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VOL. XXIII.

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JOHN IVES. 841.

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To the Editor of the Kingston Herald. To the Easter or the Angelow Arcent. -As your correspondent "Fair Play" add proper to contradict some statements ad in my communication in a former num-out paper, signed "A Reformer;" I feel turning outcome in the is accused of the most disinterested intention of charging the District with the sum of $\pounds 5$ for the "hustings" at the late election, while he only paid one half that sum. This is really a most ingenious falsehood disguised like truth. I am glad that he has menn to correct the assertions con-r, for he has disproved nothing. ing officer has been treated by the Magistrates of the District. War Bennin Kethesson, the carpenter employed to erect the hustings, is one etter, for he has disproved nothing, that statement to you, I expressed to give my name when required.— sto expose a system, by means of whethe Returning Officer for the dings to have been insulted and in-ing as well as in his private came. carpenter employed to erect the hustings, is one of our most respectable magistrates, and one of the very few reformers to be found among our tory magistracy. The Returning Officer agreed to pay him $\pounds 5$ for the hustings, finding that in consequence of the deep snow he would not do it for less. The Returning Officer made his charge accordingly on the District, but as the Magistrates thought that the election might have been held in the Court House they would only rial as well as in his private capanot have taken the trouble to no-nous and vulgar letter, but for al believe wilful mis-statements height fit to make, both respect-wbrought forward on the occasion the brought lowward on the occasion d size respecting the conduct of the fice, with regard to the "*huslings*;" ould appear, he attempted to make profit. In the first place, with re-reste character of the Commis-ability of Lowet displayment Magistrates thought that the election might have been held in the Court House, they would only allow £2 10s. which was accordingly paid to Mr. Ketcheson,—the Returning Officer being still personally responsible for the remainder.— My ingenious friend "Fair Play," who well knows that the Returning Officer's character standsfar above such pal ry roguery as he imputes to him,—is again inaccurate in stating the law. mplained of, I must disclaim any ing that before the public, whatdemerits may be. It is with his urning Oli-t, he should press terms, and which the Magistrates had as hittle right to qualify, as they would have had to With this watched the Officer or the Poll Clerk. There was an attempt made by the Tory Candidate and several Tory magistrates in his interest, to dictate to the Re-turning Officer as to where he should hold the electrom-which thay thought chough and hold the hat that interest was,-and why my interest sooner. With this new, I should have watched the e 'Court of requests' in question, never having appeared inany of turning Officer as to where he should hold the election—which they thought should be in the Court House. This he "very properly" refus-ed, in the apprehension that a riot on the part of the Orange faction was intended; and also be-cause, in case of a riot being contemplated, the Court Honse would be a strong hold which either party could easily maintain, and thus obtain an unfair advantage over their opponents. In act-ing as he did he used the power which the law has intrusted to the Returning Officer, who is alone held responsible for the discretion he exer-cises in the choice of a place for the hustings. another place, Constable of the Court lying on using his unasked advice to the oners. 3rdly. He asserts that ignation" has been raised ahis town, by his conduct in y "Reformer" he means the r, I would ask most ingenuous if he is not perfectly aware of the is hostility, and an implacable one originated with his first appointhrievalty of this District ; and that t he received from the Court of cises in the choice of a place for the hustings.-To put this hustings affair in its true light, I have subjoined Mr. Ketcheson's certificate. As rely to be regarded as a link in the persecution and *mosquilo* annoy-ch he has been honored ever since, to the other accusations against the Returning Officer they hardly deserve notice, but as the inlignation of all the liberal and loy-of the District. 4thly. With redications of a low grovelling mind so characteris-tic of "Fair Play," who well knows that if a Dr erance of the evidence on in, I can only say that I adhere to my tements, which I can easily prove if and Cr. account of mutual civilities and kindness es had been kept "nore suo" the balance would be certainly against him; and I therefore dis-miss these accusations with contempt. ing on either side. I should here I am, Sir, Your ob't Servant, + Fair Play" has judiciously pass-circumstance of the Commissioners solent and disobedient Constable the

