nature which the Assembly adopted yesterday, I deem it necessary to enter into some particulars connected with the progress through the Legislature of the first-mentioned measure, and will then call your attention to the proceedings of the Assembly above referred to.

3. The Session, as you are aware, commenced on the 10th of October. On the 17th the Representation Bill was sent to the Council, and was returned to the Assembly on the 2d of November with amendments, which were a concession of almost all that the Council had contended for last Session; for, while they would have effectuated a more just and equal distribution of the representation, and remove a just complaint in reference to the district of Fogo, they would in no degree disturb (as was admitted on all sides) relative party returns. In the discussions on the Bill the Council took no more time than was necessary to bring to an amicable issue a question so long agitated, and so vitally affecting the interests of the colony. The Assembly, however, regardless of the recommendation of mutual concession and forbearance in your despatch of the 14th of August, rejected the amendment, peremptorily refusing to admit any alteration of the measure as framed by them. I may observe, that the minority of the Assembly concurred in rejecting the amendment, but on the ground of its injustice to the Protestants.

4. It remained, then, for the Council to recede from or adhere to their amendments, the former step being rendered more embarrassing by the obstinate and dictatorial conduct of the majority of the Assembly; but the official members, actuated by a sincere desire to set at rest a question which had so long agitated the public mind, and which they knew Her Majesty's Government to be most desirous of having settled, at the cost of much painful collision with friends, and the sacrifice of previously-held opinions, finally carried the Bill. This they were

were enabled to effect on the 13th day of November, and not earlier, and then only by the casting vote of Colonel Law, the Commandant, who arrived from England a few days previously, and required a little time to consider the question before voting on it. Major D'Alton, who held the temporary command of the troops, declined to vote on the question, Colonel Law being daily expected. I enclose a copy of the correspondence which I had with Major D'Alton on this subject.

5. Up to this period the majority of the Assembly had pertinaciously refused to proceed with the voting of the supplies or upon any other business; but upon which they now entered, and sent to the Council on the 17th of November the other pre-requisite to the introduction of responsible government, namely, the Pension Bill, which passed the Council on the 23d instant, the Education Bill on the 15th instant, which has also been passed by the Council, and on the 17th instant the general Bill of Supply for the current year.

6. I must now advert to my despatch to you*, No. 120, of the 19th September, requesting instructions as to my assenting to the Representation Bill, without a Suspending Clause. At the time I addressed that despatch to you, I not only fully believed that the details of the Representation Bill would be adjusted and agreed upon, but that all other necessary legislation, of every kind, would have been proceeded with and completed in time to permit me (had I received your reply on the 31st of October) to terminate the session within a day or two afterwards. My despatch of the 19th of September was written hurriedly, as the mail was on the point of closing, and it is proper for me to observe that at the time I wrote and forwarded it, the necessity for a revision of the registration of voters before the elections could be held, was entirely overlooked, or rather forgotten by me; nor need I add, that even if I had adverted to them, the legal and physical hindrances would have still remained. It was, therefore, in anticipation of your reply, and the close of the Session at the period I have mentioned, and without taking into account any delay by reason of the registration of voters, that I contemplated, as I certainly desired, that the elections should be held this year. But under these favourable circumstances, the practicability of holding them with fairness to all parties (having regard to this climate) seemed even then doubtful, and I reserved to myself the determination on this point until the proper time for deciding arrived. I should hardly have deemed it necessary to make this explanation, or to assure you that my sole desire in writing my despatch to you was for the purpose of enabling me to hold the elections at the earliest possible period, but for the misrepresentations of the Assembly and their assertion that I had shown myself ready "to violate the compact with Her Majesty's Government, as contained in his letter aforesaid." (See 27th Resolution.

7. Instead, therefore, of having closed the Session on the 1st of this month, I am only now in a condition to do so, and to assent to the Representation and Pension Bills. Independent of this delay, and apart from the hindrances to the holding of the elections this year, if the Session had closed even at the period anticipated by me, it is necessary that a revision of the registration of voters should, in compliance with the law, first take place. To prevent or correct misapprehensions on this point, it may be proper for me to observe that by the Act for the registration of voters (4 Will, 4, c. 15) an annual revision was prescribed and required until four years ago, when by the Local statute (13 Vict., c. 14) this revision was made quadrennial, corresponding with the length of duration of the Assemblies; but it is provided that "in the event of a particular or general election of a person or persons to serve as member or members in the House of Assembly, being appointed to take place at any time before the expiration of any one of the periods of four years, therein limited for taking and revising the said lists, and after the expiration of one year from the time when such lists shall have been last taken and revised, it shall and may be lawful for the Governor for the time being, by and with the advice of Her Majesty's Council, to cause the provisions of the said Act to be put into operation in any one or all of the said districts of this island; provided, that should it be found necessary or expedient to hold an election or elections at any period of the year when, by reason of the times limited in the said recited Act, for serving notices and holding courts of revision, the provisions of the said Act cannot be carried into effect, the registry of the said voters shall be taken and revised as nearly as may be according to

Governor to Major
D'Alton.
Major D'Alton to
Governor.

* Page 80.

the provisions of the said recited Act, but with such alterations in the manner of taking and revising the same as may be found necessary." Until, therefore, an election is actually appointed to be holden, I have no power to direct a revision, but then it becomes imperative; power being given to the Governor to substitute other times for holding courts of revision, &c., than those named in the Registration Act. By the Representation Bill, moreover, a new district, that of Burgeo and La Poile, is created, of the electors in which there has never yet been any registration, and who cannot, by law, vote without having been first registered. This district extends from the Fortune Bay district westwards to Cape Ray, embracing an extent of 150 miles of sea coast; the latter place being 350 miles from St. John's. The coast is open to the unbroken roll of the Atlantic, and accessible only by vessels and boats.

8. If under ordinary circumstances the observance of the law with regard to the registration of voters so essential to the purity of election was ever necessary, I need hardly point out that it is peculiarly necessary at the present juncture, when a new system of government is about to be introduced, and before an election which is to decide by what party the colony is to be governed. Still, in order to overleap this constitutional barrier, the Assembly tacked to the Bill of Supply a proviso, not only dispensing with the necessity for a revision of the registration, but, in effect, abrogating entirely the registration law. This Bill was passed by the Council with the exception of this proviso, the improper insertion of which into the Supply Bill, the Assembly admitted by sending up a separate Bill embodying the proviso, which Bill was introduced into the Assembly without notice, in the evening, after the supposed close of business, and passed through all its stages in a few minutes. At the same time the House presented to me the address, No. 12, herewith enclosed, requesting me to hold elections. I think it right, in passing, to call attention to a characteristic misrepresentation in this address, namely, that the Assembly had passed the Supply Bill "only upon the understanding that effect should be given without any further delay to the intentions of the Imperial Government in reference to the immediate introduction of responsible government; an object which your Excellency evidently had in view in requesting authority from the Imperial Government to assent to the Representation Bill without a Suspending Clause;" the "understanding" now appearing to be that only of the Members composing the majority of the Assembly. I made the following reply:—

"The proposition contained in this address is one on which the Royal Instructions require that I should act with the advice and the consent of the Council; and I feel assured that the Council will advise the elections being held at the earliest practicable period. It is necessary I should observe that I was not a party to the understanding upon which it is said the Supply Bill was passed; and I do not recognize any legitimate connexion between the passing of that Bill and the question of the period of holding the elections."

I did, accordingly, bring the questions, forthwith, under the consideration of the Council, who are of opinion that the hindrances to the elections being held before May are insuperable.

10. These opinions are given by gentlemen who would most gladly have seen them held at, if possible, an earlier period, and the strife in reference to the question set at rest, but whose experience satisfies them that this is impossible. This country is still to a great extent without roads, except in this neighbourhood, and its deep bays, even where there are paths, makes water communication necessary. Our season has been hitherto unusually mild; but at this time last year the thermometer was at zero, with violent storms and snow-drifts, and the same description of weather may be daily expected. Some of the districts have upwards of 100 miles of coast, and as the elections must be simultaneous, and must be completed in 10 days from the day the writ reaches the hands of the returning officer, the probability (almost certainty) is, that in some of them the returns would not be completed. This occurred with respect to one of the northern districts in 1842, when the election took place at a considerably earlier period than it now could, and when neither return nor member reached St. John's until some months after the House had been in Session. I may also add, that the special messenger who conveyed the writ for holding the election nearly lost his life, his boat being wrecked on the way.

