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Et cetera est optimum.—Cicero.

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## LAW RESPECTING NEWSPAPERS

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### Reminiscences of an Attorney.

#### THE PUZZLE.

Temperament! The space of but a few brief yesterdays seems to have passed since the occurrence of the following out-of-the-way incidents—out-of-the-way even in our profession, fertile as it is in startling experiences; and yet the faithful and unerring tell-tale and monitor, Anno Domini 1851, instructs me that a quarter of a century has nearly slipped by since the first scene in the contemplated play of circumstances opened upon me. The date I remember well, for the Tower-guns had been proclaiming with their thunder-throats the victory of Navarino but a short time, before a clerk announced, "William Martin, with a message from Major Stewart."

This William Martin was a rather sorry curiosity in his way. He was now in the service of our old clerk, Major Stewart; and a tall, good looking fellow enough, spite of a very decided cast in his eyes, which the nasal, when in his cups—no unusual occurrence—declared he had caught from his former masters—Edward Thorneycroft, Esq., an enormously rich and exceedingly young East India director, and his son, Mr. Henry Thorneycroft, with whom, until lately transferred to Major Stewart's service, he had lived from infancy—his mother and father having formed part of the elder Thorneycroft's establishment when he was born. He had a notion in his head that he had better blood in his veins than the world supposed, and was excessively fond of aping the gentleman; and this he did, I must say, with the ease and assurance of a stage-player. His name was scarcely out of the clerk's lips when he entered the inner office, with a great effort at readiness and deliberation, closed the door very carefully and importantly, hung his hat with much precision on a brass peg, and then standing by the door handle, surveyed the situation and myself with staring lack-lustre eyes and infinite gravity. I saw what was the matter.

"You have been in the 'Sun,' Mr. Martin," I wink, inexpressible by words repeated to me, and I could see by the motion of the fellow's lips that speech was attempted; but it came so thick that it was several minutes before I made out that he meant to say the British had been knocking the 'Turks' about like bricks, and that he had been patriotically drinking the health of the said British of bricks.

"Have the goodness, sir, to deliver your message, and then instantly leave the office!"

"Old Thorneycroft," he said, the hiccoughed reply, "has smoked the plot. Young Thorneycroft, I have done for. Ma—married in a false name. 'Trace-up' of course."

"What gibberish is this about old Thorneycroft and young Thorneycroft? Do you not come from Major Stewart?"

"Ye-es, that's right; the route's arrived for the old drum—wishes to—see you."

"Major Stewart dying! Why you are a more disgraceful scamp than I believed you to be. Send this fellow away," I added to a clerk who answered my summons. I then hastened off, and was speedily rattling over the stones towards Baker-street, Portman square, where Major Stewart resided. As I left the office I heard Martin beg the clerk to lead him to the pump, previous to sending him off—no doubt for the purpose of sobering himself somewhat, previous to reappearing before the Major, whose motives for hiring or retaining such a fellow, in his modest establishment I could not at all understand.

"You were expected more than an hour ago," said Dr. Hampton, who was just leaving the house. "The Major is now, I fear, incapable of business."

There was no time for explanation, and I hastily entered the sick chamber. Major Stewart, though rapidly sinking, recognized me; and in obedience to a gesture from her master, the aged, weeping house-keeper left the room. The Major's daughter, Rosamond Stewart, had been absent with her aunt, her father's maiden sister, on a visit, I understood, to some friends in Scotland, and had not, I concluded, been made acquainted with the Major's illness, which had only assumed a dangerous character a few days previously. The old soldier was dying calmly and painlessly—rather from exhaustion of strength, than from any special disease. A slight flush tinged the mortal pallor of his face as I entered, and the eyes emitted a slightly reproachful expression.

"It is not more, my dear sir," I replied softly but eagerly to his look, "than a quarter of an hour ago that I received your message."