Belleville, July 20, 1841. (Copy.)

doubt, and not only deciding that and up to Thursday morning, but ould be paid up to Thursday night. lay" does not deny that the plaim-rged in the morning, as all the evi-I hereby certify that in the month of March last, I was employed by J. W. Dunbar Moodie, Esquire, the Returning Officer for the County of Hastings, to erect a Hustings for holding the election for the said county; and for which he agreed to pay me the sum of five pounds, being the sum allowed by statute. I further certify that I afterwards received from the said J. W. Dunbar Moodie. Esquire, the sum of two nounds at effect; he must therefore, ac-y the whole of Thursday from lock, A. M. to the evening ! !-u crock, A. M. to the evening ::-but on no other, would I rest the would ask any candid person, if operance of partiality here ! Why, only gross partiality, but it is hold-ext encouragement to disobedience Dunbar Moodie, Esquire, the sum of two pounds ten shillings on account, for the erection of the said hustings; the said last mentioned sum being all that the Magistrates in General Quarter Ses-sions would allow for the rection of the same. on the part of Constables to the of the District, whose authority of every subordinate officer to sup-l again repeat that the plaintiff was sult the defendant with the grossest (Signed) BENJ. K Belleville, 20th July, 1841. BENJ. KETCHESON, J. P.

considerable time, without receiving To the Editor of the Kingston Herald. checke'rom the Commissioners : a side gently told to be quiet, but was allowed to say what he liked. 'Tis for slaves to lie ; and for freemen to speak truth," SIR,-The great palladium of an Euglishman's y's" acute criticism on the use I the word "bore," I have only to reliberty has ever been the right of petition-but I believe you will think with me, if many instances sses even a moderate share of occur such as I have now to record, that the prebe may easily understand, that in. sect Executive of Canada cannot be said to hold greatly in respect such sacred right. The home Secretary has emphatically said that the voice of the majority was to be regarded in the province, yet has the Township from which I write prayed al language & bearing to any indiv d-re of the Court, to say nothing of the individual as Sheriff of the District, been considered as an insult to that should have been promptly punished voto to the Commissioner he defends lied a "Tory," and having voted for in, who is no-toriously a Reformer, yet has the Township from which I write prayed unheeded since the commencement of the year, that an enquiry should be instituted into the ofi-cial conduct of the magistrates residents. The meeting at which the petition was dopted was large and most respectable, and was presided over by a gentleman of leading influence in the county —the petition, complaining of the overleading as-sumption and abuse of part of the magistrates acting in this division, was worled with serum. stance which I confess is rather The circumstance of his r. Baldwin took place at the eleventh ted equal surprise in the minds of I must confess that it would be acting in this division, was worded with scrupu lous courtesy, and was subscribed to by say nine cult to define the politics of the lerred to define the particle of the omparing it to that of a drowning to a plank which is painted white teen twentieths of the Township. Such being the facts, we had hoped that our expectations were not too sanguine in believing that the abuse complained of would meet an early enquiry; and that satisfaction would be done to the petitioners. ck on the other The color not determine his choice of the Most different has been the result—no enquiry so far as the petitioners have learnt, has as yet been instituted into the matter of complaint, and the worshipful gentlemen are undisturbed in their offices—and most far does it appear from their generally believed to be a tory be-m, and he is now believed to be a If I do him injustice, he possibly a opportunity at some future time o consistency by again voting for a intention to endeavor, by conciliatory manners and a different course of conduct than that com-plained of, to tranquilize the very justly irritated feeling that prevails against them officially. In the old country amagistrate is invariably a gen-teman one, from whose known character for discome to the 2s. 6d. affair. Here your has misrepresented the law. 2s. quests." I shall quote the act : chap. 6, s. 6, "The allowance teman one, from whose known character for dis-teres tednss, added to an elevated position in inciety—to whom the people look up to with res-soct and confidence. The great dissimilarity of pearacter of that body in this Province the Exend every of the witnesses, to be tion of the justices, but not to lings and six pences, but to I moreover deny that it is the k to collect the allowance for the a." I moreover deny that it is the Clerk to collect the allowance for the winesses, when judgment is given atif nor in common fairness should be "ksing party" with the allowance the sum the sale one. I never asserted no. the sale one. I never asserted no. that the Clerk's courses wided. All I meant was, that the "sering liable to abuse, and if I A. All I meant was, that the uliarly liable to abuse, and if I effed to "point out an instance" is to be hoped that the day is not far distant when the vote of a Township may select its own local unt for it," I may also ask "Fair what proportion of the witnesses pplying for the 2s. 6d. so liberally them. The individual may be spoint but the system. flected money for another "p wint but the system never can: Your most obed't Serv't h is only calculated to make rogues are taken for honest men, and to "FIAT JUSTITIA." The taken for honest men, and to litigation, strife and perjury. I lay "as a friend to the party com-old have been wiser had he left the md it, as other abuses might possi-Seymour, Northum-) berland 22 July, 1841.

