

THE EXAMINER.

CHARLOTTETOWN, P. E. I., JUNE 18, 1855.

ESCHEAT.

We have observed in one or two of the Charlottetown papers, during the past week, a notice, with a very curious preamble prefixed, of a public meeting of the electors of Queen's and King's Counties, to be held on the St. Peter's Road—(no house is mentioned)—eighteen miles from Charlottetown, on the first Tuesday in July, to take the Escheat question into consideration. There are 61 names attached to this affair, the majority of them being the names of parties residing in the vicinity of the Ten Mile House, and they modestly request the publication of their lengthy notice in the Charlottetown papers. Now, if we complied with their request, we presume it would be with the understanding that no charge should be demanded; and if we printed notices of Escheat meetings without charge, we should, of course, to be consistent, publish notices of all other public meetings at the same rate. That would not do; and we have, therefore, come to the determination, to publish nothing of the kind, in reference to Escheat or anything else, unless in the form of an advertisement, which was to be paid for as such.

We will not now go into the merits of the question which the public meeting above referred to proposes to discuss. Heaven knows it has been often enough debated to no good purpose whatever; and we sincerely regret that even the small number of 61 individuals—scarcely three of whom are known beyond the localities in which they reside—should think of wasting another day about a question that can never be settled in the manner they seem to desire. As a proof of the intelligence of the parties whose names appear to the notice for the public meeting, we may just mention that they have endorsed, unwittingly, we believe, several statements which are as far from the truth as any that were ever penned. The first is—that Governor Bannerman had instructions to settle that question—(meaning Escheat), by legislative enactment, and the Government neglecting such settlement, has caused disappointment and grief to the 61 patriotic gentlemen about Tracadie and the Ten Mile House. The "instructions" here referred to, is the Despatch of 12th February, 1851, from Earl Grey to Sir Alexander. It certainly urges the propriety of having an "amicable settlement" of the vexed question between landlord and tenant; but so far from countenancing Escheat, the Despatch strongly enjoins the Governor to discontinue a revival of the agitation for Escheat. The next gross misstatement is—that the clause in the Land Purchase Bill relating to an enquiry into proprietary titles before purchasing, meant an enquiry into the original titles, through the agency of a Court of Escheat. The clause referred to can bear no such construction, as has been frequently shown. There is not one word in it about the original titles, or a Court of Escheat. The third gross misstatement is—that "the Governor" (meaning the present Governor) would dissolve the Assembly unless they supported the Administration. We have the best authority for knowing this statement to be untrue. The fourth misstatement is—that "the Legislative Council are composed of men who have no sympathy with the people for the settlement of that question." The Legislative Council, we believe, have the liveliest sympathy for the people in their wants and sufferings, and the sincerest desire to ameliorate them; but they believe, as we do, that to support Escheat would be no step towards improving the condition of the country. We pass over the silly and untrue remark about the "qualification" of members for the Upper House, to notice the fifth glaring perversion of the truth in the sentence which says, that payment to the members of the Legislative Council gives that body "power and independence inconsistent with Responsible Government, and the rights of the community." We will only observe in reference to this huge misstatement, that the 61 subscribers to the notice of meeting are as lamentably ignorant of the true principles of Responsible Government as they are evidently astray in their conceptions as to what constitutes "the rights of the community."

There is evidence of great modesty on the part of those 61 Escheaters in the fact of their calling upon the electors of King's County to meet them somewhere about the head of the East River. One might have reasonably expected that a few, at least, of the King's County electors themselves would have joined in the call; but we can recognise the name of only one. Whether others ought, or ought not, to come to the meeting, they can best decide.

