

excite our risibilities. Now, Mr. Chairman, I, for one, am not at all afraid of incurring the disapproval of my constituents by the vote I shall give to-night. I have had the honor of representing the Second District of King's County since the year 1846, and from that time to the present I have never, by word or act, induced my constituents to suppose that I would go for Escheat. So far from that, I have repeatedly told them that it was impracticable, and that the agitation would only tend to increase excitement, from which no benefit could accrue; and, Sir, when I heard, during the Session, of a monster meeting to be held in my district for the purpose of impairing my influence, I issued a placard, announcing my intention of being present. That meeting was called by Mr. Cox, and the Chairman was nominated by him; yet, notwithstanding this, Mr. Cox and his friends could not succeed in carrying a single resolution explanatory of their views in favor of Escheat.

Hon. Mr. LONGWORTH.—Although it may not be strictly regular for me to interrupt the hon. member, I think I can satisfactorily explain that fact. It happened to be that the hon. member and the Chairman proposed by Mr. Cox went to the place to which the meeting was appointed to be held in the sleigh of the hon. member, and during their ride together the Chairman, by some means or other, was induced to change his views. (Laughter.) But I have been informed that the majority of the meeting were in favor of Escheat, and would have so declared themselves, if they had been allowed their own way.

Hon. Mr. WHELAN.—Mr. Chairman, I must explain, that the assertion of the hon. member that the act of the Chairman going to the meeting in my sleigh, does not convey any reflection prejudicial to me, nor does it subject that gentleman to the charge of having been influenced by any conversation that may have taken place between us on our journey. When he took a seat in my sleigh I knew not that he was to be the Chairman. Mr. Cox himself changed the place of meeting from the locality designated in the printed notices to a place somewhat distant. While I was in the house at which the meeting was first appointed to be held, a Chairman was selected, of which selection I was totally unconscious. But, Sir, if as has been said, the majority of that meeting were in favor of Escheat, allowing the hon. member the full benefit of his assertion, and supposing, for the sake of argument, that the Chairman might have been influenced by me, why were not resolutions passed in favor of Escheat? Any resolution to that effect would have been triumphantly carried against the opinion of the Chairman; but I state here that the opinion of the meeting was decidedly and most emphatically expressed the other way.

Mr. McINTOSH.—I deny it.  
Hon. Mr. WHELAN.—What proof does the hon. member adduce to substantiate his denial? In truth, Mr. Chairman, his denial of my assertion is entitled to about as much credit as his declaration that hon. members on this side of the House were speculating in the Government lands. If resolutions had been passed in favor of Escheat, where, in the name of common sense, are they?

Mr. COOPER.—I can tell where they are.  
Hon. Mr. WHELAN.—I understand the object of those frequent interruptions, Mr. Chairman, and I can assure the hon. member and others, that so far from having the effect they desire, of interfering with my argument, they but assist it. The hon. member, I presume, refers to the protest which has been sent here, which states that the people were disgusted at the meeting, and that the resolutions, as reported by the Chairman, are not the opinions of the majority of those present. But, Sir, I well know the parties from whom that protest emanated. Mr. McPhee and Mr. McKinnon were the only two who opposed the resolutions which were passed, and on the division they went to the north side, and opposed the resolutions against Escheat. But all this does not come to the gist of the question. Why did they not, if they could, pass counter resolutions? I must now again revert to the course pursued by the hon. member for Charlottetown (Hon. Mr. Longworth), who states that his vote in favor of the resolution for a Court of Escheat, will not interfere with his votes previously given on the question of Escheat, as recorded on the journals. He says he has voted against escheating the lands, but that is not voting against the establishment of a Court of Escheat, and he seems to argue that there is a great difference in principle between Escheat itself and the institution of a Court of Escheat. Now, for the life of me, I cannot see the distinction, and I am really at a loss to know what he means by such a line of argument.

