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Legislative Proceedings.

HOUSE OF ASSEMBLY.

DESPATCH OF THE LATE LIEUT. GOVERNOR, SIR DONALD CAMPBELL, BART., ON THE SUBJECT OF THE FRANCHISE AND CONSTITUTION OF THIS ISLAND.

THURSDAY, March 4.

AFTERNOON SITTING.

(Remainder of Debate concluded.)

Hon. Mr. WARBURTON. I also will support the motion of my honorable friend, for the abolition of the property qualification of candidates; and I regard it as one of the most enlightened proposals which has been submitted to the consideration of this House; although I am of opinion, that its propriety would not, at this time, have immediately present to it, the minds of my honorable friend, or that of any other honorable member, but it has been for the indignant feelings, aroused by the disclosure of the influences project for the disfranchisement of the country, conceived by the late Governor. I am of opinion, that every man who is not disqualified by some legal disability of a much graver character than that of property, should be entitled to the elective franchise; and I can see no reason, why every individual, in what circumstances of life soever he may be, to whom the rights of an elector are, or ought to be, conceded, should not also, in virtue of his title to those rights, be considered qualified to prove himself, at an election, a candidate for the suffrages of his fellow freemen, and held eligible to a seat in the Assembly. A man might be poor, and yet, at the same time, be possessed of much generous sentiment, possessed of much talent and much high and honorable principle; and, in fact, so far were riches, either in this, or in any other community, from being a certain or infallible moral sign of superior worth or great mental endowments, that these essentials of true dignity in man, were more frequently found to be distinguishing attributes of men of moderate fortunes and humble means, than of those possessed of much substance or enormous wealth. I do not apprehend, that the abolition of the property qualification of candidates will, if effected, be the immediate cause of a single improper return to the Assembly; for I am confident, the good sense of the people will not allow their choice to fall upon any man to represent them in the Legislature who is ignorant of their interests, or unable to assist in the furtherance of the public business. On the contrary, the removal of all unreasonable restrictions, will so increase their liberty of selection, that I am inclined to believe, that the results will be much more likely to add to the wisdom and efficiency of the representative branch of the Legislature, than otherwise. It is well known that in many instances, individuals have been returned to the Assembly, rather by means of coercion, than through the free choice and good will of the electors; but, I hope, the extension of the franchise and the abolition of the property qualification of candidates, which it is purposed to effect by means of the Bill, on which we are now in Committee, will, in future, be the means of excluding from this House, all who might otherwise have obtained seats in it, independently of the good will of the people; and, even if in the exercise of their good will, they should select men of the humblest circumstances to represent them in the Assembly, it would certainly be much better for the general good, to have such men here, even if they were in rags, than that men who have forced themselves upon constituencies, should have it in their power to misrepresent them and oppose the measures the most desired by them; and I, for one, would rejoice at the change.

Mr. DOUSE. I feel proud to be numbered among the men, and to belong to the party, whose principles and politics give so much annoyance to the honorable member from Bedeque, and who are especially honoured by his abuse; but of the document, respecting which he has enlarged with so much sensitiveness, I know nothing more than has been communicated to the House by His Excellency's Message. I am, however, somewhat surprised, that the Government, which have thought proper to submit this document with the measure now before the House; although I am inclined to believe that it has now been brought forward to afford some shadow of reason for the motion of the honorable the Leader of the Government for the abolition of the property qualification of members, that in the carrying of it, a certain honorable member may be relieved from an inconvenient obligation, and his position in the Assembly rendered more secure and independent, I think it should have been made by the late disgreeable investigation concerning his legal qualification; for the ministerial majority seem eager to avail themselves of the present crisis, and, by turning the public attention to a pretended grievance, to divert attention from the public business, and, in fact, to make the public forget the grievances, which their party might sustain, in future, in consequence of any similar enquiries. Of the inconsistency of the honorable member from Bedeque, I have seen so much, that I have ceased to be surprised at any new instance of it, however extraordinary; but just after having heard him argue so earnestly for the abolition of the property qualification of members, I cannot refrain, from remarking that I have seen, on former occasions, heard him speak in a strain quite different from that in which it now suits his purpose to indulge, and very haughtily avow opinions, the very reverse of those which he now professes to entertain. He and I were formerly of one mind (at least so I thought), with respect to the qualification of candidates or members; and he then maintained that a higher qualification for candidates was indispensable, to the end that increased responsibility might attach to the Assembly; but now, instead of objecting, as formerly, to the existing qualification, on account of its insignificant and paltry amount, nothing will satisfy him and his party, but the total, but, in fact, total abolition, as if they were actually afraid, that the possession of property, by members, would detract from the respectability of the House. Their real object, however, is, as plain, that it would be absurd to speak late concerning it; but this I will say, that if to sustain themselves in their present position, they succeed in bringing into this House, as members of it, men who have no property or stake in the country, it will directly tend to diminish the weight, as well as the security of property in the Colony; and as long as such legislative representation and such a state of things shall exist, so long will the progress of the Colony towards prosperity be checked. The present qualification of £50 is so low, as to make a man almost ashamed to say, he is a member of the Assembly. How then will it be, when there shall be no property qualification at all? If the qualification had been higher, the affairs of the public would have been in much more efficient hands, and our prospects would have been much more satisfactory and cheering than they are at present.