It is curious as well as interesting to perceive that some of the Tory land agents and land proprietors about Charlottetown appear to be vastly pleased at the prospect of an agitation for Escheat, and encourage it as much as possible. It is almost to be hoped that they, at least, will have their reward in increasing discontent on the part of their tenantry and unwillingness to pay rent—a certain consequence of that discontent. The object of the Tories is to embarrass the Government, in the expectation of ultimately defeating it, and thereby ridding the proprietors of such unpalatable measures as the Rent Roll and Tenant Compensation Bills. Now, our advice to the Liberal members of the Legislature is, to let the Escheaters, the land agents and proprietors, go on with the Escheat agitation as vigorously as they please—to say little or nothing about it; and if the land agents and their abettors, in conjunction with Mr. Cooper's followers, can succeed in getting an expression in favor of Escheat from a decided majority of the people of the Island, why then, by all means, let them have a Court of Escheat. It will be an interesting employment, when the time will arrive, to scourge the backs of the false-hearted land proprietors and their agents with the rod—"of iron," if they like—which they intend for us.

THE ELECTIVE LEGISLATIVE COUNCIL BILL IN CANADA.

We were frequently assured by some members of the minority of the House of Assembly of this Island last Session, that the principle of the Bill for making the upper chamber of the Legislature an elective Body was admitted in Canada, and that the measure was sure to go into operation there. We, however, put no faith in the assurance, being satisfied that the Legislative Council of Canada would not be so silly as politically to cut their own throats; and we are now fully confirmed in our scepticism on this point; for a late Colonial Mail brought the intelligence that the Legislative Council of Canada, in recent session, had condemned the elective Bill. The Quebec Chronicle has the following remarks on this subject:—

"The objections formerly urged against the Legislative Council as an obstructive and Tory House no longer existed, and it was impossible to point to any good measure passed by the Assembly which had been defeated here. When bills had been rejected the country had sustained the Council in every case, so that it might be averred quite safely that the legislation of that House was as much in harmony with public opinion as that of the other. Some of the speakers, and especially the Hon. Mr. Walker, denied in the strongest terms the authority claimed by the House of Assembly to initiate such a bill, and contended that such action was regarded by the most eminent constitutional lawyers as a violent breach of the privileges of the Legislative Council. The tone of the public press was also quoted in proof that the utmost indifference prevailed in regard to the contemplated changes, and even the ministerial organs did not speak very strongly in favor of the measure. Another view of the question was taken by the Hon. Mr. Moore, who was very strongly persuaded that the elective principle applied to this House would bring it into collision with the other, and in

fact make it the popular branch, as it was usual now to designate the Assembly. Then the next demand would be for an elective Governor, and finally for elective officers of all grades, from the Constable to the Judge. Such a change in our Constitution was too important a matter to be done suddenly, and without saying that he would finally vote against it, if it had proper consideration by the country and time enough in this House, he would vote for the amendment moved by the Hon. Mr. Matheson, which was intended to defer the consideration of the bill until next Session. Hons. Messrs. Seymour and Knowlton approved of the elective principle, but were of opinion that the Bill had come up too late and could not receive that careful attention which its paramount importance entitled it to. Hon. Mr. Quesnel was an admirer of the British Constitution. In his mind it was the most perfect in the world, and as our own was as near a copy as could be applied to a Colony, he would be very careful how he voted for changing it. The Hon. Receiver General replied to several of the speeches in opposition, during the debate, in the course of which he admitted that it would be hard to select from the country a better House than the present. On the other hand the adverse speakers paid him, and the Hon. Mr. Ross, the Speaker, the most flattering compliments, and at the end of the discussion the members were in a most complacent temper with themselves and each other. The division has already been given, and it may be said the battle was fought and finished in a very satisfactory manner."

IMPORTANT NEWS FROM THE SEAT OF WAR.

Great slaughter of the enemy—Kertch captured!! and one hundred and twenty-eight Russian ships taken and destroyed!!!

