

STAGE,
STEPHEN,
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Contracted to run
ANDREWS
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Bills, each, Ac. Ac.
V. STREET.
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ROBERT KER.
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J. W. STREET.
1849.
ICE.
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is indebted to the said
make immediate paymen-
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ANNER DUNN,
J. H. WHITLOCK

The Standard,
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A. W. Smith.
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The Standard,

OR RAILWAY AND COMMERCIAL RECORD.

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Counting-House ALMANAC, 1850.

Day	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
JAN.	6	7	8	9	10	11	12
FEB.	3	4	5	6	7	8	9
MARCH	10	11	12	13	14	15	16
APRIL	17	18	19	20	21	22	23
MAY	24	25	26	27	28	29	30
JUNE	31						
JULY							
AUGUST							
SEPT.							
OCT.							
NOV.							
DEC.							

LETTER from JACK ROBINSON.

FREDERICTON, 23d February, 1850.
Mr. Editor,

The initiation of money grants has been partly discussed, and so far as the sense of the House could be gathered, it would seem that the power will not be given up to the Executive Government at present, just because the Government do not and cannot possess the amount of local information necessary to guide them in the distribution of the money, and that therefore the appropriations for Roads, Schools, and other local services, must just continue as they are, until Municipal Corporations are established, and the people be schooled a little in the art of self-government. In the mean time, if the Government desire to keep the expenditure even with the income, they have only to say so; because the Governor has full power to prescribe a limit to the amount granted, and refuse his assent to the Appropriation Bill if that amount be exceeded.

The Attorney-General's Bill for the Consolidation of all the Laws relating to County and Parish business has been discussed. It cost the mover a vast amount of labour, and will be a great advantage to the country in general, and to the Magistrates in particular. A committee was raised, on the motion of Mr. End, to consider how the appointment of Parish officers, and the examination of Parish and County accounts could be improved. They recommended that the rate-payers in each Parish should elect their own Parish officers, and that all public accounts should be laid before the Grand Jury on the first day of the Session, and be reported on first, and allowed by the Justices afterwards. The report of this committee was received and adopted by the House without a dissenting voice, and immediately engraved on to the Attorney-General's Bill. Should it pass, it will be the first lesson in self-government, and must be productive of the very best results.

An immense mass of petitions, as usual, is now before the House—many referred to various committees, and a great number on the table. The grants for the ordinary services are already passed, and the discussion on Ways and Means for raising a Revenue passed over with unwonted quietness and brevity. A few statements were made on the manner in which financial affairs have proceeded since 1844, and the general opinion appeared to be, that it would be expedient to raise about the same amount of revenue as was raised last year. Some spoke of abandoning the flour duty, and reducing the duty on boots and shoes, and many other articles: others again were for raising the duties very materially, and many petitions are on the table for that purpose. All those matters, it was contended, would be again discussed when the Revenue Bill came up, and therefore a motion was made to pass the Revenue Bill of last year with certain alterations, and the committee rose. A select committee was then appointed to frame and report a new Revenue Bill. Thus the business which has sometimes taken up nearly a week was quietly disposed of in a single day. All these matters will however yet undergo a very close discussion when the Revenue Bill appears.

THE FARMER'S DAUGHTER.

She may not, in the merry dance,
With jeweled maidens vie;
She may not smile on courtly swains
With soft bewitching eye;
She cannot boast a form and mien
That lavish wealth has bought her,
But, ah! she has much fairer charms,
The Farmer's peerless daughter!

The rose and lily on her cheek
Together love to dwell;
Her laughing blue eyes wreath around
The heart a winking spell;
Her smile is bright as morning's glow
Upon the dewy plain,
And listening to her voice we dream
That Spring has come again.

The timid fawn is not more wild,
Nor yet more gay nor free,
The lily's cup is not more pure
In all its glory—
Of all the wild flowers in the wood,
Or by the Crystal water,
There's none more pure or fair than she
The Farmer's peerless daughter!

The haughty belle whom all adore,
On downy pillow lies,
While forth upon the dewy lawn
The merry maiden hies;
And, with the lark's uprising song,
Her own clear voice is heard—
Ye may not tell which sweetest sings,
The maiden or the bird.

