

HAVE WE RESPONSIBLE GOVERNMENT IN PRINCE EDWARD ISLAND?

The essence of Responsible Government is, that the Administration should possess the confidence of Parliament and that public business should be conducted according to the well-understood wishes of the people. Let us inquire whether the relations of the present Executive to Parliament and the people conform to the above propositions.

On the 13th of December last the government of Mr. Farquharson, having lost the elections in Belfast and Murray Harbor, was left without a majority in the House of Assembly. The defection of Mr. Wise—who had during last session voted for a direct motion of want of confidence—and the election of pronounced opposition candidates in New London and Tignish gave the opposition 15 seats in the House of 30. The Speaker being held by a government supporter, left the Farquharson Government in a minority of one, provided that all the members were in their places.

The situation existing from the 13th of December was one which called for the gravest consideration by the Premier and the Lieutenant Governor. According to the precedents furnished by the action of the Earl of Aberdeen, on the results of the Canadian General Elections in 1896, and that of Governor McInnis in British Columbia, last year, in dismissing Mr. Turner, it became the duty of Governor McIntyre, either to dismiss Mr. Farquharson or to object to the full exercise by him of executive functions. For my own part I do not regard the actions of the Earl of Aberdeen or Governor McInnis as furnishing wholesome precedents. The accepted English practice, that the views of members of Parliament can only be constitutionally ascertained after being duly convened and in a collective capacity, is to my mind the safer course. It does not follow, however, that the Governor should remain oblivious to the facts when his government has been notoriously weakened in Parliament, either by the withdrawal of the confidence of former supporters or by the unfavorable result of bye elections. Under such circumstances, the duty of the Representatives of the Crown becomes very clear. It is simply to see that no unnecessary delay shall occur in summoning Parliament, and that writs of election are promptly issued to fill vacancies in the Representative Chamber.

The proclamation in the last issue of the Royal Gazette proroguing the Provincial Legislature until the 23rd instant does not, I am sorry to say, give any assurance of a very earnest desire on the part of the Premier to consult the wishes of Parliament, nor does it furnish evidence of watchful solicitude on the part of the Lieutenant Governor in enforcing the obligations of the Constitution. When, during the session of 1873, Mr. Huntington formulated charges against the administration of Sir John McDonald on account of their dealings with Sir Hugh Allan, respecting the Canadian Pacific Railway Contract, the Earl of Dufferin only consented to prorogation on its becoming apparent that the powers of investigation possessed by the House of Commons were inadequate to a complete enquiry into the case, and on the distinct understanding that an autumn session of Parliament should be held to receive the report of a Royal Commission and to finally pronounce on the conduct of ministers.

Under our Provincial law the Legislature must assemble within twelve months of the last prorogation, which occurred on the 19th of May last. Notwithstanding that, through the trend of bye-elections and the defection of one of its former supporters, it has become notorious that the ministry has lost the confidence of the Assembly, we have the spectacle of a prorogation to a date almost unprecedented for lateness and most inconvenient to the members of the Assembly.

Besides the well-known result of bye-elections and the changed attitudes of parties in the Assembly, there are, I submit, very grave circumstances before the public which call for serious consideration by the representatives of the Crown. One of these is the resignation of Mr. Wise. That gentleman, as appears from his letter in the public press, handed his resignation to the Premier with the distinct desire and understanding, that his constituency should be given an immediate opportunity of pronouncing on the actions of the Administration. That resignation was handed to Mr. Farquharson on the 28th February last. It is known that

it remained in his hands for a few days, when its wording was slightly amended. But although six weeks have now elapsed no writ of election has yet been issued. The procedure in such cases is well defined by statute. The Speaker, on receipt of the resignation, forthwith notifies the Lieutenant Governor who shall within seven days after the receipt of such notice issue a writ for the election of a member to fill the vacancy. It is certainly inconceivable that the Premier of a British Colony should withhold from the Speaker, for a single day, a document entrusted to him under the circumstances described by Mr. Wise. Yet the only escape from such a conclusion is the alternative that either the Speaker or the Lieutenant Governor has violated the law.

Another circumstance which should arrest the attention of the Queen's representative is to be found in the dark and suggestive rumors in circulation with regard to the dealings of the ministry with Mr. Henry J. Pineau, member elect for the Tignish District. It is openly asserted and believed to be true, that the Premier of the Province, through his agents and emissaries, amongst whom are certain members of the Federal Cabinet, has seduced this member of the assembly from his duty to his constituents, and induced him to absent himself from his seat in the assembly at the approaching session for a pecuniary consideration, thereby reducing the number of opposition members in the Assembly.