11. The general election to which I advert was that held in December 1842, when the Legislature had been suspended for nearly two years; the Revenue Bill had expired six months previously, and thus rendered it absolutely necessary to hold the elections at that late period, the registration of voters having been revised at the usual period in September preceding. There were, moreover, but few districts contested in that election (such, particularly, not being the case with either of the two most remote ones); whereas, under the Bill now passed, doubling the number of members, subdividing two of the former districts, and creating one new district, so important are the results, that there will be few districts left uncontested, requiring, consequently, more than usually preparatory arrangements. In the more distant outport districts it is the practice for a large number of the inhabitants to remove in the month of November from their dwellings on the coast into the woods and recesses of the bays, where they remain until spring. The following extract of a letter, dated the 11th of November 1854, from the resident magistrate at Twillingate, who has no interest in the elections, will show what must be the case, more or less, in many of the outport districts: "I need not point out to you, to drive us into an election at this late period would be most unjust; one-third of our population are now away; indeed, few would hazard leaving their homes to come to the poll." I also laid before the Council the enclosed protest addressed to the Governor in Council, signed by nine gentlemen who propose offering themselves as candidates, in proof of the impracticability, as well as injustice, of holding the elections this year.

12. Assuming even a dispensation of the law with regard to the registration of voters, the elections, as they must be simultaneous, could not take place before the middle of January (in 1842, with every necessity for haste, the proclamation was issued on the 9th of November, and nomination fixed for the 16th of December), a period at which it would be quite impracticable to hold them; but the Council having justly rejected the Bill for Suspending the Law for the Registration of Voters, the general revision will be at once proceeded with so soon as the Session shall have closed (when I can formally appoint the time for holding the elections), and will require for its completion at least six weeks. On the advice and with the consent of the Council, I accordingly notified to the Assembly, in reply to their address, that the elections would be held at the earliest practicable period, namely, the first week in May.

13. The Council, I may observe, concur in the opinion that the most convenient season of the year is the early part of November. The next most convenient season is the early part of May, after the close of the seal fishery, and before the people make their preparations for commencing the cod fishery. One general election, that of 1837, was held on the 8th of May, and was attended with no inconvenience whatever; and in reference to an objection urged against an election at that season of the year, from a supposed increase of mercantile influence at that period, it is worthy of remark, that the Assembly returned in May 1837 was the most anti-mercantile or "liberal" House ever elected in this colony.

14. As to any necessary purpose for a meeting of the Legislature in February, the Assembly could, if so inclined, dispose of many matters before the close of the present Session. On the subject of reciprocal free trade with the United States, there are no dissentients in the Assembly; but the effect of the treaty on our revenue, independent of other considerations, renders unadvisable too precipitate a change in our fiscal system, and legislation in May or June on this subject will be at as early a period as, looking also to the necessary Imperial legislation upon it, and all the circumstances of the case, can be safe or useful. It will, moreover, be necessary for Royal Instructions, in the terms of the Duke of Newcastle's despatch of the 21st of February 1854, separating the Councils, and the requisite directions for inaugurating the new system to be transmitted to this country, which I can hardly expect before the end of February.

15. It now becomes my painful duty to advert to the violent conduct of the majority of the House of Assembly in reference to this matter of the elections. In carrying out the necessary preliminary arrangements to the introduction of a system of government, which, long deprecated, on account of our peculiar social condition, by the Protestants, who are the majority of the people, has been reluctantly acquiesced in by them, I have felt it to be my peculiar duty to use every

endeavour to avert or remove causes of irritation or offence on either side, while the change was being effected. If, in addition to the injustice which the Protestants assert has been done to them in the Representation Bill, carried by the votes of the official members of Council, the latter body has concurred in the Bill for dispensing with the safeguards to the purity of election provided by the law for the registration of voters, and the elections had been fixed to take place at a period of the year by which it is asserted two Protestant districts would be virtually disfranchised, exasperation would have been occasioned, which would increase, embitter, and perpetuate existing local differences, and odium would have attached to the Imperial Government itself. But after the necessary preliminary measures have been enacted, and when every effort is made consistent with what is due to the just rights and fair claims of all to have the elections at the earliest possible period; yet because they cannot be held so as to enable me to call the Legislature together at so early a period by between three and four months as is desired by the majority of the present Assembly, the country is still deprived of a Supply Bill, the unfortunate and unoffending officers of Government receiving small salaries, in these times of high prices kept without means of subsistence; and because I will not violate my duty, and act in opposition to the advice and consent of the Council, whose decision is imperative on me, my own removal from this Government is made the subject of an address to the Crown.

16. It is to me a source of mortification and pain that, after concession to the utmost limit had been made, this most unreasonable course should have been pursued. The only question remaining is, whether the Legislature can assemble at the beginning of February or in May; the former I deem to be not only legally but physically impossible, and yet this extreme and arrogant course of conduct is adopted.

I have, &c.
(signed) *Ker B. Hamilton.*

30 November 1854.

P.S.—In reply to the deputation of the Assembly who yesterday presented to me the address and resolutions, I made the following written communication:—

“I will, of course, forward this address and the resolutions to the Secretary of State.

“Having observed in them the statement that the Revenue Act, which will expire on the 28th of May next, is imperiled, I must remind you that its safety is within the power of the Assembly. On my part, I will concur in any such measure for promoting the existence of that Act as will place its safety beyond a doubt.”

I have not yet learnt what the Assembly intends to do.

(signed) *K. B. H.*

Enclosure 1, in No. 22.

RESOLUTIONS adopted in Committee of the whole House on the state of the Colony.

Resolved, That the present session of the Legislature was expressly summoned by instructions from Her Majesty's Government for the purpose of arranging the preliminaries to the introduction of responsible government, and passing a Bill of Supply.

Resolved, That the House opened on the 10th October, and the most important precedent to the change of government, viz., the Representation Bill, was passed by the House, and sent to Her Majesty's Council on the 17th day of the same month.

Resolved, That the same Bill was returned from the Council on the 2d November, so amended as to induce all parties in the House to concur in its rejection.

Resolved, That Her Majesty's Council did on the 14th November assent to the Bill in the shape in which it was originally passed by the Assembly, this being in principle and all its details the same Bill to which that body refused their assent in June last, thereby producing a collision with the popular branch which led to an appeal to Her Majesty's Government and to the loss of the supplies for the public service.

Resolved,

Resolved, That his Excellency K. B. Hamilton, in a communication to the Right honourable Sir George Grey, under date 19th September last, urged the necessity of prompt permission being given by Her Majesty's Government, to dispense with a reserving clause in the Representation Bill, alleging that the want of such authority would render it impossible to give immediate effect to the measure, and that thus the object of this extraordinary Session would be defeated, and the elections delayed till next spring.

Resolved, That no intimation of any other difficulty was made by his Excellency to the immediate holding of the elections under the new Bill, and the House accordingly proceeded to transact the other business embraced in the objects for which they were called together.

Resolved, That after the passing of the Representation Bill by the Council, and the receipt of the authority from Her Majesty's Government, asked for in his letter of the 19th September, this House necessarily concluded, by reference to the terms of his Excellency's letter, that he was in a position to give immediate effect to the Act in question.

Resolved, That on the 22d day of November members of this House became accidentally aware that the Government did not contemplate the holding of the elections this fall, an intention since formally communicated in reply to an address from this House.

Resolved, That this decision of his Excellency wilfully defeats the principal object for which the Session was held at considerable inconvenience and expense, and is at variance with his views contained in his letter to Sir George Grey, and with all his communications to the House up to the time of this disclosure.

Resolved, That the alleged reasons for postponing the elections are, the lateness of the season and the want of a revision of the registration of voters.

Resolved, That in 1842 a general election was held on the 20th December, and that no inconvenience was experienced in effecting it, and that it could therefore be held again at the same period.

Resolved, That even though the plea of the late season were valid, it is attributable to his Excellency's advisers, who spent 28 days in determining on the Representation Bill, on which there was only one point of controversy, and thereby created an assumed difficulty, of which they now avail for defeating the views of the country with regard to the approaching change.

Resolved, That the revision of the registration of voters was the duty of the Executive, and should have been performed in due course, and that the Act gives the following discretionary power, which might have been used in the present case, "Provided, that should it be found necessary or expedient to hold an election or elections at any period of the year, when, by reason of the times limited in the said recited Act for serving notices and holding courts of revision, the provisions of the said Act cannot be carried into effect, the registry of the said voters shall be taken and revised as nearly as may be according to the provisions of the said recited Act; but with such alterations, in the manner of taking and revising the same, as may be found necessary."

Resolved, That the new district of Burgeo and La Poile not being provided for in the Registration Act a special provision was made in the Supply Bill to meet this case, and seeing the neglect of the Government with regard to the general revision of the registration, and their believing it to have been the result not of design, but of accident, the House inserted a clause in the Supply Bill, whereby the revision was to be dispensed with for the next election, and leaving the fair alternative to all parties of making the last revised list of voters applicable for the purposes of this election.

