CRONSTADT.

Of great interest in connexion with future naval operations is Cronstadt, the great naval arsenal of Russia, and the key to St. Petersburg.

Cronstadt is about thirty-one miles distant from St. Petersburg; it is built at the S. E. extremity of Cotlin-Ostrof, an Island in that part of the Gulf of Finland called the bay of Cronstadt, about sixteen miles from the mouth of the Neva. This island, a bed of chalk, is seven miles in length, and about one mile in breadth At the entrance of the harbour, on an island opposite the citadel, lies the castle and fortress of Cronschlott, built by Peter the Great. This fortress and the mole bristle with guns, and the harbour itself is approachable only by channel, which is fortified by a double line of guns; these works constituting Cronstadt, "the Malta of the Baltic." The passage between this place and Cronstadt is 2,000 paces in width, and has ample depth for the largest vessels. Besides its importance as the great naval station of the Russian fleet, Cronstadt is the harbour of St. Petersburg. All vessels proceeding to that port are searched here, and their cargoes sealed, and such as are too large for the shallow waters of the Upper Neva, unload their cargoes at Cronstadt, and transport them in smaller crafts. Cronstadt, which is built in the form of an irregular triangle, is strongly fortified on all sides. It has three harbours lying to the south of the town. The outer or military harbour, which is entirely surrounded by a massive and strongly fortified mole, is a rectangle, stretching out into the sea, and and is capable of containing, besides smaller vessels, about thirty-five ships of the line. It is, now, however, so shallow at low water, that many of the ships are obliged to anchor in the middle of the harbour, which is properly intended for the fitting-out and repairing of vessels. It contains the slips, the powder magazine, a manufactory of pitch, tar, &c. The third, west of innermost harbour, which has space for 600 merchant vessels, and runs parallel with the middle harbour, admits only merchantmen, for which there is besides an excellent roadstead, immediately outside of the port, which is defended also by the citadel, constructed on a rock in the middle of the sea of Cronstadt. All these harbours are well secured, but in consequence of the freshness of the sea water, no vessel can be preserved in them above twenty years. They are, besides, detained a greater part of the year by the ice in the bay of Cronstadt, which usually prevents vessels from entering after the end of November, or leaving before the end of April, or sometimes even later. The town is very regularly built; and contains very fine, straight, well-paved streets, and several public squares. The permanent population of Cronstadt, exclusive of the garrison, the pupils of the naval school, workmen and sailors, is not considerable; during the summer it amounts to nearly 40,000 individuals, of variovs nations; of these, next to the Russians, the English are most numerous. The inhabitants derive their chief support from the fleet, trade, and shipping.

TREATY BETWEEN AUSTRIA AND PRUSSIA.

The following is a translation of the text of the Treaty concluded between Austria and Prussia:—

"Penetrated with a conviction of the obligation which the protocol lately signed in Vienna, in community with the Western powers, has imposed on Austria and Prussia, in spite of the inefficacy of all their previous efforts at mediation, these two German powers have for the whole term of the war between Russia and the Western powers concluded a convention, couched on a similar base with the convention between France and England, and serving as a groundwork for a future peace, as it is laid down in the last Vienna protocol. The difference that exists between the two Conventions arises simply from the differences of the interests, which in Austria and Prussia have been endangered by the European balance of power being threatened by Russia, from those that are endangered in England and France, and either of these countries taken separately. The stipulations of the Prusso-Austrian treaty of Alliance, offensive and defensive, are contained in the following three main, points:—

"1. Austria and Prussia mutually guarantee each other the preservation of their present extent of territory, both within and without the German Confederation, so that any violation of the territory of the one shall be looked on as equivalent to an invasion of the other.

"2. Austria and Prussia bind themselves mutually to aid and assist each other, if necessary, even aggressively, as soon as either of them considers German interests to be endangered and the other coincides in that view. Definite conjectures, in which this aid and conjecture must be afforded, are provided for in a separate memorandum, rming , however, an integral part of the convention. To give full weight to this treaty suitable military measures, shall be taken at stated intervals. The period, the extent, and the nature of these military measures, are reserved for special arrangements.

"3. All the members of the German confederation are invited to join in this alliance for protecting the common interests of Germany, and to support it in conformity with the obligations imposed on them by the constitution of the Bund."

THE HOPES OF POLAND.

