

ing of the inhabitants; the Assessors and Fire-wardens must be persons residing in Georgetown, and who shall have resided there for at least twelve months previous to their election—and in the event of anything occurring to prevent an election taking place, then the Governor in Council shall appoint Fire-wardens and Assessors.

Mr. Rae reported a Bill to continue the Act relating to contested Elections, and to amend the Election Law in so far as relates to the expense of a scrutiny upon objected votes.—Second reading on Friday.

A Message was sent to the Lieutenant Governor, praying that he would cause the usual Returns of Exports and Imports, Vessels launched and registered, &c. to be laid before the House—and then the House adjourned.

MONDAY, February 17.

Mr. Clark, agreeably to the notice he had given, moved that the Honorable Speaker have leave to give in, in writing, his defence or refutation of the charges alleged by him to be contained against him in his capacity of Delegate, in certain amendments proposed to be made to a Resolution of this House, on Monday the 10th inst. by Edward Palmer and Francis Longworth, Esqrs.

After some observations from Mr. Palmer, the motion was agreed to; whereupon the Speaker handed in the following statement:

In consequence of my complaint to the House of Assembly, that I felt myself aggrieved at certain statements introduced on the Journals, which were proposed as amendments, to defeat the Resolution of this House to petition the Imperial Parliament—which statements, called amendments, go to accuse me of a neglect of the duties imposed upon me as Delegate to England; and as the amendments referred to were not proposed in the usual way, to meet the Resolution in Committee, to which they profess to be amendments, but were concealed until I was in the Chair, which prevented my making objections at the time; and the House of Assembly having granted me permission this day to bring in a refutation of the charges preferred—I therefore beg leave to submit, that when a Government, a Legislature, or a constituted body of the high standing of a House of Assembly, having appointed a public servant, and furnished him with instructions, it is not customary to charge such public servant with a dereliction of duty, without pointing out from his instructions where-in he has come short of his duty, or exceeded his authority; and it has also been customary with men of good intentions, if they had grounds for being dissatisfied with the manner in which a public trust or duty had been discharged, to prefer a charge stating the grounds of complaint—to furnish the person accused with the grounds of accusation—to hear his defence, and give him a fair trial, before he is declared guilty. In my case it is quite the reverse. My accusers kept the amendments containing those charges a secret until I was in the chair, and prevented my offering a defence, when they voted me guilty without a hearing, and passed their judgment without a trial—I must therefore commence where they ought to have begun.

The charges preferred against me, on Monday last, February 10th, by E. Palmer and F. Longworth, Esquires, are—

1st. That I was instructed to apply to the Imperial Parliament, and that I neglected a good opportunity of doing so.

2d. That I neglected to procure competent law opinion, while provided with ample means by this House for such purpose.

And my instructions are—

Resolved, That, under existing circumstances, it is indispensably necessary that some person, having the confidence of this House, should proceed forthwith to England to represent to Her Majesty's Government the interests and sentiments of the Inhabitants of this Colony, and support the views entertained by this House before Her Majesty—and, if necessary, the Imperial Parliament.

And the means placed at my disposal were—

Resolved, That the sum of Three hundred Pounds, granted for that purpose this Session, be paid to the said Delegate, to defray his unavoidable disbursements.

According to which Instructions, it is evident that I was not instructed to apply to Counsel for a Law opinion in the case between the Tenantry and Proprietors, nor were any means placed at my disposal for such purposes.

My instructions were, to represent to Her Majesty's Government the interests and sentiments of the Inhabitants of this Colony, and support the views entertained by this House before Her Majesty—and, if necessary, the Imperial Parliament.

To follow the instructions according to the letter, it will be seen that there is a wide distinction between representing the interests and sentiments of the Inhabitants to Ministers, and supporting the views of this House before Her Majesty, and, if necessary, the Imperial Parliament.

The instructions would imply, that, as the representations were to be made to Ministers, the Ministers might lay the representations before Her Majesty in Council, or before the Imperial Parliament, to inquire into the merits of the claims set forth; and, in either case, I was to support the views of this House when the matter was discussed. But as it is well known that no person can appear before either of those august tribunals until their attendance is required, and as I had no such requisition, I could not possibly appear before them.