Hon. Mr. LONGWORTH.—You take the meaning from it.  
Hon. Mr. WHELAN.—Yes, I flatter myself I will take the meaning out of it before I have done with you. (Laughter.) The hon. member says he will go for a Court of Escheat, but at the same time he will go against Escheat itself. Now, I ask, where is the difference? Why ask for a Court of Escheat unless it is expected that the lands will be escheated?  
Hon. Mr. LONGWORTH.—The Court will escheat the lands if liable to be escheated. I did not say they were liable.  
Hon. Mr. WHELAN.—Then why go for a Court of Escheat?  
Hon. Mr. LONGWORTH.—To try the titles.  
Hon. Mr. WHELAN.—Then what is the use of a Court to try the titles, if that Court cannot pronounce them bad? (Laughter.) I will now, Sir, allude to the handbill which has been spoken of by the hon. member for Princetown (Hon. Mr. Montgomery).  
Hon. Mr. MONTGOMERY.—Perhaps it was printed by yourself. (Laughter.)  
Hon. Mr. WHELAN.—No, Mr. Chairman, it was not; but if it had been I should not deny it. I acknowledge right cheerfully that I saw the handbill, and I go further, and say that I approved of it. If my memory serves me aright, I saw it in the *Islander* newspaper, and I think it held out to the tenants the prospect of obtaining freeholds under the provisions of the Land Purchase Bill. I will now appeal to the candor of the two hon. members for Charlottetown, and the hon. member for Princetown, and ask them if Escheat was ever mentioned in that handbill? I know, and so do they, that Escheat was not named; and even supposing that it had been, should it be considered as binding hon. members on this side to support Escheat? What was it more than one of the anonymous publications put forth on the eve of an election to influence parties on one side or the other? Why, Sir, there issued from the *Islander* office quires and reams of falsehoods and libels for the purpose of injuring the former Colonial Secretary, Hon. Mr. Warburton, and his political friends in this House. I remember that the Tories sought to hunt down that hon. gentleman as you would pursue a man dog, when it was attempted to impair his influence by propagating the assertion that he was an Orangeman. When that and other equally groundless charges were being poured forth with all the unrestrained copiousness which might be expected from a licentious and unscrupulous press, did I, or the party with whom I set in this House, assert or insinuate that the hon. members opposite were to be held responsible for the foul slanders I allude to? No, Sir, we did not, and God forbid we ever should hold those gentlemen responsible for such charges. I treat them with more respect, and I hold it to be unfair to attribute to any anonymous document, such as this handbill, the character of a promise on the part of the Government to advocate Escheat. At this late hour, Mr. Chairman, it is not my intention to trespass on your time much further, but I shall read to the committee an extract from a despatch which has not been referred to by my hon. friend the Col. Secretary. It is from the then Col. Secretary, Lord Glenelg, in the year 1836:—

“Before His Majesty's Government could be a party to

the forfeiture of any estate for non-performance of the settlement duties, they would require to be satisfied, not only that there are not, at the present moment, but that there have not been at any time, the stipulated number of settlers on that estate, and that this circumstance has arisen from the wilful neglect of the proprietor. It is needless to say that such an inquiry would scarcely be now undertaken with any success—that it would be tedious and expensive in its process—and that it must tend to alarm the public mind, without holding out any fair prospect of a useful result. For these reasons His Majesty's Government must at once decline to advise His Majesty to accede to the prayer of the Assembly, as set forth in their address of the 9th April last.”

Now, I ask if the resolution should be carried, and a Bill in accordance be introduced and passed into a Law, if the suggestions in that despatch are or are not worthy of our consideration? How will the hon. member prove that the conditions of the grants have not been complied with? He may, and probably will say that the indulgences subsequently allowed prove that the original stipulations had not been fulfilled; but supposing I admit the inference, what evidence does he bring forward to show that the terms on which the indulgences were granted have not been carried out by the parties in whose favor they were allowed? In no one instance is a title of authority brought to show that the terms of either the grants or indulgences have not been satisfied. But, Mr. Chairman, I now come to the most important point of the whole subject. I mean the idea which has been extensively propagated, to the effect, that Escheat once established, the people would obtain the fee simple of their lands free of cost. This expectation has been constantly held up before the people, and it has been the main prop of the agitation that has been excited over the length and breadth of the land. This opinion is justly by the despatch already quoted, in the following terms:—

