

LAW-SONIA.

For legal men who plead for wrong, And though to lose they swear not, Are not more honest than the wrong Of those who do—we care not.— Moore.

The old gentleman who unites in his own person the offices of Recorder of this City and Editor of Haszard's Gazette, has, in last Saturday's issue, treated that portion of the public who take the trouble to peruse his platitudes, to nearly two and a half columns of absurdities, purporting to be his version of the law for the election of the Civic Fathers. Beginning with a sneer at our ignorance of the principles of legal construction, and that of the men whose solicited bread he has eaten for the last twelve months, the Charlotte-town Dogberry, in his editorial capacity, proceeds to inform the anxious public, to whom the news was of deep importance, what he in his other capacity, namely, as Recorder, did, said, and thought, in the matter of the law for the election of Mayor and Common Councilors; and after a display of nonsense, unusual even for him, winds up with a glowing eulogium upon his own purity, ability and devotion to the interests of the City, couched in language which would almost induce a stranger to believe that it was true, or at least, that the writer himself believed it; and really makes those who know him regret that such an actor should have been lost to the stage, where his powers of personation would have doubtless raised him to a rank far above that to which he has attained at the Bar.

Without further reference to the allusions personal to ourselves, we shall briefly follow this "cautious and skilful mind," which, to use once more his own words, we think we can easily prove "to be greatly in the wrong." Before we proceed to destroy his web of sophistry, we will be pardoned by the Editor, not the Recorder, for suggesting, that his observations as to the erroneous view of law apt to be taken by the editor of a newspaper, have received a striking confirmation in his own person in the article to which we allude. Now, when a man in his editorial capacity, states that he cannot read law, while in the same article he, in another capacity, dogmatically on that very subject, he presents so much the appearance of two single gentlemen rolled into one, that our regret at not having seen the celebrated Siamese Twins is considerably diminished by the reflection, that John Lawson as Recorder and John Lawson as Editor—those "two cherries on one stalk"—can be seen at any time gratis. In ancient times, when our Sovereign had his fool—a fool was as regular an appendage to a Court then as an Editor is now to Haszard's Gazette—a certain Prince Bishop laid waste a large tract of country, which was the scene of all the crime and misery that accompany war. His fool suggested that "it was strange work for a Bishop to perform." The reply of the latter was, "that he had not gone to war as a Bishop, but in his temporal capacity as a Prince." The rejoinder we recommend to our duplicate friend: "Well, if the Prince should happen to be d—d for it, what will become of the Bishop?" Our readers will see the application, and we ask, if Mr. Lawson's view of law is not to be taken because he is the editor of a newspaper, how much of it does he expect the public to swallow from the Recorder?

The ninth section of the Act of Incorporation, as given at length in our last issue, contains the following proviso: "Provided always, that when and so soon as any rate or rates, assessment or assessments, shall be made by and under the authority of this Act, no inhabitant of the said City shall be entitled to vote at the election of Mayor or Councilors as aforesaid, unless he shall have been rated to, and in respect of, the rates or assessments laid as aforesaid; and shall have paid all his rates and assessments which fall due one month before the time of such election, of which payment the evidence shall be the receipt of the City Treasurer, produced at the time of voting, and then lodged with the Returning Officer at any such election."

Any person of common understanding would read this proviso as excluding from the hustings all those who have not paid the rates to which they may have been assessed, and which had become due one month previously to the election. Yet, the uncommon sense of the Editor or Recorder, to serve his political friends, indicates a strong desire to alter the punctuation, in order that the passage may receive a meaning directly the reverse of that which it at present bears, and which the Legislature intended. In this he yields not to his political opponents the paltry credit given to some of Pope's Dunces:—

"Commas and points they set exactly right, And 'twere a sin to rob them of their mite."

