

THE CHRONICLE

Saint John, N. B., Feb. 17, 1851.

THE LAW COMMISSION.

We have now before us the first, second, and third reports of this highly efficient and learned Commission.

The first report, bodies some valuable preparatory matter of great importance; it embraces a number of topics of all the law of the Province, excepting those relating to incorporated institutions, and others referring to the jurisdiction and practice of the Courts of Common Law and Equity; the matter thus omitted will be contained in a second report.

The second report suggests that the present Court of Chancery should be abolished; that the Master of the Rolls should become a judge of the Supreme Court, and to this tribunal, then to consist of five judges, the entire business in chancery should be referred; the report also contains a number of suggestions, proposed for legislative action, which treat of the jurisdiction of the Supreme Court in equity;—Of the general procedure,—Of proceeding on a reference;—Of infants and guardians;—Of the jurisdiction of the Probate and of the probate of wills. Short and plain forms are given by the Commissioners, and Equity practice is rendered plain, and its expense is materially reduced.

Expedition is ensured and many worthless technicalities, which were frequent in the practice of the law, in the way of justice, have been dispensed with.

The third report is not behind its predecessors, in presenting the clearest evidence of profound research on the part of the Commissioners, and of the care with which the decisions of the law have been sifted. Now the enterprise of publishing the "Report of the Law Commission," has been completed, and the price of the respective consorts of Edward IV, Henry II, William the Conqueror, and Henry I, are very high.

The above named have kindly forwarded the work through their Agent, Mr. B. O'Brien, along with the book store it will be found on sale.

"Scenes in the life of an Actor," by the same publishers. This work is compiled from the journal, letters, and sketches of the late Venetian, Venetian, it is written in a straightforward style, dwelling in strange and fancy narratives, and the perusal of it is well calculated to "drive dull care away." The "Scenes," for which we are indebted to Messrs. Garrett & Co., is also for sale at five dollars.

"A Lawyer's Life," by Mr. George Smith, will be abolished, excepting in the City and County of Saint John. If this recommendation is adopted, the country to which it applies will be relieved from the expense of two Grand and two Petty juries, and the business of General Sessions of the Peace, excepting jury trials, which are to take place in the higher tribunals, is to be transacted by the justices of the Peace, as usual, in an impartial manner, and without the intervention of a court of record.

The Supreme Court is to hear and determine all causes hitherto cognizant by the court of marriage and probate.

The Commissioners suggest many valuable improvements in the practice of the Common Law courts, by which time and money are saved, and "substantial justice" is more readily attained.—Special bail is done away with; that taken by the sheriff, and the amount of bail is all that will be required. Decisions and all legal proceedings are shortened and simplified, and in some cases the language of special pleading is so greatly modified as to become the language of common sense, —a very important desideratum. Plain forms are proposed, all of which are very plain and concise, that "he that runs may read." The commissioners say that "we have abolished all the useless statements, averments, and quibbles contained in the declaration, and have prescribed the necessary form of complaint, so that they might have a clear and distinct trial, and they might proportionately reduce the cost of such proceedings, as the table of fees proposed by them will abundantly verify."

The Commissioners recommend that the number of Juries should be reduced, to seven, except in capital cases, where the present number and unanimity need to be retained; that five should render a verdict after deliberating two hours; and after six hours' deliberation, and are not agreeing, the jury to be discharged.

The House adjourned to be reassembled.

The great importance of the following paragraph, induce us to publish it without abridgment:

"The next subject of our enquiry was the state of the Law of Evidence. Our attention was especially directed there by the Law authorizing our appointment, and by the fact that the Executive power had the responsibility of the Law of Evidence, and we believe it has extended to Scotland. In our opinion it is the most beneficial change that can be made. It is a populous community, it will work well, the reason is stronger among a limited population, than the character of every man is known. An adoption appears to be the best way to satisfy an important principle, that in obtaining evidence the best source should always be resorted to, and we believe no measure will be adopted to the detriment of the real merits of the controversy in the estimation of the parties who must know the facts."