Hon. Mr. POPE, briefly but earnestly, replied to Mr. Douse. The memory of the honorable member for Belfast, he said, was certainly either a very defective or a very accommodating one: his remembrances of the past, were very curious, to be alleged to incorrect; and it did not appear to trouble him with any inconvenient or embarrassing recollections, or he would not have been able to disavow, as he had done, all previous knowledge of the new Constitution, by the adoption of which, it had been hoped, that the public voice would be effectually stifled, and the rule of the privileged few be established and perpetuated. And, concluded the honorable member, as to what he (Mr. Douse) has just advanced, in the shape of argument, against the motion for the abolition of the property qualification for Members of the Assembly, it affords a pretty convincing proof that he himself, or his party, must be classed with those whose brains lie chiefly in their breeches' pockets.

Mr. MOONEY then rose, and spoke nearly as follows:—The document referred to in His Excellency's Message is a most detestable production: it could have been conceived in no other spirit than that of the pen with which it was written, must have been supplied by his sable majesty. I cannot find language in which to express myself with sufficient severity respecting those who proposed and assisted in the concocting of that measure. Cruelty and injustice were natural to them. I call them political robbers, relentless tyrants, who would have robbed the people of all the freedom of which they can boast at the present day. Yes, this fiction would deprive them of their inherent rights. With a pen borrowed from the prince of darkness, they have drawn up a Bill which has no parallel for tyranny and injustice in Colonial History. Only think, a man's having lived for nineteen years and eleven months in this Island, having spent the prime of his life in felling the forest, in driving the bear from his hiding place, and in converting the wilderness into fertile fields, and who, on account of his conduct, is acknowledged a good member of society—only think of the iniquity and tyranny of decreasing, that this man shall not have a vote because he has not been in possession of his farm for twenty years! Oh, shame on the originators of such a scheme! But, Sir, the people have been deceived, and, in fact, they are blind in public estimation. But their deeds live to their shame, as witness the document lying on the table. And now we are told, by the agent of the Earl of Selkirk, that to do away with the property qualification of members would be to deprive the House of all dignity. What a dignified intelligent personage the honorable member Mr. Douse is, to be sure! He has had a seat in the Assembly for fifteen or seventeen years, and yet he is so ignorant of the laws and rules of the House, that he thinks the resolution submitted by the honorable the Leader of the Government, will interfere with the same now pending before the House! I feel for the honorable Edward Whelan. Why almost any of one of the little boys that walk in the streets of Charlottetown would be able to set him right in the matter. He fancies his brains are in his head; but I think they are in his paunch. If they were not, he would surely know that we cannot meddle with that which is past. So much for his dignity and the wisdom which he has acquired during his legislative career. The honorable and dignified member also denies, that he had any knowledge of the plot for the disfranchisement of the people. It may just now serve his purpose to say so; but he always supported Mr. Donald Campbell and the clique that had access to his ear. The murderous crew! it is no wonder that Sir Alexander Bannerman got instructions to call on Sir John Harvey for additional troops; for, had this infamous measure become law, they would, very soon, have been compelled to do so. Yes, Sir, I myself would have been prepared to foment rebellion. Yes, Sir, had it become law, Charlottetown would soon have been swept off the face of the earth! And who will say, that I am not a true subject? I am loyal, and the people in general are loyal; but, had that detestable measure become law, their loyalty would have given way to the most determined and desperate hatred towards those who, with the hand of oppression, had deprived them of what they had so justly prized. But the wisdom of the Home Government has averted those evils. They knew better than to grant those worthless their desire, and have clearly shown, that they understand the intriguing and tyrannous manner prayed for. The Despatch has, however, let the cat out of the bag completely; and the people will now be able, more clearly than ever, to distinguish between contending parties which of them are their friends, and which their foes. I will support the motion of the honorable Leader of the Government.

