

The Examiner.

AND SEMI-WEEKLY INTELLIGENCER.

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

NEW SERIES.

CHARLOTTETOWN, MAY 1, 1850.

VOL. I.—NO. 28.

HOUSE OF ASSEMBLY.

FRIDAY, 26th April.

EXPIRING LAWS.

Mr. CLARK, chairman of the Committee to report upon expiring Laws, reported as follows:

9 Vict. C. 17. An Act to prevent the going at large of Swine and Geese at all Seasons, and of Horses at certain Seasons, in the Streets and Squares of George Town—will expire at the end of the Session.

10 Vict. C. 8. An Act for the better prevention of Smuggling—will expire at the end of the Session.

10 Vict. C. 9. An Act for the Encouragement of Education—will expire at the end of the Session.

11 Vict. C. 3. An Act to repeal the Laws now in force relating to Emigrants, and to make other provisions in lieu thereof—will expire at the end of the Session.

12 Vict. C. 27. An Act to alter and repeal certain parts of the Emigrant Act—will expire at the end of the Session.

12 Vict. C. 10. An Act for raising a Revenue—will expire 1st. May, 1850.

COLONIAL REFORM SOCIETY.

Mr. COLES, Chairman of the Committee appointed in the last Session to correspond with the Society for the Reform of Colonial Government during the Recess, presented Copies of two Letters which have been transmitted.

ANSWER TO HIS EXCELLENCY'S SPEECH.

Hon. Mr. PALMER, Chairman of the Committee appointed to prepare the Draft of an Address in answer to His Excellency's Speech, reported as follows:
To His Excellency Sir Donald Campbell, Baronet, Lieutenant Governor.

MAY IT PLEASE YOUR EXCELLENCY;

We the House of Assembly of Prince Edward Island in General Assembly convened, respectfully thank Your Excellency for your Speech at the opening of the present Session.

The indispensable necessity of a Revenue and of maintaining unimpaired the Public Credit of the Colony imperatively require us to guard against the present Revenue Act being allowed to expire before a new one is passed.

In proceeding to the consideration of the subject, we fully trust we will have the measure matured by such an early day as will avert those evils to which Your Excellency has alluded.

We shall be glad to receive at Your Excellency's earliest convenience such documents as relate to the Public Service; and it shall be our duty to co-operate with Your Excellency in all measures tending to promote the welfare of the Colony."

On the motion of the Hon. Mr. PALMER, the Address was then referred to a Committee of the whole House.

HOUSE IN COMMITTEE ON THE ADDRESS.

Mr. COLES rose to move an amendment to the reported Address. He was surprised to think that any gentleman who had heard His Excellency deliver his Speech, and who must have remarked the tone of its delivery, could propose to return thanks to His Excellency for such an unfortunate exhibition of his feelings as he made therein. No man, said the hon. member, ever spoke in a more insulting manner to another than His Excellency did to the House of Assembly when he delivered the Speech, to which it was then their duty to return an answer. It was true that the language of the Speech was not, considered in itself, insulting; but the tone of its delivery was most remarkably and decidedly so. Not only the members themselves, but every one present in the Council Chamber, must have been fully sensible of the insult to the Assembly conveyed in His Excellency's tone and manner, and such as were not members of the House must have felt themselves insulted by the contempt with which His Excellency took leave to treat the Assembly in their presence. His Excellency should, on all public occasions, shew himself to be fully impressed with a proper sense of the duty and respect which he owes to the People over whom he has been appointed to rule; and, if he were so, he would be sensible that to insult the House of Assembly was to insult the entire population of the Colony. He (the hon. member) feeling, as he stood before His Excellency, at the Bar of the Council Chamber, that an insult was directed against him, in his capacity of a member of the House of Assembly, and through him against his constituents, instantly became convinced that it would be a voluntary degradation of himself, in his character

of a representative of the People, to stand tamely there to be treated with contumely and scorn; and he, therefore instantly withdrew. And, if his example was not followed by nearly the whole House, it was not, he felt convinced, because they did not feel as he felt; but because they had not quite so quickly as himself determined in what way to manifest their indignant sense of the insult directed against themselves and their constituents by His Excellency: However, they were now afforded an opportunity to convince His Excellency how justly they appreciated his gratuitous insult to themselves and the people at large; and he (the hon. member) trusted a majority of the House, by declining to thank His Excellency for his Speech, would convince him of the value he holds in their estimation, as fixed by the delivery of that Speech. The friends of His Excellency were anxious to excuse his intemperate manner by alleging that some indulgence was due to him on account of his present ill health; but that he (the hon. member) thought was an insufficient apology; for, in his opinion, His Excellency's bodily indisposition ought rather to operate to the calming down of his angry feelings and to the inclination of all resentment on account of the past, than otherwise. The hon. member then moved that all after "May it please Your Excellency," be struck out, and the following be substituted:

"We, the House of Assembly, in Parliament convened, tender our acknowledgment of the Speech delivered by Your Excellency at the opening of the present Session.

"Although anxious to proceed with the despatch of the local business, together with the consideration of those important subjects affecting the general interests of the British North American Colonies to which our attention was directed in the last Session; we regret to have to say that as your Excellency's Speech contains no intimation of your readiness to accede to the wishes of the House of Assembly in respect to the reconstruction of Your Excellency's Government, as indicated by their vote of want of confidence in the last session, we are reluctantly compelled by a due regard for the responsibility we have incurred to our constituents to adhere to our resolution of postponing the despatch of the general business of the Colony and the consideration of the important subjects referred to by Your Excellency, until such time as it may be found expedient to comply with the wishes of Her Majesty's subjects in this Colony in respect to the question of Responsible Government.

