

The Examiner.

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EDWARD WHELAN]

This is true Liberty, when Free-born Men, having to advise the Public, may speak free.—EURIPIDES.

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CHARLOTTETOWN, P. E. I., SEPTEMBER 6, 1858.

GENERAL MEETING OF THE INHABITANTS OF QUEEN'S COUNTY.

AT CHARLOTTETOWN, WEDNESDAY, 25th AUGUST, 1858.

WILLIAM MCGILL, Esquire, High Sheriff, in the Chair.

At 12 o'clock, noon, the High Sheriff of Queen's County, William McGill, Esquire, opened the Public Meeting of the Inhabitants of Queen's County, which, in accordance with a Requisition, addressed to him, by about one thousand of the inhabitants of the said County, had been called by him. He did so by first reading the Requisition and his reply to it. He then also read the subjoined correspondence between the Hon. T. H. Haviland, Mayor of the City, and His Excellency the Lieut. Governor, mere copies of which had been sent to him by the Hon. the Colonial Secretary, for the simple purpose of apprising him of the tumult apprehended, on the occasion of the County Meeting, by His Worship the Mayor.

[The Correspondence herein referred to was published in the Examiner of Monday last.]

Having read these letters, the High Sheriff addressed the meeting in nearly the following language:—

Gentlemen,—When on the late nomination and election days, I refrained from appointing and swearing in any special constables for the preservation of the public peace, I did so in the full confidence which I placed in the good sense and peaceable disposition of the people of this County; and the result, as you all know, was a full justification of the confidence so reposed in me. In like manner, on the present occasion, whatever dread of tumult or riot may be entertained by some, I apprehend none. I feel convinced that this day I shall be as fully justified in placing my whole dependence, for the preservation of the public peace and of orderly and becoming conduct, by the vast assemblage which I at present contemplate around this platform, in their own good sense and peaceable disposition, as I was in pursuing a similar on the two eventful days to which I have just alluded. I shall, therefore, only further say, that I confidently trust you will give a fair, patient, and impartial hearing to every speaker who shall, guided by sound discretion himself, address you at this time on any public question which may fairly, according to the scope of the requisition with which I have complied, be brought before you for discussion and your decision; and in so doing your conduct—whatever your decision concerning such questions may be—will be truly honorable to you.

To this short address of the High Sheriff the people responded by long and hearty cheers.

The Hon. COLONEL SWABEY then presented himself to the attention of the meeting, and spoke nearly as follows:—

Gentlemen,—Too much praise cannot easily be awarded to the High Sheriff for the good sense, good feeling, and public spirit which, since he was appointed to his high and honorable office, have characterized all his most public official acts; and it is not too much, nor is it in any way derogatory to you, to say, that the noble sense of propriety and order which was manifested by you on the late nomination day, as well as on that of the election in this City, was only a just and grateful response—natural as, no doubt, it otherwise was to you—to the confidence which, from his knowledge of your character, he so freely placed in you. Your peaceable, your forbearing, your generous conduct on those occasions, when the exciting and even exasperating incidents which, in some cases, then occurred, are duly considered, is worthy of being held above all praise in all time to come; and I doubt not your conduct this day will be equally honorable and glorious to you. [Loud and long cheering.] Your strength, which I trust will be nobly manifested to-day, lies in obedience to the laws; and your cause can never prosper or be advanced save in and by a due observance of that obedience; and I disregard or violation of it by you would not only prove highly detrimental to your dearest rights as freemen, but be a cause of unalloyed triumph to your enemies, who were never more eager than they are at this very instant to enslave you. In addressing you, gentlemen, I shall not seek to arouse your prejudices or to inflame your passions. I shall speak to you only as rational, as thinking beings. I shall state to you, in the most plain and truthful manner, facts which cannot be denied even by those whom it would most advantage to have them proved fabulous or untrue; and shall with you endeavour to draw from them the only conclusions which can rationally or legitimately be derived from them. Now, gentlemen, what do the requisitionists, in their own words, say is to be done by this meeting? This—they are “to take into consideration, among other acts, the recent high-handed and tyrannical measures of the Governor and Council, in their dismissals of Thomas Owen and Peter Desbrisay, Esquires, our highly respected Postmaster General and his equally respected Assistant.” Well then, gentlemen, will, if you please, proceed to consider these dismissals, these “high-handed and tyrannical measures,” as the requisitionists have thought proper to style them; of the “other acts” we as yet know nothing. In fully and fairly considering, in a public meeting, convened as this has been, these acts, as well as any or all others of those who are placed in authority over you, you are only exercising a constitutional privilege—and I am one of the last who would abridge such privilege; I would rather enlarge it,—and members of the Government, in acknowledging this, and willingly appearing before you to explain and defend their acts, give a full and satisfactory exposition of the principles and operation of Responsible Government, which is emphatically Self-Government, the Government of the People. They who constitute the Government acknowledge that it is by you, the people, they have been invested with the executive powers which clothe them; and they hold themselves directly responsible to you for all their administrative acts. Was this the case in the palmy days of official usurpation? Was any such acknowledgment of the sovereignty of the people ever made by the Executive in the times of irresponsible rule, when the Government of this Colony was held, in virtue of prescription by a few, for their own exclusive benefit, as a fief from the Crown? However indignant the people might then have felt at any arbitrary or selfish act of the usurpers of all power and place in the Colony, however loudly they might have dared to complain of the tyranny which was exercised upon them, would any Colonial Secretary or other member of the Government of those days of exclusiveness and oppression, have condescended to meet you, as we now do, to give an account of the stewardship of himself and his colleagues in usurpation? No, indeed. But in those days of dark misrule, had the people assembled for such a purpose as that which has this day drawn you here together, the act would have been accounted one of rebellion and treason, and all amongst those who had been leaders in the movement, whom the govern tyrants could have reached by their power, would have been made to feel its vindictive spirit by the deprivation of any commissions or appointments

