

The St. Andrews Standard.

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Evangelium est optimum. — Cic.

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SAINT ANDREWS, N. B., WEDNESDAY, FEBRUARY 18, 1857.

[Vol. 24]

Judge Remsen's First Client.

Old Judge Remsen was fond of telling his early experience at the bar. My first case he would say, came upon me most unexpectedly, after I had waited a considerable time for a client. The way I came to get it was this:

A young girl, named Helen Montessor, was to be tried at our County Court, Bellevue, for stealing a breastpin, valued at four dollars, and twenty dollars in gold, from the trunk of her employer, one James Wesley, a merchant who lived in the neighboring town of Bedford. The theft, which was detected some five weeks before, occasioned quite a talk at the time, as the girl was very beautiful, and James Wesley and his wife Eunice were anything but that, besides being generally detested. People said Helen had been treated shamefully by her mistress, who was jealous of her; and it was even hinted that there had been foul play in the prosecution for theft. The subsequent arrest of a gang of counterfeiters and horse-thieves had so absorbed public attention, that the case of Helen Montessor was quite forgotten, and no one seemed to care for her fate. But when her case was called, and she was placed in the prisoner's box, her beauty riveted every eye, and when the Judge asked her who was her counsel, she modestly replied that she had none, and that she had no money to pay a lawyer; there was not a member of the bar present who would not willingly have undertaken her case. The Judge, fixed his eye on me, and said, "Mr. Remsen, you will please act as this young lady's counsel." I started as though I had been shot. Luckily a juror was just taken ill, and the Court adjourned till ten o'clock the next morning, or I am afraid that I should have made sad work with my client's case.

As I left the court-room, I looked at my watch; it was just eleven o'clock, so I had but twenty-three hours to prepare for the struggle. I at once called upon the district attorney and asked to see the indictment, and the evidence taken before the Justice of the Peace. As he tumbled over a pile of documents, in search of the papers, he said, "The Judge must have a spite against you, Remsen, to put you in such a tight place, and you a green hand. No offence," he added, as he observed the rising colour of my cheek—"no offence; I simply meant that you are inexperienced. There are the documents. You may take them home with you—only be sure to bring them to Court to-morrow morning. You will see on perusing them, that your client has not a chance."

I was annoyed at this light reference to my client, for whom I had already entertained the deepest respect, and believed to be innocent; but I said nothing in reply. Hastening to my office, I looked myself up and commenced the analysis of my case. The indictment was, in brief what I have already stated. The evidence before the Justice of the Peace consisted of the testimony of James and Eunice Wesley, Sarah L. Brown, a seamstress, Charlotte Boyce, a domestic, and Thomas Hannegan, a man-of-all-work, employed by the Wesleys. Hannegan's evidence seemed straightforward and truthful, and so did the servant girl's. I made up my mind that they were not unfriendly to my client, and that I would seek an interview with them, although it should necessitate a journey to Bedford. Miss Brown's testimony I at once detected intense malice, and I determined to harrow her mercilessly in my cross-examination. Wesley's evidence was very similar in style and manner to that of Hannegan; but Mrs. Eunice Wesley's testimony was full, discursive and acrimonious—such, for instance as that, "She had always believed Helen to be a viper, but her husband had upheld the trollop." I remembered the gossip about Helen's ill treatment, and Mrs. Wesley's insolence; and to my mind the case seemed to be clear; I believed that Mrs. Wesley herself had put those things in Helen Montessor's trunk.

I next went to the Court House and requested Mr. Mace, the Sheriff, who lived in a wing of the building, to introduce me to the prisoner. He conducted me to her cell. Although the bolts clanged heavily as they sprang from the locks, our entrance did not seem to attract her attention. She was standing with clasped hands, before her narrow grated window, gazing intently to the sky. The sheriff touched her arm, and said, "Miss Montessor, this gentleman, Mr. Remsen, is the lawyer who is to manage your case to-morrow, and he wants to see you." She started, turned quickly round, and made an inclination of her head, to indicate her readiness to listen, but she said not a word. The Sheriff had already left the cell, and we were alone. Conscious that every moment was precious, I said:—

"Miss Montessor, we must throw aside all ceremony and communicate frankly upon the painful business, because it is no less harrowing to me than to yourself. Not that I think you guilty, for I believe that you are innocent. The next thing is to prove that you are so. As things now are, this promises to be a difficult matter; but I am not without hope. If you will tell me frankly what your experience has been with the Wesleys, my task may be very much lightened."

I then put a series of questions, which she answered with entire frankness, whereby I learned she was fifteen years old, that she had lived with Mrs. Wesley, who had been married about 8 years, that she had lived with a kind old gentleman named Gregory, who taught her to call him grandpa, Mrs. Wesley, who was then called Miss Nesmith, lived with Gregory also; that he seemed afraid of Miss Nesmith; that Miss Nesmith inherited all his property, and married Mr. Wesley about a month after old Mr. Gregory's death; that she told her never to call her grandpa any more, for he was not any relation to her at all; that the day on which old Mr. Gregory died he gave her a sealed packet, and told her not to let Eunice see it, but to give it to a certain lawyer, when he returned to town, for it would make her a rich young lady, and then he cried, and said, he had let Eunice have her own way too much; that she fell asleep with the packet in her lap, and when she woke up it was gone, and she had never dared ask any questions about it; that Mrs. Wesley hated her, and beat her and treated her like a slave, and threatened to kill her, and that she sometimes thought of drowning herself, she was so miserable; that Mr. Wesley had said improper things to her; that he was a bad man, but very weak and cowardly, and completely under his wife's control; that the day on which her trunk was searched, she was sent to the minister's on an errand, was gone about an hour and a half, and on her return was taken up stairs to see her trunk opened, before she had pulled off her bonnet and shawl; that the was Mrs. Wesley had put the things in her trunk while she was gone out, because she (Helen) had overhauled it; that very morning and they were not in it then; but whether Mr. Wesley knew about it she could not say, although she rather thought he did, because he looked guilty when his wife was opening the trunk.

