

**Charlottetown Commion.**

**Second Report of the Committee appointed to enquire into the right of persons claiming the Common of Charlottetown, 24th Sept. 1855.**

Your Committee appointed to report upon the subject of the Common of Charlottetown to the Common of this City, beg to lay before the Mayor and Common Council, a Message received from His Excellency Lieutenant Governor Patterson, through the following instrument conveyed by letter, dated 13th instant, as well as Minutes of Council on this important matter of the 26th Feb'y, '54, and the following documents, these documents are in reply to a note from the Chairman of your Committee, of 7th September, addressed to the Hon. Mr. Coles, Col. Secretary, requesting he would be pleased to inform your Committee, by what authority Lieutenant Governor Fanning granted the Common of Charlottetown? It appears from the following copying replies, also alluded to, the Colonial Secretary deemed the enquiry of your Committee of such importance, as to lay it before His Excellency the Lieutenant Governor, who your Committee understood the incumbents of the Common relied on for protection. The Colonial Secretary states, "It appears from the information you have acquired for the information of the City Authorities, that there is nothing on record among the Despatches relative to the matter."

Your Committee trust the following explanations are sufficient to show the reason, why the expected reply from the Colonial Secretary was necessary to make it necessary to publish the first Report, as it appeared necessary immediate steps should be taken, cautioning every person against purchasing land in the Common, as they were aware a certain portion thereof was then advertised to be sold at public auction, to take place only about three days subsequent to the coming in the information contained in our first Report.

Your Committee thought the facts therein enumerated were sufficiently strong to prove to the City or any other authorities, that the occupants of the Common have held possession thereof only by the sufferance of the Colonial Government; that the grants, under plea of which they claim the Common, are grants of Pasture Lots in the Royalty, and that it is notorious, Lieut. Governor Fanning and his Council, have been in possession of the Common, under these circumstances, it ceases to be a matter of wonder, the thing has been kept quiet and that the same has been concealed from the public so long; with the prospect of the foregoing circumstances in their possession, they conceived it became their duty to report the same to the Council.

We beg to observe, it was from the evasive wording of the deceptive document, which the trespassers on the Common claim a grant thereof, that your Committee were induced to put the question thereon to the Colonial Secretary; they thought it extraordinary if in the administration of Lieut. Governor Patterson, the authority of an act of Parliament was deemed necessary to enable the Executive to lease the Common for ten years, that afterward, during Lieut. Governor Fanning's time, the authority of the Estate of the Realm alone was sufficient to enable him to dispose of it for ever, but it appears the very ground upon which they claim a grant is false, inasmuch as there appears to be no sanction from the Royal Power, to grant the Common for any term of years.

Your Committee recommend that this report and the accompanying documents received from the Colonial Secretary, be laid before the Hon. Mr. Esquire, Recorder, to be read in public to deliver in writing, his opinion to the Council on this important matter your Committee have been deputed to gather.

BENJ. DAVIES, Chairman,  
DONALD McISAAC,  
ARTEMAS C. SIMS.

Colonial Secretary's Office  
P. E. Island, 13th September, 1855.

Having submitted to the Lieutenant Governor your letter of the 7th instant, asking information relative to the Common of Charlottetown, His Excellency directs me to acquaint you, that the information of the City Authorities, that there is nothing on record among the Despatches relative to that matter; but I am to refer you to extracts from the Minutes of Council, under date of the 26th February, and 23d and 12th March, 1857, which will be found in the enclosure to the honor to enclose. I am further to state, that no grant appears on record for the Common Lots, and that I have the honor to be, Sir,

Your obt. Servt.  
GEORGE COLES, Col. Secretary.

BENJAMIN DAVIES, Esquire,  
Chairman of Committee  
of the City of  
Charlottetown.

**Extracts from Minutes of Executive Council.**

COUNCIL CHAMBER,  
26th February, 1859.  
PRESENT:—His Excellency the Lieutenant Governor, Mr. Patterson, the Hon. Captain Burns, Mr. Townshend, Captain Gray, the Hon. Mr. Applin.

The Governor having acquainted the Board that the Common of Charlottetown is claimed by many of the principal inhabitants of Charlottetown and the Island at large, that it would be attended with very beneficial and salutary consequences, if the same were placed in the Royalty, heretofore appropriated as a Common, should be laid out into Pasture Lots, and the same were subject to the usual regulations and restrictions,—it being now useless in its present waste and uncultivated state, and even considered as a nuisance and obstruction to the settlement of the Town, and the Lieutenant Governor further observed, that it appeared to him highly important to the King's service, and the convenience and advantage of His Majesty's future Governor, Lieutenant Governor or Commander in Chief of this Island, for the time being, that a certain portion of the said Common should be reserved, and a Grant thereof made under the Great Seal of the Colony, for the use and accommodation of His Majesty's Governor,—He informed the Board, and the Commander in Chief for the time being, that there had not been any reservation of any Land heretofore made, for the erecting of a Government House, for the habitation and residence of His Majesty's Governor.—He informed the Board, that he should call for their opinion on the subject, and that he would be pleased to consider that they would take the same into consideration.—The Lieutenant Governor further proposed, that Captain Gray, a Member of this Board, and the Lieutenant Governor of this Island, should, against the next meeting, prepare a plan of the said Common, laid out into lots and sections, which might be agreeable to what had hitherto been suggested in the Minutes of this day, that the same might be adopted, as the division to be made, if approved, at the next meeting.

