The Standard,
IS PUBLISHED EVERY WEDNESDAY, BY
A. W. Smith
At his Office Market Square, Saint Andrews, N. B

TERMS.
12s 6d per annum—if paid in advance.
15s, if not paid until the end of the year.

ADVERTISEMENTS
Inserted according to written orders, or continued till forbid, if no written directions.
First insertion of 12 lines and under 3s.
Each repetition of Ditto 1s.
First insertion of al over 12 lines 3d per line.
Each repetition of Ditto 1d. per line.
Advertising by the year as may be agreed on.

The Standard,

OR RAILWAY AND COMMERCIAL RECORD.

Et variis sumendum est optimum.--Cic.

No 4 | SAINT ANDREWS, N. B., WEDNESDAY, NOVEMBER 15, 1854. | [Vol. 21

LAW RESPECTING NEWSPAPERS

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From the Reporter.

HON. JAMES BROWN'S SPEECH,

ON THE AMENDMENT TO THE ADDRESS REPLY TO THE GOVERNOR'S SPEECH, ON OPENING THE LEGISLATURE.

Mr. Brown said that he was anxious to remove the impression expressed by some of the hon. members that he had changed his mind. When the Session opened he had not the smallest expection that any question would arise affecting the Government; he came for the purpose of voting for the Treaty, and returning again as speedily as possible, leaving all politics matters for the consideration of the House at the next Session. Immediately on his arrival he had met the Attorney General, who in course of conversation requested him to move the Address in answer to the Speech, to which he (Mr. B.) readily consented; and as there was nothing political in it, being merely an echo of the Speech, he supposed that it would have been taken into immediate consideration, and adopted at once.

Now however its character was entirely changed as the amendment, if carried would overthrow the Government. He had in no way changed his mind so far as the Address went—the amendment was new matter, and however reluctant he was to meddle with such a grave question, there appeared to be no way of escaping it. The House in fact was in the condition of his countrymen a hundred and ten years ago, when one family held the Crown, and the other was contending for it, and the principal men were compelled to join either the one side or the other; so that, adopting Sir Walter Scott's motto, it might be truly said to every member of the House.

"Under which King, Bezonian! speak or die!"

So far then as he was concerned, he would look back a little, in order to show his present position. He came into the House twenty four years ago an avowed Liberal. At that time the Legislative Council was also the Executive Council—the principal officers were appointed, with large salaries, during life, and the ungranted resources were under the control of the Governor and Council. It was then that the Assembly began to introduce the principles of Self Government, and after sending three delegations to London, losing 18,000 acres of the best land, and oversetting the local Government, they succeeded in obtaining the control of all the ungranted resources. The power of Grand Jurors was extended, the salaries of the principal officers gradually reduced.—Responsible Government established—and the Executive Council, in several instances, broken down by a vote of censure, or want of confidence. The Parish Officers were afterwards made elective by the Parishioners, and the Secretary, Attorney General, and Surveyor General, elective by the Freeholders every four years. During the whole time that those changes had been taking place, there were two antagonist principles at work, one for making progress "Onward and upward," and the other for standing still.

Now, on looking back, he (Mr. Brown) found, that in all those progressive measures he had been running side by side with the learned mover of the amendment. They had long advocated the same principles, the same measures of self government, the same views on political economy, for he (Mr B.) well remembered the expression of his learned friend, when he first avowed himself an advocate for freedom of trade, that "*Protection was only a relic of barbarism!*" They had lived to see those principles in full and successful operation, and the extraordinary prosperity which had followed their adoption, as well in the British Islands as in the North American Colonies. It was well known that he (Mr. B.) had pursued the same policy in the Legislative Council, and when he was called upon to resume his station in the House, where he had served twenty years, and obtained leave from Her Majesty to retire from the other branch, he had promised, among other things, to assist in the revision and improvement of our Educational System—the Road System—the Revenue Laws—Municipalities, and other matters relating to progress in self government, and especially the Election Law; and here he must say, that it was the bounden duty of the Government during the last four years to unite heartily in carrying through an improved Election Bill. This they had left undone, although three sessions out of the four had been hindered and embarrassed by scrutinies, with an absolute certainty of the recurrence of similar evils after the next Election.

