

nor does so, in the full confidence that the Petition will receive that attention from the House of Assembly which the subject merits.

Government House, 30th March, 1840.

The Petition referred to in the above Message was read at the Clerk's Table, and is as follows:—

To the Honorable the Lower House of Assembly of Prince Edward Island, in General Assembly convened.

The Petition of the undersigned Militia Officers of the Brigade of Artillery and 1st Queen's County Regiment, respectfully sheweth; That your petitioners are of opinion, that the Laws for regulating the Militia require alteration and amendment, and beg to submit to your Honorable House, that by the second Section of the Act of 1833 (cap. 30), the Commander-in-Chief is restricted from calling out the Militia more than once a year, for the purposes of training and other military exercises, which they apprehend, under any circumstances, to be too seldom, if the Militia are to be rendered in any degree efficient or serviceable, as they certainly ought to be, if late reports as to the intentions of a neighbouring republic be true. But this is not the only remark your Petitioners would make on the above Section, and they therefore beg to draw the attention of your honorable House to the 9th, 19th and 26th Sections of the old Militia Act of 1780 (cap. 1), by which it will appear, that Militia men neglecting their duty, in not attending trainings, Military exercises and watches, and not having visible property whereon to levy the fine (as is the case with numbers), cannot be punished by imprisonment, until the next training day (Vide Sec. 9.), which second day cannot happen before a year after the offence, according to Section 2 of the Act of 1833, before quoted; and yet the Act of 1780, sec. 26, provides, that no person shall be prosecuted, nor his goods seized, except within three months next after committing the offence—which enactments are evidently incompatible and repugnant, and therefore wholly inoperative; and the effect is, that there can be no compulsory discipline, and immediate legislative interference on this head appears to be absolutely required. Besides, a punishment (even if it could be inflicted) would have a bad effect, so long as a year after the offence, and the changes of situation in that period should be considered, some Militia men removing from the District, and others leaving the Island.

That your Petitioners submit the propriety of an amendment being made, whereby the Commander-in-Chief shall be authorized to accept the services of whatever Companies of Cavalry, Artillery, or any other volunteer Companies that might be deemed useful, and subject to such discipline as he might order—or regulations for them might be enacted; but as the law now stands, no such Companies are noticed, and there is no authority or license for men to enter them.

Many other matters, connected with the Militia, might be noticed, but your Petitioners refrain from doing so, being aware that your honorable House will attend to whatever may appear to be in this respect for the good of Her Majesty's service, and the welfare of this Colony.

May it therefore please your honorable House to take the premises into consideration, and to enact such alterations and amendments in the Militia Laws of this Island as may, in the exercise of your united wisdom, appear necessary and proper.

And your Petitioners shall ever pray, &c. &c. &c.
Charlottetown, 17th March, 1840.

Resolved, That the foregoing Message, with the Petition which accompanied it, be referred to a Committee of seven members, to report thereon by Bill or otherwise.

Ordered, That Messrs. Young, Rae, Fraser, Clark, Palmer, Longworth and Gorman do compose the said Committee.

Read a third time, as engrossed, the Bill intitled "An Act to establish the salary payable by this Island to the Colonial Secretary and Registrar and Clerk of the Executive Council."

Mr. Young moved to amend the said Bill in section 1, by leaving out the words "Four hundred," and instead thereof inserting the words "Three hundred and seventy."

The Hon. J. S. Macdonald moved, as an amendment, that the Bill do pass. The House divided on the motion of amendment:

Yeas—The Hon. J. S. Macdonald, Messrs. Clark, J. Dingwell, Dalziel, Montgomery, Gorman, Thomson, Yeo, Forbes, W. Dingwell, Hon. Mr. Pope, Messrs. Longworth, Hudson, Beck, Palmer, Le Lacheur—16. Nays—Messrs. Young, Fraser, Macfarlane, Macneill, D. Macdonald, Macintosh, Rae—7. So it was carried in the affirmative.

The question being put on the main motion, as amended, "that the Bill do pass," it was resolved in the affirmative.

Ordered, That Mr. Longworth do carry the said Bill to the Council, and desire their concurrence.

Mr. Macneill read in his place a Petition of divers inhabitants of Cavendish, styling themselves friends of Temperance—praying that an Act may be passed to prohibit entirely the importation of Ardent Spirits into this Colony, and the distillation of any quantity thereof, by means of domestic manufacture; or for the adoption of such other salutary and restrictive measures, for the promotion of Temperance, as to the House may seem meet.

And then Mr. Macneill moved that the said Petition be received and read.