Telling the poor girl to cheer up and keep good heart, I withdrew, and went to the Sheriff's sitting room, where I found Mrs. Mace. I at once informed her that it was my opinion Miss Montessor was an innocent, persecuted girl, and that I hoped she would try to cheer her up that day and evening, so that she could enter the court-room with a good heart on the morrow. This the kind-hearted woman promised to do, and I hastened to my office. My brain was in a whirl. Gregory—grandpa—the packet which was to make her a rich young lady—its mysterious disappearance! What could that all mean? Was old Mr. Gregory really Helen's grandfather? Was that packet his last will and testament, bequeathing his property to her? and had Eunice Nesmith, now Eunice Wesley, stolen it from the child as she slept, that she might clutch the property by virtue of a former will which had been forced from the old man? "He cried, and said he had let Eunice have her own way too much!" Her own way about what? I felt certain that I had got on the track of great villainy, and thought I could somewhat understand the reason for Eunice Wesley's hatred of Helen and her desire to blast the poor girl's character. After spending a half hour in settling my thoughts and arranging my plans, I went to a lively stable, ordered a carriage, and drove to Bedford.

It was two o'clock when I reached the village. I wished first to see Hannegan, Wesley's serving man. By making a few cautious inquiries at the tavern and discharging a half dollar to the hostler, Hannegan was soon locked in my room and informed of my business. He was much pleased to find that I was Helen's friend, and on my promising never to let what he had said get to Mrs. Wesley's ears, he told me that she had always treated the girl like a dog; and that he had seen her strike Helen, and heard her threaten to kill her, and to ruin her reputation; and that he believed the breastpin and money had been put into the trunk by the old catamarin herself.

In answer to my question, he stated what Helen's behaviour was when the articles were found in her trunk, and described the breastpin and money. The latter consisted of four half eagles, one of which had a hole in it, that had been made by Mr. Murch, the jeweller, so Mrs. Wesley could string it on a ribbon, for a birth-day present for the minister's little boy; and that was one way Mrs. Wesley knew the money was

hers. He also gave me a letter signed "Eunice Gregory," that he had found in the yard that day, and which he maintained was in Mrs. Wesley's hand-writing. "That had made him suspect her name," was not Nesmith before she was married to Wesley; and he had thought she might have been some relation to old Mr. Gregory who died, and there must have been something bad to make her change her name."

This information made a deep impression on my mind, taken in connection with what Helen had told me; besides the name Eunice Gregory seemed floating in my memory as though I had seen it connected with some event which had faded from recollection, and was dimly recalled.

I dismissed Hannegan, and paid a visit to Mr. Murch, the jeweller. I told him confidentially who I was, and for what purpose I had called. He distinctly remembered the half eagle business—in fact, it was set down on his record whereon every transaction of his shop was written out punctiliously. At my request he turned to his book to see on what day the hole was made in the half eagle. It was Wednesday, the 17th day of March—the very day Helen's trunk was searched. I asked at what hour the coin was delivered to Mrs. Wesley. He replied that she called for it about 11 o'clock in the forenoon, and that Miss Montessor's trunk was searched about 1 o'clock in the afternoon of the same day.

"That looks rather strange," replied I; would you have any objections to attend the trial to-morrow, with your books and testify in this case?

"None at all," he replied; "I had intended from the first to be present at the trial. I bade the jeweller good day, and turned to depart. At that moment Wesley entered the shop and was accosted by name by the jeweller, who gave me a wink to indicate who he was. As we had never before met, I had no fear of his recognizing me, and so I regarded him at my leisure. He was an evil looking man. Over his left eye was a queer shaped scar, which ran crookedly across his forehead. The instant I saw the scar I felt as though the whole thing was clear to me now. The scar, the description of which I so well remembered, brought the whole story freshly to my mind. I remembered now the name of Eunice Gregory, the child murderer—and there stood her accomplice under an assumed name. Giving the jeweller a warning glance, I hastened to my carriage and drove furiously home.

After taking some refreshments, I shut myself in my room, and determined to pass the entire night, if necessary, in preparation for the coming contest. I not only wished to clear my client of the charge made against her, but also expose the Wesleys and oblige them to make restitution to the wronged and pillaged orphan; for I felt an assured conviction that all the property they had in the world rightfully belonged to Helen Montessor. I ransacked my memory to find something tangible concerning the past career of Eunice Gregory, and her accomplice, but I could find nothing. I had read the story many years before in a newspaper, the name of which I could not now remember. I could not prove that the Wesleys were the same parties; and should I mention my suspicions in court, the district attorney would scout them as ridiculous and malicious inventions of my own, and the Judge would charge the jury to pay no heed to them. I must sap the character of the Wesleys in my cross-examination of their witnesses, and thus try to effect a breach sufficient to justify a direct assault, on a charge of conspiracy against Helen, and crush James Wesley on the witness stand. And I wove my meshes for the unsuspecting victim, until the morning sunrays streamed through my windows.