The unhappy confusion of mind which the union of the two functions has produced, is exemplified in a most melancholy degree by the rapidity with which this modern Proteus assumes and lays aside either character at will. In one sentence the Recorder speaks, in the next the veriest devil that ever entered a Printing Office might weep at the editorial argument on the placing of a comma. After admitting what, in either capacity, he could not well deny, that the published law contradicted his position, he states that he afterwards gave an opinion directly the reverse of his former one, which was, however, correct in principle! This is so exceedingly modest an admission, emanating from a high civic functionary, to say nothing of the Editor, that we give his own words:—

"It, in fact, struck him to be the obvious reason of the law, and he sought no further. When, however, it was stated, that the words were susceptible of another interpretation, he conceived it his duty, late as it was, to give it due consideration, and the result was, the abandonment of his former opinion, not because it was erroneous in principle."

Now we ask, what idea must be entertained of the man who is not ashamed to state to the world that his belief in the soundness of the principle on which his opinion is founded, is no bar to his abandonment of it, and his support of one the very opposite. We can imagine the case of a lawyer, receiving a fee from, and giving an advice to one party in a suit, and afterwards advising his opponent against the course he had suggested to his first client; but we certainly never expected to have occasion to bear testimony to the candour which induced the Recorder to admit in a public print his abandonment of principle. However, it may be that His Honor has conceived the erroneous notion that the public had any doubt upon the point; and we charitably hope that these hastily-written observations may have the effect of disabusing his "cautious and skilful mind" of so unfounded an impression; and further, that in future the columns of Haszard's Gazette may be devoted to their more legitimate occupation—the publication of news.

The fifth section of the Incorporation Act, specifying the various qualifications of electors, has reference principally, as we all know, to the first election to be held under the Act, and the fourteenth section, on which the Editorial Recorder lays so much stress, as conferring on the owners of property

the privilege of voting in any and every ward in which their property may be situated, without the previous payment of rates, or even their having been assessed in respect of such property—does not bear the construction he attempts to put upon it, for if it did, it would nullify the extract we have given from the ninth section. Were it the intention of the Legislature to give the privileges claimed by the Recorder for his friends, there is no doubt that the proviso in the ninth section, already quoted, would have been followed up by another to the following purport:—

"Provided also, that nothing in this Act shall be construed to prevent persons having property, as particularly described in the fifth section of this Act, from voting in any ward wherein such property may be situated, although they may not have paid any assessment, or have been assessed in respect thereof."

This view, we should think, would be adopted by any man, except one whose mental condition might qualify him to paste a label on his brain pan, bearing the notice, (printed by the Steam Power Press, of course,) "Apartments to be let, unfurnished."

As to the concluding paragraph of the editorial under notice, wherein the learned double glorifieth himself exceedingly, we will ask his permission to withhold our assent to his estimate of his own character and services, until we shall have received from those whose official position has brought them in contact with the Recorder, statements different from those we have already heard; and we shall thankfully acknowledge all well authenticated instances of benefits to the City resulting from the exertions of the worthy to whom we have devoted these observations. Meanwhile, we would recall to the recollection of this legal member of the Island Branch of the Fudge Family the following extract from the Family Records:—

"Who shall describe thy powers of face— Thy well-kept zeal in every cause— Or wrong or right, but ten times warmer, As suits thy calling, in the former. Thy glorious lawyer-like delight, In puzzling all that's clear and bright, Which, though conspicuous in thy youth, Improves so with a wig and band on, That all thy pride's to waylay Truth, And leave her not a leg to stand on."

CIVIC ELECTIONS.

