

Mr. H. Haviland presented a petition from Alexander Sutherland, Minister, and others, elders of the Free Church Presbytery of P. E. Island, praying for the passing of a law to prohibit the traffic in intoxicating liquors. Read and laid on the table.

Hon. Mr. Wightman presented a petition from George Poole, Archibald McKinnon, and others, members of St. David's Church at Georgetown, in connection with the established Church of Scotland, praying for an Act of Incorporation. Read and referred to a special Committee to report thereon.

Hon. Mr. Mooney presented a petition from certain inhabitants of Lot 36, setting forth that a portion of land occupied by them on that township, adjoining Lot 48, and claimed as part of the estate of the Rev. John McDonald, was fraudulently leased to unthinking emigrants, and praying that steps may be taken to revert said land in the Crown, and then transfer it to the petitioners. Read and laid on the table.

Hon. Mr. Palmer presented a petition, from certain merchants and others of Charlottetown, against the erection of a ferry wharf at the foot of Prince Street, and offering subscriptions towards improving the ferry landing at Queen's Street wharf.

Mr. McGill presented two petitions from inhabitants of Lot 48, against the erection of the ferry wharf at the foot of Prince Street.

WEDNESDAY, March 19.

Hon. Mr. Wightman, from the special Committee appointed therefor, presented to the House the draft of an Address to His Excellency, requesting that he will carry into effect the recommendations contained in the report of the Committee on the Post Office department—and the said draft address was agreed to by the House, and ordered to be engrossed.

Hon. Mr. Wightman, from the special Committee appointed therefor, presented a Bill to incorporate the Trustees of St. David's Church at Georgetown, which was read, and referred to the Private Bill Committee. Mr. Whelan, as chairman of that Committee, shortly after presented a report, recommending that the House should not exact fees on the Private Bill above noticed.

Hon. Mr. Longworth, from the special Committee appointed therefor, presented a report on the petitions of John McKinnon and the representative of the late N. LePage, late Preventive Officers, which was read and is as follows:—

"Your Committee, to whom was referred the petition of Mr. John McKinnon, late Preventive Officer for the port of Charlottetown; also, a petition from the Administrator of the Estate of Mr. Napoleon LePage, deceased, late Preventive Officer for said port,—praying reimbursement in the expenses incurred by the said officers in seizing and detaining the American schooner *Dragonet* last summer, as well as payment for their services in the matter,—have to report, that the said J. McKinnon and the said late N. LePage did, on the 14th day of August last, in the execution of their duty as Preventive Officers, for a breach of the revenue laws, seize and detain the said schooner with a variety of American goods on board; that they landed a large quantity of gunpowder and a gun (being contraband goods) from the vessel, and deposited the powder in the Ordnance Magazine, by order of Mr. Bremner, the Assistant Collector, and took an inventory of the remaining part of the cargo and placed it with Mr. Clark, the Collector—the gun remaining in Mr. McKinnon's possession. The vessel and goods on board were then advertised in the *Royal Gazette*, by McKinnon and LePage, to be sold at auction on the 29th of the current month, as forfeited to the Government of the Island; that on the 27th of the same month, Mr. Clark, the Collector, seized the vessel, and took her out of the Preventive Officers' hands, together with the goods on board, and stated to them at the same time that the Lieutenant Governor was going to fine the captain £100 sterling and give up the vessel. This appears to have been done shortly afterwards, and £100 currency was accepted by the Government as the penalty. The bills of expenses incurred by the Preventive Officers, amounting to about £17, were handed to Mr. Clark, at his own request, but not since paid. That McKinnon has since been sued in the Small Debt Court for seven pounds of the amount, and judgment recorded against him, with expenses.

"Your Committee would therefore, under all the circumstances, recommend to the House the necessity of providing for the payment of the expenses incurred, as well as a fair remuneration to be paid to the proper parties for the services performed by McKinnon and LePage, in seizing and detaining the schooner *Dragonet*.

"The minutes of evidence taken before the Committee are herewith submitted to the House."

DEBATE ON THE LATE PREVENTIVE OFFICERS' CLAIMS.