Then tell me not of jeweled fair,
The brightest jewel yet
Is the heart where virtue dwells,
And innocence is set!
The glow of health upon her cheeks,
The grace of smile has taught her—
The fairest wreath that beauty twines,
Is for the farmer's daughter!

FROM PAPERS BY THE AMERICA

Great Storm.—On Tuesday evening, a terrible hurricane burst over Liverpool and the neighborhood, and continued to rage with unabated violence until daylight. Several houses were unroofed, and left minus chimney pots, and two or three small craft went ashore and sunk in the bay, but happily no loss of life has been reported. Birkenhead market was much injured, and the church at Orton (a village in the vicinity,) was despoiled of half its steeple. At Seacombe ferry the landing stage was capsized. The waters of the Mersey were lashed into a rage, and with tremendous force dashed over the pier heads and landing stages, the spray flying to a great distance, and drenching those who ventured within its reach. The ferry boats generally plied at irregular periods, whilst others ceased to run at all, to the great disappointment and annoyance of those who lived on the other side of the river.

Among other casualties, the result of the storm, we may mention the destruction by fire of the windmill at Castleton, Isle of Man. The wind got hold of the sails, and forced round the machinery with such immense force, that the friction set the mill on fire, and the entire building, together with the sheds and outhouses, was destroyed. The storm appears to have been general throughout the country.

From Manchester they write that the storm had produced serious consequences. It had carried off the roof of several buildings of note. Two windows of the Cathedral were blown in. Many valuable trees in all directions have been torn up by the roots; and near to Bury, a roof weighing nearly three tons, over a shed, was lifted off and carried a distance of several yards. A train on the Blackburne, Clitheroe, and West Yorkshire Railway was blown off the line. The storm did considerable damage in London, and also in Dublin and Limerick.

IRELAND.

Abolition of the Lord Lieutenant.—Rumour is again busy with the report of an intention to abolish the office of Lord Lieutenant of Ireland. It is said that the place of the present Viceregal establishment is to be supplied by two local secretaries; and Mr. Redington and Corry Connellan are spoken of as future occupants of the Castle.

The Waterford Mail states that the emigration to America is greater at this than any former time.

The Encumbered Estates Commission.—The number of petitions for sales amounted up to Saturday last, to 400, and the business of the court is increasing to an extent which could not have been anticipated even by those who were most sanguine of the success of the great experiment. The promptness and decision of the three commissioners, and their evident anxiety to facilitate the work in hand, are beyond all praise. The O'Connell estates, in Kerry, will be brought to the hammer in less than a month, and, if report speaks truly, the figure which they are likely to realize will convince the most sceptical that "free-trade" has not yet wrought the mischief ascribed to it by its opposition.

The Nenagh Guardian says—"A gentleman who, not many years ago, represented a neighbouring borough in the Imperial Senate, is now a recipient of out-door relief."

Great Irish Will Case.—Judgment was given on Monday in the Prerogative Court, Dublin, in the long protracted case of "Kelly & Thewles," which involves in its decision personal property to the amount of £600,000. Judge Keatinge decided that the will executed by the late Edward Kelly, of Rockwood, county of Galway, and of Merrion square, Dublin, was valid, and entitled to the probate of the court. Each party pays his own costs.

The United States and Canada.—From a correspondence between the Canadian government and the Montreal Board of Trade it appears that the Provincial authorities decline admitting United States vessels to the advantages of their inland coasting trade, pending the decision of the United States Congress on the bill for establishing free trade between the countries.

The supreme court of New Orleans has recently decided in the case of Hart and others vs. the owners of the Jane Shore, that the ship owner who detained a vessel after the advertised sailing day, to the injury of the freighters, is responsible for all damages.

Emigration of Canadians to the U. States.—The Rev. Arthur Chiniquy, the great Canadian apostle of Temperance, having recently been on a tour through the United States, has addressed a letter to the Melanges Religieux, in which he says:—"I do not exaggerate when I say that there are not less than 200,000 Canadians in the United States; and unless efficacious measures are taken to stop this frightful emigration, before ten years two hundred thousand more of our compatriots will have carried to the American Union their arms, their intelligence, and their hearts. It is no part of my present plan to examine

the causes of this deplorable emigration; but it must be always true, that when a people en masse quits its country, it is because that unfortunate country is struck with some hideous plague—is devoured by some cancer—God has placed in the heart of man love for his country, and when a man turns his back upon his country, and with the eye moistened by tears bids it an eternal adieu, it is because something essential has been wanting to him in that country.