Resolved, That the Council objected to this provision in the Supply Bill on a point of form, and the House then passed a Bill to carry out the same object.

Resolved, That this Bill was rejected by his Excellency's advisers, and the House having exhausted every expedient to carry out the intentions of Her Majesty's Government and the avowed object of his Excellency the Governor, looking to the manner in which the business was protracted by the Council, and to the late period at which the new difficulties are suggested, feel constrained to the belief that they have been deceived and misled by his Excellency, who has therefore forfeited the confidence of this House.

Resolved, That his Excellency, having caused or permitted the defeat of that which in his letter of 19th September he declared to be the principal object of the present Session, has now announced his intention of causing the elections to be held in May next.

Resolved, That this course is adopted in deference to the views of the present Council, who, defeated in their obstruction to the concession of responsible government, would now endeavour to thwart its legitimate operation.

Resolved, That in the month of May the great bulk of our fishing population are peculiarly subject to mercantile influence, that being the period when the issues of supplies on credit are made.

Resolved, That from the 1st of March to the 1st of November our fishing population are actively engaged either in the seal and herring fishery, or in preparing for, and carrying

on, the cod fishery; and that an election held between these periods would be partial and unjust, and would practically disfranchise a great proportion of the industry of the colony.

Resolved, That we most distinctly and emphatically protest against the proposal of his Excellency to hold the elections in the month of May, and in deciding on this course, his Excellency has lent himself to the designs of a defeated party, in violation of the views of the great majority of the House, and the wishes and desires of the general public.

Resolved, That regarding the conduct of the Governor and Council, as disclosed in the foregoing resolutions, this House cannot consent to send up another Bill of Supply to Her Majesty's Council.

Resolved, That on the Governor's assent being given to the Representation Bill, the existence of the present Assembly will terminate, and the country will be without a legislature until after the general elections shall have been held.

Resolved, That the population of the country are in a state of severe suffering and privation, urgently demanding the most vigorous efforts of the legislature for the amelioration of their condition.

Resolved, That in the establishment of free trade with the United States, under the treaty lately concluded, the hopeful expectations of the people were centred, and that the measures necessary to give effect to that treaty are now indefinitely postponed by the proceedings of the executive in reference to the elections.

Resolved, That as the Revenue Bill expires on the 27th May, this most important measure is imperiled by the conduct of the Governor and Council.

Resolved, That notwithstanding the avowed hostility of his Excellency to the policy of the majority of the Assembly ever since his assumption of the Government, we were willing to enter upon the change of system, and give him a fair trial, in the spirit of Sir George Grey's despatch; but his Excellency having made it apparent by his conduct in the present Session that his sympathy with the obstructive party is paramount, and that so repugnant are his feelings to constitutional popular demands, that to defeat these, he has shown himself ready to violate the compact with Her Majesty's Government, as contained in his letter aforesaid.

Resolved, Therefore, that it is necessary to the peace, welfare, and good government of the colony that his Excellency and his advisers should forthwith be removed from the administration of its affairs, and that an address embodying these resolutions be prepared and transmitted to Her Majesty's Secretary of State and both Houses of Parliament.

Resolved, That a copy of the foregoing resolutions, together with a copy of the address to the Right honourable the Secretary of State for the Colonies, be transmitted to Joseph Hume, Esq. M. P., and that the petition to the House of Commons be sent to him for presentation.

Resolved, That an address be presented to his Excellency the Governor respectfully requesting that his Excellency will be pleased to forward the foregoing resolutions and address to the Right honourable the Secretary of State for the Colonies.

Passed the House of Assembly, 27 November 1854.

(signed) J. Kent,
Speaker.

Enclosure 2, in No. 22.

Encl. 2, in No. 22.

Sir,

Government House, 2 November 1854.

REFERRING to the conversation I had with you some days since, in which I stated that I considered it your duty to attend the Council at this juncture, I wish now formally to record that expression of my opinion.

I cannot comply with the request you then made to me, that I should intimate how you should vote; but as to giving your vote, that is a duty which, I repeat, you cannot escape the responsibility of discharging.

The Hon. Major D'Alton,
President of the Council,
&c. &c. &c.

I have, &c.
(signed) Ker B. Hamilton

Sir,

Commandant's Office, Fort Townshend,
2 November 1854.

Sir,

I HAVE the honour to acknowledge the receipt of your Excellency's communication of this date, having reference to the conversation that took place between your Excellency and myself some days since. In doing so, I beg to inform your Excellency that I did, according to your desire, as expressed in our first conversation, attend the Legislative Council to vote on questions of protracted adjournments; and on leaving the Council Hall on that day, I informed the Colonial Secretary where I was to be found, and that I was always prepared to vote on such questions when necessary, so that the public interest should not suffer by any protracted adjournments.

With reference to our second conversation on the same day, on which your Excellency submitted your opinion that it was my duty to attend the Legislative Council, and vote on the Bill for the increase of the Representatives, I, in reply, informed your Excellency that, from my short residence in the colony, my being only in temporary command of the troops, and expecting Colonel Law by the packet now due, and from never having mixed myself up in any legislative proceedings (except as before alluded to, having become the President of the Legislative Council only since the 10th October last), I felt myself incompetent, for these reasons, to vote on such a grave question; at the same time, I expressed my willingness to do so, if your Excellency gave me instructions how to vote on the Bill referred to, as, under the circumstances above alluded to, I repeat, I felt it a question of too serious a nature to decide on myself, not knowing which party was acting for the future welfare of the colony. In conclusion, I beg most respectfully to adhere to the opinion I have already expressed to your Excellency on the subject; and

I have, &c.

(signed) *E. D'Alton*, Brevet Major,
Commanding the Troops.

His Excellency Ker B. Hamilton, Esq.,
Governor, &c. &c. &c.,
Newfoundland.

To his Excellency the Governor in Council, &c. &c. &c.

WE, the undersigned, having been invited to become candidates for seats in the House of Assembly at the next general election, are compelled to enter our protest against such elections being held during the present autumn or ensuing winter, and to request your Excellency to withhold your assent from any measure calculated to have such an effect.

1st. Because they would be in express violation of an existing fundamental law of the colony, which requires a registration and revision of voters to take place before each election, and which registration and revision are indispensable to secure the purity of election, and have not taken and cannot take place this year.

2d. Because in the new district of Burgeo and La Poile, embracing an extensive sea coast, no registration of voters has ever been made; and it would, at an election holden before such registration, be impossible to ascertain who would or would not be entitled to the privilege of voting.

3d. Because a large portion of the freeholders of the colony would thereby be practically disfranchised, inasmuch as they have retired from their usual places of abode into their winter habitations, and would therefore be deprived of the capability of voting, and probably of ever hearing of an election.

4th. Because, from the lateness of the present period of the year, communication between the remote districts and St. John's would be cut off, and candidates would be wholly unable to canvass their proposed constituencies; and if they reached their respective districts, and were elected, they would probably not be able to reach St. John's, and attend the Legislature during the ensuing winter; and thus, in the first and most important Session under the new system of responsible government, the two Protestant districts of Twillingate and Fogo and Burgeo and La Poile, returning one-tenth of the whole representation, would be wholly unrepresented.

(signed) *H. W. Hoyles.* *Bryan Robinson.*
John H. Warren. *R. Carter.*
Stephen March. *John Winter.*
William Henry Ellice. *F. B. T. Carter.*
M. D. Wallbank.

St. John's, 23 November 1854.

AN ACT to provide for the Retiring Allowances of certain Public Officers of the Government of this Colony.

Preamble.

WHEREAS on the introduction of responsible government into this colony, it is expedient that provision should be made, out of the public funds thereof, for the payment of the retiring allowances of certain public officers hereinafter named;

Pensions granted to certain persons as follows:

Hon. J. Crowdy -	-	£400
„ E. M. Archibald -	-	350
„ J. Noad -	-	285
H. A. Emerson, Esq. -	-	90

Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, that there shall be paid quarterly to the several persons hereinafter mentioned, for their respective lives, out of the public funds, income, and general revenue of this colony, the following pensions, in the sterling money thereof, to wit:

To the Honourable James Crowdy, the annual sum of four hundred pounds; to the Honourable Edward Mortimer Archibald, the annual sum of three hundred and fifty pounds; to the Honourable Joseph Noad, the annual sum of two hundred and eighty-five pounds; to Hugh Alexander Emerson, Esquire, the annual sum of ninety pounds.

Pensions to cease upon said persons respectively accepting office in this colony of equal or greater value.

Act not to have any force or effect until responsible Government shall be in operation.

