

3rd July, 1948

Gordon Macdonald has already spoken with you on the matter set out below.

A referendum was recently held in Newfoundland with regard to the future form of Government of the Island. There were three questions on the ballot paper:

(a) the continuation of the present system of Commission of Government for a further period of 5 years;

(b) the return to responsible Government as it has existed in 1933 prior to the establishment of the Commission of Government;

(c) Confederation with Canada.

The result of the referendum was inconclusive since no one form of Government received an absolute majority, the figures being about 69,230 for

The Rt. Hon. Viscount Hall

responsible Government, 63,110 for Confederation with Canada and just under 22,000 for Commission of Government.

In the circumstances a further referendum is to be held on 22nd July, at which there will be a straight vote between responsible Government and Confederation with Canada. The Governor expects that the vote will be a very close one and it is reasonably clear that if there should be a final majority for Confederation, it will be very small in proportion to the total of votes cast.

Advocates of responsible Government in the Island will certainly argue in that case that a fundamental and irrevocable constitutional change of this kind should not be made on the basis of a narrow majority; and as the strength of this party is concentrated in St. Johns, the Governor feels that there is a real danger of civil disorders there, especially

if it were announced after the referendum that, notwithstanding the smallness of the majority, it was intended to proceed with steps for effecting Confederation.

I cannot say, at present, whether the Canadian Government will in fact wish to proceed with Confederation should the majority for this course prove to be very small. We are arranging for an exchange of views with them on the subject, but it may well be that they will not in fact be able to reach a decision until after the result of the referendum is known. If they wish to place the responsibility on us, we could, in my view, only say that we must act on the majority view, however small the majority is.

The whole position is, of course, very uncertain at present and should the result of the referendum be in favour of responsible Government I should not expect that any trouble will arise.

at/

But I am clear after hearing the Governor's report, that we cannot ignore the possibility of disorders, and that, as we shall still be responsible for the preservation of law and order in the Island, we must take such precautionary measures as are possible. We have, of course, no military garrison there which could be unobtrusively strengthened. The best, perhaps indeed the only, course seems to be to have a warship in the neighbourhood which could in case of need be sent in to St. Johns.

I dislike having to contemplate such a step and to ask you to consider it particularly at a time when, I know, the calls on the Navy are so heavy. But I see no alternative if only because the safety of the Governor and the Commissioners of Government may come into question, and I should therefore be grateful if you could help in this way. As I see it, what we need is a cruiser which could be moving in Western Atlantic waters in the latter part of

July/

CONF

Government House,  
St. John's, Newfoundland.  
13-7-48

Dear Sir Eric,

A brief note re the possibility of disturbances following the Referendum.

Walsh and I have had a further talk with morning.

There is nothing to add to what was said in London.

The future is uncertain. But we are of the opinion that it would be advisable to have say within a day's sailing of St. John's a Cruiser or a Destroyer on Friday night July 23rd. We should need to know how to contact the ship to inform the Commander, as soon as possible, as to whether it was necessary for him to sail into St. John's Harbour.

I am sorry that one is unable to be more definite, but you know the difficulty, especially as the whole matter has to be kept a top secret.

Yours sincerely,

(Sd.) Gordon Macdonald.

July, able if circumstances should so require to get to St. Johns by the 23rd of July. (I need hardly say that we could not invoke aid from Canada in the circumstances.)

I think you know that this question has been mentioned to the Prime Minister and that it has his approval.

I am sending copies of this letter to the Prime Minister and the Minister of Defence.

(Sd.) P. J. NOEL-BAKER

COPY OF TELEGRAM TO GOVERNOR, ST. JOHN'S,  
NEWFOUNDLAND, dated 17TH JULY, 1948.

No.159. Top Secret and Personal.

From Machtig for Governor.

Begin. Secretary of State has just received letter from First Lord about our suggestion as to cruiser. Lord Hall states that he fears quite impossible to send cruiser to Newfoundland at this time, but that if necessary a frigate from the America and West Indies Station could be sent to St. John's from San Juan (Porto Rico). Ship would be at San Juan from 22nd to 26th July and could reach St. John's in 5 and-a-half days. Admiralty has arranged for Commander-in-Chief to be warned of this possibility.