The Prodigality of Wealth.—We extract the following remarks from the N. Y. Daily News:

"The vast accumulation of wealth in the hands of a few individuals in this city, is, we presume well known; but few are aware of the lavish expenditure of some of our millionaires. It looks something like going back to the days of Rome when the revenue of a province scarce sufficed to furnish a supper, to hear that at a party given in Lafayette Place, the flowers alone cost twenty-five hundred dollars! Boston, Philadelphia, and Baltimore were all placed under contribution, to decorate a single mansion in New York with exotics.

The family which could afford to entertain their friends, at this expense, were of course the favourites of fortune. But though the wealth of an Astor is not enjoyed by all of our fashionables, their extravagance would astonish folks unaccustomed to the aristocracy of republicanism. It is no uncommon thing for eight hundred or a thousand invitations to issue for one party, among the 'upper ten' who crowd their houses to repletion, till their guests with the choicest viands, the most costly wines—delight them with flowers and music at the cost of thousands; and rule their little hour, through their extravagance and folly, the admiration of those they fetter—then become bankrupt, and give place in the circles of fashion to some florist, confectioner, or upholsterer, who grow rich in supplying their extravagance, and, in his turn is ambitious for social distinction. Such is life, and the example is only too closely copied by the 'would-be upper ten' in all the small towns and villages on this continent. Many who give these fetes, exclaim to their tradesmen—'we cannot pay you at present.'

CIGARS BY MACHINERY.—A machine has been put in operation in Cuba, for the manufacture of cigars. It rolls them so fast that one machine can give occupation to six men, in the way of tipping and clipping them.

IMPORTANT BANK TRIAL!

From a correspondent of the New Brunswick.

[The parties concerned were the Fredericton Branch of the Bank of British North America vs. the hon. Charles Fisher and his brother, Henry Fisher, Esq.]

The facts of the case as I understand them were truly startling. The first cause tried was against Henry Fisher, Esq., the drawer of the note. It came out in evidence, that Mr. had been dealing extensively with the Bank, and in 1847 had paid in a large amount of money, discharging all his liabilities except £300—which was an unusually small amount for his business. In August 1847, he had obtained £700 sterling in Bills of Exchange, at a premium of two per cent. above the cash rate, as he paid for them by giving his note, indorsed by his brother Charles. Other liabilities accumulated until the summer of 1848, when they amounted to nearly £2000. It appeared that then the defendant had Spruce Lumber in St. John, which in ordinary times would have been worth £2500, but the price had fallen 50 per cent, and anxious to complete his engagements with the Bank and other creditors as well, he offered to assign all this lumber and a Mortgage on his Father's property for £1200, if the Bank would enable him to hold the former until it rose in the market, and advance him a sum of money to pay other debts. To this the Bank did not agree, but required additional security. Defendant's brother Charles now stepped in to his assistance, and arranged with Mr. Taylor the Manager that the Mortgage was to be assigned, and a note indorsed by their brother-in-law, C. Connell, Esq. for £300—and the defendant was to give a million of logs, or the proceeds of them, as a condition that the Bank was to wait one and two years for the balance. This agreement was made between the Hon. C. Fisher and Mr. Taylor verbally, and sworn to by the former gentleman, as well as proved by a note written to defendant at the time by the Manager. The defendant proved that he had completed his part of the agreement, in 1848, and was preparing to do so in 1849, when unexpectedly the Manager called upon him peremptorily for payment. Defendant in settling in the fall of 1848, had given a promissory note for the balance due the Bank, not being aware that the agreement would not be kept by the latter, which note was renewed twice at the face, but in the second renewal, which was in June, the Manager refused to renew, unless a large amount was paid, and denied the arrangement altogether. Two days after the maturity of the note, the Defendant and his Brother were sued; defendant offered to pay £100 a month for five or six months, the bal-