II. That the said pensions to the said James Crowdy, Edward Mortimer Archibald, Joseph Noad, and Hugh Alexander Emerson, shall cease upon their respectively accepting an office under the Government of this colony of equal or greater value: Provided always, that this Act shall not have any force or effect until responsible government shall be in operation in this colony.

The subjoined Address from the House of Assembly was presented to his Excellency the Governor on Thursday last:—

To his Excellency *Ker Baillie Hamilton*, Esq., Governor and Commander-in-Chief in and over the Island of Newfoundland, and its Dependencies.

May it please your Excellency,

THE House of Assembly respectfully intimate to your Excellency that the present Special Session of the Legislature, having been convened for the purpose stated in your Excellency's opening speech, "of settling the preliminary conditions to the introduction of the system of responsible government, and remedying the inconveniences arising from the circumstance of the last Session having closed without the usual Bill of Supply;" and the matters having been disposed of, so far as this House was concerned, it is the desire of this House and of the people generally, that your Excellency will be pleased to close the Session at an early day, that the general elections for this island may be held with as little delay as possible, with a view of introducing the new system of government, and thereby enable the Legislature to adopt such measures as may be necessary to avail of the Reciprocity Treaty for the establishment of free trade with the United States, and the interests of the country may require. The practicability of holding the general elections before the close of the present season is quite evident; while the great injustice to the electors, and the clear loss to the country which would result from postponing them until the spring, are matters to which we would solicit your Excellency's grave consideration.

The House would further remark that they passed the Supply Bill, only upon the understanding that effect should be given, without any further delay, to the intentions of the Imperial Government, in reference to the immediate introduction of responsible government, an object which your Excellency evidently had in view in requesting authority from the Imperial Government to assent to the Representation Bill without a suspending clause.

(signed) *John Kent*, Speaker.

House of Assembly, 22 May 1854.

REPLY.

Gentlemen,

Secretary's Office, 24 November 1854.

REFERRING to the Governor's reply to the address of the House of Assembly (No. 12) which you presented to him yesterday, I am now directed by his Excellency to transmit to you the enclosed memorandum for the information of the House.

P. F. Little and A. Shea, Esqrs., M.H.A.
&c. &c. &c.

I have, &c.
(signed) *James Crowdy*.

I have brought under the consideration of Her Majesty's Council the question of the period at which the elections should be held, and have been advised by the Council that the hindrances to the elections being held before the month of May are insuperable; and that the elections should, accordingly, take place in the first week of that month.

(signed) *K. B. H.*

Enclosure 3, in No. 22.

Encl. 3, in No. 22.

To the Right Honourable Sir *George Grey*, Bart., Her Majesty's Principal Secretary of State for the Colonial Department.

THE petition of Her Majesty's faithful Commons of Newfoundland in legislative session convened, respectfully sheweth, that the Duke of Newcastle having determined to establish responsible government in this old and loyal colony, in accordance with the repeated demands of the people, and the growing interests of the country, his Grace annexed certain conditions to the concession thereof, the principal of which were the passing of a Bill to increase the number of members in the Assembly, and the making of provision for the retiring officials upon the introduction of the new system. In the adjustment of these conditions a conflict arose last session between the Governor and his Council on the one hand, and this House on the other, which resulted in an appeal to the Imperial Government, a suspension of legislation, and a refusal to grant supplies. The Imperial Government having approved of the conduct of this House as to the Representation Bill, you were pleased to instruct his Excellency Ker Baillie Hamilton, Esquire, the Governor of this island, to summon the present session of the legislature for the express purpose of arranging the differences existing on the preliminaries to the granting of responsible government, with a view to its immediate introduction, and remedying the inconveniences arising from withholding the usual Bill of Supply. This session commenced on the 10th of October last, and the most important precedent to the change of government, viz., the Representation Bill, was passed by this House and sent to Her Majesty's Council on the 17th day of the same month, for their concurrence.

That this Bill was returned from the Council on the 2d day of November so amended as to induce both parties in this House to concur in rejecting the amendments. The Council at length receded from their amendments, and on the 14th day of November assented to the Bill in the shape in which it was originally passed by the Assembly, this being in principle and in all its details identical with the Bill to which that body refused their assent in June last, and thereby produced the collision with the popular branch which led to the appeal to Her Majesty's Government, and to the loss of the supplies for the public service.

That his Excellency the Governor in a communication to you, under date 19th September last, urged the necessity of prompt permission being given by Her Majesty's Government to dispense with a suspending clause in the Representation Bill, alleging that the want of such authority would render it impossible to give immediate effect to the measure, and that thus the object of the extraordinary session would be defeated by the delaying the holding of the elections until next May. No intimation of any other difficulty was made by his Excellency to the immediate holding of the elections under the new Bill as soon as it should become law, and the House accordingly proceeded to transact the other business embraced in the objects for which this session was convened. After the passing of the Representation Bill by the Council, and the receipt of the authority from you asked for in his Excellency's letter of 19th September, the House necessarily concluded, by reference to the terms of his Excellency's letter, that he was in a position to give immediate effect to the Act in question; on the 22d day of November members of this House, however, became accidentally aware that the Governor did not contemplate the holding of the elections this fall, a determination since formally communicated by his Excellency in reply to an address from this House, declaring their opinion not only on the absolute necessity, but also on the evident practicability of holding the elections this fall, and pointing out the loss to this country, and the injustice to the electors, which would result from a postponement until the spring. That the decision of his Excellency wilfully defeats the avowed object for which this session has been held, at considerable inconvenience and expense, and is at variance with his views contained in his letter to you, and with all his communications to this House up to the time of this disclosure. The alleged reasons for postponing the elections are the lateness of the season, and the want of a revision of the registration of voters. In the year 1842, general elections were held on the 20th December, and no inconvenience was experienced in holding them; since that time the facilities of communication through the country have been much increased, and there is now no physical obstacle, or any other fair reason why they should not be held at a corresponding period this year. Whatever pretext the lateness of the season may afford, is attributable to his Excellency's advisers, who spent 28 days in determining on the Representation Bill, on which there was only one point of controversy, and thereby overrated an assumed difficulty of which his Excellency, with their advice, now avails to defeat the views of the country with regard to the approaching change. That the revision of the registration of voters was the duty of the Executive, and should have been performed in due course, and the amended Registration Act (13 Vict., c. 14), gives the following discretionary power which might have been used in the present case, viz.; "Provided, that should it be found necessary or expedient to hold an election or elections, at any period of the year when by reason of the times limited in the said recited Act for serving notices and holding courts of revision, the provision of the said Act cannot be carried into effect, the registry of the said voters shall be taken and revised as nearly as may be, according to the provisions of the said recited Act, but with such alterations in the manner of taking and revising the same, as may be found necessary." The new district of Burgeo and La Poile not being provided for in the Registration Act, a special provision was made in the Supply Bill to meet this case; and seeing the

the neglect of the Government with regard to the general revision of the registration, and believing it then to have been the result not of design but of accident, the House inserted a clause in the Supply Bill, whereby the revision was to be dispensed with for one year for the purposes of the next election, and leaving the fair alternative to all parties of making the last revised list of voters applicable for the purposes of the elections held within that period. The Council objected to this provision in the Supply Bill on technical grounds, and the House then passed a separate Bill with as little delay as possible, to carry out the same object. This Bill was rejected by his Excellency's advisers, and the House having exhausted every expedient to carry out the intentions of Her Majesty's Government, and the avowed object of his Excellency; looking to the manner in which the business was designedly protracted by the Council, and to the late period at which the new difficulties are suggested, feel constrained to the belief that they have been deceived and misled by his Excellency, who has, therefore, forfeited the confidence of the House. His Excellency having caused or permitted the defeat of that, which in his letter of September, he declared to be the principal object of the present session, has now announced his intention of causing the elections to be held in May next. This course is adopted in deference to the views of the present Council, who, defeated in their obstruction to the concession of responsible government, would now endeavour to thwart its legitimate operation. The great bulk of our fishing population are peculiarly subject to mercantile influence in the month of May, when supplies are issued to them on credit. From the 1st of March to the 1st November, our fishing population are actively engaged either in the seal and herring fishing, or in preparing for and carrying out the cod fishery, and that an election held between these periods would be partial and unjust, and would practically disfranchise a great proportion of the industry of the colony. This House, therefore, most distinctly and emphatically protest against the proposal of his Excellency to hold the elections in the month of May; and in deciding on this course, his Excellency has lent himself to the designs of a defeated party, in violation of the views of the great majority of the House, and the wishes and desires of the general public.

Having regard to the conduct of the Governor and Council as disclosed by the foregoing facts, and to the duty which this House owe to the public, this House has been constrained to the resolution not to send up another Bill of Supply to Her Majesty's Council.