Hon. Mr. COLES. The honorable member for Belfast (Mr. Douse), will, I think, be disappointed, that he expected Sir Alexander Bannerman would bring out a new Constitution for the Colony, and that the first direct effect of that Constitution would be a new election; and if he cannot deny that, neither can he deny, that he knew the Constitution had been prepared here, and sent to England, to be passed into law by the Imperial Parliament. It may be, that he did not know the very words which the document contained; but, I am persuaded, he very well knew, that the principal object of it was the lessening, to a very great extent, of the political privileges of the people; and he also certainly knew, that this had been determined on, without the consent or knowledge of the people, or their representatives. Had the object been an extension of popular privileges, there would have been no necessity for its being previously made known to the public; but the contrary was the case, when the end to be accomplished was a curtailment of popular rights; and the concealment of the design, by its projectors, from public knowledge, the way in which it was cloaked up and hidden, are characteristic of treachery, and afford positive proof, that they knew themselves to be acting most traitorously to the people. If the projected measure had been carried into effect, if the qualifications of members of Assembly had otherwise had been raised, as was contemplated by the Bill for a new Constitution, the parliamentary representation of the people would have been virtually at an end. Some then, would have had seats in this House, but men like the honorable member for Belfast, (Mr. Douse), and the honorable member for Port Hill (Mr. Yeo); and yet I am certain, 24 men, not worth twenty pence each, might be found, who as a Legislative Assembly would be considered the representatives of the nation which I have made; and I am so thoroughly disgusted with the insinuations which from time to time have been thrown out in this House, on the subject of the property qualification of members; that I would be willing to stake my existence as a member of the Government on the fate of the motion in the House. I have, hitherto, done my duty for the protection and furtherance of popular rights: I have fought against the aristocratic and oligarchic, unabashed by either opposition or ridicule, I will, so long as I have the honor of a seat in this House, continue my exertions for the preservation and extension of those rights, which I have contended for, for the people. The supposition, that my motion is intended to have any effect upon the matter at issue, before this House, between the Hon. Mr. Whelan and the Hon. Mr. Palmer, is absurd, that I deem it unworthy of reply. The motion which I have made for the repeal of the property qualification of candidates, will properly belong to the Bill for the Extension of the Elective Franchise now before us; but I think it would be better to bring in a separate Bill for the change proposed to be effected with respect to the division of the Electoral Districts, than to engraft it upon this measure.

Mr. DOUSE admitted that he had heard a rumour respecting some projected change in regard to the Representative Constitution, but declared that nothing definite or positive touching it had ever come to his knowledge. With respect to the Resolution of the Hon. the Leader of the Government, in his opinion, however, was that it was intended to bear eventually upon the question at issue, concerning the legal qualification of a certain member of the House; and he was persuaded, that the people in general would take the same view of it. He had also already said, so far was he from thinking it advisable to abolish the property qualification of members, it was his firm belief, that had that qualification in the existing Election Law been considerably higher than it is, not only would there have been much more satisfaction with our prospects and the state of our affairs amongst the people; but, as a Colony, we should altogether have been more respectable in the eyes of others.

Hon. Mr. WHELAN. As I have been most pointedly alluded to by the hon. member for Belfast, (Mr. Douse,) who has, most unwarrantably, thought proper to assume and to assert, that the proposition for the abolition of the property qualification of candidates for seats in this House, submitted by the hon. the Leader of the Government, is intended to operate in my favor, with respect to the question of privileges now pending, before the House; I feel it to be due, not only to myself, but to my hon. friend, the Leader of the Government, and also to the supporters of the Government in the House, to declare, that not only had I no knowledge of the Resolution before it was submitted, but I am now convinced, that no other hon. member, besides the mover himself, knew any thing of his intention until then. But the absurdity of the supposition, that the success of the motion could be made to bear, in any way, in my favor with respect to the pending enquiry, is so great, and so characteristic of its author, that I do not believe there is another man in the country, besides the hon. member for Belfast, (Mr. Douse,) so intensely ignorant as to suppose that it was either my position in this House. If the result of the pending enquiry were my removal from this House, every person acquainted with the operation of the laws knows very well, that, although the Resolution, for the abolition of the property qualification of candidates, should now be carried, it would, in no way, affect the qualification