THE WAR WITH RUSSIA.

AUTHENTIC PARTICULARS

Of the attack upon the Fortifications of Odessa by the combined Fleets.

BRITISH FLEET, OFF ODESSA, APRIL 25.—The English official declaration of war reached the fleet, then anchored at Baltshik Bay, near Varna, on the 9th of April, upon which the steamer Furious was sent to Odessa, to bring away the English Counsul. With a flag of truce flying at her mast-head she hove to, and sent in a boat, also carrying a flag of truce, to demand the Consul. There was some delay in returning an answer, and the Lieutenant in command of the boat, thought it right to return to the Furious, upon which the Russians opened a fire upon the boat and in the direction of the steamer. Six or seven shots were fired, but fortunately without effect. On the 17th, (the French official declaration of war having arrived), both fleets sailed for Odessa, before which place they anchored in the afternoon of the 20th. An explanation was demanded of General Osten-Sacken, the Military Governor here, as to his reason for outraging a flag of truce always held sacred by all nations, pretending to civilization. This demand was also sent in under a flag of truce, but the boat when backed by the fleets was not molested. The General returned an unsatisfactory and untrue answer, declaring that he did not fire upon the boat, but upon the Furious, which, not heeding customary signals, was steaming up the bay for the purpose of examining it, whereas she was motionless. Upon this the Admirals sent in a demand for the delivery of all the shipping in the port, and, in the event of no answer arriving before sunset on the 21st, declared that they would punish this outrage on the law of nations. On the morning of the 22d, the steamers of the combined fleets attacked the Imperial Mole at Odessa, and during the day completely destroyed it, and most of the (Russian) shipping withinin it.

Here it is necessary to endeavour to give the reader some idea of Odessa. It has often been compared in general aspect to Brighton, but the line of cliffs on which the town stands has a slight curve inwards, forming a shallow bay, with a radius of some three miles. These cliffs face the north-east, and towards the north, they sink into low sandy mounds and flat endless steppes. Stretching out from below them, at the lower or south-easterly end of the town, runs a long fortified mole, at the end of which is a lighthouse. This is called the Quarantine Mole, and shelters a great crowd of ships of all nations. Their crews are never permitted to go into the town, but are strictly imprisoned within a small walled-in and strictly-guarded quarantine district at the foot of the cliffs, even if they should happen to be detained there for six months at a time. Under the pretence of preserving themselves from disease, the Russians have made the quarantine a hateful political tyranny. At the time of our visit this mercantile prison of all nations, was very crowded, and on the morning of the 22d, each vessel had her colours at the mast-head, as if appealing for succour and protesting against cannon-balls intended for the Russians. The attacking force had orders to give this mole as wide a berth as possible, in order to be out of reach of its fire, and so to avoid the necessity of returning the fire and injuring any of the neutrals within. The following was the attacking force:—(French), *Mogador*, *Vauban*, *Descartes*, *Caton*; (English), *Sampson*, *Terrible*, *Tiger*, *Retribution*, *Furious*, and a detatchment of rocket-boats, under Commander Dixon. The Sanspariel and Highflyer acted as a reserve. This force proceeded to another similar mole, at the northern extremity ot the eliffs, called the Imperial Mole, enclosing a mass of Russian ships of all sorts, and some large stores or barracks. Both moles had a formidable array of embrasures, and there was a battery between them at the foot of the cliffs, but, as far as we could learn, they were badly off for guns. We counted over 70 embrasures. The steamers had orders to go as far as possible in-shore, so as to rake and destroy the Imperial Mole and shipping, but to avoid firing upon any part of the town or upon the shipping in the Quarantine Mole. About 20 minutes to 7 they began, the Sampson leading in most gallantly. From the large ships, about 3½ miles off, it was a most curious sight. When within about 2,000 yards each steamer delivered the fire of her enormous guns, then wheeled round in a circle of about a half a mile in diameter, each taking up the fire in succession. Thus they kept wheeling and twisting about like so many waltzers, without ever touching or getting into scrapes. The guns in the mole answered steadily, and in the course of an hour the Vauban came towards the fleets on fire from red hot shot, and riddled in several places. Happily the fire was got under, and she returned to her post. For a long time the terrific fire from the steamers did not silence the mole. At length it became slow, though regular, answering about once every two minutes, and toward one o'clock, a shed at the back of the tongue battery caught fire, and in a few minutes the whole of that part blew up. The steamers continued plying the ships with shot and shell, and they were on fire and sinking throughout the mole, when suddenly, from behind some sheds on the low sandy shore near them, a battery of six horse artillery guns opened out upon the rocket boats, which were at the moment within musket shot. Happily, no one was hurt, though a perfect shower of balls fell around them, knocking the oars about, and ploughing the water up all around them. Upon this the rocket boats and steamers opened upon them, and soon sent them scampering. A few minutes, the sheds behind which they sheltered themselves, burst out into a furious fire. The steamers kept up their fire till about 5 o'clock. In the early part of the day, while they were so engaged, Her Majesty's steam frigate *Arethusa* was ordered to attack the southern side of the Quarantine Mole battery as a diversion, for its guns had frequently been troublesome. Nothing could be prettier than the way in which she stood in, hove to, and delivered her fire, filled, tacked, and again delivered her broadside. Shortly after, the breeze freshened, and she deliberately reefed her topsails, though under fire, and was then recalled by the Admiral. During the fire, several English merchantmen slipped out of the Quarantine Mole. The poor fellows are very thankful to have escaped. Altogether the punishment was severe, but appropriate. Russian property was destroyed, and much of it must have belonged to Government. The town and neutral ships were spared, though completely in our power, and it cannot be contended that a place with so many batteries on the sea-board was defenceless. Some of the steamers are a little damaged, but nothing of any consequence. But one Englishman was killed, and eight or nine wounded, none of them severely. No officer has been laid up.

