

acts,—should tell the jury that he could recover; and that therefore, the only question for the jury was the amount of damages. When the matter came before the Court above, the parties would have the question of law, upon which the case must finally rest, decided by the whole bench.

The jury, after a short absence, returned into court with a verdict for the plaintiff; damages \$15.

SURELY NOT.

"Last year, weeks of time (of the session of Assembly) were taken up in the Railway investigation, that resulted in nothing but idle talk and rapid declamation. Surely that topic will not be up again next winter!"—*Morning News*, 3rd instant.

Surely not! Surely a topic so uninteresting, so unimportant, so insignificant, will not be allowed to again occupy the precious time of the General Assembly of New Brunswick. A topic in which is involved a debt upon the people of this Province of five millions of dollars—a topic which regards an annual expenditure of a much larger sum than the whole Revenue of the Province—a topic which involves an annual tax upon each family of six and a half dollars—surely such a topic as this will not be considered worthy of attention by the representatives of the people of New Brunswick!

Surely the professional reputation of Mr. Chief Engineer Light is so high and spotless that no one would venture to suspect him of spending money foolishly. Surely the doings of the Appraisers of Railway Land Damages met last session with such a thorough approval and endorsement by all sides of the House that all interest in their proceedings has ceased. Surely Mr. Chief Commissioner Jardine is such a frank, outspoken, guileless official that no one would suspect him of seeking to hide little peccadilloes in the management of the works under his charge. Surely the whole Railway management, from top to bottom, has established such a reputation for economy that no one desires that the slightest investigation should take place. Surely Smashism is so pure, so immaculate, so scrupulous, that the people have no right to enquire, through their representatives, what it does, and how managed!

Are there no subjects of importance and interest with which our Legislature can deal that it should be driven to the petty consideration of the expenditure of five millions of dollars? Are there no steam trading companies to incorporate? Is there not a street in the city of St. John to be widened, or narrowed? Are there not some new legal enactments needed for the regulation of the election of constables and hogreves? Is there no strolling Yankee preacher that wants leave to celebrate marriage within our borders? Is the subject of Wolves and Bears nose thoroughly exhausted? Is there no Parish to be divided, or Lock-Up House to be built, or Boom Company to be incorporated? Surely, something can be found to prevent the General Assembly of New Brunswick from undergoing the degradation of investigating the expenditure of one million two hundred and fifty thousand pounds on one hundred and nine miles of a Railroad!

O, the cool, unblushing assurance of the Smasher press! There is nothing under the sun that for bare faced impudence can compare with it.

We very much mistake if the coming session is not more occupied with the St. John and St. Edmund's Railway than any session that has preceded it. It will be the bounden duty of Her Majesty's opposition to make the most thorough investigation into the management that is possible under the circumstances, and to bring on a full discussion of some important points upon which the country needs enlightenment. What form the investigation shall take will be a matter for the serious consideration of the House at the opening of the session. Notwithstanding all the delay which took place last winter, and all the obstacles which the Government and the Railway official throw in the way, the committee got out several very important and significant facts. There was no period of the session spent more profitably than the few days at the close in the discussion of the majority and minority Reports from the Railway Committee. There was certainly a vast deal of "idle talk and rapid declamation" from some of the members and supporters of the Government; but there was also much said, on both sides of the House, which was to the point.

The *Morning News* will probably find "the topic up again next winter," but we disagreeable to it and to the Government which it supports "that topic" may be.

NEW PUBLICATIONS.—Mr. Miller, Frederickton, sends us Harper's Magazine for October. It is a very interesting number. The illustrated article "To Red River and Beyond" is continued. There is short paper, with illustrations, on the "The Grave of Byron." "The Amour and the Steppes," and "A Journey to the Land of the Moon," complete the list of illustrated papers. The wood cuts in the former are exceedingly good. There is the usual variety of tales, sketches and editorial notes. We know of no pleasanter or more wholesome light reading than is found in Harper, and we heartily wish that it, or some other periodical of an equal rank, could take the place of the trashy weeklies from the United States the sensation stories of which are so popular.

