

would have been different from what it was.—Persons had been nominated who declined serving, some perhaps on account of the expenses and others for other reasons. He would vote for the resolution, as a means of having persons from the country in the Legislative Council.

Mr *Smith* remarked, that no intimation of payment had been given, and the situations were accepted without any such expectation. The Legislative Council represented the House of Lords. Other colonies did not pay. He would not approve of pay at any time, or on any terms, and particularly not as that body was at present selected.

Mr *McDougall* said, that the members of the Council took their seats knowing the wishes of the house on the subject, and without any cause for anticipating payment for their services.—Beside the consideration of expenses of elections, would any one say that the labour of the two houses was similar? Where were the petitions of that body, the division of road money which gave so much trouble to the Assembly, and which occupied him three weeks,—what had the other branch to do, except to review the acts of that house? He did not at all agree with the gentleman from Amherst, who said, that perhaps they should get a little more pay, as they were a little more trouble than members of the house, he felt himself on a level with them as a member of a Legislative body; at all events, that house had the distribution of that which the other branch could not touch, the public resources. Members of that house were selected by thousands; members of council were chosen by one person. Supposing the Assembly to be denied pay, they would be remunerated by their constituents, if unable to serve without—but members of the Council had only the executive to apply to. If the Council had been selected according to the wishes of the people, and if it were proved that members could not afford to serve without payment, the measure might be forced on the house. Were there none in Arichat, Isle Madame, Pictou, who could serve: a gentleman of his county had been alluded to, but the people would not allow him to serve, his services, at home were too valuable—he alluded to Dr. McDonald, who could not attend the Council, pay or no pay, but who would be an ornament to it if he did attend.

Mr *Howe* said, that he would have no objection to the resolution of the member for Amherst, with one condition—he would propose an addition to the gentleman's amendment: the addition provided, that the pay of members of assembly resident in Halifax, should be appropriated to the payment of members of Council resident in the country, on its being ascertained that such members of Council had paid one moiety of their election expenses attending legal proceedings on contested elections.

Mr *McKim* did not agree that the principle of paying was dangerous, any more than it was dangerous to pay the Attorney General, or other officers of Government. It was a misfortune to the country that the richer people grew, the more inclined they were to Toryism; and a resolution not to pay would prevent persons of the middle class from being sent to the Council.

Mr *Young* remarked, in allusion to Mr *Dickey's* proposition, that at one time members of the Assembly resident in Town, seriously contemplated the resignation of their pay.—The House considered that such a regulation would form invidious distinctions and they decided against it. There were seven members of the Council who resided out of the Capital, and only 1 or 2 of those cared anything about payment,—others would feel injured by an arrangement of that kind. The distinction

between members of that House and members of the Council, had been well argued, and he would preserve the dignity of the other branch for their own sakes: they accepted office knowing that the difficulty regarding payment existed. Only five offers had been made, of seats at that board, beside those which were accepted. The experiment for procuring country members was not in fact tried by the Executive. Allusion had been made to the Cape Breton Election, instead of £2000 as it had been mentioned, he believed it cost his opponent upwards of £5000, or perhaps £6000. What it cost himself he had not told to any one, but it would have cost him three times as much as it had only for the spirit and temper of the people, who showed a disposition to save him on all hands. That was an extraordinary contest, in which he became unexpectedly engaged, but he saw members all round whose seats cost hundreds. He should be shown a case of strong necessity before he would agree to pay the other branch.

