

by River Bridge, in my district, who was a land agent, and politically opposed to myself, refused to conduct the election. He well knew that I should receive a handsome majority of votes at his polling place. When I was informed of that, I was fifteen miles distant from the polling place, and I at once proceeded there, and found the Returning Officer and his Poll Clerk enjoying themselves in a proprietor's house. He positively refused to go on with the election. I then requested the Poll Clerk to hold the poll, as he was authorised by law to do. He declined as expressly as the Returning Officer. Then, sir, as about 500 or 600 electors were there waiting to record their votes, it was deemed necessary to get up a requisition to the magistrates to hold the poll. Under that requisition, between two hundred and three hundred votes were recorded; and then, about five o'clock in the afternoon, the Returning Officer, with his Poll Clerk, made his appearance, and consented, at length, to do his duty; and the large number of votes taken before the magistrates were struck off; and, sir, the conduct of Mr. Binns, when in office, was one continued course of open, undisguised hostility to the Government, whose officer he was. They were the subjects of his constant abuse in every public house in Charlotetown. It would be impossible to continue such a man in office. And, sir, if the Government, under the system proposed by the Bill, should make improper appointments, they are responsible to the people; but at present, there is no responsibility any where. Suppose, Mr. Speaker, that a serious disturbance should occur—for instance, a riot arising during the heat of an election—what confidence could be placed by Government in a Sheriff like Mr. Binns? But, sir, I may tell the hon. member that the Government do not expect, and would not allow Sheriffs of their appointment to act as he has alleged that they would, or as Mr. Binns has done; they would be required to support and enforce the laws and preserve the peace. In conclusion, I trust that the arguments of the hon. member will not influence this House to reject the Bill now before it.

Hon. Mr. WHELAN.—Although the discussion at this stage of the Bill is irregular, I think I may assure my hon. friend, the Secretary, that the arguments advanced by the hon. member for Charlotetown are not at all likely to influence the opinions of hon. members at least on this side of the House. The hon. member for Charlotetown knows that the House approves the measure and there is no doubt of the result. I must say, sir, that I was surprised that there was no opposition from the hon. member and his party, in the previous stages of the Bill, as it involves a principle dear to the heart of every Englishman, Irishman and Scotchman. I shall briefly refer to the two objections urged by the hon. gentleman against the Bill. His first objection is that it conveys a reproach upon his Lordship the Chief Justice, is of no weight. We ought to, and I hope we always will, pass any measure which we may deem necessary and conducive to the public good, irrespectively of the feelings of any individual, no matter what his official and social position may be, and a good measure should not be deferred, even if, as the hon. member alleges, of this Bill, it should actually convey a censure. I will admit, sir, that in all probability under this Bill, Sheriffs will be appointed from among the supporters of the political party who may, at the time of the appointment, be in power. That has always been the case hitherto, and sir, I maintain that it is absolutely impossible to find gentlemen fit to fill these offices who have not their party feelings. And however the hon. member may argue, he knows and hon. members around me know, that it is unreasonable to expect that a Tory Government will appoint a Liberal Sheriff, or that a Liberal Government will select a Sheriff from the ranks of the Tories. All parties have hitherto had to bear with partisan Sheriffs. The conduct of the hon. member for Charlotetown and his party, when they held the reins of Government, affords the best justification for this measure, and the strongest argument in its favor. And, sir, this is not the first occasion on which the principle of this Bill has been brought under the consideration of the Legislature. Six or seven years ago I introduced a Bill based on the same principle; and although it passed this branch of the Legislature, it was rejected at the other end of the building. And, sir, I ask who appoints the Chief Justice? Is it not the Government of the Colony? And if they appoint that officer, can any reason be assigned why the same Government should not have the appointment of Sheriffs? They should have the right of appointing and controlling the conduct of all public officers. Yet we are told, that we are conveying a reproach on the Chief Justice? The assertion is not entitled to consideration. There will always be political parties, and the Chief Justice himself is not devoid of party predilections and sympathies. Before his elevation to the Bench he took his side in politics, and identified himself with one political party, and it is not to be supposed that he is or can be uninfluenced by the reminiscences of old associations. In speaking thus of that gentleman, I mean no disrespect to him: On the contrary, I entertain much respect for him, not the servile feeling of a sycophant, but a sincere respect which a man may feel, and may express without self-abasement. I, sir, was not opposed to his appointment. But the Chief Justice has given us Mr. Binns as Sheriff, and may impose upon the people others who will act as he did. I can assure the hon. member and those whom I am addressing, that the Liberal party would not appoint such a man as Sheriff. Government will exercise discretion in filling the office, and their responsibility to the people is the best guarantee that they will exercise it wisely and with a due regard to the just and proper discharge of its duties.

