

The Examiner.

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

New Series.

CHARLOTTETOWN, MAY 19, 1851.

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THE EXAMINER.

Monday, May 19, 1851.

PROROGATION OF THE LEGISLATURE.

On Thursday last, at 2 o'clock, His Excellency the Lieut. Governor came to the Colonial Building to prorogue the Legislature. He was received at the entrance to the Building by the Detachment stationed here, under the command of Capt. Lecky and Lieut. Hume, and was attended to the Council Chamber by his Aides-de-camp, where a large concourse of the inhabitants of Charlottetown were assembled to hear his Excellency's speech. His Excellency having taken his seat on the throne, and the House of Assembly being in attendance at the Bar of the Council, he assented to the numerous Bills passed during the late session, all of which have been respectively noticed in previous numbers of this paper. On the hon. Speaker presenting his Excellency with the Money Bills of the session, he read the following speech in a clear and distinct tone, which we are happy to perceive, contains a high tribute to the industry and energy of both Branches of the Legislature:—

May it please Your Excellency:

The House of Assembly have within the last two months gone through the routine business which generally occupies two sessions, and have taken action on the greater part of the important matters laid before them in Your Excellency's Speech at the opening of the session, and in such Despatches from the Imperial Government, as have been submitted to their consideration.

It is the duty of their Speaker to acknowledge the promptitude with which they were called together, on Your Excellency's arrival—the facility of access to personal communication which you have given, and the readiness with which, whatever information was by them sought, has been afforded.

That good sense, moderation and integrity amongst the community, may make the recent change as beneficial to our social state as can reasonably be expected, must be the earnest wish of every one desirous of the prosperity of the Colony.

It remains for the Speaker to conclude by presenting, in the name, and on the behalf of Her Majesty's loyal Commons of Prince Edward Island, sundry Bills of Aid, to which the assent of Your Excellency is most respectfully requested.

His Excellency having assented to the Money Bills, closed the Session with the following

SPEECH.

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

I am very happy to terminate the Session, to relieve you from your Legislative duties, and to enable you to return to the Country, where the personal attendance of many of you, at this season of the year, I am aware is very desirable.

I have been glad to give my assent to several important measures, among others, the Civil List Bill, by which permanent provision is made for those who adminis-

ter the Judicial functions in the Colony. It also assigns compensation to the late Attorney General and Colonial Secretary, which Her Majesty's Government consider them entitled to, on giving up offices of emolument, the surrender of which Public expediency demanded; and I only regret, that the Assembly considered it necessary to make any distinction in the Bill, in regard to the Office of Assistant Judge, held by the Colonial Secretary—Her Majesty's Government having been desirous to place these gentlemen on an equal footing, in consideration of their long tenure of Office in Her Majesty's Colonial service. The passing of the Bill, however, enabled me to introduce what has long been sought for in this Colony, a change in the system of its Government. It will be sufficient for the People to understand, that this change will give to the persons who possess their confidence a large share of the Executive power, and a proper controul over the management of the local affairs and expenditure of the Colony; and when they cease to perform those duties satisfactorily to their constituents, opportunities will occur for changing them. It will hereafter be a source of great satisfaction to me, if this Colony shall rapidly increase in prosperity under the new system; and I feel confident it will do so, if party spirit shall gradually subside, and the system be fairly and honestly carried on, with moderation and justice to all classes of the community.

I have given my assent to another important Bill, an Act intituled "An Act for establishing rates in currency at which Rents reserved in Sterling shall henceforth be paid." I consider this Bill to be simply a declaratory one, giving the sanction of Law to an established usage which has prevailed in this Colony, of the rates at which Rents have been heretofore demanded and paid, and which I observe by the minutes of the Legislative Council, in 1849, that Branch of the Legislature was of opinion "in equity ought hereafter to be paid"—such rates having been the interpretation which Proprietors, or their Agents, have for a series of years past put upon their own contracts; an opinion founded as (the Council state) on the conviction of the justice and propriety of such an arrangement." While such was the unanimous opinion of the Council, they rejected the Bill, on the grounds that any compulsory interference on the subject, on the part of the Legislature, was unwise and impolitic. On the Journals of the same Body, of the 10th instant, I find this Bill passed, by a small majority; and a Despatch, addressed to me by Earl Grey, (and laid before the Legislature) is there alluded to by the minority:—

"His Excellency is enjoined to use all the influence he may possess to induce owners of Land, and their Tenants, to come to an amicable arrangement with each other, and to give his best assistance with the view to passing any Legislative measure which may be required to complete such arrangement."

