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The Jersey Penny

The Jersey penny, which incurs some disrepute in its native island, has fallen into positive disgrace in Guernsey. Of less value than the Guernsey penny, which itself is less than the British, it tends by circulation in that place to deteriorate the value of the currency; and the Court there, having considered its shortcomings and passed judgment, have not indeed altogether banished it as they appeared think it deserved, but what, if efficacious, would be nearly as effectual, they have degraded it from its affected position of a full penny to the rank which they seem to think it ought to occupy, of no more than a halfpenny. By a provisional ordinance, the Royal Court of Guernsey having power to pass provisional ordinances of its own motion, it is decreed accordingly that the penny of Jersey, being of somewhat less value than the eight "double" of which the Guernsey penny consists, shall henceforth be legally acceptable for the value of four doubles only, the Jersey half-penny being correspondingly put two doubles, or, in common English, at one farthing. But the disgrace thus sought to be affixed to a respectable coinage, which, after all its make-believe and deficiency, does not merit the estimate of its half-pence at Guernsey farthings, is much mitigated by the reaction of public opinion. Guernsey folk cannot be expected, indeed, to be heartily favorable to a copper currency by which they are exposed to loss at the rate of halfpenny in the shilling; but they appear nevertheless to regard the ordinance of the Royal Court with some aversion. They object that the Court should make ordinances without seeking the concurrence of the States in legislative assembly; but having no power to interfere directly its decrees, they seem tacitly to have resolved in this case to disobey and set it at naught far as possible. It is comforting, therefore, to be assured that, in spite of the contumely which the Court had prepared for the copper coinage of the largest and most important of the Channel Islands, the Guernsey community continues to regard it with respect; and, except that, as a legal tender, in the payment of taxes, Jersey penny goes only for a halfpenny, it still retains its full nominal value in common circulation, and is allowed by courtesy rank with its rather superior Guernsey fellow of the same designation; the tradesmen of St. Peter-port having tacitly determined that, the Court decree notwithstanding, so it shall be. What occurs us to ask, however, in the conflict of jurisdictions, tacit and expressed, of assumptions by the Royal Court which the States would like to share, and the inhabitants in the event determine to take upon themselves, is what becomes of the prerogative of the Crown? It may be well to remind the Royal Court of Guernsey, while it pretends to exercise the authority of making provisional ordinances of whatever nature it pleases, that the local government is after all carried on under a monarchy, which however constituted, is a monarchy still. There a Crown, though the Court with its provisional imperialism is disposed to ignore it; and the Crown has prerogatives. We do not seek to affix limits to the legislative powers of the Guernsey Royal Court, which appear to be thought unlimited; but may venture however to point out that the decrees it may issue on the subject of the currency are in effect usurpatious of an authority which, subject to advice of her Ministers, is vested in the Sovereign alone. The Royal Court of Guernsey has as much right and no more to alter, diminish, or advance the coinage as it has to dispense military commands, declare external war, and appoint ambassadors abroad. As these are many acts of sovereignty, whether emanating from sovereign king, under monarchy, or, as in a Republic, from sovereign people, so are decrees affecting to fix the values of the coinage. The powers the Guernsey Royal Court may be mysterious, so that no man shall say wherein they are not efficacious within the limit of time prescribed for the operation of its decrees, which however are regularly renewable; but they must nevertheless yield to reason and the

constitution of things. The greater power may cover the less; but the less cannot include the greater. A general may or may not be competent to do things which a corporal may do; but the corporal can in no way be held to jostle with the general. The Royal Court of Guernsey may make decrees without prescribed limit in their nature; but under a monarchy it cannot overrule the Crown. The coinage in its issue and regulation being allowed to be a special prerogative of the Crown, it cannot be a prerogative of the Royal Court of Guernsey; and that Court, therefore, in assuming such a power usurps what does not belong to it. Its acts in that respect are void and any penalty it may inflict thereby for disobedience would be an outrage.