O'DONNELL.

The character of Leopold O'Donnell given by British writers is far from amiable. They say he was more intimate than he ought to have been with Queen Christina. After twice defeating Espartero, and twice Cabrera, he enjoyed a first-rate military reputation. As Captain General of Cuba, he subsequently earned the reputation of a great administrator, though he was accused, and apparently on sufficient grounds, of increasing his private fortune by an infamous connivance in the slave trade. He returned to Spain, was for eight years the henchman of Narvaez, and just two years ago—in August, '54, if we remember right, was instrumental in upsetting thh corrupt ministry of the Count of San Luis, and establishing in its stead, with Espartero, that which, at last advices, he had utterly sverthrown.

Such is the past career of the man. Next, as to his present situation.

The politics of Spain can never be indifferent to us. Since the retirement of Narvaez from the scene some three years ago, Spanish affairs have presented an unvarying succession of civil riots, and sweeping executions. O'Donnell attributes these to a socialistic propaganda, especially active in the great cities. He asserts the fearful fact, that "subversive ideas" have for the first time, made a lodgment in every part of the Peninsula. Against such ideas, Espartero, a talker about reform and progress-was naturally powerless. Some man with a more distinct and determined position alone could combat them successfully, and that man would seem to be, either Narvaez himself, at last dates an honorable exile at Paris, or O'Donnell, or, perhaps, both united emedies and reforms are indeed sorely needed in Spanish administration; perhaps a change of dynasty alone can effect all the changes necessary to a renovation of the State. If so, who is to succeed? Not the son of Don Carlos? Not the young King of Portugal? Not a Montpensier? Who then? Perhaps O'Donnell himself dreams of founding a Spanish dynasty, a task which is supposed to have been prophesied of old, as reserved for his race.

Whether he is to play the part of Pepin, or of Monk, we shall before the year ends, be better enabled to judge. So far no man nor party has stood against him: how much higher he may be destined to go, time only can tell.

Australia.—The screw steamship Royal Charter, under the command of Capt. Boyce, arrived in the Mersey on the evening of Tuesday, the 12th, from Melbourne, after a passage of 78 days, bringing advices to the 25th of May, and which are 23 days later than those previously to hand The Royal Charter did not leave Port Philip Heads until the 26th of May, although the latest papers received by her from Melbourne are dated the 24th. During the passage she met with a succession ofteasterly gales and contrary winds to Cape Horn, and in lat. 59, S., long 90 w., she fell in with several icebergs.

She has brought home 327 passengers, 181,000 ounces of gold, and 10,000 sovereigns, besides a large quantity of gold and jewelry in the hands of passengers. The value of the whole of the gold brought by her is estimated at about £800,000 sterling, being, we believe, the largest amount ever brought into the Mersey in one vessel.

The increase in the yield of the gold fields continues, in spite of the temporary obstacles of winter, and the consequent cessation of operations on several of them. The returns of the amounts brought down by escort for the first three months of the present year amounted to 962,040 ounces against 589,337 in 1855.

The rumored discovery of new gold fields has been confirmed, and some which had been abandoned as failures have been turned to again and proved most prolific.

A Government commission, under the presidence of Professor M'Coy, and composed of practical and scientific men, had been appointed to explore systematically the auriferous measures of the colony. The government of Victoria is rising in popularity, and instead of labouring under a deficit has a balance of nearly £800,000 to their credit at the banks.

The farmers of the colony are pursuing their labours with great energy, and are introducing many scientific improvements.

The want of railway communication is much complained of.

Commercial affairs at Melbourne were in a satisfactory state; there being an entire absence of all speculation and excitement. The banking establishments have reported the same rate of exchange during the months of April and May; the rate of interest on money is quoted at eight to ten per cent. Gold at Melbourne was worth £3 17s. per ounce to diggers.

The escort arriving from the diggings on the 23d of May conveyed thirty-eight thousand five hundred and fifty-eight ounces of gold, and twenty-eight thousand two hundred and ninety pounds in cash.

The wool market was steady, and a good number of foreign buyers had appeared. The quantity offered by auction has been double that of last year.

The demand for tallow was quite equal to the supply. Nothing of importance in hides.

Among the passengers per the Royal Charter were the Rev. Dr. Scoresby and Miss Cathanine Hayes. Mr. G. V. Brooke was performing at Bendigo.

Bleeding a Mountain.—A very remarkable surgical operation took place at the Blue Ridge Tunnel in Virginia, one night last week. The third set of workmen were engaged in digging, as usual, when one of them, Pat Flagan, noticed the texture of the rock before him changed suddenly from hard to soft, and that the soft was wet. Shortly after a stream of water issued from an orifice he had made. This was succeeded by a heavy rumbling sound, "like the cars," which so frightened the hands that they all made for the open air. Well was it for them that they did so! The sound continued to grow louder and louder for some minutes, till a crash was heard, and immediately a vast stream of water rolled out of the tunnel.

