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COLONIAL POLITICS.

OUR RIGHTS—AND WE WILL HAVE THEM.

THERE is no truth, within the whole compass of international and Colonial law, of which the Colonists of New South Wales are at this moment more thoroughly convinced than that, whether it be the Tory, the Whig, or the Radical faction that will obtain the mastery in England during the present contest, *their* interests as Colonists are sure to be sacrificed, and their rights as British subjects to be trampled under foot. There is something notoriously wrong in the whole Colonial system of Great Britain—it is a body without a soul, a trunk without a head—and of this we are daily made more and more painfully sensible in our own bitter experience. For seven long years—since the expiration of the New South Wales Bill—we have been confined to a sort of political purgatory in this Colony, in yearly expectation of a general Gaol Delivery and a truly British Constitution; that villainous old Bill, with its ineffable fifteen, having been regularly bound, like a millstone, round our Colonial neck, every successive year since its first expiration. We took it all silently in the first instance; assured that the British Parliament would do us ample justice in due time. We took it patiently also for a season; willing that the Lords of the Colonial Creation, residing in the big brick house, in Downing-street, should make all reasonable experiments upon us for a year or two longer. We even put up with the withdrawal of the Bill that was actually introduced into Parliament in our behalf by Lord John Russell, immediately before the prorogation of Parliament during the past year; supposing that the lateness of the season and the extraordinary accumulation of business might serve as a sort of excuse for her Majesty's ministers, in subjecting us to the tyranny of an absolute and irresponsible government for another year. But to have this vile old Bill, with all its superannuated, paralytic, and intolerable accompaniments, palmed upon us again!—for another year at least, and perhaps for half a dozen more!—after we had been proclaimed a free Colony too, and Transportation to our Territory been discontinued!!!—this, my Lord John, was the unkindest cut of all; and having therefore lost all patience with you in the matter—with those of you, we mean, who have got notice to quit, as well as with those who have given it—we can stand it no longer, and are therefore resolved, in the first place, to ascertain our rights, as British Colonists, and in the second, to do our best to obtain them, as other wronged and oppressed Colonists have done before us.

We hold it therefore to be an incontrovertible axiom, or first principle, in British politics, that the rights and privileges of the British Constitution, and in particular the right and privilege of taxation by representation, are the birthright—the inalienable birthright—of every Briton. A Bri-

tish subject surrenders no part of these rights and privileges by emigrating to a British Colony—by merely emigrating, under the protection of his own national flag, he does not sell his British birthright for a piece of Colonial bread. Unless there are special and very peculiar circumstances in the case to debar him from the exercise of these rights and privileges—unless it is absolutely necessary for the maintenance of the particular Colonial Government and the general benefit of the Colonial community that he should forego them—he has an undoubted right to demand, and no power or authority in the State can possibly have a right to withhold them. In short, a British subject, whether at home or abroad, has as good a right, under the British Constitution, to a representative government, or taxation by representation, as her Majesty herself has to her crown. A free government, therefore, implying taxation by representation, is not a mere boon that we Colonists ought to solicit from the clemency of the Sovereign or the benignity of the Parliament, but a right or privilege to which we are entitled as British subjects, and which we ought therefore firmly to demand. It follows, therefore, that to withhold this right and privilege from any British community is an act not merely of the grossest injustice, but of downright tyranny and oppression, whether that act be perpetrated by her most gracious Majesty the Queen or by the Right Honourable the Secretary for the Colonies. And it is nothing short of pitiful cowardice, moreover, on the part of British Colonists, to mince this matter, so as to permit those, who perhaps unconsciously exercise this tyranny, to suppose that they are either ignorant of their rights or indifferent about obtaining them.—It is absurd, for instance, to assert that we enjoy the benefits of the British Constitution in this Colony! Our rights, under that constitution, are unjustly and forcibly withheld from us. It is absurd to say that we have got a free government in New South Wales. We are under a Colonial tyranny, and nothing else.

Now as the British constitution secures to every free-born Briton such invaluable rights and privileges, it is natural that those who are under that constitution, whether at home or abroad, should not only admire and esteem it in the highest degree, but should even feel a personal and individual interest in promoting the honour, the welfare, and the general advancement of that great nation to which they belong. The pressure of poverty and the sense of injustice experienced from whole classes of the community may, indeed, extinguish this feeling of patriotism in the breast of the miserable Chartist, in the dark and unhealthy alleys of Birmingham and Manchester; but wherever a moderate degree of comfort is enjoyed in men's outward circumstances, it will assuredly prevail. For this reason we are decidedly of opinion that in the British Colonies—in which the squalid poverty and the wretchedness