After some irregular discussion relative to the foregoing report, the House resolved itself into a Committee of the whole for the better consideration of the matters referred to therein—Mr. Muirhead in the chair.

The evidence taken before the special Committee having been read by the Clerk Assistant, the Hon. COL. SECRETARY remarked on the contradictory nature of the statements before them—the petitioners stating that the seizure had been made by the orders of the Collector, Mr. Clark, while that officer stated it was done on the responsibility of the petitioners themselves. As to the gun, which it appears McKinnon had retained, he was guilty of most unjustifiable conduct. What would be thought in the United States of the Government and people of the Island, when it was known that a subordinate officer had refused to restore that article to its owner, when ordered to do so by the head of his department?

Hon. Mr. PALMER.—The Hon. Col. Secretary had asked what would be thought in the United States about the Government? He would ask what would be thought of the fine of £100 which had been exacted from the captain? How could the Government justify that? If the vessel were seized according to law, it was legal and necessary to detain her. As to the discrepancy in the statements referred to by the Hon. Col. Secretary, it was only to be found on the side of the opponents of the petition. The Government did not deny the exactness of the penalty under the seizure, which the Collector says was made by him—thus admitting the legality of the act. This showed that the petitioners had a legal claim. The vessel had in fact been seized for some act done at Tracadie, which had rendered her liable for forfeiture. As to the story about her having on board goods contraband of war, it was a mere afterthought, a pretence set up as a bar to the petitioners' claim. He would ask the Collector of Charlottetown if a vessel were not entitled to twenty-four hours in which to enter? The only difference which existed between the Preventive Officers and the head of the department was, that the former might have thought that they could put the vessel up to auction, and sell her as they would a cask of spirits which might have been seized. He had taken pains to set them right, and had given them to understand that their only course was to prosecute to condemnation in the Vice Admiralty Court. Had that course been pursued, she would have been condemned and the lion's share of the proceeds would have gone to the seizing officers, agreeably to law. Any dispute between the Collector and McKinnon should not be regarded by the House. The true question to be considered was, did the vessel become liable to seizure at Tracadie? There was another question, who discovered the gunpowder? The Government acknowledged that the petitioners should be paid certain fees, and they should not share too closely by refusing a fair remuneration for services performed, from which they had received £100. As to the observations about the petitioners acting in opposition to their superior officer, suppose the Attorney General had prosecuted the vessel to condemnation in the Court of Vice Admiralty, and the Government had then given her up, and the officers had brought their case before the House, they would be considered entitled to redress. The parties were in precisely a similar condition now. Would the House then say to the officers, although you have acted rightly we will condemn you in the costs of the proceedings? It had been admitted that the vessel was legally forfeited, therefore she was legally seized; and he would not hesitate to give the seizing officers all that remained after deducting the expenses.

Mr. McINTOSH understood that the expenses had been tendered to the parties, or that it was intimated to them that they would be paid. He thought their notion in coming before the House was to see how much they could get. There was something strange about this matter from the beginning. There was, it appeared to him, a great difference of opinion among the lawyers. He was in favour of awarding to the officers a reasonable portion of the penalty after deducting expenses, as there was no doubt that they had been instrumental in obtaining £100 for the Government.

Mr. McDONALD did not agree with the hon. member, that Government should give petitioners a portion of the £100. Still it was doubtful if the Government would have received the £100 but for petitioners. His opinion was in favour of paying their bill of expenses.

Mr. DOUSE agreed with Mr. McDonald, that the parties should be reimbursed, and hoped Government would make them a reasonable compensation. Without proper encouragement, it was useless to expect that revenue officers would do their duty.

