

The Examiner.

AND SEMI-WEEKLY INTELLIGENCER.

"THIS IS TRUE LIBERTY WHEN FREE-BORN MEN—HAVING TO ADVISE THE PUBLIC—MAY SPEAK FREE."—MILTON'S EURIPIDES.

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HOUSE OF ASSEMBLY.

TUESDAY, 30th April.

HOUSE IN COMMITTEE ON THE STATE OF THE COLONY.

Mr. COLES rose and said, that he held in his hand three Resolutions, explanatory, in some degree, of the relative positions of His Excellency the Lieutenant Governor and the House of Assembly, and also briefly stating the reasons which have induced the House to manifest their decided disapprobation of His Excellency's policy, as affecting the present very critical conjuncture of affairs; the adoption of which Resolutions he intended to move. The honorable member then read the first of the Resolutions as follows:—

"Resolved, That it is the opinion of this Committee, that in consequence of the continued determination of His Excellency Sir Donald Campbell to oppose the wishes of the House, in the reconstruction of his Executive Council, they have no alternative but still to decline the prosecution of any other Legislative business than such as the exigencies of the Colony may require."

The propriety of this Resolution, continued the hon. member, was fully borne out by the absence in His Excellency's speech, of any allusion to the subject which had induced the House to adopt a similar resolution in their last session. Had His Excellency merely intimated to the House that he had sent home to Her Majesty the Address of the House relative to the misunderstanding between them and him, but that he had, as yet, received no Despatch in reply to that Address; at the same time, with merely common courtesy, observing that, so soon as he should receive Her Majesty's answer, he would cause it to be laid before the House, should they be in session; that would have been satisfactory, because it would have been, perhaps, as much as, all the circumstances of the case considered, they could reasonably have expected. The absence, in His Excellency's speech, of any notice of that Address, and of any allusion to the circumstances which caused the House to have recourse to it, he (Mr. C.) considered as amounting to a tacit declaration, on the part of His Excellency, that he has actually no wish to do any business at all with the House; and he took it as another evidence, besides the many which His Excellency had given of his determination, or desire at least, to tyrannize over the people, regardless of the advice of his Council, and heedless of the disapprobation of the Assembly. That such was the course which His Excellency wished to pursue in his administration of the Government, was indeed an inference which might very fairly be drawn from his general conduct. The next resolution which he (Mr. C.) meant to submit, was expressive of the opinion which he believed to be entertained by the majority of the House, that His Excellency's reply to the Address of the House in answer to his speech, was of so irritating a character as could not fail to awaken feelings of indignation on the part of the Assembly. His Excellency, in his reply, charges the House with "premeditated neglect of their Legislative duties," with as much confidence as he could feel if he actually possessed the power distinctly to divine their most secret thoughts. The accusation afforded another proof of his Excellency's desire to widen the breach between himself and the Assembly; and should he so extend it, (which he seemed labouring to do,) as to make it irreparable, he would, he (Mr. C.) trusted, find that as its opening had at first been caused by himself, so all the evils resulting from its extension would be attributed to him alone. The third resolution which he had to propose, was called for by the presumption,—warranted by a part of the speech with which His Excellency closed the last session,—that a retiring provision for the Attorney General had been previously demanded by his Excellency, which was not the fact. The first intimation which was made to the House, or to the parties representing the House in conference with his Excellency, that he (his Excellency) included the Attorney General amongst the public officers for whom it was necessary to make permanent provision, was that made to the Legislature at its prorogation. Besides the wrong impression which that part of his Excellency's speech, to which he (Mr. C.) had directly alluded, was calculated to make upon minds not previously acquainted with the real facts of the case, a very erroneous idea of the grounds upon which the negotiation with his Excellency, on the part of the Legislature, was based, and had, to a certain extent, proceeded, was, he believed, intended to be conveyed both to the Imperial Government and to the people of Prince Edward Island. The cause of the failure of "the negotiation," as incorrectly

