COMMUNICATION.

FOR THE STANDARD.

Mr. Editor,—The necessity of a thorough reform in the administration of Justice is universally admitted, and yet a quiet submission to the acknowledged evil is equally universal. In no department of civil life is there perhaps a more pressing urgency for a searching and radical change, and in none is the public mind less disturbed. Complaint utters itself in a voice so feeble and so insolated as to command no attention, and compel no effort to remove a burden, which at once afflicts the patient and paralyses his energies. From long usage, endurance has grown into a habit as inveterate as it is oppressive. The community has, perhaps, come to think, that the infliction must be borne, because it is supposed beyond the reach of effectual remedy. It is the interest of the inflictors not to undeceive it, lest they might peril their own vocation. Nothing has hitherto been more dreaded by the judicial mind of the country than legal innovations.—On this subject, it appears to have been afflicted with a judicial strabismus, which disqualified it from seeing the iniquities of a system constantly pressing itself upon the attention. Forms, technicalities, antiquated precedents, delay and expence, have reduced the judiciary to an instrument of oppression, instead of being a protector of right. The theory is—"every wrong has its remedy"—but what is the practice? Ask suitors.—Nobody *confidently* expects justice. It is a warfare in which both parties suffer, and where right and wrong have equal immunities—if indeed, the preponderance be not in favor of the wrong. Justice, in its practical issues, is, under the existing state of things, a delusion and a mockery. Its temple is profaned, and become an arena, where the passions of bad men find gratification and nutriment, and where they too often luxuriate with impunity. Justice enters it in chains, and is content to suffer loss, if it may escape ruin.

The law of evidence requires revision.—The knowledge, which can best elucidate the facts of a case, is now studiously excluded on the insufficient plea of personal interest, however small. Many a suitor will suborn testimony, and this is no difficult task, who would hesitate to perjure himself. Lord Denman's able communication to the Editor of the Law Review on the reception of the testimony of parties in civil suits, conveys, it is said, the sense of nearly all the British Bench. He considers the change necessary for the discovery of truth, the promotion of justice, the prevention of perjury, and the suppression of unjust litigation.

The characters of the parties themselves would be virtually in issue, and operate as a check to false swearing. Moral worth would have its due weight with the Court and with upright jurors. The result of a suit would be, in effect, a certificate of character, and thus a no small security for the truth. A late Act of Parliament has realized the views, of Lord Denman, by admitting, as witnesses, parties in civil suits with certain exceptions, as divorce, &c.

Conciliation-Courts, which have been found so beneficial in Norway and other countries, are strenuously advocated by Lord Brougham.

The recent summary jurisdiction given to the County Courts in England to the amount of £50, (increased, I believe to £100) has given great and general satisfaction. Why should it not be increased to a £1000, and more? Why should not the second £100, the third, &c., be as satisfactorily disposed of by those courts, as the first?

Tribunals of Commerce are common in Europe and work well. In France, they decide, it is said, more suits in one day, than all the civil tribunals in a month. In the stock Exchange in England, where a Tribunal of Commerce has existed more than fifty years, all questions are decided upon justice, not law, and, it is said there is no instance of an appeal from a decision of the Committee.

The aggregate of all the recoveries in civil suits would not is believed, cover the direct and indirect expenses attending them. In a majority of cases litigated, the amount recovered bears no proportion to the expenses incurred by the parties and the public—and this is called justice. In no small class of cases there is absolutely no remedy. The cost, the uncertainty, loss of time, &c., nullify the remedy, and transform it into a positive evil to the unfortunate sufferer, who is not wise enough to bear the first injury without resorting to the law for a vindication of his rights.

If it had been the design to nullify the law by the practice, it is difficult to conceive how it could have been more effectually accomplished than it has.

There is no nuisance however flagrant that interest and prejudice will not defend.—The few who profit are intelligent, influential, and active.—The many who suffer, are generally ignorant, stolid, and passive—mere breathing machines worked at pleasure by an agency foreign to themselves. There is a third class, who stand aloof, being equally disgusted with the selfishness of the deceiver, and the stupidity of the deceived.