Mr. CLARK said, that at the time of the seizure McKinnon did not know that there was an ounce of powder on board. He was willing to pay the expenses, but even that was setting a bad example—parties might subject themselves to heavy expenses, and then petition to be relieved of the consequences of their own misconduct in having acted in opposition to the laws of the land and the instructions of their superior officers. The Government had taken a great deal of trouble to protect the petitioners in this matter. Writs had issued or were about to issue against the parties, and the Government had made the abandoning of the proceedings against them a condition of the settlement. As to the gun, it was true that no foreign vessel was allowed to carry guns on board, but it would be unreasonable to say that a man should not have a musket or fowling-piece, which might often prove of most essential service. Let that be as it might, however, there was no shadow of right in McKinnon to retain the article. There was nothing to show that the Collector had seized the vessel. The fact was she had been seized by the Controller under the Imperial statute—previous Colonial officers had no such powers. The Colonial Act was defective. The legal seizure took place after the discovery of the gunpowder, by virtue of the British Acts.

Hon. Mr. MONTGOMERY thought that the hon. member had certainly made use of an extraordinary argument when he said that the Government had fined a man £100 to get the petitioners out of difficulty for illegal acts. On what grounds did they take the £100? The vessel had been detained fourteen days, during which time she would probably have been in the United States instead of Charlottetown. If she were not liable, why take £100 from the captain? If he had acted in accordance with the law of the land, the tribunals were open to afford him redress. Although the conduct of the petitioners might not have been strictly legal, it was the duty of the Government to protect their officers. He trusted that they would pay the expenses and remunerate the petitioners, as they had received from the captain funds to do it with.

Mr. YEO thought it unfair to deprive the officers of their proper remuneration. Hon. Mr. WHELAN would offer a resolution which he thought would be expressive of the views of a majority of the Committee. Before doing so, he would refer to the repeated arguments urged by the several speakers in favour of the petitioners, that the Government having received £100 should give a portion of it to them as having been instrumental in obtaining that sum. This he emphatically denied. The evidence of the hon. member, Mr. Clark, went to show quite the reverse. The vessel could not be seized by the petitioners under a Colonial Act; but she was seized by the Controller under an Imperial Statute. The hon. member for Charlottetown (Hon. Mr. Palmer) had admitted that they had acted wrongly, and the Government had told them they were wrong. It was necessary, in order to form a correct judgment on the matter, to keep two important facts separate and distinct from each other. They were the two seizures. The first, by McKinnon and the late Mr. LePage, was clearly unlawful. The second, by the Controller, was perfectly legal and correct, and with that the petitioners had had no connection, therefore it was that he considered that they were not entitled to anything more, especially when it was borne in mind that they had acted in opposition to positive orders. He agreed with the hon. member, Mr. Douse, that it was the duty of the Government to protect its officers; but that duty could only attach while the officers were acting in accordance with their instructions. He hoped that they might never see the time when a subordinate officer should say to his superior—"I will act in defiance of your orders, or without reference to your instructions, as the Legislature will save me harmless." The Government had acted liberally in offering to pay the expenses incurred by the erroneous proceedings of the petitioners, and their generosity in making that offer had been misrepresented as evidence of their complicity with the misconduct of the officers. Such a line of argument was unfair and ungenerous. The Government had a right to and did say to the captain, that instead of condemning his vessel they would accept a fine of £100, as an atonement for the violation of the law of which he had been guilty, on condition that he would abandon all proceedings against the officers. A compromise was effected which probably saved those officers from ruin. The hon. member then moved the following resolution:—

"Whereas certain proceedings taken by the late Napoleon LePage and John McKinnon, late Preventive Officers, with respect to the seizure of the American Schooner *Dragonet*, were in direct opposition to the orders of the Collector of Excise and of the Government, and were entirely erroneous; but nevertheless the Government offered to discharge the necessary expenses incurred by those proceedings, in order to save the then Preventive Officers harmless; and whereas the conduct of the late Napoleon LePage and John McKinnon, in adopting a course at variance with the commands of their superior officers, would, if recognized and encouraged, be subversive of that due subordination and regularity which should at all times prevail between superior and subordinate officers. Resolved, therefore, that it is inexpedient to entertain the application now before the Committee for a grant of money from this House, the Government having already, as above stated, offered to pay the necessary expenses attending the unauthorized seizure, and the House in Committee of Supply will make good the same."