turning Officer." He is accused of the most

kingston &

Provincial Parliament.

HOUSE OF ASSEMBLY.

FRIDAY, July 23.

Sir ALLAN MCNAB moved that the message o the hon, the Legislative Council upon the sub-ject of the bill for extending the time for the tri-al of certain controverted elections, be referred

to a select committee to consist of certain gentle-men whom he named. Mr. CARTWRIGHT moved in amendment that it be resolved that the petitions and other docu-ments and evidence upon this subject in the pos-session of this house be transmitted to the Le-

gislative Council. Sir ALLAN MCNAB objected to the amendment which would cast on the Council the necessity of rejecting the bill. The reason which had gui-ded the house in passing that measure was the belief that the petitioners had labored under a misconception of the law, and that this error had been encouraged by acts of the Legislature itself. Was it not right to put the Council in possession of these facts ? otherwise they would only send half the evidence, and put that honorable body in a position to reject the bill. Mr. OGDEN said there could be no doubt of

the right of the Council to make this request, and referred to numerous precedents which could be found on the books; whereas he denied the existence of any precedent for the course recom-mended by Sir Allan McNab. The request was for the evidence on which the bill was passed, & where was that evidence to be obtained if not in facts before the house ? It could not be supposed that the house had been influenced in passing this bill by mere opinions, but that they had pro-ceeded upon facts, and where were these facts ecorded if not on documents in the possession of he house ?

Mr. MORIN said the house had been inclined to pass the bill on high public considerations, and therefore a declaration, through a committee, of the motives by which they had been guided was

by no means singular. Mr. Cook objected to the explanation required as interfering with the privileges of the house. If the Council required information they should seek for it themselves by sending for persons and papers connected with the matter. papers connected with the matter. Mr. MoFFATT said that the Council in making this application was not requiring the reasons which induced the House to pass the measure, but merely exercising a constitutional right to call for aridence.

call for evidence. Sir ALLAN MCNAB said that a great deal had seen said on the course which the Council might

take its course—that in case the decision of the Supreme Court of this State was against his lib-eration, the cause would be removed by writ of error, to the Supreme Court of the United States. In this decision, Mr. Fox has acquies-ced, at least as far as his silence goes, and his further interference cannot be expected until the decision of the Supreme Court of the United States is known, and that decision should be a gainst delivering up McLeod. they might send down for our reasons for passing any public measure. I think it does not become the grounds and reasons of the conclusions at which they arrive; and it would but ill sustain its reputation by admitting the right of the Coun-ril to demand these grounds and reasons. The proper way of procuring information, I apprehend is by asking for a committee of conference. I throw out these remarks not in a spirit of oppo-sition, as a member taking part on one side of sition, as a member taking part on one side of the question or the other. Instead of sending up matters of evidence, to send our grounds and rea-sons which involve principles of political consid-eration, would place that branch of the Legisla-ture in a spiriful and uncheapt simultance. ture in a painful and unpleasant situation : they might truly say we asked for bread and you gave Sir ALLAN MCNAB said he regretted that the

CANADIAN JOURNAL, POLITICAL, AGRICULTURAL & COMMERCIAL.

