

and gratitude. One of the finest of his productions was the discourse at the opening of the Aldgate-street Mechanics' Institute in 1828, when such associations had existed only five years. In the concluding passage of that address he urged the view of applying literary enlightenment to the pursuit of social duty, and the wise and conscientious discharge of political obligations; and he who had himself adorned his enlightenment to account had a right to the enthusiasm with which his hearers received his exhortation to a virtuous use of the suffrage.

The period of exclusion was now, however, drawing to an end. When the Grey ministry was formed in 1830 he was made Attorney-General, and knighted for the office, according to custom. The Nottingham people retained him to Parliament with high praise and delight. The Duke of Clarence, who had joined in the persecution of the Queen, had now laid aside all controversies; and he made the liberal Attorney-General a peer in 1834, and Chief Justice of the King's Bench. In two years more, Lord Denham pronounced the decision that brought on the perilous quarrel between the Law Courts and Parliament. In 1836, on the contrary, the authority of Parliament could not justify the publication of a libel; and as the House of Commons could not surrender their claim to publish what they thought proper in entire independence of the Law Courts. The "Hansards" were published under the authority of the House of Commons; and Lord Denham had to bear the responsibility of having personally overhauled the reports of the House of Commons on the constitution. He was confident throughout that he was right, and patriotically employed in vindicating the liberty of the subject from oppression by Parliament; and Parliament was equally convinced that the natural jurisdiction of the courts was not to be tampered with. A more difficult question can never occur under a constitutional government; and it is pretty sure to come up, from time to time, like the great state rights in America, when some earnest man sees his own side as the only one. It is not to be perceived that the other may not necessarily be wrong. In the controversy opened and conducted by Lord DENHAM, the respective claims were left unsettled; and nothing was done but doubtfully providing for the single case of the publication of parliamentary reports, and DENHAM'S service in the case was depositing in the annuity of the law courts a quarrel of arguments for the use of successive cabinets, whenever the battle shall be renewed. Perhaps the only good result of the whole affair was the settlement of the House of Commons, and the new-minded and superficial how they stir the great questions which, while they are the roots of our growing and flourishing constitution, are incapable of definition and circumscription. They are not a matter of ordinary party politics, for aristocratic and democratic institutions are both troubled with them; and indeed it might be said, in a large way, that all methods of human association in fact are.

It was Lord DENHAM'S business to preside in the House of Peers, as a member of the noble and quarrelsome Lord Cardigan in 1841, for a "felonious attempt" to fight a duel. The earl was acquitted through a mistake, accidental or otherwise, in the name of the person challenged. The waste of time, money, and soldiering on such a farce, was vexatious enough; but the treat of the occasion was noble-looking. To the last day of his sitting in his own court, strangers thronged to gaze on that majestic and benevolent countenance. Lord Campbell, who made his way through life very easy by calling everybody he had to do with his "friend," discovered that Lord DENHAM was too old for his office—though two years younger than Lord Campbell; and he was accordingly "robbed" of his office by every body who had not perceived it before began to think it must be so. Lord DENHAM declared himself perfectly well, and that he was not at all to be troubled by Lord DENHAM'S patriotism to retire before his functions should suffer from his weight of years. He retired, he was tenderly cheered, and his friends and his affectionate children, and especially by his eldest son. He interested himself much in the Slave Trade question, in favor of the maintenance of our squadron of cruisers off the African coast, in which service he had served, and in which he had taken an active part. As long as he could attend Parliament Lord DENHAM spoke annually on the subject; and then he wrote upon it. His feelings were considered to be better than his reasonings in the case; but it was cheering to see a gathering round him the beacon light of human rights, which had guided his whole course, still shine for him and fixed his earnest gaze. The best part of him lasted long and was well. While well qualified as a lawyer he was respected for his personal virtues, and his name was gathered round him by that higher order as a patriot, and highest as a man and a neighbor. So, when he had retired from his professional career, he commanded respect for his unpaired solicitude for the public good, and a tender reverence for his personal virtues, and graces. He leaves so numerous a posterity that his name will be a source of domestic pride in many homes, for generations to come; and, however long the tradition may run, the record of history will run parallel with it, in most instances there any fear that the name of THOMAS DENHAM should be forgotten.

THE OBSERVER.

St. John, Tuesday, Oct. 21, 1851.