The Hon. Mr. Pope moved, as an amendment to the question, that the said Petition be not received, the same being printed, and therefore contrary to Parliamentary rule.

The House divided on the motion of amendment:

Yeas—The Hon. Mr. Pope, Messrs. Longworth, Montgomery, Gorman, Hon. J. S. Macdonald, Messrs. Palmer, Yeo—7. Nays—Messrs. Clark, Thomson, Le Lacheur, D. Macdonald, Macfarlane, Forbes, W. Dingwell, Dalziel, Beck, Fraser, Hudson, Rae, Macintosh, Macneill, J. Dingwell, Young—16. So it passed in the negative.

Mr. Le Lacheur then moved, that the said Petition be withdrawn by Mr. Macneill.

The House divided on the question—Yeas, 17. Nays, 6. So it was carried in the affirmative.

The Bill to amend the Act establishing the times and places for holding the Supreme Court in King's and Prince Counties was read for the third time. The Bill provides that in the absence of the Chief Justice, from sickness or other unavoidable cause, that the Court may be holden in either of the said Counties by any one of the Assistant Judges.

Mr. Palmer moved that the following Clause be added to the Bill: "And be it further enacted, That all Suits, Causes, Informations and Indictments, had and pending in the Supreme Court of King's County, and which shall have been at issue previous to the third Tuesday of July last, and all Writs and Processes, issued from the said Court, wherein the defendant or defendants have appeared, according to the usual course and practice of the said Court, shall and may be prosecuted, in the same manner and with the like effect as they could and might have been prosecuted, had the said Court actually been holden at Georgetown, at the said July Term aforesaid."

The motion was opposed by Mr. Young, and after some discussion was negatived, without a division.

A motion that the Bill do pass, was carried in the affirmative, 15 voting for it, and Messrs. Palmer, J. S. Macdonald, Fraser, Yeo, Pope, Longworth, Hudson and Thomson against it.

THE COLONIAL HERALD.

SATURDAY, APRIL 18, 1840.

The Halifax and New Brunswick Mails (due last night) have not yet arrived.

Our Legislature is still in Session. Yesterday, being Good Friday, no business was done. It is expected that the prorogation will take place early next week. Several very animated and highly interesting discussions took place in the House of Assembly during the past week, to which we would have been most happy to have been the means of giving publicity, not only upon the grounds that they contained many matters of high public importance to us as a Colony—small as we are—but were conducted in a style which would have redounded to our honour, had they been fully, fairly and impartially recorded. We trust this matter will be better and more satisfactorily arranged before next Session.

On Wednesday last, both Houses of the Legislature waited upon His Excellency the Lieut. Governor, with a Joint Address, requesting him to forward the congratulatory Address from the Legislature of this Colony to Her Majesty, on the event of her Marriage with Prince Albert, of Saxo Cobourg and Gotha. It is gratifying to perceive, that the Legislature express their full confidence in His Excellency—a confidence which his conduct, in his communications with the two Houses, insures. At the same time, it is remarkable, that the House of Assembly of Nova Scotia are addressing Her Majesty for the dismissal of their Governor.

(From the Royal Gazette.)

Secretary's Office, April 11th, 1840.

The Queen has been pleased to confirm the appointment of the Hon. Thomas Heath Haviland, as Colonial Secretary and Registrar and Clerk of the Executive and Legislative Councils of this Island. The Lieutenant Governor has been pleased to appoint the Hon. John Spencer Smith Treasurer of this Island.

His Excellency, in Council, has been pleased to appoint James Duff Macdonell Collector of Impost for the District of Charlottetown.

T. H. HAVILAND.

[CIRCULAR.]

Downing Street, 4th February, 1840.

Sir; I have the honour to transmit to you, for the purpose of receiving publicity in the Colony under your Government, a printed Notice to Mariners, relating to the Lights exhibited at St. Catherine's Point, and the Needle's Point, Isle of Wight.

I have the honor to be, Sir,

Your most obedient humble servant,

J. RUSSELL.

Lieut. Governor Sir Charles Fitz Roy.

NOTICE TO MARINERS.

Light at St. Catherine's Point, Isle of Wight.

Trinity House, London, 4th Feb. 1840.

Notice is hereby given, that the Light Tower which has been for some time past in the course of erection on St. Catherine's Point, in the Isle of Wight, being nearly completed, the Light will be exhibited therein on or before the evening of the 1st March next, and thenceforth continued every Night from sun-set to sun-rise.

The Light at the above station will burn at an elevation of 178 feet above the level of high water, and will appear as a fixed bright Light in all directions seaward.