LETTER FROM AN OFFICER ON BOARD THE "TERRIBLE".

CONSTANTINOPLE, APRIL 27.—The terrrible has just arrived with startling news. Odessa has been attacked, the Imperial Mole and Magazine blown up, and a number of Russian ships of war destroyed. The following is a detailed account, derived from an officer on board the Terrible.---At five o'clock on the morning of the 22d of April, the signal was made for the steamers to commence an attack on the Imperial Mole, and the fortifications in its neighbourhood. Orders were given not to fire at the Partique Mole, where the Brittish shipping were anchored, and as much as possible to abstain from wanton destruction of private property. The action continued about two hours without cessation, but without any decided success. The Russian embrasures were much knocked about, and several of their guns silenced. At 7 a. m the second division received the signal to stand in. It consisted of the Terrible, Tiger Retribution, and three French steamers. The Retribution led the way, closely followed by the other steamers. The Russians had laid down a "lump" that is, an old vessel was anchored to mark the distance their guns would carry. The allied division went within this mark, and therefore exposed themselves to loss from the shot of the enemy. At first however, their shot did not reach our ships, although they suffered severely under our fire. The Terrible stood further in than the rest, and commenced firing red-hot shot. After a time a loud explosion was heard. The Imperial magazine had been blown up by a shot from the Terrible, and a great part of the mole on which it stood was rent in pieces by the violence of the explosion. This relieved the Anglo-French squadron from their most formidable opponent, the battery on the Impeial Mole. The Terrible continued to fire red hot shot. A Russian frigate in the harbor took fire, burnt to the water's edge, and blew up. Two new frigates on the stocks were soon in flames, and from twenty to thirty merchantmen, and it is believed some smaller vessels of war, were soon sunk or burnt. Each of the vessels which remained out of action had sent a rocket boat, firing 24-pound rockets, and these caused terrible destruction. The dockyard was the chief object of these missiles, and it was soon in flames. The seamen of the Terrible, which remained on the spot till the following Tuesday, declare that it burnt for two days and two nights, and this vast collection of naval stores must have been totally destroyed. When the Imperial Mole blew up, the fleet gave three cheers—the French commencing. Signals were then made to stand in further, and continue the attack. At this moment the batteries on the Upper or Pratique Mole, near which the English ships were anchored, opened fire; and according to the accounts I received, the English sailors could not be prevented from returning the fire. The batteries suffered severely, but were not silenced. In the meantime the rocket boats had set on fire the lower part of the town. This is the most melancholy part of the transaction. The whole of this part of the city is destroyed. In fact, less than half of what was once Odessa now remains. Factories, warehouses, and shops were involved in a common destruction. At half past five p. m., when the action had lasted 12½ hours, the signal of recall was made. The action ceased; the Terrible having lost two men killed and five wounded, the Retribution three, and the Sampson five wounded. These were all the casualties that I was able to ascertain. Unless the Russians escaped from their burning frigate before its explosion, their loss must have been terrific in this one spot. All attempts, however, to estimate the number of their killed and wounded must be mere guess work. As the Terrible was the most distinguished in this action she was received with all honors on pasing the fleet. Each ship cheered her as she steemed past on her way to the Bosphorus. She has suffered much in personal appearance. Her paddle-boxes are a good deal knocked about, and she has 12 shot in her bull. Capt. M'Clevery remained on the paddlebox all the time, and narrowly escaped a shot. The fleets were to leave for Sebastapol immediately. The Admirals, before the action at Odessa, had sent in a small French steamer with a flag of truce, but the Russians sent out a boat to forbid its entrance.