KINGSTON, CANADA, TUESDAY, AUGUST 3, 1841.

Sir ALLAN MCNAB said he regretted that the learned and hon. Attorney General for the west, had not been in his place in the house the other day; and from his high regard for the privileges of the house, he (Sir Allan) was quite sure, he would have corrected any error into which they might have fallen in pressing the bill. It would be recollected that he (Sir Allan) had proposed to insert in the according to more full and explicit be recollected that he (Sir Allan) had proposed to insert in the preamble a more full and explicit statement of the grounds and reasons for passing the bill, and it had been objected to by the learn-ed colleagues of that gentleman. (No, no.) Well, there is no understanding those hon. gen-tlemen. (Mr. Ogden : it was to go with all its deformities.) It cannot be said to be very de-formed. Those hon. gentlemen, if they did not attempt to correct its imperfections, ought, at least, to endeavor to secure its passage in the other branch of the Legislature. other branch of the Legislature. Mr. CARTWRIGHT said it appeared to him it was the duty of this house to send an answer to

was the duty of this house to send an answer to the message of the Council; and it was with this view that he (Mr. Cartwright) had proposed this amendment. The most ready method of com-plying with the request of the Council was by transmitting the documents which they had in their possession. If it was necessary, however, to name a Committee at all, the learned knight was perfectly correct in naming these who were was perfectly correct in naming those who were Mr. TURCOTTE spoke in favor of the original

Mr. I URCOTTE Spoke in layor of the original motion. He was opposed to the amendment. Mr. NEILSON was of opinion that no precedent could be found either in the practice of the House of Lords in England, or in that of the Legisla-tive Council of any of the Provinces, for a pro-ceeding of this kind. In the case of public bills, ceeding of this kind. In the case of public bills, or of matters relating to the privilege of the House of Commons, it was highly improper that it should be done; and the matter in question clearly fails within the latter class. However, it was the duty of that house to do everything which is proper to maintain a good understand-ing with all the other branches of the Legisla-ture, in order to carry on the business of the ture, in order to carry on the business of the country with perfect harmony. Who carried out this bill, to adopt such a course as they may deem proper with regard to it. Mr. THORBURN said he also considered the

matter was one which concerned the privileges of this house. He believed that it was altogeth-er unusual for petitions to be presented to the Legislative Council, concerning contested seats

ify country by passing it.
Mr. BoswELL said before the question was put, he felt bound to make a few observations, ing the original documents in the hands of the legislative Council, and thought the precedent would be a dangerous one. The grounds, he said, on which he said the bill had passed the house were well known to the public, and thought the precedent would be a dangerous one. The grounds, he said, on which he said the bill had passed the house were well known to the public, and thought the precedent without reference to any vote the had given on a former occasion, (hear, hear.)
Mr. BALDWIN asked whether it would be showing a proper respect to the honorable body from which this request emanated to depart as far from the object of the application as would be was information of the grounds.
Mr. BALDWIN asked whether it would be whole the case if the amendment were adopted ! What was required was information of the grounds.
Mr. BALDWIN asked whether it would be would be a to whether such a message were the course in relation to a bill of this nature. (Hear, hear.) He had no doubt the Course in the doubt the case if the amendment were adopted ! What was required was information of the grounds.

he was aware had petitioned the home Govern-ment without success, and believed they were entitled to the consideration of that house. He (Mr. McDonell) well remembered the events of that night on which the vessel was captured, and well be available to be a set of the set of well he might, having been a participator in the

Mr. JOHNSTON .- The hon. gentleman is very charitable indeed. He says the home govern-ment have refused to acknowledge the claim, and therefore we ought to admit it ! The bill is the production of the hon. and learned gentleman from Essex, and I confess I am at a loss to understand from it what description of losses are to be compensated ; whether it be the horse which car-ries the man to the battle, or which enables him to fly from the battle. I would like to hear the hon, gentleman state whether the Peel is one of those losses which are to be comprehended with-

herald.

in its provisions. Col. PRINCE said with permission of the house, as he had been called upon by the hon. gentleman, he would state for the information of the hon. gentleman, that although he was the one who had drawn up the bill, yet when a bill was adopted by the house it was no longer the bill of the member who had drafted it, but the act of the house. It was the act of the Province at large. He (Col. Prince) was sorry that the intellect of the hon. gentleman did not enable him to understand a plain enactment—so plain that he who runs may read, and he who reads, if possessed of common sense, may understand.