The Working Farmer for October is at hand. It is scarcely possible to commend too highly this excellent farmer's periodical. Its price is only one dollar a year.

We have also received the Genesee Farmer for October.

Our Musical Friend, No. 58, has come to hand.

The American Phrenological Journal for October has come to hand.

We have received No. 5 of the Altar of the Household, issued in parts by the London Printing and Publishing Company, and have much pleasure in again recommending it to all who desire to procure a form for family worship. It is well printed, with large type, and is therefore easily read by persons whose eye sight is bad.

CARLETON OATS.—Last week we republished from the *Dunbar Whig* a statement of 135 fair sized potatoes having been produced by Mr. S. McKay of Upper Stillwater, from a single potato. We can offset this with an account of the produce of a single kernel of oats, grown by Captain Elisha A. Cunliffe of this Parish. The prodigy can be seen in our office—thirty two stalks, growing from one seed; and the produce of one stalk; selected at random, one hundred and seventy two kernels. The stalks are five feet three inches long.

ST. ANDREWS RAILWAY.—Another negotiation for the completion of this road to Woodstock has been, and still is, going on. We understand that a contract has been made with Messrs. Walker and Johnson, both of whom have had contracts on the Shediac line, for the repairing of the road from St. Andrews to Canterbury, and for its completion to Woodstock. As there are already some crews at work repairing under this agreement, we presume that it is not one of those abortive efforts of which there have been so many within a year.

EUROPEAN NEWS.

ARRIVAL OF THE CONNAUGHT.

FRANCE.—Emperor and Empress reached St. Cloud from Algiers 23. Napoleon in his speech at Algiers, promised his best efforts to forward the interests of the Colony.

The Sardinian Ambassador quitted Paris, leaving the business of the legation to the Secretary.

At Naples no new movements by Garibaldi. The King of Naples was supposed to be still at Capua, which town was barricaded and armed. It was reported that the King's troops and Garibaldi's had exchanged shots at outposts near Capua.

French Minister would quit Naples 27th. Garibaldi in a letter declares there exists irreconcilable difference between his policy and Cavour's. Reported that the quarrel between Sardinian Government and Garibaldi arrived at such a pitch that Victor Emmanuel declined to proceed to Naples for personal intercourse with Garibaldi.

The Neapolitan Ministry has resigned. Reported that Signor Comferte entrusted to form a new one.

SARDINIA AND ROME.—Official bulletins of battle of Castle Fidara published in the details agree with previous statements. Among the 600 prisoners taken by Sardinians were upwards of thirty officers, some of high rank. In consequence of the victory 4,000 Papal troops, mostly foreigners, fifty officers, the guards of Lamoriciere, with six guns, and ammunition had capitulated on the 19th, and had down their arms. Garibaldi conceded honors of war to this body, and permitted them to return home.

Lamoriciere with few horsemen reached Ancona. Nothing remained of his army except troops shut up in Ancona, and about 2,000 disposed of in mountains.

King of Sardinia decorated C. Hal with grand cross of military order of Savoy.

Asserted that the Sardinians advanced as far as Marda. Sardinian Government decided that the French soldiers in the Papal army taken prisoners, be immediately released.

General Fantis's head quarters were Loreto. Siege artillery disembarked at Sardinian camp near Ancona.

Arrival of General Guyon at Rome, had it was said, determined the Pope to remain at Rome.

AUSTRIA.—Incendiary proclamation calling people to arms, introduced into Hungary from Bucharest. All garrisons in Hungary were replaced on War footing. Austria had concentrated great force on the Po, and increased Military patrols and restricted use of arms in Venetia.

False reports have been current in Paris that Au trions re-crossed Minio.

ROYAL MEETING AT WARSAW.—It was affirmed that Napoleon would not visit Warsaw, and had expressed no desire to go. Also, reported that Prince of Prussia would not be there at the same time as Emperor of Austria.

SYRIA.—Reported that French commander in Syria sends detailed report of Syrian affairs to Paris, giving his opinion that Syria will require foreign occupation at least two years.

