

The St. Andrews Standard.

PUBLISHED BY A. W. SMITH.]

E. VARIIS SUMMUM EST OPTIMUM.—Cic.

[12s 6d. PER ANN. IN ADVANCE]

No 49.]

SAINT ANDREWS N. B. WEDNESDAY, DECEMBER 3, 1862.

Vol 22

From the "Carleton Sentinel."

MAGISTRATE'S COURT.

Nov. 18, 1862.
Before Messrs. Raymond and Bedell, J. P.
Henry Osburn vs Richard Mullis.
Action brought by plaintiff who is Manager of the St. Andrews Railway, against Defendant for assault and threatening language.

Mr. Osburn testified that on the 14th inst. at Richmond Station, where he had come to see to men paid off, he was assaulted by defendant, who came up to him and threatened him saying, he should not live three days, and then he, Mullis, would make his wife a widow before three days. He tried to get between the plaintiff and the door; did not appear drunk but excited.

Mullis, to the Court said, when asked if he had any questions to put that he must have been drunk if he used any such language, of which he has no knowledge. He had never knowingly insulted any man while he had been on the line.

Mr. Justice Raymond delivered the judgment of the Court which was although no blow had been struck that still from the excitement that prevailed upon that day, great harm might have resulted from the course the defendant had pursued; they therefore felt it incumbent to make an example, and should fine him £5 or one month imprisonment in default.

Another action was brought by same plaintiff against same defendant, for obstructing the railway, while in discharge of his duty as an officer of the N. B. & C. R. Co.

From Mr. Osburn's testimony it appeared that he is Manager of the N. B. & C. R. Co., was at the Richmond Terminal, on the 15th inst., for the purpose of taking the train at St. Andrews. After the train had left the Station some where about 100 yards he, Mr. Osburn, saw the defendant Mullis standing on the track in front of the engine, flourishing a large iron bar, which he had taken from the engine, over his head, and heard him threaten to brain any one that dare move the engine any further. He saw Mullis strike the Locomotive once with intent to damage it. Mr. Osburn went back to speak to the Sheriff and returned in a few minutes, when he saw the iron bar lying across the track, and Mullis standing with a club in his hand; he then went to the track for the purpose of clearing it, and thought that the engine might move forward, when Mullis came toward him raising his club, and threatening his life if he did not keep off the track. Through fear of him he left the track and the consequence was the track could not be cleared, and the engine was prevented from proceeding on to Saint Andrews. Mr. Osburn was quite certain that the violence of Mullis was the great hindrance to the running of the train that day, as immediately after he had been arrested and sent to Woodstock, the rest of the men who had previously refused the officers of the Company came forward and gave their assistance in clearing the track of all obstructions, and did not offer the slightest opposition to the train's proceeding.

Richard Douglas, a driver on the engine, swore, detailed the particulars of getting the engine out and under way. He saw Mullis, with a club in one hand and an iron bar—the draw bar belonging to the engine which he had unshipped from the buffer—He saw Mullis lay the bar on the rail; saw a person he did not know pass and say something to Mullis when they met, whereupon Mullis struck the man a left handed blow over the eyes which felled him. He saw Mr. Osburn go toward Mullis, some words passed between them, which he did not understand, when Mr. Osburn jumped back and ran from him. Heard him say no man should come on the track but those who want to clear the way.

Michael Cumming a brakeman sworn, he heard Mullis say that no engine should pass there, before he got his money, he would die first. Saw him take draw bar from the engine; saw Mullis strike the man referred to the last witness; was sure Mullis was the cause of stopping the train; heard him say it should not pass with his life. When the train stopped Capt. Robinson, who was on board, the Co's engine driver, Mullis, said he wanted to get his pay; Capt. Robinson said we don't owe you anything, sir, if the Contractors owe you money here is a legal way to get it; saw him drive Capt. Robinson off; saw him pass from bar on rail. It was sufficient to have thrown the engine off.

Gilbert W. Tanwart sworn, was at Richmond, saw Mullis with the iron bar and cudgel in his hands; heard him talking fast; heard him say he'd either have blood on his pay; Mr. Osburn stepped up to him and told him not to interfere with the Co's property; Mullis ordered him off, and any others except those who wanted their pay said he would have the Manager's life or

his pay, saw him go towards Mr. Osburn who then retreated. Shortly after Mullis was arrested the track was cleared of obstructions, and those who before resisted now assisted.

Richard Mullis said that he has no knowledge of the transactions alluded to. He had been hardly used; had worked for several years on the railroad. The Company had promised to pay the daymen and he was one of them but he was refused, even a few dollars to enable him to get along until he could get money from Walker, Johnson & Co., he was refused even this, and it was enough to make any man crazy, and under the circumstances any gentleman would overlook such offences.