Prince Czartoryski has adressed a letter to Lord Dudley Stuart, in which he says—

"The re-establishment of Poland, independent and sufficiently strong, is indispensable as a social and military barrier, and an essential element of the equilibrium of Europe. Without the guarantee afforded by this work of reparation we can scarcely look forward to a general disarmament as the termination, however distant, of the present crisis; and yet this guarantee will not prevent Russia, Austria, and Prussia from preserving their place in the first rank of great powers, such as they have possessed under Catherine II., Maria Theresa, and Frederick II.

"But the restoration of Poland is, above all, important in order to reinstate the principles of public law and the general concert of Europe, the bases of which will be but little secure as long as they are tinted with injustice and a cruel enthralment of several distinct nationalities.

"A sincere return to those sacred principles which have been wantonly violated with regard to Poland would unquestionably prove the most efficacious means for opposing the spirit of revolution, and obviating the danger of convulsions with which Europe is incessantly menaced. Such a return is alone capable of inspiring the nations with that true respect which they owe to their sovereigns. and which since the close of the last century, the epoch of the partition of Poland, has unfortunately been not a little enfeebled.

"In fact governments having the real interests of conservatism at heart (not merely those of Europe, but of the whole world at large), cannot assume with full effect a dignified attitude in the presence of the people as defenders of good order, morality, and justice untill they have at least commenced this indispensable work of reparation."

AMERICAN VESSELS IN THE BALTIC.—In answer to a statement that three American vessels in the Baltic were likely to be seized by the British cruisers, it is asserted that the only American vessels known to be there at present are the ships Strelna and Flying Childers, and the barque Sherwood, all at Elsineur, April 9th, and bound to Cronstadt. None of them have, probably, anything on board contraband of war, although the British cruisers may try to prevent their porceeding to Cronstadt.

OFFER OF A POLISH LEGION TO THE BRITISH GOVERNMENT.—A proposal has been made on the part of the Poles to form a Polish Legion, which being supplied with the munitions of war, shall fight side by side with the English and French troops against the common enemy. An address to that effect was sent to the Right Hon. the Earl of Aberdeen, First Lord of the Treasury for his approval; the reply was the proposition is referred for the consideration of the Secretary for War.

Talking of Muscovy—Nicholas, it is reported, is offended at being called "Czar"; he admits that he is Czar "of Muscovy," as Victoria is Lady of the Isle of man; but he is also Emperor of All the Russians, &c. So much the worse for Europe It would be far better if he were only "Emperor of *some* of the Russians," if any People ask for "the object of the war"; why not let it have for object the restoration of Nicholas as "Czar of Muscovy," pure and simple?

Week later from Europe.

Further news per steamer Atlantic at New York.

Odessa was bombarded on the 24th April —fighting very severe—half the city destroyed when accounts left.

The Allied bombarding steamers suffered much.

An attempt to land 18,000 troops failed.

One Austrian and five Russians merchant men were destroyed during the conflagration.

Despatches of the affair had not reached England.

April 28, Napier's fleet off Stockholm.

Ports in the Gulf of Finland and Bothnia blokaded.

Russians making fresh preparations to attact Silistria.

May 1, Greek Insurgents defeated.

Nothing from Asia.

Bremen barque Hespian, for Baltimore lost in the British Channel—175 lives lost.

THE FISHERIES.—We learn on good authority that the convention of Commissioners from each of the North American Colonies will be held this summer at Montreal, and not at New York, as has been stated. We hope the American government have something good to offer to the Colonies in return for the valuable fisheries which our neighbours are so anxious to obtain, but for our part we cannot see that this Province has much to gain ar present by giving up the fisheries, as we have now plenty of business, prosperous times and everything that could be desired. A few years ago this was not the case, the Province was depressed and anxious to obtain reciprocity with the United States on any terms. but as they were then so very indifferent about giving any concession to the British Government, for the valuable privileges wanted by them, we think we are getting along very well indeed without their assistance, and perhaps had better just hold on to our fisheries in the meantime unless they are willing to meet the views of the British Government on fair and equitable terms of reciprocity in Registry of Ships, Coasting Trade, and Duties.—*St. John Courier*.

THE UNION OF THE PROVINCES.—The rumour gains ground from private letters that Lord Eglin's principal object in returning to resume the government, is to effect a Union of the North American Colonies; and that having crowned his long and successful career in Canada with that important act, he will be appointed Governor General of India.

It is expected that the new ships built at Quebec, which are about to sail for England, will bring £14 or 15 per ton. A few years ago, £7 and £8 were the usual prices.

