

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.

(CONTINUATION OF MR. COLES'S SPEECH.)

Sir Donald, by interfering as he has done with the rights of the Electors, to secure the election of his friends, has gone very far beyond what his Royal Mistress would have done to secure a majority in the House of Commons to the party chiefly enjoying her favour, although their defeat would not only cause her to change her Administration, but even make it necessary for her to submit to a change in the Ladies of her Bed-chamber. Her Majesty, as a constitutional Sovereign, knows it to be her duty to acquiesce in all changes made necessary by the fluctuation of power between the Whigs and Tories in the House of Commons. Whether the Whigs or the Tories command the majority in the popular branch of the Legislature, she is aware that her Administration must be chosen from the party commanding it, and that all subordinate offices in her Government and about her royal person, even to the appointment of her maids of honor, are liable to the control of her Administration, whether it be Whig or Tory, and she has not refused to submit her household establishment to that constitutional control, even when acquiescence deprived her of the attendance of some of her favourite Ladies in waiting. But Sir Donald Campbell seems to claim exemption from that control—the control of the People through their Representatives in Parliament assembled—to which his Royal Mistress must herself submit, and positively refuses to comply with the wishes of the People concerning his Government, as expressed by their Representatives in General Assembly, although his compliance is sanctioned by Despatches from the Imperial Government, and what is required of him falls far short of what takes place, on similar occasions, in and under the Home Government. In all that had been required at his hands, his Excellency had been treated with all the respect due to his high station; and, although the majority of the House in the last session came to a vote of want of confidence in his Government, they forbore to include him in it. But of the respect manifested towards him, he appears to be little sensible. The members of his Government, against whom that vote of want of confidence was directed, shewed a much greater sense of propriety than his Excellency, and, without exhibiting any signs of resentment, deferred in a becoming manner, to the opinions of the Representatives of the People, and immediately tendered their resignations to his Excellency.

Such conduct, continued the hon. member, as that of His Excellency towards the People and their Representatives was quite sufficient to warrant any Resolution—however strong its language—which could be brought forward in condemnation of it; and it was, by no means, too much to say that, after the utter disregard, not to say contempt, which Sir Donald had betrayed for the wishes and sentiments of the people, it could not reasonably be expected that he would continue for any considerable period at the head of the Government of this colony.—The Grand Inquest of Queen's county had not even escaped his Excellency's attempts at despotic control, and had been visited with strong expressions of his disapprobation and contempt. His outrage upon the Grand Jury was caused by their not having been able—contrary to his calculations—to find a true Bill against a poor man, charged with having encouraged a Soldier to desert. The Grand Jury having thus disappointed his desire and expectation, his Excellency called upon the High Sheriff to give him the names of the individuals composing it, being quite unable to comprehend what could be the character of such a Jury as failed to find a Bill which he was convinced they ought to have found. His Excellency having then requested to see such of the Grand Jury as were in the commission of the peace, the Grand Jury determined that they would not be dismissed until after the interview between the magisterial portion of their members and his Excellency should have taken place. His Excellency, however, aware of the powers of the Grand Jury, would not consent to see the magistrates who were upon it until after they should have been dismissed. But immediately after having been relieved from the duties of the Grand Inquest, they were received by his Excellency in his Office, where he schooled them in a very peremptory manner concerning their duty with respect to deserters. If the High Sheriff be here, said the hon. member, he can tell whether he complied with his Excellency's request touching the individual charac-

ters of the Grand Jurors. But the High Sheriff himself, continued the hon. member, was, he thought, not quite exempt from the censure of his Excellency upon the occasion; for, as the Grand Jury stood condemned by the judgment of his Excellency, it was not unlikely that the High Sheriff was included in the same condemnation for a want of due discrimination in his selection of Grand Jurors.

