

# The Examiner.

AND SEMI-WEEKLY INTELLIGENCER.

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

NEW SERIES.

CHARLOTTETOWN, MAY 4, 1850.

VOL. I.—NO. 27.

## CORRESPONDENCE.

TO THE EDITOR OF THE EXAMINER.

MR. WHELAN,

Sir,—In your place in the Assembly you will confer a great favor and benefit on the public by making a stir about the Street encroachments, which are becoming very numerous of late.

Passing along — Street, in company the other Sunday, I noticed a new building in course of erection, and was asked if said building was not on the Street? In the course of a day or two I procured a tape and returned to the spot in company to measure, when, lo, the result was that the space between this fabric and the fence opposite was 37½ feet instead of 40 feet! which I learn is the breadth of this cross Street. On making enquiry I also learned that Jemmy, "the man of the hammer," is also encroaching on his neighbour on the West, because he has a cross-grained churl and "Lex" to back him in his nefarious tricks; but as this is a matter the Assembly has nothing to do with, it will form the basis of another Communication, as this affair requires all possible publicity, and by your permission shall have it, when I have made a little more enquiry relative to the facts. Meanwhile you no doubt will remember that a poor man at the head of Queen Street was obliged lately to move his house back from the foundation it had stood upon for years, because it was made to appear as a nuisance in a retired and quiet part of the town, while here, in a public thoroughfare, Jemmy is allowed to erect his building on public property with impunity. He has also another building adjoining, as much on the street, but this forms no reason or rule for him to be guided by, and as "now is the time" to check such encroachments, the sooner the matter is brought before the House the better for the public, as all who will in future build, will have their eyes opened. From all the enquiry I have made, it does not appear that there is any conservator of public property here, as there is in almost every town I have visited, either at home or abroad, and in this respect therefore, Charlottetown is like no other community under the Crown, I was going to say under heaven, and speaks volumes in favour of Toryism, which has so long reigned here. But, to the point, you see, Sir, if you or I were to attempt such a nuisance as the one I have now in view, very few days would pass over our devoted heads, ere we would be brought up before the grand inquest of the County and ordered to move our little salt-box off the public Street, and if we had not a foot of ground in the rear to move it back on, the next order would be to take it down te-totally, or suffer an interminable scourging among the long-robed gentlemen, and ultimately be obliged to sell our parcel of land to keep us out of Jail for costs, and cut our stick to some other soil. Here, however, the case was quite different "just a-going," because he can draft a public building, present it to the Governor, bow his head and bend his leg to that functionary, and the whole Compact families, political and religious, he can erect a two story building, when, where, and how he likes, and his iniquity must be winked at because he is "a brother in the trade." From the incorrectness of former Surveyors, who looked too often through a glass of brandy, and perhaps "wet" the compass too, before they set that instrument to lay off the Streets, injustice has been done the public, the evil of which is felt in our day, and will probably be felt by our grandchildren, if you do not have something done this Session to have these errors rectified, particularly where new houses are being erected. It is not my province to dictate to you, or the honorable House, what express words and terms the Act should be composed of, but I think every person building should be obliged to have the Surveyor General to inspect the Street before they venture to dig for a foundation, or erect a post. I am not certain but N— could be brought up before the Grand Jury at its next sitting and be indicted, but before that period, his "magic" castle may be finished and some vendues of "splendid old trumpery" held therein; but even his being brought up would not benefit the community at large, nor correct the erroneous Surveys; it might, however, teach him that if in Newfoundland he acted over every fish pile he put his hammer on, as "monarch of all he surveyed," he must not attempt the same tricks on public property here. I hope some Act may be passed, prohibiting encroachments on the Streets.

PRO BONO PUBLICO.

Charlottetown, April 29, 1850.

FOR THE EXAMINER.

THE ENTIRES.

MR. EDITOR,—

An entire ass, the entire owner of an entire horse, hired an entire mule in shape of an entire man, who wrote an entire piece of balderdash and got an entire thing to publish it entire in his Royal Entire.

The entire ass, the entire mule, and the entire thing, form an entire Tryo, equal to an entire cypher, and amount to entire nothing.

Of the three entires, two individual entires are the entire jest and laughter, among the entire beings of the entire orbit where they move entirely erratic. The remaining entire, or the entire mule, wrote an entire reflex on his own entire character. So far the three entires are entirely disposed of, and these entire goonies are left to the natural bent of that entirely inferior species of the genus to which they belong, entirely holding the entires however subject to entire whim, when it may feel entirely disposed to use them for entire mirth.

MOMUS.

## HOUSE OF ASSEMBLY.

FRIDAY, 26th April.

(Continued from our last.)