Mr. SMALL remarked that he had drawn up the notion for the hon. gentleman (Mr. Johnston) with a view of trying the sense of the house upon it, and as he found that the house were against it, he trusted the hon. gentleman would now withdraw it. (Hear, hear.) Mr. JOHNSTON moved for leave to withdraw the

Col. PRINCE rose for the purpose of bringing under the notice of the house a paragraph which had been published in a certain newspaper. ("Cries of name, name.") The Montreal Her-ald. He desired to ask if a committee of privi-lege had been struck, if not he thought that it should be done, that there might be a tribunal to take cognizance of subjects of this nature. When the publisher of a newspaper allows himself to be guilty of a contempt such as the one to which he the publisher of a newspaper allows himself to be guilty of a contempt such as the one to which he now referred, (and he would take the liberty of reading the article to the house,) it should not be permitted to pass unnoticed by that house. There was no man in this Province who was a more staunch supporter of the liberty of the Press than himself, but he would most decidedly set his face against the abuse of that liberty. The licentious portion of the Press would find in him a determi-ned enemy. When he read a public newspaper containing a deliberate falsehood; when he saw a portion of the house stigmatized as rebels, he thought it was time that the house should assert its rights, and hold the author of such a libel an-swerable for the consequences of his misconduct. swerable for the consequences of his misconduct. [Col. Prince read the article referred to by him,

being the leading article in the Montreal Herald of the 20th instant.] The Editor (Col. Prince said) he imagined would be somewhat puzzled to show that he (Col. Prince) had ever moved for the introduction of a bill to reader universities the introduction of a

Mr. PRICE was in favor of some compensation, but he was satisfied that no sum with which they could fill up the blank would reunmerate them. What benefit was it for him to leave his home and his business for 3 or 4 months' residence at a distance from them to at and to the business of a distance from them to at and to the business of the country. It was enough sacrifice that they had to leave their families. If no money was granted, many worthy and able men would be left at home. The hon, gentleman from Drum-mond had said that the aristocracy ought to pos-sess the representation. Were they not suffi-ciently represented in the upper House, and would not they check the house, in any infringe-ment upon their rights ! This was the commons House, the representation of the people.

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ment upon their rights ! This was the commons House, the representation of the people. Mr. Huxers hoped to see a message from the Executive recommending an appropriation for this purpose. He trusted that the supplies would not be granted until such a message was sent down, he had no idea of the message was sent down, he had no idea of the message was sent down, he had no idea of the message was sent down, he had no idea of the message was le thought the payment ought to be made out of the public fund i in many instances it had been almost impossible to obtain the amount from the District Treasurers.

District Treasurers. Mr. Morfart had frequently had reason to ad-mire the candour of the hon. member for Oxford. He was glad to bear him declare, as a reformer of Upper Canada, that he would stop all legislaof Upper Canada, that he would stop all legisla-tion until such a message would be sent down. (Mr. Hincks, yes, yes.) I am pleased to hear it, and I hope it will go forth to the public. Mr. Morin believed that the wages for mem-bers could as well be paid from the public chest as the salaries of the officers of the government. Mr. PARENT was surprised to hear that the payment of wages to members was unconstitu-tional. He contended that it was more constitu-tional. He contended that it was more constitu-

tional to pay members out of the public chest than from the local funds of their constituents. than from the local funds of their constituents. They were the representatives of the whole Pro-vince—ti followed that the whole Province should pay them. Small and poor constituencies would feel it very hard to pay the amount, to which also was to be added travelling expenses. It was a question also not altogether independent of the liberty of the people, whether the money should be taken from the public chest or be paid by the constituencies. The rich can well afford to come here, but as those who were in poorer circum-stances could not well bear the expense, the rep-resentation would pass into the hands of the for-mer.