which they might have held under those who dreaded, more than a conflagration, the spread and manifestation of the spirit of freedom among the people. Happily, most happily, the case is so no longer. The men who now constitute your Government glory with yourselves in your free, your unfettered exercise of all the rights and privileges of British freemen; and only so long as they shall be upheld by you, through such constitutional exercise of those rights and privileges, do they desire to retain, or can they, or ought they, to retain, the position which they now occupy. [Loud cheers.] That, in dismissing Messrs. Desbrisay and Owen from the offices which they held in the Post Office, the Government have done no more than it was their duty to do, in the circumstances in which they were placed with respect to these gentlemen, I shall, by merely reading to you the official correspondence which has taken place with reference to their dismissals, be able fully to convince every person of sound mind and impartial judgment who may listen to me. The more correspondence itself, independently of any comments of mine, must convince you that the Government were absolutely coerced into the dismissals complained of by the requisitionists—that they were not allowed to forbear—that the absolute exercise of their authority was, by the most insolent and obstinate official insubordination, literally forced upon them. That the true relative position occupied by the Government and the late Postmaster General may be fully understood by you, it may be necessary for me to go back a few years, and explain to you the position occupied by Mr. Owen as Postmaster, and the manner in which he was remunerated for his official services before the introduction of our present system of Government. Mr. Owen was appointed Postmaster in the year 1842 through the recommendation of Sir Henry Vere Huntley—himself a Liberal—who was then our Governor; and I believe Sir Henry recommended him for the appointment of his own free will; at least I know of nothing which can induce a contrary belief. Sir Henry came to my house one morning—I then lived close by Government House, and was on terms of great intimacy with Sir Henry—and said to me, “I hold in my hand the name of the individual whom I mean to recommend to the appointment of Postmaster.” The name was that of Mr. Owen. Sir Henry immediately after took the step which he then intimated to me it was his intention to take, and Mr. Owen was shortly afterwards appointed Postmaster accordingly. At the time Mr. Owen was appointed to the office of Postmaster, the remuneration for the discharge of the duties of the office was 20 per cent. out of the proceeds of the postages credited to the Imperial Government, averaging from about £200 to £220 per annum.