The Commissioners provide that where there has been an unanimous verdict, and it appears that substantial justice has been done, such a verdict shall be set aside on merely technical grounds, and where there is a divided verdict, and we believe no measure will be adopted to the detriment of the real merits of the controversy in the estimation of the parties who must know the facts."

The Law Commissioners have carried for themselves never failing laurels;—the present generation and posterity will long honor their names. Their report on the Law of Evidence, and the people of New Brunswick have just reason to rejoice over this appointment as an act of sound judgment and correct estimation of ability on the part of the Executive. We upheld and defended the appointment when it was made, and the result of a few days of discussion, and we are gratified to find that we did so, as the result has shown, that the unanimous confidence we then repose in the wisdom and impartial judgment of his Excellency and his Executive Council is abundantly justified.

We may reasonably hope, that within 6 months from the present time, the labors of the Law Commissioners will, after a legislative ratification, be furnished to the public in two neat and portable volumes, and at a sum which will enable the public to buy them, and pay for them. This result will well justify the old expression, that "justice is brought to the door of every man."

From—At about 3 o'clock on Saturday morning a number of the brick ovens, at Market Square, owned by Mr. McCallum and Mr. McCullough, in erecting stones, Messrs. Hatchett's Jewellery store, E. B. Kinnaird, Esq., Barrister, the Post Office, the Water Company's office, and in the interior, where the fire took place, at Whidden & Son's, Dr. W. H. Dinsmore, Esq., and Mr. G. C. Moore, by unavoidable negligence in regard to a stove, and damaged the house to a considerable extent.

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Possibly understanding the present high price of flour, there is enough of it in the country. The price must come down soon.—The Portland Fire Insurance says their loss is still mounting into Portland from the 2nd of January to the 2nd of February, and it is now \$100,000. It would seem more like a fact, of the 2nd of February, than any other amount. It was consequently very necessary that it should be done.

The Boston "Advertiser" says some of the more

desirable parts of the city of Boston are ruined or

damaged, and the cost of repairing them, will be

more than the amount of the insurance.

The Legislature of California met January 22.

The Governor in his message states that the amount of State debt is upwards of three millions of dollars.

HOUSE OF ASSEMBLY.

Wednesday, February 17, 1851.

The subject of reporting the Debates came up yesterday, soon after the Journals were read, on the motion of Mr. Smith for the appointment of a Committee similar to the plan pursued last year.

Mr. Taylor would support the motion, although he did not see why the action proposed should not be ordered.

The people should be entitled to a copy of the debates, to be ordered.

Mr. Hatchett supported it, because 1000 copies

of the Journals and 2000 copies of the debates could be obtained for about the same amount as 2000 copies of the debates would cost. Thus the debate would be as the debate would be sent to the people.

Mr. Parton explained that the contract

existing between the house and the Queen's Printer was that 500 copies of the daily Journals

were to be sent to the printer for £250, and that the House

extra extra copies, that should be sent to the printer for £20 per 100. The first 500 included 150 of the revised Journals. He was opposed to the bill, and contended that the house of internal revenue should be sent to the printer for £20 per 100.

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progressing, and at the confidence expressed by Your Excellency in the integrity and resources of the Contractors for the construction of that great and important work.

He will be aware that the unprecedented floods during the past autumn have caused serious damage to the roads and bridges, and that those disasters must have occasioned considerable advances from the Provincial Fund, in order to meet the expenses of repairing the damage, and to learn that the contractors will be compelled to make good the damage.

The reported great battle at Kalafat is said to have been fought January 25th, but details are wanting; whether the battle did actually take place, or not. Gorchakov was all ready to attack Kalafat. News was hourly expected of terrible

Portland, had put back to the Clyde, the deck

swell, no lives lost.

