

The Examiner.

"THIS IS TRUE LIBERTY, WHEN FREEBORN MEN—HAVING TO ADVISE THE PUBLIC, MAY SPEAK FREE."—EURIPIDES.

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CHARLOTTETOWN, P. E. ISLAND, SATURDAY, MARCH 11, 1848.

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HOUSE OF ASSEMBLY.

FRIDAY, FEBRUARY 4,

PAY TO LEGISLATIVE COUNCILLORS.

[Concluded.]

Mr. Montgomery. The hon. member who has just sat down, has broadly accused some members on this side of the House, of now professing, and being guided by opinions, relative to the question now before the Committee, very different from those which they formerly entertained and upheld with reference to it. But I can tell that hon. gentleman, with respect to myself, that whatever change may have taken place in my opinions, it is very far from being as great as that which has come over him and those with whom he acts, since he ceased to publish the Palladium. What I now wish to see accomplished, is what, as a representative of the people, I have always desired, that is a proper representation of the country in the Legislative Council.

Mr. D. Macdonald. The appointment of a Committee by this House, to keep up a good correspondence with the other is altogether useless, if, at the same time, we take direct steps to frustrate the object of that appointment, by seeking a quarrel—to which this question is but too likely to lead—between them and ourselves. In 1846, we thought the Council unjustly interfered with our privileges, in attempting to disarrange our Appropriation Bill; but, in the last Session, the attempt was not renewed, and between the two Houses an unusual degree of unanimity prevailed. I say again, then, why try to upset this desirable state of things; and, by doing so, impede the progress of the business of the country, for the furtherance of which we have been called together? To take up the question, as the House has done, is, as I have before said, beginning at the wrong end; and I shall, therefore, oppose its further consideration.

Mr. Palmer. I am not aware, Sir, that any one is seeking a quarrel with the other branch. At all events, I know that I am not doing so. But if, in order to be at peace, I must refrain from any attempts at sound legislation, then, I say, let there be war; for, at such a price, I would not purchase peace. I give the Legislative Council joy of their present supporters in this House. It is really wonderful to contemplate the changes that the minds of some men undergo. That which is now exhibited on the part of the members in opposition, is one of the most extraordinary I have ever known. Those hon. gentlemen never before stood up to praise the Legislative Council; but, on all questions touching that body, they were unsparing in their condemnation of it; and if the journals were searched, it would be found that, at one time, they supported resolutions having for their object the removal of every member of it, and its reconstruction upon the most liberal and popular principles. The hon. member for King's County lays great stress upon the partiality of the measure, "Why not pay the whole?" says he. I reply, if he wishes the whole to be paid, let him submit a resolution to that effect; I do not know how far I may go; and will not, therefore, say it should not have my support. It is not fair to say that we are thoroughly wedded to the proposition now on the Table; and even if it be carried, as submitted, that will not prevent its being extended hereafter, if found to work well. I think the proposition has been sufficiently discussed. I, therefore, move that the question be now put.

Mr. J. Longworth begged leave to offer a few remarks before the putting of the question, and hoped the Committee would not consider them as being offered in opposition to the principle of the resolution, to which he was altogether favourable. He, however, thought it right to state that he had his doubts whether it would not involve a constitutional principle, judging from a Despatch sent out to Nova Scotia relative to the proposed pay of the Legislative Council in that Colony, and disapproving of the measure. He was not, however, aware whether the question had there originated with Council or the Lower House; but, he thought, Her Majesty's Government might not have viewed it in the same light if it proceeded from the one, in which they would have regarded it had it originated with the other. It seems to me, continued the hon. and learned member, that no one can be blind to the benefits to the Colony at large, which would result from the establishment of the measure. It is those who live amongst the agriculturists who must be the most fitting persons to legislate for them. But how can it be expected that such persons to do as will give their time, neglect their own business, relinquish their domestic comforts, and also bear their own expenses into the bargain. How desirous soever any one may be to serve his country, to expect him to make so many sacrifices would be most unreasonable. I am satisfied, Sir, that by the granting of pay to members of the Legislative Council from the country, as now pro-

posed, a great good will be obtained at a little cost. The interests of the people at large, ought to be represented in the other House, as well as in this; but it cannot be maintained that such is the case, as that House is at present constituted. I am, as I before said, altogether favourable to the measure; but I do not think it should be hurried on. I would first like to see the Despatch I have alluded to, in order to satisfy my mind that the question does not involve a departure from a Colonial constitutional rule.

