

# The Examiner.

"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.

THURSDAY, 27th March.

AFTERNOON SITTING.

HOUSE IN COMMITTEE ON ADDRESS IN ANSWER TO HIS EXCELLENCY'S SPEECH.

Dr. JARDINE in the Chair.

Mr. COLES, in reply to Mr. Yeo, said that, whatever might be the character of those papers to which the hon. member had referred, as containing evidence of the evils resulting from Responsible Government, and the ruin rapidly overtaking those Provinces in which it was in operation, a very sufficient refutation of their assertions was to be found in the amazing increase which had taken place in the Revenues of those Provinces since they had been under the controul of Responsible Government: he alluded particularly to Canada and Nova Scotia. If in New Brunswick the system had not been found to work well, the fault lay with the Representatives of the people, who by their consenting to the formation of a coalition government, had betrayed the interests of the people. The hon. member (Mr. Yeo) had jeeringly alluded to the majority's having locked up the public chest as he phrased it. He (Mr. Coles) was only sorry, that they had not had it in their power more effectually to lock it up; for it appeared that notwithstanding all the care which they had taken, that the people's money should not be spent and appropriated without their consent and approbation, as expressed through their representatives, an actual robbery of the Chest, to the amount of between £7,000 and £8,000, had been committed by the Government since the close of the last legislative session. Although the Legislature had provided, by a clause in the Civil List Bill, passed in that session, that the Bill should not go into operation, until Responsible Government should be fully conceded to the Colony, and brought into operation, yet the Government had dared to put their hands into the public chest, in direct violation of the prohibition imposed by the Representatives of the people, and had regularly paid the quarterly salaries of all the Government officers, according to the scale set forth in the Civil List Bill of 1849, which was enacted for only one year. The money which the Government had unfairly abstracted from the Public Chest, they pretended to have taken under the colour of the sanction, which they alleged was afforded for such a proceeding, by the appropriation clause of the Permanent Revenue Act. That clause, however, if rightly interpreted, imparted no power to the Government to adopt the course which they had pursued. That clause directly appropriated the monies arising from the duties imposed by the Act, to the repairing of Public Roads, and the establishing of Ferries; and although it also said for such other uses as the Governor, with the advice of his Council should think fit to appropriate them; it was quite clear that they could not, without a direct violation of the Act, be appropriated to anything but the Road Service, until that service had, in the first place, been duly provided for. The warrants which under the alleged sanction of that Act had been granted by the Government upon the Treasurer, were, he believed, not yet paid, although accepted by him; and it would yet be found that their payment could not be legally made without the sanction of the Assembly; for by the Revenue Bill of the last and previous year, the Treasurer is under a penalty of £1000 over and above the amount paid, if the said amounts are not authorised to be

paid in the appropriation Bills of those years. It was indeed time for the Representatives of the people to lock up the Public Chest, when it was found that the Government itself had commenced a systematic robbery of it. He was, indeed, surprised to find that such a Government should dare to look the Representatives of the people in the face.

Hon. Sol. General, after having in the commencement of his speech, adverted to the peculiar situation of the members of the Government who held seats in the Assembly, as being in the minority; on whom would, otherwise, have fairly devolved the duty of preparing and bringing forward the draft of an Address, in answer to His Excellency's Speech; and to their being obliged, by the evident want of intention on the part of the majority to move first in the matter, to assume the discharge of that duty, lest the delay in answering the Speech might appear like disrespect to the Representative of Her Majesty; said it was true, that with the proposed amendment the House would have chiefly to deal; but in contrasting the original with the amendment, it might be permitted him to say, that it contained no threat, either direct or implied. In his opinion, whatever concessions might be looked for hereafter, the House had no right to seek to embarrass a new Governor, at the very commencement of his administration, by presuming to dictate to him, and requiring him in effect to disregard those instructions from the Imperial Government, which had been given to him for his guidance, with respect to the settlement of a most important question; and which he was bound to observe. The hon. member for Queen's County (Mr. Coles,) had said that His Excellency did not expect, that the House would proceed to the consideration and determination of certain important questions to which His Excellency had directed their attention, until those concessions should have been made to them, which Sir Donald Campbell had thought proper to refuse; but he would like to know what part of his Excellency's Speech admitted this construction? The hon. member (Mr. Coles) had not hesitated to question the propriety of the reference or allusions made by his Excellency to the censures passed upon the House by the late Governor, both with respect to their having neglected the prosecution of the public business, and their having waived the consideration of those important subjects, affecting the interests of the North American Colonies to which he had directed their attention; and also touching the objectionable nature of the Revenue Bill. And the hon. member (Mr. Coles) had also said that His Excellency's Speech had not been submitted to his Council. Whether the Speech had, or had not been submitted to the Executive Council; and whether he, (Hon. Sol. General,) had seen and read it, before its delivery, or not—were facts upon which he did not choose to enlighten the hon. member. It was sufficient for him to say, that the Speech had his full and hearty concurrence, so far as it embodied His Excellency's opinions. Indeed so completely did it embrace his own views, that had he himself been requested to write it, he could not have satisfied himself with a better expression of his own opinions. But to proceed more immediately to the point, the hon. member (Mr. Coles,) had said, that the Speech contained no declaration from which it could be understood or inferred that it was His Excellency's expectation that the House would proceed to remedy the omissions of the last session until he should have carried the proposed concession so far as the reconstruction of his Council. In his