The Sarah Smith will

to the moral and
and Wales is just
volume to the census
values of religious
been obliged to con-
even exaggerated.
churches of England
but now we obtain
actual facts. Per-
the Census Act
was in the following
of the places of
the Establishment
also of the account
of a particular city,
whose returns have
now digested into
the public domain
by the agents can-
not only, after a few of the
state a few of the
most frequent, but is highly
referred to by the
number given by
the number of places
England and Wales.

TRADE'S PRICES—COUNTRY MARKET
Bread 2/- 3/- 4/- Mutton, 4d. 4½/-
Butter 1/- 2/- 3/- Beef, 4d.
Eggs 1d. 2d. 3d. Geese 2d. 2d. 3d.
Tallow 7d. 8d. Buckwheat 12d. 13d.
Oats 3d. or bushel Potatoes, 6d. Brine, 4d.
Beef on foot 5d. to 7d. Beef on foot 5d. to 7d.
JOSEPH HOLLOWAY'S FILLS, a Safe and Certain Cure
for Coughs, Colds, and Asthmatic Complaints.—
The Asthmatic quarter is the one where coughs,
colds, and winter diseases are the most prevalent,
and are the principal of Holloway's stock
and if taken at the commencement of the disease,
the violence of the disease is very much abated,
so that the patient suffers little or no inconvenience,
but if neglected, it frequently occurs that the
foundation of incurable disorders is laid; therefore
those who are liable to attacks of such nature are
particularly recommended to try these valuable pills.

The Boston Mercantile Journal gives the following
notice of the most popular remedy of the day:

Wild Cherry Balsam.

We receive in praise of Wild Cherry Balsam, and
Cherry, because we believe from our own knowl-
edge of the article that it is one of the best in the
market for the complaints for which it is recom-
mended.

This medicine, coming from such a respectable
source, and carefully prepared by an experienced
and skillful physician, is received by the public
with confidence, and its efficacy has been proved in
many obnoxious cases of winter diseases, and has
recently extended. It has been extensively used in
every part of the country, particularly in the mid-
dle and Northern States, and strong testimony
from intelligent and highly respectable persons,
has established it in view of the merits of a remedy
for colds and coughs, affection of the chest,
diseases of liver, &c. &c.

THE GENUINE AND ORIGINAL

Wistaria's Balsam of Wild Cherry,
on account of its great popularity has been exten-
sively counterfeited in Philadelphia, and some
thoroughly bad specimens have been thrown
into the market under the name of Wistaria's.
EXAMINE CLOSE BEFORE PURCHASING!
LOOK WELL TO THE MARKS.

The genuine Balsam is put up in bottles, with
the words "Dr. Wistaria's Balsam of Wild Cherry,"
"W.M." blown in the glass; which bottle bearing a
label on the front, with the signature of
H. WISTARI, M.D.

This will be enveloped with a wrapper; copy-
written security, 1844; on which will always appear
the written signature of L. BUTTS.

S. L. TOLLEY, Agent, St. John New-Brunswick.

EDWARD B. PALMER, the American Newspaper
Agent, is the only authorized Agent for this paper in
the cities of Boston, New York, Philadelphia, and
is duly empowered to take advertisements and
subscriptions at the rates as required by us. His
receipts will be regarded as payments. His Offices
are—Boston, Soclary's Building; New York, Tri-
bune Buildings; Philadelphia, N. W. corner Third
and Chestnut Streets.

TO BETTER Goods & Officers.

W. H. BERNARD, COUNSEL WHEN TO CROSS THE
WATER OR TRAVEL AT THIS INCIDENT SE-
ASON OF THE YEAR:—

The advice of heavy German Tweeds Beaver
Mens' Wm. Park, Son, have been purchased
by J. Goss & Co., Corss of King and Gos
Street, at 2d per cent, on sterling invoices. Our
reasons for particularly inviting the attention of the
above class of merchants to these Goods is, that
they will know the quality of the Goods when they
see them; and are well aware that nothing equal to
them has ever been imported into St. John.

BIRD

On Sunday night, of consumption, Mary, wife
of Mr. H. H. Bird, aged 29, died.