shown by his Excellency's speech, was the refusal of the House to make permanent provision for the Attorney General, the Colonial Secretary and Registrar of Deeds, and the Treasurer, in the event of their relinquishing their offices; which, says his Excellency, if they had done, instead of prematurely calling upon him to change the whole of the Executive Council, he should then have been able to report to her Majesty's Government, that the obstacles to the introduction of Responsible Government into this Colony had been removed. But the fact was, as had already been frequently stated in the House, that all the preliminary arrangements required by his Excellency had been agreed to, and all that remained for him to do in order to lay the foundation of the contemplated change in the form of the Government, was for his Excellency to reconstruct his Council, a proceeding which could not have been premature, because all that he had demanded as a preliminary to the change—a provision for the Chief Justice, satisfactory to that personage, and suitable provisions for the Colonial Secretary and the Treasurer—had been conceded; and neither could it have been difficult, because all his Councillors had sent in their resignations, and the royal instructions, in such case, authorized his appointing a new Council. If his Excellency, however, had found himself in a dilemma, out of which he could not clearly see his way, he might, perhaps, have been relieved from his perplexity by consulting one of the constitutional lawyers on the other side of the House, who probably would have discovered that, in such a case, he possessed a constitutional power to appoint a new council. As a proof of his Excellency's undue regard for the interests of the parties in power around him, and of his desire to screen real or suspected official mal-practices from investigation, he (Mr. C.) would state what had been his Excellency's behaviour, a short time after his arrival in the Colony, with respect to papers or records concerning the Treasury investigation which had been left by his predecessor Sir Henry V. Huntley, amongst other Government and Official papers, to be handed over to his successor in office. The papers relative to that investigation had been left with others of moment to the interests of the colony, in order that, as the enquiry had been imperfectly made, they might afford material for its renewal, should it afterwards be thought proper to revive it. On my introducing the subject to his Excellency, he advised me to desist from the urging of the enquiries, as by moving in them, would, he said, only bring a nest of hornets about my ears. His Excellency was quite right about my disturbing and provoking the hornets; but, although I have suffered nothing from their rage, it is not very probable that Sir Donald, notwithstanding all his precaution and unwillingness to molest them, may yet feel the smart of wounds inflicted by their stings. On that occasion it was that I first began to suspect that Sir Donald, like too many of his predecessors, was about to yield up his authority to the officials who surrounded him, or to exercise it only for their protection and the promotion of their individual interests, however those might be opposed to good government and the interests of the people. When I found that his Excellency was not disposed to allow any papers relative to the Treasury investigation which might be in his possession to be brought again to public light, I moved in the House the adoption and presentation of an Address to his Excellency, requesting that he would be pleased to cause all papers relating to the Treasury which had been left among the public records by his predecessor, to be laid before the House. To the committee, of which I was chairman, who waited upon him with the Address, his Excellency said that he knew nothing of the existence of any such papers, but that he would make the necessary enquiry concerning them. Soon after this interview I met his Excellency in the street, accompanied by the Colonial Secretary, when, addressing me, he said he could learn nothing concerning the documents required by the Address; and then, turning to the Colonial Secretary, asked him if he knew anything of the existence of such papers, to which that gentleman replied, he did not. I then merely observed that, if there were no such papers, it was clear that we could not have them. Certain, however, as I was from previous information, that the papers had been left in the possession of a member of his Government to be handed over to Sir Donald Campbell on his arrival in the colony and his assumption of the Government, I went immediately to the chamber of the Legislative Council, to see that gentleman, who informed me that he had left the required documents with his Excellency, and that he would go and see him upon the subject himself. This gentleman waited upon his Excellency accordingly, who, instead of furnishing the papers, held a mock

council, at which parties were examined as to the deficiency supposed to exist in the Treasury, one of whom had paid £500 towards making up that deficiency, and another of whom had lent to a member of the Government a sum of money for the same purpose; but as they admitted that they had not actually seen the money put into the chest, his Excellency refused to admit their evidence. This meeting of the Council, I have said, was only a mock council; for, although the members were summoned for a council, they were, after they had been some time assembled, told by his Excellency, that they were not to consider themselves in council; and this explanation accounts for the privilege which I exercise in stating what then took place, and which, otherwise, would have been kept secret.

My having in the discharge of my public duty, both as a member of the Executive Council and as a member of the Assembly, moved in the affair of the Treasury investigation, was what brought the first hornets' nest about my ears.—His Excellency's disposition to tyranny and the exercise of arbitrary power was next exhibited in a most unquestionable light, when to one of his Council he said, "If you advocate Responsible Government, you must resign your seat at the Executive Board, otherwise I shall call upon her Majesty to remove you;" and also when, to another gentleman, who had been provisionally appointed, he said, "if your views are favourable to the establishment of Responsible Government, I must advise her Majesty not to confirm your appointment." His Excellency's consistency in this respect there would, however, be some reason to suspect could it be believed that he actually meant his words to convey their literal meaning, when he lately told another member of his council (the hon. Mr. Thornton) who waited upon him to explain the change of opinion which had been forced upon him by his constituents with regard to Responsible Government, that he was at perfect liberty to vote as he pleased on the subject of Responsible Government, and still to retain his seat in the Executive Council. The fact, however, I believe to be that his Excellency felt pretty certain that he had nothing to fear from the opposition of that hon. member in the Assembly to his arbitrary views, and that the liberty conceded to him would not cause him to deviate from his old course. I have been told by many that his Excellency has expressed himself in favour of Responsible Government, and has said that he is only withheld from giving an active manifestation of his approbation of it by not seeing the way clear for its establishment. That this is not the case has, however, been fully manifested by his Excellency's refusing to take the first step towards its establishment, by the reconstruction of his council, even when the way was made perfectly clear before him to enable him to do so. Again, continued the hon. member, if we contrast the hatred of Responsible Government which induced his Excellency to compel two of his council to retire from the Executive Board, and his opinion of the unfitness of the people for self-government, in consequence of their alleged ignorance and poverty, with the sudden conviction which appears to have burst upon his mind, that responsible or self-government may now, with all propriety, be introduced—that the colony and people are fully ripe and qualified for its beneficial working, as respects all the necessary preparations for its reception dependent upon its resources, wealth, and intelligence; and that nothing now remains to be done by the Assembly to secure the boon, but the granting of the trifling amount of £600 per annum to afford retiring pensions to the Colonial Secretary, the Attorney General, and the Treasurer; in thus making the contrast, between his Excellency's past and present estimates of the capabilities of the colony and the people, we must certainly feel quite as much at a loss to discern any such sudden and thorough improvements in the character and condition of the people, as can have been sufficient to occasion the very sudden changes which would seem to have taken place in the mental perceptions of his Excellency concerning them, as we find it difficult to discover any thing like consistency of opinion or action on his part, touching the question at issue.—Another charge, continued the hon. member, which I may justly urge against the official or public character of his Excellency, is that of having endeavoured to exercise an undue influence over the minds of both sides of both Houses of Legislature, in having sent for individual members and strenuously sought to persuade them to adopt his own sentiments, concerning measures in progress through the Legislature. With respect to the Civil List Bill of last year, said the hon. member, I know that he used his influence against the measure in the Legislative Council, and also that, by the exercise of that influence in the House, he caused a