The steamer *Lady le Marchant's* arrival from Pictou on Friday forenoon was hardly announced when the important intelligence seemed to be everywhere circulated, that the Allied arms had been attended with extraordinary and unexpected success at the seat of war. If intelligence had been received of the fall of Sebastopol, there could not have been greater delight and enthusiasm amongst our fellow townsmen. The news came by the electric telegraph from Halifax to the *Eastern Chronicle* office at Pictou. The telegraphic despatch is dated Thursday last, and states that one of the Collins' line of steamers had arrived at New York—that the Russians had been driven beyond the Tchernaya by the Allies—that Kertch was captured, and three thousand Russians killed—that, on the 23d May, four steamers, twenty-four transports, and one hundred merchantmen were taken and destroyed in the Sea of Azof—and that the Allies were everywhere victorious. The paragraph in the telegraphic report respecting the capture and destruction of the steamers, transports and merchantmen, stands by itself, and does not distinctly say by what force they were captured, whether French or English, or both; from the concluding paragraph of the despatch, which informs us that "the Allies were everywhere victorious," we are induced to conclude that the captured vessels belonged to the Russians. If this be the case, the intelligence is certainly of the most important and gratifying character; but while we are anxious, and indeed willing, to believe it, we cannot omit from ourselves the fact that we have been too often hoaxed by telegraphic despatches, and those received from the United States especially must be taken with very considerable caution. We sincerely trust, however, that the arrival of the English Mail, which may be expected here in a few days, direct from Halifax, will confirm the glad tidings conveyed over the electric wires. We give below the despatch as it came to hand.

CRIMEA.—Glorious News!

KERTCH CAPTURED!—ONE HUNDRED AND TWENTY RUSSIAN SHIPS DESTROYED!!—RUSSIANS DRIVEN BEYOND THE TCHERNAYA!!!

EASTERN CHRONICLE OFFICE.

Thursday, 2, p. m.

The following highly important despatch has just been received from New York, via Halifax, by a gentleman in this place, who has kindly placed it at our disposal. The news is by the Collins' steamer at New York.

The Russians are driven beyond the Tchernaya. Kertch is captured—three thousand Russians killed. On 23d May, four steamers, twenty-four transports and one hundred merchantmen were taken and destroyed in the Sea of Azoff.

The Allies everywhere victorious. HALIFAX, JUNE 13. The American steamship "Atlantic" arrived this morning at New York. News most important since Battle of Alma. The Allies have gained three victories.

Desperate engagements on nights of 22d and 23d before Sebastopol. French took and retained an important position of defence.

8000 Russians killed and wounded; the Allies made rapid advances, and retained the Russian lines on the Tchernaya—Russians retreating to the hills—Allies took Kertch and command of Azoff.

France and England decline further conference at Vienna—hopes of peace prevail.

Consols for money quoted at 92½. Money market easy.

We are often charged by the *Islander* with being indolent, as if that fault did injury to any person so much as to ourselves. But we plead guilty to the charge in one respect, and that is, in replying to the personalities and abuse with which we are weekly honoured by the *Islander*. We know that our readers care little or nothing for these things; we care less, if possible. Hence the reluctance and the "indolence" we have shown in not having noticed, for the last two weeks, the column of falsehoods that have been directed exclusively at ourselves in the *Islander* of the 8th instant. Why we propose giving to those falsehoods the last consideration now, when every body else has forgotten them, is, because they suggest some reflections and facts, wofully apart from ourselves, that might else be forgotten, and which will be in very good time at the present moment. Egotism is a decidedly bad trait in the character of a public journalist. But it is conspicuous only in those who do not understand the duties and responsibilities of the editorial office, and who, if they did not write about, or in praise of themselves, would have no employment for their pens. This is the reason why Duncan Maclean so frequently makes himself the hero of his own articles, when he does not attempt to play the "philosopher" by stealing hackneyed remarks on scientific subjects from the *Encyclopaedia*, and giving them to the ignorant readers of the *Islander* as his own original productions. What "the writer" said in the Assembly during the short period the traitor was permitted to hold a seat in that honorable body—what he did not say—what measures he has supported in the *Islander*, and what he did not support—interlarded with the vilest abuse of his opponents—constitute the staple of nearly all he writes and does not steal. Every reform measure that had been ever advocated, and become popular, is claimed as the particular bantling of this superlatively egotistical journalist. Mention Responsible Government, or Free Trade, or Free Education, or Universal Suffrage, and, presto, up jumps the editor of the *Islander* who

says "the advocacy of that measure originated with me, but it was spoiled in the hands of the Snotchers." When any body laughs at the vain old fool, and tells him in plain language that he is a liar, then the stereotyped cry is raised: "Ay, that's the way the Government presses raised: the Administration by abusing me!" Me! me! me! All the merit that belongs to every measure is his inherent right—every adverse claim is construed into an attack upon him, and forthwith his Billingsgate vocabulary is searched for terms of opprobrium, upon which he every week rings the changes either for the columns of the *Islander*, or for a stupid memorial to the Colonial Office, or the Lieutenant Governor, which is thrown into the waste paper box with other rubbish as soon as received.