COUNCIL CHAMBER,  
23rd March, 1859.

PRESENT:—His Excellency the Lieutenant Governor, The Hon. Colonel Debray, Mr. Patterson, Captain Burns, Mr. Townshend, Captain Gray.

Agreeable to what the Lieutenant Governor suggested at the last meeting respecting the appropriation of a portion of the Common of Charlottetown heretofore considered as a Common, into Pasture Lots, and a reservation to the Governor for the time being, he then requested the Members of the Board, whether themselves appeared to them eligible or not, and whether an equal portion of the Royalty heretofore reserved for Pasture Lots, beginning at the Three along said Road on both sides equally near to a square as may be for complement, should not be laid out and reserved as a Common, instead of that part of the Royalty heretofore considered as such.

The Board were unanimously of opinion, that it would be eligible, and that the reserving the like quantity of acres for a Common as above mentioned on the Princetown Road was both expedient and proper.—It was therefore unanimously ordered, that the same should immediately take effect and be carried into execution accordingly.

It was further reported to the Board, that he had made a rough plan of the Common, but that upon mentioning a small portion of the same to the Board, he was informed that it might not be correct, therefore he proposed referring the same to the next meeting of the Board, when the necessary measurements would be taken, and ordered it to be left as at a lasting evidence of the plan of the distribution of the tract of Land, of which it was the plot, and the divisions of the ground to be bounded accordingly.

COUNCIL CHAMBER,  
12th March, 1859.

PRESENT:—His Excellency the Lieutenant Governor, Colonel Debray, the Hon. Mr. Patterson, Captain Gray, Mr. Townshend, Captain Gray, Mr. Applin.

The Surveyor General then reported to the Board, that he had made a correct plan respecting the Common, and that he had laid out the same, which he laid before the Board, and the Board having inspected the same, fully approved the same, and ordered it to be left as at a lasting evidence of the plan of the distribution of the tract of Land, of which it was the plot, and the divisions of the ground to be bounded accordingly.

It is positively asserted, says the *Cologne Gazette*, that Lord Westmoreland will not again return to Vienna as ambassador, but Lady Westmoreland has just arrived there from Prague.

The New York Mirror learns, that Santa Anna will be offered for the purchase of Mr. Edwin Forrest's mansion near Yonkers, and Mr. Forrest has named the price of the place as \$100,000.

**NEWS BY THE ENGLISH MAIL.**

**PROGRESS OF THE WAR.**

On Saturday, the 8th of September, within a few days of the anniversary of the loss of the landing of the allied forces in the Crimea, and 31st of the opening of the Crimean Campaign, the batteries against Sebastopol, on the 17th of October, 1854, a final and victorious assault was made upon the southern part of the town. Before night the French flag waved in triumph upon the Malakoff Tower, which had stood before the indomitable courage and perseverance of the assailants, and within a few hours more the Russian garrison had evacuated the Karabelina suburb and the southern portion of the fortresses, after blowing up magazines and printing works, setting fire to the town in many places, and then endeavouring to withdraw by the bridge across the harbour from this terrific scene of devastation and defeat. So fell Sebastopol. The catastrophe surpasses in horrible interest all the preceding scenes of this gigantic contest. The columns of the allied armies, combined in a fourfold attack, struggled all day with equal valour, though with unequal success, against the principal batteries of the town. The extreme right of the French attack was directed against the work called the Little Redan, which was at first carried by the impetuosity of our allies, though they were eventually driven back by the resistance of the Russians. The second and principal assault of the French army was against the Malakoff, which was carried by storm, and determined by its fall the fate, not only of the day, but of the siege. A third attack was made on the British works, called the Great Redan, and although we learn that the silent angle of this formidable work was at one moment carried and occupied by our troops, it must be added, that they were subsequently driven out of it by the Russian batteries which commanded it, and this check in some degree diminishes the exultation which will be felt in this country at the triumphant termination of the siege. The French columns on the left of the Malakoff, which were supported by the Central Battery, but failed to establish themselves in the work. We have no doubt, that every man who attacked the defences of Sebastopol on that eventful day fought with the same heroic gallantry and the same determination to conquer or to die, the place or to perish in the attempt; and, although the results of these several attacks were unequal, all were animated by the same spirit and contributed to the great result of the day. It is the right of every citizen belongs of right to our gallant allies the French, since the Malakoff Tower, the key of the main position, fell before the vigour of their assault; but, with that chivalrous feeling which is the noblest bond of friendship between nations, we are glad to register the names of all those who carried the rugged defences of Sebastopol deserve to stand side by side on one page, and no invidious distinctions shall ouly or lessen their common renown.