His Excellency is required not to fail to recollect and to impress upon the Legislature, the necessity of abstaining from the introduction of such Law of any provision which may infringe the rights of property; and as the present Bill is not pretended to be sought to be passed as the result of any amicable arrangement with the owners of Land, and does, in our opinion, in several respects, infringe the rights of property, we believe if even assented to by His Excellency, it will be disallowed by Her Majesty; and therefore, in our opinion, no good can be subserved in its passing this House, but in all probability the very opposite, as tending to foster that

ill feeling unhappily too prevalent in this Colony, between the owners of land and their tenants."

I can only say, I conscientiously give my assent to this measure, believing its passing will produce a contrary effect; and I cannot understand how a measure which two years ago was admitted to be equitable, and founded in justice and propriety, can now infringe on the rights of property. The Bill has a suspending clause, however, and its allowance or disallowance, is left to the decision of Her Majesty's Privy Council.

Mr. Speaker and Gentlemen of the House of Assembly:

The supplies which you have so liberally voted will be applied to the purposes for which you have granted them. The Appropriation Bill contains a large amount to be expended in the public service; but that expenditure necessarily includes a period of more than one year. I am happy to observe a progressive increase in the Revenue of the Colony, and I trust you will steadily persevere in reducing its obligations.

Mr. President and Honorable Gentlemen of the Legislative Council;

Mr. Speaker and Gentlemen of the House of Assembly:

I have now only to thank you for the attention you have paid to the public business, and I shall endeavour, God willing, when we meet again, that it shall be at a season more convenient for you to leave your avocations.

THE GOVERNOR'S SPEECH.

Whether the Executive Council did or did not advise the speech with which his Excellency closed the Session on Thursday last, is a matter of no consequence to the public. They are, and will be prepared to defend that speech; and those of the community who read it, unbiassed by party motives, will regard it as a straight-forward and statesmanlike document. His Excellency's observations on the subject of the One-Ninth Bill are forcible and convincing; and if the opposition are chafed and annoyed, as we believe they are, by those observations, they have none but themselves to blame; for they should not have praised the measure as just and equitable in one Session, and protested against it in another.

THE OLD COURT HOUSE BILL.

Notwithstanding the hubbub which was made to defeat, in the Council, the passing of the Hon. Mr. Coles's Bill, in reference to the Old Court House, and in spite of the zeal and activity displayed by that Gentleman's opponents, in wheedling persons to sign a Petition addressed to the Legislative Council, praying the Council to adopt the opinions of the Petitioners in this matter, and to disregard those entertained by a large majority of the people's representatives,—the Bill received the sanction of the upper House and of the Lieut. Governor, and has, therefore, passed into a law. We cannot imagine why a different decision should have been looked for. Had the Council rejected the Bill, the proceeding would be

tantamount to a declaration, that the interests and wishes of a few people in Charlottetown are held to be paramount to the interests and wishes of the whole Island. The application to the Council on this subject was quite amusing from the fact, that it was promoted by some of the leading members of the minority in the Assembly, who repeatedly declared, during the past Session, that they had no confidence in the Council, as they were sure to carry out almost any measure which emanated from the majority of the Assembly. The Council could not desire a more flattering recommendation than this, to the respect and gratitude of the people.

SUPREME COURT.

The Easter Term of the Supreme Court was opened on Tuesday the 6th inst. We have not heard of any business of consequence having been transacted therein. On the first day of the Term, the Honorable Charles Young, Q. C. presented a commission under the great seal of this Island, appointing him Attorney General until Her Majesty's pleasure shall be known. The commission being read, his Lordship the Chief Justice delivered a short Address, in which he pronounced a beautiful, eloquent, and well-merited eulogium upon the character of the late Attorney General, the Honorable Robert Hodgson. The honorable and learned gentleman rose, and though embarrassed by his emotions, made a short but affecting speech in acknowledgement of the compliment conferred upon him by the Chief Justice.

On the same day, at a full meeting of the Barristers, held in the Judge's Chamber, William Forgan, Esq. in the chair—it was resolved that "an Address be presented to the Hon. Robert Hodgson, on his resignation of the office of Attorney General, and expressive of the esteem in which he is held by his Brethren of the Bar. An Address was accordingly prepared by a Committee appointed for that purpose, signed and presented to Mr. Hodgson, who returned an appropriate and beautiful reply. We should transfer these documents to our columns, had our space been less circumscribed. As to the character of the late Attorney General, we shall briefly say, that there cannot, and, we believe, never have been, two opinions, in this Colony, on that subject; and we question if any public officer, in any part of Her Majesty's Dominions, ever retired from office, carrying with him the respect and admiration of so many of his fellow subjects. Most heartily do we echo the sentiment of the Chief Judge, "that the Hon. Robert Hodgson may enjoy all happiness and success through life."

CONCERTS.

The new Temperance Hall was opened for the first time on Monday evening