The Weekly British Colonist.

Wednesday March 30, 1870

Legislative Council.

MONDAY, March 21st, 1870.

RESPONSIBLE GOVERNMENT.

Mr Ring craved the indulgence of the Council for a short time. He said he had listened to the debate on Friday last and found that it assumed two forms, one was the argument of reason and the other was that of threat. He hoped the Government would not yield to the threats of certain hon gentlemen, but he trusted on the other hand that they would listen to any reasonable argument—the just, unshaken demand of the British people, and not attempt to hold their positions whilst they were trampling on the rights of British subjects. We are told by the Organic Act we can ask for responsible government. He would say that he could ask for it without the Organic Act, and now was the time to ask for it. He did not want to go to Canada without responsible government. Let it be the emphatic tone of Union. We have been so long struggling for this and struggling in vain from Englishmen, how then can we expect to get it from the people of Canada, whom we don't know. We had better bare the ills we have than fly to those we know not of. Now is the time, before we consent to go into Union to ask it, and make it a *sine qua non*: England would applaud us for it.

Mr Humphreys said that out of deference to the hon mover of the amendment he would withdraw his resolution as he liked the latter part of the amendment best.

The hon Attorney-General regretted that this discussion had taken place so inopportunely. He would have much preferred that his suggestion had been accepted on Friday last, and let the clause pass and bring this matter up independently. He asked the hon mover of this resolution to define his position and say whether he made responsible government a *sine qua non* of Confederation.

Mr Robson said he thought the resolution would define itself clearly enough.