The hon. member then proceeded to observe, that nothing was more to be dreaded or condemned than the tampering with, or the corruption of Juries from any quarter; but it would not be easy for language to portray the enormity of that offence—by which an unoffending and innocent subject might be deprived at once of his good name, his property, and his freedom, or even his life—when perpetrated by one in the highest place of power, and to which he had been elevated solely that he might become the guardian and promoter of the liberties and welfare of the people over whom it was given to him to rule; and difficult would it be to proportion the punishment which ought to fall upon such a perpetrator of such an offence, to the enormity of the crime, amounting in fact, to nothing less than treason against the liberties of the subject. When, two or three years ago, said the hon. member, through the influence of political spleen a Bill was returned, by a Grand Jury, to the Supreme Court, against himself and some of his friends, and they were put upon their trial for what was termed a riot, although it was merely a peaceable manifestation of the satisfaction, experienced by a party at the triumph of their principles, in the result of an election; and such as was quite usual, upon such occasions, in all communities enjoying the freedom bestowed by the British Constitution; on that trial—the grounds for which were so insufficient that the Judge was actually ashamed to sit upon it—had the Petit Jury been influenced by the same political pique and prejudices which he feared had governed the Grand Jury with respect to it—had they not been honest men, and had not the Judge been upright and independent—he and his friends, although quite guiltless of all offence, either against the laws or the public peace, might have been sentenced to twelve months imprisonment and some of them, perhaps, utterly ruined by the results of the prosecution. The interference on the part of his Excellency with a late Grand Jury had not been attended with any evil consequences at that time; but would any one undertake to say that it might not be productive of very evil consequences in future? Might not future Grand Juries, knowing the desire of His Excellency and the bias of his mind, fearing to incur his displeasure and anxious to ensure his favour, strain a point for his gratification and their own probable future benefit, and even find Bills contrary to the evidence and their own convictions? And if it should be found that any Governor of a British Colony could so far violate his obligations of duty, either under the influence of private or political prejudice, or for the promotion of any individual or party purpose, as to get up or foster charges on which to ground prosecutions at law, who would deny that the proof of such conduct, even in one instance, would not only justify his removal, but even render his recall, coupled with a declaration of his incapacity for so high a trust in future, a duty imperative upon the Imperial Government.—The unfortunate irritability of his Excellency's temper—a very great imperfection in the character of one occupying so high a station—had been very frequently manifested in the most unguarded manner. He had even been so forgetful of the dignity which ought to be inseparable from his high station, as to swear at members of the House of Assembly whilst conversing with him in the public streets of Charlottetown. I have heard a gentleman, a member of the last House and one of the Government House Committee, say that, on one occasion, having in that capacity waited upon his Excellency, and walked out with him, for the purpose of inspecting a part of the Government House premises, his Excellency, giving way to a strong feeling of resentment against the House, because he thought they had not voted a sufficient sum for the repairs and improvements in and about Government House, actually collared him, and pushing him backwards, nearly drove him through or over the fence behind him. Again when a deputation of gentlemen, chiefly composed of Ministers of the Gospel, waited upon his Excellency with an Address, relative to the due religious observance of the Sabbath; so greatly at variance was his manner of receiving them with a dignified demeanour usually observable in men of elevated station or high birth—so far was it from being in accordance even with the common courtesy and politeness which ever mark the gentleman and man of breeding, in his ordinary in-

tercourse with others—that he was actually so rude as almost to tell one of the deputation, in plain terms, that he was a liar, and the impropriety of his Excellency's address to that individual was so great, that another gentleman of the deputation felt himself bound to step forward and defend him. To shew how utterly impossible it was for either members of the Government or Legislature to do business with his Excellency, and manifest towards him the respect due to his station, at the same time that they preserved a just respect for themselves, it was only necessary to state one fact more bearing upon that point, which was that even at the Council Board, his Excellency on finding his wishes or opinions opposed by a member of the Council, could not forbear to give expression to his resentment by damning the offender.

(To be continued.)

CORRESPONDENCE.

TO EDWARD WHELAN, ESQ., M. P. P.
THE OLIGARCHY AND THEIR DEFENDERS.

"Can they be what they are, and know what they are?"

SHAKSPEARE.

SIR—With your permission I mean to take some little notice, through the columns of your paper, of the last editorial of the *Royal Gazette*.

I perfectly agree with the writer of that editorial that "nothing affords a more decisive proof of the weakness of a cause, than the desertion, by its advocates, of the fair field of argument;" and that, "when instead of facts and conclusions logically deduced from those facts—the only legitimate weapons in political contests—men have recourse to false statements and personal abuse, it soon becomes apparent that they are on the weaker side."

This friend in need of the tottering oligarchy of Prince Edward Island seems to have stepped in, with the authority of a Supreme Judge, to decide between the two belligerent parties, at present waging political warfare against each other in our little Colony—the Liberals and the Tories—as to the lawfulness of the weapons employed by them in the contest; or rather to decide, by his judgment, as touching the style of the controversy maintained, on the one side, by you, as the Editor of the *Examiner*, and, on the other, by Mr. Duncan Maclean, as the Editor of the *Islander*, as the leading organs of the contending parties; and determining by that, as a criterion, on which side lies the strength of truth and justice.

This would—be *second Daniel*, however, is most evidently wholly destitute of what ought to be the governing principle in the mind of a Judge—strict impartiality; and, as a reasoner, he is one of the feeblest that has ever pretended to the practice of either Law or Logic.

As respects yourself and Mr. Duncan M'Lean of the *Islander*, I will not positively pretend to say which of you flung the first stone; but the impression upon my mind is, that Mr. M'Lean was the aggressor in his Letters published in the *Islander*, before he was, like another Cincinnatus, taken from the plough, and constituted a sort of Dictator, by being promoted to the editorial chair of that Journal. Of this, however, I am quite positive,—and I feel certain Mr. M'Lean is no less so—that you have always given him "a Roland for his Oliver."

For Mr. M'Lean's having recourse to personal abuse, some apology, however, may be offered; but certainly none for you. Never did any man undertake the defence of a cause more essentially unpopular, than that which he has been retained to advocate; and quite as little chance had he of being able to enlist efficient arguments in support or defence of so bad a cause—one absolutely exhaling an odour offensive in the nostrils of the people,—as had the poltroon and braggadocio, Sir John Falstaff, of engaging to march under his command any but thieves, rogues, and vagabonds. That Mr. Duncan M'Lean has been hired to defend the "falling state" of the Tories, is the general opinion; and if, "speaking in hunger for hire, and not in thirst for revenge,"

"He cleaves the general ear with horrid speech,"

we must admit that the dire necessities of himself and the beggared cause ought, in charity, to be allowed to plead in mitigation of the censure due to his gross and studied improprieties of speech.

But the case was far otherwise with you, Sir. Your cause was, and is, the cause of reason, truth, and justice. You were, and still therein are, placed upon a rock, and around you stood, and still stand, the people to applaud and support you. They clearly see and understand