The surest method of forfeiting public support is honestly and perseveringly to advocate public benefits. He that will do this must have nothing to hope for and nothing to fear, or he will assuredly be victimized. The picture may be sombre, but it is faithful to the original, as most men who have been bold enough to make the attempt can testify.—With us it is the age of romance, so far as genuine patriotism is concerned. The existence of a virtue not tolerated is a prodigy not to be looked for. Its developement is among the possibilities of the future.

M

(From the Royal Gazette.)

PROVINCIAL APPOINTMENTS.—His Excellency the Lieutenant Governor has been pleased to appoint, provisionally, William Hamilton, of Dalhousie, in the County of Restigouche, Esquire, to be a Member of the Legislative Council of this Province, until Her Majesty's pleasure shall be known thereon.

John V. Thurgar, Esquire, to be a Commissioner of the Provincial Lunatic Asylum.

Amos Gallop to be a Coroner for the County of Carleton.

Francis A. Stratton, Esquire, to be a Registrar of Probates for the County of York, in the room of John C. Allan, Esq., resigned.

GOVERNMENT NOTICE.—Her Majesty the Queen has been graciously pleased to ratify and confirm the appointment of the Honorable Robert Duncan Wilmot, to be Surveyor General of this Province, in the room of the Honorable Thomas Baillie, resigned.

J. R. PARTELOW.

Secretary's Office, 16th Dec. 1851.

THE STANDARD.

ST. ANDREWS, WEDNESDAY, DEC. 24, 1851

We tender to our Readers the compliments of the season, wishing them one and all, "a merry Christmas."

Arrival of the "Europa" at Halifax.

From a telegraph despatch to the St. John News Room, we learn that the Steamship *Europa*, bound to New York, put into Halifax on Saturday morning last. She left Liverpool on the 6th inst., and experienced a succession of heavy gales—Lost a man overboard.

The news from France are important.

The President has dissolved the Assembly and appealed to the people—declared Paris in a state of siege—proclaimed universal suffrage, and requested the people to elect a President for ten years with a Council of two Houses of Parliament.

The British funds were very sensibly affected by the sudden and astonishing crisis in French affairs. Consols and Railway shares experienced a heavy fall. Consols receded two and a half per cent.

The news from Paris had caused a decline of from ¼th of a penny to ½d. per lb. in the Cotton market at Liverpool.

There has been a good demand for American Flour, and an advance of 9d. per barrel.

In Manchester, the stocks of goods were light, with an active demand up to the arrival of the French news, which brought about a depression; but notwithstanding which, an average amount of business was done up to the latest advices.

Marshal Soult, one of the most distinguished of French soldiers, and one of the most exalted of French statesmen, died on the night of the 26th ult. aged 82.

The steamer Sultan, at Southampton from Gibraltar, brings news of a bombardment of Rabat and Salee by the French fleet, which lasted eight hours, causing great loss of life to the Moors. It was also reported that the French fleet then proceeded to Tangier, for the purpose of bombarding that place, and Her Majesty's ship Janus had been despatched to protect British interests.

THE HALIFAX & QUEBEC RAILWAY.

We copy the following from the Miramichi Gleaner:—

If the Government of this Province will take up the great question in the same determined manner as the Government of our sister Province has done, leaving the question *of route to be decided by disinterested and competent engineers, appointed by the Home Government, or by the Governor in Council, or both jointly*, there cannot be a question but that they will be equally successful in carrying the measure through our Legislature; buf if they hesitate, show any signs of fear, or allow the question of route to be discussed, there is but slight chance of their succeeding, for a great diversity of opinion exists on this head, and parties will advocate that line which serves their own immediate ends, or will prove advantageous to their constituents.

The editor the Gleaner has a right to an opinion on this great question—and is entitled to the best support from the people of the North, for his warm and manly advocacy of the North Shore route. No doubt the people on the Gulf Shore, are content "to leave the matter in the hands of disinterested parties"—but why do so when there can be no reasonable question as to the line which will be of the most benefit to the greatest number.—The *Gleaner* is fond of "facts and figures," let us give him some—the census returns for 1840 show that the Counties of York, Carleton, St. John, Kings, Queens, Sunbury, Westmorland and Charlotte, contained in all 124,153 inhabitants all whom have an interest in the route by the valley of the St. John while the Counties of Northumberland, Kent, Gloucester and Restigouche in the same year contained only 33,009 inhabitants who are interested in the North Shore line. Are not the wishes and interests of 91,144 people to be regarded? Are the most populous districts in the Province to be passed by, and cut off from a direct commercial communication with their Canadian brethren—surely not.—The Gleaner says that—

The people on the Gulf Shore are content to leave the matter in the hands of disinterested parties; but if the House is called upon to Legislate, on the question what line is to be adopted, our members must oppose any scheme that may be introduced, which may deprive us of participating in the benefits that must inevitably follow from this great intercolonial communication, if they value their seats, or have any regard to the unanimous voice of their constituents.