The Chief Commissioner—I must endeavour in as few words as possible to state the position of the Government members upon the subject now before the House. I fully understand that it was imperative upon some hon members to bring forward this question of responsibility at some period of the present session, having advocated it by speech and pen as the specific remedy for the ills that the Colony was laboring under, consistency demanded that the question should be brought up by them for discussion; it was a logical necessity; Inexorable fate I say unfitted certain hon members to advocate responsible government. I had however hoped that these resolutions would not have been complicated by that question. I had hoped that hon members who advocate it would have reserved it for seperate consideration instead of bringing it up as an amendment to this clause now under consideration. [Hon Mr Robson—Not an amendment.] Hon Mr Trutch—Virtually it is an amendment. If this clause had prescribed that any future alteration in the constitution should have been dependent on Canada, then I could see the desirability of hon members on the other side of the House taking exception to it, but as it is I confess I am at a loss to comprehend their position. Although I say inexorable fate compelled hon members to bring the subject forward, it is a mistake to bring it up in a Council constituted as this is, especially when the Governor has so distinctly expressed his views in opposition to the inauguration of responsible government at the present time; it would surely have been much more to the advantage of the cause they advocate for hon members to have postponed the consideration of the question for the Representative House shadowed forth in His Excellency's speech. [illegible] must be plain to all hon members that His Excellency was not in a position to tell what the constitution of this House will be. He does not know; he has recommended certain changes for Imperial sanction, they may or may not be favorably considered. His Excellency does, however, tell you that the representative element will be larger, and I think therefore that it would have been wiser on the part of the representative members who advocate responsible government to have left it to the next Council instead of bringing it forward whilst the present resolutions are under discussion. The subject, if not positively irrelevant, is not connected with this resolution, which simply prescribes as a matter of form power to change the Constitution in accordance with the Organic Act when the people desire. In common with the hon Attorney General, I am surprised that hon members who cordially support Confederation should be afraid to trust the Dominion Government upon this question. I am surprised at the inconsistency of those who tell you that the people could not get responsible government under Confederation, and that the wishes of the people would not be allowed to prevail. I am surprised particularly at the hon member for New Westminster expressing any doubt upon this subject. I as an individual member of this community, would willingly leave the interests of the colony to the guardianship of the Canadian Government. If I did not think that that government would exercise what power it might have for the benefit of the people, instead of as suggested by hon members, for its own aggrandizement, I would have no Confederation. If, under Confederation there would be no need of responsible government, how can the hon member expect to get it from a Council constituted as this is? However, as the subject has been brought forward for discussion, it behooves us to consider it upon its merits. There were two suggestions before the House. The hon member for Lillooet has withdrawn his, which was in reality but a vague expression of abstract opinion in favor of responsible government—a recommendation in general terms. We have now to confine our attention to the amendment of the hon member for New Westminster, the preamble to which states that Confederation will not be satisfactory to the people without responsible government. The resolution itself, although embodying the same principle as the one which has been withdrawn, contemplates a practical step towards obtaining the object recommended by addressing the Governor. The hon member for New Westminster was careful to reserve his own opinion, but he was very positive that Confederation without responsible government would not be acceptable to the people. Coming now to the subject and matter of the speeches of the two hon members, I find that the arguments of the hon member for Lillooet are simply invectives—his entire logic is abuse of the government and the persons composing it. I have always understood that assertion is not fact and that invective is not argument. It may be that my inability to appreciate the force of his remarks arises from my not possessing the qualification which he told us was essential to a proper understanding of the people and the people's affairs. It may be that I have not 'eaten and drank and slept with the people,' and cannot therefore rightly estimate the strength of demonstration which general and indiscriminate abuse of government officials may convey to some minds. As to the hon member's earnestness of belief in his case, his conscientiousness in the discharge of his duty to his constituents and to the colony, had we ever had any doubt of it, his positive and repeated assurance of the honesty of his intentions in this matter, of his unfaltering determination to do his duty to those he represents, must have forced conviction upon us; but, while giving him full credit for singleness of purpose, I must take leave to remark upon his singular mode of recommending the subject to the favorable consideration of this Council, since his argument in its favor is to heap general accusation and vituperation on the official members of this Council, whom he invites to join him by voting in favor of his views, to confirm his view of their utter baseness and worthlessness! I shall not place myself in opposition to such a line of argument. But, sir, the argument of the hon member for New Westminster is of a very different character. I congratulate him, and I congratulate the House on the manner in which the matter was treated by him, and especially as regards the officials. I acknowledge the courteous manner in which he touched upon those points in his arguments which affected the members at this end of the table. It is inseparable from the discussion of this question in this House that it must to some extent partake of a personal character. it must almost mean a vote of want of confidence in government officials. The smallness of the community reduces it almost to a question amongst individuals and, as the government members have been placed unnecessarily and inexpediently, as I think, to some extent, upon their defence, I must speak plainly on some points; but in doing so I must deprecate any idea of giving offence. I say then that responsible government is not desirable, and is not applicable to this colony at present, practically unworkable; and here I would deprecate the impression which is being so studiously instilled into the people of this colony concerning what has been said of the unfitness of the colony for responsible government. His Excellency the Governor has never said, nor has any member of the government ever said that the people are unfit individually to govern themselves. I say that, man for man, this community will compare favorably with any people on this coast. [Hear, hear from the hon Attorney General.] Nor is it even the smallness of the population that I conceive to be the great objection, although I admit that this is a drawback, but it is the scattered character of that population. It would be practically impossible to organize electoral districts so that they should properly represent the separate portions of the whole colony. As Victoria is the centre of wealth, and intelligence also if you will, under present circumstances the government would be centralized in the hands of Victorians, who would thus rule the colony; and this would be objectionable. [Hear, hear, hon Mr Holbrook.] And I say, also, that there would be a great difficulty in getting proper representatives to represent the respective districts. I do not agree with an honorable member who has stated that only the chaff of the people is blown into this House, for I say, sir, that this Council, constituted as it is, has proved that men fit to represent the people come here. Responsible government will come, as a matter of course, when the community is fit for it; but that form of government is not fitted for communities in their infancy, it has never been so considered. Look abroad into the [illegible] world and [illegible] populations without responsible government. There is no necessity to look far off to see whether the Anglo-Saxon race must necessarily have responsible government. Look across the Straits, where there is a population of, I suppose, 20,000 people and there they have neither responsible government nor representative institutions. Look at Oregon also, with no representation until the population exceeded 45,000. Look at the Red River settlement, also, with a population larger than ours; they do not apply for responsible government. It does not follow according to the rule of Anglo-Saxon minds that this form of government must prevail. I do not think the sort of responsibility which is advocated would be suitable to this colony at present or would promote its true interests. If I did think it desirable I should be found amongst its most cordial advocates, as this is a matter open for discussion without governmental direction. But I think, sir, that our present form of government is practically a more real responsibility to the people than that proposed by the hon member for New Westminster—this form which the hon member for Lillooet finds it so easy to animadvert upon—for we are in reality, if not directly, responsible to the people. We, as servants of the Crown, are directly and immediately responsible to the Governor, and the Governor is responsible to the Queen, who is the guardian of the people's rights. This is no mere idea; for the fact of responsibility has been over and over again proved. If you have any good grounds of complaint you know where to lay them in order to get redress. This responsibility which we owe is more real, less fluctuating, less open to doubtful influences, and under it the rights of the whole country are secured and protected, and not those of the majority to the prejudice of the minority as under the so-called responsible government, which really means party government, advocated so warmly by the hon member for New Westminster. Why, sir, the hon member has admitted to you that under that system the government of the day might come down to pass measures by unfair means.