Mr. BALDWIN would make one more remark. Honorable members should go further, and make those alone pay who had voted for them.

Mr. CHRISTIE could not see much to censure in the remarks of the hon. member for Oxford rela-

the remarks of the hon. member for Oxford rela-tive to stopping the supplies until a message should be sent down on the subject by the Exe-sutive. He thought that some measure of the kind will be due to the house. Mr. SHERWOOD remarked that stopping the supplies would be a futile measure. The gov-ernment had provided for itself. (Hear, hear.) He was in favor of paying members. As mem-bers of the whole Province they ought to be paid out of the public chest.

out of the public chest. Mr. DUNSCOMPE.—This was no new question. He had heard it discussed in other houses than this, and it had engaged in other houses than this, and it had engaged the attention of the ab-sent writers. He never had heard but one argu-ment in favor of the measure, and he challenged the production of any other, and that was, that it gave the people a wide range in the selection of their remeandation their representatives. Mr. HINCKS agreed with the hon. member from

Beauharnois that it would have the effect stated. Mr. MERRITT was in favor of the measure ; but

Mr. MERRITT was introv of the measure, but he could not but contrast the present conduct of how members with that of a few hours since, when the petition for the relief of poor and disa-bled persons was brought up, they refused to be it go into committee—a proceeding unpreceden-

841.

YOUNG LADIE rived from London, m leave to announce to 10 of Kingston and its vici Mother, she has opened or the instruction of You anches of English Educ ic and the French La

R QUARTER. mar and Geography,

present taken apartne in Brock Street, occup ller. ev. Mr. Herchmer. 1841.

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es. Letters must be June 28, 1841.

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1841.

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have been wiser had he left the t, as other abuses might possi-But now, there is every pros-its being so amended as to re-is; and I should be sorrer and being so amended as to re-bust of the Supreme Court of this State in the case of the intervalues in

was required was information of the grounds on which the house had passed the bill, and then they came to the question what that evidence was. On this question he thought it rather to was. On this question he thought it rather too bad that the gentlemen on the other side, a mi-nority, should offer to state the grounds on which they, the majority, had proceeded. He thought they should at least let them speak for them es, and not endeavor to put words into their nouths. They had not, he contended, proceeded in the petitions which it was now proposed to end up to the Council, but on statements made n that house by hon. members, and on facts which appeared in their Journals, and which had even to some extent confirmed by the acts of the Legislature. To misrepresent their proceeding, then would be inconsistent with the dignity of the house, and yet this would be the case if the etitions only were sent up. As they had in art proceeded on other evidence, they should ther not send up any, or send up what was re-illy the true sense of the house.

Attorney General DRAFER said he had not the pleasure of being present when the bill was pass-ed, and therefore he could not judge of the evi-dence upon which the house had decided. Upon dence upon which the house had decided. Upon examining the preamble of the bill, however, it appeared from facts which had been brought un-der the notice of the house this enactment be-came necessary. If there were no such facts as would demand from that house the passage of a measure of this kind, the majority had placed themselves in a predicament. It could hardly be considered an unproper act in the other branch of the Levislature to ask on what premises it was of the Legislature to ask on what premises it was that you came to the conclusion which you have arrived at. The formalities of the election law arrived at. The formatices of the electron law not being complied with by certain electron in consequence of a supposition that that law was not in force, a majority of this house seems to have thought it necessary that this act should be passed. The evidence sought for by the council then are these facts. We are told further that then with the hour the ground from which this hey wish to know the grounds from which nouse drew its conclusions. This is the first house drew its conclusions. This is the first time that I ever, as a lawyer, understood facts to mean conclusions. It is possible that this may be done by the Legislative Council to give an op-portunity of kicking the bill out. Now, I must say, they need not have been at a loss for reasons for kicking it out: they might assign reasons sufficient. Any one who will take the trouble of reading the bill as a lorgit reader and construof reading the bill, as a legal reader and construer of statutes, will at once find that the enacting clause is merely directory and carries no conse

quence whatever ; and therefore if reasons were wanted for kicking the bill out it furnishes suf-ficient of itself. I therefore conceive it was not in this spirit that the message was sent to this house, but really to acquire a knowledge of the

were desirous of obtaining the evidence upon which this house proceeded. He (Mr. Boswell) himself had felt himself in much the same di-