Four Qubeckers have just returned from Australia. They report hard times, hard luck' hard usage, but amazingly little hard money.

Speaking of the season in Canada, the Toronto *Globe* says—"The season is at least a fortnight later than usual. Ploughing has hardly commenced as yet, the frost at night keeping the land very wet."

The Milwaukie *Sentinel* says that there are over 700,000 bushels grain in store, in that place alone, waiting for the opening of Lake Navigation. The quantity on all the Lake ports is immense.

The cost of all the railways now being constructed in the Provinces is estimated at $90,-000,000. The money comes chiefly from England, on Municipal Debentures and Government Stocks.

HASZARD'S GAZETTE.

Wednesday, May 24, 1854.

His Excellency has openly declared we understand, that in dissolving the House of Assembly, he acts upon his own responsibility; that as the Representative of the Queen, he has determined to exercise the Queen's Prerogative. We are all, not excepting Sir Alexander Bannerman, too apt to be misled by terms, and consequences the most fatal have often resulted from the misuse of them. When Governors of Colonies are addressed by the title of Queen's Representative, or when they choose to give themselves the title, as Sir Alexauder has done; both those who give, and those who assume it, ought to be aware that it is a mere arbitrary compliment, and honorary distinction, conferred in both cases, without authority, and investing the person who either assumes it, or upon whom it is conferred with neither the power, privileges or prerogative of the Queen. The Governors and Lt. Governors of Colonies, are not the Representatives but the Servants of the Queen, acting by virtue of Commissions, granted for that purpose, and which Commissions are invariably attended with a code of instructions, defining with great exactitude, the extent of the power delegated to them; and, as these instructions have been added to, curtailed and amended from time to time, so as to leave nothing uncertain, so their provisions define the exact limit of the Governor's authority. Of this there can be no doubt, for the Royal Commission after declaring the appointment of the Governor and Conncils, Executive and Legislative, contains the following passage, which we transcribe *verbatim*.

And we do hereby require and command you to do and execute all things in due manner that shall belong unto your said command, and the trust we have reposed in you, "according to the several powers and authorities granted or appointed you by this present Commission; and the Instructions herewith given to you, or by such further powers, instructions and authorities as shall at any time hereafter be granted to or appointed you under our Sign Manual and Signet, or by our Order in our Privy Council, or by us through one of our Principal Secretaries of State, and according to such reasonable Laws and Statutes as are now in force, or shall hereafter be made and agreed upon by you, with the advise and consent of our Council and Assembly of our said Island, under your government, in such manner and from as hereinafter is expressed."

And the Code of Instructions which accompanies the Commission, after providing for the several contingencies that have occurred or may occur during the administration of the Government, contains a clause to guard against any circumstances unforeseen or unprovided for.

If any thing shall happen which may be of advantage or security to our Island of Prince Edward, under your Government, which is not herein or by your Commission provided for, we do hereby allow unto you, with the advice and consent of our said Executive Council, to take order for the present therein, giving unto us, through one of our principal Secretaries of State, speedy notice thereof, that you may receive our satisfaction, if we shall approve the same: Provided always, that you do not, by colour of any power or authority hereby given, commence or declare War, without our knowledge and particular command therein.

