

# 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. YEO said the honorable member who had just sat down had spun the House a very long yarn, which, in his (Mr. Yeo's) opinion, had been much more tiresome than profitable. Indeed he thought the hon. member had laboured through it in vain. His chief object, he (Mr. Yeo) thought, had been to prove that his Excellency was an arbitrary Governor. He (Mr. Y.) would admit that his Excellency might have a very bad temper—he would not say that he had not—but, although his temper might not be good, it did not follow that he was a bad Governor. Indeed, so far was he from being a bad Governor, that all of which he could be accused was his having disappointed the selfish expectations of the Snatchers. His Excellency, however, in his (Mr. Y's) opinion, had shown a rather blameable willingness to gratify them. He had gone so far as to offer them three seats in the Executive Council; but that would not satisfy them. They wanted to have all in their possession and at their command—the money chest and every office of emolument in the colony; and because his Excellency had refused to comply with their extravagant and selfish demands, they turned round upon him, and in their vexation and spite, represented him as a tyrant. The country, through their bad and imprudent legislation, was burthened with a public debt of about £30,000, and not satisfied with the mischief already done, they were madly bent upon a course which would still further increase the pecuniary embarrassments of the colony. The fact was that they cared not what evils they brought upon the country, provided they could only elevate and benefit themselves. Their only object was to dig nests for themselves—to put out the present officials, that they might get in themselves. He had known the country as long as most of the members, and he was bold to maintain that there were no better men to be found in it than they were against whom the majority were raising so great an outcry. The colony might get Governor after Governor, but no Governor or any change would please 'the Snatchers,' unless they could have everything at their own disposal. If they were permitted to go on, they would keep the country in a constant state of agitation, until, in the end, they brought about the annexation of this Island, like that of Cape Breton, to Nova Scotia.

Mr. COLES, in answer to Mr. Yeo's assertion that "the Snatchers," as he styled them, had burthened the country with a heavy public debt, replied that it was not the Liberals, but the Tories who had brought financial embarrassment upon the country by a course of imprudent legislation.

Mr. MONTGOMERY was of opinion that the facts of the case gave a decided contradiction to the assertion contained in the resolution. The resolution charged his Excellency with "continued determination to oppose the wishes of the House for the reconstruction of his Executive Council;" but the truth of the matter was, as his Excellency had stated in his speech, that he had no power at present to reconstruct his Council. His Excellency's speech, in which he had positively declared that he had no such power, would be seen by his Royal Mistress, or, which was the same thing, by his Master, the Secretary for the Colonies; and could it be supposed for a moment, even were it to be granted that Sir Donald felt disposed to substitute his own inclinations for the directions of the Imperial Government, that he would venture to make such a declaration were it not true. If they wished strictly to state the truth in the resolution, they would say, "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, until he shall be authorized to do so by instructions from the Home Government." No doubt if time should be afforded for due deliberation concerning the question by the Home Government, such authority would be received by his Excellency; and, certainly, it would be both premature and unjust to impeach his Excellency's character, as a Governor, because he had not done, or would not do, that—however much it might be desired by the House—which his instructions from the Imperial Government gave him no power to do. Since the honorable member for Queen's County (Mr. Coles) had made something like an appeal to him (Mr. M.) as High Sheriff, for a confirmation of what he had stated concerning his Excellency's alleged interference with the Grand Jury, it was right that he should reply to it. He believed that an impression had been made upon his Excellency's

mind—a very erroneous one however—perhaps in consequence, in a great measure, of what the deserter himself, in the case in question, had said in his own exculpation or in palliation of his offence, that the Island farmers were, for their own benefit, in the habit of encouraging or enticing soldiers to desert; and, therefore, his Excellency had been anxious concerning the result of the investigation by the Grand Jury, touching a certain desertion, hoping that the issue might be such as to render desertions more difficult, and, consequently, less frequent in future. The issue of the enquiry by the Grand Jury, however, proving contrary to his Excellency's expectation, I called upon him at his office, agreeably to his wish, and after some conversation concerning desertions and the offence with which the farmer had been charged, his Excellency asked me for a list of the Grand Jury, which I gave him accordingly; and that was all that passed.

Mr. SPEAKER moved to strike out the words "continued determination" and "to oppose," and to insert in place thereof, "repeated refusal" and "to accede;" grounding his arguments for the alteration upon the fact that his Excellency had deliberately, most deliberately, in his speech at closing the session on the 26th March, declared that he had no authority to concede to this colony the system of Responsible Government. Had Earl Grey given the Governor power so to do, much more had he directed him so to do, he would not have refused; at least the House could not reasonably presume he would. Gentlemen refer to Despatches: unfortunately those documents are written, if not in an evasive, yet in a diplomatic style—admitting of different interpretations.

Mr. COLES, Mr. WHELAN, Mr. CLARK, and Mr. MOONEY, severally spoke against the amendment proposed by the honorable Speaker; Mr. Whelan alleging that he (the hon. Speaker) was apt to mystify, but that, in mystification and sophistry, he had now eclipsed his former essays in that line; Mr. Coles partly concurring in, and partly dissenting from, the propriety of the amendment; Mr. Clark stating that he did not think it would be proper to allow the hon. Speaker to amend the motion of another member, when the amendment would not alter the meaning or express it better; and Mr. Mooney saying that the hon. Speaker had now shown himself in his true colours: he had never spoken in his (Mr. M's) hearing, so clearly and forcibly as any former time; and that it was very plain he was against Responsible Government: having got the Speakership, he saw no prospect of anything better for himself from any change it could effect, and, therefore, he would oppose it.

