

day with great solemnity in all the churches of the capital.

#### ELECTORATE OF HESSE.

Advices from Cassel and Frankfort contradict the reported abdication of the Elector. A telegraphic despatch, dated Cassel, the 15th inst., says that a new ministry was under formation.

General Haynau has notified the resigning officers, that on account of the importance of the step they are taking, the government prolongs the 24 hours given for reflection to an indefinite period.

#### SPAIN.

The *Heraldo* of Madrid of the 5th states, it has reason to know that the report of differences having arisen between the British Ambassador, Lord Howden and the French Embassy at Madrid, is utterly without foundation. It adds that the relations between the two embassies were never more friendly.

#### ITALY.

Our correspondent at Rome writing on Friday, the 4th of October, gives the details of the recent consistory, with the creation and reception of the new cardinals. Cardinal Wiseman was expected to leave Rome for London at the end of October. The criminals who were to have been executed on the 5th had been reprieved, and efforts were being made to save those condemned as accomplices in the attempted assassination of Colonel Nardoni. The Pope's departure for Castle Gandolfo was delayed.

#### DALMATIA.

The *Osservatore Dalmato* states that, on the 18th ult., the Seraskier Omer Pasha was at Pridor, whence he intended to march upon Spari Maidan with 5,000 infantry, 1,000 cavalry, and some artillery. Two companies of emigrants are said to be among these troops. According to this account the Seraskier has determined to operate in the Kraina, if the Turks should refuse to yield to the will of the Sultan.

#### THE STRUGGLE FOR THE SEAS BETWEEN ENGLAND AND AMERICA.

A LATE Mail from America to England proves that the trial of speed upon the Atlantic is not likely to flag. The contest is growing hotter and eager every day. The American steamers had already the advantage in the race. They have since strained their iron nerves to beat their competitors to some purpose; and they intend to outstrip them more and more. The "Pacific" has made the voyage home from Liverpool *seventeen hours* quicker than any British steamer that has ever plied upon the track over the Western waters; and the Baltick, ready to be launched, is expected to surpass in power and any liner that has yet been slipped loose from the seaboard of the world. Nor, we may rest assured, will American enterprise stop here. Since her attention has been turned and excited in this direction, her gigantic projects upon land will be balanced by others no less gigantic upon the deep.

There is also excitement and clapping of hands upon the shore. Public attention is aroused, and the newspapers of New York demand direct communication with the West of Ireland. They look greedily towards the lone Island that sits on the verge of the Atlantic—

"With her back towards Britain, her face to the West." England, meantime, appears tried to the utmost of her speed. The call for the Halifax Mail has, as it was intended, actually been given up. The last voyage of her swiftest vessel has been direct from New York; a proof that she must have felt terribly hard pushed. For it was impossible to have been blind to the consequences of this

course. The colonies are left to act upon their own account, or thrown into the arms of the United States. The press of Halifax is already beginning to cry out for a line of steamers of their own between Nova Scotia and Ireland! They hesitate between this, and what is much more practical and likely, an invitation to New York, with an offer to build a wharf for the special accommodation of the steam-ships of the Republic. America, already, has two-thirds of the game in her hands, in the short interval, since the steam-herald from Ireland was wrecked upon her coast. We can now afford to look with tolerable indifference towards the result. As she has been hitherto so stubborn against our interests, England may if she likes, until the end of time, keep "doubling the Cape."

### Supreme Court.

#### A NOVEL CASE.

THE Michaelmas Term of the above Court commenced at Charlottetown on Tuesday last. We understand that there were no cases of any consequence, up to yesterday, to engage the time and talents of the "Gentleman of the long robe,"—which is a very happy case for the community at large, though in point of fees, a sad one to them.

Yesterday was occupied with a case, which though not, perhaps of the greatest importance, was exceedingly novel in its character, and calculated to awaken, as it did, the liveliest interest. The outlines, in brief, are these: The son of Mr. John McNeil, and the son of Mr. Henry Found, both of this town, picked up, some weeks ago, in front of Mr. John Thomas's shop, a Halifax Bank note for £5. Mr. Found's son got possession of the note, and gave it to his father, who called upon Mr. Thomas to know if it belonged to him. Mr. Thomas could not prove that it did, but thought it was very probable the note was his, as he had been paying away a great deal of money shortly previous, and as, likewise, some such notes had been received at his establishment the day before in payment of goods, and for change. After some further parley, Mr. Found threw down the note to Mr. Thomas, saying he might take it if he had a better right than he; but that should he (Mr. F.) find another claimant for the note, he would demand its restitution by Mr. Thomas, unless he (Mr. T.) could clearly prove it to be his property.

Some little time elapsed, during which Mr. Found consulted with his friends, who told him he had acted very foolishly in giving Mr. Thomas the note, without proof that it belonged to him, and recommended him (Mr. Found) to go and demand the note from Mr. Thomas. Mr. Found acted upon the recommendation, and requested Mr. Thomas to shew him the note, with which the latter complied; whereupon Mr. Found put the note in his pocket, and refused to give it up, until Mr. Thomas would give some proof that he had lost it.

Mr. Thomas then instituted an action of Trover against Mr. Found, which occupied the Court the whole day yesterday, when the above facts were elicited, in detail.