The learned Attorney General's Election Bill had been alluded to, and he (Mr. B.) entirely concurred with the learned member (Mr. Fisher) in his opinion that the Bill did not meet the wants of the country. He had watched the progress of that Bill with much anxiety, which after a whole week's discussion had been abandoned by the Attorney General himself. Feeling the necessity of the case, he [Mr. B.] had ventured to introduce such a Bill in the Legislative Council. To this it was objected that it was a breach of the privileges of the Assembly, and that it was too late, as it would require a suspending clause, and would have to be sent home for the Queen's special sanction. On enquiry into the usages of Parliament and the Royal instructions it was fully admitted that the Bill neither interfered with the privileges of the Assembly, nor requiring a suspending clause. It was therefore sustained, but finally rejected, because, he believed though he could not prove it, that the members of the Government, previous to that time, had concluded to try their fortune under the present Election Law. Here the learned Atty. General interfered and said he had nothing to do with the matter.] The things that had been greatly feared had come upon the present House—they were now overwhelmed with scrutinies, and if he could only assist in getting through a Act for registration and Vote by Ballot, he would think himself well rewarded for the loss of rank as a Legislative Councillor, and all the turmoil of a popular election.

As he had said before, he was altogether unprepared for any movement of the kind at this time; but being placed, by the force of circumstances over which he had no control, in a position which compelled him to take either the one side or the other, although he had a very high opinion of the talents of many of the members of the Government, and was on friendly terms with them all, he was in duty bound to vote for the amendment.—Whether it would be carried or not, he did know, as he was unacquainted with the views of a large mority of the present House.—He knew that there were several old hands who were not in the last House, able seamen, who could hand, reef and steer, and knew all the ropes; and if they should take "a long pull and a strong pull, and a pull all together," they might perhaps trip the anchor, and set the ship adrift from her moorings where she had been so quietly lying for the last four years.

THE CHIEF ENGINEER OF SEBASTOPOL.

Every one has heard of Sebastopol but every one has not heard of Colonel Upton, for many years the chief engineer of that redoubtable fortification. Mr. Upton was the surveyor of the Dunchurch and Stratford road and resided at Daventre many years.—His name frequently appears in parliamentary reports of the Commissioners of the Holyhead road. Between the years 1818 and 1826. All the great improvements on the above line were made under his superintendence; and Mr. Telford, who was the engineer of the Holyhead road, had the highest opinion of his acquirements, and took every opportunity of stating his opinion of him to the commissioners.

Mr. Upton got into a course of expensive living unwarranted by his means, and was induced to commit many gross frauds on the trustees of the road. These frauds were discovered in the month of April, 1826, and, on inquiry by a competent person employed, it was discovered that he had trespassed upon the funds of the trustees, to an amount exceeding £2000. Evidence was taken at the time of the facts, and he was held to bail to appear at the July assizes following, to answer to the charge. He appeared at the assizes, and answered when called to plead. The trial did not come on the first day of the assize. He had been given to understand by his solicitor that he would be merely indicted for a fraud, but he obtained information he could not doubt that he would be indicted for forgery, and, if found guilty, would probably be hanged. He slept at Northampton, got up about 7 o'clock, said he was going out to take a walk, and said he should return to breakfast. He did not, however, appear again, and as it seemed, went that morning to London.

By some means he got a recommendation to the Russian authorities in London, received the appointment of engineer, and was in a few days on his way to the Crimea. We have heard by what means he obtained his recommendation but if we were to publish them they would implicate in parties whose character was unimpeached. As talents are more highly prized in Russia than honesty it is possible that his real character might have been given. Talents are the first required in that country, and the surest guarantee for honesty is the certainty of being hanged, if you are detected in being otherwise. When Mr. Upton went to Sebastopol the harbor was in a very inefficient state and in vain had several engineers endeavored to improve it. There was great difficulty in getting the water into it, so as to admit large ships. He procured immense iron works at Birmingham, and by dint of science, labor, and expense, he made it what it is.