Mr. SPEAKER replied that, in regard to Responsible Government, he entertained and expressed the same opinions which, in 1817 and 1848, he had expressed in the House, and which, in 1849, he had expressed at different public meetings. As for mystification and sophistry, it might do well enough to impute those to him in a newspaper paragraph, but not one member around the House believed he was attempting such a procedure, or that he spoke otherwise than he thought. [Here Mr. Whelan said he had not meant to impute either insincerity or improper motives to the hon. Speaker.] Mr. Speaker replied, that he who mystified, and used sophistry, attempted by verbiage to confound and confuse others, and to get them to believe what he himself did not believe—a line of conduct which, as a member, he had never followed. As for Mr. Mooney's wish to have had the same benefit of education which he (the hon. Speaker) had enjoyed, and to have an academic title attached to his name, these and similar observations were, at least, unnecessary. If he (the honorable Speaker) knew other languages besides that in which the House transacted business, he had never used them there. He had never subjected himself to an accusation of pedantry, and, therefore, should on that score be unmolested. As for censuring the Governor about tampering with Juries: if he did so, he was very, very wrong. As for his blaming the people of this colony as to desertion, he might be excused: he might, by busy people, be led to suspect that such was the case; and, in some few instances, it might be so, but not in general. Men would not question too closely the man who entered their houses and claimed their hospitality: there were the duties of forbearance on the guest, and equally on the man whose roof-tree sheltered him. But would they know who were the real encouragers of desertion? They were the Ministers, who, enlisting men in the prime of youth, sent them hither and thither over the world; and after seven, eight, or nine years of service, dismissed them in Ireland, in a country afflicted with pestilence, famine, civil broils, and everything disagreeable. Was it in human nature that soldiers in

America, in this colony, were they could by labour get 3s. per day; so nigh the States, where they could get 5s. per day, that they would not desert, rather than after two or three years be disbanded in a country, afflicted as Ireland was and is; where, when disbanded, they must put up with sixpence, or, at most a shilling a day?

Mr. POPE remarked that, if his Excellency had concluded that he had not authority to reconstruct his Council under existing circumstances, his conclusion could be based upon nothing but an error in judgment. A reference to what took place in Nova Scotia where, under similar circumstances, before the establishment of Responsible Government in that Province, the Governor called a new Executive Council, was sufficient to show that, had Sir Donald Campbell chosen to pursue the same course here, he would neither have exceeded the powers with which he is invested by his commission or instructions, nor have rendered himself liable to the censure of Earl Grey for assumption of any unusual responsibility. What was asserted in the resolution was fully sustained by the evidence of facts, and it said no more than what had been previously said, and sustained as the truth, by the House. In refusing to comply with the wishes of the House for the reconstruction of his Council, his Excellency was acting in a most unwarrantable manner. It had been very industriously spread abroad, by the enemies of Responsible Government,—in order no doubt, to protect, if possible, his Excellency from the censure and condemnation of the people, on account of his resistance to the popular demand for a reconstruction of his Government upon Liberal principles—that, on behalf of the liberal party in the House, the immediate introduction of Responsible Government had been insisted upon. The truth, however, was that nothing more than a reconstruction of his council had been requested of his Excellency; and so far was the immediate adoption of Responsible Government from having been required of him, that no attempt whatever had been made, by the liberal party, to induce him to make a single change with respect to official appointments. So strong, however, was the reluctance of Sir Donald Campbell to smooth the way for the introduction of Responsible Government into the colony, that he had informed the House that, even although they had agreed to grant him his *sine qua non* of £600 a year for retiring pensions to the Colonial Secretary, the Treasurer, and the Attorney General, he would not then have taken the necessary step for the desired change in the Government—a reconstruction of his council—without further instructions touching the matter from the Secretary for the Colonies. The question forced upon the consideration of the House was, could they, consistently with a proper discharge of their duties to their constituents, lend their legislative aid to support a Government which was determined to rule, if possible, in defiance both of the people and the people's representatives; and the answer which the majority of the House was prepared to give was, he believed, that they would not consent that either his Excellency or his Government should continue to ride rough-shod over the people, and trample upon their liberties; and to this they were also, he trusted, determined to adhere in practice, in utter disregard of any false imputations of disloyalty which their opponents—unable to oppose them with the legitimate arguments of truth and reason—might, in their despair, seek to throw upon them. Such imputations, they felt assured, would never attach to them, for their resistance to the exercise of arbitrary power by any servant of the Crown, or by any body of men forming an administration under him; so long as they continued to manifest true regard for their Sovereign and firm attachment to the British Constitution. In that regard, and in that attachment, consisted what he (Mr. Pope) esteemed as true and rational loyalty; but, in passive obedience to, or active compliance with, the measures and proceedings of men in authority, which had their origin in the mere arrogance of power, the incitements of spleen, or the dictates of prejudice, were to be recognized nothing but the tame compliance, and the humble submission of men unworthy to inherit the blessings of freedom. It could not, with truth, be said that his Excellency was partial in his conduct or behaviour, for, if his words and actions were narrowly observed, it would be found that, in his endeavors to establish arbitrary rule in his own person, he regarded neither the feelings, place, nor character of any one. The resentment manifested by his Excellency towards the Grand Jury who had—contrary to his wish—failed to find a true Bill against the man who, in pursuance of his instructions, had been charged before them with encouraging or assisting a soldier to desert, was not confined merely to his censure of the Grand Jury or to