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The Standard,
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Each repetition of 12 lines
First insertion of all over 12 lines 2d per line
Each repetition of 12 lines 1d per line
Advertising by the year as may be agreed on

The Standard,

OR RAILWAY AND COMMERCIAL RECORD.

No 41] SAINT ANDREWS, N. B., WEDNESDAY, OCTOBER 15, 1851. [Vol. 18

BY AUTHORITY.
Anno Decimo Quarto Victoria Regine.
CAP. XXXVIII.
An Act to provide for the establishment of
Municipal Authorities in this Province.
Passed 20th April, 1851.
[concluded.]
27. All debts, liabilities and obligations of
every kind which may be due or owing, or
to which any County may be legally liable at
the time of its incorporation, shall be assumed,
paid and performed by the County Council,
and be recoverable from the same by action
or otherwise, on the same terms and condi-
tions as the same should have been paid, and
performed if the County had not been incor-
porated; and all property of a public nature
and debts of every kind belonging or owing
to any County, shall at the same time become
vested in and due and payable to the County
Council, and recoverable as if originally due
to them; but no County Council shall issue
or authorize the issuing of any bill or note, or
in any way act authorize any persons to act
as bankers.
28. In assessing any rate or tax the County
Council shall be governed in all things by
the laws now or hereafter to be enacted for
the levying and collecting of Parish and
County rates; no assessment upon property
made by the County Council shall in any
case exceed two pence in the pound on the
assessed value; and the same shall be ap-
portioned and assessed equally on all property
liable by law to Parish and County rates;
but no rate or assessment whatever shall be
made or levied on any lands, tenements or
other property real or personal of Her Ma-
jesty, Her Heirs or Successors.
29. All allowances or per centage granted
by law to any Collector or County Treasurer,
and all salaries, wages and allowances of any
kind enjoyed by any County, Town or Parish
Officer shall continue to be paid after the
incorporation of the County until otherwise
ordered by the County Council.
30. Authentic copy of each bye-law passed
by the County Council shall forthwith,
after being passed, be transmitted by the
warden or chairman for the time being to the
Provincial Secretary, who shall note on such
bye-law the date of its receipt and lay the
same before the Lieutenant Governor; and
may be brought into operation or be of any force
until thirty days after its receipt by the Pro-
vincial Secretary; within the said period of
thirty days the Lieut. Governor in Council
may disallow any bye-law, and such disallow-
ance, with a certificate of the day on which
the bye-law was received by him, shall with
all convenient speed be transmitted by the
Provincial Secretary to the Warden of the
County, and the bye-law so disallowed shall
be void and of none effect whatever.
31. The County Council at any semi-
annual meeting may order such sums to be
assessed on the inhabitants of the County as
may be necessary to pay the salaries of
County Officers or defray the cost of any
public work which they may direct to be
done.
32. At least ten days before the meeting
of the Provincial Legislature, the Warden
shall transmit an abstract of the receipts and
expenditures of the County during the pre-
ceding year to the Lieutenant Governor,
who shall lay the same before both branches
of the Legislature.
33. No Councillor shall in any case re-
ceive or be entitled to any salary or emolu-
ment for his services as such.
34. Nothing in this Act contained shall
extend to any toll bridge or road belonging to
company or individuals, nor to any work un-
der the control of the Imperial or Provincial
Government, or of the Military authorities.
35. All fines and penalties imposed by
this Act, or by any bye-law of the County
Council, and for the recovery of which no
other provision is made, may be recovered
with costs by summary proceeding before any
Justice of the Peace for the County, and may
be levied by distress and sale of the goods
and chattels of the offender, by warrant un-
der the hand and seal of such Justice; all
fines and penalties when recovered shall be
paid and applied as this Act or the bye-laws
shall direct; no informer, or other person
who is to receive for his own benefit any part
of a fine or penalty, shall be a competent
witness for the prosecution, unless he first
relinquishes in writing all claim to his pro-
portion of the fine or penalty; in such case
the whole penalty shall be applied as this
Act or the bye-law may direct, for that por-
tion which was not to go to the informer or
prosecutor; any inhabitant of the County or
member of the County Council shall be a
competent witness in any prosecution for the
recovery of a fine or penalty, or in any suit
for money payable to the Secretary Treas-
urer, or due to the County Council, or in any
suit wherein the County Council is a party,
or has an interest in the result, by reason of
such person being an inhabitant of the Coun-
ty or a member of the County Council, or
an officer or person in its employ; provided
that such person shall have no other interest
in the prosecution or suit which would render
him an incompetent witness.

