

PRINCE  
EDWARD  
ISLAND.

No. 7.

No. 7.

The COLONIAL OFFICE to the FOREIGN OFFICE.

SIR,

Downing Street, March 25, 1872.

I AM directed by the Earl of Kimberley to acknowledge the receipt of your letter of the 18th instant,\* enclosing the draft of a proposed Despatch to Sir E. Thornton on the subject of the refund of the duties collected in the United States on fish and fish oil imported into that country from Prince Edward Island.

Lord Kimberley desires me to state that he concurs in the proposed Despatch to Sir E. Thornton.

The Under Secretary of State,  
Foreign Office.

I am, &c.,  
(Signed) H. T. HOLLAND.

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CORRESPONDENCE BETWEEN THE COLONIAL OFFICE  
AND THE ADMIRALTY.

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No. 1. (LMM)

No. 1.

The ADMIRALTY to the COLONIAL OFFICE.

SIR,

Admiralty, January 2, 1872.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith copy of a letter from Mr. Rothery, dated 27th ult., together with copies of two letters from the Registrar of the Vice-Admiralty Court of Prince Edward Island, relative to the proceeds of the 'Foam' and 'S. G. Marshall,' captured by Captain Hardinge, H.M.S. 'Valorous.'

2. Mr. Rothery suggests, with reference to this case, that my Lords should call the attention of the Judge of the Vice-Admiralty Court at Prince Edward Island to the conduct of the Marshal of the Court, and ask for explanation.

Mr. Rothery also suggests that a certain change should be introduced into the practice of the Vice-Admiralty Court, to assimilate it with that of the Court of Admiralty.

3. My Lords would suggest, for the consideration of the Earl of Kimberley, that the Colonial Office, rather than the Admiralty, should take the necessary steps in the matter.

The Under Secretary of State  
for the Colonies.

I am, &c.,  
(Signed) THOS. WOLLEY.

Enclosures in  
No. 1.

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SIR,

Admiralty Registry, Doctor's Commons, December 27th, 1871.

I beg to send you herewith copies of two letters, dated respectively the 29th ultimo and the 18th instant, which I have received from Mr. Des Brisay, the Registrar of the Vice-Admiralty Court of Prince Edward Island, relative to the proceeds of certain vessels captured by Captain Hardinge, of H.M.S. 'Valorous,' and condemned in the Vice-Admiralty Court, and in respect to which their Lordships had directed that officer to communicate with me.

It would seem that there being no Commissariat Office in the Island, Mr. Des Brisay is unable to comply literally with the 2nd Article of the Regulations established by Her Majesty's Order in Council of the 9th September, 1865, with respect to the transmission of any such proceeds to this country, and I have accordingly written to the Treasury to know in what way and through what officer their Lordships would wish the money to be remitted.

The point, however, to which I would specially wish to call the attention of the Lords of the Admiralty, is the conduct of the Marshal of the Court, as detailed in Mr. Des Brisay's letter. The name of the Marshal is Mr. Albert Hynde Yates, and he appears to have been appointed to his present office in the year 1868 by the Judge of the Court, with the approval of the Governor of the Colony, in pursuance of the Vice-Admiralty Courts Act, 1863 (26 and 27 Vic., c. 24, s. 5); and under the same section he is removable by the Judge "for good and reasonable cause to be approved by the Governor," if those authorities should think fit to take that course. Their Lordships, however, under the 7th section of the