Hon. Mr. MOONEY.—Mr. Speaker, the hon. member (Mr. Whelan) is not correct in stating that the hon. member for Charlotetown was in power at the time his Bill was rejected. That Bill was introduced in 1851, when the Liberal party held the reins of Government. It is well known that the attention of the House has been turned to the conduct of Sheriffs for the last three or four years. They have always been appointed by the political party who might be in power at the time, and this Bill will make no difference in this respect. I would not for a moment call the hon. member (Mr. Palmer) a Tory (laughter), or that he would interfere with the appointment of Sheriffs. His Government might just suggest to the Chief Justice the name of any one whom they might wish to have appointed, and the Chief Justice could send that name to the Governor. Sheriffs should not be dabbling in politics; their duties are due equally to the people and the Government. I support the Bill, believing it to be absolutely necessary, and that it is unconstitutional and dangerous to the liberties of the people, that a minority in opposition should have the power to appoint public officers. It is easy for them to find some paltry tool to do whatever they may wish, and embarrass the Government.

Mr. COOPER approved of the principle of the Bill. The Government are now responsible to the people. Let them be responsible for the appointment of Sheriffs, as well as for other officers. The Chief Justice is not responsible, and, therefore, the present system is void of all responsibility. I consider that the Hon. Leader of the Government has suffered 'quite enough' under the old system to satisfy himself of the necessity of a change.

Hon. Mr. LONGWORTH.—Mr. Speaker, I do not think that individuals should be appointed Sheriffs because they may be adherents of Government. They should not be selected with a view to their supporting the Government, but to carry out the laws fairly and impartially; and I must say that the observations that have been made with reference to Mr. Binns and the present Sheriff of Queen's County, are unfounded, and not deserved by either of those gentlemen. I deny that there is any ground for the imputation of partiality that has been made against Mr. Binns. I consider his

conduct, in the matter of the scrutiny between the Hon. Col. Secretary and Mr. Beer, and the return of the writ, correct, and that he did the best that could be done, under the circumstances. Both parties demanded a scrutiny. At the time appointed, Mr. Beer attended, but the Hon. Col. Secretary did not make his appearance. A special return thus became necessary, and Mr. Binns returned Mr. Beer, as having the majority, but submitted the matter to the judgment of the House of Assembly. As to the remark of the Hon. Col. Secretary, that the House would not take action on the writ, why, Mr. Speaker, the Hon. Col. Treasurer, who was at the time Col. Secretary, and who brought it down, would not say in what way it was introduced to the House. I agree with the hon. member (Mr. Whelan), that we shall in future have partisan Sheriffs, if this Bill becomes law, and that conviction induces me to differ with the hon. member who spoke last, when he advocates their appointment by Government. I fear that many and serious evils, hitherto unknown in the country, will result from the Bill.

Hon. COL. SECRETARY.—Mr. Speaker, I may state in answer to the remarks of the hon. member (Mr. Longworth), that by the Election Law, the Sheriff is to return to the House the proceedings and details of the scrutiny, and he is liable to a penalty if he wilfully return the wrong party. I believe that Mr. Binns had received a guarantee to save him harmless if he made the return; and, sir, it was the duty of the Col. Secretary to lay before the House, as soon as possible, the writ, as the return expressly referred it to the House for their decision.

Mr. McINTOSH.—Mr. Speaker, I approve of the change, which, I think, will be a great improvement, and, I hope, will give satisfaction to the people of the Colony; and I do not see that the Bill casts any reflection upon the Chief Justice. In giving it my support, I can truly state that I have no such feeling. But this is the age of improvement, and the alteration is required in this Island, if not in other countries. Why, sir, when I first heard of the partiality of the Sheriff, in making the return he did, I almost despaired—I thought we might as well give up every thing. Responsible Government, escheat, and all.