From a careful consideration both of the Commission of the Lieut .Governor, or the Code of Instructions therein referred to, but one inference can be drawn, and it is this, *that the Administrators of the Government of Colonies, whatever may be their rank, are Ministers or Servants of the Queen, with limited jurisdiction, out of which they may not legally travel.* All fancied analogies between the power and prerogative of the Queen, and the authority of Governors of Colonies is put an end to. There is not one word either in the Commission or Instructions that can give rise to the idea of being her Vicar or Attorney. The words are "We constitute and appoint you * * * to be our Captain General and Governor in Chief, in and over our Island of Prince Edward," there is no word of *hereby giving unto you power and authority to act as we ourself would do, if personally present.* On the contrary, every exercise of Royal Prerogative, that might be necessary to him in the execution of his duty, is specially mentioned and provided for. The condonation of criminals. the remission of fines and forfeitures, the collation to Ecclesiastical benefices, are all conferred with restrictions however particularly specified. Any man, therefore, who asserts that the Governor of Prince Edward Island, the Queen's Representative, and as such, possessed of the power of exercising the Queen's Prerogative, can never have read or considered the Commission, under which he derives his authority or the Instructions that have been given to him for his guidance. We have been thus particular in setting forth the very words of the Governor's Commission, and the Royal Instructions, in order that our readers may judge for themselves. These Instructions, it must be remarked, were given before the introduction of Responsible Government. How it comes that there is not a copy of Lord Elgin's Commission in the Island, we are at a loss to account. We have made enquiry at the proper quarters, and find that if they were ever there, they have been abstracted by some one or other. This is a want which is easily, however, got over, by sending to the Captain General, who will at once supply the omission, if it is one, or repair the loss by a copy. Of this however, we may be certain, that so far from curtailing the privileges of the people, they will on the contrary, enlarge them, and that there will be an added stringency in their favor, and against the Administrator of the Government. In confirmation of this, we adduce the words "by and with the advice and consent of the Executive Council," introduced into the Proclamation for dissolving the Canadian Parliament. If the Captain General considers the consent of the Council essential to the validity of his acts, one would really be inclined to surmise that it would be equally necessary to those of his subordinates. We have been unable to meet with any work on the Colonies, subsequent to the date of Responsible Government. In Bowyer's "commentaries on the Constitutional Law of England," chap. 4, p. 54, "The most important point of dissimilarity,"—says the Author—"between these Provincial Constitutions and that of the Mother Country is, that the Advisers of the Crown in the Colonies, are not dependent for their tenure of office, upon the votes of the Representative Assembly. In England, a Ministry defeated in Parliament upon a vital question of policy, must retire from office, and are succeeded by that party who are supported by the majority, especially in the House of Commons. But in the Colonies the Council, who are the Advisers of the Representative of the Crown, are appointed and hold office quite independently of the votes of the Assembly." This, we all know, was the case in Prince Edward Island, during all the prior administrations, up to the advent of Sir Alexander Bannerman. The Author goes on to state, "This was a point much dwelt upon by the late Earl of Durham, in his report on the Canadian affairs, his Lordship urged, not without a shew of reason, that the Government never could be conducted with ease and harmony, excepting by the advice of persons having the confidence of the House of Assembly. "If" said his Lordship, "Colonial Legislatures have frequently stopped the supplies, if they have harrassed public servants by unjust or harsh impeachments, it was because the removal of an unpopular Administration could not be effected in the Colonies, by those milder indications of a want of confidence, which have always sufficed to attain the end in the Mother Country. He urged that the Governor should be instructed to secure the co-operation of the Assembly in his policy, by entrusting to such men as could command a majority; that it should be made necessary for the official acts of the Governor to be countersigned by some public functionary; and that changes of Administration ought to take place in the Colonies, on the same principles on which they occur at home. This was Lord Durham's opinion, of what ought to be the course adopted by the Mother Country, with respect to the Colonies.

Dr. Bovyer the author above quoted, is violently opposed to the introduction of Responsible Government, and repudiates the idea as tending to destroy "the unity of the government and policy of the empire." "The Governors of Colonies" says he "would no longer be servants of the Crown for any practical purposes because *as they could do nothing without the advice of their Council and as they would be unable to appoint advisers excepting according to the votes of the Assembly*, they must necessarily be irresponsible" page 55. This is precisely what we have always contended for. Dr. Bovyer's opinion is entitled to greater weight and his admissions are of more importance in as much as they come from one adverse to that form of government conceded since his book was written, not only to Canada, but all the North American Provinces.

Analagous to the claim of Sir Alexander Bannerman to exercise the Royal prerogative at his pleasure, was that of the House of Assembly—one and all—to the privileges of the House of Commons. It is within the recollection of most of us, that Mr. Nelson was in 1825, committed to the common jail of Charlottetown, for an alleged contempt of the House of Assembly, in having as the Agent of Mr. Vass, commenced an action against the High Sheriff for the escape of one Michael Burke a debtor, confined in jail, at the suit of Mr. Vass; nor was he allowed to come out until he had made submission and paid his fees. The Attorney General Johnston and the present Chief Justice of this Island, were the members of the House, and on the question being raised before the Supreme Court, Mr. Chief Justice Archibald who was also a member of the House of Assembly of Nova Scotia, sustained the claim of the Assembly and nonsuited Vass.