An eye witness says, that the head of the stream was at least ten feet high, and that it swept carts and barrows before it like chaff.—The stream continued to pour a perfect river until about 12 o'clock when it gradually subsided, and was low enough at 3 p. m., to allow us to make a hasty survey of its cause. It now seems that there is, in the middle of the mountain an immense cavern or pocket, in which water from the melting snow has been deposited for years, and that the line of the tunnel taps this cavern near its centre. The cavern will save the State a good deal of money, since nature has opened a road through near three hundred feet of solid rock.—This will expediate the completion of the tunnel greatly.

Dr. Kane, and the Arctic Search.—We published an article from the London papers relative to another expedition proposed by the British Government, to the Arctic regions, to make the final search for the remains of Sir John Franklin and his party, of which traces have at last been found. Dr. Kane, has by common consent, even among the English navigators themselves, been looked to as the head of this expedition, and has been tendered the command in the fullest and most flattering manner by the English Admiralty. He has heretofore declined it; but the strong inducements held out inconnexion with lately renewed appeals from Lady Franklin, the officers of the British Geographical Society, and the Ministry, all combine toward inducing him to reconsider his answer, and it may be that he is destined to again venture upon the perilous enterprise of setling for ever the geography of the North Pole, while he performs the last offices for the lost navigators.—Washington Intelligencer, August 16.

CORRESPONDENCE.

To Silas Barnard, Esquire.

Dear Sir,

In the *Advertiser* of the 4th instant, in the debate on the claim of the Gas Company for remuneration you are made to express yourself as follows:

"Mr. Barnard stated, he was not surprised at the Recorder's opinion; he thought he was acting a defence for the Gas Company, and had noted that that gentleman seemed to take a peculiar delight, sometimes when not required and always when called upon, to make statements and give his opinion in contradiction to that of the Council, and in opposition to what appeared just and reasonable; he considered him a perverse man, and it appeared to him to be his aim to bring that body into disrepute by urging it to adopt measures, which if followed out, would bring his Worship and the Council into odium; he had read the Act carefully over, and arrived at the conclusion that the Company's claim was unjust."