THE TROOPS AT GALLIPOLI.

GALLIPOLI, APRIL 24—The wind, which for the last fortnight has been blowing from the north, has at last veered about, and now comes from the south, which enables a considerable number of vessels of every description, which were stopped at the entrance of the Dardanelles, to pass the Strait, and advance towards Constantinopel. Every hour brings in vessels laden with men, horses, stores, provisions, and ammunition. This port is quite encumbered, and it is almost impossible for the two armies to suffice for all the labours of landing. Coal, which had begun to be exceedingly scarce, is now abundant enough for the steamers to take in their supply. Water, however, is not very plentiful; and the want of it was severely felt a few days back on a very important occasion, which might have been attended with disastrous consequences. On Easter Sunday, whilst the Greek population was occupied with celebrating Divine service. a fire broke out in a house close to the English hospital. The inertness of the authorities on the occasion was extraordinary, and I have not the slightest doubt that the fire would have been prmitteed to burn on, or go out of itself, as the case might have been, had not the soldiers of the two armies exerted themse ves and endeavoured to get the flames under. But what difficulty there was to get the necessary supply of water! Two chains of men were established from the public fountains, to pass the buckets on to the burning houses, for the fire soon spread to others, and it was not until after four or five hours exertions that the flames could be got under. The indifference of the population during the whole time, although the wind was blowing strongly towards the town, was quite afflicting, and this apathy on their part explains to a certain degree the dreadful extent of the conflagrations which take place in the East. In consequence of the danger with which this disaster menaced the town, General Canrobert the next day gave orders to have the hospital and storehouses removed outside the town, and the engineering department is at present occupied in preparing the new buildings for there receptions. The health of the troops continues to be excellent, although several of the regiments suffered severely from the passage. The cold was last week so severe that several soldiers, and in particular the Turcos of Africa, had their feet frost-bitten. The name of Turcos has been adopted as the term applicable to the native soldiers of every shade of colour coming from Algeria. A regiment has been formed from two battalions of these men, whosa uniform, like that of the Zouaves, is a light blue. The arrival of these men produced a great effect; and, in fact, it was impossible to behold this corps, composed of every shade of complexion, from the sable of the negro of Shara to the dead white of the Kabyle, without being struck with surprise, for all appeared alike picturesque and barbarous. Still, this corps marked its entrance into the port of Gallipoli by a little act which betokened real politeness. When their vessels approached near enough for them to distinguish the English soldiery, their band struck up "God save the Queen," in first-rate style, and the men on shore responded to the call with three hearty cheers. The gretest fraternity continues to prevail amongst the men, whether French or English; and sometimes an exchange of politeness may be witnessed at the wine shop or the cafe. But no excesses take place. The most I ever saw in the way of eccentricity was an exchange of hats by the English sailors for the turbans of the Zouaves, and the caps of the English soldiers for the fez of the Arabs. The great works for fortifying the heights of Bouihats are advancing with rapidity. Not less than 6,000 men are at work every day, from six in the morning to five in the evening. We had the other day here some singers from Genea, who gave a concert of Italian music The only pianoforte that Gallipoli possesses was called into requisition on the occasion, and anything more out of tune I never heard. However, the concert went bravely on, and the adventurous artists made a very excellent receipt.