Mr. Le Lacheur. Notwithstanding all that has been said in favour of the contemplated measure, I consider it a very lame way of commencing reform. The learned member for Charlottetown, filled with his own conceits, which must find vent, is like a wind-blown bladder which bursts, but hurts no one. I had hoped he would have brought something forward to convince the country that they were deceived in him; for at present they think it as probable, that the Ethiopian should change his hue or the Leopard his spots, as that anything should emanate from him, tending to their benefit. By his skill in mystification, he thinks to blind our understanding; but he is making the attempt too late in the day. I, for one, am a little too old and experienced, to be deceived or caught by his specious pretences. He may think by his taunts to throw us off our guard, and to betray us into hasty and unwise admissions; but, if so, I can tell him he deceives himself. If we are cautious and silent, it may be that we have good reason for being so. I have been pretty well seasoned by him, and shall not now die in the process; his sarcasms have no more influence on me than water upon a duck's back. I wish to know wherein exists the cause for the motion, or why there should be stronger reasons for bringing forward the measure this year, than there was last. Is the construction of the Legislative Council different now from what it was then? Certainly it is not. How then can it be expected that we shall not be cautious, and endeavour to penetrate the mystery which envelops the motives of the advocates of the measure.

The hon. Speaker reminded hon. members on the other side, that, in 1840, a resolution was moved and carried, condemning the construction of the Legislative Council, and that an Address to the Queen was founded thereupon, praying Her Majesty to cause several of its members to be removed therefrom. The majority upon that occasion were Messrs. McIntosh, Clark, McParlane, Young, Beek, Dingwell, Rae, Gorman, Fraser, D. Macdonald, Forbes, Le Lacheur. The Speaker was about to proceed with his remarks, when several voices cried out "Read the minority," to which consenting, he read the names, Messrs. Hudson, Longworth, and Palmer.—*Much Laughter.*—The Speaker resumed, I suppose those five hon. members, still in the House, who then voted in the majority, will now tell us that they are perfectly satisfied with the construction of the Legislative Council, although some of the formerly obnoxious individuals yet remain in it. I hope, Sir, the country will put a proper construction upon the opposition to this measure. I detest the practice of blowing hot and cold with one breath, and am not in the habit of doing so.—("Hear! hear!")—The measure contemplates giving to the people a stronger voice in the other branch than they now possess; and it cannot, therefore, be a just principle upon which it is opposed. The hon. member for King's County (Mr. Whelan) either forgets himself, or shews how ill-read he is in the history of the parliamentary proceedings of this Colony on the subject; and I must beg to remind him that not only were complaints sent home, but they were well received by Her Majesty; and three members were, in consequence, taken from distant parts of the Island; but they, finding attendance upon their legislative duties to be attended with greater expenses, than they could prudently afford to defray out of their private means, soon resigned their seats, and again returned into private life; and now there is only one member of the Legislative Council who does not reside in or near to Town. I hope and trust gentlemen will lay aside party feeling, and decide upon the question according to its merits, and shew that they are acting consistently with their former acts relative to the construction of the Council. Even in Nova Scotia, they find great difficulty in continuing the old practice, with respect to the Legislative Council; and, in a late Despatch, the Home Government recommended pay to some part of the Executive Body in that Colony.

Mr. F. Longworth. I cannot, Sir, refrain from expressing my surprise at the disposition, manifested by the other side, to oppose this question; and, when I see that this stand is taken by country members, who most of all, it is natural to suppose, would have given it their warm support, I cannot help thinking it is a regard to men, and not to measures, by which they are guided. I hope I may be excused and not considered too severe, when I declare that I verily believe had it been Mr.