This is very disappointing, but First Lord has gone into matter closely and points out that current restrictions on our resources make it impossible to meet the requirement we have in mind as fully as could be wished.

Please telegraph your personal views very urgently and in particular let us know whether you would wish Admiralty to send further instructions to Commander-in-Chief. Ends.

Printed for the Cabinet. July 1948

SECRET

Copy No. 2

C.P. (48) 187  
19th July, 1948

**CABINET**

**NEWFOUNDLAND: CONSTITUTIONAL POSITION**

MEMORANDUM BY THE SECRETARY OF STATE FOR COMMONWEALTH RELATIONS

IN his memorandum of 20th March, 1947 (C.P. (47) 98), my predecessor referred to the steps which were to be taken to enable the people of Newfoundland to choose their future form of Government. My colleagues may like to know the developments which have since occurred.

2. The first referendum took place in Newfoundland on 3rd June last with the following results:—

- (1) For the continuation of Government by Commission for a period of 5 years—21,944 votes.
- (2) For Confederation with Canada—63,110 votes.
- (3) For restoration of Responsible Government as it existed in 1933—69,230 votes.

Thus the referendum was inconclusive, since no form of Government secured an absolute majority of the votes cast.

3. A second referendum is therefore necessary and will be held on 22nd July. On this occasion the form of Government which secured the lowest vote (*i.e.*, Commission Government) will disappear. The choice will thus be between Responsible Government and Confederation with Canada.

4. At my request, the Governor of Newfoundland (Sir Gordon Macdonald) visited London earlier this month with the Commissioner for Justice (a Newfoundlander). The discussions which they had here with the Under-Secretary of State, officials of the Commonwealth Relations Office and me (in some of which the Canadian High Commissioner joined) showed that no real difficulties of procedure are likely to arise if the forthcoming vote is in favour of the restoration of Responsible Government.

In that event, the 1933 Constitution will be revived by Letters Patent, which must be laid before Parliament for a period of twenty-one days, and are subject to a negative resolution. When that period has expired, the Governor will arrange for the holding of a General Election. On learning the result of the election, he will ask the leader of the majority party to form a Government. The new Government should be able to take over on or about 1st January next.

5. Should there be a substantial majority in favour of Confederation with Canada, no major complication should arise, although the change-over would be more protracted than in the case of a return to Responsible Government. Whatever the detailed machinery for bringing Newfoundland within the Confederation, legislation will be required by Parliament in London; we may hope that it would not be controversial, though if there should be disorder in Newfoundland—see paragraph 9 below—this might affect the prospect. We are already discussing procedure on a provisional basis with the Canadian Government.

6. But it is the Governor's considered view that if there should be a majority for Confederation, it is almost certain to be a narrow one. If that happens, it will be for Canada to decide whether or not she regards the majority as large

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enough to justify the entry into Confederation of a new Province with so large a dissentient minority. This possibility, and its consequences, were discussed with Sir Gordon Macdonald; and they are now being discussed in Ottawa by the United Kingdom High Commissioner with the Canadian authorities. On our side, we are making it clear to the Canadians that—

- (1) we should regard any majority, no matter how small, as conclusive: but
- (2) we recognise that there are two parties to Confederation and the decision must, therefore, primarily rest with Canada.

7. I think it unlikely that the Canadian Government will reach a decision until after the referendum.

8. If Canada should decide to proceed with the admission of Newfoundland into Confederation, we must proceed as rapidly as possible with the necessary legal steps: but owing to Parliamentary complications in Canada it is unlikely that they can all be completed before 1st April, 1949. If Canada decide not to proceed, we shall have no alternative but to restore Responsible Government. It will then be for Newfoundland to decide for herself, through her Parliamentary institutions, whether to retain Responsible Government or to seek entry at some later date into Confederation.

9. There is one final point. The Governor has expressed to me the view that, especially if there should be a close contest, there is a serious risk of civil disturbance in the Island. In his view, this risk springs from the fact that entry into the Confederation would be an irrevocable act to which a substantial minority of the people of Newfoundland would be permanently committed against their will. The danger, he feels, would be all the greater because the great number of the supporters of Responsible Government are concentrated in and around the capital, St. John's, whereas the supporters of Confederation are scattered throughout the country.