It is now evident that the predictions of many persons not over favourable to incorporating the City of Charlotte-town, are already pretty well fulfilled; and that that which ought to be an unbiased choice of an efficient magistrate, has degenerated into a regular political contest, to be renewed once a year henceforward. It cannot be said that this is owing to the course pursued by the Liberals; for neither did they anticipate nor provoke a contest—nor did they set up any of their own body,—satisfied with Mr. Hutchinson's diligence and qualifications, they were willing to take him as they found him, thinking, in all fairness, that he had no length of trial—that the whole community was obliged to him for the trouble he had taken in discharging the difficult and important duties of his office; and if he desired to be again elected Mayor, they felt it right to support him. Not so the Tories; he had committed, in their eyes, a crime worse than sacrilege,—he had dared to be independent, and worse than that, independent of them. His own extensive knowledge of their ways has taught him the necessity of shaking off their trammels. The Liberals have no claim upon him, but every independent and upright man generally receives their suffrages. Let all that pass, however. The civic election was really a very pretty piece of fun. There were as many ways of carrying it on as there were polling places. At nearly all of these stood brazen-faced Tory partisans, proposing questions and administering oaths to unsophisticated electors, until they were nearly frightened out of their senses, and afraid to vote at all; whilst the only legal question which could be put was, whether the assessments authorised by law, had been paid; and the only thing any man could be legally desired to swear to, was—whether he had a qualification. The difficulties thrown in the way of electors, the public need not be told, were got up at the poll booths by the supporters of the gentleman who, they thought, had qualified himself to keep the peace of the city, by expressing his readiness on more occasions than one to do this, that and the other violent act against the authorities. After all, however, the election was a very notable and not uninteresting affair, from the conspicuous manner in which it brought to light the inherent character of some of the principal actors in it. Old party ties were rudely and suddenly smothered—old party obligations forgotten, and by none, perhaps, more readily than the Hon. E. Palmer, who, when he proceeded to record his vote against Mr. Hutchinson, forcibly reminded us of Mark Antony's oration over Caesar's body—

"For when the noble Caesar saw him stab, Ingratitude, more strong than traitors' arms, Quite vanquished him."

Mr. Hutchinson's farrier can best say how often he has shod the milk-white palfrey when his shoes were worn out in canvassing the Royalty of Charlotte-town in favour of this modern Brutus. Surely it was a precious scene to witness. This, however, has been the result: Without previous concert of any kind, preparation or canvass, the Liberals have exhibited to their crest-fallen enemies the fact, that their influence in Charlotte-town is a thing that was and is not. When the Liberals can thus so easily beat their Tory opponents under a five pounds franchise, is there the smallest reason to doubt that they can beat them most triumphantly at a parliamentary election under universal suffrage? No—no—Charlotte-town will hereafter be as remarkable for always returning two Liberals to the House of Assembly as it has heretofore been for returning two Tories.

VISIT OF THE ADMIRAL—THE FISHERY COMMISSION.

On Thursday last, H. M. Steamship Basilisk, Captain Crofton, arrived at this port from Halifax, having on board His Excellency, Rear Admiral Fanshawe, C. B., Naval Commander-in-Chief on the North American Station. The Admiral landed immediately after the Steamship anchored, and proceeded to Government House, where he was the guest of our respected Lieut. Governor, Sir Dominick Daly, during his stay.

Admiral Fanshawe having transacted business with the Lieut. Governor, and with Mr. Perley, British Fishery Commissioner, left again in the Basilisk, on Saturday afternoon, to return to Halifax, expressing himself highly pleased with the beauties and agricultural capabilities of our Island.

H. M. Sloop Arab, Commander Pearce, was in port during the visit of the Admiral. We understand that the Arab will cruise around this Island during the remainder of the present

month, and will not probably leave the gulf until the early part of September, when it is supposed that the British Fishery Commissioner will have finished his labours here for the season.

A proclamation has been issued by the Lieut. Governor, announcing that M. H. Perley, Esq., H. M. Commissioner under the Reciprocity Treaty, and Gustavus G. Cushman, Esq., United States Commissioner under the same Treaty, are now visiting the coasts and rivers of Prince Edward Island, in the execution of their duties, and calling on all Sheriffs, Justices of the Peace, Revenue Officers, and other inhabitants, to give such aid and information to the Commissioners as they may request.

On enquiry, we learn that the Commissioners, during the early part of the present season, have been occupied in determining the mouths of rivers in the United States, on the coast of New Hampshire, Massachusetts, and Rhode Island. After finishing on this Island, they return to the United States, and take up the rivers in Connecticut and New York.

It is said that the Commissioners have received authority, and handsome grants of money, from their respective Governments, for the purpose of building a first-class vessel, expressly adapted for their use, in which they will hereafter prosecute their labours, which, by the Treaty, extend from Latitude 36° North (in North Carolina) to the extremity of Labrador, including the whole of Newfoundland.