Nothing appears to disturb the equanimity of Maclean's temper so much as the fact of Mr. Whelan being "Queen's Printer, Printer to the Assembly, Justice of Peace, M. P. P. for the 2d of King's County, ex-Executive Councilor, with some other honors." It is very singular that a person who can fill all these offices, besides being "organist to the Government," as Maclean says, should be so "indolent" as that veracious authority tells us he is. But the greatest crime against Mr. Whelan is, that he happens to be Queen's Printer. Any thing and every thing could be forgotten and forgiven, but that. It was all right, and fair, and proper, for Mr. Haszard to hold the office for a quarter of a century—it was highly laudable in Maclean's stupid publisher to take the office when John Myrie Holl assumed the Government through the treachery of the Assembly; but for Whelan to take and hold it, with the concurrence of the majority of the people of this Island, it is an unpardonable offence, because, as Maclean says, Whelan "can, in the short space of four years, not only buy houses in Charlottetown, share sumptuously for the first time in his life, and drive a carriage and a pair when it suits him." Easy throws its shadow over every sentence that emanates from Maclean's pen. It is the fatal poison that "saps and consumes the heart" of the publisher as well as of the editor. Let John Ings be one more Queen's Printer, who will thereby be placed beyond the reach of begging his friends to make up Maclean's wages, and the latter be placed beyond the necessity of alternately dunning and growing at his nominal employer—and all matters will go on tolerably smooth. But so long as Whelan retains the office of Queen's Printer, and Maclean be forced to subsist on the alms of Charlottetown Tories, we cannot but expect the columns of the *Islander* to overflow with the outpourings of an envious, malicious, and disappointed spirit.

We are accused in the *Islander* with having charged our political adversaries with the misfortune of being poor. There is no truth in the accusation. We have imputed nothing of the kind to our political adversaries, although we might, if inclined, use the imputation with as much propriety, perhaps more, than they can, when the writers of the *Islander* are continually informing the public that the present holders of office are "peniless paupers." We have not been here twelve years without learning much of the private history of even the first and oldest families in the place; and when we perceive the paid servant of these families, in his capacity of editor of the *Islander*, reviling the Liberals, and saying they are "poor peniless wretches"—himself an ailing and degraded being who subsists on the scant wages of political prostitution—we are often tempted to give them a Rowland for their Oliver, by tracing the origin of some of them from the scullery—others from the carpenter's bench or dram shop, where their wealth, upon which they pride themselves so much to-day, could easily, not a great many years ago, be counted up in pennies. We do not make this remark by way of retaliation for the impertinent allusions so frequently thrown out by the *Islander* to the alleged poverty of the Liberals; we offer it as a warning to those Tories, of various shades of Charlottetown who support Maclean in his vicious career, and who are really responsible for all the calamities he pens, to let them understand that we can, and may be inclined to lift the veil which conceals from the present generation an origin as lowly and as poor as that which has fallen to the lot of any other person in the community.

The *Islander* alludes to some remarks alleged to have been made by Mr. Pope in the House of Assembly against Mr. Whelan. Mr. Pope is stated to have told Mr. W. that he begged his bread in the streets of Halifax, and that he (Mr. W.) did not deny the imputation. Mr. Pope never said anything half so foolish and so false, and therefore Mr. Whelan could neither admit nor deny it. We dare the *Islander* to point out to its readers the report of any speech made by Pope which contains the language attributed to him. Mr. W. had a much more honorable beginning in life than that. With family connections which served the Crown in high civil and military departments, and enjoying in his mother's right the fruits of no small amount of property, he was never placed in the abject condition described by the *Islander*. Arriving in Halifax in 1831, he immediately entered the St. Mary's school, afterwards erected into St. Mary's College, which he subsequently attended under the presidency of the Rev. Dr. O'Brien. From that school, in 1832, he went to the printing office of Mr. Howe, not through his "compassion," but by his earnest request, and there he remained until within a little more than a year of his arrival in this Island in 1843. The *Islander* insinuates that Mr. Whelan commenced business here under the auspices of Mr. Howe. This insinuation, like every other one in the article under review, is positively false—not that it would be a discredit to commence business under the auspices of so distinguished a man as Mr. Howe—it would be an honor; but the fact is, Mr. W. left Mr. Howe's establishment against his will, and in doing so, asked him for no assistance of any kind.