That on the Governor's assent being given to the Representation Bill, the existence of the present Assembly will terminate, and the country will be without a Legislature until after general elections shall have been held. The operative population of the country are in a state of severe suffering and privation, owing to a partial failure of their ordinary pursuit last season, and other causes, urgently demanding the most vigorous efforts of the Legislature for the amelioration of their condition.

That in the establishment of free trade with the United States under the treaty lately concluded, the hopeful expectations of the people were centred, and that the measures necessary to give effect to that treaty are now indefinitely postponed by the proceedings of the Executive in reference to the elections; and, as a further consequence, the Revenue Bill, which expires on the 27th of May next, is imperiled by the conduct of the Governor and Council, a subject of vast importance in the present financial embarrassment of the Government.

That notwithstanding the avowed hostility of his Excellency to the policy of the majority of the Assembly, the House was willing to enter with him on the change of system, and give him a fair trial in the spirit of your despatch. The utmost forbearance and the most conciliatory conduct have been manifested to him by the Assembly since the receipt of that despatch. But his Excellency having made it apparent by his conduct in the present session that his sympathy with the obstructive party is paramount to his duty to the country and the Crown; and that so repugnant are his feelings to constitutional and popular demands, that to defeat these, he has shown himself ready to violate the compact with Her Majesty's Government, as contained in his said letter, to discard the rights of the electors, and come into direct collision with this House, after having received the clearest expression of their opinions on the impropriety and injustice of the course which he was about to adopt.

Therefore, convinced that it is necessary to the peace, welfare, and good government of the colony, that his Excellency and his advisers should forthwith be removed from the administration of its affairs, this House appeals with confidence to you for that purpose, and that the new system of government may be inaugurated without any further delay (the conditions stipulated by the Duke of Newcastle having been fulfilled by this House) under the auspices of a practical and impartial Governor, who shall reflect the honour of the Crown and conciliate the affections of the people, by the adoption of a constitutional and straightforward policy, divested of all sectarian antipathies and partizan predilections.

And, as in duty bound, will ever pray.

Passed the House of Assembly,
27 November 1854.

(signed) *John Kent*,
Speaker.

— No. 23. —

(No. 25.)

COPY of a DESPATCH from the Right Honourable Sir G. Grey, Bart., to Governor *Hamilton*.

No. 23.
Sir G. Grey, Bart.,
to Governor
Hamilton.
18 January 1855.

Sir,

Downing-street, 18 January 1855.

I HAVE to acknowledge your despatch No. 130,* of 29 November, reporting to me the progress of events in the session of the General Assembly of Newfoundland, the reasons which had rendered it necessary for you to prolong the session until the date of your writing, and the obstacles which presented themselves to the holding of the first elections under the Act to increase the number of representatives in the General Assembly at as early a period as you had contemplated, when you addressed to me your despatch No. 120,† of the 19th September last.

* Page 104.

† Page 80.

2. You enclose in the same despatch, in pursuance of an address presented to you by a deputation of the House of Assembly, a copy of Resolutions agreed to by that House on the 27th ultimo, and a Memorial addressed to me founded upon these Resolutions.

3. It is with great regret that I have read the imputations upon your conduct and motives contained in these Resolutions, as, although I can understand that some disappointment might not unnaturally be felt at the postponement of the elections, I think it due to you to state, that the reasons which you have given for the course you have pursued, appear to me quite satisfactory.

4. I shall cause immediate steps to be taken for furnishing you with amended instructions, founded on the Duke of Newcastle's despatch of the 21st February last. I understand this has been ascertained to be now necessary.

5. I take the same opportunity to acknowledge your despatch, No. 127, of the 14th of November, which I have delayed answering in order, at your suggestion, to obtain the opinion of the law advisers of the Crown in this country on the points of law raised thereon. I have not yet received this opinion.

I have, &c.
(signed) G. Grey.

— No. 24. —

(No. 132.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable Sir G. Grey, Bart.

No. 24.
Governor Hamilton
to Sir G. Grey,
Bart.
30 November 1854.

Government House, St. John's, Newfoundland,
30th November 1854.

(Received, 18 December 1854.)

Sir, (Answered, 30 December 1854, No. 21, page 116.)

I HAVE been requested by the House of Assembly to forward the enclosed address to you, acquainting you that they had appointed Mr. Little to proceed to England to make representations to Her Majesty's Government on the affairs of the colony.

I have, &c.
(signed) Ker B. Hamilton.

Enclosure in No. 24.

To the Right Honourable Sir *George Grey*, Bart., Her Majesty's Principal Secretary of State for the Colonies.

Encl. in No. 24.

Sir,

THE House of Assembly of Newfoundland having, on the 27th instant, adopted an address to you in reference to the affairs of this colony, now beg to acquaint you that they have appointed Philip S. Little, esq., a member of their body, to proceed to England to justify to Her Majesty's Government the statements and views embodied in the address in question.

House of Assembly, 29 November 1854.

(signed) J. Kent,
Speaker.

— No. 25. —

No. 25.

Sir G. Grey, Bart.,
to Governor
Hamilton.
30 December 1854.

(No. 21.)

COPY of a DESPATCH from the Right Honourable Sir G. Grey, Bart., to
Governor *Hamilton*.

Sir,

Downing-street, 30 December 1854.

I HAVE to acknowledge the receipt of your despatch No. 132, of the 30th November, forwarding an address to myself from the House of Assembly of Newfoundland, notifying the appointment of Mr. Little to proceed to England to make representations to Her Majesty's Government on the affairs of the colony.

I have, &c.
(signed) *G. Grey*

— No. 26. —

No. 26.

Governor *Hamilton*
to Sir G. Grey,
Bart.
30 November 1854.

(No. 133.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable
Sir G. Grey, Bart.

Government House, St. John's, Newfoundland,
30 November 1854.

(Received, 18 December 1854.)

(Answered, 30 December 1854, No. 22, *infra*.)

Sir,

REFERRING to my despatch, No. 130, of the 29th instant, I have the honour to inform you that, at my request, a gentleman fully conversant with the present position of affairs in this colony will proceed to England, a fortnight hence, authorised by me to put you in possession of all the circumstances connected with the recent proceedings of the Legislature.

2. I am induced to adopt this course, inasmuch as in a written despatch I could not communicate all those circumstances which can be so much better learnt from personal explanation. I think it prudent also to adopt this course, from the circumstance of the Assembly having again appointed Mr. Little to make representations to Her Majesty's Government.

I have, &c.
(signed) *Ker B. Hamilton*.

— No. 27. —

No. 27.

(No. 22.)

Sir G. Grey, Bart.,
to Governor
Hamilton.
30 December 1854.

COPY of a DESPATCH from the Right Honourable Sir G. Grey, Bart., to
Governor *Hamilton*.

Sir,

Downing-street, 30 December 1854.

I HAVE to acknowledge the receipt of your despatch No. 133, of the 30th ultimo, reporting that a gentleman would proceed to this country, authorized by you to put me in possession of all the circumstances connected with the recent proceedings of the Legislature of Newfoundland.

I have, &c.
(signed) *G. Grey*.

— No. 28. —

(No. 134.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable
Sir *G. Grey*, Bart.No. 28.
Governor Hamilton
to Sir G. Grey,
Bart.
9 December 1854.Government House, St. John's, Newfoundland,
9 December 1854.

(Received, 9 December 1854.)

(Answered, 17 January 1855, No. 24, page 119.)

Sir,

REFERRING to my despatch No. 130,* of the 29th November, relative to the Address and Resolutions of the Assembly, and to the postscript dated the 30th, in which I acquainted you that I had informed the Assembly that I would concur with them in a measure for prolonging the existence of the Revenue Act, I have the honour to enclose a copy of their reply. I feel that I have followed a safe course in simply stating the facts connected with the subject in the order of their occurrence; and that in that despatch will be found an answer to anything tangible that can be gathered from the string of resolutions passed by the Assembly.

* Page 104.

2. My letter of Thursday, the 30th of November, which I was just able to throw into the despatch bag as it was being closed, will have informed you that I had assented to the Representation Bill, and will have announced the fact of the Assembly having, in the face of a notice of my intention to prorogue the Legislature at four o'clock p.m. on that day, adjourned at two o'clock, to the 10th January next, avowedly for the purpose of avoiding the prorogation.