THE COMMON ENEMY.

We regret that we are again precluded, by reason of the very heavy drafts upon our space to-day, from paying our respects to the Common Enemy for the many complimentary and highly flattering notices with which we have been favoured for the past two or three weeks. We are duly sensible of the obligation under which we are placed, and shall be happy to reciprocate the favour whenever a suitable opportunity will offer. It will be a source of gratification to our readers to learn, that the Editor of The Examiner—however selfish, or however worthy he may be—does not enjoy the exclusive and undivided attention of his Excellent Friend of the Islander, but that Her Majesty's Representative and the Leader of Her Government in this Colony, have been honoured with more than customary consideration in the paper of Friday last. Let an honest and impartial public suppose that those favours are not merely solicited but extravagantly rewarded out of any Secret Service Fund which may be at the disposal of the Executive, we have the highest authority for stating, that whatever the remuneration of the Editor of the Islander may be, he does not receive quite One Thousand Pounds for the important services he is in the weekly practice of rendering to the Government.

LADY DALY gave another of her highly agreeable re-unions at Government House on Friday evening. His Excellency Rear Admiral Fanshawe, who arrived here the day previous in H. M. Steamship Basilisk, from Halifax, was present on the occasion, together with several of the officers of that ship, and those of H. M. S. Arab, also in port. M. H. Perley, Esq., and Private Secretary, General Cushman and Mr. Cutts, the Commissioners under the Reciprocity Treaty, on behalf of Great Britain and the United States, were likewise among the party.

TO CORRESPONDENTS.—We have to acknowledge the receipt of a communication from Mr. Thomas Preedy, in which he clearly establishes the charge of Blasphemy against Mr. Duncan Maclean.

CANADA.

THE CATHOLICS AND THE GOVERNOR.—Sir E. Head is just now in disgrace with the Catholics of Montreal for having dared to receive the Address of the Orange body, presented to him by a deputation on the 12th of July. The Address was sufficiently harmless, being merely expressive of loyalty, and the Governor's reply was so cautiously worded, for the purpose of returning thanks for loyalty alone, as it was possible to be. The Catholics have held a meeting, numerously attended, at which several speakers urged in strong terms the impropriety of Sir E. Head's conduct, and the result was a resolution that a petition should be forthwith prepared, for the signature of the Catholics of the city, and immediately forwarded to one of the Irish members of Parliament for presentation, demanding the recall of the Governor General, and a Committee was appointed for the purpose. The general impression seems to be that Sir Edmund acted very innocently though perhaps indiscreetly. Commenting on this matter and the dismissal of a Government clerk for joining an Orange procession, the Montreal Transcript says:—

"We hesitate not to say that if our Legislature did its duty, it would long ere now have passed a law declaring Orange and all other secret societies founded upon like principles illegal. We believe them to be unnecessary, and calculated to do injury by keeping up ill-feeling in a new Colony. We, as Canadians in this our adopted land, have nothing to do with the party feuds of another Country. The Boyne does not flow through the wild woods of Canada; nor did the combat of Aughrim redden our prairies with the blood of the slain. And we think good taste alone should induce the Irish Protestants when removed from the scene of their former trials and persecutions, and subsequent triumphs, to abstain from celebrating their victories in a manner offensive to the feelings of the descendants of the conquered. A noble conqueror never insults a fallen foe. Nearly two centuries have passed away since these events happened; more recent and more glorious triumphs over foreign enemies have almost obliterated their remembrance from the minds of the great majority of the inhabitants of the British Empire; and even at the time there could have been but little subject matter for rejoicing in a victory gained over our own countrymen, in a war which could not be called a rebellion, but which was rather a struggle for their lawful Prince, whom the Irish Roman Catholics had sworn to maintain; and whose zeal for their religion, whatever effect it might have produced in England, could not by them be considered as a crime."

NEW BRUNSWICK.