Hon. Mr. PALMER.—I cannot, Mr. Speaker, sit still, and let the remarks of the Hon. Col. Secretary, with reference to the Chief Justice and the Sheriffs, to whom he has alluded, go forth to the country uncontradicted. I repeat, sir, what I said before, that there are no sufficient grounds adduced for the passing of the Bill, but there are the strongest and best reasons for maintaining the present system. But now, because the Hon. Col. Secretary fancies that he has been unjustly treated by the Sheriffs, he, not unaturally, feels anxious to have the appointments in the hands of the Government. But reasons must be found, if they do not exist, for the proposed change, and those charges are trumped up against individuals as a pretence, though the true motives are apparent through the flimsy disguise. Mr. Bourke, I admit, made a mistake in not furnishing the returning officer with instructions; but that omission, on the part of the High Sheriff, should not be made the ground of attack upon the returning officer, who was justified in his refusal to open the poll, if he was not fully authorised. The Hon. Col. Secretary endeavors to stab that individual behind his back, by representing him drinking and enjoying himself at the time he asked him to hold the poll. Whatever he might be doing at that time, has no bearing on the case, for, as I said before, he was justified in not holding the poll, and, I have no doubt, whiskey is as well liked in Rustico as it is in Charlotetown. I admit that the Sheriff was guilty of a culpable neglect in omitting to send the necessary papers to the returning officer, but that does not prove that he was partial, and, consequently, disposed to favor one of the candidates at the expense of the other. If such desire existed, his course would have been equally injurious to his own party. With reference to the charges against Mr. Binns, they have often been made, and as often disproved. I consider, Mr. Speaker, that Mr. Binns was not only justified in the course he pursued, but that he was actually driven to it. A scrutiny was demanded, and at the time appointed, one of the candidates treated the Sheriff with contempt, by declining to appear. Now, sir, all votes must be either good or bad; all bad votes are to be considered nullities; and when the Sheriff appoints a certain time for scrutinizing those votes, if either of the candidates do not appear, he may consider their absence as an admission that they have no proof to sustain their objections to their opponent's votes, and that they cannot substantiate the legality of their own votes which have been objected to. In noticing the remarks that have been made as to the conduct of the House of Assembly of that day, on the writ returned by Mr. Binns, I trust, sir, that I shall never see the day when the Government shall dictate to the House of Assembly on a matter of their own privileges; if they are once allowed to do so, we shall soon see them dictating the time, manner and nature of the votes to be given. If a candidate be a member of the Government, or one of its supporters, there should be no difference made between him and the poorest man whom the confidence of the people may send to this House. They must both enter at the same door. The election law upon the statute book is clear and explicit upon the mode of returns to be made of writs for the election of members, and the course to be pursued is not so much matter of privilege as of law, which all are bound to obey. The House could do nothing else than they had done. Sir, I am indeed surprised to hear the charge of favoritism that has been made against his Lordship the Chief Justice, but his character is too well known for such imputation to have the effect of injuring him in public opinion. But, sir, there do exist feelings against him in the breasts of some who now attack him. What did we see at the last Supreme Court in Charlotetown? Two individuals who had been convicted of violating the laws of the country, were allowed to be absent when their sentences were imposed. One of them, doubtless, found it convenient to absent himself from the country to avoid the humiliation of receiving, in open court, an address from the bench on the impropriety of his conduct; while the other, holding a high and influential position, was walking about the streets of Charlotetown. That, sir, was the first instance of sentence being passed on any one, being at the time in Charlotetown, and not present in the court. Had that been the case of a poor man, he would have had to appear in open court, in the degraded situation of a convicted criminal; and, sir, had the individual to whom I have reference, been compelled to do so, as he should have been, it would, probably, have been better for him. Instead of having to pay a trifling fine, he would, in addition, have had to listen to a good, wholesome lecture, shewing him the position in which his conduct had placed him, and that the law could not be violated with impunity by him or any others. But, sir, what evidence of partiality or prejudice does that case afford? Is the Chief Justice to be attacked because in that case he was too lenient? Yet this is done. I should not have made those remarks, Mr. Speaker, had it not been for the imputations thrown out against the Chief Justice, and I could not suffer them to pass without refutation.

Hon. Mr. LORD.—Really, Mr. Speaker, I do not see the necessity of wasting the time of the House in this discussion. Some allowance should be made for the hon. member for Charlotetown, and his party, feeling sore, but as they have been sufficiently punished by the people, I think they may be allowed a little indulgence in this House. But this discussion is, I fear, the first approach to the style of debates of three or four years since. I hope we are not to have a renewal of those discussions. I see no reason why gentlemen cannot discuss this or any other question, and give their reasons pro and con without personal bickerings. I will

merely express my approval of the Bill, which I consider a great improvement, and I will admit, that I presume we shall have party penances, Sheriffs, and if so, we certainly cannot be worse off than we have hitherto been.