10. As a precautionary measure, and after discussion with the Prime Minister, I have thought it right to ask the First Lord of the Admiralty whether he can arrange for a warship to be available in Western Atlantic waters at the time of the referendum and able to move in to St. John's at short notice on call. I hope very much that in fact there will be no disturbances; but we must be prepared to maintain order so long as we are in charge of the Island.

P. J. N.-B.

Commonwealth Relations Office, S.W. 1,  
19th July, 1948.



Government House,  
St. John's

13th December, 1948

NEWFOUNDLAND  
SECRET  
UNNUMBERED

Sir,

I have the honour to inform you that the following telegram to you was agreed on at a Special Meeting of the Commission of Government on Saturday morning last, the 11th of December:-

In connection with conclusion of Ottawa negotiations and consequential developments there is a possibility, already mentioned in conversations with yourself and the First Lord of the Admiralty when I was last in London, of disorder in St. John's beyond powers of control of local police. I consider it essential that additional force should be made available at not more than two hours' notice, preferably less, and ask that Naval vessel capable of landing two hundred armed ratings or marines may accordingly be immediately placed at my disposal. It would not repeat not be desirable that such vessel should enter St. John's harbour or be seen in the neighbourhood, but there would be no repeat no political objection if its sheltering if necessary in Placentia Bay or Conception Bay.

2. As you will appreciate, the decision to send the telegram was associated with the march on Government House at eleven o'clock on the night of Friday the 10th of December. But it also had regard to rumours that certain elements would resort to rioting in an attempt to prevent the finalising of Confederation

3. However, after listening to the broadcast of the ceremony of signing the terms, and after receiving an oral report on Friday night's proceedings, I informed the Commissioners that I was inclined to defer sending the telegram to await developments over the weekend. To this no objection was taken.

4. So far nothing untoward has happened. Needless to state, I should much prefer to have the decision of the people carried out without the presence of a Naval vessel in Newfoundland waters. Moreover, it could cause such embarrassment to yourself in Parliament, both at question time and in debate. "Confederation forced on the people under duress" ..... "The Navy used to see it through..." are possibly typical of the unfounded charges that might be made.

5./

-2-

5. On the other hand, rioting beyond the powers of the police (a force of some hundred and sixty) could result in serious and widespread damage to property and possibly in loss of life. Should such circumstances arise a Naval vessel as far away as Bermuda would be of little use.

6. I would therefore be much obliged if you would be good enough to give me the benefit of your views, as soon as possible. If the position deteriorates and action on the lines indicated in the telegram becomes necessary I will communicate with you at once.

7. There is one other matter I feel I ought to mention, namely that as the R.N.V.R. Liaison Officer at St. John's is himself a rabid and most active anti-confederate you may consider advising the Naval Commander-in-Chief concerned that any communications relative to the matter of this despatch should be addressed direct to myself.

I have the honour to be,

Sir,

Your most obedient humble Servant,

Gordon Macdonald

Governor

N.B. Maybe a reply by letter marked "Secret and Personal" would be advisable.

GM

17th December 1948.

Secret

You will remember that when Gordon MacDonald was over here on a visit from Newfoundland in July, he referred to the possibility of disturbances in the Island, following the referendum which was to be held that month to decide whether Newfoundland should return to responsible government or enter the Canadian Confederation. The Governor asked in the circumstances whether naval support would be forthcoming in the event of the situation getting beyond the control of the local police force. In your letter of the 16th July, you told me that it would be impossible for you to send a cruiser to Newfoundland at the time of the referendum, but that if necessary a frigate from the America and West Indies station could be sent to St. John's, should the Governor so request. I referred to these arrangements in my

memorandum

The Right Honourable  
W. A. G. Bennett

- 2 -

memorandum to the Cabinet (CP(48)187 of the 19th July) on the constitutional position of Newfoundland.

In the event, the referendum passed off quietly, and as you will know, resulted in a majority for Confederation with Canada. Subsequently, a Newfoundland delegation visited Ottawa to negotiate the final terms of union and these were signed on December the 11th.

