

Mr. MONTGOMERY said the proper mode of proceeding was that recommended by the honorable member for Prince County (Mr. Fraser). To adopt the resolution proposed by the hon. member from Queen's County (Mr. Coles) before it could be fully justified by the result of previous investigation, would be an act of most unjustifiable precipitation on the part of the House.

Mr. COLES replied that two minutes attention to the return would enable any member to ascertain the amount of fees which had been illegally retained by the Colonial Secretary; and that, as the matter had been fully investigated and discussed both by the last House and by the present one in their first session, and as there was no new matter connected with the question as now again brought forward, no new investigation of the subject was at all necessary beyond ascertaining from the return the amount of fees illegally retained. He had no desire whatever to hurry the matter through the House; but he was anxious that their determination with respect to it should be taken in time to enable them to present an Address to His Excellency, urging upon him the duty of causing their determination to be carried into immediate effect.

Mr. YEO said that he was fully persuaded that the Colonial Secretary had believed himself clearly entitled, both by law and practice, to all the fees which he had taken and retained, and the proceeding urged against him—a gentleman, than whom none was more highly respected in the colony—because he had received and retained such fees, justly believing himself entitled to do so—a proceeding evidently arising from individual private feeling against him—was altogether unfair and unreasonable.

Mr. MOONEY said he thought the opinion of the Attorney General, touching the legality of the Colonial Secretary's claim to the fees in question, was surely of much more value than that of the member who had just spoken, notwithstanding he presumed to be so deeply and correctly learned in the law of official fees and perquisites. He begged to refer that honorable and learned member to the Journals of the House, wherein he would find it recorded that the question had been referred to the Attorney General, and that his opinion was that the Colonial Secretary was not by law entitled to receive any of the fees which, in a resolution of the last House, it was declared he had no right to receive. That opinion he hoped would be enough to convince him (Mr. Yeo) that his views of the operation of the Fees Act were not quite tenable, however desirous it might be to establish them.

Mr. LONGWORTH said he had no desire to prevent a thorough sifting and investigation of the question; and the result of a fair and impartial enquiry, he was satisfied, could throw no discredit upon the character of the Colonial Secretary, even although it should appear that he had been mistaken with regard to the legality of his claim to some of the fees which he had received and retained. With the exception of the fees which he had received upon marriage Licences, it would, on a fair investigation of the question, be found that, in discharging the duties of Private Secretary, he was, justly and by law, entitled to all the other fees which he had received and retained. In the Act fixing the salary of the Colonial Secretary, not one word could be found abolishing, or in any way affecting, the fees payable to the Private Secretary.

Mr. POPE said he would vote for the appointment of a Committee by whom the true state of the question, after calm and deliberate inquiry, might be fully reported to the House. It had never been, and never would be, his practice to condemn any individual unheard; and, certainly, when a decision was contemplated by the House, the adoption of which would injuriously affect the private interests, although it would leave unblemished the character of a gentleman who had long deservedly enjoyed the respect and confidence of the community, both in his private and public capacity, he (Mr. Pope) particularly felt that it was due to the House themselves, individually and collectively, as a body who, in all their deliberations and decisions, ought to endeavour to maintain a character for the utmost impartiality and integrity of purpose, to show, by their dispassionate and deliberate mode of dealing with the question, that they fully understood what was due to the dignity of their own position, at the same time that they felt and manifested a proper and faithful concern for the assertion and preservation of the public interests entrusted to their guardianship. During twenty years that he had been a member of the Legislature, he had never had so disagreeable a duty to perform, or one to the discharge of which he felt a greater repugnance, than that which had been imposed upon him by the enquiry in question; still he felt that he had never acted more conscientiously in all his life, than he had done with respect to it. It was true, as had been stated, that, by his casting vote as Speaker of the last House, the resolution calling for a return of the fees which had been received by the Colonial Secretary as Private Secretary's fees, was lost. In voting against the resolution, he had been influenced by the consideration that it had a direct tendency injuriously to affect the character and the pecuniary circumstances of the Colonial Secretary, and finding the House to be equally divided upon the question, he could not consent to take upon himself the responsibility of criminalising that gentleman by giving his vote in favour of the resolution. The course which he then pursued was perfectly justifiable; and, were he again circumstanced as he then was, he would again act in the same manner.