[Just as the hon. and gallant Colonel had advanced so far in his address to the meeting, he was, for a short time, interrupted by some commotion around the platform, occasioned by the appearance in Queen-street, on the verge of the Square, of about 100 Scotchmen—a part of those who had voted for the Hon. Colonel Gray at the late election—cheering loudly as they came up. Hon. E. Palmer, T. Heath Haviland, John Longworth, Frederick Brecken, W. Hyde and W. Pope, Esquires, and perhaps some others—at or about this time withdrew from the County Meeting—the Hon. Colonel Gray had done so previously—and went over to a platform which, in the course of the morning, had been erected at a corner of the Old Court House. It seems that, before these gentlemen forsook the constitutional platform and left the meeting, there had been some warm, if not angry discussion or altercation between some of them and the Hon. the Leader of the Government, Mr. Coles, concerning the objects of the requisition, which ended in their declaring that they could not get a hearing, although they had not attempted to obtain one, and although both the High Sheriff and the Leader of the Government had given them an assurance to the contrary. This took place whilst Colonel Swabey was addressing the meeting. These circumstances occasioned some little disturbance around the platform; but a self-yielding to the counsels of those whom they knew to be their friends indeed, the meeting soon resumed their quiet and orderly demeanour, and again gave willing ear to the Hon. Colonel Swabey, who thus proceeded in his address:]

Now, gentlemen, who irritates the public peace? Not the friends of the Government. No; they are assembled as the upholders of peace, propriety and order; and nobly do they disregard the shouts which are meant to seduce them into tumult and riot. Well, let them shout and hurra until they are tired, and meanwhile we will attend to the lawful business we have in hand. I say, as I have already told you, Mr. Owen was appointed Postmaster by the Imperial Government, on the recommendation or at the request of Sir Henry V. Huntley, and paid out of the Post Office revenue collected by him here for the Imperial Government. In addition to the per centage which I have said was allowed him on that revenue, there was also annually voted to him by the Legislature the sum of £30 for his services in transmitting and receiving our inland mails, making his whole salary amount to about £250. Out of this salary, however, he observed, he had to find or pay his own Assistant. This went on for some time, but in the year 1849, before the present Government came into power, in consequence of a representation made by Mr. Owen, it was agreed by the Executive Council to recommend to the Imperial Government the appointment of an Assistant to Mr. Owen, at a salary of £100 a year. It was not, however, mark me, proposed that this salary should be paid out of the public purse of this Colony, but out of the Imperial Revenue. However, in 1851, when the present system of government was introduced, we had instructions sent out to us by the Imperial Government to take in hand, together with the management of all other colonial affairs of our own, the arrangement of all matters connected with the Island Post Office department. In consequence of these instructions, a Post Office Act was framed, carried through the Legislature, and confirmed by the Royal Assent. The second clause of this Act, rather unfortunately for the cause of those who have designated the late dismissals from the Post Office as “high-handed and tyrannical,” clothes our Island Government with absolute and unquestionable power over that department of the public service. I will just read it to you. The hon. and gallant Colonel then read that section of the Post Office Act to which he had alluded, and which is as follows:—

“And be it enacted, That the Lieutenant Governor in Council may establish, alter, discontinue or extend, any Posts or Post communication, or Post Offices within this Island, and may appoint, suspend or remove, or displace a Postmaster General, and all or any Postmasters, Officers, Deputies, Servants and Agents connected therewith.”

How then can the agitators say, as they have done, that the dismissals were unauthorized by law? Is there not here the fullest power conferred upon the Government, expressly, I may almost say, to enable them to deal, in the most prompt and decisive manner, with refractory or contumacious servants in the Post Office Department, and to prevent their being embarrassed by any contumacious or obstinate opposition, such as we have