“It would appear that an erroneous impression has got abroad among the poorer class of settlers, that on forfeiture by the present proprietors of their titles to the land, it would be regranted by His Majesty in freehold to the actual occupants. This impression, indeed, would seem to have originated as far back as the year 1787; and it may, perhaps, have derived some confirmation from the course pursued with respect to the forfeited Lots, Nos. 15 and 55. Nothing, however, can be more unfounded. You will take the most effectual means in your power for making it generally known, that even should His Majesty be advised in any case to proceed against lands liable to forfeiture, the Crown would, in the event of its success, step exactly into the place of the former proprietor, and would enforce the observance of any contract which might have been made with him by the tenant; and that under no circumstances would it be possible to anticipate, would grant gratuitous grants of land to any persons whatever. But you will, at the same time, announce that His Majesty's Ministers have not, as at present advised, felt themselves at liberty to sanction any proceedings for enforcing the forfeiture of estates on the ground of the non-performance of the original conditions respecting settlement.”

If then, Mr. Chairman, this be the case, and the doctrine is laid down with authoritative emphasis, the tenantry will be no better off after Escheat had been granted than they are at present. They may probably get their freeholds from the proprietors at as low a price as they could from the Crown, and this shows that the supporters of the resolution are not advocating the measure because they really believe it will be beneficial to the public. Before I resume my seat, Mr. Chairman, I must express my surprise at the speech of the hon. member for Charlottetown (Hon. Mr. Palmer). I will not express myself with regard to it, as did my hon. friend, Mr. Lord. A feeling of compassion will prevent me saying that I was displeased at it, for I am satisfied that the hon. member was not particularly well pleased at the position in which he found himself to-night, compelled by a regard to consistency to vote against Escheat, but at the same induced by his desire to damage the Government, he censures them for voting in the same way, and elaborately sends to the country all the reasons he can imagine in favor of Escheat. His voting with the Government, and at the same time coquetting with the hon. member (Mr. Cooper), shows that he is in a position to say with the highway robber, in the *Beggar's Opera*—

“How happy could I be with either,  
Were I other dear chamber away.”

But, perhaps, his principal object in making the observations he has to-night, has been to give expression to the feelings of irritation he experiences at the unhappy position in which he is placed.

Mr. DINGWALL.—Mr. Chairman, perhaps it might have been said formerly that I was in favor of Escheat. But, Sir, time and circumstances alter cases; and what might at one period be a proper and just course to pursue, may afterwards be unwise and injurious. The despatches which have been quoted, show that it is desirable for the general benefit that this agitation for Escheat should be abandoned, and that the people should be induced to accept the benefits held out to them by the Land Purchase Bill. I may be wrong in my opinion, but I do not think so; and although I may render myself liable to the charge of inconsistency, I would rather submit to that than vote for the resolution of the hon. member (Mr. Cooper), from which I really cannot see that any good will result to the country. I think it would only aggravate the evils already existing, and increase the distress of the poorer classes of the tenantry. In this belief I shall vote against the resolution of the hon. member (Mr. Cooper), and in favor of that offered in amendment by my hon. colleague.

Mr. McINTOSH.—Mr. Chairman, the Hon. Col. Secretary has imputed to those of the liberal party who may vote in favor of the resolution proposed by Mr. Cooper, a desire to overturn the Government. So far from deserving that imputation, I can feel a strong desire to keep them in power, and my course on this subject is calculated to strengthen their hands, by giving them increased means of doing good to the people. I cheerfully give them credit for all the good they have done. For instance, the carrying of the Education Bill, which I consider to be the best measure ever carried into a law in this Island. But while I approve of all the beneficial acts they have done, I cannot have the same opinion of their conduct in paying speculators at the expense of the people. I do not see that the Colony will be any better off under the Land Purchase Bill; on the contrary, I think it may be placed in a worse position if that Bill is generally acted on. Why, Mr. Chairman, at the rate at which the Government paid for the Worrel estate, it would take £400,000 to buy up the lands. Now, that money should be kept in the country; we all know it is wanted; but if the Land Purchase Bill is the only resource, it will be—

“Like to the snow-flake in the river,  
A moment seen, then lost forever.”