of a densely peopled country are comparatively unknown—there is a much stronger disposition to loyalty in the great mass of the population than there is in the mother country. Our own ideas on this subject, derived from experience and observation in these Australian Colonies, were remarkably confirmed during the past year by the testimony of two Colonial clergymen of the church of England, with whom we had the pleasure of becoming acquainted—the one from Upper Canada and the other from New Brunswick. These gentlemen agreed in representing the Colonial population of British origin, with which they had become acquainted in these Colonies respectively, as much more loyally disposed and much better affected towards their respective governments than any similar portion of the population of Great Britain and Ireland. And to this candid expression of opinion on the part of highly intelligent observers, we have only to add our own decided belief and conviction that if any equal amount of population in Great Britain, whether residing in towns or in the country, were to be subjected to the monstrous misgovernment and the gross injustice, arising from the practical denial of the just rights of whole bodies of men, that are of daily occurrence in the Colonies, insurrection and rebellion would be the order of the day from the Land's End to John O'Groats's.

There are cases, indeed, as we have hinted above, within the vast circuit of the British empire, in which it is, perhaps, absolutely necessary for the stability of the government and the welfare of the whole community, that British subjects should voluntarily forego the exercise of those rights and privileges which constitute their inalienable patrimony and their choice inheritance. In the case of India, for example, where British subjects of British origin are only a few thousand individuals in the midst of many millions of a conquered people—a people, by the way, whose country was acquired by piecemeal by their conquerors in the way of rank injustice and unmitigated spoliation,—it would obviously neither be safe for the Government nor desirable for the great body of the people to permit the exercise of the political franchise, as in England. A British born subject of the British Empire, residing in such a country, must consider himself as in some degree under martial law, and as mounting guard over the subject population. In such a state of things therefore there can be nothing whatever analogous to the state of a free government and a free people.

In a Convict Colony also it would be equally unwise to extend the privileges and immunities of a free country to the whole population—to a population that had generally forfeited these privileges and rendered itself obnoxious to the coercive powers of the law. It was equitable and just therefore for Great Britain to withhold a free government from this Colony, not only at its commencement, but for a considerable time thereafter. But we have surely out-grown this state of things—we are a Convict Colony no longer—the actual Convicts in the Ter-

ritory at this moment (26977) do not constitute a fourth part of our whole population, and the whole character of that population has prodigiously changed for the better within the last few years by the extensive importation of free immigrants from home. We maintain, therefore, that as we have not forfeited our rights as British subjects, on the one hand, and as the reason why these rights were withheld for a time from this community can no longer be pleaded, on the other, it is the rankest injustice and oppression to withhold them for a single hour longer. If our lords and masters in Downing-street conceive that there are still reasons for withholding from us our birthright, our patrimonial inheritance, it is for *them* to state these reasons and to prove our unfitness as a community for a free government. Now we deny that there are any such reasons to be produced; we deny that there is any such unfitness as is alleged—and by the laws of evidence no man can be held to prove a negative.

We shall be told doubtless that in such circumstances it is the right of an Englishman to petition, and that this Colony ought therefore to petition the British Government for the recognition of its just rights. We confess we don't much like either this doctrine or the course it recommends. If it is the right of an Englishman to petition—which we should be sorry after all to deny—then the right of an Englishman is merely the right of a beggar; and if such be the case no wonder that the Englishman should so often get but a beggar's reception for his pains, in exercising this right of his. We have petitioned, as a Colony, again and again: and what have we got for our pains? Why, the very answer that the beggars get from the churlish Scotch housewife, "Ye canna be ser'ed;" (Anglicé served.) But is it right for a British Colony to petition merely, or in plain English, to beg, when the question is whether it shall obtain the just rights to which it is entitled under the great charter of the nation—those rights which it is injustice and oppression and tyranny to withhold? Let those beg that are asking charity. We are asking justice, and it therefore behoves us to be doing something else.

And what should we do then? Why, union is strength, and agitation is the grand political engine of modern times. Let those therefore who feel aggrieved in this matter unite and agitate. Now there are three great parties who feel aggrieved in this matter of rights withheld and injustice systematically perpetrated—the three Colonies (for we consider them separate Colonies, as they virtually are,) of New South Wales, Van Dieman's Land and Port Phillip. Let the friends of freedom, therefore, in these Colonies, appoint delegates, as nearly as they can, in the proportion of one to every ten thousand of their population—that is, thirteen for New South Wales and Port Phillip, and six for Van Dieman's Land; let these delegates meet, as a sort of Colonial Congress, in some central locality, equally accessible from New South Wales and Van Dieman's Land, as at Melbourne, Port Phillip; let them draw up a strong