Mr. COLES replied that he would be very sorry to afford an illustration of such gentlemanly feeling, as that exhibited by the hon. and learned member for Charlottetown; who, in being kicked out of the Executive Council, had not hesitated to humble himself so far as to court his recal to it. With respect to his hasty withdrawal from the Council Chamber, he could see no reason why he should either repent or be ashamed of it. As he stood at the Bar of the Legislative Council, he felt not only that himself and his constituents, but the whole House and all the constituencies in the Island, were pointedly insulted by His Excellency; and as the relative positions of himself and His Excellency, the place, and the occasion, all forbade him from shewing the insult in any other way than by withdrawing, he instantly chose that course. Other members, he was persuaded, felt the insult as he did himself; the only difference between him and them was that, taken by surprise, they had not determined as he did, on the instant, how to act. The hon. and learned member had said, that he believed there could not be found any instance on record of similar behaviour, in a member of the British Parliament or of any British legislative body, to the individual presiding at the head of the Government; and he (Mr. C.) was very much inclined to think so too; for he did not believe that either the Queen of the Empire would, or that any Sovereign, her predecessor, or even any administrator of the Government of a British Colony, ever did so far forget or violate the respect due to the Representatives of the People, as to address them in so insulting a manner, as those which were adopted by His Excellency to insult the present Assembly of Prince Edward Island. By his tone and manner he gave them to understand that, were it in his power, he would cram the measure which he recommended down their throats. Much as the hon. and learned member might disapprove of the course which he (Mr. C.) adopted to mark his indignant sense of the insult offered to the House by His Excellency, he (Mr. C.) felt assured that his conduct would meet with the unqualified approbation of his constituents and of the public in general.

Hon. Mr. PALMER retorted that the hon. member when asserting that he (Hon. Mr. P.) had been kicked out of the Council, must have been dreaming of what had happened to himself.

Mr. COLES explained with respect to the intention of the majority of the House to pass a Revenue Bill and make certain appropriations, that could not fairly be taxed with inconsistency, or with having agreed, without a very sufficient cause, to depart, in some measure, from the Resolution to which they came at the close of the previous Session. They had passed the Civil List Bill to convince the Imperial Government of the sincerity of their intention to assume that burden on the fulfilment of the conditions tendered to them as an equivalent; but, in passing it, they entertained no hopes that His Excellency would assent thereto, because, in the suspending clause, it is expressly stated that the measure shall not take effect, unless Responsible Government be established in the Colony; and it was well known to the House that His Excellency had, more than once, expressed himself as decidedly opposed to the introduction of that system of Government. His

Excellency, however, contrary to the expectation of the House, gave his assent, in the name of Her Majesty, to the Bill; but, as the Legislature was prorogued immediately afterwards, the House had no opportunity to adopt that course which the majority were now, he believed, satisfied it was their duty to pursue in order to provide for the payment of the Salaries and Allowance mentioned in the Civil List Bill. That Bill having received the sanction of the three Branches of the Island Legislature, the House, he thought, might securely anticipate the Royal allowance of the measure which the full length of establishing Responsible Government by Law; and they were therefore clearly bound to manifest the integrity of intention with which they passed the Bill, and to make full provision for its going into operation as soon as the Royal Allowance should be signified, by a Despatch to the Head of the Government, and Gazetted as directed in the Bill. It was no less than the bounden duty of the House to provide for the Bill's being carried into immediate effect after its being fully established as a law; but it would also be their duty to tie up whatsoever amount of money should be realized by the Revenue Bill, beyond what would be required on account of the Civil List Act, and to defray the contingent expenses of the two Houses in the last and present Session, so that it should not be in the power of either His Excellency, or of his Council if he had one, to appropriate any part of it.

Mr. LONGWORTH accused the majority of the House of having speculated with their political capital in the last Session, and of having matured and carried some of their measures with a view to buying over the Governor. They had, however, he was happy to say, missed their mark. If they had passed the Civil List Bill in the expectation that His Excellency would give it his formal sanction, they would also, in the same Session have immediately followed it up, by making a due provision for its being carried into effect. If they did not expect His Excellency to pass the Bill, why then there was certainly some consistency observable in their omitting to make any provision for its operation; and, he would remark that, if they still wished to keep up consistency of appearance in their proceedings, they would not certainly make any provision for the operation of the Civil List Bill, until his Excellency should be authorized to establish Responsible Government. The Address in answer to his Excellency's Speech, which had been reported by his honorable and learned colleague, was, in his (Mr. L.'s) opinion, quite unobjectionable. What was objected to was nothing more than that the usual respectful form of such addresses had been retained. The remainder of the Address pledged the House to nothing more than what it was evident the majority intended to do; and, he for one, thought it would be derogatory to the dignity of the House to be so wanting in respect to his Excellency, as to refuse to accept the respectful language usually employed upon such occasions.

Mr. MONTGOMERY thought that every well-wisher to the Colony should be willing to thank His Excellency for having summoned the Legislature to afford the Assembly an opportunity to remedy their defective legislation in the last Session. As to the effect upon the general interests of the Colony, which would result from the want of a Revenue Act, there could, he thought, be only one rational opinion—and that it would be almost ruinous; and had His Excellency not prudently reassembled the Legislature, the evils which such an omission would have occasioned to the Colony could not have been averted. The amendment to the Address proposed by the hon. member for Queen's County, was one which he could not support, even although he might admit that His Excellency had manifested by his mode of delivering his Speech, some degree of displeasure towards the House. The hon. member then jocularly observed that, if hon. members really thought it necessary to be at all influenced in their consideration of the answer to be returned to His Excellency, by the peculiarly emphatic tone in which they imagined His Excellency to have delivered his Speech; it would be quite sufficient, he thought, to instruct the hon. Speaker, to retaliate by adopting a similar tone in his reading of the Address to His Excellency. The hon. member then concluded by expressing his satisfaction that a majority of the House were prepared to pass the Revenue Bill at last.

Mr. WARBURTON agreed with Mr. Pope that such a course as that of calling a Session of the Legislature at so unusual and inconvenient a season of the year would not have been necessary had the country possessed a Government honestly disposed to do their duty. Before the prorogation it was impossible for the House to discover how His Excellency would act with respect to