Equally false is the assertion that Mr. Lobban "bailed" Mr. W. "from jail," in 1850, "for a trifling debt, to enable him to make his debut at the hustings." Mr. W. never was incarcerated on any account whatever, and therefore he could not be bailed by Mr. Lobban or any one else. Mr. W. did not make his debut at the hustings in 1850—he was elected four years before at the general election in 1846. Here are two palpable falsehoods exposed, in the compass of two lines.

False again is the assertion that Mr. Whelan was "ejected" from the Executive Council in consequence of his conduct at the *Fairy Queen* meeting. We have, on two or three previous occasions, abundantly proved that Mr. W.'s retirement from the Council was by his own voluntary resignation. See his letter to Sir Alexander, with His Excellency's reply, published in the *Royal Gazette*, Oct. 24, 1853. False again is the assertion that Sir Alexander "signified his opinion, rather broadly, that he" (Mr. W.) "should have been lynched on the spot for his insolence," that is—at the *Fairy Queen* meeting. How finely this false assertion contrasts with Sir Alexander's act in appointing Mr. W. to the Commission of the Peace on the very day he resigned his seat at the *Executive Council*!

False, likewise, is the assertion, that Sir Alexander ordered the words "published by authority" "to disappear from the head of the *Royal Gazette*," and "expressed to the members of Mr. Holl's Government his deep detestation of the vices of Whelan's journalism." Now, as to the use of the words "published by authority," we previously explained that they were placed at the head of the *Royal Gazette*, as our own voluntary act, to distinguish the official organ, in 1851, from Mr. Haszard's paper, which continued under the name of the "Royal Gazette" for several weeks after he ceased to be Queen's Printer; and the words were discontinued also by our own voluntary act, when the occasion for them ceased. As to Sir Alexander's "deep detestation" of our "journalism," we have the pleasure of knowing that he had much more confidence in us than he had in Mr. Holl's Queen's Printer, and

before informed, and who had been severely wounded in the late engagement. From him he learnt that his two other brothers were all serving in the Naval Brigade on shore; and with him he remained till he saw him expire. He then proceeded on the duty for which he had landed, and soon discovered the bodies of two other brothers, who had been killed in the battle. His feelings may be imagined, as he assisted in laying these three brothers of his own, side by side, in one grave.—*Cornwall Royal Gazette*.

Correspondence.

[FOR THE EXAMINER.]

MR. EDITOR:

Sir,—I observe in the *Islander* of the 17th ult., a letter from James Campbell, of this place, to His Excellency the Lieutenant Governor, tendering him his resignation as Commissioner of Small Debts, believing, it is said, that he was on the eve of being dismissed.

I did not intend answering that communication, because where Mr. Campbell is known the low abuse and blackguardism at which he excels, and which form the most prominent features of his character, could do me no injury. The *Islander* may be the means of carrying his falsehoods into other places where my character, and that of my slanderers, are not so well known as in this vicinity; and that alone induces me to notice a communication which I ought perhaps, under any other circumstances, have treated with contempt. The subjoined letter from one of the most respectable persons in New Brunswick will sufficiently prove the grossness of Campbell's falsehoods.

Concerning his insinuations respecting the execution of a "certain criminal" at Amherst, I have merely to call the readers' memory to the fact, that the Sheriff's affidavit, clearing me of having any hand or part in the matter, was published in the *Royal Gazette* of Prince Edward Island, in May, 1847.