On the eve of signature, however, the Responsible Government League, the local anti-confederation party, staged a demonstration against the decision to confederate with Canada, and marched on Government House to deliver a petition. I enclose a copy of a secret despatch from the Governor, referring to this demonstration and quoting the text of a telegram in which a request was to have been made for immediate naval assistance. After the telegram

telegram had been prepared, however, the Governor reached the conclusion that the situation was again under control. But, as you will see from his despatch, he is still of the opinion that if rioting should break out at some time between now and the 31st March, 1949, which is the date fixed for the entry of Newfoundland into the Canadian Confederation, the situation might rapidly get beyond the control of the small local police force. In such circumstances, the despatch of a naval vessel from the West Indies station would serve no purpose in view of the time which the ship would take to reach Newfoundland.

We are left, therefore, that in the event of an emergency occurring, the Governor would be without assistance unless one of His Majesty's ships was in the immediate vicinity. As he asks for my advice on the action which he should take in such

such an eventuality, I should be glad if you would give me your views and let me know what possibility there is of a naval vessel moving in the vicinity of Newfoundland during the period up to the end of March, 1949.

I would also draw your attention to the Governor's remarks in the last paragraph of his Despatch about the R.N.V.R. liaison officer at St. John's. This officer is, I understand, a local solicitor by the name of Furlong.

I am sending copies of this letter and its enclosure to the Prime Minister and the Minister of Defence.

(Sd.) P. J. NOEL-BAKER

This is an unparaphrased version of a Secret cypher message and unless it is marked O.T.P. (One Time Pad) or Publex must first be paraphrased if communicated to persons outside British and United States Government Services.  
Any telegraphic retransmission of a telegram marked Publex must be in a One Time System.

### Inward Telegram to Commonwealth Relations Office

ALLOTTED TO TERRITORIAL DEPT.

CYHER (TYLIX)

FROM: NEWFOUNDLAND

D. 18th Dec., 1948 13.38 hours  
R. 18th " 1948 19.30 hours  
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#### MOST IMMEDIATE

No. 284 TOP SECRET AND PERSONAL

Your telegram No. 269.

As stated previously the march on Government House on Friday the 10th December caused uneasiness. Since then there has been no disturbing feature.

The final terms of union were published a week ago and while there is in St. John's a strong feeling of hostility towards Confederation there is no indication at present that any assembly for the purpose of rioting is being arranged or proposed.

The difficulty is that should trouble arise beyond the powers of the police to cope with there will be delay in getting assistance in time to deal with such trouble. Though it may be advisable for preliminary arrangements to be made there appears no need for immediate action.

Should there be any deterioration I will communicate with you at once.

Copy to:-

C.R.O. (A)

Mr. Syers  
Mr. Tait  
Mr. Chadwick

SECRET

3rd January, 1949.

*Mr. Noel-Baker*

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You wrote to me on 17th December about the possibility of an emergency in Newfoundland between now and the 31st March, the date fixed for the entry of Newfoundland into the Canadian Confederation.

I am of the opinion that the views expressed in paragraph 4 of the Governor's despatch of the 15th December are fully justified. The threat of deploying decisive forces, drawn from the Royal Navy, to quell what would certainly be represented as a manifestation of frustrated public opinion might well inflame the situation rather than provide a peaceful solution.

According to present plans, which it would be difficult to disrupt, all H.M. Ships of the America and West Indies Station will be carrying out pre-arranged cruise programmes and after the first week in January none will be north of the Gulf of Mexico. If therefore a vessel were required in the vicinity of Newfoundland special arrangements would have to be made.

The Right Honourable  
Philip J. Noel-Baker, M.P.

I have/



Copy of telegram from Secretary of State for  
Commonwealth Relations to the Governor of  
Newfoundland, dated 7th January, 1949

No. 2.

Decypher yourself.

TOP SECRET AND PERSONAL FOR GOVERNOR FROM SECRETARY  
OF STATE

Thank you for your telegram No. 284 of 18th  
December last.

You may rest assured that I have position  
constantly in mind. But according to present  
naval plans it would be difficult to arrange for  
vessel to be in vicinity of Newfoundland between  
now and end of March. Special steps would,  
therefore, have to be taken at short notice in  
event of an emergency.

I should be glad in the circumstances if  
you could now send me a further appreciation of  
position.