Hon. Mr. LORD thought that the only party having cause of complaint was the Captain. The Government had no right to the £100. What were the facts of the case? A man leaves Salem on a trading voyage. In Tracadie he sells a basket full of goods, comes to Charlottetown. On his arrival, he is informed that he has twenty-four hours in which to enter his vessel. He goes to see Mr. Dean, the American Consul. On his return, he finds two revenue officers on board, and is informed that his vessel is seized. Such seizure was unlawful, as the time allowed by law to report his arrival had not expired. Had he (Hon. Mr. L.) been the owner of the vessel, he would have walked the officers over the side pretty quickly. He was of opinion that the £100 was unlawfully taken, and trusted that it would go abroad. The seizure had been unlawfully made; but the officers retained possession. After she had been detained some twenty-four hours, the discovery of the Gunpowder was made. It might be matter of doubt how far it was right to seize Gunpowder put on board for a trading voyage to the Labrador. Such conduct is unjust and ungenerous towards a stranger arriving in our ports, and should not be sanctioned by any Government, or any party. What right had they to seize the vessel on mere rumours that she had been illicitly trading in Tracadie? While officers should be protected in the discharge of their duties, such proceedings as those under consideration should be discontinued. He was at first disposed to give both officers a small amount, but he did not feel sure how he might be influenced by the consideration that the parties had acted in opposition to the Government in this matter and the advice of the Attorney General.

Hon. Mr. PALMER said that the hon. member had expressed his opinion of the wrongs of the injured foreigner with considerable feeling, and had declined strongly on the illegality of taking the £100. Waiving, for the sake of argument, the propriety and right of receiving that amount, it was only common justice, now that they had received it, to make a fair division of the spoil. Hon. members were wrong in attributing to him the opinion that the officers acted improperly in seizing the vessel. He had given no such opinion. He had advised that she could not be sold without previous condemnation by the proper tribunal. She might be seized and held, till the question of her forfeiture were decided. It had been attempted to be shown that there was no colonial law rendering her liable for forfeiture. It was not necessary to use express words to declare what is a natural and inevitable implication. He could not accord his support to the resolution which denied justice to the officers on the alleged ground of insubordination. Now, how stood the case? The superior said that the vessel could not be seized. The subordi-

nates said she could be, and the result showed that the latter were right. It would be creditable for the Government to deny that to individuals because they might have given them offence. If the rights of the petitioners have their origin in services rendered to the Colony, it was incumbent on the House to watch that the personal claims of meritorious public servants should not be neglected to gratify personal or political feelings. He trusted there was sufficient independence in the House to respond to an appeal for justice, and until the Government should acknowledge that its conduct was illegal, he was warranted in saying that the seizure by the petitioners was legal, and that the liability for forfeiture occurred in Tracadie Harbor. No matter if the powder were discovered in Charlottetown, it was on board at Tracadie, consequently the plea of having twenty-four hours in which to report was a mere subterfuge.

Hon. Mr. WHELAN said—that the course pursued by the hon. member for Charlottetown on the matter under consideration, was prompted by the strong feelings of resentment he entertained towards the present Government, and he was in hopes of a division adverse to the Government, which could be brought about as a strong censure on them. The views he (Hon. Mr. W.) took of the case were based on admitted facts, namely, that the petitioners had acted in disobedience of orders, and that they had nothing to do with the seizure by the Controller, which was unconnected with the first seizure by the Preventive Officers. As to the advice about the division of the spoil, he would inform the hon. member that to the victors belongs the spoil, and that his argument had done nothing to entitle them to participation in the proceeds. He was somewhat surprised at what had fallen from the hon. Mr. Lord. That gentleman had condemned the conduct of the officers, but said he would grant them a small sum. Now, if their conduct had been right, they should have a respectable remuneration—if otherwise, they were entitled to nothing.

Hon. Mr. LONGWORTH moved an amendment recognizing the claims of the petitioners, and in doing so, produced portions of two affidavits to prove that the subsequent seizure had been made by the Controller on behalf of the petitioners, and that that officer had stated that he would do so. One thing was clear, that £100 had been gained by the seizure, and it was but fair that the officers should receive a portion of it.