The court was opened, a jury empanelled the case called, Helen Montessor placed in the prisoner's box, and the district attorney's telling, merciless opening of the case completed, in what seemed to me to be but a few minutes of time. Helen looked more innocent than ever, and I resolved that full justice should be done her, if my resources could compass such a result. It is in such an hour that the lawyer feels the honor and dignity of his position; and it is then that he also feels its responsibility.

The first witness was Charlotte Boyce, the servant girl. She had been called by her mistress to go up and see Helen's trunk searched; she went up and saw the breastpin and money found in it—tucked away in one corner. By my cross examination I elicited from the witness the fact that Helen had just come home from an errand (on which she had been absent over an hour) when her trunk was searched, and had on her bonnet and shawl; that "she looked quite innocent and unconcerned until the things were found and that she then seemed astonished." On dismissing the witness, I gazed at the jury, to see if I had made any impression upon them, but they sat with stern faces, as tho

resolved that nothing should make them clear the culprit. I called Miss Boyce back, saying I had forgotten a very important point. This excited some attention, and when I asked her if Mrs. Wesley was in the habit of ill-treating the prisoner, everybody pricked up their ears. The girl hesitated and stammered, but finally said she was. "And why do you think so?" I asked. She replied, "Because Mr. Wesley beat her once with a large club, and threatened to kill her and was always scolding her. But don't ask me any more questions," she suddenly exclaimed, "or I shall lose my place!" I glanced at Mrs. Wesley, and saw that she was regarding her servant with a look of intense malignity, and for the purpose of annoying her as much as possible, I appealed to the Court to protect the witness against the threatening looks of her mistress, who was evidently bent on intimidating her. This brought all eyes to a focus on Mrs. Wesley's ugly countenance, and she turned fairly white with indignation. The Judge told the witness to speak without fear, and if she lost her present place by telling the truth, she would undoubtedly find plenty of better ones. Being satisfied with the impression already made, I told the witness she might go, and the district attorney permitted her to pass without further questioning.

The next witness was Miss Sarah Brown, seamstress—a rat-eyed, hatchet-faced, drapery little creature. "She was at work for Mrs. Wesley at the time the theft was discovered. She met Helen the day before her trunk was searched, coming out of her mistress's room, and she looked so guilty she then suspected she had been doing something wrong. The same day Mr. Wesley spoke to her about the things being gone, and she told Mrs. Wesley her suspicions. Thereupon they thought it would be a good plan to search Helen's trunk; she proposed to do it at once, but Mrs. Wesley preferred to wait until the next afternoon. When the trunk was searched, the things were found in it, just as she expected they would be."

When the witness was passed over to me I asked in a careless tone, how she knew the money was in Mrs. Wesley's room, the day she had met Helen coming thence. "She knew it because Mrs. Wesley had told her it was there. Couldn't be mistaken, for Mrs. W. had spoken about the half-eagle with a hole in it, which she was going to give the minister's little boy." This I made her say over and over again, until there could be no mistake about it, and then asked if she knew who made the hole in the half-eagle. "Yes; Mr. Murch, the jeweller made it." "Is he in the room I asked." "Yes there he is," said she, pointing to Murch, who was sitting near. I told Miss Brown she could go; and as I supposed he would do, the District Attorney requested that Mr. Murch should be sworn. The oath having been administered, handed Murch the identical half-eagle, and asked if he recognized it. He said he did, that the magistrate who had committed the prisoner had made a mark upon it so it could be easily identified. "That's all; the witness is yours, Mr. Remsen," said the District Attorney. "Do you remember, Mr. Murch, on what day of the month you made the hole in the half eagle you are holding in your hand?" I asked. "It was on the 17th day of March," said he.

"Why, that was the very day the prisoner's trunk was searched, was it not?" said I, turning to the District Attorney. "That is the day mentioned in the indictment," he replied. Turning again to the witness, I said, "Mr. Murch, please to recollect with precision; you heard the witness who preceded you swear that Mrs. Wesley told her that the identical half eagle, with the hole then made in it, was in her husband's trunk on or before the 16th day of last March." "Yes," said Murch, "I heard her swear to that, and was astonished, for Mrs. Wesley brought me the coin on the afternoon of the 16th, and told me I must have it fixed by noon of the next day; and at 11 o'clock on the 17th she came for it, and at one o'clock that afternoon it was found in Miss Montessor's trunk, with the other things."

The District Attorney turned sharp around and gave the Wesleys a piercing look. Mrs. W. sat immovable; but Wesley turned pale and fairly cowered beneath the gaze of the Attorney, who, I saw, was now convinced of the true facts of the case; and the Judge and the Jury seemed to be of the same mind. I felt certain then, of a verdict in my client's favor, but how was I to crush the Wesleys and win back her estate? I decided on my course.

Hannegan was the next witness, and I showed him that Mrs. Wesley had persecuted the prisoner in the most outrageous manner—beating her, threatening to kill her, and to ruin her reputation, and ill-treating her shamefully. His testimony excited so much indignation against the villainous couple, that I longed for the moment to arrive when James Wesley should take the

stand. When Hannegan retired, Mrs. Wesley whispered to her husband, and he whispered to the Attorney. The latter, seemed surprised at first, but made a gesture of assent, and announced that the prosecution would there rest the case. Everybody was surprised that the Wesleys had not been called to testify, and I was quite stunned. My plans were all disarranged.