INTENDED RUSSIAN MERCIES TO THEIR PRISONERS.—A letter from St. Petersburg in the *Cologne Gazette*, shows how the Russian are "reckoning their chickens before they are hatched." "I am now looking at a regulation drawn up and relating to the treatment of prisoners of war. It will be published in a few days. It comprises 47 paragraphs, and concerns those who may be taken with arms in their hands on the field of battle or on board ship, and who may belong to this or that nation. Thus, the Hungarians, when made prisoners, are to be sent to Siberia, or else given up to Austria; the Turks will be treated as prisoners of war generally are; but strangers and Christians serving in the Turkish ranks, as also renegades, will be treated as common felons. Medical men are in the same category as the Turks, that is, simple prisoners of war, and so are all that are not virtually active combatants. The Poles, like the Hungarians, and all the prisoners, indeed, should they be refractory, are to be transported in chains. The Turkish officers, if Mussulmen, are to be consigned to Tula, in the interior, the soldiers to Orel the Christians to Karsk, the strangers (except Poles and Hungarians) to Kaloga and Riazand. Russian Poles are to be confined in the dungeons of the fortress of Kiew, and tried by courts-martial."

In Derby there is a temperance missionary, whose duty it is to attend the police courts every morning, and observing there the drunkards who are brought forward, endeavour afterwards to reform them.

SPAIN AND THE UNITED STATES.

The dispute between the governments of Spain and the United States, relative to the seizure of the *Black Warrior* by the authorities at Cuba, is assuming a very serious aspect. The American Minister at Madrid, Mr. Soule, has made demands and used language which, to say the least of them, are most extraordinary, and a feeling seems to be entertained in many quarters, that the United States wish to fasten a wolf and lamb quarrel on Spain, and that designs on Cuba are at the bottom of the very abrupt measures of Mr. Soule. It would appear that the notes interchanged up to the 20th April, between Mr. Soule and the Spanish government are five in number. A correspondent of the *London Morning Chronicle* gives the following outline of these documents:—

Mr. Soule's first note contained the demand for a pecuniary indemnity of $300,000, the dismissal of Gen. Pezuela and all other officials who had taken part in the seizure of the Black Warrior; and that full powers should be given to the authorities of Cuba to settle future questions of the kind without having to refer them to the Government at Madrid. To this note Senor Calderon de la Barca replied that it would be very difficult to entertain the last point, inasmuch as its concession would be to change the whole system of Spanish colonial policy; and that, with respect to to the other demands of the United States, the Spanish Government could not enter upon them at present, since they had not received the official dispatches from the Captain General of Cuba on the subject. Mr. Soule replied in a note couched in a stronger language than the first one. He insisted, I am told—and quoted the Madrid *Gazette*, in which the receipt of dispatches from the Captain General of Cuba was acknowledged—that the Spanish Government must be in receipt of the dispatches referred to; and complained strongly that subterfuges of this kind were always resorted to at Madrid, while at Cuba the settlement of questions was always delayed on the pretext that the Captain-General was without instructions. Mr. Soule gave the Spanish Government forty-eight hours to reply, as he should dispatch his special messenger, Mr. Winslow, at the expiration of that term. Sr. Calderon de la Barca replied in a very strong note, which was adopted at a Council of Ministers held on the subject. It adhered to the former note, and stated that the Government considered the course pursued by Mr. Soule as insulting, and that they would not submit to insult from any foreign Minister. To this Mr. Soule replied that it had been far from his intention to offer any insult, but merely to state the facts of the case as he believed them to have occurred. In this state the matter stands here; and it remains to be seen what will be done at Washington when the special messenger arrives there. I believe that hopes are entertained that Mr. Crampton, the British Envoy at Washington, may be able to act the part of friendly mediator in the matter.

NEW BRUNSWICK.