Hon. COL. SECRETARY would have gone for paying the officers had they obeyed their orders; they refused to do so, and McKinnon said that he would retain the gun, which he had done, and therefore must be considered as having been paid. He was not surprised at the course pursued by the opposition. It was usual with them to encourage subordinates to oppose the Government. He trusted there would not be found a majority to sanction such conduct. As to the doctrine that the vessel had incurred forfeiture in Tracadie harbor, it was not correct. He would ask the hon. member if he would forfeit a vessel because the captain or one of the crew should be detected in smuggling, it might be a pound of tobacco, without the knowledge of the owner? The clause of the Act protecting seizing officers had been partially abrogated by the Reciprocity Treaty. As to the motives which the hon. member had attributed to the Government, there existed no foundation for his insinuations. As one member of the Government, he could assure the House that he had taken more trouble to prevent the officers getting themselves into a false position than he had ever taken for his strongest supporters. The £100 had not been received through the instrumentality of the petitioners, who had acted illegally; and the sanction of their conduct by the House would have the effect of inducing parties to defy their superior officers to disregard the orders of the Government. If Government were actuated by the feelings imputed to them, would they have stipulated for the cessation of legal proceedings as they had done? Had the gun been given up, the parties would have been paid for their trouble and reimbursed their expenses. The seizure under which the £100 were received was made by the Controller.

Hon. Mr. LORD would ask, did the Government allow the officer to keep possession of the gun? It might be the owner's only protection to life or property. He was astonished to hear a native of the Island admit that such conduct had been tolerated.

Hon. Mr. LONGWORTH.—The officer had probably received instructions from his principal. Mr. CLARK.—McKinnon was ordered to give up the gun, which he declined. He (Mr. C.) might have said that ammunition and arms were liable to be seized. He was not aware that the gun had been seized until the captain cleared out. It was then that McKinnon refused to obey the order to restore it. The order to restore the vessel authorized him to pay expenses since she came into his hands, which was done. Hon. Mr. WIGHTMAN considered that the alleged intention of the master to proceed to the Labrador was not the case. He lay for sometime in Georgetown; after leaving that port he proceeded to Tracadie, and if he was trading there, why did not the officers of the district do their duty? It appeared, however, that he had been allowed to remain there and trade, and he afterwards came to this place. It is true that he had twenty-four hours to enter his vessel. The probability was that he was endeavouring to effect bargains before entering, and paying duties on his goods. Meanwhile, the officers seized the vessel against the opinion of the Attorney General, the official adviser of the Government. Under those considerations, the parties should receive punishment instead of remuneration. The Government was prepared to pay the expenses, but not compensate its officers for illegal conduct. The legal seizure having been made under the Imperial Act, Government was not bound to pay the petitioners, but notwithstanding that they had no claim, would defray the expenses. The party taking the gun had been guilty of a trespass for which he should be punished; and the Government, in his opinion, should withhold any payment until the gun should be restored.

Hon. Mr. MOONEY said that the gun had probably been kept by McKinnon as a kind of forlorn hope. It was most unreasonable to deprive a man of an article which might be so essential to his safety in foggy weather, or in case he got aground. Subordinate officers were unjustifiable in opposing the instructions of their superiors. Not content with the opinion of the Attorney General, they had applied, it appeared, to another gentleman of the long robe, to whom it would be a labor of love to set things in confusion.

Mr. COOPER considered that the petitioners were not bound by law to apply to the Attorney General. Their official duties were prescribed by the law, and if they, not being men of legal education, had misconstrued the law, they should not be held strictly accountable for any unintentional deviation from its provisions. If their seizure led to the discovery of the powder, they were entitled to some part of the proceeds.

Hon. Mr. PALMER said that the Act 6 Vic., cap. 14, declared the vessel forfeited. As to the implied censure on the Tracadie officers by Hon. Mr. Wightman, a good justification was to be found in the affidavit of Mr. Leitch, a landing waiter, which he read. He was sorry to see that hon. members were inclined to act as though convinced when really they were not so. A great noise had been made about a gun. If a man was justifiable in other respects, would they deny him justice on account of a worthless rusty old gun? Members should be ashamed to avail themselves of such an excuse. Let them candidly say that the officers were opponents of the Government, and therefore justice and principle must be disregarded, because the Government is in danger. That cry had been got up in many cases this session, and the drum had been beaten to call the supporters of the administration to quarters.