Light at the Needle's Point:

Mariners are to observe, that in conformity with the Notice issued from this House, under date the 29th November, 1838, the Light at the Needle's Point will continue to be shown in all directions within which it has hitherto been visible, but that in order to distinguish it from the New Light at St. Catherine's, it will, on and after the exhibition of the last-mentioned Light, assume a red colour, and will be so continued.

By Order,

J. HERBERT, Secretary.

In the list of promotions, we are glad to see that of J. F. Holland, Esq. the Deputy Storekeeper at this station.

DOMESTIC MANUFACTURE.—Mr. James Thomson, of Tryon, has manufactured a Table-cloth, eight yards long, and of proportionate width, in which is exhibited a very considerable degree of skill in the knowledge of his profession, both as regards workmanship and design. It has been presented to the Lieutenant Governor, as a kind of Heir-loom to Government House, to be used upon occasions when His Excellency entertains the two Houses of the Legislature. The Cloth was exhibited to the two Houses on Wednesday last, and was much admired. Mr. Thomson has also presented the Lieut. Governor with a Table-cloth of superior workmanship and fabric, for his domestic use. The material of these Table-cloths were grown upon Mr. Thomson's own farm, and underwent the whole process of preparation and completion by his own and his industrious housewife's hands.

NOVEL LAUNCHES.—On the 9th inst. two vessels—the *Waltron*, of 110 tons burthen, built by Mr. J. H. Moore, and the *Caledonia*, of 101 tons, built by Mr. John Moore, both of Lot 49—were drawn from the sites whereon they were built, to a sufficient distance below high-water mark to cause them to float on the rise of the tide—about a quarter of a mile—in the short space of two hours, although the ground was quite bare the whole distance. To accomplish this, two sleighs were constructed, each 47 feet long, and having six cross-bars, upon which the vessels were placed, drawn by 85 horses, and assisted by 260 men. After their object was effected, the men employed, together with a number of women and children, who had assembled to witness this unusual spectacle, were hospitably entertained at the houses of Messrs. J. H., John and Charles Moore.

The Saint Margaret's Agricultural Society's Grain Show took place at the House of the Secretary, on Tuesday the 17th ult. The day was fine, but the roads being bad, many of the members did not attend. The quantity and quality of the grain exhibited, we understand, gave general satisfaction. The prizes awarded were as follow:

For the best Wheat, 15s., Donald Macdonald, Tulloch, 62lbs. 4oz. per bus.
Second best, 10s., David Anderson, 58lbs. 12oz.
Third best, 5s., Neil Macaulay, Lot No. 45, 60lbs. 12oz.
For the best Barley, 15s., John Macdonald, Big Spring, 49lbs. 4oz.
Second best, 10s., John Macneachren, Lot 44, 49lbs. 4oz.
Third best, 5s., Neil Macaulay, Lot No. 45, 47lbs. 4oz.
For the best Black Oats, 15s., Alexander Fraser, West River, 43lbs. 8oz.
Second best, 10s., Joseph Macgillivray, 41lbs. 4oz.
Third best, 5s., David Anderson, East Point, 41lbs. 4oz.

An Inquest was held on the 9th inst. at Fort Augustus Settlement, on the body of John McCarron. From the evidence taken before the Coroner, it appeared the unfortunate deceased was felling trees near his residence, and as he did not return at the usual hour, search was made, when he was found lying dead under a tree that had fallen upon him. The deceased must have died instantly, as his thigh bone was broken, and his skull fractured.—Verdict accordingly. He has left a widow and two small children.—*Gazette*.

TO THE EDITOR OF THE COLONIAL HERALD.

Sir; I attended the Meeting that was called the other evening, for the purpose of taking into consideration the expediency of establishing Bonded Warehouses in Charlottetown.

Not being a merchant myself, and never having had an opportunity of observing their operation and effects in other countries, I was naturally anxious to hear all the arguments that could be adduced, both for and against their establishment; but I must confess I acquired less information than I expected I would have done. I regretted this the more, as it must have arisen, not from any deficiency of knowledge on the part of those present—for there were several there who, no doubt, were quite competent to explain all that was necessary to be known; and the object of my now addressing you is, that some one, thoroughly conversant with mercantile affairs, may be induced to favour your readers with his sentiments on the subject.

On my entering the room in which the meeting was held, I was a good deal surprised to find a very unusual degree of anxiety and alarm depicted on the countenances of the mercantile part of it, for which I was altogether at a loss to account, until one of them, in the observations he addressed to the Chair, stated, that as they had had a long trial of the present system, and were satisfied with its operation, he thought it would be the wisest policy to "let well alone," for those establishments would have the effect of opening a door for strangers to come here and undersell the resident merchant; and so great was the anxiety of this gentleman for the continuation of the present system, that he submitted that merchants alone should be allowed to vote, if it came to a division, as they were the parties principally interested in the subject!