The freshet in the River St. John has been unusually high this season, and great losses have been experienced in consequence. Several bridges are reported to have been carried away. The water is now subsiding.—Two houses in Fredericton, in Westmoreland street, were destroyed by fire on Sunday night. One was occupied by Mr. Sanderson, baker, and the other by Mr. Thomas Bradley.

The last *Royal Gazette* contains a Proclamation from His Excellency, dissolving the late House of Assembly. Writs for a General Election have been issued, returnable on the 3d Jnly next. The nomination of members for this City and County will take place on the 3d June. The polling day for the County Election will be on the 7th, and for the City the 8th June.

The Sons of Temperance are making extensive preparations for a grand public demonstration on the 15th June, to celebrate the annual session of the National Division of the Sons.

In Nova Scotia, the elections have resulted in favor of the Government. In Windsor, Mr. Wilkins, the new Provincial Secretary, has been returned by a majority of 124 over Mr. McLatchey; Mr. Henry, Solicitor General, by majority of 412 over Mr. McDonald; Mr. Young has been returned for Inverness county, &c.—*Observer*.

THE NEWFOUNDLAND SEAL FISHERY

The subjoined Memo. will show the condition of this important branch of industry:—"St. Johns, May 4—The result of the Seal Fishery for this spring is pretty well ascertained,—it will be below an average,—enhanced prices will, to some extent, compensate for the deficiency." $5 are being offered in St. Johns for vessels to proceed to Sydney or Pictou to load coals for Boston.

THE CONDITION of the stomach is of vital importance. No man, woman, or child can be healthy unless the work of digestion is regularly, thoroughly, and vigorously performed. With three-fourths of civilized society, this is not the case. And yet the remedy is within the reach of all. Hoofland's German Bitters, prepared by Dr. C. M. Jackson, Philadelphia, will as surely create a reghlar and healthy action of the stomach as oil will lessen the friction ot machinery. Let the victim of dyspepsia or indigestion in any of its forms, try it, and we guarantee a good appetite, physical vigor, firm nerves, sound sleep by night, and increased cheerfulness by day.

HASZARD'S GAZETTE.

Wednesday, May 31, 1854.

THE blow that would put an end to Resposible or Self Government in Prince Edward Island, has been struck. The Lt. Governor has issued on his own, in opposition to constitutional responsibility, the Writs for a new Election. We will devote a little time to the enquiry, as to whether we have a remedy for this infraction of the Constitution, and where it is to be sought.

Whenever there are just grounds of complaint against any of the Officers of the Crown, in the Colonies, not cognizable by the Laws of such Colonies, the only proper and regular mode of obtaining redress, is, by petitioning her Majesty in Council. The parties are not, however, heard there; but the whole matter is referred to the *Judicial Committee of the Privy Council*, who, after having been attended by Counsel on both sides, make up their minds as to how they should advise her Majesty to act in the matter. This decision, though in the form of an advice, is final, being adopted by the Queen in Council, as a matter of course. This Court is the highest for learning, talent and integrity in the realm; being composed of not only the first Judges in Law and Equity then in office, but of retired Chancellors, Judges, Lord Keepers, &c., being Privy Councillors, so that it is almost impossible to conceive a more august and impartial tribunal. And it is before this, body that we conceive the people of Prince Edward Island have a right to question the conduct of Sir Alexander Bannerman, and compel him to come into Court, and shew by what right he has, under pretence of the exercise of the Queen's Prerogative, upon his own responsibility, departed from the plain letter of the Queen's Instructions. Nor is this Court bound up and fettered by rules of such stringency as operate frequently in other Courts, almost to the denial of justice. Should he neglect to appear, the Court will proceed *ex parte*, and give their decision.

It was before this jurisdiction that the people of Cape Breton were heard against the annexation to Nova Scotia. There is a case before us on a peti tion from Guernsey, presented by the Bailiffs and Jurates of the Royal Court of Guernsey, complaining of certain acts of the Lieutenant Governor of the Island (Major William Napier) as "being inconsistent with the rights and privileges of the Royal Court, and contrary to, and incompatible with, the constitution of the Island" We merely, for the present, mention this case as illustrative of the jurisdiction of the Court of the judicial committee of the Privy Council, and to show that it is the fitting tribunal for the trial of an act so thoroughly inconsistent with the rights and privileges of not only the Executive Council, but of the representatives, and consequently of the whole body of the people of Prince Edward Island, as the dissolution of its Assembly, contrary to the express advice and consent of the first mentioned body the Executive Council. The case of Kielley and Carson, to which we heretofore alluded, is in point, for there the whole question turned upon the construction of the "Commission under the Great Seal, with accompanying instructions from the Secretary of State for the Colonial Department." But we will let the Court—through the medium of Mr. Baron Parke—speak for itself.