Hon. COL. SECRETARY was not surprised that the petitioners were astray when they received their version of the law from the hon. member for Charlottetown. The law quoted by that hon. member only refers to goods being landed between sunset and sunrise. [He read the section.] Mr. McDONALD said they were differing about a shadow. The general opinion was, that the parties should be paid the amount of expenses and for their time, in all about £17. There was no use in further discussion. He would vote for the resolution.

Mr. LAIRD would go for paying petitioners, as the seizure by them led to the discovery of the powder.

Hon. COL. SECRETARY.—The Government were willing to pay the expenses, but not pay for the time of the petitioners spent on board of other vessels, for which they received four shillings a day.

Hon. the SPEAKER said that the legal questions relative to the revenue laws had been sufficiently discussed. There was no doubt on his mind that the officers had acted in a spirit of insubordination to their superior officers, and in opposition to the opinion of the Attorney General. He felt it to be his duty to maintain due subordination from inferiors towards their superiors. By some means £100 had found its way into the public purse, and this seemed to be an attempt to get some of it out. He did not think the petitioners had established a claim. The seizure by them, in the first instance, was illegal. The Government afterwards seized the vessel, as they were

empowered to do under the Imperial Act. He agreed with the Hon. Mr. Lord, that if any person had cause of complaint it was the captain, between whom and the Government the matter lay.

[The resolution moved by Mr. Whelan, and given in a preceding column, was then agreed to in Committee, and the House was resumed.]

Mr. HAVILAND had been silent hitherto, because he was of counsel for the captain of the schooner, when she was seized. He was amused at the different grounds of argument which had been used by the opponents of Mr. Longworth's motion. The Hon. Col. Secretary had denounced the first seizure as illegal, but justified the second as legal. The Hon. Mr. Lord, who was, he supposed, either *de facto* or *de jure* a member of Government, had given the Government a most violent castigation, and he agreed with him that it was a most high-handed proceeding on their part to take £100 out of the master's pocket. Then the Hon. Mr. Wightman said the vessel should have been seized in Tracadie—that it was never intended to proceed to the Labrador, while the Hon. Mr. Lord rests his argument of the fact of that intention. These differences reminded him of the pleas set up by the defendant in an action for the recovery of an iron pot lent. He pleaded, first, that he never had the pot; secondly, that it was cracked when he borrowed it; thirdly, that it was whole when he returned it. [Laughter.]

Hon. COL. SECRETARY could assure the hon. member that there was no difference of opinion among members of the Government. The Hon. Mr. Lord, though now no longer in the Government, liked occasionally to have a fling at them—practice he sometimes indulged in while belonging to the Executive. Under the Imperial Act, the Governor solely, not the Government, levied the £100 penalty. He did not say that the Council had not been consulted. The hon. member, Mr. Haviland, had mistaken or misrepresented the Hon. Mr. Wightman, who had not said that the vessel should have been seized in Tracadie, but asked why, if engaged in smuggling, she had not been?

Hon. Mr. PALMER said, if anything showed that the Government were ashamed of their conduct, it was this recourse to various expedients. Now they make His Excellency the scapegoat, and when they are driven into a corner, they acknowledge their illegality of their proceedings. They had indeed received a severe castigation at the hands of their former colleague, Hon. Mr. Lord.

Hon. Mr. WHELAN.—The feeling of the hon. member towards the Government had led him into error. It should be stated that the Governor, as Head of the Customs department, had exercised his discretion in taking the £100.

Hon. Mr. Longworth moved to amend the resolution reported from the Committee, by substituting the following:—

"Resolved that the late Napoleon LePage and John McKinnon, late Preventive Officers, were entitled to be reimbursed in the expenses incurred by them about the seizure and detention of the schooner *Dragonet*, as well as a fair remuneration for their services in that seizure."

The House divided. For the amendment—Hons. Messrs. Longworth, Montgomery, Palmer, Yeo, McDonald, Cooper, Douse, Laird—8.