But, taking another view of the case, and allowing that I was to petition Parliament, my instructions required me to apply to Ministers in the first place, and, if necessary, to Parliament. It was, therefore, left for me to judge of the necessity of applying to Parliament; and it appeared to me that I could not petition Parliament until the Ministers had given their decision—if I had done so, I would, in the first place, have betrayed a want of confidence in the government to whom I was directed to apply. Had I sent in a Petition to Parliament before the Government had given an answer, a Minister in his place in Parliament would have produced my instructions, to show that such Petition was premature; and as Ministers had it all in their own hands, the Parliament was prorogued before I received for answer 'that the opinions of Her Majesty's Government, respecting the representations made, would be communicated to the Lieutenant Governor in this Island'—and, as the communications were unknown to me, and might have contained all that the Colony required, I could not have applied to Parliament without fresh instructions from this House, who have now a fair opportunity to Petition Parliament without further expense to support a Delegate.

But when the House of Assembly did me the honour to send me to England as Delegate, they were pleased to place such confidence in me, believing that I was fully acquainted with the duties of the mission, and faithful to

perform it to the utmost of my ability, that few instructions were necessary—but the greater confidence that is placed in a public servant, the greater the responsibility, and more room to find fault. But from the view I have taken of the despatch sent to the Colony, in answer to the mission, the House, I trust, will not find it a fruitless one. And while I return the House of Assembly my sincere thanks for their vote of acquittal on the charges preferred, I believe my accusers had no other end in view than to injure my reputation in the estimation of my constituents and the public in general—

1. Because the charges were preferred without any foundation in truth.

2. Because they were not brought forward in Committee, where they could have been answered; but were concealed until they were proposed in the House as amendments, while the Speaker was in the Chair, where he could not reply.

3. Because they profess to complain that the Delegate did not apply to the Imperial Parliament, and were proposed to defeat a Resolution of the House to prepare a Petition to Parliament, and when it appears on the Journals of last Session that the movers of those amendments were opposed to the delegation, and to any application being made to Parliament.

4. Because they profess to be truth, and their being published would deceive persons who had not the means to perceive the deception, while the movers had the records of the House to correct such errors if they were so inclined.

While I asked the House of Assembly for permission to bring in a refutation of the charges preferred against me, I had no other end in view, than to publish this beside the charges preferred, to disabuse the public mind, and allow them to judge for themselves.

All of which is respectfully submitted.

WM. COOPER.

The above statement having been read by the Clerk; Mr. RAE moved that it be referred to a Committee of the whole House to-morrow, in order that the Speaker might be afforded an opportunity of fully explaining his conduct on the late delegation, with some parts of which he (Mr. Rae) confessed he was not satisfied from any thing he had yet heard.

Mr. LE LACHEUR thought the Delegate's explanation had been quite satisfactory. He would oppose the motion, as he considered that any further inquiry was uncalled for.

After some sharp discussion, the motion was carried, on the following division: Yeas—Messrs. Rae, Fraser, Palmer, Yeo, Macfarlane, Macneil, Montgomery, Forbes, Arbuckle, Longworth, J. S. Macdonald, Thomson—12. Nays—Messrs. Gorman, D. Macdonald, Le Lacheur Macintosh, Beck, J. Dingwell, Clark, W. Dingwell—8.

THE COLONIAL HERALD.

SATURDAY, FEBRUARY 22, 1840.

The European news received by last post, although several days later, is not of much importance. We subjoin the principal items of intelligence.

From the St. John Courier, of Feb. 8.

Postscript.—An express mail arrived from St. Andrews just as our paper was going to press, with New York papers of Saturday, and letters and papers brought by the packet ship *Patrick Henry*, which arrived on the 31st ult. from Liverpool, whence she sailed on the 26th December, and up to which date we have received our files of English papers.

The *British Queen* arrived at Gravesend on the 25th, having encountered a tremendous gale which lasted seven days. Her decks were swept by the sea. She will not sail again until the 1st of March.

The *Great Western* was advertised to leave Bristol on the 20th February.

The Queen, it is affirmed, will be married on the 4th of February; in the meanwhile Her Majesty, with proper delicacy, keeps herself closely confined to the castle.

Lord Palmerston and the Dowager Countess Cowper were married on the 16th December. The Lady is sister to Lord Melbourne, and in her 53d year. Lord Palmerston is in his 56th.

