

The Carleton Sentinel.

Devoted to Agriculture, Literature, and General Intelligence.

Published and Edited

"Our Queen and Constitution."

By James S. Segce.

NUMBER 45.

TUESDAY, APRIL 29, 1851.

VOLUME 3.

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Woodstock, September 1850.

PROVINCIAL PARLIAMENT.

HOUSE OF ASSEMBLY.

[Mr. Taylor's Reports.]

MONDAY, April 7.

(Continued.)

Mr. Williston said that he was gratified in having an opportunity of explaining before that Honorable House the circumstances connected with this unfortunate affair, which had caused so much trouble, and which had caused so much contention. He hoped hon members would bear with him for a short time, while he would attempt to give information, and he would assure them that he would state nothing on the floor of that house, that he was not ready and prepared to prove. On the 4th of June, 1847, a little after sun down, a boat, rowed by four men, came up the river, with a person sitting in her stern, who hailed the people on shore; this was the captain and four men belonging to the Lestock, which lay about twenty miles below. The captain explained the miserable condition in which his passengers were, and craved assistance from the inhabitants. The sympathies of the people were at once awakened, and all the milk, bread and wine which could be collected together at the time, was immediately put on board a boat and conveyed to the ship, for the immediate relief of the sufferers. A special session was then called, about 11 o'clock at night, to deliberate on the best course that could be pursued for the affording those suffering with Typhus fever, shelter and food. After considerable discussion, it was resolved to land them at Bay du Vin Island, which afterwards was found not to be so suitable a place for the erecting places of shelter, as Middle Island. The sessions appointed a Committee from their own body, to carry out the plan agreed upon, and Mr. Letson and himself (Mr. Williston) were appointed that Committee. He distinctly stated at the time when they were appointed, that they would be willing to do the duty without asking any pay, providing the time they were employed did not exceed a month, but if it exceeded that time they would expect to be paid, and to this the session assented. When the temporary shelter was in readiness, the passengers were landed on Middle Island, and he (Mr. Williston) was with the medical man employed by the Committee, when the landing was effected, and that gentleman told him that out of four hundred persons landed on the island, not more than twelve were free from sickness. When the ship left Ireland she had 470 passengers on board, 70 had died on the passage, and the miserable condition of the remainder was beyond description. The Committee had to become responsible to the men who were engaged to take care of the sick. As it became noised abroad that the funds at the disposal of the Committee were exhausted, they threatened to leave, and Mr. Letson and himself were obliged to say that they would be responsible for their pay, if they would attend to their duties. On this promise actions had been commenced against them, and judgements obtained. He would assure the House, that the committee had acted in every instance under the direction of the Session, and had exposed themselves for about four months, and all the remuneration they received, was the 5 per cent on the money they expended. He hoped their case would be fairly considered, as all they required was an impartial consideration, and then he believed justice would be done them.

Mr. Wilmot would support the grant, and thought the conduct of the Magistrates ought to undergo an investigation by the Government. He had had claims against the Magistrates in St. John, as a body, which, if it had been against them as individuals, he would have commenced an action against them, but knew it was of no use to do so under present circumstances, as they were not incorporated, and therefore they could not be sued as a body. Such was the case with the present petitioners, and the only remedy left them was to come to this House.

Mr. Gray observed that his feelings were decidedly in favor of the petitioners, but thought before the actions of the Magistrates were condemned, they should have a hearing, in order that they might justify their conduct if they could do so.

Mr. Gilbert said after the explanation given he would second the motion to have the matter investigated, and if the Magistrates could not justify their conduct, he would most decidedly go for paying the petitioners.

Hon. Mr. Partelow thought that if the matter had been properly investigated before, when under the consideration of the House it would all have been settled long ago. He also thought that if Dr. Thompson could show that he had been employed at 3 guineas a day, he should be paid the full amount, according to agreement. He felt disposed to support the grant, and thought the petitioners ought to be paid, as no doubt they had performed a most arduous duty.

On motion of an hon member the Chairman reported progress, and asked leave to sit again to-morrow.

Several grants were entered on the Supply Book, when the House adjourned about 5 o'clock.

WEDNESDAY, April 9.