Notwithstanding his firm conviction that his conduct with reference to the question had been fair, honorable, and strictly conscientious, he could not but greatly regret that it had been the means of causing a cessation of that friendly intercourse which had long subsisted between the family of the Colonial Secretary and himself. He would certainly strongly recommend such a course of proceeding by the House as would be the least liable to the imputation of inconsiderate haste or prejudice. Still he held that that course should be precisely what strict impartiality and a due regard for justice would point out, as the fittest to be pursued in any similar case, whatever might be the character or position of the individual whom it would mainly affect. His own opinion was that the Colonial Secretary had never meant to defraud the public with respect to the fees which it appeared had been illegally exacted by him; and neither did he (Mr. Pope) think that, (until the illegality of his practice had been asserted and urged by the Assembly) he had ever so much as suspected that he was exacting fees without the express sanction of the law. He (Mr. Pope) was satisfied that the Colonial Secretary's feelings of probity and sense of honor were of so high a character, as to have made it impossible for him to exact or demand any fee to which he did not conceive himself to be justly entitled. Should it, however, be made evident beyond all reasonable contradiction that, under an erroneous impression with respect to the subject of Private Secretary's fees, he has (since the office of Private Secretary was abolished) illegally exacted and retained any fees for the discharge of any duties formerly performed by the Private Secretary, it would clearly be the duty of the House to insist upon his being called upon to pay into the public Treasury whatever amount of fees retained by him it should appear ought to have been so paid in by him, and also to refund to individuals any fees which, under an erroneous impression, he may have exacted and received contrary to the law. Should such facts be established to the prejudice of the Colonial Secretary, he (Mr. Pope) would feel it to be his duty to vote for such a resolution as that which had just been submitted to the House, conscious that, in doing so, he was merely discharging his duty to the country, and that he could justly disclaim any imputation of voting with a view to the gratification of any private feeling of his own. So far, on the contrary, was he from looking forward to the probability of the necessity for the adoption of such a resolution by the House, that, with a perfectly friendly feeling, he was anxious that the Colonial Secretary should be afforded every opportunity for explanation; and he knew not but that he (the Colonial Secretary) might be able to afford such an explanation as might totally change his (Mr. Pope's) view of the case. He would, therefore, vote for the appointment of a Committee to investigate the question, in the hope that their enquiry would be so thorough and searching as to afford the House a full opportunity of coming to a just and final decision concerning it.

Mr. LORD then expressed a wish that the hon. mover of the resolution (Mr. Coles) would allow it to lie upon the table until the afternoon sitting.

To this Mr. Coles consented, and the resolution was laid upon the table accordingly.

In the afternoon sitting, Mr. Coles again took up the resolution and moved its adoption.

Mr. FRASER then rose and said, that it would not be creditable to the House to adopt such a resolution, until such a course as it prescribed could be fairly justified by something stronger than mere assertions. For the preservation of the honor and dignity of the House, it was absolutely necessary that they should have the report of a Committee of Enquiry on which to ground any future proceeding with respect to the question. He would, therefore, to that end, submit the resolution which he held in his hand. The honorable member then read and moved the following resolution:

"Resolved, That the Return of Fees laid before this House yesterday, heretofore received by the Colonial Secretary for Marriage, Tavern, and Pedlar's Licences, be referred to a Committee to examine the same, and report thereon, with power to send for persons, papers, and records."

Mr. Speaker having put the question thereon, it was agreed to without opposition.

Messrs. Fraser, Coles, and Warburton, were then appointed a Committee accordingly.

CORRESPONDENCE.

PUMP AND WELL ASSESSMENT.

TO THE EDITOR OF THE EXAMINER.

MR. WHELAN;

SIR,—Our royal band of Assessors convened a meeting last evening, and having so immense a portion of Toryism in their composition, there was little else done than money voted to pay their present and past officers. A pretty pass we have certainly come to, that no men can act in any public offices for one year without a certain sum of pounds, shillings, and pence, rolling into their breeches pockets, out of the pockets of the poor, and the poor will be made to pay the "Pump and Well Assessment," because all goes under this cloak, even if their furniture, goods, and chattels be seized and sold to make it up. Oh! for the great and glorious days of Responsible Government, when will they come?