Lord Auckland has been elevated to an Earldom, with the same title. Sir John Keane has been made Lord Keane. Mr. M'Naughton and Colonel Pottinger, Baronets. It is reported that Lord Normanby is to be appointed Governor General of India, as successor to Lord Auckland.

The accounts from the manufacturing districts are extremely unfavourable, and there can be no doubt, that severe distress exists, and is likely to exist, among the operatives and the peasantry. Business is generally at a stand. A most severe winter for the poor was apprehended.

HALIFAX STEAMERS.—Mr Cunard's list of Steam ships between Liverpool, Halifax and Boston, will commence plying in the month of May. These steamers will keep up a communication, once a fortnight, between Europe and America.

THE CHARTISTS.—A great Chartist meeting was to be held on Christmas day, at Merthyr Tydvil, near the scene of the late riot. Collisions between the soldiers and people were expected.

GLASGOW.—Within the last few weeks we have had in Glasgow alone, failures to the extent of between 200,000 dollars to 300,000 dollars.

Dr. Bowstead is to be Bishop of Litchfield. O'Connell is to be Chief Baron of the Irish Exchequer. James Smith, Esq. author of the "Rejected Addresses," is dead—Lady Emily Wellesley is dead.

At a meeting of the French Chambers, the King, in his speech, stated that in conjunction with England, he was supporting the integrity of the Turkish Empire, which should at all hazards be kept inviolate. Funds closed on the 24th, at 91 7-8.

By telegraphic despatch, published in the *Moniteur* of Dec. 20, it appears that the Army of Abdel-Kader had been defeated in two engagements, and that the reinforcements sent to Africa by the French Government were beginning to arrive. The Alier and Neptune ships of the line had also arrived.—It was believed that the campaign would not commence in reality before March.

The following is from the *Eco do Argan* of the 10th:—"The Duke de la Victoria has posted the eleven battalions, composing the entire of the 3d division, in Alcoriza, and a brigade of the 2d has been ordered from Mas de las Matas to Calanda. Both are to keep the roads clear. Jordana's column has been increased to 3,000 men to guard the district of Hussea."

LONDON, Dec. 25.—The accounts from the manufacturing districts received to-day, are of a most unfavourable character. The rumours circulated that several large orders had been received in Lancashire, for goods for the markets, have not been confirmed.

The Queen wished Lord Melbourne to ask Parliament for a settlement of £100,000 a-year on Prince Albert. Melbourne told her he did not dare to ask forso much; but he would ask the Duke of Wellington how much was proper to be granted, and the Duke replied £30,000.

UPPER CANADA.—The House has voted £600 to Sir Allan McNab as a remuneration for his services as Speaker, beyond the regular salary.

A bill has been introduced granting to Col. Fitzgibbon £2500 as a remuneration for his services.

The Clergy Reserves Bill has passed the Legislative Council by a large majority, and without amendment. Bishop Strachan has addressed a letter to the Clergy and laity of his church on the occasion, in which he confidently expresses his conviction that the measure will not receive the sanction of the Imperial Parliament.

NEW BRUNSWICK.

TAX ON WILD LANDS.—Mr. Fisher has introduced into the House of Assembly a bill to impose a Tax on all Wild Lands in the Province. The Bill proposes laying a tax on all Wild Lands already granted, excepting only lots of 200 acres, or less, on which the proprietor resides, or of which in case of non-residence, he shall have enclosed and cultivated at least 10 acres. The tax to be due on the 10th May in every year, and if not paid, the lands to be advertised and sold—the tax to be paid over to the Commissioners of Roads, to be expended on the highways of the Parish where the Lands are situate.

TEMPERANCE.—At a meeting of the Committee of the Charlottetown Temperance Society, held at the Rev. Mr. Waddell's, on the evening of Tuesday, the 18th inst., the following Resolutions were severally proposed and carried:—

1. That the meetings of the Society shall, in future, be held once every two months.
2. That the said meetings be held, for the time being, in Mr. Nelis's School Room—to commence on the first Monday in April.
3. That a Petition be presented to the Legislature, praying for the prohibition of the importation and distillation of ardent Spirits.
4. That copies of the aforesaid Petition be forwarded to the different Temperance Societies throughout the Island.
5. That this Committee shall, in future, meet once a month.