I am sorry to see that the Government are disposed to treat a despatch as if it were entitled to as much authority as the Gospel. I am not inclined to regard them in that light. We all know how easy it is to send communications from this side of the water, and get out despatches to suit the views of the party in power. The hon. member (Mr. Whelan) said, the other day, that one of the petitions on the table, which purported to be from his district, was not the petition of his constituents, but had come from the first district of King's County. Now, Mr. Chairman, I will state, on the veracity of a man who never lied, that I myself have seen upwards of a hundred of that hon. member's constituents, who asked of me whether or not that would probably be done

on the subject of the land tenures. I told them that they had better ask their representative. They replied to me that there was no use in doing that, as they had no confidence in him. As to the meeting held in his district, to which the hon. member has alluded, I regret that I had not time to go to it. But I am credibly informed that the day was very stormy, and in consequence, a number of the people sought the shelter of some bushes on one side of the place where the Chairman presided. While they were there, not taking part in the proceedings, some resolutions were put, and those in favor of them were requested to go to the side of the bush. (Laughter.) That is the way the hon. member got his majority. (Laughter.) When the people came to understand the manner in which the resolutions had been carried, they wished to have them reconsidered; but this the Chairman would not allow. I do not intend to charge the hon. member with insincerity, but I remember the time when a meeting was held at the head of Cardigan, about four years ago. The then Sheriff was somewhat timid, and it seemed as though he had not courage to call the meeting. As a member of the Government of the day, the hon. member could not take an active part in support of the views of the meeting, but he recommended the people to pass resolutions. I support the resolution for a Court of Escheat, in order to put means into the hands of the Government, by which they may be enabled to do good to the country. I intend to persevere in my opinions, and I maintain that it is absurd to say that a despatch from the Colonial Minister, inimical to the rights and wishes of the people, should be considered as binding on the Colony. The Crown held the lands solely in trust, to be given out to the people in parcels, as required. The Sovereign, as such, can do nothing but what is provided by law.

Mr. LAIRD.—Mr. Chairman, I will answer the remark that has been made with reference to my not having declared myself an Escheater before the House met. I know that I was not asked to go for it. There were then no petitions in favor of it. Now, if the petitions do not contain a majority of the people, still they are numerous and respectfully signed.

(To be continued.)

SATURDAY, April 7.

PERSONAL EXPLANATION.

Hon. Mr. LORD, by leave, presented a petition from Samuel, James, William and Charles McRae, and Lewis Muttart, the mail contractors between Capes Traverse and Tormentine, praying a grant for an ice boat built by them for the purpose, and stating that at the time of entering into the contract with the Government, they were under the impression that one, at least, of the boats in the possession of the preceding contractors would be given up to them. The hon. member said—in moving that the petition which I have just presented be referred to supply, I trust, Mr. Speaker, that the House will allow me to make a few observations on the charges and imputations which have been thrown out against me, in connection with the subject of this mail. Although I may not, be taking the most proper course, in alluding to those matters here, I trust the House will listen to me, as the charges that have been made, if true, would justify and, in fact, require the House to expel me as unworthy to hold a seat here. Those charges are most grave, and are, as I trust I shall be able in a few words to shew, unfounded. I shall now read from the *Islander* newspaper, of the date of the 30th March last, an extract which I think will justify me in the opinion of hon. members, in asking the indulgence of the House in making a reply to the foul calumnies which have been heaped upon me by the editor of that paper ever since the Government entered into the contract with Messrs. McRae and Muttart. I shall not trouble the House with the whole of the article, but content myself with requesting their attention to the concluding paragraph, which is as follows:—

“A singular fatality has pursued the interference of this man, Lord, with the mails. He firstly obtains a contract which he is incapable of executing; sublets it at a profit, having the duty most wretchedly performed, as might have been expected under the circumstances. Secondly, he signs a false certificate of the safety of the ‘Fairy Queen,’ mail steamer, which resulted in the loss of several, but by which he obtained the agency of the vessel, and the concomitant pickings. Thirdly, by the dint of the most desperate falsehoods, he obtained a transfer of the contract from Irving to McRae, under circumstances which reflect disgrace on every man in the Government. His Excellency not excepted, and the result has been more blood. ‘What, will these hands ne'er be clean! Here's the smell of the blood still, all the perfumes of Arabia will not sweeten this little hand. Oh! Oh! Oh!”