36. All rates and tolls imposed by any
County Council shall be assessed, collected,
paid, levied and recovered in manner pre-
scribed by the bye-law imposing the same;
and by the assessors and collectors of rates in
the respective Parishes, provided such bye-
law is not repugnant to the law of this Pro-
vince or to this Act.
37. All rates for public purposes not with-
in the scope and authority of this Act to which
the inhabitants of any County are now liable,
or may hereafter be liable to pay by a law of
the Province, shall continue to be assessed
upon and paid by the inhabitants of any in-
corporated County, until otherwise directed
by Act of the Legislature.
38. The expenses of levying, collecting
and managing all rates and taxes shall form
the first charge on the County funds; the
expenses incurred by the Sheriff, Coroner,
and Gaoler, in the care and safe keeping of
prisoners, and in all other matters connected
with the administration of Justice, shall form
the second charge on these funds; all debts
and legal liabilities due and created before
the incorporation of the County, shall form
the third charge; and all other sums payable
out of the County funds for any purpose
whatever not within the scope of the power
of the County Council, shall form the fourth
charge; and all sums and expenses not in-
cluded in the above charges, which shall be
directed by bye-law to be paid out of the
County funds, in the order in which they are
directed to be paid, shall form the fifth
charge on such funds.
39. Nothing in this Act contained shall be
construed to repeal or effect the provisions of
any law or enactment now in force, except so
far only as such law or enactment shall be
inconsistent with or repugnant to the provi-
sions of this Act or the attainment of the ob-
jects and purposes thereof.
40. The County Council at their first
semi-annual meeting in each year shall ap-
point one person to be County Auditor; no
person shall be appointed Auditor who is a
member of the County Council, or one of its
officers, or who shall directly or indirectly,
by himself or partner, have any share or in-
terest in any contract with the County Coun-
cil or any employment under them; no
County Auditor shall act as such unless he
shall have previously made and subscribed
before the Warden of the County or any two
of the Councillors, who are hereby author-
ized and empowered to administer such oath.
41. It shall be the duty of the County Au-
ditor to examine and audit the accounts of
the Secretary Treasurer, and all other ac-
counts which may be referred to him by the
County Council, and to report thereon at the
next semi-annual meeting after such refer-
ence; the County Auditor shall have au-
thority to call for all books and vouchers he
may deem necessary, for elucidating any ac-
count laid before him; no accounts shall be
allowed or passed by the County Council
until the same is audited and reported upon
by the County Auditor; and all audited
accounts shall be open at all reasonable
times to the inspection of any elector of the
County.
42. The Secretary Treasurer of the Coun-
cil shall keep a book in which shall be entered
the minutes of proceedings of the Council,
and the bye-laws, rules and regulations made
by the same; and shall also receive for the
said Council from the Parish, Councillors, or
officers or other person or persons whomsoever
having charge thereof, all money, prop-
erty, books, documents, plans, maps, manu-
scripts or records of whatsoever kind pertain-
ing to the said Parish, within the Municipality;
and he shall cause the provisions of this Act
in respect of such Municipality, and the
rules and regulations established by the
Council thereof, and every matter or thing
required to be done or performed under the
authority of this Act, to be enforced against
and executed by the parties subject there-
to; and the said Councillors and officers of
the County appointed under the provisions of
this Act, and of the respective Parishes with-
in such County having charge of the same,
shall, and are hereby required to deliver up
the same on demand to the Secretary Treas-
urer of the Council of the County or Municipality
constituted under this Act, under the
penalty of forty shillings for each and every
refusal so to do; and shall also keep a regis-
ter of all papers and documents on which
any action shall have been taken by the
Council, and such minutes and registers
shall be signed at each sitting by the Warden
or temporary Chairman of the Council and
countersigned by the Secretary Treasurer,
and copies of such documents so signed as
aforesaid, shall be received in evidence in all
Courts of Justice in this Province.
43. Every person authorized by law to make
affirmation, instead of taking an oath, may
make affirmation in every case where an oath
is required by this Act; and any person
who shall wilfully swear or affirm falsely in
any matter where an oath or affirmation is
required by this Act, shall be deemed guilty
of wilful and corrupt perjury and be punished
accordingly.