I have noted the Governor's remarks  
about the R.N. Liaison Officer at St. John's.  
Should it ultimately become necessary to  
communicate with the Commander-in-Chief on  
the question of rendering assistance the  
sense of the Governor's comment will be  
conveyed to him so that the matter may be  
at his discretion.

I am sending copies of this letter to  
the Prime Minister and the Minister of  
Defence.

SIGNED HALL

SECRET

21st January, 1949.

Thank you for your further letter of 14th January about the possibility of trouble in Newfoundland between now and the end of March.

I do not think it would be wise to let the Governor think he could usefully ask for "fairly immediate" naval assistance in an emergency because, as I explained in my letter of 3rd January, there will be no ship of the America and West Indies Squadron north of the Gulf of Mexico at any time during the period in question. After 31st January all the ships will be at about six days' steaming time from Newfoundland.

I am sending copies of this letter to the Prime Minister and the Minister of Defence.

SIGNED - HALL

The Right Honourable  
P. J. Noel-Baker, M.P.

26th January, 1949.

TOP SECRET

*My dear George,*

Thank you for your letter of the 21st January about the situation in Newfoundland.

In view of what you say I have now telegraphed to the Governor, instructing him that, in the event of local trouble, he should telegraph direct to me, rather than to the Commander-in-Chief, America and West Indies Station. This means, of course, that should a sudden emergency arise, I shall have to make a special appeal to you for assistance from some other quarter. But my hope, in view of what the Governor has told me recently, is that no serious difficulty will arise between now and the 31st March.

I/

Rt. Hon. Viscount Hall

Commonwealth Relations Office,  
Downing St.

*Prime Minister* 15.42

2nd February, 1949

SECRET

*To Mr. Macdonald*

You mentioned to me recently that the Prime Minister was not altogether happy about the way matters had been left as the result of Mr. Noel-Baker's correspondence with the First Lord over the question of naval support in the event of an emergency in Newfoundland.

Since the Secretary of State last wrote to the First Lord on the 26th January, we have received a further telegram from the Governor of Newfoundland (No. 14 of the 27th January, of which I enclose a copy).

This confirms our previous impression that there is no very great risk of a serious disturbance in St. John's.

It is of course impossible either for the Governor or for us to guarantee that there will be no such disturbance. But we feel that such risk as may be involved owing to the absence of any warship within less than six days steaming time from Newfoundland, will have to be accepted. We think that the Governor realises this.

In the circumstances, and in view of the First Lord's difficulties, the Secretary of State doubts if he would be justified, on the present showing, in pressing Lord Hall to make a ship definitely available against this contingency.

I am sending copies of this letter and of the enclosed telegram to the Private Secretary to the First Lord and to the Private Secretary to the Minister of Defence.

J. L. Pumphrey, Esq.

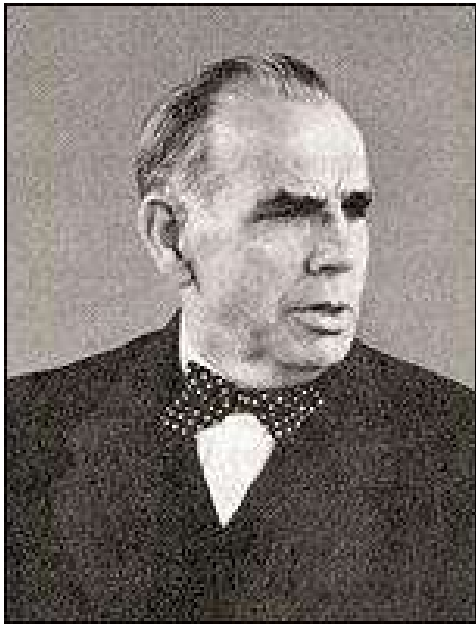
*Yours ever* *P. J. Noel-Baker*

I enclose a copy of the telegram which I have sent to Gordon MacDonald. I am also sending copies, together with a copy of this letter, to the Prime Minister and to the Minister of Defence.

*Yours ever*

(Sd.) P. J. NOEL-BAKER

Authors and subjects of 1948-49 Newfoundland confederation memos



Gordon Macdonald



Philip Noel-Baker



Viscount Hall



Robert Furlong



Peter Cashin



Clement Atlee