STUPENDOUS FABRICATION.—More recent and authentic information from Europe proves that the news lately brought by the Baltic, and published in our last week's paper, in a telegraphic despatch from New York, was a scandalous hoax; perpetrated by some careless miscreant in the east of Europe, and intended to deceive those whom it most interested. The statements, therefore, of the entire defeat of the Russians in the Crimea, and the fall of Sebastopol, were mere inventions; but official statements have since been received by the Governments of England and France, which show that the base forgery had some foundation, but was most audaciously extended. The real facts are, that a great battle was fought on the banks of the Alma, about the 20th of September, in which the Russians were entirely defeated, and driven back towards Sebastopol; which place was, at the last, annihilated by accounts, closely and regularly invented by land and sea. We may therefore look upon the major part of the fabrications in the Baltic's prediction; and may well believe that the aim which it falsely alleged to have actually occurred, (the taking of Sebastopol and the destruction of the Russian fleet), are not in reality in progress. We shall, therefore, be glad to see the highly important and genuine information on these points ere long.

The Provincial Legislature met on Thursday last, and after the usual formalities in the Legislative Council Chamber, on the opening of a new Session, the House of Assembly retired to their own Chamber, and proceeded to the election of a Speaker. Although it was expected that several members would be put in nomination for this important office, yet the Hon. Mr. Hanington, the former Speaker, was the only candidate; and on being nominated by George Ryan, Esq., of Sussex, and seconded by the Hon. R. D. Wilnot, Mr. Hanington was elected by a vote of 23 to 16. Four of the members were absent. The able and impartial conduct of Mr. Hanington in the Chair of the late House, fully entitled him to re-election; and we are pleased to find him reinstated in the post of dignity. On Friday last, the House presented their Speaker elect to His Excellency for his approval; which being immediately accorded, His Excellency opened the Session by the delivery of the following

SPEECH:

Mr. President, and Honourable Gentlemen of the Legislative Council, Mr. Speaker, and Gentlemen of the House of Assembly.

It is with great satisfaction that I now for the first time meet you, and to express my feelings of loyal devotion to Her Majesty's Person and Rule, and the sincere desire which we all entertain to promote the welfare of the People of this part of Her Majesty's Dominions, are sure guarantees for the maintenance of the most harmonious relations between us, which is essential to the public interest.

I have deemed it necessary to summon you for the despatch of business at an unusual period of the year; but I am confident that in the performance of public duties you do not regard personal convenience. I commend to your consideration the Treaty which has recently been concluded between Her Majesty and the Government of the United States of America.

A copy of this Treaty, and of the Act passed by Congress in connection with it, will be laid before you. By the terms of this Treaty, the consent of each of the Legislatures of the British North American Provinces is specially required, before its provisions shall have effect.

You will, in common with the rest of Her Majesty's subjects, rejoice in the assurance afforded by the Treaty for an uninterrupted continuance of the amicable relations which have so long existed between Great Britain and the United States; and I trust that you will see reason to believe that the large additional facilities of commercial intercourse with the United States, which are now offered for your acceptance, open to the Trade and Industry of this Province new sources of wealth, and the prospect of increasing prosperity.

Should you entertain these views, I shall readily co-operate with you in removing the impediments which the existing Laws of the Province now present to the execution of the Treaty. A copy of the Treaty, which has been passed in some districts of the Province, and especially in Saint John.

Trade was disturbed, industry partially suspended, and in a short period of time, a large number of persons were thrown out of employment. It has pleased the Almighty to relieve us from this cause for disquietude and alarm; and we owe unfeigned gratitude to Him for the restored health of the community.

An opportunity is now afforded for the timely adoption of those precautionary measures of sanitary regulation and improvement, which may, under Providence, be expected to prevent the recurrence of the epidemic; and I invite your attention, and that of the people of this Province in general, to the consideration of these measures.

You will, I am well assured, at all times, be guided by a spirit of loyalty to Her Majesty, and of zeal for the public good; and I trust that your wisdom will prosper our united endeavours to promote the welfare of this Province.

On Saturday, Mr. Fisher read and laid on the table the following document, giving notice that he should move it on Monday, (to-day), as an amendment to a paragraph in the address.

It is with feelings of loyalty and attachment to Her Majesty's Person and Government that we recognize in that provision of the Treaty which requires the concurrence of this Legislature, a distinct avowal by the Imperial Government, of their determination to preserve inviolate the principles of self-government, and to regard the Constitution of the Province as sacred as that of the Parent State. We regret that the conduct of the local Administration during the last four years has not been in accordance with these principles, and we feel constrained to thus early and so prominently to state our views on this subject.