Mr. MERRITT was of opinion that the course proposed by the learned and hon. Knight was he only course which would relieve the house from the danger of collision with the Council. Hon. Mr. HARRISON said it appeared to him hat to say this matter was one of pure privilege involved a contradiction, because if it were a matter of privilege it would not be necessary to call in the assistance of the other branch of the Legislature to pass the bill. He perfectly con curred with the gallant Knight that if a commit tee were appointed it should consist of those who were favorable to the bill. He would, however, vote for the amendment, because he thought it desirable that a courteous answer should be returne

Mr. HINCKS said he should support the origi-nal motion. He had very strong doubts whether the Council had a right to ask for this evidence. That would be a subject for the consideration he committee.

The question was then taken upon the amendent—yeas 23, nays 37. On the original motion, yeas 36, nays 24.

Upon the third reading of the Bill to provide for the payment of losses sustained during the late rebellion.

MR. JOHNSTON moved that the bill be re-com MR. JOHNSTON hoved that the bill be re-com-mitted for the purpose of amending the same, by adding a clause to prohibit the granting of com-pensation to the proprietors of the steam boat Sir Robert Peel. Since the destruction of that steamer took place, the chance for obtaining payment had been made a matter of speculation. The stock had been transferred from hand to hand, and the parties were not entitled to remuneration.

Colonel PEINCE said he could not comprehend why compensation should not be paid for the loss of the Sir Robert Peel, as well as of any loss which occurred upon the water. All losses of that description were contemplated by the Bill. If that vessel had not been destroyed by brigands, the commissioners will of course reject the claim for composition for compensation. It is a matter to be determi ned by the commissioners themselves. The act embraces all losses sustained upon the water and to make exception of this vessel would be most invidious, unjust and improper.

Mr. BALDWIN said he must certainly coincide with the remarks of the hon. gentleman from Es-sex with regard to the Sir Robert Peel. He could see no reason why that should be made at exception. There was no evidence before the bouse to warrant them in coming to such a con-clusion. Other hon members might rise and ob-ject to particular cases, and by allowing all such objections to prevail, the whole intent of the bill would be frustrated. (Hear, hear.) It is to be

the simple question put by him a few days back to his Excellency's advisers as to whether any relief was intended to be offered to any of the misgui-ded men who had left this country, had been(as he could not but imagine wilfully) misconstrued by the Editor of the *Montreal Herald* into the actual introduction of a bill for the intention of a bill for the the Editor of a bill for the indiscriminate parlon of all; a measure which every Lawyer must well know would be unconstitutional and a direct in-terference with the prerogative of the Crown, and therefore illegal. (Hear, hear.)

Mr. JOHNSTON said he concurred in the greater and Johns tox said comments of the gaper to which the gallant Colonel alluded. (A laugh.) He (Mr. Johnston) had never been more aston-ished in his life than when he heard the gallant Colonel demand from ministers of the Crown whether it was the intention of government to pass a bill for the relief of the rebels. (Hear, hear.) He was quite as much astonished as the editor of the Herald had been. (Order, order.) He believed he was in order, he would not let the matter be disposed of so easily. The SPEAKER informed the hon. member that he was altogether out of order as there was no

metion before the house.