just had to contend with? And by the 43rd clause of this Statute, it is enacted, “That the annual salary of the Postmaster General of this Island shall be £350 currency, the salary of the Clerk or Clerks included.” So, with respect to Mr. Owen's salary, as Postmaster General, matters remained until 1857, when, on representation to them by him of the scantiness of his remuneration for the onerous services which he performed, the Government—the present very liberal and tyrannical Government, as by a restless overweening faction they are most unjustly styled—with a view to the increasing of Mr. Owen's personal comforts and respectability, amended the Post Office Act, and thereby raised his salary to £350 per annum, without any deduction, and gave him two Assistants, one, Mr. Desbrisay, at £150, and the other, one of my sons, at £100 per annum. Thus to Mr. Owen was secured a clear salary of £350 a-year. Yes, this was the respectable, the independent position, in which the ill-used Mr. Owen was placed by the Government who are now assailed, both by him and on his account, for having merely done that which, by his determined contumacy, he literally compelled them to do. So he stood when this hubbub began; and so but for his own refractoriness he might still have stood. In further pursuing this subject, for the purpose of elucidation, I will not seek, by indulging in any needless comments, to excite party feelings, or to carry you away from calm deliberation, by the excitement of your prejudices; but simply lay before you a plain statement of facts as they are disclosed in the published correspondence concerning the dismissals, and leave you to judge of and concerning them as rational and impartial men. And, with respect to Mr. Desbrisay, I wish you also to observe, that his annual pittance was raised, at the same time, when the Post Office Act was amended in 1857, from £120 to £150. Was this a cause for ingratitude? As touching that gentleman I mean not to utter one harsh or unwarrantable word; and neither have I nor will I with respect to Mr. Owen. The act of Mr. Desbrisay, at which the Government most reasonably took umbrage, was his voting, at the late General Election, for two members to represent Charlottetown, who are opposed to them; and by no show of argument, how ingenious or sophistical soever can it be vindicated. With a direct view to the overthrow of the Government, he voted against them; and they, in return for such manifestation of his desire to see them defeated, directly gave him his dismissal. He no doubt earnestly desired to retain his appointment; but if he was at all acquainted with the fundamental principles of Responsible Government, as he surely must have been, he must also have been well aware of his responsibility, as an official, to those who were placed in authority above him; and, therefore, in openly opposing the Government, he must have known the full extent of the risk he ran. Fully sensible, therefore, I should say, of the injurious consequences which might result to himself from the hazardous game in which he was about to engage, he rushed into it; and if he has come off a loser, neither has he nor have his friends any right to complain of the issue. The British Constitution fully recognizes this accountability of subordinate officials to the Government; and the Imperial Government of the day may, without question of their power or authority in the matter, instantly dismiss at any time any subordinate officer, whose conduct they may have been offended. A Government must have power to choose its own servants, and also to change them at pleasure, or its authority will be nowhere, or at least depend upon the will of its nominal subordinates. I will not say a word personally against either of the gentlemen who have drawn down upon themselves the active displeasure of the Government, further than this—that I think they, as well as many of the Requisitionists, must have a devilish poor knowledge of the principles of the constitution and of the form of Government under which they live, or they would not so vainly and foolishly have exposed themselves to their operation as they are now doing. I very much regret that publicity was not given, as early as it might have been, to the whole official correspondence relative to the dismissals of Messrs. Desbrisay and Owen; for had publicity by that means been given to it a fortnight ago, this meeting, for its declared or ostensible purpose at least, would never have taken place, nor would there have been one independent and impartial dissenting voice to the Resolutions of the Executive in the country. The hon. and gallant Colonel then read, from the Royal Gazette of the 20th August instant, the Minute of Council dispensing with the services of Mr. Peter Desbrisay, and also the letter to that gentleman informing him that His Excellency in Council had been pleased to dispense with his services as Assistant Postmaster General, in consequence of his having voted at the late Election for two members to serve in the General Assembly who are opposed to the present Government. [Hear! Hear! Hear!] Observe, remarked the hon. and gallant Colonel, that to this letter, dated the 6th July, 1858, no answer was returned by the ill-used gentlemen, Mr. Desbrisay. He could not, it would seem, think of anything which he could advance in his own defence. Mr. Owen however, on the 8th July, addressed a letter to His Excellency, the Lieut. Governor, concerning the removal of his Assistant, Mr. Desbrisay, which I will now read to you.

In Mr. Owen's letter, which the hon. and gallant Colonel read accordingly, Mr. Owen says, “That Mr. Desbrisay did vote for Mr. Palmer and Mr. Longworth, I believe; but this he has been in the habit of doing at every election for twelve years; and as there is no law prohibiting officials from voting, he was not aware that he was doing wrong, particularly as every official in the Colony, with a very few exceptions, exercised the same right. But while I regret exceedingly that any act of his should have brought upon him the displeasure of your Excellency and Government, I am bound in duty to point out to Your Excellency the serious situation in which his dismissal has placed the Department; for I will not disguise the fact that it is impossible for me, with any inexperienced persons that can be sent into the office, to perform its complicated and unceasing duties. Mr. Swabey who has been over a year in the office, will inform Your Excellency that he would not undertake to perform the routine of the office even for a day; and any casualty to prevent my attendance would cause evils that could not be rectified. But I must inform Your Excellency also that any additional labour, beyond what I now perform, would destroy my health in less than a month, and cause irremediable embarrassment and difficulty.” A little farther on, Mr. Owen adds, “A very great responsibility has at all times fallen upon me, and this being increased by being deprived of the only competent assistant that can be obtained, thereby placing me in difficulty that I cannot by any means overcome or avoid, I must most respectfully beg Your Excellency and Council to reconsider the matter, and not allow embarrassment and derangement in this department to take place, which must follow if I am deprived of Mr. Desbrisay's valuable services; and I would beg to assure Your Excellency that a similar complaint will not again take place, as far as my influence can be exercised. I am now subpoenaed to attend the Georgetown Court, and shall be obliged, if not relieved from my present difficulty, to suspend the transmission of mails during my absence.”