3. A proceeding so unexpected and unprecedented, so disrespectful to the Crown, and so defiant of the Queen's prerogative and authority, took me so much by surprise that I was unable, before the departure of the mail on that day, to determine upon the course fit to be adopted in such emergency; but subsequent reflection satisfied me I ought not, by this conduct of the Assembly, to be deterred from the course which I had originally intended to pursue. Having, therefore, by proclamation, notified that I had, in accordance with the fact, on the 30th of November (the day of the intended prorogation) signed and assented to the Bills which had passed the other branches of the Legislature, I dissolved the present Assembly by proclamation on the 5th instant; and having, with the advice and consent of the Council, appointed the elections to be holden on the 7th and 12th May, I have directed the necessary revision of the registration of voters to be immediately undertaken, preparatory to that event.

Royal Gazette,
5 December 1854.

4. One of the objects of the Assembly in adjourning to the 10th of January was, I presume, to give Mr. Little, while preferring his charges against me and the Council, a certain *locus standi* as the representative of an existing body. My motive in dissolving the Assembly, however, was not to defeat this object, but, 1stly, to vindicate the authority of the Crown by a proper use of the function and prerogative committed to me by the Queen; and 2dly, as the preliminary measures to the introduction of responsible government had been completed by the Legislature, to prevent the postponement of the elections until next fall; a result which would probably ensue from the continuance of the present Assembly until after the 10th of January, which would, under the Duke of Newcastle's despatch, delay responsible government and continue the present unhappy state of affairs until the winter of 1855-56; would, in the meantime, prevent all useful legislation; and would probably leave the country for eight or nine months without a revenue. The Legislature will now be convened in May, in time to continue the present Revenue Act, or to adopt any modification of the revenue laws which may then be deemed expedient.

5. With respect to the official members of the Legislative Council, they, in difficult circumstances, as I have already pointed out to you in the 4th paragraph of my despatch No. 130, of 29th of November, evinced, in a high degree, temper, moderation, and the discretion of persons experienced in public business. The explanation of their proceedings is to be found in their own words in the enclosed report of the debates of the Council.

See Newfoundland
Express,
21 November 1854.

6. All differences between the several branches of the Legislature have thus died a natural death; and the battle must be fought, for the future, at the hustings, or in the Assembly House.

7. With regard to the charges, if they may be so called, against myself, I must, however, distinctly disavow any desire to escape from them, or to urge against them the fact of the body from whom they emanated having now no legal existence. It is true that in the next House, on whichever side may be the majority, all motive or occasion for collision with the Governor will be removed, and a past example of firmness and determination in the discharge of my duties will be most likely to procure respect for my office for the future. But in this matter, something more is involved than a mere passing difference; and I owe it to the honour of the office I hold, and to myself, to request that the question may be determined upon its own merits, and, if it shall be found, as I believe it will, that I have been actuated solely by a desire faithfully to administer the government of this colony in accordance with the instructions I have received from Her Majesty's Government, and to carry out their views, and that my conduct has been such as, under the embarrassing circumstances by which I was surrounded, was best calculated to promote that end, that I may receive from the Imperial Government that support to which, under these circumstances, I conceive I am fairly entitled.

8. When I reflect upon those events so full of profound incident and importance which now engage the attention of Her Majesty's Government, and of every loyal heart, it is a source of pain to me to be obliged to occupy your time and attention by a reference to a quarrel so entirely gratuitous as this.

I have, &c.
(signed) Ker B. Hamilton.

10 December 1854.

P. S.—Having just learnt that it is extremely doubtful whether the regular mail from England will be despatched so as to enable me to communicate at the usual time by the return mail, I take advantage of a sailing vessel about to sail for Liverpool, to transmit the foregoing duplicate of a despatch intended to have been forwarded by the packet. I will transmit by the earliest opportunity copies of the Acts which have been passed with a view to their being submitted for the Royal confirmation. The Representation* and Pension Acts* (the preliminaries of responsible government) I would suggest should be confirmed with as little delay as possible. As the publication of them in the "Royal Gazette" is authentic, the copies enclosed may, perhaps, suffice for this purpose.

* Copies of these Acts will be found at pp. 123, 124.

Royal Gazette,
5 December 1854.

Enclosure in No. 28.

Encl. in No. 28.

Resolved, That the House was fully justified in declaring that his Excellency, in refusing to hold the elections this fall, imperiled the Revenue Bill, which expires on the 27th May next.

Resolved, That the next Revenue Bill to be passed by the House must be adapted to the requirements of the treaty for the establishment of free trade with the United States; and his Excellency, in his opening speech, having informed the House that he had not the necessary instructions to enable them to legislate on this subject, the question has not occupied our attention on this account, independent of our unwillingness to trust legislation on the question of free trade to a hostile Council.

Resolved, That in view of the present collision between the House and the Executive Government, the Assembly are of opinion that all legislative proceedings should be suspended until the issue of the appeal which has now been made to Her Majesty's Government, and that the House accordingly do adjourn to the 10th January.

— No. 29. —

(No. 24.)

EXTRACT of a DESPATCH from the Right Honourable Sir G. Grey, Bart. to Governor Hamilton.

No. 29.
Sir G. Grey, Bart.,
to Governor
Hamilton.
17 January 1855.

Downing-street, 17 January 1855.

“I HAVE to acknowledge the receipt of your despatch No. 134, of the 9th of December last, reporting the circumstances under which you had dissolved the House of Assembly of Newfoundland, and in signifying to you my approval of the course you adopted on this occasion, I have to remind you that the copies of the Representation and Pension Acts, as published in the Gazette annexed to your despatch, cannot be submitted for Her Majesty's assent, and the confirmation of these Acts must necessarily await their receipt in a duly authenticated form.”

— No. 30. —

(No. 137.)

EXTRACT of a DESPATCH from Governor Hamilton to the Right Honourable Sir G. Grey, Bart.

No. 30.
Governor Hamilton
to Sir G. Grey, Bart.
14 December 1854.

Government House, St. John's, Newfoundland.
14 December 1854.

(Received, 18 January 1855.)
Answered, 24 January 1855. No. 27, page 120.)

“REFERRING to my Despatch, No. 133,* of the 30th ultimo, informing you that a gentleman fully conversant with the present position of affairs in this colony would proceed to the Colonial Department by the next mail steamer, I have the honour to acquaint you that, at my request, Mr. Hoyles, a member of the late Assembly, has consented to undertake the mission.

* Page 116.

“During the absence on duty of Mr. Archibald in England in the year 1853, Mr. Hoyles, as Solicitor-general, was my confidential legal adviser; and I am therefore well acquainted with his merits. I request you will do me the favour to refer to Sir Gaspard Le Marchant's despatch to Sir John Pakington, No. 32, of the 1st of June 1852, recommending Mr. Hoyles for the office of Solicitor-general; and I need only add, that experience has proved the correctness of the high estimate my predecessor had formed of Mr. Hoyles's character and ability. On the 9th of October, the day before the last meeting of the Legislature, Mr. Hoyles, in a letter, a copy of which I enclose, tendered his resignation of this office; and although, in fact, actual circumstances did not demand this step on his part, yet, to preclude any possible misapprehension at that juncture, I accepted the resignation he offered. As I feel, however, that it might be of some advantage to Her Majesty's Government that a law officer of the Crown should, on the present occasion, be at hand; Mr. Hoyles, as you will perceive from the enclosed letter, has acquiesced in my wish that he should again accept the office of Solicitor-general, in which capacity he will present himself to you.

Mr. Hoyles to
Governor Hamilton,
9 October 1854.
Mr. Hoyles to
Governor Hamilton,
6 December 1854.

“Mr. Hoyles, who was born in Newfoundland, considers it his home; and, unlike the officers of the Government, and even the merchants who hold comparatively a fleeting relation to the colony, his interest in its welfare is of a more permanent kind; and by universal consent he is regarded as the leader and head of that portion of the people which forms the majority. His personal and professional character is without spot, and he would be valuable in any government—in any law court—in any senate. * * * * *

“I am persuaded that Mr. Hoyles's upright and moderate views on subjects appertaining to the well-being of Newfoundland will, at least, secure your sympathy if not your concurrence.”

Encl. 1, in No. 30.

Enclosure 1, in No. 30.

Sir,

St. John's, 9 October 1854.

HAVING for some time past, as your Excellency is aware, taken a very active part on one side of the important political question by which the colony has of late been agitated, I think I ought not, when that question has been referred by the Imperial Government for the consideration of the Legislature, to continue to hold my present appointment.

Not that I have any reason to suppose that the principles which I have heretofore advocated in my place in the Assembly, and which of course I shall continue to maintain, are in any manner opposed to the policy of the Government, either here or at home, but I am aware that your Excellency has on more than one occasion written of me to the Colonial office as representing in the House your Excellency's Government, and that the same opinion has been generally entertained here, and therefore, as well that the Government may not by any proceedings of mine be in any way embarrassed in any possible contingency, as that I may be perfectly untrammelled in the advocacy of my own views, I beg leave most respectfully to resign my office of Solicitor-general.