I do not know whether he comprehended or even distinctly heard what I said, for his feeble but extremely anxious glance was directed whilst I spoke to a large oil portrait of Rosamond Stewart, suspended over the mantel piece. The young lady was a splendid, dark eyed beauty, and of course the pride and darling of her father. Presently wincing, she wore, his eyes from the picture, he looked in my face with great earnestness, and finding my eye close to his

lips, I heard him feebly and brokenly say, "A question to ask you, that's all: read—read!" His hand motioned towards a letter which lay open on the bed; I ran it over, and the Major's anxiety was at once explained. Rosamond Stewart had, I found, been a short time previously married in Scotland to Henry Thorneycroft, the son of the wealthy East India director. Finding his illness becoming serious, the Major had anticipated the time and mode in which the young people had determined to break the intelligence to the irascible father-of-the-bridegroom, and the result was the furious and angry letter in reply which I was perusing. Mr. Thorneycroft would never, he declared, recognize the marriage of his ungrateful nephew—nephew, not son; for he was, the letter announced, the child of an only sister, whose marriage had also mortally offended Mr. Thorneycroft and had been brought up from infancy as his (Mr. Thorneycroft's) son, in order that the hated name of Allerton, to which the boy was alone legally entitled, might never offend his ear. "There was something added insinuating of a doubt of the legality of the marriage, in consequence of the misnomer of the bridegroom at the ceremony."

"One question," muttered the Major as I finished the perusal of the letter: "Is Rosamond's marriage legal?"

"No question about it. How could any one suppose that an involuntary misdescription can affect such a contract?"

"Enough—enough!" he gasped. A great loud gasp—the rest is with God. Rosamond! Rosamond! The slight whisper was no longer audible; sighs, momentarily becoming fainter and weaker, followed—ceased, and in a little more than ten minutes after the last word was spoken life was extinct. I raised the bell, and turned to leave the room, and as I did so I surprised Martin on the other side of the bed. He had been listening, screened by the thick damask curtains, and appeared to be a good deal sobered. I made no remark, and proceeded on down stairs. The man followed, and as we had gained the hall said quickly, yet hesitatingly, "Sir—"

"Well, what have you to say?"

"Nothing very particular, sir. But I understood you to say just now that it was of no consequence if a man married in a false name?"

"That depends upon circumstances. Why do you ask?"

"Oh, nothing—nothing: only I have heard it's transportation, especially if there's money."

"Perhaps you are right. Any thing else?"

"No," said he opening the door; "that's all—more curiosity."

I heard nothing more of the family for some time, except with reference to Major Stewart's personal property, about £4000, bequeathed to his daughter, with a charge thereon of an annuity of £20 a year for Mrs. Leslie, the aged housekeeper; the necessary business connected with which we transacted. But about a twelvemonth after the Major's death, the marriage of the elder Thorneycroft with a widow of the same name as himself, and a cousin, the paper stated, was announced; and pretty nearly a year and a half subsequent to the appearance of this ominous paragraph, the decease of Mr. Henry Thorneycroft, at Lusanne in Switzerland, who had left, it was added in the newspaper stock phrase of journalism, a young widow and two sons, to me, I must say, with some satisfaction, as far as we were concerned, settled upon the destinies of the descendant of our old military client, till one fine morning a letter from Dr. Hampton informed us of the sudden death by apoplexy, a few days previously of the East India director. Dr. Hampton further hinted that he should have occasion to write us again in a day or two, relative to the deceased's affairs, which, owing to Mr. Thorneycroft's uncomprehensible aversion to making a will, had been feared been left in an extremely unsatisfactory state. Dr. Hampton had written to us at the widow's request, in consequence of his having informed her that we had been the professional advisers of Major Stewart, and were in all probability those of his daughter, Mrs. Henry Allerton.

We did not quite comprehend the drift of this curious episode; but although not specially instructed, we determined to at once write to Mrs. Rosamond Thorneycroft or Allerton, who with her family was still abroad, and in the meantime take such formal steps in her behalf as might appear necessary.