(the Hon. Sol. General's) opinion, the fact was quite the reverse. His Excellency in his review of the proceedings of the House in the last two sessions, had not only adopted the language of his predecessor in the Government, but arrived at the same conclusion. He had taken up the broken thread as it fell from the hands of Sir Donald Campbell, and he occupied the same position, with respect to the great question at issue, in which Sir Donald stood at the close of the session in May last. He had told the House that he could not assent to a Revenue Bill open to the same objections as the last passed by them. He had told them that their Civil List Bill which provided that the Act shall not go into operation unless a system of Responsible Government, similar to that now in force in the Provinces of Canada, New Brunswick, and Nova Scotia, shall be granted to, and established in this Island, could not receive Her Majesty's confirmation. He had told them that Responsible Government would be granted, but only on certain conditions which it would be necessary to embody in a Civil List Bill; and if members were capable of giving the most evident interpretation to the clearest and most unambiguous language, they would at once perceive that the only course open for them to pursue, was to prepare to pass a Civil List Bill in accordance with his Royal Instructions; and that when they had done so, they might expect the immediate introduction of the Responsible System, but not before. The hon. member (Mr. Coles) had taken to himself and his party the credit of having achieved a complete victory. He (Hon. Sol. General) could not, however, see any thing that the hon. member and his party had to boast of. Instead of having won the battle, or made one step towards success, since the close of the last session, their course had been rather retrograde, than progressive. With his usual virulence, the hon. member had assailed the character of the late Governor; but easy as it would be to repel the imputations of the hon. member, he would rest satisfied with merely remarking that such a course was to be expected from him, as perfectly in harmony with his vindictive feelings. It was, perhaps, scarcely to be wondered at, that the hon. member should be plagued with the most annoying recollections of the superior tactics of Sir Donald Campbell; by which he had been so completely baffled in all his own subtle and crafty designs. There never was a more beautiful illustration of checkmate, than when the hon. member and his party were outwitted by means of their own providing, the Revenue Bill of the last session. They were fully aware of the extremely unconstitutional character of the Bill; and they had brought it forward and carried it, in the full expectation that Sir Donald Campbell would refuse his assent, and that his refusal would afford them sufficient political capital to engage nearly all who had stood aloof from their cause to join them in their outcry against the Lieutenant Governor and his Council. Checkmated in this play, they then tried another scheme. They gave His Excellency notice that they were ready to be prorogued. They thought he would refuse to do so; and leave them thereby a profitable cause of complaint, but they were mistaken, and again checkmated. He took them at their word and gave them the permission they desired, and allowed them to go about their business. As to the charge preferred against the Government by the hon. member (Mr. Coles,) to the effect that they had been using or expending the public money without the sanction of the people, and in contravention of a law, that was easily answer-

ed. The accusation shewed how very little judgment and discernment were possessed by men who thought that they could outwit Old Nick himself. What had been done by the Government in the payment of official salaries, they had done constitutionally, by virtue of the expressed law of the Colony, and they were sustained on that head by the highest legal authority. The hon. member (Mr. Coles) was, no doubt, very sore on the subject of the Treasury, for he found, much to his disappointment, and vexation, that at the late quarterly examination of the Treasury, at a time when the late Treasurer was said to have absconded from the Island, that the public money was found to be all correct, and perfectly safe to the utmost farthing of account. This was indeed a lamentable disappointment to the hon. member (Mr. Coles). His declared confident anticipation of a discovery of serious defalcation on the part of the late Treasurer, had been to him a subject of triumph and self-gratulation; but, alas! for his hopes of a fruitful source of agitation, the investigation took place, and all was found to be complete and right. As to the manifestation of public feeling in favour of the Responsibles, of which the hon. member (Mr. Coles) had just boasted, he (Hon. Sol. General) thought he had but little to plume upon, on that score. It was well known that when a people were all, or generally actuated by a common feeling with respect to any public question of interest, the manifestations thereof were as spontaneous as the ascent of vapour or the fall of dew;—promptings, urgings, and solicitations were not needful to call forth a display of it; but, on the contrary the general excitement broke forth, even although efforts might be had recourse to for its suppression. It was very different when Members of the Assembly went round the country in search of popularity, and had recourse to every means in their power to assemble a crowd of people, and draw from them, under the character of a public meeting, a declaration approbatory of their public conduct, or in favour of any public measure which such members might be desirous to see carried into effect. It was very well known how easy it was for such hunters after popularity to collect, here and there, a score or two individuals, prone to conviviality, who, on a cold day, would much rather discuss something more cheering and exciting than take part, from any public or patriotic feeling in a stale political discussion; but who would, nevertheless, when properly warmed on such an occasion, freely cheer and throw up their hats in honour of those who had assembled them. Such demonstrations, however, were no evidence of the general feeling and wishes of the people. In fact, they were rather the reverse; for the industrious, the sober-minded, reflecting, and respectable portion of the community, on whom it at all times, depended to give effect to public opinion, were not to be found amongst those numbered at such meetings. Judging from the amendment which the hon. member (Mr. Coles) had submitted, and which as having the concurrence, (for so he had said it had) of the majority, would be adopted for the Address in answer to His Excellency's Speech, it seemed as if the majority felt disposed to His Excellency, stripping their sentiments of the flimsy veil thrown over them by the style of respectful phraseology, "So, you see, Mr. Governor, we, the mighty Assembly of Prince Edward Island, are not to be dictated to, either by you or Earl Grey, or even by the Queen herself. We will listen to no council but our own. We regard not your instructions, and we defy yourself. We have the whip in our hand