ARRIVAL OF THE AMERICA.

America from Liverpool twenty ninth. Off Cape Race Monday.

Italian affairs unchanged. Sardinians continue

siege of Ancona. Took another foot there. Ministerial crisis at Naples. Cabinet resigned.

Weather been unfavourable for crops. Breadstuffs firm. Steamer Palestine took fire in Dock. Put out. Damage slight. Provisions quiet and steady.—Consols 93 1/2 to 93 1/4.

THE PRINCE UPON THE PRARIES.—The correspondent of the *New York Times* telegraph the following particular information from Dwight Station, Illinois in regard to the movement of the Prince upon the praries:—

Before leaving Chicago the Prince presented Mr. Rice, of the Michigan Central Railroad, with a handsome diamond pin.—They retired at 8 o'clock and slept till nine the next day.—They attended the Old School Presbyterian Church on Sunday, heard a sermon on the text "Blessed are the meek," the rest of the day was spent in answering letters by special messenger to the Queen.

They breakfasted to day at 5 1/2, went out for prairie beans at 12, and lunched at the big hut of Wm. Hernan on broiled chickens, bread and butter. They are delighted with the praries and the abundance of game.

There is a total absence of restraint, and the party is jolly in the extreme. The Prince shoots well, but had the peculiarity of pulling the trigger with his little finger. The Duke sleeps the most of his time. All are well and in fine spirits. The courier went to St. Louis this morning to make arrangements for the party.

We are reliably informed that on the fifth of the present month, the Railway Police, under the command of William Scoullar, Esq., will be disbanded.

We also understand that in a very short time the Railway commissioners, are to tender their resignation, and the sole control of the Railway is to be placed in the hands of the Board of Works. It is understood that the line will be completed during the present month.

Mr Pennefather, Secretary to the Governor General, was sent on to Detroit, after the Prince, with despatches for His Royal Highness, and came very near losing his life thereby. He had just landed on the wharf, amidst an immense crowd, when the horses attached to a carriage became frightened, and dashed off, the crowd gave way before them, and Mr. Pennefather was thrown into the water. Three times he sank, the last time given down by the steamer's paddle, but as often rose to the surface, with his despatch still in his hand, and was finally rescued by the bystanders.—*News*.

SERIOUS FIRE.—We regret to learn that two large barns filled with harvest produce of Hugh McMenagle, Esq., Sussex, were destroyed by fire on Monday last—uninsured.—The loss will be very heavy.—*Id*

It affords us much pleasure to announce that the St. Andrews Railway Company have made such arrangements as will enable them to recommence operations on that line forthwith. We are informed that it is to be completed as far as Woodstock, in November, 1861. Messrs Walker & Co., have got the Contract.—*New Brunswick*.

A CARAVAN IN DISTRESS.—The *Calais Advertiser* says, "We had quite a heavy storm of wind and rain here on Wednesday night. It blowed down the canvas of the Royal Menagerie, lashed over several cages, stirred up the monkeys and animals. One of the elephants, a monkey and two foxes got loose and were out in the rain all night; they were all secured next day but one fox. One elephant got into a garden and helped himself to beans cabbage, and such other green stuff as came in his way.

An English Government agent has been sent out to persuade the king of Dahomey not to kill 2,000 captives and float a canoe in their blood, in way of propitiating the manes of his departed father. It is several months since the intelligence of the King's intention reached England; and it will be some time before the persuasive messenger can reach Dahomey. There is danger that he may be too late for the 2,000.

A letter from a reliable source to the *London Times* says:—

"The 600 prisoners of war taken at Spoleto, are Irishmen. The Sardinian Government wished the British Minister to take charge of them and send them home, but he declined, saying he could not regard them as British subjects."

A TORNADO.—The thunder showers of Tuesday afternoon were accompanied by a destructive tornado in the town of Standish, Cumberland County. The breadth of the tornado was not more than twenty rods; but within this space it took and carried all before it. The barns of D. Moulton, Mr. Shackford and H. J. Swasey were unroofed. Many elms and maples prostrated and broken to pieces, windows broken and sheds blown down.