"In order to determine this question, and to ascertain what the legal powers of the Assembly were, it is proper to consider first, under what circumstances it was constituted, and what was the legal origin of its powers.

"*Newfoundland* is a settled, not a conquered colony, and to such colony there is no doubt that the settlers from the mother-country carried with them such portion of its Common and Statute Law as was applicable to their new situation, and also the rights and immunities of British subjects. Their descendants have, on the one hand, the same laws, and the same rights (unless they have been altered by Parliament); and on the other hand, the Crown possesses the same prerogative and the same powers of Government that it does over its other subjects: nor has it been disputed in the argument before us, and, therefore, we consider it as conceded, that the Sovereign had not merely the right of appointing such magistrates and establishing such Corporations and Courts of Justice as he might do by the Common Law at home, but also that of creating a local Legislative Assembly, with authority, subordinate indeed to that of Parliament, but supreme within the limits of the colony, for the government of its inhabitants. This latter power was exercised by the Crown in favour of the inhabitants of *Newfoundland* in the year 1832, by a Commission under the Great Seal, with accompanying instructions from the Secretary of State for the Colonial Department; and the whole question resolves itself into this,—whether this power of adjudication upon, and committing for, a contempt, was by virtue of the Commission and the instructions legally given to the new Legislative Assembly of *Newfoundland*. For under these alone, can it have any existence, there being no usage or custom to support the exercise of any power whatever.

In order to determine that question, we must first consider whether the Crown did in this case invest the local Legislature with such a privilege. *If it did, a further question would arise, whether it had a power to do so by law.*"

This will serve to show, not only the extent of the power, but the impartiality and fearlessness with which it is exercised.

So, in this case we take it, the whole question resolves itself into this,—Whether the power of dissolving and calling General Assemblies at his will and pleasure was by virtue of the Commission and Instructions legally given to the Lieut. Governor of Prince Edward Island. No other question could arise, for from the very first moment of its existence as a British Colony, the Island has been governed by virtue of a Commission and Instructions which have been from time to time altered and modified, and in later times considerably augmented in favor of the people with a surrender of several of the rights of the Crown.

The circumstance that Responsible or Self Government has, since the date of the Commissions and Instructions, been granted to the Island, will undoubtedly have much weight with a Court constituted as this, in so much that if there were any doubt as to which side the scale ought to preponderate, it would immediately throw the weight of its influence into that which represented the rights and liberties of the people—the very circumstance of granting self Government to the people necessarily carrying with it the utmost extension of their privileges that they were capable of bearing. We have pointed out the mode by which we are to look for redress. It will be for the People, or for such of them possessing knowledge, intelligence and spirit, who can foresee the injuries that may arise to themselves and their decendants, to say whether they will suffer by their tame acquiescence an usurpation of the Royal Authority to become a precedent, and thereby surrender the best and most valued advantage which Responsible Government presents—the limitation of the power of the Governor within known limits, beyond which he has no right to step, and to which if he presumes to attempt to transgress, there will always be a power of compelling him to return. Until this done, we may call ourselves Britons, and may congratulate one another upon being descendants of a race from which sprang Hampdens, Sydneys and Russels, but we shall be in reality the veriest slaves that ever crouched beneath the tyranny of the meanest despot. We shall become a by-word and mockery, and "as low minded, subservient and base, as the people of Prince Edward Island" will deservedly grow into a proverb.

The *Royal Gazette* contans two—at this particular conjuncture—very important documents, the one the answer of the Lieut. Governor to Mr. Montgomery's note on tendering his resignation of his seat in the Executive Council, the other Sir Alexander Bannerman's defence of himself and his policy, with