I impute no motives—neither will I call in question the soundness or liberality of this gentleman's opinions, for my knowledge of mercantile affairs is so very limited. If I did, I might take up a position that was untenable. I cannot, however, refrain from remarking, that I could not perceive that his premises warranted the conclusion he arrived at; nor would I now have noticed the statements made by him, had I not observed that two or three others followed in a strain somewhat similar, and that his sentiments appeared to be entertained by the majority of the mercantile party present, although to me—and, I have reason to believe, to many—they seemed by no means remarkable, either for liberality or profundity of judgment. It is very possible, however, I may not have fully understood the gentleman to whom I have alluded; at all events, I have not the inclination, nor would I, even if I had the vanity to suppose I had the ability, have the presumption to impugn the opinions of the merchants of Charlottetown, with most of whom I have the pleasure of being personally acquainted, and for whose general sound judgment, respectability and integrity, I entertain the highest respect. But as, on further inquiry, I find that several of those who attended the meeting are in favour of the establishment of Bonded Warehouses, although they did not publicly advocate their expediency—which they certainly ought to have done when the opportunity was afforded them; and knowing that, many of the best informed gentlemen in the community are of opinion that their establishment would be advantageous both to the merchant and the public, I think it will be admitted that it would be doing them an injustice not to allow them an opportunity of again taking the subject into consideration, and of calmly and deliberately investigating and discussing it. There can be no urgent necessity, I should think, for dismissing it with such precipitancy—I will not say discourtesy—as some seem to think it deserves.

Innovations are, generally, and very properly so too, I admit, looked upon with great suspicion; and it could scarcely be expected that a change so great as was contemplated would be at once agreed to or carried into operation without a good deal of opposition.

It was, as I have said, much to be regretted, that there was so little said at the meeting, and that those who were able to give information should have been so sparing of it; for I unhesitatingly assert, that no one present, from what was stated, could have decided on the expediency or in expediency of the object for which it was called; but I hope, as it is a matter that would so materially affect the prosperity of this Island, some competent person will have the kindness to bring it fully and clearly before the public.

I may mention, that I have been informed by several—on the accuracy of whose opinions I think I can rely with safety—on the all countries where Bonded Warehouses have been established, they have been found to act beneficially, both as regards the merchant and the public—the best proof of which is, when once established, they are always continued; and I certainly cannot discover that there is any thing so very peculiar in this Island as to render their utility so problematical.

If established, Charlottetown could then supply all the Out-ports, and the country merchant, who is now obliged to put himself to great expense and loss of time in going to a distant market for his goods, could be as well supplied there as elsewhere; and this I should think would have the effect of causing a greater circulation of money than has ever been known in it.

Although our merchants in general may be satisfied with the operation of the present system, they are an intelligent class of men; and if it can be shewn that there is every probability that they would do better with Bonded Warehouses than without them, I feel satisfied they will, for their own sakes, cheerfully agree to their establishment; and should the test of experience decide that the present system is the best, there would be no difficulty, I should imagine, in reverting to it again.

Whenever your space admits, should you think the foregoing worthy of insertion in your paper, you will oblige one who is anxious that the subject may be thoroughly discussed.

AN INQUIRER.

16th April, 1840.

Port of Charlottetown.

ENTERED.

Schooner Eleanor, Sutherland, Pictou; Ballast.

CLEARED.

Schooner Brothers, Turnbull, Halifax; 800 bus. Potatoes, 800 do. Oats, 25 bls. Oatmeal.

Mary Ann, Campbell, do.; 172 bls. Oatmeal, 1000 bus. Oats.

Vigilant, Farrall, Pictou; 200 bus. Barley, 100 do. Potatoes, 10 bls. Pork, 10 bls. Pickled Fish.

Married.

On the 9th inst. by the Rev. Mr. Geddie, Mr. David Orr, of New Glasgow, to Elizabeth, youngest daughter of the late Mr. William Simpson, of Cavendish.

Died.

At Mill Cove, Tracadie, on Sunday last, Mr. Patrick O'Neill, aged 64 years.

We are desired to give notice, that the Rev. Mr. Macaulay will not preach in Charlottetown for some time to come, because his congregation in Three Rivers requires his whole attention. Public notice will be given of the next service in St. James's Church.

To Correspondents.

We have no other objection to the communication of ALETHES, than that the author has withheld his real name, without which we must decline its publication.

TEMPERANCE ESSAY.