Now, Mr. Speaker, with reference to the first charge—I declare it to be a direct and wilful falsehood, and the writer of the article must have known it to be so at the time he penned it. What are the facts? When I was living at Tryon, in the year 1833, the mail service across the Straits was first put up to tender, and I, in connection with Messrs. Goldrup and Lang, entered into a contract for the conveyance of them. This was in September and in October; the writs for an election were issued; a public meeting was held at Tryon, and I was solicited to offer myself as a candidate. I declined to do so, on the ground that my duties as a representative, if I were elected, would interfere with my private business. In a few days after, I left the Island to proceed to Halifax, and while there, I saw that the people had nominated me again, and I was elected while still absent from the Colony. That fact alone will, I think, prove my popularity in the district. On my return home I found, of course, that my election prevented me from going on with the contract myself, and I withdrew from it and became security, I believe for Messrs. Goldrup and Lang, and they did the work, and carried the mails quite as well as they have ever been carried since. The statement, Sir, that I sublet the contract is a most foul and malicious libel, and the editor and printer of the paper knew it to be such. As to the editor, Duncan McLean, he, I suppose, is paid for writing whatever he is told to do, no matter whether true or false, and I do not think his conduct so bad as that of the printer, John Ings; he is the worse of the two, for he must have known, living as he does in Charlottetown, that my character was such as to render the vile abuse undeserved, and his conduct in publishing the statement is far worse than that of the hireling who was paid for his dirty work in writing it. Now, Mr. Speaker, I come to the second statement, which alleges that I furnished “a false certificate of the safety of the Fairy Queen mail steamer, which resulted in the loss of several lives, but by which I obtained the agency and the concomitant pickings.” By the “pickings,” I presume the writer means commissions on the agency of the boat. Now, Mr. Speaker, so far is that from being the case, that I never charged or received a single farthing as agent. At the request of the owner of the boat, I allowed my name to appear as the party at whose place of business parcels might be left. I did so for his convenience and also that of the public. I have stated this before in the papers, but I do it now that my declaration may go abroad and obtain a wider circulation from the pen of the Reporter. That charge I have proved to be as false and unfounded as the first. And I now ask the attention of the House to the third attack upon me:—

“Thirdly, By dint of the most desperate falsehoods, he obtained a transfer of the contract from Irving to McRae, under circumstances which reflect disgrace on every man in the Government—His Excellency not excepted—and the result has been more blood. ‘What, will these hands ne'er be clean? Here's the smell of the blood still. All the perfumes of Arabia will not sweeten this little hand. Oh! Oh! Oh!”

Now, Sir, the “desperate falsehoods” are not to be found in my conduct, but this charge is based upon the “most desperate falsehoods.” I used no deception in the transfer of the contract from Messrs. Bell and Irving to McRae and Muttart. Mr. Bell authorized and requested me to withdraw his tender. I have a letter from Mr. Bell to that effect, which followed me down to Town, and which I would have made public before this, had it not contained matters of a private nature, and I can prove that Mr. Bell did authorize me to withdraw the tender by two competent and satisfactory witnesses—Mr. Muttart, sen., and Mr. Dawson, one of the Commissioners of the Small Debt Court—who had it from Mr. Bell himself. Now, Mr. Speaker, I trust I have satisfied the House that no foundation exists for the vile slanders which have been circulated against me, month after month, through the columns of the *Islander*, and I have felt it necessary to allude to them here because, if they were true, it would be the duty of the House to expel me, for I should certainly be unworthy to hold a seat in it, and it would be a disgrace to the House to allow me to continue as a member. But, Sir, I trust I am too well known in this House and in the country to have my standing affected by such unfounded and malicious libels. I have lived now some fourteen or fifteen years in Charlottetown, and I can appeal with confidence to the mercantile and other portions of the community, if they ever knew me to have been guilty of a dishonest or dishonest action. But, Sir, this article is of a piece with the other lying and violent attacks that the editor and printer of that paper have been pouring out against me for many months past; but I now warn them that they may be going too far. They may find that I may not remain passive under their atrocious calumnies much longer. Look, Sir, at the venomous disposition manifested by dragging His Excellency the Lieutenant Governor into the matter. Why was this done? I suppose for the purpose of inducing him to dismiss me from the Government. I know that I went into that Government against my own wishes. I have received no “pickings” as a member of the Government. The only public money I have received since I joined the Government, has been a few pounds for my expenses when employed in examining roads or bridges. The true feeling which has produced those attacks, is disappointment that the party of which the *Islander* is the organ, cannot get their hands into the public purse. I thank the House for the attention with which they have listened to me and I know the foul abuse which has been heaped upon me justifies me in asking their indulgence in making those explanations.

