

opening of the Session, is loyal, respectful, and Constitutional.

V. Resolved, That the refusal of the Lieut. Governor to receive such Address is without precedent, and tends to deprive his Majesty's Loyal Subjects in this Island, of the most regular and Constitutional channel through which their wants or grievances can reach the Throne.

VI. Resolved, That this House notwithstanding the refusal of its Address by the Lieut. Governor has proceeded to the consideration of the Public affairs of the Island, and have passed various Bills, yet it has never lost sight of its most undoubted right, which it is the duty of the House to assert and maintain unimpaired.

VII. Resolved, That the refusal of the Lieut. Governor to receive the said Address, is a direct infringement of the rights of this House, and a breach of those ancient Privileges which were asked by the Speaker, and acceded to by his Excellency, in the usual form at the opening of the Session.

VIII. Resolved, That an humble Address be presented by this House to His

Royal Highness the Prince Regent, with a copy of his Excellency the Lt. Governor's Speech to it, at the opening of the Session, and the Address of this House in answer thereto, which his Excellency has refused to receive, and also of these Resolutions and praying his Royal Highness will be graciously pleased to take such order in the matter as may insure to this House the future exercise of its Rights and Privileges, now refused to it by Lieut. Governor Smith.

IX. Resolved, That His Grace the Duke of Richmond, Governor General and Commander in Chief of the Forces in British North America, be respectfully requested to transmit such Address to his Royal Highness the Prince Regent.

On Motion of Mr. *M'Laren*, seconded by Mr. *Kelly*, Ordered, That the Report of the Committee on the Public Accounts, be inserted in the Prince Edward Island Gazette.

Adjourned till 6 o'clock on Tuesday the 5th day of January next.



Tuesday 6 o'clock, P. M. January 5th, 1819:

The House met pursuant to adjournment.

Mr. *Murray*, rose and begged leave to know if the Speaker's Warrant had been executed in apprehending *J. E. Carmichael*, for his contemptuous conduct to the House on Tuesday the 15th ult. and it appearing that it had not been executed, it was thereupon, Ordered, That the Serjeant at Arms, do forthwith bring to the Bar of the House the said *J. E. Carmichael*, and if not sufficient to effect his arrest himself, to command assistance to carry the Order into effect.

Message from the Lt. Governor, by the Deputy Colonial Secretary.

"To the Speaker,

"*CHARLES DOUGLASS SMITH*,
Lt. Governor.

The Lt. Governor feels it due to the House of Assembly, to acquaint them that he has sent a copy of the Address to him, concerning the Chief Justice to his Majesty's Secretary of State for the Colonial Department, requesting an early decision, on the subject.—In the mean time He is of opinion it would be inexpedient to take any further step until

after He shall have received a reply to the Dispatch in question.

"With reference to the Representation of the House relative to the High Sheriff, they are certainly the proper Judges of the conduct of Returning Officers, and the Lt. Governor carefully abstains from offering any opinion upon such a subject: should the Sheriff have fallen under their displeasure, that Officer must answer to them for his conduct—but be it what it may, as a Returning Officer it ought to be distinctly considered from that of Sheriff, generally; and as the Lt. Governor is not aware of any impropriety committed by him in that capacity, he trusts the House will not upon reflection expect him to make any change in that Office until the regular annual period, which is now not distant.

"Charlotte-Town, January 5th, 1819."

On Motion, of Mr. *McNeill*, seconded by Mr. *Hyde*, Ordered, That a Committee be appointed to prepare an Address to His Royal Highness the Prince Regent, in conformity to the Resolutions of this House on the 15th of December last, relative to the Address of this House in answer to his Excel-