Mr. Justice Raymond read the law bearing on the case, by which the penalty for obstructing a railroad is for every offence, a sum not more than £25 or 3 months imprisonment. His Worship then commented upon the enormity of the crime, worse in this instance because the defendant had knowledge of the law, two of his companions having been punished but a few days before for a similar offence. It was hard truly that he could not get his pay, but then the Railway Co., was not the source to look to for his pay, but the Contractors, who employed him. While they had sympathy with him there was a duty to perform to the public and every good subject was imperatively called upon to assist in maintaining the integrity of the law, and protecting the Railway Company, and thus protecting the public interests. He felt it his duty to impose a fine of £20 or, in default of payment, two and a half months imprisonment, to commence after the expiration of the former term.

The "Africa" at Cape Race.

FAIRFAX, N. F., Nov. 24, 1862.

"Africa" arrived Cape Race at 6 o'clock on Monday morning with dates to 16th.

The English Government dissented from French proposal for mediation.

Official London Gazette publishes Earl Russell's reply, dated Nov. 13th. It recapitulates Circular of D'Almeida de L'Hays proposing mediation, recognizes humane views and benevolent intentions of the Emperor.

Observes that concurrence of Russia would be expressly desirable, but up to the present time Russian Government had not agreed to actively co-operate. Although it may support England and France, the question for consideration was whether the end proposed was attainable at the present time. Russell then communicated decision of H. M. Government as follows:—After weighing all the information received from America, Government is led to conclude that there is no ground at present moment to hope that Federal Government would accept proposal suggested, and a refusal from Washington at the present time would prevent any speedy renewal of offer. Government therefore, think it will be better to watch carefully progress of opinion in America, and if, as there appears reason to hope, it may be found to have undergone or undergo any change, the countries may then avail themselves of such change to offer their friendly counsel with a greater prospect than now exists of its being accepted by the two contending parties. Her Majesty's Government will communicate to the French Government any intelligence they may receive from Washington or Richmond, bearing upon this important subject.

Times editorially observes of Russell's dispatch that his arguments have been anticipated by the public, and this is best proof of their soundness.

LATEST.

Liverpool, Evening 15th.—Russell's dispatch produced no effect commercially. Australasian arrived 15th. News of elections received after business hours.

Via Queenstown, 16th.—Paris, 16th.—Moniteur says the answers of England and Russia are for the adjournment of mediation. Moniteur adds—If our information is correct, hesitation of England and Russia nearly reaches limit. Recent elections testify progress of peace opinion, which appears likely to command a majority in next Congress.

India and China.—Calcutta, Oct. 20th.—Shirtings unchanged. Twist advanced. Tea declining. Exports to date fifty two million pounds.

Nothing definite ascertained with reference to cause or extent of recent conspiracy at Shanghai. Shanghai quiet. Engagement near Runagoo between Ward's contingent. Ward killed. Rebels arrived in great force, determined to re-take Runagoo.

Charles Lennox and Richardson of Shanghai murdered. Vengeance of Foreign Powers averted by British Minister, whose interference increased residents' indignation.

Cotton dull, declined 1-2d. to 1d. Breadstuffs quiet, steady. Wheat easier.

Consols 93.

FROM THE STATES.

BANGOR, Nov. 24.

The Federal gave 11 additional hours remove the non-combatants from Fredericksburg. The place was almost deserted by the inhabitants. There is no doubt that Lee and Longstreet are in the immediate vicinity, with admirable positions for artillery.

Richmond papers say the Confederates will hold the place; also that \$100,000 worth of tobacco was destroyed there. It is reported that Confederates are fortifying Fort Hudson, 100 miles above New Orleans—formidable as Vicksburg. Confederates running boats thence to Lake Providence, three hundred miles; also on Red River, bringing immense supplies of cotton from Texas, and salt from Red River.

Fortress Monroe advises report, a reconnaissance as far as the Chickabominy. President Lincoln, in an interview with unconditional Union Kentuckians, said he would rather die than retract a word from the emancipation proclamation.

Nov. 25.

Sunday passed off quietly at Fredericksburg.

On Saturday night the Confederate works were somewhat extended, but no additional guns were visible.

Confederates there are supposed to be 20,000 strong.

Longstreet assumed command on Wednesday.

Gen. McClelland's Mississippi Expedition, it is reported, will be ready to move about Dec. 5th.

Gen. Pope reported ordered to St. Louis to relieve Gen. Curtis.

McClelland declines public honors in New York.

Secretary Chase will probably urge Congress to substitute Government for Bank currency by taxing latter and arranging for circulation of Government currency through the Banks.

Freeman's Bank, Bristol, Rhode Island, was robbed between Saturday and Monday of \$15,000 in Bills of various Banks.