STORMS IN WESTMORLAND, July 26th.—A correspondent writing from Bay Verte, under this date, says: This neighborhood was visited during the night of the 24th inst., and again in the evening of yesterday by severe storms of thunder and lightning, accompanied by hail of a large size. On the first occasion, several windows were broken by the hail, and considerable damage done to the crops in the adjacent district of Port Lawrence. Yesterday, a mass of electric fluid struck the chimney of the house of Joseph Chapman, Esq., in Point de Bute, which it split from top to bottom, passing off under one of the sills, and throwing up the earth to some depth. Fortunately no person was in the house at the time, or the consequences might have been fatal. The cattle in the adjoining farmyard showed great symptoms of alarm, and the thunder was terrific.—St. John Courier.

New Advertisements.

Auction.

TO BE SOLD, at 11 o'clock on FRIDAY morning next, the 15th instant, at Auction, a good sized Lighter, now lying off Douse's wharf. For further particulars apply to August H. H's Gaz. BENJ. DAVIES, Auctioneer.

STANDING CROP.

Wheat, Oats, Potatoes & Hay. TO BE SOLD by AUCTION, at 12 o'clock, on MONDAY, the 18th inst., at "DUNHATTON," the farm of Capt. Macintosh, about two miles from the City, on the Malpeque Road, the whole of his STANDING CROP, consisting of— 23 acres Golden Straw WHEAT, 13 do. very fine black OATS, 2 do. do. cup POTATOES. A quantity of Early Potatoes in the garden. ALSO—about 10 tons very fine HAY, in barrack. The above will be sold in lots to suit purchasers. TERMS OF SALE.—Purchasers to the amount of £5 and upwards, a credit of four months will be given, on good and approved joint notes of hand. JAMES MORRIS, Auctioneer. Charlottetown, August 11.

Unreserved Sale.

THE Subscriber, wishing to close his business, offers for Sale by AUCTION, on his premises, in KENT-STREET, the whole of his STOCK, to take place on THURSDAY, the 28th of AUGUST next, consisting— Blue, Black and Green CLOTHS, Blankets, Shawls, Horse Rugs, Room and Stair Carpeting, Cloth Caps, Hats, Ladies' Cloaks and Cloaking, Ready made Clothing, Silk and Cotton Velvets, Silks, Satins, Circassians, Coburgs, De Lanes, Gossamer, Boots and Shoes, White and grey Cottons, Cotton Warp, Damasks, Striped and White Shirtings, Molekins, Doekskins, white and coloured Drills, Vestings, a large quantity of Berlin Wools, gloves, Handkerchiefs, a large quantity of Tailors' Trimmings, a quantity of superior Cutlery, consisting of Ivory Hand-d Knives and Forks, &c., chests Tea, Coffee, Molasses, Rice, Soap, Candles, and several other articles. ALSO—at the same time will be offered his LEASEHOLD interest in the STORE and HOUSE, 4 years of which are unexpired. All persons indebted to the Subscriber are requested to pay immediately, or proceedings will be taken. July 28, 1856. NICHOLAS BROWN. Under the distinguished patronage of His Excellency Sir DOMINICK DALY, Knight, Lt. Governor, &c. &c.

THE ALLIANCE DIORAMIC PANORAMA,

IS now in good working order, and will be exhibited in the Upper Room of the TEMPERANCE HALL, This Evening, MONDAY, and on the following evenings of TUESDAY and WEDNESDAY, AT REDUCED PRICES. Doors open at 7 o'clock; to commence at 8. Tickets 1s. 6d.; children half price. August 11.

Regatta.

NOTICE is hereby given that the following Prizes will be awarded, to be contended for between row boats manned by men belonging to H. M. S. Arab:—First prize £4; second do £2. No second prize unless three boats start. The race to come off at 12 o'clock on Wednesday, the 20th instant. Resolved, That the time for entrance be extended until Saturday night, the 16th instant. By order of the President, BENJAMIN DAVIES, Secy. August 11.

By authority of the City Council.