At one o'clock Fisher moved his amendment and spoke eloquently until after four. Brown followed, supporting Fisher.

We take from the Freeman the following remarks in reference to Madame Krollman's intended Concert to-morrow evening, at the Mechanics' Institute, which we do with much pleasure. Instantly hope that she may experience the friendship of our citizens in an overflowing house. Her call, which is very attractive, will be found in another column.

Madame Krollman, who when she visited St. John with her late husband, Mr. Krollman, the celebrated Violinist, was so favorably received, arrived here on Saturday evening, and will give a Concert in the Institute on to-morrow (Wednesday) evening. She will be assisted by Professor Card, whose musical abilities are so well known to the people of St. John.—Freeman this morning.

H. M. Ship Roseawen, 70, with Admiral Fanshawe on board, sailed from Halifax on Wednesday last, for Bermuda and the West Indies.

Losses for the PROVINCE.—Nine valuable horses, purchased by order of the government to improve the breed of horses in the Provinces were lost by the steamer last evening for St. John. The horses were purchased in New York, Vermont, Maine, and Canada, and were mostly young and beautiful animals. We understand their cost was about one thousand dollars. Some of them are some of the best blood to be found.—State of Maine.

The above horses arrived at this port last week in a new and popular article has been introduced by Messrs. Smith, which Province they have purchased with funds granted for the purpose by the Legislature of that Province.

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Our loss, I regret to add, is very considerable, but no general officer has been wounded. The main body of the army of the enemy was estimated at 45,000 to 50,000 infantry. A few prisoners, among whom are two general officers and two guns have been taken by the English.

RAILS.

The following from the Monitor, is the despatch from Marshal St. Arnaud to his Government:

BYOGAC ON THE ALMA, Sept. 30.
We encountered the enemy to-day on the Alma. The woods ravine through which the river runs, studded with houses, and having very steep slopes on the left bank, was occupied by the enemy in great force. These slopes were strongly entrenched, and covered by a powerful artillery. The allied army attacked these difficult positions with unparalysed vigor. Our soldiers advanced to the assault with the cries of "Vive l'Empereur!" and carried all before them! The battle lasted 4 hours, and our loss was 1,400 killed and wounded. I am as yet ignorant of the loss sustained by the English army, which fought valiantly against our resistance.

ST. ARNAUD.

The following account is given of the reception of the news in London:

At 10 o'clock on Sunday morning the inhabitants of London were aroused from their slumbers to find that the happy news of the victory was not at all a dream. From the tower to the east end, and from St. James's Park at the west, the cannon's roar announced the joyful fact that success had attended our arms. By direction of Lord Hardinge, 25 guns were fired in St. James's Park, and as the House Guards conducted to communicate the good news, the first report was heard over the metropolis. Dark, foggy, and cold as London was at that hour, hundreds of people left their homes and made their way to the park; some in the expectation of seeing the firing, and others to see the soldiers who, to the honor of the British name, had won this glorious victory.

The park to acknowledge the official communications received by the Commander-in-Chief from the Government. The subjects to be discussed were of such a nature as to allow the people to disperse, and the crowd increased during the whole of the morning. At 12 o'clock the guns were again fired.

The Haymarket Theatre was the scene of extraordinary enthusiasm. The theatre was full to the receipt of the London Gazette Extraordinary announcing the victory gained by the allied army over the Russians at Alma. The dispatch was read to the public from the stage by Mr. Chippendale. The audience immediately rose to their feet, and cheered for a full quarter of an hour. The ladies and gentlemen in the boxes and all parts of the house waved their handkerchiefs and hats. The band played "God save the Queen," and "Partout pour la Syrie," until the stage manager was obliged to be discontinued.

It is a remarkable coincidence that the sea captain who rescued Capt. Luce, was Capt. John Russell, who was rescued in the same way by Capt. Nye, of the Pacific. He commanded the Jesse Stephens, of Belfast, which foundered at sea, in December, 1851, and Capt. Nye picked up the crew, for which he received honorable testimonials from the British Government.

A "About half an hour before the vessel sank," says Captain Luce, "I went below. Upon looking round I discovered the whereabouts of the vessel, and then, who was the only person below, working at the pumps with all the power she could command. I told her to come up; that she was only exhausting herself; that it was useless for her to attempt to pump out the water, as it would be to attempt to pump out the ocean. 'Captain,' said she, 'I'm willing to pump as long as I can work my arms.' I told her again that she had better come up with the others. She asked if I would let her take her into the boat with me. I replied that I was not going to get into the boat; but that when the ship sank I expected to be in the sea."