President Bolivar took La Paz, Oct. 15, with loss of three hundred killed and mortally wounded. Leaders of the rebellion escaped.

Nov. 26.

The city authorities of Savannah are making arrangements for removing non-combatants preparatory to the anticipated attack. They have adopted resolutions never so surer except in a heap of ruins.

Gen. Butler has declared the property in Lafourche district recently possessed by General Weitzel, sequestered. It embraces all of Louisiana, west of the Mississippi, except Plaquemine and Jefferson Parishes.—Gen. Bragg's plantation is embraced in the territory.

All property belonging to disloyalists is to be sold and the plantations worked on Government account.

Nothing from the Army of the Potomac. There is a probability that the Federals will occupy Winchester in a few days, and commence the reconstruction of the Baltimore and Ohio Railroad.

Blockaders ran a schooner and brig Fanny Lewis ashore near Fort Fisher. Captain and nine of the crew drowned while attempting to reach the shore.

Nov. 27.

Expected Railroad will be finished to-day from Aquia Creek to opposite Fredericksburg.

Long lines of Roads have been corduroyed.

Confederate camp fires increasing within sight of Falmouth, indicating augmentation of their forces.

Lee has joined Longstreet, and A. P. and D. H. Hill and Jackson are known to be on their way thither.

Confederates busily engaged on Tuesday constructing works in rear and left of Fredericksburg.

Richmond Dispatch of 17th thinks advance on Fredericksburg a feat.

Report from Chattanooga that Confederates are moving North, determined to fight at Murfreesboro, whither Hardee's force would also move.

Gen. Joe Johnson will assume command of Bragg's army.

Ellsworth despatch says large rakish looking steamer was seen coming into Frenchman's Bay, yesterday afternoon. Caused intense excitement. Supposed to be Alabama.

GOLD.—We are informed that on Friday last Mr. Daniel Hattie of Wine harbor melted a lot of gold into a bar, the weight of which was 32lbs. This was the produce of a lot of quartz taken from the Hattie claim, and crushed by Mr. Hattie at the crusher, which is now being worked under his superintendence, on the West side of Wine Harbor.—[Pictorial Chronicle.

From the North Shore.

THE WEATHER.—During the past week the weather has been cold and winter like. A good deal of ice has formed on the river, and is seen floating up and down with the tide. The lady Head left for Quebec on Thursday last, having finished her trips for the season. The schooners running between Shediac and Miramichi are all in but one, which is expected hourly. The "Northern Light" out 30 days from Boston, is not yet heard of; some doubts of her safety are created in the minds of persons interested in her arrival. She has on board a large quantity of freight for this port. With the exception of a few schooners, the River is now clear of all vessels, and little frost of a greater intensity than that already experienced, will give to inhabitants of Miramichi their usual "Five months bridge for their winter accommodation."

The intense apprehension of bad times, and scarcity of cash, and little work that occupied the public mind in this quarter some short time ago, is pretty generally removed. The energetic movements of the enterprising shipbuilders of the North, and those with whom we are more particularly acquainted in the immediate vicinity of Chatham, Newcastle, Douglastown, Richibucto, and Bathurst, are having a decided effect on the public mind, relieving it from any apprehension of a bad winter, or at least such as might have been expected from matters as they stand at present. It is pleasant to see those gloomy anticipations banished and to learn that mechanics, and laborers will have full employment, and that a reasonable share of cash will be in circulation. The crops, too, are very good. The labours of the husbandmen have been beautifully blessed, so that there is no fear, whatever that provisions will be very high, or that the common necessities of life cannot be easily procured. Looking on matters therefore, as they are, we have much reason to be thankful, and look forward hopefully to a tolerable fair prospect for the coming winter.—[Colonial Times.

Beautiful and True.

In an article in a recent number of Fraser's Magazine this brief but beautiful passage occurs:—Education does not commence with the alphabet. It begins with a mother's look; with a father's smile of approbation or a sign of reproof; with a sister's gentle pressure of the hand, or a brother's noble act of forbearance; with hand-falls of flowers in green and daisy meadow; with birds' nest admired, but not touched; with creeping ants and almost imperceptible emmets; with humming-bees and glass beehives, with pleasant walks in shady lanes and with thoughts directed in sweet and kindly tones and words, to nature, to acts of benevolence, to deeds of virtue, and to the source of all good—to God himself.

How DEEP SHOULD DRAINS BE DONE.