Mr. Campbell, as you are aware, is one of the rejected candidates for Legislative honors here; and I believe his chief cause for slandering me, is owing to my successful endeavours to keep him and such like characters out of the Assembly. I have resided in this place for the last fifteen years, and this would-be-popular little man never shewed his teeth until his vanity and presumption induced him to offer himself as a Candidate for Election in this District, when, after repeated solicitations to me for my support, he found that my opinion of him was in accordance with that of the inhabitants of the District in which he resides. That he was highly incensed at me, will appear from the language with which he accosted me after his political defeat, while under the influence of that stimulant to which he is so much addicted:—"D—n you Brown," said he, "were it not for you I would have been returned."

Since that time, Campbell has done his utmost, both privately and publicly, to injure me; and finding that all his attempts had hitherto failed, now feeling himself particularly grieved on being compelled to relinquish his hopes of future popularity, and the long and eagerly sought for appointments, he struggles his last, by coming out in this notorious Journal, the *Islander*, attacking my private character, assisted by its Editor, that well-known seditious libeller, proved so at the prosecution of the very party whose hired slanderer he now is. His character is so well-known, I shall leave the public to judge between us without further troubling myself about him or his remarks.

In conclusion, I can assure Mr. Campbell, and all the Tory faction in St. Eleanor's, they shall always find me their determined political enemy; but I shall never, under the cover of night, do injury to any man's property, as some of them have done, nor shall I ever be found acting a part in such disgraceful proceedings as this high-minded Mr. James Campbell has been in this very place, about which, for the sake of decency, I will at present refrain from making any further remarks.

N. J. BROWN.

St. Eleanor's, May 30th, 1855.

(copy.) DORCHESTER, N. B., May 26, 1855.

N. J. Brown, Esq.,

Dear Sir,

I am informed that a newspaper printed in Charlottetown called "The *Islander*," has published defamatory accusations against your character, by stating that you absconded from Nova Scotia, and were of notoriously bad reputation.

It is to be regretted that any man, being in civilized society, can be so base, so regardless of truth, as deliberately to pen such slander against you; and the press that offers the means of disseminating it is a disgrace to any community. But such attempts to injure you appear to me a certain evidence of your prosperity, which has produced envy, hatred and malice in the bosoms of some of your neighbours; and although slander of that kind may give momentary annoyance, yet the injury will ultimately fall on the slanderer himself, and on him only. It is hardly possible that the slanderer can injure deeply, any more than can one man write another down. In reference to your character and conduct while you resided in this Province and in Nova Scotia, having known you from a boy of twelve years of age, or under, up to your removal to P. E. Island, I can conscientiously assert, that I neither know, nor have heard any charge against your moral character, in any shape or form. You resided in youth, for some years with my father, the late Humphrey Gilbert, Esq., and his well-known solititude for your welfare is a criterion that you merited his good will; and after leaving and while you were in Amherst, Nova Scotia, during the period I pursued the study of the Law, and was enrolled a Barrister in that Province, and attended several of the Courts, having seen you frequently during the time, I can bear testimony to your upright conduct and correct habits. If sobriety, industry, energy and perseverance to endeavour to rise to competence and comfort, be crimes, then indeed you were guilty of these while I knew you; but if such be virtues, and truth be superior to falsehood, I feel bound to say that the man who charges you with being of bad fame and character while you resided in this Province, and Nova Scotia, is himself destitute of any regard to truth, and possessed of a degree of baseness degrading to humanity and too mean to deserve your notice. You are at liberty to use the foregoing statements and remarks in any way you may think proper.

I am, dear Sir, yours very truly,

(Signed,) R. K. GILBERT.

MR. WHELAN,—

Sir,—I would beg leave to ask, through the medium of your paper, whether or not the Commissioners and Overseers of Roads and Bridges for Charlottetown, since the first settlement of this Island, have been sworn not to perform or cause Statute Labour to be done on a certain part of Brompton street, so much required? Or are they so lost to shame and sense of duty? Have we any constitutional Government to cause it to be done? Look, and it will speak for itself. I also inform you, what little improvements have taken place were done by private individuals at their own expense. Witness the useless expenditure in other parts of the Town of the public money! The inhabitants have petitioned repeatedly, to no purpose. Shame!

GEORGE A. THRESHER.

Charlottetown, June 4th, 1855.