We were not long in doubt as to the motives of the extremely civil application to ourselves on the part of the widow of the East India director. The deceased's wealth had been almost all invested in land, which went, he having died intestate, to his nephew's son, Henry Allerton; and the personals in which the widow would share were consequently of very small amount. Mrs. Thorneycroft was therefore anxious to procure through us, a more satisfactory and equitable arrangement. We could of course say nothing till the arrival of Mrs. Rosamond Allerton, for which, however, we had only a brief time to wait. There were, we found,

no indisposition on that lady's part to act with generosity towards Mr. Thorneycroft's widow—a shrewd, vulgarish person, by the way, about forty years of age—but there was a legal difficulty in the way, in consequence of the husband-law being a minor. Mrs. Thorneycroft became at length terribly incensed, and talked a good deal of angry nonsense about disposing the claim of Henry Allerton's wife to the estates, on the ground that his marriage, having been contracted in a wrong name, was null and void. Several anonymous paragraphs got in consequence into the Sunday newspapers, and these brought about a terrible disclosure.

About 12 o'clock one day, the Widow Thorneycroft bounced ceremoniously into the office, dragging in with her a comely and rather interesting looking young woman, but of a decidedly rustic complexion and accent, and followed by a grave, middle-aged clergyman. The widow's large eyes sparkled with excitement, and her somewhat swarthy features were flushed with hot blood.

"I have brought you," she burst out abruptly, "the real Mr. Allerton, and—"

"No, no," interrupted the young woman, who appeared much agitated—"Thorneycroft, not Allerton."

"I know, child—I know; but that is nothing to the purpose. This young person, Mr. Sharp is, I repeat, the true and lawful Mrs. Henry Allerton."

"Pardon!" I answered, "do you take us for idiots? This I am worded with some sadness, the either a ridiculous misapprehension, or an attempt at imposture; and I am very careless, which it may be."

"You are mistaken, sir," rejoined the clergyman, "this young woman was certainly married by me at Swindon Church, Wales, to a gentleman of the name of Henry Thorneycroft. She appears from the newspaper account by this lady, was no other than the widow of a Mr. Thorneycroft. This marriage, no final, took place six months previously to that contracted with Rosamond Stewart. I have further to say that this young woman, Maria Emsbury, is a very respectable person, and that her marriage portion, of a little more than eight hundred pounds, was given to her husband, whom she has seen twice since her marriage, to support himself till the death of his reputed father, constantly asserted by him to be imminent."

"A story very smoothly told, and I have no doubt in your opinion quite satisfactory; but there is one slight matter which I fancy you will find somewhat difficult of proof, I mean the identity of Maria Emsbury's husband with the son or nephew of the late Mr. Thorneycroft."

"He always said he was the son of the rich East India man, Mr. Thorneycroft," said the young woman, with a hysterical sob; "and here she added, 'his picture in his wedding dress—that of an officer of the Gloucestershire Yeomanry.' He gave it me the day before the wedding."

I almost snatched the portrait. Sure enough it was a miniature of Henry Allerton; there could be no doubt about that.

Mr. Flint who had been busy with some papers, here approached and glanced at the miniature.

"I was utterly confounded, and my partner, I saw, was equally dismayed; and no wonder, entertaining as we both did the highest respect and admiration for the high-minded and beautiful daughter of Major Stewart."

The Widow Thorneycroft's exultation was exuberant.

"As this only legal marriage," said she, "has been blessed with no issue I am of course anxious to make a will, the legitimate heirs, and as my deceased husband's nearest blood relative, I shall, however," she added, "take care to amply provide for my widowed niece-in-law."

The young woman made a profound grateful courtesy, and tears of unfeigned gratitude, I observed, filled her eyes.

The game was not, however, to be quite so easily surrendered as they appeared to imagine—"Tut! tut!" exclaimed Mr. Flint, bluntly; "this may be mere practice. Who knows how the portrait has been obtained?"

The girl's eyes flashed with anger. There was no practice about her, I felt assured—"Here are other proofs. My husband's signature, left accidentally, I think, with me, and two letters which I found curiously took out of his coat pocket—the day, I am pretty sure it was, after we were married."

"If this cumulative circumstantial evidence does not convince you, gentlemen," added the Rev. Mr. Wishart, "I have direct personal testimony to offer. You know Mr. Angerstein of Bath?"

"I do."