The House went into Committee of the whole, on a bill relating to the pay of the members of the Legislative Council.

Mr. Steves would not say much respecting the Constitution of

the Legislative Council, his opinions had been fully expressed last year, when an address was prepared and sent to the Home Government on the subject of having that body elective, and the prayer of the petition acceded to by Her Majesty, and he regretted that the bill before the Legislative Council had been rejected by that body. He could not consent to pay them until they were elected, and represented the feelings of the people, and would move that the further consideration of the bill be postponed for three months.

Mr. Hatheway would second the motion, and thought it very probable that by rejecting the bill to pay the members of the Legislative Council, it might be the means of the Assembly not being paid this year, but as a great principle was involved in the matter he felt bound to oppose it.

Mr. Beardsley was favourable to the motion made, although it might subject him to the loss of his pay for the present year; but as a principle was involved, he would have to vote against the bill. He did not feel disposed to let this House be coerced by the Legislative Council, that would acknowledge no responsibility either to the Legislature or the Government, and object to measures against the well understood wishes of the people. He would be willing to pay the members of the Council, provided they were elected by the people, and not otherwise.

Mr. Johnson believed that the Legislative Council, in rejecting the elective bill, had acted upon the principle that this House generally had done, that they thought they were doing right. He thought that if the Government were very anxious to carry the measure, they would have filled up the Council for that purpose, as they had the power of doing so. Although he had introduced the bill, under present circumstances he could not support it.

Mr. Wilmot would vote for the bill, as he did not think that the Country required the services of members of the Legislative Council without paying for them, although he did not think, as at present constituted, that they represented the feelings of the Country.

Mr. Robinson did not think his constituents wished to have the members of the Council elected, but in order to try the patriotism of some hon members, he would vote against the bill.

Mr. Ritchie would oppose the present bill and thought that if there was ever a principle involved, in which the Country was interested, it was now, as to whether the Council should be elected by the people or not. Last year an almost unanimous address from the then House of Assembly passed, and was sent to Her Majesty, praying that Her Majesty would grant the privilege of electing the Council, that request has been granted, and the Council has re-rejected the bill. He would ask, who then are the members of that Council responsible to, he was at a loss to ascertain, as they stood in opposition to the Government on the one side, and the people on the other. He would not consent to pay them until they became an elective body, and were responsible to the people for their acts.

Mr. Tilley would oppose the bill, as he thought that the Council had, by their recent act of rejecting the elective bill, declared that they were an irresponsible body. When that body is elected by the people he would have no objections to have a sum appropriated to have them paid. He could not agree with an hon member that it would be an act of patriotism to vote against the bill, but would allow every claim to stand on its merits, and vote accordingly.

Dr. Thompson had always been against paying the members of the Legislative Council, as he thought they should be a body of men, so independent, that they would be willing to perform the duty without any remuneration other than the honor.

Mr. Chapman had for a long time heard complaints as to the constitution of the Legislative Council, and thought that the only remedy was to have its members elected by the people. Still he would be willing to pay them this year, as no doubt the bill would pass another year.

Mr. Hannington had expressed his opinion on the subject as long ago as the year 1839, and did not feel at present called upon to support the present bill. In his County it was an almost universal opinion that an elective Legislative Council was necessary; but the House got very little credit for passing the address last year, as it was done at the end of the Session and the people generally said it was done for electioneering purposes. Although the bill had been thrown out by the upper branch, it must eventually pass, and the people will not be satisfied otherwise.

His Honor the Speaker had always been opposed to paying the members of the Legislative Council. He thought that body should be so composed as to be a check to the Government on one side, and the House of Assembly on the other, the same as the Senate of the United States.

Mr. Needham said that the Legislative Council had never been paid till about ten years ago, when a bill was passed for that purpose by the casting vote of the Chairman. That time had expired, and the Council were now on the same footing, as far as their pay went, as they were before the bill passed, and he felt disposed to let them remain so, until they were elected by the people. He did not think there was any necessity for such a branch of the Legislature at any rate; if there was, let those pay who appoint them, and when the people elect them, he would say they ought to be paid.

Mr. Ryan thought there would not have been any complaint