At a General Meeting of the Charlottetown Temperance Society, held on the 6th April inst. it was unanimously—

RESOLVED, That a Committee be appointed, to provide a fund, and make the necessary arrangements for offering a Prize for the best Essay upon the subject of the Traffic in Ardent Spirits, as bearing upon the civil, political, domestic, moral and physical interests of this Colony—such Essay to be the production of a member of a Temperance Society.

In conformity with the above Resolution, the Committee beg leave to acquaint the Friends of Temperance, that Subscription Lists for the purpose of raising a Fund for the object mentioned in the said Resolution, are now lying for signature at the Stores of Mr. Peake, Mr. C. Welsh, and Mr. T. Desbrisay, Queen Street; at Mr. John Boyer's, Richmond Street; Mr. George Beer's, King's Square, and at the Colonial Herald Printing Office.

DESCRIPTION of a Deserter from Her Majesty's 37th Regiment, quartered at Charlottetown, Prince Edward Island, February 21st, 1840.

Private MICHAEL CONDON, deserted on the 21st February—age, 32 years; size, 5 feet, 6 inches; make or form, low and stout; dark eyes, short nose, short neck, black hair, sallow complexion—dress at the time of desertion, watch coat, black trousers, short boots, forage cap.

Any persons apprehending Deserters, or who shall give such information as may lead to their apprehension, will be entitled to receive at the Treasury of this Island the sum of Five Pounds for each Deserter, over and above the reward allowed by the Articles of War. And any person found harbouring, concealing, or assisting any deserter from Her Majesty's service, is liable to pay, for every such offence, the sum of Twenty Pounds.

A. LANE,
Captain and Town Major.

TEN POUNDS REWARD.

ROBERT WEST, a native of Yorkshire, and for many years a resident of Prince Edward Island, left his brother, under whose care he then was, at Bradford, Gore District, Upper Canada, in the Fall of 1838, to return, as he said, to this Island, but has not since been heard of by his friends. He had for several years been labouring under mental derangement. He was about 32 years of age; stout built; in height about 5 feet, 7 inches; his hair brown; eyes, grey; and complexion fair.

The above reward will be paid to any person who will take care of him, and have him forwarded to this Island as soon as possible. Any information respecting him will be thankfully received by his father,

Little York, P. E. Island, 20th March, 1840.

The Editors of Neilson's Gazette, Quebec; the Montreal Herald, and the Christian Guardian, Toronto, are requested to give the above Advertisement three insertions in their respective papers, and to forward their Accounts for payment.

APPRENTICES WANTED

BY the Subscriber, two Apprentices, for the Painting, Glazing, and Paper-Hanging Businesses. None need apply without producing testimonials of good character.

J. DAVIS, Painter.

Charlottetown, March 4th, 1840.

AURELIAN.

THE THOROUGH-BRED HORSE AURELIAN will stand for the season, commencing 1st May, at the Government House Stables. Terms, Two Pounds, and Five Shillings to the Groom—to be paid at the time.

AURELIAN was imported from England last year by His Excellency the Lieutenant Governor, is a chestnut Horse, six years old, by Oppidan, dam by Pioneer, grand dam by Stavelly, &c. &c. Oppidan was got by Reubens, out of Dorina, by Gohanna, &c.

N. B.—Mares not proving in foal last year, will be served on payment of the Groom's fee only.

The Aurelian Produce Cup, to be given by His Excellency, will be run for in September, 1843.

See advertisement of last year.

THE Celebrated CANADIAN HORSE will stand for the ensuing season at the following places, viz:—At Charlottetown, on Saturday, the 2d May; on Monday, the 4th, at the Subscriber's, Elliot River; on Tuesday and Wednesday, the 5th and 6th, at Mr. Tod's, Sable; on Thursday and Friday, the 7th and 8th, at John Bell's, Cape Traverse; on Saturday and Monday, the 9th and 11th, at Thomas Robins', Bedeque; on Tuesday and Wednesday, the 12th and 13th, at Mr. Townsend's, Travellers' Rest; and on Thursday and Friday, the 14th and 15th, at William W. Lord's, Tryon. To return to the above places every fortnight.

JOHN HYDE.

Elliot River, April 7, 1840.

CLYDESDALE HORSE COLUMBUS.

THAT beautiful and powerful DRAUGHT HORSE Columbus, imported last summer by the Central Agricultural Society, will stand for the season at the Subscriber's, Princetown Road, in the Royalty of Charlottetown. Season to commence 1st April. Hours of attendance—6 a. m.; 12 noon, and 6 p. m. Terms, Two Pounds. Groom, Five Shillings.

Wm. CRANSTON.