"Well, Mr. Henry Thorneycroft or Allerton was at the time this marriage took place on a visit to that gentleman; and I myself, as the bridegroom, whom I had invited to my wedding previously in Swindon church, walking arm and arm with Mr. Angerstein, in Sedbury Grounds, Bath. I was at some distance, but I recognized both distinctly and well. Mr. Angerstein returned my salutation, and he recollects the circumstances distinctly. The gentleman walking with him

in the uniform of the Gloucestershire Yeomanry was, Mr. Angerstein is prepared to depose, Mr. Henry Thorneycroft or Allerton."

"You waste time, Reverend sir," said Mr. Flint, with an air of sternness and unconcern he was, I knew, far from feeling. "We are the attorneys of Mrs. Rosamond Allerton, and shall depose, if you push us to it, to be able to tear this ingeniously-coloured cobweb of yours to shreds. If you determine on going to law, your solicitor can serve us; we will enter an appearance, and our clients will be spared unnecessary annoyance."

They were about to leave when, as it chanced, one of the clerks who, devoted by the momentary silence and from not having been at home when the unwelcome visitors arrived, and admitted Mrs. Rosamond Allerton and her son, Miss Stewart. "Before we could interpose with a word, the Widow Thorneycroft burst out with the whole story in a torrent of exultant volubility that it was impossible to check or restrain."

For awhile contemptuous incredulity, in dignant scorn, upheld the assailed lady; but as proof after proof was hurled at her, reinforced by the grave solemnity of the clergyman and the sympathy of the young woman, her firmness gave way, and she succumbed to her suit's terms. We should have more emphatically interposed for our unfortunate clients' deprecatory gestures. She seemed determined to hear the worst at once. Now, however, we had the office cleared of the intruders without much ceremony, as soon as the horror-stricken lady was sufficiently reassured, she was conducted to her carriage, and after arranging for an early interview on the morrow, was driven off.

[To be continued.]

Those who would have fault with Mr. Howe, for introducing the Canadian and Nova Scotian Governments with regard to the aid to be extended to the European and North American line of railroad, seem to have forgotten Mr. Howe's letter to that gentleman in which if our memory serves us, it was stated that the British government would have no objection to the European and North American line forming a portion of the road to Quebec, and feel perfectly indifferent as to the line of route, through British territory, which should be selected.

We confess our astonishment at the remarks of the Montreal Herald, for we fancied that however painful the announcement of the government's organ might be to us, it would be viewed with extreme satisfaction by the people in Montreal, who were always so passionately strongly opposed to the Howe scheme, though not indifferent to a line via the valley of the St. John.—Quebec Chronicle.

NATURAL CURIOSITY.—Whilst one of our fishermen was occupied on a fine day last summer in bailing the water out of his boat, when off Red Head, near the mouth of the harbour, he was by no means agreeably surprised by a rude tap across his shoulder blades. He then discovered a most uncouth and strange looking fish alongside his boat, and at once learned to what source he was indebted for the compliment. The boat was under sail at the time, and going rapidly through the water; the hero of the story—we mean the bailed—steered for the shore, accompanied, side by side, by the monster fish. At length the boat touched the shore at Courtney Bay, and the fishermen immediately "took to his land tackle," his excessive modesty inducing the belief that he had accidentally got into too good company.—To skip over an episode or two in this eventful history, we must briefly state, that the strange fish was captured and proved to be a Tetracurus, about 16 feet long. It is one of the great enemies of the whale, and for this latitude a wonderful curiosity. The person who captured the *Tetracurus* is now exhibiting it in Cross street, and is willing and able to give many interesting particulars about "him." He thought he was in last summer, when he was so suddenly introduced into fishy company.—Chronicle.

THE SCHOOL BILL.—We have read over the School Bill lately introduced into the House, and find that it is but little altered from the one brought forward last year. The pay proposed for Teachers is quite too small to secure the services of educated respectable men, fit to be entrusted with the upbringing of the future people of the Province, and the assessment system is not made compulsory.

We are very much inclined to think, that if passed in its present shape, it will perpetuate the evils of the former system, and add to them the useless expense of Government Inspectors, whose services will be thrown away, simply because, unless the people are forced to pay for education, they will not avail themselves of it, and because no inspection can make efficient Teachers of men whose pay does not exceed that of day labourers.—Courier.

"If you like me, I'll bite you," as the popular wit said to the lady.