I divined at once that Mrs. Wesley had suggested this extraordinary course to shield her husband and herself from cross examination. Had the instinct of self-preservation told her what was coming? I immediately decided upon my course, and rose to open the case for the defence. I began stating that I had incontestible evidence that a conspiracy had been entered into to blast the character of my client, to enable parties in the conspiracy to perfect certain secret plans which when I proceeded to expose, they would fill the community with horror. I saw that everybody was prepared to believe almost anything, and I determined to waste no time in words. So I requested that James Wesley might be sworn, and desired the Judge to have Eunice Wesley removed from the room while her husband was being examined. She was taken out by the Sheriff, and I turned to question Wesley.

"James Wesley," said I, "how came that scar on your forehead?"

As the villain turned ghastly pale, staggered, and clutched at the railing of the witness box for support, I felt sure of my man, and said, "Answer me, Bob Hannan; how came that scar on your forehead?"

At the mention of the name "Bob Hannan" the wretch fell back upon the seat and groaned, "Oh, don't—don't bring that again me!"

"I shall bring that up and more too, unless you answer me truly about this pretended theft. Now tell me—did not Eunice Gregory put those things in Miss Montessor's trunk?" "Yes—she did—let the girl go, and don't ask me any more questions!"

The excitement had now become overwhelming, and the witness was beginning to fear for his bodily safety—a fact which I determined to use as an additional weapon. "I shall ask for but little more information," I replied, "as I do not wish to expose you to the rage of this audience, if you will answer me promptly. Where is the will, that old Mr. Gregory executed, in which he made his grandchild, Helen Montessor, his heir, and which he gave her to give to his lawyer when he returned—the will your wife stole from the child as she lay sleeping?"

"Oh lord! its come at last! just as I told her it would!"

"Where is the will?" I thundered.

"It is burnt!" he exclaimed. "But Helen is his only surviving relation, and the will by which my wife got the property is a forged one."

Having achieved everything I wished, and not caring to prolong the painful scene, I asked the District Attorney if it would not be best to dismiss the case. He cheerfully assented to the proposition, and Miss Montessor, who in her flush of agitation, and thankfulness looked more lovely than ever, was released from the custody of Mr. Mace, and placed in charge of his wife, while Wesley and his wife slunk away from the indignation of the assembly.

The excitement was so great, the Court was adjourned till 8 o'clock, P. M., and I was obliged to state for the gratification of the crowd, how I had managed to get on the track of the Wesleys. I told that many years before I had read an account of the murder of a child by its aunt, Eunice Gregory, assisted by her lover, one Bob Hannan, for the purpose of possessing herself of her niece's estate. In that account it was stated that Hannan, at the time of the murder, had fallen down an area and gashed his forehead terribly, which afterwards healed over, and left a peculiar scar, which was described. The hints I received from Helen's story, and the old bit of letter signed Eunice Gregory, had set my memory at work, and when I met Wesley and observed the peculiar scar on his forehead the whole thing flashed upon me, and I then determined to make a bold push to expose them, and not only defend Helen against the charge of larceny, but wrench from her unnatural aunt the patrimony that had been withheld from her. "And, gentlemen," said I, "you have seen the result."

My explanation was received with much applause, and a movement was set on foot to have the Wesleys indicted for perjury; but it was never carried out, as they disappeared from that part of the country, and we all thought it best not to bring them back for any purpose whatever.

In conclusion, I may as well state, that Helen secured the property, and that I secured Helen; and if you will go home with me, you shall have an introduction to her and to the children. That first case did the business for me all round, as by it I secured a great reputation, plenty of practice, a handsome wife, and a large fortune.

Provincial Parliament.

Legislative Council Chamber.

FREDERICTON, Feb. 12, 1857.

This being the day appointed by Proclamation for the meeting of the Legislature, at four o'clock His Excellency the Lieutenant Governor came in the usual state to the Council Chamber, and being seated on the Throne, commanded the attendance of the House of Assembly, who being come, His Excellency was pleased to open the Session with the following

SPEECH:

Mr. President, and Honorable Gentlemen of the Legislative Council;

Mr. Speaker, and Gentlemen of the House of Assembly:

"It affords me much satisfaction to meet you on your re-assembling for the discharge of your legislative duties."

"I have given directions that there should be laid before you the Reports which have been received by the Government respecting the existing state of the various Constituencies in the Province. A condition of affairs in which large numbers of those to whom it was the intention of the Legislature to entrust the Franchise, cannot legally exercise that privilege, will not, I am sure, be permitted by you to continue."

"I rejoice to be able to announce to you that considerable progress has been made in the Railway Works in course of construction; and a gratifying proof has been afforded of the confidence which is reposed by the Capitalists of the Mother Country, both in the good faith and in the resources of the Province, by the ready sale, at a premium, of the Debentures issued to defray the cost of these Works."

"I am confident that the Government, in the proceedings of the Government, in connection with them, will be laid before you; and a measure will be submitted to you, having for its object the diminution of the cost of superintending the expenditure on Railways, without impairing the efficiency of that superintendence."