Hon. COL. SECRETARY.—Mr. Speaker, the remarks that have been made with reference to myself, by the hon. member for Charlotetown, call for a reply. He has stated that I accused the Chief Justice of favoritism. Sir, I said no such thing. I said he was a partizan, and I can prove it by recalling to the recollection of the hon. member, the time when the Government of the day proposed to elevate him (the Chief Justice) to the rank of Queen's Counsel, and he refused to accept the honor, because his political party to which the hon. member belonged advised him to decline. Doubtless the hon. member gave him one of his scornful glances, and would not consent that he should receive the favor at the hands of a Government to which he was in opposition, although his commission as Queen's Counsel had been received in the Colony. What but political partizanship induced him to refuse? I can understand the feelings that suggested the remarks of the hon. member, about the sentence imposed on me in the last Court. Doubtless it would have gratified his spleen to have seen me even in the dock, and to have heard me censured from the bench. That might have gratified his feelings of hatred of me for the public defeats, and humiliations he has sustained at my hands. But, Mr. Speaker, notwithstanding all he has said about the affair, I will ask what were the circumstances of the case? A blackguard insulted me, and I took the only satisfaction a gentleman can obtain from a blackguard. I gave him a kick and a box on the ear, and for so doing I had to pay a fine altogether disproportionate. I say, Sir, with confidence, that the records of the court contain no statement of a fine so large, imposed for so trifling an offence. And, Sir, the grand jury who found the Bill of indictment were summoned by a Sheriff who was a political opponent of my own. And at the time the occurrence took place I was but a private individual. I held no official position, nor was I a member of the Legislature. And, Sir, the hon. member's argument in excuse of the conduct of the returning officer is absurd. He says that Mr. Bourke had omitted to send him any instructions, and that he did not know the names of the candidates. Why, Sir, how did he know that he was appointed returning officer, unless he had received instructions from the Sheriff? He had stuck up his handbills shewing that he was returning officer, and if the Sheriff had not forwarded the names of the candidates, he could have easily have sent to the Sheriff, and have obtained them. No, Sir, that is not the true reason—the whole was a preconceived plan to prevent my election—it was well known that that polling place, was the strongest for me, of any in my district, and the Tories imagined, that if they could prevent the votes being taken there, they might manage by some means or other to get a majority in other places—there never was such tyranny and injustice in the Island. Yet, forsooth, we are told by the hon. member that the returning officer did his duty! Oh yes! and Mr. Sheriff Binns did his duty, when he made a return in disregard of the law—that law states that the party having a majority of votes shall be returned by the Sheriff, and the Sheriff can only strike off the votes which are given at wrong polling places. The reason I did not go on with the Scrutiny, was, that it was not demanded in the time limited by law. The Sheriff should have returned me, as having the majority of votes. But the party well knew the result, and made their calculations very cunningly. And I have heard of one long gentleman going to an hotel in Charlotetown, where one of the members who had been elected as a Liberal was staying, to induce him to rat. He succeeded, but too well, and the desertion of his party, and betrayal of his constituents by that individual, gave the hon. member for Charlotetown a majority. I firmly believe, Sir, that bribery to a large extent was at work. For, while Mr. Binns' return of Mr. Beer was astonishing all men, I heard that he had stated he did not care, he was prepared to pay the penalty. But what has been the judgment of the County upon those men now? Look at the state of these benches—in those days they would be crowded by the Tory supporters of the hon. member and his party, now we scarcely see more than three or four of them. It may be that their consciences keep them away. And, Sir, I hope that the judgment the people have passed upon those men, will teach their representatives, that punishment will follow the betrayal of the trust reposed in them. The object of the Bill is to enable the Government to protect the rights of all, maintain the impartial execution of the laws, and protect the public peace. Contrast, sir, the difference between the last election in Charlotetown with the scenes which used to be exhibited on similar occasions. At the last general election, the people were peaceable and quiet. In other times, when the hon. member was in power, unnecessary expense was incurred in providing a posse of constables; and he had the military at the barracks ready to march against the people with loaded muskets and fixed bayonets. Such proceedings were highly injurious to the character of the Country, and an insult to the people whose conduct did not render those preparations necessary, as the last elections manifested. This Bill will merely give the Government a Sheriff on whom they can rely upon to uphold the laws.