MECHANICS' INSTITUTE.—On Wednesday evening last, the Hon. G. Dalrymple delivered a lecture on Galvanism, to a very crowded audience. Not having apparatus to excite galvanic fluid, and illustrate its effects, he stated that he would depart from the track usually followed by lecturers on the subject, and strike out a path of his own. He first gave a history of the rise and progress of the science, and then furnished a detailed account of the inert substances upon which the fluid has been found most successfully to act, concluding with Dr. Ure's narrative of a variety of experiments performed upon the body of the murderer Clydesdale, after execution. The lecture was interspersed with much interesting and lively anecdote, which, in one instance or two, led the hon. lecturer aside from the subject, and, in our humble opinion, subjected him to a breach of the standing Rules.—*Com.*

* * The Rev. John M'Lennan will preach in the Scotch Church to-morrow. Service in the English language to commence at half past Eleven o'clock.

MARRIED.

At East Point, on the 26th ult., by the Rev. J. Macdonald, Mr. Michael Brennan, to Miss Mary Keys, eldest daughter of Widow Keys, of that place.

SALE AT AUCTION.

Surveyor General's Office, 18th February, 1840.

THE Surveyor General will submit for sale, at Public Auction, on Saturday, the 28th March next, at the Court House, in Charlottetown, at 12 o'clock, noon, the following **PASTURE LOTS**, in the Royalty of said Town, viz: Nos. 353, 429, 431, 462, 465, 563, 459, 550, 477, 504 and 510. GEORGE WRIGHT, Surveyor General.

UNDER THE PATRONAGE OF

The Right Hon. Lady Mary Fitz Roy,

THE BAZAR for the Sale of Ladies' FANCY WORK, &c., in aid of the Funds for clothing and relieving the Poor, advertised for THURSDAY, the 27th February, will take place on board the *CASTALIA*, which Mr. Peake has kindly fitted up for the occasion.

Contributions will be received at Government House, on Monday the 24th and Tuesday the 25th inst. Confectionary, &c., for the cake table, may be sent to Mrs. John Brecken, Mrs. Hurdie and Mrs. Mackieson, on Wednesday the 26th instant.

The public will be admitted to view the tables on Wednesday the 26th, at 2 o'clock, on which day, and on the day of sale, the price of admittance will be One Shilling each.

Doors to be opened, on the day of sale, at Twelve o'clock. Sale to commence at half-past Twelve.

AT A REDUCTION IN PRICE,

HEAVY Winter Cloths—Pilots, Petershams, Flushings, Buckshins, Tweeds, &c. Flannels, Baizes, Serges, Blankets, Counterpanes, Quilts. A great variety of very superior MERINOS, and other WINTER GOODS, (see Advertisement) will be disposed of on very low terms, if applied for immediately. A few Fur Capes, Tippets, Mantillas, Gloves, &c., at nearly half price.

Also,

Kegs Virginia best No. 1, TOBACCO,
Do. Halifax manufacture, do.
Chests fine CONGO TEA.

ALEXANDER DAVIDSON,

Brecken's Corner, No. 1, Queen Street.

All Debts due the Subscriber, and contracted previous to the first of May last, will, if not paid before the 10th day of March, 1840, be placed in the hands of an Attorney for collection.

A. DAVIDSON.

APPRENTICE WANTED.

THE Subscriber wants an APPRENTICE for the Mills at St. Cuthbert's, in the vicinity of Charlottetown. None need apply without unexceptionable reference as to character. W. MACINTOSH.

CAUTION TO LUMBERERS.

ALL Persons found trespassing upon any of the Estates of the Right Honorable the Earl of SELKIRK, in this Island, by cutting timber, or otherwise, will be prosecuted with the utmost rigour of the Law. Tenants requiring Timber for Farm Buildings, &c. must apply to the subscriber.

W. DOUSE, Land Agent.

Charlottetown, January 10, 1840.

TO LET.

FOR the winter season, a ROOM, well calculated for storing Grain. For further particulars apply at the Herald Office.

BLANK Bills of Exchange, Charter Parties, Seamen's Articles, Bills of Lading, Manifests, Powers of Attorney, Court Subpoenas, Apprentices Indentures, a variety of Magistrates' Blanks, &c. for sale at the Office of the *Colonial Herald*.



WANTED to Purchase, a Vessel of 150 to 180 Tons.

T. B. TREMAIN.