But to return. The worthy Secretary to the club of Assessors very magnanimously declared he would not accept of the office even if £15 should be paid to him for his services therein, making it appear that he would do the duty without pay, as I take it; however, the majority of the club not only forced him into office, but compelled him to accept of a stipend of £5 for his services for the current year. An additional sum of £5 was voted to the Treasurer for the last year, and a like sum was proposed for the Treasurer for the present year. What public-spirited, full-souled, liberal-minded men Charlottetown is blessed with! O tempora, O mores! Well may the exclamation be raised, "O my country!" to know the pittance of the poor to be taxed to line the purses of the rich, for a little paltry public service, while the daily wages, or the amount of contract of the poor who may be permitted to get a public job, is screwed down to the lowest penny, because, as they are told, "the public cannot afford to give any more!" while the officials, whose whole annual duty will not cause them to lose one unnecessary drop of sweat, must be paid for their enormous services to the public, about 500 per cent. more than these said services are worth! This is public economy with a vengeance, and shows some change of Government is very much wanted, the cry of the *Gazette* and the *Islander* to the contrary notwithstanding. But this is not all—the vote of these liberal salaries to the officers will next be claimed by the Chairman and by the Assessors themselves, and the public will be taxed for that purpose, if a cry is not raised and continued against such iniquity.

To the honor of one of the Assessors, instead of the £5 voted for their Treasurer of the present year, only 50s. has been concluded upon, because there will only be half the amount of money to assess for this year that there was last, and I very much question if the gentleman who has been appointed to that office will exact even this sum; on the ground therefore that £150 instead of £300 is what is to be raised and expended, why should the Secretary's allowance be so much? He will only have half the duty to perform that the last Secretary had.

I have looked till my eyes are red for the Report of the last year's Assessment and Expenditure. When will it be published? Can you tell James, Duncun, or John? Do not all speak at once, but when it comes to either of your offices, do publish it; because every poor man who pays his quota towards the everlasting "Pump and Well Assessment" fund, has as just a right to know where his money has gone as he had to pay it; and tell out like men what on earth the £150 is to be assessed for this year? There is only one or two pumps to be erected I think, and as to the Engine House nothing can be done with it under present circumstances, then tell what is this year's Assessment for, and oblige a

TAX-PAYER.

Charlottetown, May 21, 1850.

ADORNMENT OF THE PUBLIC SQUARES.

TO THE EDITOR OF THE EXAMINER.

MR. WHELAN;

SIR,—I shall spare myself the trouble of writing you, or troubling the public with a very long preamble, but merely bring to your notice the marked difference between the North American Provinces and the Republican States in general, with regard to the adornment and beautifying of the public squares, in their cities and smaller towns, with trees and walks.

Now, Sir, is it not disgraceful to see those large spacious squares in Charlottetown so much neglected, when we bear in mind how they might be railed in and planted with trees, which would add so much to the beauty and pleasantries of the town to say nothing of the many other benefits resulting therefrom. The other Provinces are similarly situated. In St. John, N. B., light begins to dawn at the eleventh hour: they have planted one of the public squares with trees. Any person that has enjoyed the cool inviting pleasantness of the Parks in New York, must acknowledge the correctness of the above statements. Nay, nearly every city and republican town is a criterion in that respect. Why should we not call a public meeting, giving a few shillings each, post and rail the Queen's square, plant trees, and lay it out into walks,—and not be looking like stubborn mules, with a continual hot sun shining over our heads, and choked nearly with dust. What a treat it would be to walk were it so adorned. I shall now cut short, and beg you remind the public to see to it.

I am, yours, &c.,

TOM MOON.

May 22, 1850.

A STORY OF TRUE LOVE.—Helen Irving, a young lady of extraordinary beauty and uncommon qualification (the subject of the song, "I wish I was where Eelin lies") was descended from the ancient and respectable family of Kirkconnel, in Annandale, at present in the possession of Sir William Maxwell, of Springknell, Bart. She had for some time been courted by two gentlemen, whose names were Bell and Fleeming. Bell was proprietor of Blackwood House, properly Blacket House; and Fleeming, of Flemming Hall, situate near Mossknow, at present in the possession of Capt. Graham. Bell one day told the young lady if he at any time afterwards found her in Fleming's company, he would certainly kill him. She, however, had a great regard for Fleeming, and being one day walk-