The whole time of his residence in the Crimea he has been engaged in the fortifications in the Black Sea, and has been for some years the chief engineer at Sebastopol. The Emperor was so pleased with him that he gave him the rank of lieutenant colonel in the army, and he was received at the palace at St. Petersburg. In addition to his numerous forgeries and frauds he got upward of three thousand pounds of the money of his wife's relations, not one farthing of which did he repay. He held the post office at Daventry for a year, and at the end of it was a defaulter of nearly three hundred pounds, which one of his sureties was obliged to pay. He died about a year ago, and has left a name (infamous though it be) more durable than the brass artillery he planted at Sebastopol.—*Northampton (England) Herald.*

Among the items of news from the Crimea by the last steamer was a statement that a Mr Upton had been captured by the allied forces in the vicinity of Sebastopol, and that important information was expected to be derived from him. Probably he is a son of the colonel whose history is given above.

The English papers publish a list of the private soldiers killed and wounded at Alma. The national subscription for the sick and wounded had reached £6000 sterling, and a regiment of women had been organized as nurses, and would be sent immediately to Scutari.

The German press everywhere gives indications of an approaching rupture between Austria and Prussia. Great anxiety exists at Berlin.

The *American Protestant Association* of New York, held a large and enthusiastic meeting at the Tabernacle, and adopted the whole state, city and County Nomination of the Know Nothings. About 5000 persons were present. The Association numbers about 40 lodges in that city.

European Intelligence.

Reports had again been circulated, simultaneously in Vienna and London, of the fall of Sebastopol, and large stock operations are said to have been made on the faith of the statement, but the public were slow to believe.

Government employees say that serious intelligence must not be looked for before the beginning of November.

In the absence of news of active operations the papers are mainly filled with accounts of the positions and projected operations of the various forces.

Odessa accounts of the 8th, say that Gortschakoff was at that place, and Menschikoff who could not maintain his position at Baiche Serais, had sent his army to Sebastopol, and gone to Perekop.

A Russian corps of 15,000 men was posted on the Ichemaya, near Sebastopol, and the opening of great operations was daily expected.

It is said that Gen. Canrobert has notified the French Government that the position of the allies is impregnable, being defended by 80,000 men and 200 guns, and that it could easily be held against 200,000 Russians.

Constantinople letters of the 12th say that three thousand of the Foreign Legion and four thousand Turks had just left for the Crimea.

It is true that on the 11th of September an an attack was made by the Mahsoudie, Turkish flag ship of 120 guns, together with several of the allied fleet, on Fort Constantine, but it was merely to cover the advance of the allies along the landward side of the city.

In consequence of correspondence found among Menschikoff's effects, when his carriage was captured near Varna, several important arrests have been made at Varna.

Two small British steamers have been ordered to the Sea of Azof, to bombard the town of Kertch.

Lord Stratford de Redcliffe, British Minister at Constantinople, has succeeded in procuring a firman to suppress the trade in Circassian Georgian slaves.

A large portion of the French Baltic fleet returned to Cherbourg.

A rumor was current that the Danish Government would probably permit the British fleet to winter at Kiel.

The Journal of St. Petersburg of the 14th contains a telegraphic despatch from Vienna, stating that the Commissioners of the Western Powers and of Austria and Turkey met at Constantinople to arrange the question of the protectorate on the basis of the proposals made by the Austrian cabinet.

☞No tidings have yet been received respecting the fate of the steamer Her Majesty, which sailed from Cork in the beginning of August, bound for Toronto, Canada. Capt. Lang, of the America, stated that he passed her 400 miles off Cork, and that from the tempestuous weather and heavy sea then prevailing, he entertained very little hopes of her safety.

DREADFUL RAILWAY COLLISION ON THE GREAT WESTERN RAILROAD.

The people in America are certainly the greatest of murderers of one another, that are to be found on the face of the globe. We have scarcely got over the panic created by the terrible loss of life on board the Arctic, when another catastrophe on dry land challenged our attention in the newspapers. The train was on its way from Niagara Falls going Eastward.

The accident occurred on Friday morning at about 5 o'clock, a short distance East of Baptist Creek, the collision being between the regular passenger train and a gravel train. The passenger train was due at 11 30 P. M. on Thursday night but was delayed by accident to the Engineer, and the collision is said to have occurred through the carelessness of switchman, who having been asleep, informed the engineer of the gravel train that the passenger train had passed.