Hon. Mr. MONTGOMERY.—I must say, Mr. Speaker, that the charges which have been made against the late majority are unfounded, and that their conduct is not liable to the reproach that has been thrown upon it. Had the Hon. Col. Secretary come before the House by petition, as any other candidate, he would have had an impartial hearing. But perhaps he felt his position was too high to allow him to adopt such a mode. As to his remarks on the selection of the grand jury, in his case, he must know that the Sheriff has no power to select the jurors; that the names are handed in to the Clerk of the Crown, and that he draws the names of those who are to serve. It is not true that Mr. Binns was guaranteed. He acted on his own judgment of the law, and received no guarantee. I am afraid we shall have worse men in office than Mr. Binns; I have known him well, and I am not acquainted with a better man. We shall have partizan Sheriffs now more than ever. In saying this, I do not mean any particular allusion to the party now in power, but I speak with reference to the appointment of Sheriffs by party Governments, generally. In New Brunswick, the Sheriffs are very seldom changed; they are not deprived of their offices on a change of government. Party spirit should not influence a government in the appointment of such an officer. In the case of Mr. Binns, the Government had the choice of three names, and that gentleman was selected, because he was considered to be the best qualified for the office.

The Bill passed—Hons. Messrs. Longworth, Palmer and Montgomery, voting against it.

SUMMARY OF PROCEEDINGS.

MONDAY, March 12.

Hon. COL. TREASURER read to the House a note he had received from Captain Bayfield, R. N., accompanying a very valuable book of statistics of the United States, which he presented to the Legislative Library.

The Hon. COL. SECRETARY alluded to the limited benefits derived from the present system of managing the library. When the Legislature was not in session, it was open but two days in each week; and, frequently on those days, the librarian was not present when his services were necessary. He admitted that the salary at present paid was utterly inadequate to secure the regular attendance of a librarian, and thought the Government should appoint a competent person. As the library is at present managed, officers of the Government frequently experience great inconvenience from not having access to it when they may require it.

Hon. Mr. LONGWORTH admitted the inconvenience to the Government, and approved of increasing the usefulness of the library, by having it kept open every day. That improvement could not be expected while the librarian received but £10 a year, as at present. But he considered that the library committee was the proper tribunal to appoint the librarian, and not the Government, as suggested by the Hon. Col. Secretary.

Hon. COL. SECRETARY replied to the effect that the province of the committee was merely to manage the details of the library, as to importing books, etc., but that the Government, being now responsible to the House, should have the appointment of the librarian, as of other public officers. He supposed the case of a librarian, appointed as at present, dying during the recess of the Legislature, in what position would the library be left?

Mr. COOPER agreed with the Hon. Col. Secretary, that while the Government are responsible to the Legislature, they should have the appointment of the librarian as a public officer. It was understood that the committee would acknowledge the sense of the Legislature on the valuable present of Captain Bayfield, and would admit him to the free use of the library.

The Normal School Bill was read a third time and passed.

The Hon. COL. SECRETARY could now congratulate the country on having perfected as good and efficient a system of free education as was to be found, he believed, in any part of the world.

The Bill for the naturalization of Mr. James Searle Mann, was read a second time.

Mr. McDONALD presented a petition from the inhabitants of Brown's Creek, Lot 58, praying that the House would not accede to the prayer of the petition previously introduced for the imposition of a tax on timber floated over mill dams.

The report of the committee on Patrick Scully's petition for road compensation, was referred to the members of the petitioner's district.

Mr. HAVILAND introduced a Bill for applying the elective principle to the Legislative Council. The hon. member, in moving that it be read a first time, briefly explained the principal points, which are, that as soon as the Bill shall have received the Royal Assent, no appointment to the Legislative Council, by authority of the Crown, shall be made. That on receipt of the Royal Assent, the Governor in Council shall, by proclamation, declare the Bill in force, and the seats of members of the then Council become vacant, and writs are to issue for the election of members to serve in the Council, as follows, viz: One from each electoral district, and one from each of the Townships, Royalities and Commons of Charlotetown, Princetown and Georgetown. After organization, the Council to apportion the constituencies into three sections, to be distinguished by numerical order, to be determined by lot. At the expiration of three years, the members for section No. 1, shall go out, and writs issue for successors; at the expiration of the next period of 3 years, the members for section No. 2; and the next 3 years, No. 3 will be treated in the same way. After this first rotation, a Councillor to hold his seat for nine years, with power to vacate; in case of vacancy arising, not from periodical determination, a writ to issue for an election for the unexpired period, unless when a vacancy shall have occurred within a year of the expiration of the original time, members eligible to election. The qualifications of a member are as follows:—He must be a British subject, of at least thirty years of age, resident five years in the Island, and owner of freehold or leasehold estate of the clear value of £ , and must, before taking his seat, deliver to the Clerk of the Council a schedule of his qualification, and the evidences of his title. The qualifications of an elector are, that he shall be a British subject, twenty one years of age, resident three years in the Island, and one year next before the election in the district in which he votes, and entitled to the present possession and use of, or have an interest in real estate of the clear value of £ . Titles of electors to be registered six months previously to election. Elector to vote only in district in which he resides. The Crown to have no power to dissolve the Council. The Council to appoint its own President. President and six members a quorum for dispatch of business, but a less number may meet to adjourn from day to day. President to have a casting vote. Seats vacated, on intimation to the President of the members of a wish to resign, or on a member becoming a subject of any foreign power, or bankrupt, or insolvent, or a public defaulter, or attainted of treason, or convicted of any infamous crime. A two-thirds vote may expel a member for cause.