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I struggled to get away, and on looking round I saw that the box was sliding upon the water. A short distance back my foot hit the bottom, and I was in the water. During my struggle I had cut my head badly, which caused it to bleed very profusely, and I was compelled for some time afterwards to wash it frequently with cold water.

Mr. Allen and I got upon the public-house at about the same time. By some it is supposed, from the newspaper accounts, that the poles we were on was an entire public-house. This is not so; it was only a part of it, about twelve feet square, and we stood in the canoe.

Some eight or ten others got on the same fragment with us. During the time we were there, all the food we had was a small boiled chicken, which Mr. Allen had taken from the table before leaving the ship. This was divided among those who were on board. I did not suffer at all from hunger or thirst. After the ship sank, I felt some shivering and cold, but no exhaustion, but so far as the want of food was concerned, I think I could have got along for a long time.

We see with pleasure the statement that Capt. West, of the steamship Arctic, having discovered one of the sailors of the Arctic on board his ship just before going to sea, took him by the collar and marched him ashore, saying that he wanted no such man to go to sea with him. In so doing he acted properly.—Boston paper.

As usual, when a catastrophe of this sort occurs, there is a great outcry for steam whistles and slower speed during fog; but for better than for ill, the ship's crew for a more abundant supply of boats. A fortnight hence, if we could not see across the Brooklyn Bay on account of this weather, we might be assured the prudent Captain of any common steamer—if a day behind time—for not hurrying on with the news.—A. Y. Tribune.

With respect to the dreadful catastrophe of the Arctic—so fatal as it is—it will not have occurred in vain, if it teaches a salutary lesson of moderation, which, in all the relations of life, is so rapidly disappearing from among the peoples that are held in respect among us. We do not blame the blame, in a case like this, on ship-owners or ship-owners. It rests on the public, and not alone on this side of the water. The press also is partly to blame, for it has lent its all-powerful voice, to cheer on the maddest emulation between the Grand and Collins lines. Every half hour, that a steamer of one line has gained over a rival of the other, has been chronicled as a national triumph. This we blame, and not alone the commander who, in a fog too thick to see the ship's length ahead, drives on at the rate of thirty miles an hour, in a part of the ocean more frequented perhaps than any other upon its broad surface.

We trust, too, that this disaster will lead to the adoption of several obvious means of comparative safety, in case of danger, which have been, so far as we know, neglected. It would be perfectly easy to provide fog-bell rings and the steam-whistle, when it is in sight, and at those times, at least, the speed should be reduced to a few miles an hour.—The Atlantic, in a dense fog, a rate of progress to which two ships, moving in opposite directions, could come so near to each other as to lose their lives, and a half, is rather to be called madness than energy and despatch. To do so without any great distance, is to sport with human life.

We trust that the alarming multiplication of disasters of the most frightful character, attending a destruction of property and loss of life, will induce those who are in a position to turn to good account, to do the work of a reform. We cannot doubt that public opinion would

When the news reached Constantinople, it was ordered that the city should be illuminated for ten successive days. The signal was illuminated when the news was brought to that port. On reaching Bonlogne the despatch was conveyed at night to the Emperor, who was engaged in reviewing the troops. He hastily reviewed the cypher, then turned to the general and said quietly, "Belongs to the Emperor, the Emperor is with me." He hastened to his study, and was soon afterwards received by the Emperor to the army.—This news was possible. I have never the happiness to announce it to you myself, and at the present I repeat it here for the first time, in the hope that it will find its way to the hearts of all.

At 10 o'clock in the morning, one black ball was run to the anchorage of the Azovian, and a gun fired. This signal meant "attend to the following orders." "Divisions of boats assemble round ships to disembark infants and artillery."

The disembarkation was effected without any accident. The commanding officer carried in his hands a half pound of biscuit, as his ration for 3 days. Besides this he carried his greatcoat, strapped around his body a wadded kog for water, a small ration of spirits, a change or two of his greatcoat, and in most instances a Collet revolver. Each private man carried the same as the officers, and, in addition, a portion of the mess cooking apparatus, fire-lock and bayonet, cart-knives, and fire rounds of ball cartridge. Both officers and men were in capital spirits.

The news of the victory was received by the British Government.