W. H. Pope, Esq., appeared for the Plaintiff—Mr. Found defended his own

case. The fact of the note being found amongst the sweepings from Mr. Thomas's shop, was the only one upon which the case for the plaintiff rested. The witnesses examined on his behalf could not identify the money, nor could he shew by his cash book, that he was deficient in the amount of the note. The defendant forcibly pointed out, that it was quite likely that the note had been dropped from the pocket or the purse of one of Mr. Thomas's customers—from some one of the ladies, for example, who, from their carriages, had been, about that time, making purchases at Mr. Thomas's store. His Lordship the Assistant Judge alluded to this point in his charge, and regarded it in the same light as the defendant did. Suffice it to say, that after some time spent in deliberation, the Jury gave a verdict for the defendant. The case, considering the scanty evidence adduced, was ingeniously conducted upon both sides; and its issue must be highly gratifying to Mr. Found, who, for the first time pitted against one of "the profession," shewed that he can make out a case for himself as ably as he can make out a coat for a customer. We hope that now, with his "blushing honours thick upon him," he won't be tempted to spoil a good tailor, and throwing aside the goose and the scissors, begin to court the acquaintance of Blackstone and Coke.

#### THE TREASURY.

The everlasting question, "who will have charge of the Treasury?" is still in *statu quo*. What the Government will do in the matter, is a profound mystery to every one, themselves, we believe, included. Mr. Smith is suffered to go on the scout for securities, and flattered with the hope, that if he succeeds in getting them, he will be permitted to resume his old place. This is confirming to the very letter an observation made by us a fortnight ago, namely, that if the Executive could in any wise gloss over Mr. Smith's proceedings, and he obtain the required security, he would be reinstated.

The position occupied by the Government in regard to this matter, is pitiful in the extreme. It proves a want of moral courage—of independence sufficient to pursue a vigorous line of policy—it proves an absence, almost, of vitality, such as no other Government ever yet exhibited.

The office of Treasurer is either not vacant, or it is. If the former, Mr. Smith ought to be in his place attending to his duties. But they say he has no security; why, then, has no successor been appointed? Oh but, say the Government, "we are waiting to see if Mr. Smith can get security." Who, in the meantime, is responsible for the safe keeping of the cash and Bonds in the Treasury? "We rely upon the known honesty and integrity of the Colonial Secretary for that." It appears, then, they cannot rely upon the honesty and integrity of Mr. Smith, and they are waiting to see if there are any two or three Gentlemen in the community who have a better opinion of him than they themselves entertain. But the law, in the meantime, is suffered to remain as a dead letter. If the law provided that the honour and honesty of any particular individual may be regarded as equivalent to ten thousand pounds, there would be a sufficient excuse for the confidence reposed in the Hon. Mr. Haviland. If the

office is not vacant, and Mr. Haviland merely the *locum tenens* of Mr. Smith, why was it offered to the Hon. Mr. Hensley, and subsequently to the Hon. Mr. Thornton? Do these offers not clearly prove that the Government regarded it as vacant? But Mr. Smith, it may be said, was not on the Island when the offers were made. How can that possibly alter the case? His coming back does not exempt him from the censure of being absent without leave, and the consequent liability of losing his situation. Neither does his return to the Island redeem his character from the odium of having used his official character to get money from persons who imagined they were getting Government security for it when they were placing it in his hands; nor from the still more discreditable transaction of selling worthless Bills of Exchange. Yet, this is the man whom Government seem to be afraid of displacing!

His Honor the Administrator is certainly in a most disagreeable "fix." If he throw Mr. Smith overboard, he must do it with the firmness of the old Roman, who preferred the cause of justice to the promptings of affection; and he must do it, too, at the risk of arraying every other member of "the family" against him. If he suffer that gentleman to resume his place, in the event of the security being had, he is almost certain of terminating the death struggles of the faction, by making every honest and independent man in the country loathe and despise his Government.

#### THE GREAT NEW LONDON SNAKE.

ALL the accounts which have lately come to us from the other side of the Atlantic, relating to what is termed the "Irish American Sea Serpent," have been thrown completely into the shade, by a marvellous tale published in the *Islander* of yesterday week, showing how Duncan Anderson's boys discovered in a field at New London, a tremendous snake, in length about thirty feet, and as thick round as a young foal. Admitting the statement of "the boys" to be correct—and who can doubt that the little fellows spoke the truth (one of them 11 years old), when it is known that New London is a place where all the men, women, and children are famed for their veracity and virtue—where Duncan Maclean has a little temple erected to Truth on the banks of the South West River, at which he weekly sacrifices to the goddess, over a flagon of smokey whiskey and a dish of dirty oysters, and where every devotee is esteemed in proportion to the facility with which he discovers facts and circumstances, (all perfectly true) that no other man, woman or child could possibly find out,—admitting all this, and rejecting the scandalous imputation, raised of course, by the enemies of virtue, that mostly all the people of New London, young and old, commonly see double, which is thought to be the effect of their excessive devotion to the cause of Truth and the flagon aforesaid,—why, New London is the place of all others, where such a horrid creature might be expected to be seen; not that it is infested with ugly *varmint* of sundry descriptions, but that the loveliest spots in creation are those to which the Evil Spirit most invariably resorts. Who knows but that this tremendous Snake is the Devil, come as he visited the Garden of Eden of old, to counteract