The circumstances attending the unrepresentation of the Fort Augustus District in the Legislature, since 1897, are also grave factors in the Parliamentary situation. Mr. Peters, immediately after the general election, in July, 1897, publicly announced his intention to sever his connection with this province; and subsequently he made British Columbia his permanent place of abode. During the session of 1898 he remained absent from the Assembly. On the first day of the session of 1899 his seat would have become vacant under the Provincial statute, unless he attended in person. That attendance was effected, as is well known, by the use on the part of the Minister of Marine and Fisheries of a Government steamer and a Government railway at the Public expense, and in violation of the Fourth Commandment. These extreme measures were resorted to, not for the purpose of securing the representation of the people in the Legislature, but to defeat, by a trick, the operation of a wise provision in the law which was intended to meet exactly such cases and restore adequate representation of the people in the assembly. Mr. Peters only remained in his seat for a few hours; but his appearance in the Assembly in 1899 renders it certain that Fort Augustus may go unrepresented for another year.

The withholding of Mr. Wise's resignation, the tampering with Mr. Pineau, the trickery used to prevent the proper representation of Fort Augustus, and the unwarranted delay in summoning the Legislature, all point in one direction. They demonstrate beyond debate, that Mr. Farquharson has lost the confidence of the people, and that he is thoroughly conscious of the fact.

If the Lieutenant Governor has not been the offender against the law in regard to Mr. Wise's resignation, he should not be condemned for the acts of his advisers, with respect to the representation of Tignish, West River or Fort Augustus. But in view of the deplorably weakened state of his government and the desperate measures which are being resorted to by them to retain power, he should have insisted on an earlier meeting of the Legislature. It is not the duty of the Lieutenant Governor to interfere in the ordinary acts of the administration, except such as are personally imposed upon him by statute. But as the representative of the Crown he has to see that Parliament is allowed the fullest opportunity of controlling the affairs of the country.

The closeness of the strength of the parties in the Assembly has suggested the likelihood of an early dissolution of the Assembly. From a careful examination of the authorities and precedents bearing on similar cases, there can be no question that the Farquharson administration has no constitutional right to advise a dissolution in the event of their being unable to conduct public business with the present Assembly. The circumstances are almost identical with those existing in 1891 when the McLeod Government, having lost the control of the Assembly, asked for a dissolution. The action of Governor Carvell on that occasion in refusing to grant a dissolution was never called in question. The grounds of the refusal were, I understand, substantially the same as those assigned by Sir F. A. Weld, Governor of Tasmania, where in 1879, the Crowther Administration de-

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mandated a dissolution, particulars of which may be found in Fodd's "Parliamentary Government in the British Colonies," 2nd edition, pages 784-786.

The present Legislature was elected under the auspices of the party now in power. There is no new question of policy engaging the attention of the country, and it is not at all clear that a government could not be formed which could obtain the confidence of the present Assembly. To grant a dissolution to the present Premier, could not be justified on any public ground whatever.

CONSTITUTIONALIST.
April, 12, 1900.

ST. PETER'S HALL

By the Children of the Militia officers
In aid of the Soldiers' Wives'
(League,
Thursday Evening, April 19th.

- PROGRAMME.
- PART I.
1. Opening Speech..... Ethel Longworth.
 2. Vocal Solo..... Hammond Johnson.
 3. Recitation—"The Women of Britain"..... Helen Warburton.
 4. The Crowning of the May Queen..... Edith Moore
Crowners..... Gladys Peake
Jollity..... Lyman Davidson
Sceptre Bearer..... Muriel Hooper
Fun and Frolic..... T. Fullerton & J. Jenkins.
 - Vocal Solo..... Agnes Watts
Companions..... 16 children
 5. Tableau.....
 6. Dance..... Arthur Warburton.
 7. Making the Flag.....
 8. Recitation—"The Colors of the Flag"..... Mary Jenkins.
 9. Cavalry Sword Exercise..... Hazel Davidson, Fanny Mellish, Hattie Hodgson, Helen Warburton, Ethel McLean, Piano, Mary Bartlett.
- SALE OF CANDY
- PART II.
10. Speech..... Ernest Weedy
 11. The Fairy's Revenge.....
- CHARACTERS.
- Queen Mother..... Fanny Mellish.
Princess..... Mabel Longworth.
Fairy Queen..... Helen Warburton.
Gera..... Hazel Davidson.
Fairies..... 9 little Girls.
King..... Weston Peake.
Prince..... Arthur Warburton.
Bardi (Jester)..... Eric Warburton.
Fiancé..... Miss Ethel Stewart.
 12. Tableau.....
 13. Violin Solo..... Parker Hooper
 14. Recitation—"Song of the Canadian Legion"..... Hattie Hodgson.
 5. Vocal Solo—"Up with the Flag"..... Ethel Stewart.
God Save the Queen.

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