"The attention of the Government has been directed to the insufficiency of the existing means of conveyance both of Passengers and Goods between the various Ports on the Northern and Eastern Shores of this Province and Prince Edward's Island. You will, I am confident, recognize the advantage which the Province would derive from increased facilities of Commercial intercourse with that Colony. The Government of Prince Edward's Island are prepared to co-operate in making such arrangements as would afford to the People of both Colonies the advantages of a more complete system of inter-communication between them, and a proposal will be submitted to you for carrying into effect these arrangements."

"Mr. Speaker, and Gentlemen of the House of Assembly:

"The Fiscal Accounts of the past Year will be laid before you. These Accounts will, I hope, be found to exhibit with clearness and simplicity both the Receipts and the Expenditure of the year, and I congratulate you on the improved condition of the finances of the Province. Estimates also of the Revenue and of the Expenditure for the current year have been prepared by the Government, and will be submitted to you."

Mr. President, and Honorable Gentlemen of the Legislative Council;

Mr. Speaker, and Gentlemen of the House of Assembly:

"In accordance with the desire expressed by the House of Assembly, the Government has, during the recess, been engaged in the consideration of the means whereby a healthy stream of Immigration hither may be best promoted. The correspondence and other documents explanatory of the progress which has hitherto been made in maturing a scheme for this purpose, will be laid before you; and I do not doubt that these documents will receive from you that calm and careful consideration to which they are entitled, as well from the importance as from the complicated character of the subject to which they relate."

"In other Colonies, commerce has been extended, and an impetus given both to Emigration and to the investment of capital from the United Kingdom, by the establishment of direct Steam communication with the Mother Country. I should view with lively satisfaction any step for the attainment of this object which could be taken consistently with a due regard to financial considerations."

"I have received from the Secretary of State an important despatch, relative to surplus civil list fund; this despatch will be laid before you."

"The law which regulates Parish Schools will shortly expire. Your attention will necessarily be directed to this important subject."

"The Council of King's College have submitted to me, as the visitor of that Institution, a Report of which a copy will be laid before you. I commend this Report to your attentive consideration."

"I have given effect to the wish of the House of Assembly, that a commission should be appointed to consider the means by which the successful culture of the soil may be best promoted. The commission is now engaged in making the necessary enquiries on this subject, and I trust that those who are engaged in this branch of industry may derive permanent advantage from the labours of the commissioners."

"During the past year, the staple article of export from the Province was depressed in value; while the potato crop was seriously injured, and in some districts wholly

destroyed by the blight; and, although the fisheries were at least as productive as usual, both the commercial and agricultural industry of the Province suffered a temporary check."

"But the general condition of the people is, I am happy to believe, one of comfort and contentment; and gratefully acknowledging the various blessings which have been bestowed upon us, and our dependence on Providence for their continuance, I rely with confidence on your devotion to the Public interests, and I fervently hope that your deliberations may conduce to the honor and permanent welfare of the Province."

"The address in answer to the speech was moved by Mr. Boyd and seconded by Mr. Desbrisay."

Friday, Feb. 13.

The House opened at ten o'clock. Several of the Standing Committees were appointed."

Mr. Johnston introduced a Bill to incorporate the Chatham Light Company. Mr. Tibbitts introduced a Bill to prevent the spread of disease among Horses in the County of Victoria. Mr. Lawrence obtained leave to bring in a Bill for the better prevention of fires in the City of St. John. A motion to rescind the resolution confining members to a remuneration of twenty shillings each for stationary was lost."

Nothing of any consequence is yet doing. The Address will be taken up on Monday."

The House adjourned a few minutes after one."

Saturday, Feb. 14.

Mr. McNaughton introduced a Bill to amend the act to regulate the Election of Members to serve in the General Assembly. No Petition for Money to be received after the expiration of 14 days."

Several petitions presented—one from Mr. Lunt complaining of the election of Messrs. Tapley and Perley."

Mr. Fisher gave notice of his intention to move an Amendment to the answer to the Address, by expanding the whole of the first paragraph, and substituting the following:

"We, the Commons of New Brunswick, thank your Excellency for the speech at the opening of the Session, and assure your Excellency that we are prepared to give the subjects therein referred to, that consideration their importance demands; duty, however, impels us most respectfully to state to your Excellency, that your Constitutional advisers do not possess the confidence of the House."

House adjourned a few minutes before 12."

COMMUNICATION.

To the Editor of the Standard.

SIR.—What is everybody's business, is proverbially nobody's, and it is only on this hypothesis that I can account for the apathy and indifference with which the public has so long put up with the inefficiency both of the Magistracy and Constabulary in this town."

I think too, Sir, that both you, and your brother Editor of the "Provincialist," are not a little to be censured, as public journalists, for failing to expose the total neglect of those Gentlemen who are bound, on accepting the appointment to the commission of the Peace, to attend to the good order and security of the community."

Of course, if the Justices fall in the performance of their duty, it is not reasonable to expect that the Constables will do their's, and therefore I shall not further allude to these latter than to say, we might just as well be without any as to have no better than we have now got—but I do say, that the manner in which the Magistrates invariably shut their eyes to every nuisance, and quietly allow its continuance, without an effort for its suppression, is disgraceful in the extreme."

I wish at the present moment more particularly to point to the real danger there is of passing from one part of the town to another, either on foot or in sleigh, in any but the front street, in consequence of the mania which seems to have seized not only the boys, but also the idle men of the place, to "coast" down the hills. To such an extent has this been carried during the last few days, that I have heard many ladies declare they dare not venture out of the house."