The hon. and gallant Colonel, in briefly commenting upon this letter, first observed upon Mr. Owen's avowal, that Mr. Desbrisay has been in the habit of voting for Mr. Palmer and Mr. Longworth, at every election for twelve years, and said, with respect to it, if this be true, if Mr. Desbrisay has so voted at every election for the last twelve years, it only proves, if I do not greatly err, that whilst the political party whose principles he professes were in power, and who for the time were in power, and who, for the time were in reality his friends and patrons, he was faithful to their interests, as he ought to have been, and strove to sustain them, as he was in duty bound to do. The fault, however, for which he has lately most justly been made to suffer, is that, when placed under the government of a party opposed to the policy of his former masters, but who nevertheless treated him with very great consideration and kindness, he failed to recognize the obligations under which

their favor laid him, and most ungratefully strove to deprive them of that power which, in all that immediately affected him, had been exercised only for his benefit. Next, says Mr. Owen, “I am bound to point out to Your Excellency the serious situation in which his (Mr. Desbrisay's) dismissal has placed the Department. In a most serious situation truly, the uncertainty of human life considered, the Post Office must long have been, if the regular and efficient discharge of the duties thereof, entirely depended upon the continued presence therein of either Mr. Owen or Mr. Desbrisay, or of both of them! That its situation was not quite so serious, however, we have now had most satisfactory and convincing proofs. All the “complicated and unceasing,” all the mysterious duties of the office have, for the last fortnight and more, been discharged with the greatest efficiency and regularity by two “inexperienced persons,” Mr. Davies and Mr. Kelly, assisted by my son whose experience in his limited sphere certainly has not been such as to warrant his undertaking “to perform the routine of the office even for a day.” Yes, there stands the office, still entire, although deprived of its guardian spirits; and with as much regularity and punctuality as before, our inland and our foreign mails are received and despatched, and I see my son at the window as usual discharging the minor duty of receiving and delivering letters. Yes, all the duties of the department are being fully discharged with ease and regularity, although Mr. Owen declared that “any casualty which should prevent his attendance would cause evils that could not be rectified.” When Mr. Desbrisay was appointed Assistant to Mr. Owen in the Post Office, he was quite as inexperienced in the business of that Department as Mr. Kelly was when appointed to supersede him; and I should not think he was any better qualified, either by education or natural ability to acquire a knowledge of his duties therein and expertness in the performance of them, than the latter individual. He, therefore, doubtless required as much instruction from Mr. Owen to qualify him for the due performance of his duties as Mr. Kelly did; and Mr. Owen, although then he had no other Assistant, found time to impart it to him. When Mr. Kelly, however, was appointed to supersede Mr. Desbrisay, Mr. Owen could not find time to initiate him, even in the smallest degree, in his official duties, even whilst retaining the dismissed Mr. Desbrisay in the office, in contravention of the commands of the Government, and whilst he therefore had two Assistants in the office besides Mr. Kelly. [Hear! Hear!] If this was positively the case—Mr. Owen, so circumstanced, could not find time to give any instructions whatever to Mr. Kelly, as in his letter to His Excellency he emphatically declared he could not—there was certainly in the fact something which could not readily be understood. When Mr. Desbrisay entered the office, as a raw and inexperienced man, he could derive from him, could find time to instruct him, and to make him useful, without experiencing any “inconvenience in the transmission of the correspondence of the Colony;” but strange to tell, when Mr. Kelly entered the office, Mr. Owen, with two Assistants besides him at the time could not afford to devote even one minute to instructing or directing him how to make himself in any way useful in the Department! [Hear! Hear!] Had the fact been in reality as Mr. Owen wished it to be understood by His Excellency it was, it certainly would have been very surprising, if not mysterious. But when reviewed in the direct and unintercepted light of truth, there is nothing either surprising or mysterious about it. That the duties of the Post Office are much greater now than they were when Mr. Desbrisay