44. If any Parish shall refuse or neglect to
elect Councillors in the manner hereinbefore

provided, the Lieutenant Governor in Coun-
cil shall appoint them or so many of them as
ought to have been elected, upon a statement
made on oath before some Justice of the
Peace, by any two electors; that no election
of such Councillors has been had within the
time limited by this Act, and the Councillors
appointed by the Lieutenant Governor in
Council, shall be sworn into office, and have
the same powers and privileges, and be sub-
ject to the same duties and penalties, as if
they had been elected at a general meeting
of the Rate Payers of the Parish, and shall
go out of office and may be re-elected as
directed by this Act.
45. The Cities of Saint John and Frederic-
ton shall be exempt from the operation of
this Act, which shall in no way extend to or
affect the said Cities, or either of them; but
the remaining Parishes in the Counties of
York and Saint John, in which the said
Cities of Fredericton and Saint John are
respectively situated, may, if the Rate Pay-
ers in those Parishes shall so decide, accord-
ing to the provisions of this Act, be incorpo-
rated by Charter as County Municipalities,
distinct and apart from the said cities of Fre-
dericton and Saint John respectively, and
enjoy all the rights, powers and privileges to
which other County Corporations may be
entitled under this Act.
46. Every action brought by or against any
county council shall be brought by or against
the same by its corporate name; and in all
such actions, service of process on the Sec-
retary Treasurer for the time being, shall be
good and valid service of such process.
47. That the council shall during its sit-
tings be deemed and considered a court for
the transaction of business, and for such pur-
pose shall have all the rights, privileges and
immunities incident thereto.
48. Wherever the words "Lieutenant
Governor" occur in this Act, they shall be
understood as comprehending the Lieutenant
Governor or the person administering the
Government of the Province for the time be-
ing; and throughout this Act wherever
words are used importing the singular num-
ber, or the masculine gender only, yet they
may be understood to include several matters
as well as one matter, and several persons as
well as one person, and females as well as
males; and wherever words are used de-
noting the plural number, yet they may be
understood to apply to one matter or one per-
son as well as more than one, unless it be
otherwise specially provided, or there be some-
thing in the subject or context repugnant to
such construction; and all the sections and
articles of this Act shall, if necessary, be so
construed together as best to render them
operative and effective for the purpose intend-
ed.
49. This Act may be altered or amended
during the present Session of the Legisla-
ture.
50. This shall not come into operation or
be in force until Her Majesty's Royal ap-
probation be thereunto had and declared.
SCHEDULE. No. 1.
Oath to be taken by the Returning Officer.
I, A. B., presiding and returning Officer at the
election of Councillors for the County of
do swear, (or do solemnly affirm, as the case may
be,) that I have not directly or indirectly by my-
self or any other person, received any fee, gift,
gratuity, or reward, either in money or otherwise,
or the promise of any such consideration for my re-
turning or effecting the return of any person as a
Member of the Council for the County of
and that I will to the best of my ability, fairly
and honestly and faithfully, conduct the present elec-
tion for the choice of Members of the County
Council, and truly declare the Candidates who at
the final close shall appear to have the majority
of votes; and that I will use best of my endeavors
to preserve peace and good order at such election
and to give all persons entitled to vote, free and
unmolested access to and from the poll.
No. 2.—Oath to be taken by Voter at
Election of County Councillors.
I do swear (or solemnly affirm, as the case may
be,) that I am C. D., whose name is entered on
the assessment Roll of the Parish of _____,
and have not already voted at this election.
No. 3.—Oath to be taken by every County
Councillor in addition to the oath of allegiance.
I, E. F., having been elected a Councillor in
this County Council of _____ do hereby
sincerely and solemnly swear (or do solemnly af-
firm,) that I will faithfully fulfil the duties of the
said office, according to the best of my judgment
and ability; and that I am seized and possessed to
my own use of lands and tenements held in fee
within the limits of the County of _____ of
the value of one hundred and fifty pounds, over
and above all charges and incumbrances due and pay-
able upon or out of the same; and that I have not
gradually or collectively obtained the same for the
purpose of qualifying me to be elected as aforesaid.
No. 4.—Oath to be taken by the County
Auditor.