Mr Robson—No. I made use of no such words. What were my words?

The Chief Commissioner—The hon member said, as I took down his words, that under responsible government 'the government might come down to the House and carry measures by means not excessively fair.' I say that this cannot occur under the present system—that no corruption can be charged against this government. I think the House is capable of being remodeled. I would rather see a larger element of representative Government in this Council, with such a majority that the government would have no opportunity of passing a measure objectionable to the people as understood by their representatives—such a majority as I advocated last year in a resolution submitted to this Council. But the hon members for New Westminster, for Victoria District and for Lillooet tell you that the people desire responsible government; that they must have it and will have it. I say, sir, that if they do say so, which I very much doubt, it is because the population have been educated up to it by those who have agitated the subject through the press and through speeches. Some, no doubt press for it from conviction, and some with a view to serving their own ends. But I believe, sir, that what the people really want is such an administration of the government as will tend to bring back prosperity to the colony. You are told that the present officials have no sympathy with the people, that they move in a different sphere, that they are not of the people and constitute a class by themselves. Is this true?—or is it not rather the fact that persons who have ends to serve have put us in a class by ourselves? Who, I ask, are those throughout the world who have labored most for the people by speech and pen? I say that the great statesmen and writers who have done most to advance the truest interests of the people have not sprung from the ranks of those whom the hon member classes as 'the people.' The hon member for New Westminster says that the present government officials are well enough, able and honest; but that they cannot enjoy the confidence of the people because they are not their officials, they are not elected by them—and be we as able as we may and as honest and hard-working as we may, and do what we may for the people's good, we cannot gain their confidence because we are not directly responsible to them. And the hon gentleman sympathised with us for the position. Now, sir, if it be true as he says that the government have not the confidence of the community, when they deserve it, whose is the fault? I say, sir, it is the fault of those who by voice and pen have for years sedulously prejudiced the public mind of this community against that government, not by pointing out faults to be remedied, but by general and indiscriminate fault-finding, descending to personal abuse and even to the verge of scurrility. We have striven to do our duty. Hon members do not advance arguments, but content themselves with saying that we are unpopular. I tell you why. If false impressions have gone abroad on this point let the responsibility of those impressions rest where it ought; for I say that it has been the business of certain persons to prejudice the public mind against government officials. Let them settle the question of motives with their own consciences and with the people. If the officials in this House occupied the positions which would be filled by officials under party government, I could understand the persistent course of opposition taken by some hon members present, but when I see the changed position, that there is no responsible government, and that our mouths are closed and our pens cannot be used in self-defense, I feel that we have been attacked in a cowardly manner, and let the public define the motives of those who have attacked us. I invite all in this House or out of it, to aid us in carrying out the government scheme, and to aid in a reasonable way, in promoting the general interests of the colony. Whether we have responsible government or not I don't know, but it will come in good time, when the circumstances of the colony are so changed as to admit of its adoption. I think sooner with Confederation than without it, but whether we have it or not, I ask hon members to assist us instead of endeavoring to complicate matters and retard the progress of the colony. I ask them to give us some credit for good intentions. Now, Sir, one remark in conclusion. The hon member for New Westminster in his oratorical oration has not only allured us with the prospect of popularity under responsible government, but he has, I will not say threatened, he has warned us of the result of our opposing him in this matter. He tells us that unless responsible government be conceded, the cause of Confederation will be ruined, that the people would not have Confederation without responsible government; this, in fact, is embodied in the preamble of his resolution. Sir, I have cordially supported Confederation because I honestly believe that it will be for the benefit of the local interests of this community, as well as for the security and consolidation of Imperial interest; but I believe that the community is not ready for responsible government; I will not therefore do what I consider wrong that good may come. I will not vote for responsible government for the sake of gaining Confederation. I, for one, say if the people won't have Confederation without responsible government, if they regard responsible government as the main object of Confederation, if they do not appreciate the real advantages of Confederation I, for one, say let Confederation wait awhile. The Governor has sent down resolutions which he thinks can be carried out, and we hold that, whether under Confederation or not, this matter of responsible government will ultimately have to be settled by the vote of the people, when the proper time comes we shall, I say, as a matter of course have responsible government, and that time will arrive sooner under Confederation than without it. I trust the Dominion Government. I do not think that they will go against the will of the people. I believe that in this, as in other matters, if they exercise influence at all, it will be for the good of the country. A government on liberal institutions cannot be expected to oppose the wishes of the people in proper and reasonable matters. Responsible government ought not to be a condition of Confederation, and I say that in the resolutions it is very properly left to be settled in a new and more fully representative Council which the Governor has told us he is going to obtain Imperial sanction to establish. But if Confederation is to depend on this question of responsible government I say let it be the test also of the supporters of Confederation.