A correspondent of the Germantown Telegraph says that this is a question upon which there always has been, and perhaps, always will be, a difference of opinion. The depth required must depend on the kind of soil; for if the soil is a hard one, on top of a hard, gravelly one, I do not find that there is much advantage in going far into the hardpan. If, on the other hand, the subsoil is loose and sandy, there is an advantage to be derived from going deeper. My rule is, to gauge the drains by their distance asunder, and it will secure their thorough drainage. If the subsoil is hard, and the digging expensive, then do not sink the drains so deep, but place them closer; but hold on to the above rule. In many cases, especially where tiles are used, it will be more economical to sink the drain one foot deeper, and so doing save one seventh of the tile; but where tiles can be cheaply procured, this is not always the case. For a farm drain, I prefer them about four feet deep, with an opening formed of a flat stone in the bottom, and this covered with small stones to within twenty inches of the top. The latter are not necessary, if those forming the opening are covered with reversed sods.

ALL IN SILVER BRICKS.—It is proposed in Virginia City Nevada, to ship immediately to the East for the benefit of the Sanitary Fund the sum of \$200,000, and in the novel currency of silver bricks. The Territorial Enterprise says:—

"This shipment will be made in solid silver bricks, stamped with an appropriate inscription and will prove the biggest advertisement for Nevada Territory that ingenious brains have yet conceived. These silver bricks will be curiously examined and commented on by many a man in New York who would forget in fifteen minutes after he heard it, the fact that \$20,000 in gold coin or Treasury notes had been sent from the unknown land of Nevada."

FACTS ABOUT APPLE TREES.—1st. Apple-trees are found to flourish best on undulating lands or hills. In low and sheltered situations there is more exposure to extremes of heat and cold.

2nd. Apple-trees are more sure in their products in northern, north-western, or western exposures, than in southern or eastern ones.

3rd. Apple-trees are more exposed to winterkilling in situations where frost kills vegetables earliest in the fall.

4th. Trees grafted near the ground are much more liable to winterkill than those which are grafted on the top.

5th. Branches of trees which grow in a horizontal position some into bearing sooner than those which grow more nearly in a perpendicular position.

6th. Crooked trees and leaning trees are best bearers.

7th. English orchardists, in order to hurry certain trees into bearing, bend and tie down the branches.

A New York letter says that there never was more gaiety and display in the city than there is at the present time. Never were the streets better filled with elegantly attired people. Stroll through the Central Park any of these charming autumn afternoons and you will find the roads swarming with gay equipages and in the latter, men, women and children, whose style of dress would seem to indicate perfect national prosperity and tranquillity. They are the contractors and their families, whom the unwanted demands of the war have lifted from comparative mendacity to unexpected wealth.—Boston Post.

AMERICAN SYMPATHY.—The Boston Transcript says—

"The suggestion has been made that something should be done in this country for the relief of the Lancashire Operatives. Precisely how this can be accomplished, it may be difficult to decide. But if the thing be practicable it ought to be done. There are as strong reasons for this exercise of a benevolence, recognizing the self-sacrificing regard for truth and principles on the part of the 'operatives,' as there were for sending food to hungry Ireland. What a comment upon the selfishness of England, that her immense monopolies of church and state, landed interests, and the hard prosperity of her commerce leaves millions of her subject living every day only just outside of the parish workhouse."

FLORENCE NIGHTINGALE.—The subjoined paragraph from the London "Times" of the 4th inst. will be read with regret:—

"We regret to learn that there is only the very slightest foundation for the report of Miss Nightingale's restoration to health. She is able to remove from one place of residence to another—a very few miles—once a year; but she is scarcely able to leave her bed in the intervals, and quite unable to struggle with the flood of correspondence and applications of all kinds which the report of her partial recovery has brought upon her."

LEMBER PARTIES.—We have to make mention of an unusual activity pervading our village at this time with parties locating themselves in this neighborhood for lumbering purposes. We should imagine the prospect good for those of our farmers who have produce to dispose of.—[Victorian Guardian.

At a banquet lately given at Tronisee, in Norway, a dish of fresh beef was served which had been found last summer in some tin cans buried at Spitzbergen. According to indisputable indications these cans were placed there by the Perry expedition in 1826. The meat was perfectly fresh, and had not contracted any bad smell.

The marriage of the Prince of Wales with the Princess Alexandra of Denmark is expected to take place in London at the end of March or the beginning of April.

A cargo of salt was entered at the Boston Custom House a few weeks ago, the cost of which was \$750 by the duties on which was \$3,600, and the premium on the duties \$450 more.

A Boston paper says that during the war of 1812, gold never commanded a higher premium than 50 per cent., so that the rates of Wall street are now over 100 mark of the old time.

According to the Antigonish Casket 3000 barrels of Mackerel were taken at Crow Harbour, Guysborough, a few days ago.

The Presbytery of Picton which met at Middle Stewie on the 27th inst., appointed Thursday the 27th inst. as a day of thanksgiving by the Presbyterian Churches under their control.