I, G. H., having been appointed to the
office of Auditor for the County of _____ do
hereby promise and swear (or solemnly af-

firm) that I will faithfully perform the duties
of that office according to the best of my
judgment and ability, and that I have not di-
rectly or indirectly any share or interest what-
soever in any contract with, by or on behalf
of the Council of this County.
POETRY.
THE BLOOMER COSTUME.
In reference to the Bloomer Costume, a corres-
pondent of the Leeds (Eng.) Mercury sends the
following jeu d'esprit.
Let the dames of America dress as they please;
Should they all "cut their petticoats round by
their knees."
'Tis only a bold protestation
Against a bad habit, called *serotans* in Latin,
That spoils every place where their husbands have
sat in,
Defiles all their carpets, and dirties their matting,
And sticks to the skirts of the nation!
Don't fancy dear Jonathan, ladies are firts,
Because they have cut their old daggers the skirts,
They have done it to shame you, they readily own,
And will lengthen their habits when you mend
your own.
THE EARTH.
Creation's smiles of golden hue,
Burne on the west wind's sigh,
O'er mountain's brow and lowly dell—
Would fain their transient moments tell,
And whisper—They, like I and you,
Must one day fade and die!
Yes, when God sends abroad his word,
To bid time's progress stay;
Laid low shall be the lofty pine,
And flowers their beauty all resign,
Just as the song of summer's bird
With autumn glides away.
Yet O, how fair do all things seem!
Too bright to sink in death:
The sun-ray crowns the forest trees,
And revels with the passing breeze—
The valley's brook laughs in the beam,
And loves the violets' breath!
Now mellow corn fields waving stand,
Inhaling noon-day's heat;
The Lord show's down the fruitful store,
Nor need his children ask for more;
Ten thousand blessings from his hand
Are mingled at their feet.
But who is he that dreads the morn,
When earth's great bond shall rend?
Soon all her joys will cease to charm;
Since none but heaven's own mighty arm
Can man uphold with hope's new-born,
And streams of comfort send:
Hopes—of a brighter, better world,
Beyond the spreading skies!
There, faithful ones in light now roam;
And to that long-sought, sinless home,
The soul, with banner all unfur'd,
Takes wing—and never dies!
Father Mathew has accepted the invitation
of Mr. Collins to take passage in one of the
American steamships for Liverpool. He will
sail on the 25th October.
FROST IN GEORGIA.—The recent frosts
have greatly injured the crops in Georgia.
Unprecedented Speed of a Sailing Vessel.
The clipper ship *Flying Cloud*, built by
Donald McKay of East Boston, has made
an astonishing passage to San Francisco.—
She left New York at P. M., June 2nd, and
arrived at San Francisco on the 20th August,
thus making the passage in the short period
of 79 days—the shortest by 17 days ever
before made. She made Cape Horn in 50
days and the line on the Pacific side in 71
days. Her best run in 24 hours was 373
miles, the greatest run ever made by any sea-
going vessel, averaging 151 miles per hour.
While making this run she was carrying
topgallant sails, with the wind one point for-
ward of the beam. She ran in three con-
secutive days 992 miles, and on one occasion
17 knots line were insufficient to measure
her wonderful speed. Her poorest day's
work was 40 miles. When 10 days out,
she sprung her mainmast head rendering the
mast very tender the rest of the voyage.
The old Press on which Ben Franklin
and his brother worked, now in the office of
the Newport Mercury, is to be sent to the
Mechanics' Fair in Providence, and at its
close sold if it can find a purchaser.
Macaulay, the historian, once committed
to memory in the space of twenty-four hours,
and actually recited, an entire number of the
Times newspaper, advertisements and all.
Mr. Macaulay's memory was characterized
by Sidney Smith as "a tremendous engine
of colloquial oppression."

LAW RESPECTING NEWSPAPER
Subscribers who do not give express
notice to the contrary, are considered
wishing to continue their subscriptions.
If Subscribers order the discontinu-
ance of their papers, the publisher may contin-
ue to send them till all arrears are paid.
If Subscribers neglect or refuse to tk
their papers from the office to which they are
directed, they are held responsible till th
have settled their bills, and ordered the
papers to be discontinued.
If Subscribers remove to other place
without informing the publisher, and th
paper is sent to the former direction, the
are held responsible.