In summer an almost equally great nuisance occurs by the boys crowding round the landing place at the arrival and departure of every steamboat; and if it might occupy more of your space, I could count up a whole string of other useless troublesome and dangerous, which it is the clear duty of the Magistrates to put down. I hope, Sir, you will turn your attention to these points, and either stir up the present Justices to more vigilance, or else induce them to resign and make room for more active men in their places."

I am yours, obediently,

"NEMO."

FATAL RAILROAD COLLISION IN CANADA.—On Sunday evening, the up freight train, which was due at Berlin, C. W., on Saturday, ran over, near that place, two cutters containing five persons, killing one of them, severely injuring three others, and the fifth escaped by jumping from the sleigh."

The road near to the crossing, which is in the vicinity of the Grand River Bridge, runs alongside of the track for some distance, and the train coming up behind the cutters, frightened the horses and rendered them unmanageable,—they ran furiously for the crossing, which they reached just as the train was passing over, and were crushed beneath it.—[Montreal Pilot.]

ALLEGED MURDER NEAR HALIFAX.—It is reported about Halifax (says the Sun) that a man named Cornelius Murphy, laborer on the Railroad, has been murdered by one Maurice Haley, keeper of a saloon at a place called Shantytown, near Shute's. The particulars have not yet transpired. The proper officers are in search of the party who committed the deed."

New Brunswick & Canada Railway and Land Company.

LOCAL DEPARTMENT.

Hon. Capt. J. J. ROBINSON, R. N., Commissioner.

JULIUS THOMPSON, Esq., Manager.

W. M. BUCK, Esq., Engineer.

GEO. D. STREET, Esq., Solicitor.

Charlotte County Bank.

Geo. D. Street, Esq., President.

C. W. WARDLAW, Esq., Cashier.

Wellington Hatch, Esq., Solicitor.

Bills and Notes for discount must be lodged with the Cashier, on or before Monday, otherwise they will be kept until next week."

Peer House Commissioners.

T. T. Odell, R. Stevenson, C. K. O. Highway.

The Standard.

ST. ANDREWS, FEB. 18, 1857.

THE LEGISLATURE met on Thursday last, and from present appearances it is likely to prove a stormy Session, if we may judge from the attack of the Opposition through their leader, Mr. Fisher, who has introduced an amendment to the first paragraph in answer to his Excellency's speech, in which it is stated that the Constitutional advisers of the Lieut. Governor "do not possess the confidence of the House."

It remains to be seen whether they do or not. Allowing the Opposition every opportunity to gain over weak-minded Members, by promises, flattery, misrepresentation and bribery, we cannot believe that they will succeed in carrying a vote of want of confidence."

No effort will be spared—no artifice left untried to oust the present Executive Council, and plant themselves snugly in office—for after all the bombast and vapouring about "the dear people" and "liberalism," "the loaves and fishes" and the "power" and "honor" are the chief object with them; and indeed any set of men—for without them the opposition would be snuffed out of existence as a party."

In our columns to-day we have commenced our Legislative Summary, and will continue as heretofore to give a weekly digest of the sayings and doings of the Legislature."

COASTING IN THE STREETS.—A correspondent, whose letter appears in another column, points to the improper and dangerous practice, which has become so general of coasting in the streets of this town; and several persons within a few days have complained of the annoyance and danger they are subjected to by this illegal conduct."

In St. John, Fredericton, and other cities and towns, the law against this nuisance is put in force, the sleds are destroyed, and the parties violating are fined. The police and constables do their duty in those places, and the peace officers should do the same here. The Justices at the September Sessions in 1854, made and passed "Rules and Regulations for preventing vice, immorality, disorderly conduct, &c. in the streets, alleys and thoroughfares within the town plot of St. Andrews;" but in very few instances have parties violating them been punished, simply because no complaints were made."

These regulations were published, and we give the substance of the third rule, which says: "Any person or persons who shall coast on a sled, or use any slide down upon ice or snow, in any of the places aforesaid, to the annoyance or inconvenience of any person or persons passing or residing near, shall be fined." The eighth rule provides, that "all complaints of the non-observance or breach of the regulations, shall be heard and determined before one or more Justices, upon oath of one or two witnesses, or upon view of said Justice or Justices, who shall impose such fines and penalties as may be deemed just and reasonable, not exceeding two pounds." The course to be pursued is plain, and unless we know of a Magistrate not doing his duty, upon view or complaint made upon oath, we do not deserve to be censured for failing to expose a neglect of duty on the part of those gentlemen, as our correspondent asserts. Of this we are aware, that any further violation of these rules will be brought before the notice of the Justices by persons who are resolved to carry out the law."

NOVA SCOTIA.—The attack on the Government by the "old Johnson party" in the Legislature of the Sister Province, is carried on furiously; the general impression is, however, that the Government will be sustained, notwithstanding the defection of a few of its former supporters."

We have received from Messrs. L. Scott & Co., the January number of Blackwood's Magazine. The contents are:—

Scenes of Clerical Life.—No. 1. The Fortunes of the Rev. Amos Barton.

Mrs. Barrett Browning—Aurora Leigh.

The Athelings; or, the Three Gifts.—Part VIII.

New Facts and Old Fancies about Sea Anemones.

A Christmas Tale.—Routine.