Rae, instead of my colleague, who introduced the measure, those who now oppose it would have been found as strong in supporting it. The hon. member was here interrupted by ironical cheers and laughter. These having subsided, the hon. member resumed. Yes, Sir, notwithstanding this merriment, I add that this question will try the sincerity of the party, on the opposite side of the House; and, I think the excuse of the hon. member for Prince County (Mr. Rae) for not giving his reasons—who upon all questions is generally so fluent—is, to say the least of it, an extremely poor one. As yet, I have heard no one pretend that there are not, in the country districts, persons fit and proper to occupy seats in the Legislative Council. The excuse is, they cannot afford it. Let this measure become law; then the excuse will be done away with, and a great and desirable reform will be attained in that branch of the Legislature. It cannot be denied that the present body are composed of men of one mind, associating together from day to day, and year to year—men whose similarity of station and pursuits cannot, does not give them opportunity to become as good judges of the wants and wishes of the people, as those who, from residence and occupation, come into daily contact with them. I am at loss to understand the meaning of one hon. member, Mr. Mooney, as to the signs he fancies he perceives in the grass, indicating a serpent to be there, and that this measure is brought forward to sting some persons. I think it might equally apply to the conduct of those who go with him; for he himself admits the principle, by saying he would go as far as voting for the pay of the hon. Mr. Anderson, the only country member now in the other House. I see sound principle and equality of justice in placing, in the hands of His Excellency, the power hereafter to fill up, from any part of the Island, any vacancies that may occur in the Legislative Council; and this, Sir, is my reason for supporting the measure.

Mr. Macintosh. I set but little value, Sir, on what has fallen from the hon. member who has last spoken. He measures the action of this side of the House by the practice on his own; and that makes up the substance of his speech. I oppose the motion, Sir, on three grounds: first, because the country does not complain; secondly, because the Legislative Body itself does not complain; and, thirdly, because the people would have to bear the burden, and then they would complain. I also oppose it upon the principle that every law that is not wanted for the protection of their rights, is an infringement thereof, and a restriction of their liberty.

Mr. Hugh Macdonald. The people are of opinion, Sir, that measures for their benefit, proposed in this House by their representatives, are frequently frustrated by the opposition offered to them by the other branch, in consequence of the ignorance of its members, with respect to the real wants and grievances of the country—an ignorance which can be removed only by providing for the admission into that body of men from distant and different parts of the country. Measures affecting the whole Island, are frequently introduced by the members of the Legislative Council; and, therefore, unless that body consist of members from all parts of the Island, how is it likely that justice can be done to all parties? I perceive, Sir, both the equity and justice of the measure under consideration; and I feel surprised that any objection is offered, particularly by country members.

Mr. Mooney. I am not, Sir, tied to the skirts of any one. I would scorn to be tied even to the swallow-tailed skirts of the hon. and learned member for Charlottetown (Mr. Palmer.) I can, therefore, vote independently upon any question! But, I fear, there is some private pique in this business. Some members in the other body are not, perhaps, subservient enough to some in this. I wonder that the learned gentleman who has moved in this matter, being so old a member, should never before have made the notable discovery that the Council did not do justice to the country. I was not, before, aware that he was so very anxious about the country interests; for I see, by a journal now in my hand, that, when the hon. member for Prince County (Mr. Rae) moved for a small grant, to enable some poor farmers located in a back settlement, to procure direct access to the main road, from which they were shut out, that he, the hon. and learned member (Mr. Palmer) voted against it.

Mr. Rae. Sir, notwithstanding the blistering and taunts, and insinuations of the learned Dr. Conroy, I shall make but very few remarks. He, evidently, cares not how much he speaks or to how little purpose, well knowing that the pen of a certain ready scribe will come to his aid before publication; whilst, on the other hand, I am sure to be represented as worsted by the same pen and misrepresented, as has been the case lately relative to the part I took on the Address in answer to the Governor's Speech, and on other questions. There is a great deal of unfair reporting in the Islander and Gazette. In respect to this question, it has been secret-