Exactly so—Mr. Gleaner, and vice versa, the members from the Southern and Western Counties will oppose the North Shore route. What authority has a member from a constituency to give his sanction to a Bill, which deprives him of that power invested in him by the people and delegate it away to "Government Commissioners." We are aware that the members for Charlotte will do their duty. The route must be distinctly laid down in the Railway Bill or it will be lost, no amendment will save it. The inhabitants of St. John are determined also that their members will vote just as they should. It may be the Government intend to introduce a Bill, for constructing the link of the Halifax and Quebec Railway which will pass through this Province, leaving the question of route to be decided by competent engineers, but they will be defeated and before the session is over the breach made on this important question—will assuredly be increased.

PUBLIC MEETING.—In our columns this day will be seen the High Sheriff's notice for a Public Meeting, to take place on the 22d of April next, at the Court House, "for the purpose of taking into consideration the propriety of Incorporating the County of Charlotte, in conformity with the Act for the establishment of Municipal authorities in this Province." The people will have sufficient time to give the matter that consideration which it merits; and come prepared after calm deliberation, to vote for the establishment of "Municipal authorities" in Charlotte,—in other words that the County be incorporated.

One of the best articles we have read on the various schemes for obtaining Railways for New Brunswick, is in the last St. John Freeman. After showing, that Nova Scotia with a population much larger—a country more thickly settled—and a larger Revenue than New Brunswick, can only afford to borrow a million of pounds, that New Brunswick cannot afford to obtain more,—concludes his admirable article with the most feasible plan, we have yet seen presented, for accommodating all parts of the Province, and insuring to the people Railraods. The editor says:—

Assuming that our Government have determined on introducing a Bill, at the approaching Session, and on proposing a loan of a million, it becomes of vast importance to determine how that million may best be expended; how with this million the greatest amount of railway acommodation may be provided.

If the Government themselves undertake any line of Railway, estimating the cost as low as £5000 a mile, they can build but 200 miles with it

But, even admitting, what some continue to assert, that Mr. Archibald can not carry out his engagements, by the co operation of private companies this million could be made to effect all that the Province at present requires. Mr. Archibald in his original propositions to the Government required that £500,000 should be given to the European and North American Line. This was probably what he was instructed to require and get if possible. There could be no doubt that with this amount of aid an English company would be glad to get the work. Then in addition to the £50 000 already granted to the St. Andrews and Quebec Line give £250,000 that it may be contined to the line where the Canadians promise to meet it. The remaining £200,000 would insure a branch from the Bend to Miramichi. By this plan every part of the Province requiring a Railroad would have it, the further extension to the Restigouche and the several smaller branch lines of course following in time.

THE KOSSUTH RESOLUTION.—After several days debate, the Senate of the United States has adopted Mr. Steward's resolution, for giving a welcome to Kossuth, as follows:

Be it resolved, &c., That Congress, in the name of the people of the United States, give to Louis Kossuth a cordial welcome to the Capitol and the country, and that a copy of this resolution be transmitted to him by the President of the United States.

The ayes were 36, to 6 nays. There was great rejoicing at the final passage of the resolution.

COLLINS' LINE OF STEAMERS.—A notice has just been issued, that the Steamers belonging to this line—the Atlantic, Pacific, Arctic, Baltic, and Adriatic—will leave New York for Liverpool on every alternate Saturday, during the year 1852, commencing with Saturday 10th January. The price of passage to England, will be $120 in the first cabin; and $70 in the second cabin.

On and after the 28th January, these Steamers will leave Liverpool for New York, on every alternate Wednesday. The passage money from England will be £30 sterling in the first cabin, and £20 sterling in the second cabin.