Mr *Uniacke* said that he cared little whether the resolution was carried or lost, he wished to know whether there was a disposition in the house to remunerate gentlemen of the other who came from a distance to attend to public duties. He agreed that all the great interests of the Province, should be represented in the Council, and to do so, there should be 25 members out of fifteen,—increase was desirable also, as regarded a respectable debating body. If the house was not disposed to go to some expense on this subject, the favour which they desired could not be granted,—members could not be chosen from the country parts without such provision. It was absurd to compare the second branch here to the English House of Peers. Many of the men, in a country like Nova Scotia, best fitted to form members of such a body, were men of high minds and of education, but not of wealth, and who would be excluded according to the views of those who made money the criterion. The proposition did not touch the question of the construction of the Councils. One gentleman, who came from Annapolis, was engaged in a controverted election at the time he was appointed to the Council; he resigned the contest, attended to his duties in the other branch, and in consequence of the reduction in it, had now retired to private life: was it right that he should have to bear his expenses? It had been well said, that if the house would not make provision, until they had obtained the Council which they desired, they would never get it. Now was the proper time, while the Council was only provisionally appointed, for the house to declare that it was willing to undertake the charge for the sake of the good sought. Supposing the 9 gentlemen paid, who made up the country portion of the Council, the charge would be only about £450.—That once settled, the question would be relieved of embarrassment, and none could make the expense a cause of their refusal to serve. He could not state particulars respecting the selection of the Council, he was not in his Excellency's councils on that subject, but he believed that no man could have been more anxious to settle in the best manner than his excellency had been. Was it to be expected that those who sat in the former Councils should be all rejected from the new? The selection of the new Legislative Council was conducted with judgement and prudence, and he thought that the men chosen would give satisfaction to the country. Some thought that body should have a member for each county of the province, but how could that be effected when there were only 15 members in all, including those chosen from Halifax?—Throughout the civilized world, the practice

was, to give large towns a greater voice in such matters than remote districts; but the question before the house did not in any degree touch the question respecting the construction of that body.

Mr *Fairbanks* rose to express his opinion on the amendment. He considered that it would be unjust to take the remuneration from the persons who resided in town, and who represented different parts of the Province. The talents and general efficiency of these members were valuable to the house on all questions, and particularly during the present session; their services rendered members from the country better informed on many subjects than they otherwise could be. He did not regret that the resolution of the hon. member for Cape Breton had been introduced, although he was not prepared to vote for it, it had elicited views on the subject which would get abroad and give information, and they would come prepared to act on the subject at another opportunity. One error of last session was the omission to provide for those who should be brought from the country; such a provision might have prevented difficulties which perhaps occasioned the selection to be so much confined to Halifax. The proposition should be agreed to at some future time,—it was important that the general intelligence of the Province should be represented in the Council by persons from various districts. It was not always the case that persons of affluence, who could afford to devote their time without payment, were best able to perform public duties. Persons of the middle class, who devoted their energies and talents to the collection of information and the improvement of their minds, but who could not afford to bear their own expenses in matters of that description, were often best fitted for the purpose of legislation. The country should come to a system of payment in some manner, either by defraying the charge from the public chest, or by assessing the Counties, but he was not prepared to vote for the resolution, he wished to take the opinion of persons of intelligence in the country on the subject.

Mr *W. Sargeant* felt obliged to withhold his assent from the resolution. It was rather premature; by passing the resolution the Province would set a precedent to the other colonies. He wished for more time before fixing such a charge on the revenue of the country. Might not the house give an intimation that they would make the provision at a future period, if the council should be arranged satisfactorily?

Mr *Hulmes* said that a good deal had been elicited on this subject, at both sides. The country had a Council heretofore, which did the work of the country, and sought no pay,—by a proceeding of that House that body was set aside, and two councils created in its place. Gentlemen at the other end of the building had been selected by his Excellency, chiefly in reference to wealth; yet it might be a hardship to some to be brought from a distance and be forced to bear their own expenses. If that body had to depend on that House for remuneration, no matter how small the sum might be, he thought it would lessen their influence. There were difficulties at both sides, but he did not feel free to support the resolution.

Mr *Dickey* withdrew his amendment.

The original resolution was put and lost, 26 to 13.

A shopkeeper at Doncaster had by his conduct obtained the name of "the little rascal." Being asked one day, why this appellation had been given him, he replied, "To distinguish me from the rest of my trade, who are all great rascals."