LAW RESPECTING NEWS PAPERS

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ance to lie over until next year. This was refused by the Bank—notwithstanding the defendant was proved to have been making extraordinary exertions to pay, the Bank's being perfectly safe in his own personal security, and that of his brother, besides the extensive collateral securities which I have mentioned. Mr. C. Fisher then met the Manager stating that his brother was prepared to carry out his arrangement, and urging that his brother was not a proper subject for such oppressive proceedings, as he was doing a good business, and a suit against him would be impolitic as it was uncalculated, and if persisted in, might teach the Bank that moderation was the best policy, when their debts were perfectly safe—the offer of a hundred pounds a month until 50 per cent. was paid, being far beyond what lumber merchants, whose means are all spent in the country, could generally pay this year. Mr. Taylor did not even answer this letter, but offered through the Solicitor, Mr. Ambrose Street, to take a confession of judgment for £125 a month. This the Messrs. Fisher refused, as they considered it tyrannical and unjust. The Bank proceeded and they were called upon for a defence. Mr. C. Fisher stated in his evidence that he first designed to plead the breach of agreement, but finding that it was not legally binding upon the Bank, he determined in order to save his brother from destruction to plead the general issue, and also urged, founded on the purchase of the Bills of Exchange for £700 in 1847. This plea he gave the Bank's Solicitor, hoping that it would bring them to reasonable terms—but the proceedings went on. Defendant's business in the mean time, as well as his health, had been seriously affected by these extraordinary proceedings, and Mr. C. Fisher swore that as late as the evening before the trial of the cause, he had been extremely anxious to have the matter settled on reasonable terms. No disposition to do this appeared on the part of the Bank, and the cause came on Thursday, before Mr. Justice Cuyler, and a special Jury. The Court House was crowded at an early hour. I was told that the whole mercantile community was present, and when the Attorney General, who was Counsel for the Defence, closed his case, most of the Members of the Assembly were among the crowd. Mr. Street was for the Bank.

The charge of the Judge was a beautiful piece of composition, and strictly impartial. At the close, he distinctly warned the Jury not to be affected by the sympathy for the Defendant. The Jury retired for a short time, and returned into Court with their verdict, which was for the Defendant.

I have never witnessed more universal satisfaction than has been created by this verdict, and it is said that there is hardly a house in this little City which has escaped the excitement. Groups of people were collected at the corners of the streets congratulating each other on the victory over the Bank, and it is rumoured here that many of the merchants who owe very large amounts to that institution, will now make easier terms. The effect of this verdict will be most serious to the Defendant, as it will enable him to make terms suited to the depression of the times. But to the Bank it will be more so. The defence of usury, which was understood to be entirely prepared by the Hon. Mr. Fisher, was most ably established by authorities which I confess took me by surprise. It is beyond a doubt usury to take any thing, even as premium of a Bill of Exchange, when a loan of money is involved, and when the additional premium is a necessary part of the transaction. Such at least was the law as laid down by the Judge, and it determined the verdict, although the breach of contract was really a good defence in equity.

Since writing the foregoing, the cause against the Hon. C. Fisher, as indorser, was tried, and a similar verdict returned. The Bank is therefore defeated, and such is the law that it never can recover. There is no doubt that the present parties will at once settle satisfactorily, the Bank paying the costs. But the result will tell most seriously upon banking operations in these Provinces, and a vexatious and oppressive law-suit, which was not justified on any grounds, may end in the loss of thousands of pounds, when parties are not disposed to pay them.

Fredericton, Feb. 23. O. P.

Several persons have been arrested at St. John for the riot at the Protectionist meeting. The Bristol police, a few days since, apprehended a gang of highwaymen who had infested the roads near that city.

An appeal in the Glen Tilt case will be tried before the House of Lords.

Five persons were drowned on Saturday week, at Plymouth, by the upsetting of a boat belonging to one of her Majesty's Ships. The earl of Arle will, we understand be the new representative peer for Scotland, in the room of the late Lord Colville. The earl is a Liberal, but in favour of a moderate protection.

The inhabitants of Worcester have determined to raise £1500 to erect a monumental window in the cathedral to the memory of good Queen Adelaide.