THE WEATHER, in these Colonies as well as in the United States, has been intensely cold this winter. At Boston, Thursday last, the thermometer was down to zero and at Newburyport it was 12 below.

☞ Our market is well stocked with Geese, Turkies, and chickens, with plenty of good beef, mutton and pork—the produce of this County.

NEW ROMAN CATHOLIC BISHOP OF NEW-BRUNSWICK.—We are indebted to the Halifax Morning Chronicle for the following announcement:

It is currently reported and generally believed, that the Rev. Dr. Connolly, Vicar General of St. Mary's, Halifax, will succeed the late Rev. Dr Dollard as Bishop of New Brunswick. The Rev. gentleman is well known and justly esteemed in Halifax, where he has long resided; and we congratulate the Catholics of the Sister Province on the anticipated appointment to the vacant See, of a clergyman whose name in this community has hitherto been inseparable from works of charity and philanthropic benevolence.

We have heard from private sources, that the Rev. Dr. Connolly is noted for his kind and courteous bearing, high intellectual attainments, and unbounded benevolence.—The advent of such a man would be gladly hailed in any country.—(Newbrunswicker.

Yesterday, between the hours of 12 and 1 o'clock, a circumstance occurred which might have been attended with fatal consequences. A lad it appears, who had been in the employ of Mr Townend, silversmith & jeweller, as a servant, for a considerable time, but who was discharged on account of irregular habits, on Saturday last called at the shop of Mr. Townsend, at the time above stated, and, in reply to some remarks made by Mr. T. respecting his bad habits, asked him if he supposed that he had taken the $100 bill—which Mr. T. had missed a short time ago—that he had lost. Mr. T. replied that he accused no one in particular, but nevertheless the money had been taken by some one.—Mr. T. immediately after the above conversation opened his shop door, for the purpose of going out, when the lad discharged a pistol at him, which took effect in the shoulder. The pistol luckily was only loaded with shot, which taking effect in the fleshy part of the shoulder, produced comparatively little damage. The lad is now in the hands of justice, and Mr. Townsend, we are happy to add, removed from all danger.—(Montreal Pilot.

THE ATTACK ON THE PROMETHEUS BY A BRITISH SHIP OF WAR.—It is reported that the American Government have taken high ground in this affair. The Atlantic was detained for the purpose of conveying despatches to the Ambassador at London. It is regarded as a direct violation of the peace of '50. Vessels of war were immeediately ordered to the scene of the outrage.

Attempt to Burn General Hanau.—A letter from Peseth gives the following account of an attempt to destroy General Haynau:—

Field Marshal Haynau, who is residing on the estate he possesses in Hungary, is accustomed to sleep in a little room on the ground floor in a detached building in the garden of his chateau. In the night of Monday last, he was awoke by a thick smoke, which filled the chamber. He immediately jumped out of bed, and leaped out of the window into the garden. Some moments after all the building was in flames. A strong wind having arisen, the fire extended to three barns, filled with corn of the last harvest, and they and their contents, together with the building, were destroyed. No fire had been lighted in the day, it appears certain that the fire was caused by a criminal in the hope, probably, of killing the General. It has not been possible thus far to discover him.

MARRIAGES.

On Thursday last the 18th inst. by the Rev. Dr. Alley, Mr. Louis B. Messenett, to Mary Ann, youngest daughter of the late Hugh Flaherty, Esq., both of St. George.

At Fredericton, on the 12th inst., by the Rev. John M. Brooke, Serjeant David Martin, of the 72nd Highlanders, to Miss Sarah Stewart, lately residing in Halifax, formerly in Scotland.

DEATHS.

At St. John on the 17th inst. Eliza, wife of the late Thomas T. Hanford, Esq., and daughter of the late Jesse Woodward, Esq.

In London, on the 8th inst. deeply lamented, Robert L. Hooper, Esq., M. D., of 5, High-street, Newington butts. The deceased gentleman was the brother of Mr. John Hooper, St. John. He was thrown from his carriage on the 5th November, and died from the injuries he then received.

Notice to the Public.

THE Post Office Act passed at the last Session of the Legislature of this Province, authorising the transmission by Post, to and from the United Kingdom, of Books, Pamphlets, &c., at reduced rates of Postage, not having received the Royal assent, the Public are hereby cautioned that all Books, Pamphlets, &c., at present forwarded through the Post, to and from the United Kingdom, are liable to *full Letter Rates of Postage*.