Yankee wit—that.

In the Pennsylvania legislature, a bill has been introduced which makes it unlawful for any negro or mulatto to come into or settle in the state, and any person encouraging them to come in and settle is liable to a fine of \$500.

HEAVY FAILURE.—The Oswego Journal reports the failure of Lewis & Howdley, who have long been engaged in the milting and forwarding business. Their liabilities are named at \$200,000.

Panama, Trinidad, was visited by an earthquake on the 25th November. It lasted 10 seconds, and it was believed that had it lasted half a minute, most of the buildings could have fallen to the ground. It was severely felt by the shipping in the harbour.

THE BONAPARTES.

Louis Napoleon may be said to be, in one sense, the legal successor of the Emperor Napoleon. His election at this time, is doubtless intended by him to be the restoration of the Empire under the Bonaparte dynasty. By the decree on Bonaparte's consulship, which constituted Napoleon Emperor in 1804, the imperial succession was thus preserved to the line of his family.

1st. To the line of his wife, Marie Louise, in the order of primogeniture.

2d. Failing these, to such son, or grandson of his father as Napoleon might designate, and the heirs male of such son or grandson.

3d. To Joseph Bonaparte and his heirs male.

4th. Failing these, to Louis Bonaparte, his heirs male, each in the order of primogeniture.

The only son of Napoleon, the Duke of Reichstadt, died in 1832. Joseph, ex-King of Spain, the eldest brother of Napoleon, known as Count de Surville, and who resided for many years in New Jersey, died in 1845, leaving two daughters, but no son—Louis ex-King of Holland, the father of the present Louis Napoleon, died in 1845, shortly after the escape of the son from the fortress of Ham. Two elder sons of Louis and Lucienne died, one in infancy, the other at the age of 27, leaving Louis Napoleon the only survivor and the last in the prescribed succession.

To this claim of quasi legitimacy it is probable Louis Napoleon alludes in his Proclamation to the people of France. "If you believe in the cause of which my name is the symbol, that is, France regenerated by the revolution of '89, and organized by the Emperor, proclaim it, &c."

Jerome, the youngest brother of Napoleon, some time King of Westphalia, has addressed a letter to his nephew in the name of my brother, and partaking his horror of civil war, urging a republican and conciliatory policy. Napoleon, a son of Jerome, is or was member of the French General Assembly. Lucien Bonaparte, Prince of Canino, died at Rome, leaving a numerous family; one of them, the ornithologist, now or lately prominent in the affairs of Rome, and Italy—Pierre, another son, figured in the French National Assembly; as also Murat, the Marshal and Caroline, the sister of Napoleon. One of the daughters of Lucien is the wife of Lord Dudley Stuart, an English nobleman.—[Cincinnati Gazette.]

CAUSES OF INSANITY.—The more ordinary causes of insanity, such as pecuniary difficulties, disappointment in love, religious excitement, grief, intemperance, and excessive joy, are generally well understood. But in a report of the Bethlehem Hospital, England, we find some causes assigned which, to say the least, are curious and almost incredible. These two men became mad from fear of the cholera; two women from giving birth to insane persons; one from attending a singing class, one from terror at the Parisian revolution of 1815, and one from the excitement of travelling, for the first time, in a railroad car. In several cases insanity resulted from bodily sickness. Three men became crazed from exposure to a hot sun. One poor fellow went mad from excessive sea sickness. Generally, women are more liable to hereditary insanity than males; and it is known that their sedentary occupation renders them more subject to it, from most causes, than the other sex. In the Bethlehem Hospital, during one year, twelve females were admitted who had gone mad from love; but not one male. In conclusion it is said that half the causes, whether as regards men or women, are moral ones, a fact which should incite forcibly on parents, teachers, and guardians, the necessity of disciplining the moral sentiments, as well as cultivating the intellect.

Kossuth, in one of his speeches addressed to ladies, said—

"With us, the widow remains the head of the family, as the father was. As long as she lives, she is the mistress of the property of her deceased husband. Under the old constitution of Hungary, the widow of the lord had the right to send a representative to the parliament, and in the county elections of public functionaries, widows had a right to vote alike with the men."