THE CIVIC ELECTIONS for the ensuing year came off on Tuesday, 5th August, 1856, as follows:— MAYOR: Robert Hutchinson, Esq., 328—majority 53—re-elected. John C. Bims, Esq., 275. COUNCILLORS: Ward No. 1, John Rigg, Esq., 73—majority 21. J. W. Morrison, Esq., 52. No. 2, Don Melsaac, Esq., 51—majority 20, re-elect'd. Henry Haszard, Esq., 31. No. 3, Silas Barnard, Esq., 58—majority 37, re-elect'd. Bertram Moore, Esq., 21. No. 4, Neil Rankin, Esq., 118—majority 37. H. W. Lobban, Esq., 81. No. 5, H. B. Smith, Esq., 55—majority 5. T. B. Tremain, Esq., 50. W. B. WELLNER, City Clerk. Charlottetown, August 7, 1856.

To Let, at Summerside,

THE House and Premises lately occupied by the subscriber, and formerly kept by Mr. W. MacEwen as the "Prince Albert Hotel." This House was built expressly, and is well adapted for a Public House, and the situation so well known, that further particulars here are unnecessary. Please apply to August 11. JAMES C. POPE, Summerside.

TO LET for twenty years, or such a term as may be agreed upon, ONE-HALF of that capacious NEW BUILDING now in the course of erection on the south side of Queen-square. Possession given on the 1st of October next. For further particulars apply to August 11. 4w Wm. WELSH.

Removal.

THE subscriber wishes to notify his friends and the public, that he has removed to Smardon's Buildings, nearly opposite the Hon. P. WALKER'S, where he hopes for a continuance of past favours. ROBERT WADE. Charlottetown, Aug. 11, 1856. 2m.

A Card.

THE subscriber takes the opportunity of informing his customers and the public, that he has removed his Store to Desbrisay's Buildings, the Store formerly occupied by E. L. Lydiard, Esq., immediately opposite the Market House, where he will dispose of his present STOCK OF GOODS, at a small advance on cost, for cash only. August 11, 1856. WILLIAM B. DAWSON.

City Tannery, No. 12, Grafton-street.

FOR SALE at the above Establishment, Harness, Sole and Neats' Leather, and Calfskin. Cash paid for Green Hides, and also at the American House, No. 20, opposite the Market House. An Apprentice wanted to the Tanning and Currying Business. WILLIAM B. DAWSON. August 11, 1856.

Sale of Mortgaged Premises.

TO BE SOLD by Public Auction, on the premises, in Charlottetown, by A. H. YATES, on SATURDAY, the 23d day of August next, at 12 o'clock, noon, (unless previously disposed of by private sale,)—under and by virtue of a Power of Sale, contained in a certain Indenture of Release in Mortgage, bearing date on the 6th day of September, A. D. 1850, and made and executed between PATRICK GAFFNEY, of Charlottetown aforesaid, tailor, and ANN GAFFNEY, his wife, of the one part, and THOMAS KENNY and EDWARD KENNY, both of Halifax, in the Province of Nova Scotia, merchants, of the other part, and duly registered in the proper office for the Registry of Deeds in this Island—the following

Land and Premises,

being part of the premises comprised and described in the said Mortgage, that is to say: being part of Town Lot Number 37, in the First Hundred of Town Lots in Charlottetown, commencing at the south-western corner of the said Town Lot, at the junction there of Pownal and King-streets, thence running northwardly along the western side of Pownal-street for the distance of 112 feet, or until it meets the southern boundary line of that part of the said Lot formerly sold by the said Patrick Gaffney to Mr. Christopher Smith; thence by a line westwardly at right angles from Pownal-street for the distance of 84 feet; thence by a line southwardly parallel to Pownal-street, 112 feet, by King-street; thence easterly along King-street, 84 feet, to the place of commencement,—with the DWELLING HOUSE and BUILDINGS thereon. The above will be sold in several lots. For particulars and terms of sale, enquire at the office of the Hon. JOSEPH HENSLEY, Charlottetown, or of the Auctioneer, ALBERT H. YATES, Esq., Charlottetown. THOMAS KENNY, } By Joseph Hensley, EDWARD KENNY, } their Attorneys. July 28, 1856.