Due notice will be given when the provisions of the Book Post, above referred to, come into operation.

J. HOWE,
P. M. G.

General Post Office,
St. John, 20th Dec. 1851.

CHRISTMAS FRUITS &c.

John B. Balson,
Has just received a fresh supply of
FRUIT, SPICES &c,
among which are,
Boxes RAISINS, Zante CURRANTS,
FIGS, APPLES, NUTS, CONFECTIONS,
SPICES, &c., 50 barrels CANADA FLOUR,
50 bags FRESH GROUND ditto.
On board Schr. "SPRAY," lying at the market wharf.
60 Tubs Cumberland BUTTER, from 20lbs. and upwards.
The above with a general assortment of Groceries, will be disposed of at the lowest prices for cash. [December 24.

Flour, Stoves, Oil, Fluid.

Ex Schooner "Belle" from New York:—
100 BARRELS No. 1 CANADA FLOUR
—Per "Utica" from Boston—
10 superior Cooking Stoves, newest patterns,
9 Parlor Stoves, do. do.
1 Cask Refined Oil,
1 do Burning Fluid.
W. WHITLOCK.
St. Andrews, Dec 24, 1851.—3i

NEW BRUNSWICK.

HOUSE OF ASSEMBLY.

THE following were adopted as Standing Rules in the Session of 1851:—

37th.—That no Bill of a private nature or petition for money or relief, shall be received by the House after the fourteenth day from the opening of the Session, both inclusive; and that the Clerk of this House do, one month previous to the meeting of the Legislature, cause fifty printed copies of this Rule to be sent to each of the Clerks of the Peace in the several Counties for distribution, and cause the same to be inserted in the Royal Gazette, and two Newspapers in such County where Newspapers are published.

38th.—That this House will sustain no application for allowances to Teachers of Common or Parish Schools, unless it shall be certified by at least two Trustees of Schools for the Parish where such School has been taught, shewing the time actually taught—the Teacher to be licenced—the cause why such Teacher was not certified to the Sessions in the ordinary way—and that such Teacher was not compelled to discontinue his or her School on account of any improper conduct.

Dec 24. CHAS. P. VETMORE. *Clerk.*

SURROGATE COURT.

COUNTY OF CHARLOTTE

In the matter of the Estate of Daniel Cunningham late of the Parish of Saint David in the County of Charlotte, deceased.

WHEREAS Lachlan Doon administrator of all and singular the goods, Chattels, and credits, which were of the said Daniel Cunningham deceased at the time of his death, hath this day filed his Account with the said Estate, and hath prayed that the Creditors and next of Kin of the deceased, and all persons interested in the said Estate, may appear and attend the passing and allowance of the said account.

NOTICE thereof is therefore hereby given, to all the Creditors and next of Kin of the said deceased, and to all persons interested in the said Estate, and they are hereby cited to appear before me at a Court of Probate, to be held at the Office of the Registrar of Probates in Saint Andrews, in the said County of Charlotte, on Saturday the Seventh day of February next, at the hour of one in the afternoon, to attend the passing and allowance of the Account of the said Administrator,

Given under my hand and the Seal of the said Court, this tenth day of December A. D. 1851.

(Signed) H. HATCH
Surr. Judge.

Geo. D Street,
Registrar of Probates.

S. K. FOSTER'S

LADIES' FASHIONABLE
SHOE STORES,
Germain Street, Saint John; Queen Street Fredericton.
JUST RECEIVED.

THE Subscriber has just received from London per Steamer *via* Boston:—
TEN CASES Ladies CLOTH and Prunella BOOTS.
Also, an Elegant assortment of the Newest styles **Ladies' Bridal Slippers,**
and Ladies' and Misses Evening *Dress Slippers.*
☞ Orders addressed to either Store will receive immediate attention
Dec. 13. 2w. S. K. FOSTER.

LAND FOR SALE.

FOR SALE, 250 ACRES of Land, situated on Pleasant Ridge, so called, in the County of Charlotte, being Lot No. 13, on said Ridge. For particulars and a plan of said Land, apply at the office of the subscriber in St. Andrews.
WILLIAM KER.
Dec 16, 1851. 3m

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