When, however, in the year 1838, a similar attempt was made by the House of Assembly of Newfoundland, to enforce the same right, by committing Dr. Kielley, under the Speaker's Warrant, for an alleged contempt of one of its members Mr. Kent; Kielley brought an Action against the Speaker, Kent, the Messenger of the House and the members who had concurred in the motion, and what was the consequence? The Colonial Coart decided in favor of the Assembly, but on appeal to the Judicial Committee of the Privy Council, the judgment was reversed, and it was settled, and for ever—we doubt not—that Colonial Assemblies had no such privilege. Nor do we doubt, but that the same decision will be given by the same body in this case, on the claim to the exercise of the Prerogative by Sir Alexander Bannerman, when it shall come before them. We shall continue the remainder of this article, in our next.

PUBLIC MEETING.

(Reported for Haszard's Gazette.)

At a meeting held at the Temperance Hall on Monday the 22d May, for the purpose of taking into consideration the Dissolution of the late House of Assembly, pursuant to public notice published in Haszard's Gazette of 20th inst. John Lawson, Esq., in the Chair.

The following Resolutions were unanimously agreed to.

First, Moved by Mr. Richard Heartz, seconded by Mr. Thomas Dawson.

Resolved, That this meeting desires to express the warmest feelings of loyalty and attachment to the person and Government of the Queen of these Realms, and most deeply laments that any conduct of Her Majesty's Representative in this Colony, should disparage Her Majesty's interests and tend to weaken the ties that should bind this Country to the parent state.

Second, Moved by Mr. Purdie, seconded by Mr. Kenneth MacKenzie.

Resolved, That this meeting expresses its firm attachment to the principle of Responsible Government as conceded to this Colony, and being desirous that the system should be carried out in its purity, are fully assured that the present Executive Council and the House of Assembly now sought to be dissolved, have wisely endeavoured to carry out that principle in the best and most beneficial manner for the Colony, and therefore that they are entitled to the highest confidence and respect of the people.

Third, Moved by James D. Haszard Esq., seconded by Thomas B. Tremain, Esq.

Resolved, That this meeting in viewing the conduct of the House of Assembly and Legislative Council during the late Session entirely approves of the spirit and object of the measures adopted by the House, and believe them to be highly promotive of the financial and social interests of the community, and in furtherance of the welfare of this Country—But the meeting deeply laments the opposition and obstruction to all the measures of the House of Assembly which emanated from certain members of the Legislative Council, who possess no public confidence, and many of whom are without the necessary qualifications required by the Royal Instructions, and the purposes of whose opposition are too plainly obvious.

Fourth, Moved by William Heard, Esq., seconded by Mr. James Bagnall.

Resolved, That this meeting views the entire conduct of the Lieut. Governor towards the present Administration as unconstitutional and anti-British, and deserving the highest censure, in so far as we have every reason to believe, the defunct administration, not only retained the public and private confidence of His Excellency, but were permitted to exert an influence over public affairs, which ought to have been exercised only by the responsible advisers of the Crown.

Fifth, Moved by A. H. Yates, Esq., seconded by Mr. George Beer senr.

Resolved, That this meeting looks upon the dissolution of the House of Assembly as now attempted to be enforced by His Excellency Sir Alexander Bannerman the Lieut. Governor, contrary to the advice and consent of the Executive Council, possessing the confidence of so large a majority of the House of Assembly, as a direct departure from the fundamental principles of Responsible Government, as a violent attack and innovation upon the liberties of the subject, as an unauthorized stretch of the Royal prerogative and departure from the Royal instructions, and as a measure both unconstitutional and uncalled for, and that to allow such an unprecedented infraction of the constitution of the Colony at this early stage of Responsible Government to pass unnoticed and without protest, would not only be impolitic but highly culpable in every free British subject.

Sixth, Moved by E. L. Lydiard, Esq., seconded by Mr. William White, senr.

Resolved, That this meeting expresses its entire want of confidence in the Lieut. Governor and Legislative Council of this Island, a judgment to which it is compelled, because that the former in attempting the dissolution of the House of Assembly against the advice of the Executive Council, is acting unconstitutionally and contrary to the Royal instructions, and that at this particular period, there are no urgent reasons for such His Excellency's conduct, until at all events the question is properly tested, and because that the latter body have factiously endeavoured to obstruct the passing of the measures passed by the House of Assembly, and known to be approved of by Her Majesty. And therefore that a humble memorial embodying the foregoing Resolutions be immediately presented to Her Majesty, praying Her Majesty's most gracious interference.

On motion of Mr. Yates, seconded by Mr. George Beer, senr., five gentlemen were appointed a Committee to prepare a memorial to the Queen.