With many thanks for the very great kindness and consideration which I have always in official intercourse received from your Excellency,

His Excellency the Governor,
&c. &c. &c.

I have, &c.
(signed) *Hugh W. Hoyles.*

Encl. 2, in No. 30.

Enclosure 2, in No. 30.

Sir,

St. John's, 6 December 1854.

BELIEVING that my holding an office under your Excellency's Government would promote the object of my intended visit to England, I readily accept, for that purpose only, the temporary appointment of Solicitor-general, with the understanding, however, that, for the reasons which I have already explained to your Excellency, I shall be permitted to resign on my return to Newfoundland.

I have, &c.
(signed) *Hugh W. Hoyles.*

— No. 31. —

No. 31.
Sir G. Grey, Bart.,
to Governor
Hamilton.
24 January 1855.

(No. 27.)

COPY of a DESPATCH from the Right Honourable *Sir G. Grey, Bart.*,
to Governor *Hamilton*.

Sir,

Downing-street, 24 January 1855.

I HAVE to acknowledge the receipt of your despatch No. 137, of the 14th of December last, apprising me that you had selected Mr. Hoyles to proceed to this country for the purpose of supplying me with information on the present position of affairs in Newfoundland. On Mr. Hoyles announcing to me his arrival, and asking for an interview, I informed him, as I had previously informed Mr. Little with regard to the communications with which he was charged, that I could not receive from him, except in writing, any statements tending to inculpate persons in Newfoundland, between whom and yourself differences may have arisen. I afterwards saw Mr. Hoyles, when he acquainted me that his only object was, to place before me the reasons which had influenced you in your decision as to the time of holding the elections, with respect to which a charge had been preferred against you in the resolutions adopted by the late House of Assembly; but as I had received from you a full statement of these reasons, and as I had already conveyed to you my opinion that they were satisfactory, I thought it unnecessary (and I understood Mr. Hoyles freely to concur with me in this opinion) that he should make an oral statement, which could only be a repetition of what you had more regularly and with sufficient clearness already made to me in writing. I regret that Mr. Hoyles should have incurred the inconvenience, to which you informed me he would be subject, by a voyage to England without, as it appears to me, any adequate occasion for it.

I have, &c.
(signed) *G. Grey.*

— No. 32. —

(No. 138.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable
Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
26 December 1854.

(Received, 18 January 1855.)

Sir,

I HAVE the honour to enclose a copy of an address from the Legislative Council to me, acquainting me that they had thought it desirable that one of their number should proceed to England for the purpose of giving Her Majesty's Government information on the proceedings of the Legislature during the last Session, and that they had nominated Mr. Crowdy, the Colonial Secretary, to discharge the duties adverted to.

2. Mr. Crowdy, on account of his capacity for public business, was selected by Her Majesty's Government, and appointed by the Royal Instructions to administer this Government on the death or absence of the Governor; and, in addition to his ordinary duties, having held the office of Administrator of the Government, he is perfectly competent to afford any information you may desire to receive in relation to the affairs of the colony, as well as to fulfil the object indicated in the address of the Legislative Council.

I have, &c.
(signed) *Ker B. Hamilton*.

Enclosure in No. 32.

Encl. in No. 32.

To his Excellency *Ker Baillie Hamilton*, Esq., Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c., &c.

May it please your Excellency,

We, Her Majesty's Council, having thought it desirable that one of our number should proceed to England as a delegate for the purpose of giving to Her Majesty's Government such information on the proceedings of the Legislature during the present session as circumstances may render necessary, respectfully beg leave to acquaint your Excellency that they have nominated the Honourable James Crowdy as the most fitting person to discharge the duties adverted to.

Council Chamber, 5 December 1854.

— No. 33. —

(No. 142.)

COPY of a DESPATCH from Governor *Hamilton* to the Right Honourable
Sir *G. Grey*, Bart.

Government House, St. John's, Newfoundland,
29 December 1854.

(Received, 18 January 1855.)

Sir,

(Answered, 25 January 1855, No. 28, page 123.)

REFERRING to my despatch No. 127,* of the 14th November last, I have now the honour to acquaint you that having, with the advice and consent of the Council, fixed the elections to take place on the 7th and 12th May, I have issued the necessary proclamation for that purpose in the form heretofore followed, with such modifications only as were requisite to make it accord with the terms of the recent Act for increasing the number of representatives.

2. At the time I forwarded my despatch of the 14th November above referred to, I did not contemplate issuing the proclamation for the election until March;

273.

Q

but

No. 32.
Governor Hamilton
to Sir G. Grey,
Bart.
26 December 1854.

No. 33.
Governor Hamilton
to Sir G. Grey,
Bart.
29 December 1854.

* Page 102.

but the state of our internal communication is such as, in the opinion of the Council, to make it advisable to forward the proclamation and the writs to the remote districts without delay before the winter closes in. In reference to the sixth paragraph of that despatch, I beg leave to state that the law officers, entertaining doubts as to the legality of the insertion in the proclamation of a direction authorising the electors in certain districts to vote by ticket, notwithstanding their dwelling-houses might be situate within 15 miles of the nearest place of election; conceiving that such a direction might possibly exceed the authority given to the Governor by the proclamation of July 1832, the Royal Instructions, and the recent Representation Act, I have not embraced any such direction in the proclamation now issued. Such a modification, however, I consider would be most desirable in the peculiar social condition of the population of this island; and should you deem it legally within the compass of my authority, it can be embraced in a subsequent proclamation in sufficient time to be made available at the ensuing general election.

3. I have now to solicit your directions with reference to the separation of the Councils, for which purpose, I presume, a Royal Instruction will be forwarded to me. The number of the present Executive and Legislative Council is reduced, by the resignation of Messrs. Thomas and Row, to eight members, viz.: the Commandant, the Attorney-general, the Colonial Secretary, Mr. Noad, Mr. Bennett, Mr. O'Brien, Mr. Job, and Mr. Grieve. I presume that, in future, the officer commanding the troops here will not be a member of the Council. In order, therefore, to raise the number of the Legislative Council to 12 members in all, I would recommend the names of the following gentlemen, as well qualified in respect of property, intelligence, and standing in the community: Mr. Bryan Robinson, a leading member of the profession of the law, and who formerly was for several years a member of the Executive Council; Mr. Nicholas Stabb, a most highly respectable and intelligent merchant, and a member of the Wesleyan body; Mr. Roger Forstal Sweetman, and Mr. William Donnelly, two highly respectable merchants, justices of the peace, both Roman-catholics; and Mr. Eugenius Harvey, an intelligent merchant of high character, a member of the Church of England.

4. Irrespective of the present Colonial Secretary, Attorney-general, and Mr. Noad, whose places will be vacated on the meeting of the new Assembly, and will be supplied, I presume, by persons recommended by the leaders of the party which may then come into power, the composition of the Council would be as follows; viz., Mr. Bennett, Mr. Robinson, Mr. Harvey, members of the Church of England, Mr. O'Brien, Mr. Sweetman, and Mr. Donnelly, Roman-catholics; and Mr. Job, Congregationalist; Mr. Grieve, Presbyterian; and Mr. Stabb, Wesleyan.

5. Considering the relative number of the members of the Assembly, I am of opinion that the number of the Council need not, for the present, exceed 12. The Executive Council may, for the present, with convenience, consist of the remaining members of the existing Council, excepting the officer commanding the troops; seven in all. Of course, on the meeting of the Legislature, a reconstruction of the Executive Council will necessarily take place; and it will then embrace such a number (seven would be ample) of the members of the Legislative Council and Assembly as might be selected by the party having the majority in the Assembly under the new system of government.

6. For any further information which may be necessary on this subject, I beg to refer you to Mr. Crowdy, the Colonial Secretary, whose long residence here, and thorough acquaintance with the affairs of the colony, render valuable the information he will be enabled to afford.

I have, &c.

(signed) *Ker B. Hamilton.*

29 December 1854.

P.S.—I think it right to add, in reference to the recommendation of Mr. Robinson for a seat in the Council, and with a view to his being a member of the Legislative Council under the new system of government, that Mr. Robinson had

had made preparations for becoming a candidate for a seat in the Assembly for the new district of La Poile, for which, I believe, there is no doubt he would be returned; but on my acquainting him of my intentions, he has withdrawn from becoming a candidate, in full confidence of being a member of the future Legislative Council.

(signed) K. B. H.

— No. 34. —

(No. 28.)

COPY of a DESPATCH from the Right Honourable Sir G. Grey, Bart., to Governor Hamilton.

No. 32
Sir G. Grey, Bart.
to Governor
Hamilton.
25 January 1855.