Mr Robson said the hon Commissioner of Lands and Works had made an unfair use of his remarks about 'horny hands.'

Mr Walkem said every member should give a reason for his vote on this question. He had given the matter great consideration and had come to the same conclusion that the hon Commissioner of Lands and Works had. He complimented the hon member for New Westminster for making one of the best speeches ever uttered in this House—but said his arguments were based on fallacies. The hon gentleman went into a long explanation of the principles of responsible government, contending that it was entirely inadapted to this colony.

Mr Drake said there was an objection which he had to the clause inserted in the Terms. That condition should come from Canada. It should have been left out of the Terms altogether. He did not know what advantage there could be in having such a condition proposed. If we go into the Dominion with the form of government contemplated, we could no more change our government then than we could now. This colony will be no more than a preserve for Canadian statesmen. He would give the views of John Stuart Mill—

1 That the people require it, or at least do not offer any violent objection thereto.

2 That the people are willing to undertake the burdens that are imposed thereby.

3 That the people are willing and able to do that which is necessary to enable it properly to perform its functions.

This he contended was the condition of this colony. The argument of scattered population was no objection. If the centre of population and wealth was at Victoria there would be no injury done to the colony, if the representation did preponderate there. The interest of Victoria was the interest of the colony. Another objection was made that we could not get men of proper intelligence and qualifications for positions of honor and trust. There are men who come here to make their homes. Out of such a class the present members of the government were chosen, and out of our present population there could be found an equal number of men who could properly fulfil the duties of the government. The question of insufficiency of population is no argument in this matter.

Mr Humphreys said he thought the best answer to the speeches of the hon gentlemen at the other end of the table would be to print and read them. Intelligence was the only qualification for responsible government; numbers had nothing to do with it. If he erred, he erred with the best men in the world. They held that numbers were not requisite. The fear of danger is a fallacy. No man would attempt to defend this government. Two-thirds of the property-holders in this colony have paid for the benefit of a few gentlemen sitting around this table There is no danger from the people—all the civil troubles have come from the ambition of the so-called educated classes. Take away all the intelligent men from this world and it would not be a great loss, so long as the experience of the past is left. The laboring classes could always fill their places. In his opinion the people wanted a political reality. They have endured too long the law's delay and the insolence of those in office. He would move as an amendment to the resolution now before the House to make responsible government a *sine qua non* of Confederation.

Dr Helmcken—Good heavens! what terrible things are said and done in the name of the people! Responsible government has been one of the watchwords of a certain set of politicians who wanted to bring on Confederation—Government of, from, for, by the people—without a proper regard to the material benefits of Confederation to this colony. Hon gentlemen will sacrifice every benefit to the colony for responsible government. Confederation to me means Terms—benefits. To them it means place, power, office, pickings. This may be represented as the result of being in the Executive Council—there's a great difference between the Executive Council with closed doors and this Council. There people speak the truth but with *ad captandum* arguments addressed to the galleries. There people go solely for the benefit of the country—here it is necessary to court popular applause. The hon member for New Westminster in his able speech erected, it is true, a handsome structure, but like most fancy structures, a very expensive one. The hon member wants a government like that of Ontario—that is 80 members. For a government of that kind not less than 40 or 50 members are required.