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of war against Russia, and I have now the high satisfaction of proclaiming that the allied forces have obtained a signal victory over the barbaric forces of the enemy, with whom we are at war. I cannot help adding that I feel the interests of humanity, and the happiness of the whole human race, are deeply concerned in this victory.

The despatch (as above) was then formally posted on the walls of the Exchange and Mansion house.

The latest dates from Sebastopol were to the 28th of September. The reported fall of Sebastopol is not confirmed. An official Extra Gazette published the following from Lord Stratford to Lord Clarendon:

CONSTANTINOPLE, Sept. 30, P. M.
The allied armies established their base of operations at Balaklava, on the morning of the 28th, and were preparing to march without delay upon Sebastopol. The Agamemnon and other vessels of war were in port at Balaklava, where there are facilities for disembarking the battering trains.

The fortification of Anapa had been burnt by the Russians, and its garrison is marching to the scene of action.

VIENNA, Oct. 4.—The intelligence said to have been brought to Bucharest to Omur Pascha, is contradicted. It was an exaggeration of the battle of Alma.

The change of the news from Sebastopol was very gradually broken to the public, and it was not till the afternoon of the 4th that the official contradiction made its appearance. The allies, two days after the reported fall of Sebastopol, were still a considerable distance from the landward walls.

The Austrian Consul at Odessa, telegraphs that the struggle re-commenced on the 25th, and continued uninterrupted until our courier left on the 27th. The allies were on the river Balahow, ten miles from Sebastopol on the 27th.

INCIDENTS OF THE ARCTIC.
Capt. Luce, of the Arctic, arrived here at Youkers from Montreal last evening, where he received an enthusiastic welcome from thousands of citizens, and his meeting with his wife is said to have been most affecting. At Troy and all the principal stopping places on the line of the rail, crowds of persons collected to congratulate him on his escape. At Youkers several hundred people were at the depot, and they formed a line on each side of the passage way, and received him with silent but fervent manifestations of their joy that he had been saved. They followed him to within a few yards of his residence, and there they bade him adieu. He looked care-worn, but subsequently visited the city, and had a long and painful interview with Mr. Collins.

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sustain them, although the consequences might be to dispel the delusive hope of increasing, by one half, the rate of speed of our steamers; a mad dream which is now engaging the thoughts of projectors; and might even have the effect of adding a day to the length of the most usual passage.—Boston Daily.

The fearful disaster of the Arctic is suggestive of many precautions concerning our ocean steamers for the future, such as regular warnings at short intervals of the ship's whereabouts in a thick fog, diminished speed, and a constant look out on both sides as well directly ahead; more boats, and more abundant and available materials in the ship's furniture, for rafts the great superiority, in safety, of ships divided into compartments, like the Vesta; and above all, the necessity of a more rigid discipline among the ship's crew, and of penalties proportioned to the crime of desertion in the hour of peril.—A. Y. Herald.

BOATS ON BOARD SEA-GOING STEAMERS.—Much has been said about the want of boats on board the Arctic. We notice the fact here because she was a large mail steamer, freighted with people whom we know personally. But no one thinks of the large emigrant vessels which carry five and six hundred passengers, and which have not only the boats but the materials for more than perhaps a fourth of their passengers. The same accident might have happened to one of them, and it had, not one out of ten would have escaped. The reason is very simple. A passenger ship has not room to carry boats enough for her reduced number of passengers. Boats for six hundred people would leave no room for anything else. An invention is needed to provide for the case. We must have a new description of boats, which will pack one into another, as the Arctic's were packed.

A WIFE'S RIGHTS.—"Wife," said a married man, looking for his boat, after she was in bed, "I have a place for all things, and you ought to know by this time." "Yes," replied his wife, "I ought to know where you keep your late hours, but I don't."

HOLLOWAY'S PILLS.—Among the d'o medicaments of the day, the names of which fill the common ear to no small purpose, are those of Holloway's Pills, celebrated both here and in Europe, for their wonderful curative properties. A sound discrimination has taught us that their reputation is not ephemeral, but a solid substantial one, based upon a long and useful existence among the intelligent, the refined, and the discerning. They are to be met with in every portion of the civilized globe, and in every spot their virtues are alluded to with grateful enthusiasm, that well endorses their capacity and virtues. They are not merely designed for a special complaint, but are departures and cure, by removing from the system elements of disease, thus operating in an extraordinary manner in most all disorders to which human nature is subject.—N. Y. True National Democrat.

Packet ship David arrived at Liverpool

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