"The expiry of the Revenue Act on Wednesday next is a circumstance of which we are fully cognizant. As Your Excellency assented to a Civil List Bill at the close of the last session, we feel it to be our duty to provide for the payment of the salaries and allowance therein mentioned on the Bill coming into operation; and, with this view, we are disposed to pass a Revenue Bill under certain conditions and restrictions.

"We beg to assure Your Excellency that we shall cheerfully receive any documents relating to the Public Service which you may be pleased to lay before us; and we desire to add that it would be a source of extreme satisfaction to us could we consistently avail ourselves of Your Excellency's assurance to co-operate with us in all measures tending to promote the welfare of the Colony."

Mr. COLES then observed, with respect to the concluding expression in His Excellency's Speech, "I shall be happy to co-operate with you in all measures tending to promote the welfare of the Colony," that he was afraid His Excellency was more ready to express his willingness to co-operate with the Representatives of the people by words, than to manifest it by actions. If his expression of readiness to co-operate with them were real, he would have complied with their wishes in the last Session, and have reconstructed his Council; but that he failed to do, even after he had expressed himself perfectly satisfied with all the arrangements made in anticipation of a change of Government by the gentlemen in communication with him on behalf of the majority of the House; and not content with manifesting his disregard for their wishes, touching the establishment of a new Government, he even, afterwards, went so far as to misrepresent facts in the Speech by which he prorogued the Legislature. In that Speech His Excellency said that, had the Assembly, instead of prematurely calling upon him to change the whole of the Executive Council, complied with the preliminary conditions—meaning the making of a provision for the Attorney General, the Colonial Secretary and Registrar of Deeds, and the Treasurer, by granting to each of them a retiring allowance of £200 per annum—he would then have been enabled to recommend to Her

Majesty's Government that he should be authorized to take the necessary steps for the introduction of the system of Responsible Government into this Island. Now the fact was that His Excellency had stipulated for a provision for only two of those officials—the Colonial Secretary and the Treasurer.—and that a provision was made for them by proposing to appoint each of them to a public office with a salary of £200 a year; and that, moreover, His Excellency expressed his entire satisfaction with it. But, concluded the honorable member, taking everything into consideration, it does not appear to me that His Excellency either intends or wishes to do business with the House by means of any co-operation with them on his part; but that he rather wishes to force them into the adoption of some measure so extreme, that it may afford him something like a plausible pretext for representing them to the Imperial Government as a body of men with whom it is altogether impossible to do business in a rational and constitutional way.

HON. MR. PALMER did not conceive that there was any thing, either in His Excellency's Speech, or the mode of its delivery which could justly, or with an unprejudiced spirit, be deemed insulting. The offence which had been taken, causelessly as he thought, was extracted from one single short sentence, that wherein His Excellency said, "It was evident that without a Revenue Act this Island must suffer heavy loss and injury, and as it is in your power to avert these evils, I hope you will do so." The sentence was in itself, a plain and simple one, and what it distinctly asserted no one could deny. It was certainly the most important sentence in the Speech, because it directly stated the purpose for which the House had been convened, and the effect which His Excellency had justly expected to result from it. From the words themselves, it was impossible for the most twisting ingenuity to derive any thing on which to rest cause of complaint. Being, as he had already said, the most important sentence of the Speech, it was very natural that His Excellency, in his delivery of it, should particularly emphasize it, by laying greater stress upon it than upon any other portion of his Speech; but that that stress was of so peculiar a character as to convey insult to those to whom it was addressed he could not admit. The observations on that head made by that gentleman who had just sat down were quite uncalled for. There was no ground for accusing His Excellency of having insulted the House; but it was very clear to him (Hon. Mr. P.) and he should think to all who were present in the Council Chamber on the occasion in question, that an insult to His Excellency had proceeded from the House, not certainly from the House as a body, but from one member of it, the gentleman who had just sat down; who, in suddenly turning his back upon His Excellency whilst he was proceeding with the delivery of his Speech, and rudely and hastily withdrawing from his presence, most grossly and unwarrantably insulted him. No one influenced by the feelings, or at all instructed in the behaviour, of a gentleman would or could have acted in so indecorous and boorish a manner as the hon. member put in practice in withdrawing from the presence of the Representative of Her Majesty. He (Hon. Mr. P.) had, however, been happy to observe that, although the hon. member, in breaking away in the manner described had endeavoured to drag others along with him, they had had the good sense to resist his efforts if any thing they fancied created internally momentary disrespect towards His Excellency, they appeared to know, at least, what was outwardly due to him on the occasion, and would not consent to degrade themselves by a glaring violation of the decorum and ceremony which gentlemen, upon all such occasions, feel themselves bound to observe. The rudeness and want of breeding manifested by the hon. member towards His Excellency, could not, he felt certain, be paralleled by any similar instance in all the records either of the British Parliament or of Colonial Assemblies. It, in fact, amounted to scarcely any thing less than personal outrage upon His Excellency; for even had the hon. member taken a paper out of his hat, and thrown it in the face of His Excellency, the amount of insult would not have been much greater. If, continued the hon. and learned gentleman we do not, on public occasions, regulate our conduct and demeanour towards the Representative of Her Majesty according to the code of ceremonial courtesy and respect, always observed and carried into practice by public bodies such as the Assembly, towards those who occupy the highest stations of authority over a people, we shall certainly most deservedly think in the estimation not only of the people of Great Britain, but also in that of the people of the neighbouring Provinces, with whom assuredly, however far we may, from unavoidable and uncon-