Mr Robson—I never said 'like that of Ontario,' but that we wanted the principle of responsible government like that of Ontario.

Dr Helmcken—Why not bring in a scheme embodying it? (Resolution read.) The principle of responsibility can only exist satisfactorily where you have at least 40 members. It would cost $20,000 per annum, and it exists only by caprice. You must have a large number of people to work out responsible government. If he had any form of responsible government he would not have the heads of departments responsible to the people. He would support the government scheme. He wanted the government Terms. No one had said the people were unfit for responsible government. The people hitherto had shown themselves very unwilling to take part in the affairs of the country. Everybody wanted everybody to work except themselves. If he wanted Victoria to represent the whole colony he would vote for responsible government. The hon gentleman continued at some length, and concluded by saying he did not wish to see this question introduced now to endanger the Terms. If the people wanted responsible government after union he would not say nay. We can live without responsible government, but we cannot live on it.

Mr Barnard said he never felt the weight of responsibility that he felt to-day—that of casting a vote which would affect for weal or woe the destiny of this fine Province. He was convinced that if a majority of the elected members of this Council vote 'aye' to-day on this question, responsible government would be inaugurated conjointly with Confederation. He did not wish to embarrass the government, but he wanted to do what his duty to his constituents and to his country demanded of him. It was beyond a question that the intelligent portion of the community were in favor of responsible government, but there was a grave question in regard to its adaptation to the colony. The words coming from His Excellency were worthy of careful consideration. They contained strong reasons against the introduction of responsible government. Public opinion was not settled on the Island. The hon senior member for Victoria city had shown in his remarks that there was a great want of settled principle in the colony. The principal men of Victoria were averse to taking upon themselves the duties and labor of legislating for the country. Men of standing and wealth stand aloof. The merchants, manufacturers and professional men took no interest in the matter of legislation. There was a great difficulty in getting good representative men. There were, he admitted, many good reasons which might be urged against the measure and he had no doubt that dissatisfaction, to some extent, might ensue. He agreed with the Commissioner of Lands and Works, in his remarks about the press influencing the public unfavorably to the government, but the blame was not in the press but it was in that system of government which kept the rulers silent. The members of the government ought to be in a position to defend themselves both by pen and speech. He had glanced at a few reasons against the admission of responsible government, but he would now look at the other side. Look at the fact of all the larger subjects, under union, being dealt with by the Federal power. This fact of itself is as strong an argument as we need. What hon member can go to his constituents and tell them that he thought the local business of this colony could be managed better at Ottawa than it could be by ourselves? The official members of this government will no doubt avail themselves of the retiring pension, and appointees from Ottawa will take their places. Will those latter officials have to be pensioned by this colony when we adopt responsible government? This is a strong objection to entering the union under a system like the present. This colony may be asked to pension another set of officials. Will the people be satisfied with this sort of government if we are to have appointees from Ottawa? There are a class of men who oppose Confederation on this ground. They would prefer remaining as they are, with the officials nominated from Downing-Street, rather than from Ottawa. It is often asserted that this colony is not ready. How long are we to wait? Canada was told the same story when she had a population of 600,000. All the other Provinces were told the same thing. Must we wait for such an increase, or must we fight as did Canada? Throw us on our own resources as a colony and we will soon learn valuable lessons in the science of government. Self-reliance is the best means of education in politics as in anything else. If our rulers are sent us from England or Ottawa we will always lack self-reliance. Self reliance is written on every line of the British North American Act. Rely upon yourselves, is the cry of the people of England. It is better to grapple with the difficulties now when the issues are small and comparatively unimportant, and should we make blunders they will not be so serious when our interests are small; and for what errors we do commit the consequences will fall upon ourselves. We will, no doubt, blunder at first, and there may be chaff blown here. If responsible government will bring the scum to the top, dross will go to the bottom. The scum will be ladled off—the chaff will be blown away by the breath of public opinion. The Governor's promise of a majority will not satisfy the people, and he should, therefore, urge upon His Excellency to give us responsible government. He was not in favor, however, of making that condition a *sine qua non*. He would accept Confederation with good terms, even without responsible government.