A Committee of the Government met here yesterday to consider some matters relative to the railway. There will be a Council next week.—*Globe*.

We understand the railway police force was discharged to day.—*Globe*.

PROSPERITY OF IRELAND.—It is reported the letters speak of Ireland as advancing in moral and material prosperity, notwithstanding the large emigration going on.—The land under the present system of tenantry, is being relieved of a redundant population landlords prefer to devote their estates to grazing rather than divide them among those who have neither skill nor capital for profitable tillage. The removal of a portion of the inhabitants is but a process of adjustment to a changed condition of things. Education and criminal reform are likewise progressing, and the various religious denomination exhibit an activity which promises well for the moral advancement of the people.

THE NEW SILVER MINES IN UTAH.—The first considerable shipment of silver ore from the Washoe mines was received at this port on Sunday, by the Northern Light. There were about hundred bags of this ore, valued at over one hundred thousand dollars—a modest sum when compared with the very large stories which have been told about the new mines, but still enough to show that there is something in them. The Californian and Australian gold deposits come next to making silver the more valuable of the metals, because of its rarity, but the newly discovered silver deposits will bring values back to their former condition. The discovery of the Utah and Arizona mines has been most fortunate as it came directly at the time when a supply of silver was needed for the East Indian and Chinese trades.

TIMBER AND DEAL TRADE.

(From *Fairweather and Jardines Timber Circular*)

LIVERPOOL, 20th September, 1860.—The importation of Colonial Timber in the past fortnight has been moderate, showing a still greater discrepancy in the aggregate for the present campaign with the past year, this is caused by a considerable falling off in the supply from St. John to other ports in the Lower Provinces, while in Canada there is a large excess, there is however ample time before the season closes to make up this deficiency and, should there be a fair inducement it is quite possible the supply of the present year will eventually much more nearly approximate the last.

The consumption continues large, consequently stocks are not excessive.

The consumption is large and stocks moderate and there is a deficiency of about 1,000,000 pie in the supply compared with last year, still there is an impression that the importation will, at the close of the year, approach more nearly that of 1859; mean while freights are high, and Deals the latest rates paid, cost considerable more than can be realised in this market.

Lithwood.—St. John and Quebec wood brought 80s. to 90s. per fathom.

CATTLE SHOW AND FAIR.—The North West Agricultural Society held its annual show and Fair in this village, on Wednesday and Thursday of this week. The display of cattle a herd of 2 was quite large. We saw a few specimens of neat cattle, but in general we could not make a favorable comparison with what we have seen in the older counties of the State.

It has been but a short time since the farms within the limits of this Society have given their attention to the improvement of their stock, we apprehend that a few years will work a great change in this particular branch of industry. The class of horses was much better than that of cattle we think very fair.

SECOND DAY.—The second day was celebrated by the arrival of Fort Fairfield, followed by about 50 horsemen dressed in red flannel shirts and black pantaloons, striped with red. The company presented a fine appearance.

The Agricultural address, delivered by Mr. P. Hinds of Mapleton, was a good effort and of general satisfaction.

LOOK OUT.—Bills of Bank of British North America, New Brunswick, are in circulation for one dollar and two dollars, but bearing on the right hand corners a large 5 and 10 respectively, and are passing from hand to hand as five dollar and ten dollar bills respectively, till they reach Bank when the holder loses money. They are very stupidly engraved, and calculated to deceive. *Montreal Pilot*.

Bowditch College has three political clubs. The clubridges has 7 followers, Douglas 39, and Lincoln 165.

The population of Paris is given at 1,562,800 souls, an increase of 395,454 since 1846. The number of omnibuses running in Paris 530, of hackney coaches and cabs 2082, with 278 additional, which run on Sunday.

In the trot to day by Flora Temple of the miles against time—7 3/4, two attempts were made, first in 9 3/4, second in 7 4/4.

The value of the cotton crop of the slave States this year will be \$200,000,000, and the cotton on the free State \$260,000,000.

The splendid Ball Room at Montreal is open to the public at the charge of 25 cents admission.