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THE EXAMINER.

CHARLOTTETOWN, P. E. I., APRIL 23, 1855.

LIBERAL CONCESSION OF THE IMPERIAL GOVERNMENT.

We have learned, upon good authority, that in compliance with the request of the Government of this Colony, all the Ordnance stores which, it was expected, would be transferred to Halifax, are now placed at the disposal of the local authorities by the Imperial Government. Her Majesty's Government also, in compliance with another request from this quarter, stated their readiness to place at the disposal of the local Executive, arms and equipments for a hundred militia cavalry, for provincial service in the absence of the regular troops. A short time previous to these concessions, His Excellency the Lieut. Governor received a despatch from the Secretary of State, informing him that the Barracks and ground attached would be handed over to the local Government, on condition that the former should be kept in repair. The grant of £2000 in aid of the Patriotic Fund was, we believe, a subject of general congratulation throughout this Island; but now when we have evidence that Her Majesty's Government entertains a parental solicitude for the Colony, there is much more reason to congratulate the country on the liberal spirit displayed by our Legislature in making that grant.

ANNIVERSARY OF RESPONSIBLE GOVERNMENT.—It is just four years to-day since the new system of Government was established in this Colony. There was not then one reform measure on the Statute Book—now there are many, all of which have greatly tended to enhance the contentment and prosperity of the country—and some particular measures here, we think, greatly ameliorated the condition of the tenantry. It would be unnecessary to refer again to the Free Education Act and the extension of the Franchise—no such liberal measures grace the statute book of any other country, and it is nothing but the simple truth to say that such measures would never be known in this Island but for Responsible Government. Four years ago there was a tremendous debt of £30,000 hanging over the Colony and paralysing its credit. On this, the anniversary of Responsible Government, the Colony is not only clear of debt, but it has a surplus of over eight thousand pounds. These are some of the good fruits of the new system. May the day long be honoured, no less for having inaugurated a new era in the history of this Island, than for being the anniversary of England's patron saint.

PATRIOTIC FUND.—We understand that the voluntary subscriptions to this Fund throughout the Island amount to £932 7s. 2d.; and it is expected that there will be nearly £1000 more, as some of the returns are not yet in. The money in hand will be paid over to the Colonial Treasurer to-morrow.

We understand that Mr. Heard, the owner of the Steamer *Rosebud*, has entered into a contract with Government to run that vessel between Charlottetown and Pictou, twice a week, during the season, and until the first of December next. The *Rosebud* will make her first trip to Pictou, under this contract, on Wednesday next. She will leave, however, to-morrow for Wallace, and return the same evening.

HIGH SHERIFFS.—The following gentlemen have been appointed to the office of High Sheriff for the present year:—Queen's County, William Bagnall, Esq.; Prince County, Thomas McNutt, Esq.; King's County, Hon. James Dingwell. We have no hesitation in saying that we think these appointments will give general satisfaction.

We will endeavour to give in our next No. a short review of the measures—or at least of those which possess a great public importance—that occupied the attention of the Legislature in the recent Session.

The Colonial and American Mail arrived here on Friday evening.

SEBASTOPOL IN FLAMES.—The Halifax *Sun* of the 13th instant, gives the following scrap of intelligence:—“We are led to believe, from reliable information received from a passenger by the ‘America,’ that a telegraphic despatch had been received, just previously to the sailing of the steamer from Liverpool, to the effect that SEBASTOPOL WAS IN FLAMES—SUPPOSED TO BE THE EFFECT OF BOMBARDMENT.”

TO CORRESPONDENTS.—On further consideration we have concluded to withhold from the press the letter signed “a Brother,” noticed in our last—some of the topics on which it touches having been already alluded to by “Tom Jones,” and others too much the theme of private gossip.