TWO WEEKS LATER FROM
CALIFORNIA!
The steamship *Frometheus*, from San
Juan, arrived at New York on Saturday eve-
ning, with San Francisco dates to the 6th
September.
The steam propeller *Lafayette* on her first
trip from New York to Chagres was totally
destroyed by fire at the latter port on the 10th
September. The fire is said to have pro-
ceeded from a quantity of camphene, shipped
by Palmer's Express. The passengers saved
nothing but their lives, and the clothes on
their backs.
Three entire squares in the business part
of Mayaville, were destroyed by fire August
30.—Eighty buildings burnt, and loss esti-
mated at half a million.
The Indians are very troublesome on the
route from Great Salt Lake City to Sacra-
mento. The mail riders are repeatedly at-
tacked and several emigrants have been
killed.
The news from the mines continues favor-
able, but the market is very quiet. Busi-
ness has been interrupted on account of the
election, but a brisk trade is springing up,
and the miners are about laying in stores
preparatory to the rainy season, which is
thought to be near at hand.
A man named Robinson, having been re-
served by the Governor, was publicly ex-
ecuted by the Vigilance Committee of San
Francisco, and also two men named McKen-
zie and Whitaker have been executed. Two
others have been executed in Sacramento,
since which perfect quiet has been restored.
The greatest excitement had attended the
case of Whitaker and McKenzie. They
were arrested at the instance of the Vigilance
Committee and kept in custody, having con-
fessed to a number of daring robberies. On
the morning of the 21st of August, before day-
light the city authorities proceeded to the
rooms of the Committee, and without hin-
drance took possession of McKenzie and
Whitaker, and conveyed them to the Jail.—
When the populace were informed of this
act, the wildest excitement was manifested,
and finally on Sunday afternoon, shortly af-
ter two o'clock, the prisoners were forcibly
rescued from the jail and conveyed to the
rooms of the Committee, and in an incredible
short space of time the instruments of execu-
tion were adjusted, and they were launched
into eternity, amidst a shout of justification
from the crowd.—After an hour the bodies
were cut down, and McKenzie being pro-
nounced not dead by the physician in at-
tendance, he was again hoisted into the air, till
life was extinct—when the crowd dispersed
quiet and order was restored. Some shots
were fired at the rescue, but nothing serious
occurred.
The steamer *Fawn* on her trip from Sacra-
mento to Yrebon on the 15th of August burst
her boiler about five miles from Sacramento.
The captain Mc Van Gaspen was badly
wounded. Clark the engineer and Anderson
the fireman were killed. Many passengers
were badly injured and several are missing.
The steamer *Tennessee* sailed from San
Francisco for Panama on the first of Septem-
ber, with the mails, and one million seven
hundred thousand dollars in specie as freight,
and about two hundred and fifty passengers.
The steamer *Constitution* sailed the same
day with one hundred thousand dollars in
specie, and about one hundred and twenty
passengers.
The accounts from the mines continue quite
as encouraging as at any previous time. In
the southern portion of the mining country,
machinery is being rapidly put into operation,
for the most part under Mexican superinten-
dence. In the northern mines the same thing
is observable, except that the machinery is
all owned and worked by Americans. The
results everywhere have been satisfactory,
and great numbers who have heretofore work-
ed in the ordinary way, are resorting to the
use of machinery.
The produce of the country is now brought
to market in considerable quantities, and the
quality is stated to be very superior.
The weather has been excessively hot, but
a fair average business was going forward at
remunerative prices. There has been no
marked change in the prices of the principal
articles of trade since the previous arrival
from California.
Lumber by the cargo, would sell at \$40 to
\$50.
Mex Dawson!—*Brig Sank!*—Mr. Os-
car Main, of Canadaigua, took passage with
a friend by the name of *Sailor* from the same
place, on board of a brig that left Buffalo, on
Tuesday, about 2 o'clock. They were caught
in a heavy gale and endeavored to make Grand
River and Cleveland, with success.
On Sunday afternoon, the brig sprung
aleak and sunk in one hour about 30 miles
from Cleveland. There were 20 persons on
board. Ten of them took a boat—nine of
them got hold of the sides of the boat and
capsized her—the whole were drowned.—
The had all, with two exceptions, been indulg-
ing freely with liquor.
The only person saved was Mr. Main,
who was found by the Propeller *California*.