A gentleman coming into the room of the late Mr. Burton, told him that Mr. Vowel was dead. What said he Vowel dead. Let us be thankful that we see neithe u nor i.

THE PAPAL STATES.

The Sardinian Generals are making their way into the States without any formidable opposition. General Cialdini took 1200 prisoners at 300 more at Faenza, and obtained undisputed possession at Urbino. On Wednesday General Fanti entered the Papal States at Castellio, and on Friday Perugia. The latter defended by 300 men, who fought with resolution. The garrison had raised the flag all parts of the town, and occupied the street from which they fired upon the Sardinian street was the scene of a conflict; but it was afforded to General Fanti by the latter made the struggle much shorter than otherwise have been. A considerable number of the Pontifical carabinieri contrived to get to the town; the others retired to the city could not hold out long. Towards evening the forts capitulated, and the whole of the consisting of sixteen hundred men, prisoners, as well as General Schabdt, handed them. He is the chief of the army whom the Italians so cordially detest.

The Citadel of Spoleto has fallen into Fanti's hands by capitulation, the 6000 diers (Irish men) who composed its garrison surrendered.

General Cialdini is drawing his troops Ancona, off which place Admiral Persico, with the Neapolitan fleet. General Persico has occupied very strong positions at Jesi, Orsino, and Castellio. The latter has risen in insurrection, and the gendarmes have been driven away. A Government was constituted amid "Long live Victor Emmanuel."

BATTLE NEAR ANCONA.—DEFEAT OF CIERE.

A telegram from Turin on Wednesday morning General Lamoriciere's force of 11,000 men, attacked General Persico's force of 11,000 men at the battle of the Ancona. After a bloody combat Persico was completely routed, leaving 8000 men wounded in our hands. The former is General Piodonni. We have immense quantity of arms and six artillery. Our fleet has opened fire on Ancona.

SURRENDER OF THE PAPAL ARMY.

The following despatch, dated Turin, 11th, has been received:—"In consequence of the battle of the 18th the greater part of the Papal army has capitulated. The troops will return to their respective Generals Lamoriciere, with some dragoon succeeded in reaching Ancona, passed the gorges of Monte Conero. Out of Ancona there is not a single Pontifical soldier. General Piodonni died last night.

A telegram, dated Turin, Wednesday, through Mr. Router's office states, that the quarters of our army in the Marche lentino. General Masini's column continuation towards Viterbo. The insurrection has risen in insurrection, and a Government has been constituted."

Letters from Rome assert that the Pope has issued a manifesto calling upon the thetic Powers for assistance.

THE REVOLUTION IN NAPLES.

Though Garibaldi has now been in Naples the excitement has scarcely abated. The General has his headquarters at de'Angri, in the Toledo. All Neapolitans have voted houses useless, and the revolution is in the streets. In the evening the thoroughfares are almost impassable for Garibaldi, Vittorio Emanuele Italia Una are deafening. Wherever he moves a vast sea of heads surround his carriage, and the people fall on to kiss his stirrups or his clothes. The tears running down their cheeks from excitement, stretch out their hands to the saviour of Italy, whilst from the showers of flowers fall on his head. Great efforts are being made to administer of the country, and able measures have been passed. A soners are to be set at liberty direct tollhouse barriers between Sicily and Milan consistent are abolished. The for infants are established in the institutions are municipal, and are ed at the expense of the State. The rial funds are abolished. Trial by causes is to be adopted. The results, and all their dependencies, the continent of the Two Sicilies; ty, movable and immovable, is det. All contracts weighing on property of the order are annulled. Consignation fanaticism and aristocratic the late Government to make dis between the dead, the burial of the the walls of a city is absolutely forbidden. Persons are prohibited the red coat, or any other uniform belong to them.

If we may believe the *Patrie*, ready actively engaged in preparing attack on Venetia. He proposes, raise an army of 150,000 men by Neapolitan volunteers and soldiers old bands, and engaged in forming gun-boats.

Garibaldi has declared that he claim the annexation of Naples to