On the 13th inst., Thomas M., only son of Mr.
John H. Bird, aged 2 years and 6 months.

On Friday afternoon last, at Carleton, Mr. John
O'Brien, tanner, aged 37 years, a native of Pe-
trolia, County of Oxford, Ontario. [Deceased was
aboard our vessel ship *Perseverance*, which
left from the masts of his head, when he suddenly
expired.

He has left a wife and four chil-
dren to mourn their sudden bereavement.]

On Thursday after a lingering illness, of con-
sumption, Mr. Allan H. Ross, aged 29, died.

Funeral to be held at his residence, 18th Street
and Carlton street, opposite the Roman
Catholic Chapel.

TO LET.

No possession given on the first day of
each Month, or One Day after the Subscribers
new Business is opened, and the subscriber
will pay the proportion of the Rent, according
to the value of his Business, and the subscriber
will pay the proportion of a good Rent and Workhouse
and Work if required, and pay with good water,
Also, front proof Cellar.

MOSES MCNELLON,
Contractor.

NOTICE.—In consequence of a wrong
impression resting on the minds of some and due
to the want of the proper knowledge of Holloway's stock
of medicines, while discharging his duty as Procurer
and Steward of the Westminster Cemetery Chapel,
he has called upon to publish the following Com-
municate from the Trustees of the said Chapel.

JAS. E. McDONALD,

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JAS. E. McDONALD,

COSTUME.

Valuable Leasehold Property.

FOR SALE BY AUCTION.

200 ACRES OF LAND, situated in the Town of
Weston, containing 120 Acres, besides Cellars, well divided
and enclosed for two or more families, with a large
yard and Out Building, in the Rear.

Conditions and Terms of Lease, made known at
Sale.

Feb. 10th, 1853. WILLIAM SLEETH.

WINDOW GLASS
OF ALL SIZES.

From 6d to 12s and 40s, single and double
chairs, English and French Sheet and Crown,
with all the ornaments of glass.

JOHN BIRKBECK, Prince William-street,

Northgate, in quantity, fine single and double
panes to a single or multiple boxes, the above
described article; will cut, exchange, or accept
any sum in money for the same.

For sale, six pairs Polished PLATE GLASS;—and
24x36; six pairs ditto, 28x39; six pairs ditto,
34x48; six pairs ditto, 30x42; six pairs ditto,
36x54; six pairs ditto, 42x57; six pairs ditto,
48x60; six pairs ditto, 54x63; six pairs ditto,
60x72; six pairs ditto, 66x75; six pairs ditto,
72x84; six pairs ditto, 78x91; six pairs ditto,
84x98; six pairs ditto, 90x105; six pairs ditto,
96x112; six pairs ditto, 102x119; six pairs ditto,
108x126; six pairs ditto, 114x133; six pairs ditto,
120x137; six pairs ditto, 126x144; six pairs ditto,
132x151; six pairs ditto, 138x158; six pairs ditto,
144x165; six pairs ditto, 150x172; six pairs ditto,
156x179; six pairs ditto, 162x186; six pairs ditto,
168x193; six pairs ditto, 174x198; six pairs ditto,
180x205; six pairs ditto, 186x212; six pairs ditto,
192x219; six pairs ditto, 198x226; six pairs ditto,
204x233; six pairs ditto, 210x240; six pairs ditto,
216x247; six pairs ditto, 222x254; six pairs ditto,
228x261; six pairs ditto, 234x268; six pairs ditto,
240x275; six pairs ditto, 246x282; six pairs ditto,
252x289; six pairs ditto, 258x295; six pairs ditto,
264x302; six pairs ditto, 270x309; six pairs ditto,
276x316; six pairs ditto, 282x323; six pairs ditto,
288x330; six pairs ditto, 294x337; six pairs ditto,
300x344; six pairs ditto, 306x351; six pairs ditto,
312x358; six pairs ditto, 318x365; six pairs ditto,
324x372; six pairs ditto, 330x379; six pairs ditto,
336x386; six pairs ditto, 342x3