Mr Wood entertained the House with a long speech, giving the history of the progress of responsible government in England. He thought the principle should not be extended to a colony circumstanced as this is. He was opposed to Confederation with Canada, but if it were forced upon us he thought it would be better to have responsible government than to be under the influence of Canadian officials. He thought the colony would look upon the transfer to Ottawa of official power as a grievous piece of tyranny, and unless we had responsible government there would be a conflict of interests between the Canadian officials and the people. He, however, had made up his mind to give the government a generous support, and he would oppose the resolution.

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The Tariff Difficulty.

There can be little doubt tha we may be permitted to design the tariff difficulty is the greates can be urged against Confederatio is not surprising, therefore, tha friends of union should look grav the enemies of union should look lant over the question which has pied the Legislative Council duri last two sittings. Both parties do well to believe it impossible f Dominion Government either to fr special tariff for British Columb permit us to frame our own cu tariff under Confederation. To would simply be to inaugurate a which would result in each Pr having a different customs tariff; cannot be thought that British Co would be permitted to enjoy so tant a privilege alone. Each Pr would urge its claims; each think its own case the stronges what might be conceded to one not well be withheld from any. result would be a condition of wholly incompatible with union we look at the United States of A ica we shall find in the history o country the strongest circumst evidence in support of our propo that the customs tariff must of ne cessity be a Federal and a u measure. In truth, excepting s itself, this question of tariff const the severest test to which the C tution of the United States was submitted. Did that Constitution yield to the enormous pressure of Southern or Pacific States? Did ican statesmen ever flinch? All knew that a uniform Federal meant union, and that a departu it meant complication and ultima ruption. Not only does the Con tion of the United States resembl of the Dominion in this respect the circumstances of that country sent a striking similarity. In so the application of the customs ta concerned, British Columbia will o very much the position Californ cupied. Now, if American state when sorely tried, felt it impossi yield one jot of the Federal pre to deal with the customs tariff, should we expect that British Col can hope to enjoy the right to f own tariff under Confederation? a matter of such vital importa would be cruel, as it would be u to deceive the people. Depend it, as a Province of the Dominion ish Columbia will have to be c with the Dominion tariff in its un ity and integrity. That the tari be framed and altered from time t with a view to its adaptation wants and interests of British Col in common with every other part Dominion, is simply to say that F legislation will have in view the g all parts; but to say that the will be dealt with in the special inter this Colony would be to assume inju other parts. There is no reason to that the interests of British Columbi have their due weight in dealing w tariff; but to give them more wo to inflict a wrong elsewhere, and thus the fundamental principles of righ justice upon which union must rest. The proposition to ask Canada to hold the application of its customs tari the establishment of railway comm tion appears to us the most feasible w meeting the difficulty, if, indeed, it c met. With the opening of railway co nication will, in a great measure, dis those exceptional conditions which ren tariff adapted to the other Provinces un to our wants. Nor is the proposition sarily inconsistent with Federal prerog A temporary delay in the extension Dominion customs laws to this Colony the surrender of the Federal prerogat to deal with these laws, are two very d affairs. The idea is something like this express our willingness to confederat Canada upon certain specific terms, at the same time, point out the fact owing to distance and the absence of communication, the customs tariff Dominion is at present unsuited to our and we ask that its application may b layed for a little, until those conditions render it inapplicable shall have be moved. But while frankly admi the importance of this subject the difficulties with which it is surro we must be permitted to think that persons appear to attach undue impo to protection. In looking at protection are apt to lose sight of what protection There are two sides to this, as to most jects. Protection has its dark side as as its bright side. Those who are who appear to run away with the ide agricultural interests are the only inter be thought of. But it must be clear all other interests are sacrificed to th it, too, must in turn be sacrificed—h its own petard. It is alone by seeki promote a unity and community of i and prosperity that general well-being be attained. The farmers have pro now; but what about commerce? Of avail will protection be to the farmers if have no markets? We want cons capital, expansion.

TAKE WARNING.—Martin McCarthy, for using th ing language in front of the theatre, has been put bonds.