It is to be regretted that the Russian army defended the place with the utmost determination, and on more than one point they had the advantage over the besiegers. But it was the courage of desperation, for this effort was their last. No sooner were the outer works taken, which laid the town and the port at the mercy of the allied forces, than the men-of-war and steamers in the harbour were all set on fire, blown up, sunk, or destroyed, either by the fire of the batteries or by the orders of the Russian authorities, who were determined to risk the Russian Black Sea fleet, on which the Imperial Government had expended incalculable sums of money and incessant labour, and that fleet which two years ago threatened the safety of the Empire of the Turkish empire, but whose solitary fate was determined by the atrocious outrage upon a far inferior force at Sinope. Of the authors of that nefarious attack what remains? The Emperor Nicholas sleeps in the vaults of St. Peter and St. Paul, the conscious of the chastisement his wicked policy had incurred on his empire and his heirs. The admirals who commanded and the crews who fought on that occasion have most of them fallen

in the batteries of Sebastopol! The very ships [which Russia contended at the Conferences of Vienna as essential to her dignity and power are torn plank from plank and scattered upon the waves. The dockyard and arsenal, the great magazines, and the possession of the allied troops; Prince Gortschakoff had, it seems, solicited an armistice, though we know not whether it was granted; but his troops were hurrying away with the utmost precipitation; and, considering the magnitude of the physical success, such a defeat upon the remnant of his army, it may be doubted whether the Russian General can attempt to make any further stand on the north side of the harbour.

These great events terminate the siege of Sebastopol, properly so called, for the allied armies have achieved within the last three days the grand objects of their enterprise. They have wrested from the whole military power of Russia a fortress which she had erected to protect the extreme strength and defended with innumerable hosts of her best troops. They have annihilated the naval power on which she relied to secure her supremacy in the Euxine, and to establish her authority from the shores of the Caspian to the extreme of the Danube. But above all, they have shown the servile and credulous nations of the East, that the Powers now paramount in the world are not those of fanaticism and barbaric absolutism but those of liberty and civilization. The Russian Empire has become at once the test of strength and the reward of victory. To reduce it by force of arms was to overthrow that colossal fabric of Russian influence which a century and a-half of rapine and intrigue had called into existence. The Russian Empire, the leading nations and threatened the independence of Europe. While the expedition to the Crimea offered the incalculable advantage of encircling within a few square miles of the enemy's territory all the horrors of the Crimean Campaign, and the Russian empires on a single point, the result of our victory is as boundless as the globe. It tells, the world that the alliance of England and of France has stood the test of warfare in the most trying and the most perilous of the field. It assures mankind that the united policy can impose its will and execute its resolutions, even though the timid stand aloof, and though men of baser minds may abandon the cause of their country in the hour of need. It shows us, in no slight degree to the unwavering firmness with which the Emperor of the French has pursued this enterprise and adhered to the policy that dictated it. But we owe it no less to the clear and unanimous resolution of the people of France, who have made up their mind, that this thing was to be done. In the course of these events, which broke in so suddenly on our wonted avocations, we have had much to learn and much to beget. At times the tedium of suspended animation, the gloom of the winter months more than once the fainthearted or the factious loss confidence in the result. Yet what is the fact? What is it we have done? A year has not yet elapsed, since the allied armies set foot in the Crimea. Within the space of a few months we have fought battles, and twice assaulted a fortress of extraordinary magnitude. They have encompassed the works of the enemy with trenches extending over more than 30 miles of ground; they have armed these trenches with sea-level batteries, and kept up so incessant a fire, that not only an incalculable amount of projectiles has been consumed, but five or six siege trains have been worn out. They have created at Kamiesch, Eupatoria, and Yenikite three new towns, and have, in the most daring and not dared to assail, and Balaklava has become a populous mart. A railroad connects the harbour and the camp; an electric chain binds the Crimea to Europe, and conveys to us in a few hours the tidings of the world. The Russian army, which numbered 300,000 men encamped within the lines of the Tchernaya have been conveyed thither and are daily fed, clothed, and housed from the resources of Western Europe. All this has been effected in the space of the siege of Sebastopol, and the distance of 3,000 miles from our shores, within one little year from the sailing of the expedition, the leading objects of the campaign