was appointed Assistant to Mr. Owen, we readily admit; for, if they were greater, what necessity could there be for a second Assistant? Mr. Owen's assistance having been increased in proportion to the increased labour in his office, it is quite clear then that he had quite as much time, if not more, to instruct the new Assistant Mr. Kelly in his duties as he formerly had to instruct Mr. Desbrisay; and the only reason why he gave the needed instruction to Mr. Desbrisay and withheld it from Mr. Kelly, was—not his having time to spare for the purpose in the one case, and none in the other—but his being predisposed to give it to Mr. Desbrisay, as his esteemed friend, in consequence of his predilection for him; and his being indisposed to give it to Mr. Kelly for reasons which you can all most easily divine. [Hear! Hear! Hear!] Much reason, therefore, had the Executive Board to declare, as they did, that when two Assistants were provided, instead of one, they could not understand why Mr. Owen should experience any such difficulties in the discharge of his duties and the transmission of mails, as he had stated he positively apprehended he would. What Mr. Owen means when he says, “Mr. Swabey my son, who has been over a year in the office, would not undertake to perform the routine of it even for a day,” when properly explained amounts to no more than this, that never having been directed or allowed by Mr. Owen to attend to any duty but that of receiving and delivering letters at the window, he cannot but be nearly quite as ignorant of what Mr. Owen styles the “routine of the office” as he was when he entered it; and consequently until instructed in that routine he must continue “incapable of performing it even for a day.” Mr. Owen, as you have heard me read, then says, that if he be deprived of Mr. Desbrisay's assistance, he will be deprived of the only competent assistant that can be obtained. What! does Mr. Owen really believe that there is so great a dearth of abilities in this Island, that no person besides Mr. Desbrisay can be found in it capable of discharging the duties of Clerk in the Post Office? If so, Prince Edward Island must be a veritable Bœotia, a land of darkness and ignorance the most lamentable indeed. But, happily, we all well know, and so does Mr. Owen, that it is far, very far, from being so. That Mr. Desbrisay discharged the duties of his appointment, in a faithful, satisfactory and efficient manner, I most freely admit; but, at the same time, I am happy in being able truly to say, that besides the many, the very many, in the Island who are capable of discharging those, or similar duties with equal fidelity and efficiency, I see, at this very moment, in the assemblage around the platform, half a hundred individuals at the least fully as well qualified for such an appointment as Mr. Desbrisay; and that the case is so, is not by any means disparaging to him. [Cheers.] Mr. Owen ends this letter by declaring that “he shall be obliged, if not relieved from his present difficulty, to suspend the transmission of mails during his absence.” This is certainly a strangely dictatorial tone for a subordinate of the Government to use in addressing them. We willingly admit that he was a faithful and good officer; but his being so did not warrant the use of any such arrogant and dictatorial language in addressing those who were in authority over him, and to whom he was directly responsible. Well, the absurdity of the threat has now, however, been clearly established, Mr. Desbrisay and Mr. Owen both have been superseded in the office, and yet it has not been found necessary to “suspend the transmission of mails.” [Hear! Hear!] Of this unwarrantable assumption of a dictatorial spirit, we have so far had rather more than enough; but Mr. Owen could not rest satisfied without further displays of it; and throughout the remainder of the correspondence, with the exception of one of his letters—the apologetic one—of which I shall speak presently, the dictatorial tone assumed by him regularly increases until, in his last letter, the climax attained its height, and the Government were compelled to lay aside all further thoughts of forbearance, and at once peremptorily to dismiss him. In his reply to the Minute of Council, of the 13th July, concerning his request “that His Excellency in Council would reconsider the matter, and not allow embarrassment and derangement in the Department to take place, which would follow if he were deprived of Mr. Desbrisay's valuable services,” and by which he was informed that “the Board, after due consideration of the subject, were of opinion that they must adhere to their former decision with respect to the dismissal of Mr. Desbrisay; because they could not admit the principle of any Public Officer