The House went into committee on Member's

Mr. BoswELL would vote for the resolution Mr. BOSWELL would vote for the resolution. He said it was only an act of common justice that the members of the house should be placed on the same footing. He, however, differed from the hon. gentleman from Oxford as to the mode of paying members. He wished it to be understood that it was nothing but wages, they served their constituents, and should be paid by them. Low-er Canada would perhaps have a great advantage in this arrangement, possessing large constituen-cies, but he was of opinion that those who sent representatives to this house would willingly new

cies, but he was of opinion that those who sent representatives to this house would willingly pay them for their services. Mr. MorrATT opposed paying out of the public funds. He doubted very much whether the house could proceed a step in the matter. Mr. HARRISON opposed the payment of wages on principle, but in the present state of the coun-try, he thought it necessary. The payment, however, should not be made out of the public chest, but of the local funds of the district repre-sented. He thought that it was derogatory to

chest, but of the local funds of the district repre-sented. He thought that it was derogatory to the dignity of the house, holding as they did, the purse-strings, to dip their hands in for the pur-pose of remunerating themselves. Mr. VIGER contended that they were servants not of any particular constituency but of the whole Province, and should therefore be paid out of the general fund. Mr. WATTS.—The hon. member for one of the Ridings of York has stated that by the non-pay-ment of members, the representation would be thrown into the hands of the aristocracy. He would ask that hon. gentleman in whose hands

ted; and now they were voting money for their own remuneration. Mr. SMALL moved the second resolution, to the

effect that the members should be paid a certain amount per diem. Afterwards the blank was fil-led up with 15s, and the number of miles per day in travelling to be twenty. The committee rose and reported.

MONDAY, July 26.

MONDAY, July 26. Mr. PRICE rose to refer the petition of Peter Leppard whose son had been killed at the Yonge Street riot on the 15th day of October 1839, and prefaced his motion with the following remarks t He said that he had thus far refrained from bringing this atrocious affair before the House bringing this atrocious affair before the House, from an unwillingness to impede the measures of Government. It had been stated that the time of the House had been occupied by matters nei-ther creditable to hon, members nor beneficial to the country, to the entire neglect of public busi-ness, and that gentlemen on his (Mr. Price's) side of the house had factiously promoted this delay. Such an accusation was not founded in frate-wor factions promotion had hear of the delay. delay. Such an accusation was not founded in fact—no factious opposition had been offered to the government from himself or friends in this house, but on the contrary a strong desire had been shown, as well as expressed, to aid the gov-ernment in forwarding every good measure, and that sincerity had been fully shown by the sup-port he (Mr. P.) and his friends had already giv-en to the ministerial measures; but surely it cannot be imputed to the opposition, that they stand in the way of measures which the admin-istration are unwilling to bring down or too weak to carry. to carry.

(Mr. Price then proceeded as follows.) The subject which I now have the honor of bringing before this house, is one of great interest and im-portance—it is one of the most flagrant and atro-cious violations of the rights and liberties of the subject that over discussed a singlify cious violations of the rights and liberties of the subject, that ever disgraced a civilised commu-nity. Had the frightful scenes to which I am about to allude taken place in a part of the coun-try remote from any civil authority, or at a nee-ment when the authorities were unprepared to resist it, I could understand how the shadow of a defence could be made, but when I inform the house that this violation of all law, this infringe-ment upon the most sacred rights of freemen, was ment upon the most sacred rights of freemen, was committed in open day under the very eye of the committed in open day under the very eye of the government, near the seat of power, and by those whom we look to as the legal guardians of the rights and lives of the subject, (and that too af-tor general and repeated threats had been for days thrown out); I shall not be accused of speaking in too strong terms when, I say, that great and culpable neglect attaches itself to the rovernment.

government. It has been held, Mr. Speaker, and wisely held, that the British people possess the power amfer the constitution, at all times to meet in puffiio and discuss the state of the country, to petition the throup, and to devise means to check as hed government in attempts to invade the tights of the subject—this is a right that our forefathers have bled for, and without this right, the boosted glory of a Briton is but an empty name ; and Mr. Speaker, whenever the British people are so ve-nal and so corrupt as to surrender this glorious right, I for one, will cease to boast of my biff and leave a land of slaves for a happier time-This glorious birthright is enjoyed in its ample

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