Sir,

Downing-street, 25 January 1855.

I HAVE to acknowledge the receipt of your despatch No. 142,* of the 29th of December last, reporting that you had fixed the elections to take place, under the provisions of the new Representation Act, on the 7th and 12th of May, and requesting instructions with reference to the separation of the Legislative and Executive Councils.

* Page 121.

On the latter point I have to acquaint you that the necessary instrument, under the Royal Sign Manual, for the reconstruction of the Councils, will be transmitted to you by an early opportunity.

I have, &c.

(signed) G. Grey.

A P P E N D I X.

Appendix, No. 1.

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

Cap. II.

AN ACT to provide for the Retiring Allowances of certain Public Officers of the Government of this Colony.—Passed 30 November 1854.

WHEREAS on the introduction of responsible government into this colony, it is expedient that provision should be made, out of the public funds thereof, for the payment of the Retiring Allowances of certain public officers hereinafter named.

Preamble.

Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, that there shall be paid quarterly to the several persons hereinafter mentioned, for their respective lives, out of the public funds, income, and general revenue of this colony, the following pensions, in the sterling money thereof, to wit:

Pensions granted to certain persons as follows:

To the Honourable James Crowdy, the annual sum of 400*l.*

Hon. J. Crowdy, 400*l.*

To the Honourable Edward Mortimer Archibald, the annual sum of 350*l.*

Hon. E. M. Archibald, 350*l.*

To the Honourable Joseph Noad, the annual sum of 285*l.*

Hon. J. Noad, 285*l.*

To Hugh Alexander Emerson, Esq. the annual sum of 90*l.*

H. A. Emerson, Esq., 90*l.*

II. That the said pensions to the said James Crowdy, Edward Mortimer Archibald, Joseph Noad, and Hugh Alexander Emerson, shall cease upon their respectively accepting an office under the government of this colony of equal or greater value: Provided always, that this Act shall not have any force or effect until responsible government shall be in operation in this colony.

Pensions to cease upon said persons respectively accepting office in this colony of equal or greater value.

Act not to have any force or effect until Responsible Government shall be in operation.

Appendix.

Appendix, No. 2.

ANNO DECIMO OCTAVO VICTORIÆ REGINÆ.

Cap. III.

AN ACT to increase the present Number of Representatives in the General Assembly of this Island, and to regulate the Representation thereof.—Passed 30 November 1854.

Preamble.

WHEREAS by proclamation bearing date the 26th day of July, in the third year of the reign of his late Majesty King William the Fourth, this island was divided into nine districts, for the purpose of the election of the members of the Assembly thereof, by which proclamation the said districts were authorised to return 15 persons to represent them as members of the said Assembly, in the manner mentioned and provided in and by the said proclamation: And whereas, for the good government of this island, it is expedient and necessary that there should be an increase of representatives therein:—

House of Assembly
to consist of 30
Members.

Division of Districts.

I. Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that from and after the passing of this Act, the House of Assembly shall consist of 30 Members, of whom 10 shall be a quorum; and that for the purpose of the election of the Members of the said Assembly, this island shall be divided as follows:—That is to say, the district of Twillingate and Fogo, which shall be comprised within the limits of the present electoral district of Twillingate and Fogo, and shall be represented in the said General Assembly by two Members. The district of Bonavista, which shall be comprised within the limit of the present electoral district of Bonavista, and shall be represented in the said General Assembly by three Members. The district of Trinity, which shall be comprised within the limits of the present electoral district of Trinity, and shall be represented in the said General Assembly by three Members. The district of Conception Bay, which shall be comprised within the limits of the present electoral district of Conception Bay, and shall be represented in the General Assembly by seven Members; of whom two shall be chosen by the electors residing in that part of the said district to be called the southern division thereof, lying between the district of Saint John's and Turk's Gut inclusive; one by the electors residing in that part of the said district to be called the Port de Grave division thereof, lying between Turk's Gut exclusive, and Port de Grave inclusive; two by the electors residing in that part of the said district, to be called the Harbour Grace division thereof, lying between Port de Grave exclusive and Harbour Grace inclusive, including Harbour Grace island; one by the electors residing in that part of the said district, to be called the Carbonear division thereof, lying between Harbour Grace exclusive and Fresh Water exclusive; one by the electors residing in that part of the said district, to be called the Bay de Verds division thereof, lying between Fresh Water and Bay de Verds both inclusive. The district of Saint John's, which shall comprise the present electoral district of Saint John's, and shall extend southward and westwardly to a straight line drawn from Petty Harbour inclusive to the Northern Goulds Bridge on the Bay Bulls road, and thence to Broad Cove inclusive, shall be represented in the said General Assembly by six Members, of whom three shall be chosen by the electors of the said district residing southward of Saint John's Harbour, and westward of a line drawn from said harbour through the centre of Beck's Cove, thence across Duckworth-street round the west side of Playhouse Hill, along the centre of Carter's-lane; up Carter's Hill, thence along Cook's Town road, thence along Fresh Water road to the west end thereof, and thence in a direct line to Broad Cove settlement inclusive, which shall be called the division of Saint John's west; and three by the electors of the said district residing eastward and northward of the above-named cove, line, lane, and roads, including Belle Isle, which shall be called the division of Saint John's, east. The district of Ferryland, which shall be comprised within the limits of the present electoral district of Ferryland, and extending to the said south-western boundary of the said district of Saint John's, and shall be represented in the said General Assembly by two Members. The district of Placentia and Saint Mary's, which shall be comprised within the limits of the present electoral district of Placentia and Saint Mary's, and shall be represented in the said General Assembly by three Members. The district of Burin, which shall be comprised within the limits of the present electoral district of Burin, and shall be represented in the said General Assembly by two Members. The district of Fortune Bay, which shall be comprised within the limits of the present electoral district of Fortune Bay, and shall be represented in the said General Assembly by one Member; and also all that part of the south coast of the island, lying between Bonne Bay and Cape Ray, with the islands adjacent thereto, shall form an electoral district, to be called the district of Burgeo and La Poile, and shall be represented in the said General Assembly by one Member.

Preamble.

And whereas in pursuance of the provisions of an Act passed in the 10th and 11th years of the reign of Her present Majesty, intituled "An Act to render permanent certain parts of the Act for amending the Constitution of the Government of Newfoundland," Her Majesty, by Royal Instructions, bearing date the 19th day of July 1848, did, among other things, declare that the qualification of persons thereafter to be elected to serve as Members of the Assembly of this island, should be fixed at a net annual income, arising from any source whatever, of 100 *l.* or the possession of property, clear of all incumbrances, exceeding 500 *l.*

in value; and the length of the period of residence within the said island which should be required in addition to any other qualification for being elected to the General Assembly aforesaid, should be the period of two years preceding such election :

II. Be it therefore enacted, that the qualification so hereinbefore declared, in addition to any other qualification now by law required for Members to serve in the General Assembly aforesaid, shall be and continue as the same are hereinbefore declared and defined.

Qualification of Members of Assembly.

III. For the purpose of the election of Members to serve in any General Assentbly, it shall be lawful for the Governor for the time being to nominate and appoint proper persons to execute the office of Returning Officer in each of the said electoral districts and divisions of districts of this island, to whom writs in Her Majesty's name shall be issued, directing them to summon the freeholders and householders of all the said districts and divisions of districts respectively, to proceed to the election of persons to represent them in the General Assembly, according to the regulations and directions contained in Her Majesty's Royal Instructions aforesaid; and such other regulations and directions as shall be signified in any Proclamation or Proclamations to be issued by the Governor, according to the laws of the island now in force or hereafter to be in force in that behalf.

Mode of election of Members of the Assembly.

IV. The Returning Officer from each district shall be entitled to receive from the Colonial Treasury 30s. for every Member returned, upon the return of the writ for such district. When there is no contest, he shall be entitled to 10 s. from every candidate for such district, and when there shall be a contest, and poll demanded, 20s. for every candidate instead of 10s.; and further, when there shall be a contest, there shall be paid to the Returning Officer of each district by the candidates for such district, in just proportions according to the number of the polling places in which each candidate is interested, the following sums:—20s. for procuring a booth or polling place for each district or division of district, except where the polling place shall be a public building that can be had without charge; 20s. for every presiding officer, and 10s. for every poll clerk, to include their travelling fees; and the fees shall be paid to the Returning Officer for each district on the day of nomination of candidates for such district; and the name of no candidate shall be entered on the Returning Officer's poll-book, or returned to presiding officers, who shall not have paid or tendered the full amount due from him, under this section, before the expiration of the time named for the nomination of candidates: Provided always, that the amount to be paid by any candidate shall not exceed the sum of 10*l*.

Fees of Returning Officers, and other election expenses.