Against it—Hons. Messrs. Whelan, Col. Secretary, Wightman, Clark, McGill, Lord, Mooney, Munro, Muirhead, McIntosh—10.

The original resolution was then agreed to, and the House adjourned.

LEGISLATIVE COUNCIL.

THURSDAY, March 6.

The Bill relating to Buoys and Beacons was read a third time and passed.

The following petitions were presented:—

By the Hon. Attorney General, from William Muford, of Charlottetown Royalty, a helpless cripple, praying relief; from inhabitants of Townships Nos. 54 and 55, for aid to improve their road communications; from inhabitants of Trout River, for same object; from inhabitants of Casumpec, for aid towards cutting road from Kildare river to the sea; from the same, for grant to build a Court House for Commissioners of Small Debts.

By the Hon. Mr. Walker, from inhabitants of Casumpec, Kildare and adjacent places, for the erection of a Light House on the North Cape; from inhabitants of Casumpec, Kildare, Tignish, Nail Pond and adjacent settlements, for grant towards completion of wharf at Casumpec.

By Hon. Mr. Craswell, from inhabitants of Townships Nos. 17 and 1, severally praying aid to improve their road communications; from Patrick Power, postmaster, Summerside, for increase of salary; from Thomas Mansfield, teacher, Nail Pond, Lot 1, for remuneration for twelve months services.

By Hon. Mr. Wright, from William Wright, for compensation for care and maintenance of John Rice, an aged and infirm person.

By the Hon. Col. Swabey, from John Mackieson, as Chairman of the Prince Edward Island Medical Association, praying for an enactment which will place the medical profession in as advantageous a position as in other countries, and meet the wants of the Colony, in the suppression of the practice of ignorant and unqualified pretenders to medical knowledge; from inhabitants of Amherst and North Shore of the County of Cumberland, in Nova Scotia, praying that such measures may be adopted in conjunction with the other North American Colonies, as will encourage the placing of Fog Bells on Cape Traverse and Cape Tormentine and the erection of a Light House on Cape Tormentine.

By Hon. Mr. Haythorne, a petition of inhabitants of Village Green and Monaghan settlements, Lot 49, praying aid to extend Village Green road; from Sarah McDonald, St. Peter's River, Township 34, widow of the late Alexander McDonald, praying relief; from inhabitants of New Glasgow and Pinetown Road, for new line of road; from inhabitants of Townships Nos. 34 and 35, for a sum sufficient to extend the wharf at Appletree Farm.

By His Honor the President, from William Heard, Esqr., of Charlottetown, Merchant, for aid in behalf of the steamer *Rosebud*, from divers inhabitants of Charlottetown, recommending the prayer of the preceding petition.

These petitions having been read, the Hon. Col. SWABEY said—that while he had no desire to press hardly upon a gentleman who had lost money by a speculation, particularly where that speculation was the result of Island enterprise, yet he felt it to be his duty, as a member of the Government, to repudiate the idea that the Government had been actuated by any desire to injure Mr. Heard. On the contrary, though much pressed on the subject, and though their conduct towards Mr. Heard had been animadverted on, they had not made public the report which compelled them to decline the employment of Mr. Heard's boat, to a greater extent than their own justification before the country required. No one could read that report and believe that the Government could have acted otherwise than as they had, without incurring serious responsibility and grave censure, more especially after the sad accident which occurred a short time ago. If, however, it were thought necessary, the report might be laid before the House. It might be matter of consideration as to how far it might be just to the public contractor to give public money to a boat to run in opposition, and thereby deduct from the receipts of the Boat in the Government service. But still he thought there would be a desire to assist Mr. Heard, who had been so unfortunate or ill-advised in his speculation.

The above several petitions were ordered to lie on the table.

The Hon. Attorney General introduced "a Bill to authorize the Government to prevent the exportation of Saltpetre and other Chemical Salts," which was read a first time.

FRIDAY, March 7.

The Hon. Col. Secretary brought from the House of Assembly a Bill entitled "an Act to facilitate proceedings before Justices of the Peace, in cases of persons charged with indictable offences."

The following petitions were presented:—