The second reading was made the order of the day for Monday, the 19th inst.

The House then took up the question of the disposal of the sum of £2,200, appropriated for special grants to roads and bridges.

The Hon. COL. SECRETARY and other members for Queen's County, advocating the propriety of giving £200 to them, and £700 each to King's and Prince Counties. That the central situation of the County, and the extensive business of Charlotetown, the capital of the Island, caused the roads and bridges in Queen's County to be more used by the public of the whole Island than either of the others, and under all the circumstances, the extra £100 was very moderate. That Poplar Island bridge, which though in Queen's County, was of as much benefit to Prince County, would alone require more than that amount. That the wharfs at the opposite side of the harbor would require extensive repairs. That the greater population of Queen's County rendered necessary a larger appropriation than other Counties required.

Hon. Mr. WARBURTON moved in amendment that the £2,200 be equally divided between the three Counties, which was carried, the members present from King's and Prince Counties voting for it. They contended that Queen's County had already received £200 more than either of the other Counties, and that should be deemed sufficient; that the sum appropriated to each by equal division, £733 6s 8d, would not be sufficient for the requirements of King's and Prince Counties. Several members expressed their objection to the division, on the ground that the plan proposed was directly adverse to the principle on which the amount had been voted in supply, namely, for special purposes.

TUESDAY, March 13.

The Bill incorporating the Mechanics' Institute, Charlotetown, was read a third time and passed.

The Bill naturalizing Mr. James Searle Mann, was read a third time and passed.

Mr. Muirhead obtained leave of absence till Saturday, and Hon. Mr. Whelan till Friday next.

THURSDAY, March 15.

Hon. Mr. MOONEY presented a petition from inhabitants of Ten Mile House, Lot 35, praying for the establishment of a court of escheat.

Mr. PERRY presented a petition from Patrick M. Power, postmaster at Summerside, praying that his salary be raised to £23. Referred to post office committee.

The House went into committee of the whole on the Bill regulating the public wharfs, and the scale of wharfage for all the public wharfs except those in Charlotetown, was fixed at the following rates, viz: on all vessels from 10 to 30 tons, 1s per day; from 30 to 60 tons, 1s 6d; from 60 to 80 tons, 2s; and the additional sum of 3d on every 20 tons admeasurement beyond that amount.

FRIDAY, March 16.

Hon. Mr. MOONEY presented a petition from Daniel Scott, praying a grant of £1 19s, for railing on Poplar Island Bridge. The petitioner stated, that on entering into the contract for repairing the bridge, he not understand that he would be required to build a railing on the abutments. That when petitioner met Mr. Williams, the then commissioner, at the bridge, that gentleman informed him that the railing was required for the whole extent of the bridge; that he explained that the abutments were in so decayed a state as to render of no use a railing on them; that Mr. Williams then told him to erect a railing on the plank covered portion of the bridge, and to fasten down the planks in lieu of the rail on the abutments. That he accordingly did so, but that Mr. Williams refused to certify that the work had been performed, and that Mr. Williams had received the amount asked by the petition from the Treasury, and had, of course, retained it to his own use. Hon. Mr. Mooney, in moving that the petition be referred to the committee of supply, stated that when he received the petition, he wished to get all the information he could obtain from the parties, and on enquiry of Mr. Williams, he was informed that the reason why he did not certify, was because the work was not done according to contract. That he had not received the money, but had no doubt that Mr. Scott was under the impression that he had, and that he was desirous that it should be brought before the House.

Hon. COL. SECRETARY was opposed to referring this or any similar petition to supply. Here we have a man make up