The gravel train consisted of fifteen cars loaded with wet gravel. The passenger train consisted of four first class, two second class, and two baggage cars. It was in the second class cars that the principal loss of life was sustained, both being smashed to pieces, and nearly every passenger killed.—The first class car was also badly smashed, and most of those in the front part of it met the same fate as those in the forward cars.—Most of those killed were German emigrants.

At 11 A. M. on Friday the bodies of 25 men, 11 women, and 11 children had been recovered, and there were 24 men, 11 women and 16 children badly wounded.

THE PRESENT TIME.

How important and solemn are many of the considerations connected with the present moment of time!

This moment! I who read these words am either a regenerated soul, pardoned and saved by grace, or an unrenewed sinner, exposed to the wrath of God,—a son of the Most High God, or a willing servant of Satan,—an heir of heaven and eternal glory, or a traveller in the broad road to endless perdition.

This moment! whatever be my character, I am in the presence and under the immediate notice of a holy God, whose all-searching eye reads my inmost thoughts.

This moment,—the power of that God, prompted by his mercy, upholds me in conscious existence, protects and preserves me from death, while some one or more of my fellow beings is compelled to obey the summons of the "King of Terrors," and has even to be numbered with the dead.

This moment, a record is made in that book out of which I am to be judged,—a record of what I am intending to do the next moment, and at some future hour,—a record of the motives which now actuate me, and prompt me to the performance of these contemplated acts.

The passing moment is just now going into eternity, a witness in a case soon to be tried—a case, upon the decision of which my eternal happiness or misery depends.

The present moment shortens the period allotted me for preparation to stand before the great white throne of God and the Lamb, and brings me so much nearer my eternal home; for

"Every beating pulse I tell,
Leaves but the number less"

This moment I am liable to be summoned before the judgment seat of the Searcher of hearts, and give an exact account of my past life and character; for

"Dangers stand thick through all the ground
To push me to the tomb."

This moment, if I am still an impenitent sinner, I am growing more hardened against God, and my prospects are becoming more awfully and fearfully enshrouded in gloom.

This moment, if an unconverted soul, I am turning my back upon the bleeding, dying Saviour of sinners, and deafening my ear to all the touching accents and affectionate invitations of mercy uttered by the spotless Lamb of Calvary!

This moment, if a disciple and upwards, the soul is, by neglect or sinful conduct, dropping the last drop into its cup of iniquity, previously to its being given over to hardness of heart and blindness of mind for ever; and I know not, if I am still unreconciled to God but that even now I may be passing that critical point beyond which there can be no possibility of my salvation.

This moment, oh, my soul! awake to action in reference to thine eternal interests; for upon the decision of this moment! thy future and unalterable destiny may depend!

"God be merciful to me a sinner."

A very singular discovery was made in France, by M. Ayde. The herb ordered as worse than useless on the shores produces specific in form, but 1830, M. F...

Correspondence.

To the Editor of the Standard.

Sir,— It is with much pleasure that I have heard it reported, that Mr. Fraser is to favour us with a course of Lectures, during the approaching winter. It is certainly true, Sir, that we require somebody to arouse us from the state of apathy into which we have fallen, with regard to this subject; for while almost every other portion of British America, has had this priviledge afforded them, St. Andrews has been exempt. And if I may be allowed to judge from Mr. Fraser's lecture on the "Fine Arts," I can only say to any one who allows the opportunity, thus afforded for their mental improvement, to glide past, without embracing it, that he thus casts away a boon of which he little knows the value.

I feel confident, Mr. Editor, that in wishing Mr. Fraser every success which his talents merit, and which this praiseworthy effort, (if it be true,) deserves; I am only reiterating the sentiments of every intelligent person in the Town, and sir, I shall hail with pleasure the evening of his opening lecture.

I am, Sir,
Your obdt. serv't,
PROGRE

In a recent sitting of the Agricultural Society of Saint Marcellin, Isere, a curious fact was related:—A farmer stuck a pen in a potatoe, and planted them together in March last. The pen produced a stalk was covered with peapods and the potatoe gave healthy roots, The farmer is of opinion that, by this system, it is possible, not only to obtain a two fold crop, but to prevent the malady in potatoes.

AYER'S

FOR ALL THE PURPOSES OF A

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