May I ask, if you, in your private capacity, had gone to a lawyer, and stated to him the circumstances of an unexpected demand of a neighbor, for damages, which had arisen from some act of yours, the doing of which was perfectly in your opinion justifiable, but had worked an injury to him, and asked his legal opinion as to your liability to reimburse your neighbor, and he replied, stop—let us take a view of the other side of the question; you have stated your case, I will now put myself in the place of your opponent and shew you what can be said in favor of his claim; would you think that by, so doing, he was acting an unfair, a dishonest, or a harsh part towards you? or on the contrary, would you not, as a sensible man, say certainly—let me know the worst, and if you think I am wrong, tell me so at once, that I may pay the demand and save the expense of a lawsuit? Would you, when he had stated the case and assured you that however strange you might think it, the law was in favour of your opponent, and that you had better pay the demand, turn round and abuse him for giving his candid and honest opinion, and accuse him of taking part with your adversary? would you upon your own crude and partial judgemnt, in defiance of his scientific and well matured opinion, tell your opponent to do his worst, or would you not rather test the correctness of your lawyer's opinion by seeking that of another of equal experience and skill? at all events, would it not be a matter of prudence so to act? I need not require from you an answer to these questions, but would ask, if your private lawyer would be justified in thus acting, why is the same course reprehensible in the Recorder who is the city lawyer? Is he, when his legal opinion on a question concerning the city rights is asked to give that opinion fearlessly and independently according to what he knows or believes to be law, or is he to frame his answer so as to coincide with the already expressed wishes or opinions of a majority of the council? Let me for a moment claim your attention as to what I conceive the relative positions and duties of the City Council and Recorder. In all corporations whether large or small, it has been found necessary to associate with civic authorities a professionally educated legal adviser, and the reason assigned is perfectly obvious; the former being chosen from the mass of the people, are ignorant of the principles and forms of law, and a Recorder, Town Clerk, City Solicitor or by whatever other name the latter may be termed, is added to prevent their going astray, or injuring the community they represent, in consequence of such their ignorance. A Recorder, the highest class of this description of legal civic officers, is considered in the same light as respects his corporation, as the Attorney General with the government. In cases of doubt, as to the legal course to be pursued, the matter is referred to the legal adviser of the city, or to that of the government, and his opinion is, and ought to be conclusive on the matter. What says our own statute of Incorporation, section 39!—"He (the Recorder) is to take the *charge* and *management* of all legal business connected with the affairs of the city, to draft or revise all legal documents required by the city, and to act as Counsel and Attorney for the city, in any suits, in any court to which the corporation may be a party." These words one would suppose are sufficiently clear and comprehensive. If the Recorder is to take the charge and management of suits at law, in which the corporation may be involved, is he to take the advice of the Council as to how he is to proceed, what plea he shall put in, or how he shall manage the cause? Are they to whom he has been assigned as Counsel and legal adviser to turn round and give him legal advice and counsel? Is the client to dictate to the lawyer, or the lawyer to the client? Your own good sense will my dear Sir' furnish the reply. You and other members of the Council are angry with me that I claim a superiority over the Council in matters of law, and as you think, permit me to say wrongly—"take a delight in making statements and giving my opinion in contradiction to that of the Council." That differences have arisen between us is true, but am I, or those who differ with me to blame? Let us look for an analogous case or two. On board of a ship, when no coast is in sight, the captain reigns supreme, as soon as he wishes to enter a harbor, it becomes his duty to make a signal for a pilot, who when his credentials are shown and found to be correct, takes command of the ship, and as far as regards the course to be pursued, his orders are paramount to those of any officer in the ship, the captain not excepted. Just such a pilot is the Recorder. As to the policy to be pursued with regard to city management, the Council are supreme; when however the sunken rocks, shoals and quicksands of the law—and they are fully as fatal, and more dangerous than those on the coasts—are to be steered clear of or passed over, the Recorder takes the helm and is responsible for the result. The Colonel of a regiment is invested with a high degree of power, but who ever heard of him dictating to the surgeon how the sick and wounded are to be treated, or to the paymaster, how his accounts are to be kept? In all well regulated associations, there is a division of labour, and it is of the highest importance that each keep within their own sphere. The instant the workman of one division interferes with those of another, confusion ensues, and all becomes disorder and discord. You state that you had read the Act carefully over, and had arrived at the conclusion, that the Company's claim was unjust." Does it not occur to you, that it is possible that the premises from which you have drawn that conclusion may be falacious or unfounded? His worship the Mayor and Mr. Councillor Davies in the case of Murphy, *vs* Bourke came to the conclusion, that the government had a perfect right to tax passengers landed from boats on Minchin's wharf; their judgment however, was set aside on appeal; such different views do laymen and those with legal educations take of the same matter. A Majority of the Council, in the case of the Common, agreed to petition the House contrary to the opinion of the Recorder, and what was the result? the prayer of the petition was unanimously rejected. Should the Gas Company persist in its determination to enforce its claim by an action against the city or its surveyor, I shall have an opportunity of again pointing out the propriety of avoiding a law-suit, and by reducing my opinion to writing, may possibly succeed in making that which appears sufficiently clear to me, equally so to the members of the City Council. In the mean time believe me, no man is better aware of, or more highly appreciates the exertions of every member of the Corporation for the public benefit than I do, and rely upon it, that no one feels a greater anxiety for the prosperity and well-being of the city than myself, and no exertions of mine shall be wanting to render the acts of the Council and its officers free from all imputation of blame, and I will venture to add, that in all cases where my advice is followed, such will be the result. Giving you and others credit for honesty and integrity in your views and and actions as members of the Corporation, I ask the same credit for myself, and am with respect and esteem, dear sir, yours faithfully.

The Recorder.

HASZARD'S GAZETTE.

Wednesday, September 10, 1856.

We found on enquiring at the Electric Telegraph Office, that the English Mail had not arrived at Halifax, at 10 o'clock this morning.

We clip the following from a New Brunswick paper. At the same time we might inform the Halifax authorities, if they are not already aware of it, that we have accommodation, for at least two companies in our city.

Military.—We understand that the Governor of Nova Scotia is shortly expected to visit this Province. He was here about a year ago. General Eyrie (one of the Crimean heroes) is also expected in St. John from Canada. We are informed that upwards of 5000 men are to be stationed in St. John, in consequence of the want of Barrack accommodation in Halifax, and their arrival may shortly be expected. —*Church Wit.*

We have since learned, that Gen. Eyre has arrived in Fredericton, and that he is hourly expected here.

We beg to acknowledge the politeness of our *quondam* townsman, Mr. J. J. Pippey, now of Woburn, Massachusetts, in furnishing us with files of the Boston papers.

The correspondent of the *New York Tribune* writing from Nova Scotia, thus speaks of that country:—

"To sum up in a few words the advantages of Nova Scotia. Like the United States, it contains within itself, in a much smaller area, all the necessaries of life, and it *might* be independent of the world, though *it is* dependent on the United States and Canada for the staff of life. The scenery in many parts abounds in sublimity and beauty. It is well watered and