John Decastro; a quaint Rechauffe.

Maid Barbara.—European Politics.

GREAT FLOOD AT ALBANY.—United States papers inform us of a great flood which took place in Albany, during the night of Sunday the 8th inst. A number of stores were flooded up to the second story, and the quantity of goods destroyed is variously estimated at from two to three millions of dollars. A large fire was also raging at the same time. The inhabitants were in great alarm and confusion. Boats were passing up and down through the city. Several houses and estates were floated away and completely destroyed. The flood rose still higher on the 9th submerging a large portion of the place. The loss of property is said to be immense."

Arrival of the Europa.

The Steamship Europa, arrived at Halifax on Saturday last 14th inst. We have only room for the following items of news.

TURKISH AFFAIRS.

The London Globe has telegraph from Constantinople, Jan. 19th, announcing that the British steamers had evacuated Black Sea, and Russians had evacuated Serpents Isle."

FRANCE.—Verger was executed on the morning of the 30th Jan.

PERSIAN DIFFICULTY.—It is believed that Persia has submitted to British demands; but the intelligence is yet received with doubt."

The London "News" says: Lord Stratford has telegraphed that Persia submits, not from fear of British, but on general grounds. Details of capture of Bushire received from Bombay under date Jan. 2."

CHINESE WAR.—Extra of China Mail Dec. 16th says the two factories have been burned down by the Chinese. Vigorous efforts were used by the seamen and marines to stop the progress of the flames, but without effect. American ships of war Portsmouth and Levant, bombarded and took forts, which they destroyed. Chinese had written to American authorities to say their flag shall be respected, and say it was a mistake which led to misunderstanding. The apology was accepted, and the Americans will withdraw from Canton."

The famous English steamship Great Britain has again undergone at Liverpool important alterations for increasing her capacity and efficiency. She has had a new iron stern post, forged at the Mersey Foundry, which is said to be "the most ponderous piece of wrought iron ever put together for any purpose." She is to have a new figure head of life size,—her masts have been moved forward, and alterations made in her rig to enable her to carry a fourth more canvass, with other important alterations by which she will have accommodation for nearly 600 passengers, with room for 200 tons of cargo and 1000 tons of coal, besides stores and wares for a voyage to Australia."

SHOOTING ACCIDENT.—On Tuesday, a fine boy, son of Mr. Stephen L. Parsons, aged about 9 years, had his arm severed from his body by a Cylinder Planing Machine, in the steam factory in this place. While attempting to remove a piece of wood which had just passed under the knives, he was caught by the fingers and thus his arm was drawn in under the Cylinder, nearly up to the shoulder, before the machine could be stopped. Amputation at the shoulder was subsequently performed by Drs. Brown and Woodford.—Woodstock Sentinel.

We are informed that the Boston Steamship ADELPHI is about to resume her trips, and that she will leave Boston on Monday, 9th March, leaving St. John on her return the following Thursday. The ADMIRAL will also recommence running leaving Boston on Thursday 2d April.—[Leader.]

Government House, Fredericton, was on fire on Thursday morning, but the flames were extinguished before much damage was done.—[Id.]

A PROSPEROUS EMIGRANT.—Mr. William Gregg emigrated to this country from England twenty six years ago, and was then what you might call a poor young man, without money or friends. This past season he milked thirteen cows, worked two yoke of oxen and a span of horses, keeps fifty sheep, besides a number of young cattle. Mr. Gregg has also raised this season the following crop of grain—oats, 1666 bushels; buckwheat, 450 bushels; wheat, 166 do. He had seven acres and a half of potatoes, which proved a failure. Mr. G. owns 650 acres of land in this Parish in one block, on Jordan Mountain, so called, 200 of which are cleared, and the most of it has been ploughed. He has first rate buildings; and is in every respect a thriving and prosperous farmer.—News.

A TERRIBLE TRAGEDY.—Baltimore, Jan. 21.—A terrible tragedy occurred here to day. A druggist filled a prescription ordered by Arnold, a German physician, for a child. The child took the medicine, and died immediately. Arnold took the medicine to the druggist, and told him he had made a fatal mistake. The druggist noticed that the medicine was right, and to show his confidence in his correctness he swallowed a portion himself. He was immediately attacked by horrible convulsions, and died in five minutes. [TIME & A Y8 032513804]

Advices have been received by the last steamer from Aspinwall at the Central American legations here, that the Costa Rica and Kivas governments of Nicaragua have amicably arranged the boundary question, and all other matters in dispute between the two republics. The territory forming the southern bank of the San Juan river, is ceded to Costa Rica, and that river is made the dividing line between them. The right of transit is to be made the subject of joint grants."

It is also said that two Commissioners have been sent to New York to make a new sale of the Transit route. President Rivas has obtained abundant proof that the old Accessory Transit Company is as much to blame for the advent of Walker to Nicaragua, as the Morgan and Garrison Company is for supporting him."

The loss of the boats and property of the old Transit Company by the Rivas-Walker government, will be sustained by the present Rivas administration, and the whole thing sold to some other party."

Walker had not been heard of for three weeks."

ARM YOURSELF IN ADVANCE.—Not more necessary for the preservation of life on the battle-field is a complete armour, than is a bottle of Perry Davis' Pain Killer, to those who are suffering from acute bodily pain. It is a sure cure, and costs only 25 cents per bottle."

