

should be indemnified from public funds in the event of condemnation—the Courts of highest authority had declared the seizure liable to condemnation, and so far the ends of the prosecution were attained—and it is not improbable that it was considered by the Executive unnecessary and inexpedient to incur further expense in the proceedings.

Letter from C A  
Hagerman, Esq. &c

It would I apprehend be considered only reasonable that under the circumstances I should have been immediately credited with my portion of the seizure made—it was my unquestionable and undisputed right, founded upon the express provisions of a British statute and which no authority short of an Act of Parliament could deprive me of. I do not mean to say that any injustice was *intended* me, quite the contrary, I believe the delay in the settlement of the matter arose from a desire to be first informed of the decision of the King's government on the claimant's petition, and whether authority would be given to remit the portion of the seizure *due to the crown*, as recommended by the Council, that *the whole matter* might in such case be disposed of at once.

In my communications with the late Inspector General. I constantly urged that the matter should be finally disposed so far as related to me—he never in any instance intimated a doubt of my right to credit for one third the value of the seizure—on the contrary always admitted it, as did every other member of the Government with whom I had any communication on the subject; and in which opinion, as I shall presently shew, the Legislature for the last seven years tacitly, at least, concurred.

Feeling however, that it was desirable to close discussion on the point, I addressed a letter to Mr. Baby the late Inspector General of public accounts on the 16th June, 1826, calling his attention officially to the subject, and stating, that if Government had decided on abandoning the prosecution, I should then claim indemnity for expenses incurred as well as my portion of the seizure, to this letter I received no official reply, but was informed by Mr. Baby, that upon enquiry of the then Attorney General, Mr. Robinson, he found that no answer had been received to the claimant's petition. In 1828 I was appointed to a judicial situation in the Province when I resigned the office of collector, and when it became necessary to close my public accounts—I accordingly paid up all the balances of public money in my hands, reserving with the con-