On Tuesday evening, 18th inst., after a lingering illness, aged 10 years and 10 months, Mary, eldest daughter of the late Mr. James Shea.

At his residence in St. Stephen, on the 6th inst. Mr. William Hanson, the deceased, had almost completed a century. His age being 92 years. He had been the father of 19 children, and has left an affectionate widow, sons and daughters, and numerous relatives and friends to respect and revere his memory."

On the 5th inst., after a long and painful illness, Sophia S. wife of Mr. G. W. C. Luigin, and youngest daughter of the late James Bagnall, Esquire, of Prince Edward Island, in the 27th year of her age."

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New Brunswick and Canada
Railway & Land Company.

EXTRACT from the Minutes of the Board Meeting of the St. Andrews and Quebec Railroad Company, attended by the Delegates from the New Brunswick and Canada Railway and Land Company, on the seventeenth day of October, A. D. 1856.

"It is hereby mutually understood and agreed upon between the Board of Directors of the Saint Andrews and Quebec Railroad Company and John W. Byrnes, the Secretary of the Transferee Company, that Stock in that Company shall be allotted to the Class B Shareholders, in exchange for the stock now held by them, provided application be made by the individual Stockholders, or their representatives, for such exchange of stock, within two months after notice published in the Royal Gazette of this Province, of the readiness of the Transferee Company to issue Certificates to the Stockholders: That the application for such exchange of stock must be for the same number of shares as are now held by the applicant, the amount already paid in by each Stockholder to be considered as so much paid in on the new stock, and no further calls to be made until an equal amount has been called in from the other Shareholders and paid up by them; the new Stock so to be issued to be entitled to no portion of the facilities granted to the Company, nor to any interest on calls during the construction of the Road, but to be placed on the same footing as the Stock issued to the Provincial Government."

In pursuance of the above agreement, which was duly ratified and confirmed at a Board Meeting of the Directors of the said New Brunswick and Canada Railway and Land Company held in London on the tenth day of December, A. D. 1856—

Notice is hereby given, That the said Company are ready to issue Certificates for Stock in exchange for Class B Shares held in the late Saint Andrews and Quebec Railroad Company, and that applications for such Certificates will be received at the Company's offices in Saint Andrews until Wednesday the fourth day of April next.

JULIUS THOMPSON,
Manager.

Saint Andrews, 26th January, 1857.

Notice to the Public.

MAILS FOR ENGLAND.—

Tuesday, 30 Feb. via New York, per U. States packet, 6 A. M.

Sunday, 8th, do. via Halifax, 9 A. M.

Tuesday, 10th, do. via New York, per United States packet, 6 A. M.

Friday, 13th, do. via New York, per British Packet, 6 A. M.

Tuesday, 17th, do. via New York, per United States packet, 6 A. M.

Sunday, 23rd, do. via Halifax, 9 A. M.

Tuesday, 26th, do. via New York, per U. States packet, 6 A. M.

Friday, 27th, do. via New York, per British Packet, 6 A. M.

The Passage for the United Kingdom, via Halifax, is 7s single rate, via New York by British packet 10s, and by United States Packet 1s. 9d. Pre-payment optional.

By Order,
G. F. CAMPBELL, P. M.

Post Office, St. Andrews,
Feb. 1, 1857.

NOTICE.

A Bill to divide the Parish of PENFIELD will be brought into the House of Assembly at the coming Session, to set off the Eastern from the Western portion, by a line North from the West bank of the shore of the River Popogogan where it falls into the Bay of Fundy, to the North or rear line of said Parish; thence Easterly to the County line dividing St. John and Charlotte; thence due South along said line to Point de Pease in the Bay of Fundy; thence Easterly, following Popogogan, New River, and Sackville Islands in front—into a separate Town or Parish.

January 12, 1857.

DR. PATTERSON,

Dental Surgeon,

Will visit St. Andrews professionally on TUESDAY, the 22nd inst. Rooms at Bradford's Hotel.

Dr. P. has arrived, and is ready to attend to any requiring his services.

BRICK BRICK.

FOR Sale, a quantity of large STOCK BRICK—hard and frost proof, delivered in St. Andrews, early in the spring. These brick are of the best manufacture and quality.

Orders may be left at the "Standard Office," where price &c. will be made known.

January 21, 1857.

Corn Meal, Pork, and Rice.

Ex Schrs. "TEXAN" from New York.

50 BLS. CORN MEAL.

10 BLS. heavy MESS PORK,

1 Tierce RICE. For sale by

Jan. 21, 1857. (w) W. WHITLOCK.

NEW BRUNSWICK.

HOUSE OF ASSEMBLY.

The following was adopted as a standing rule in the Session of October, 1854.

26th.—That no Bill of a private nature, or Petition for money or relief, shall be received by the House after the fourteenth day from the opening of the Session, both inclusive; and that the Clerk of this House do, one month previous to the meeting of the Legislature, cause fifty printed copies of this Rule to be sent to each of the Clerks of the Peace in the several Counties, for distribution, and cause the same to be inserted in the Royal Gazette, and two Newspapers in such County where News-papers are published.

CHAS. P. WETMORE, Clerk.

DIAMOND LIGHT;

ROSIN OIL LAMP.

Producing a most beautiful and perfectly safe light, at a cost not exceeding 1-2 cent an hour. Lamps from \$2 to \$10; oil, 50 cents per gallon. For sale, wholesale and retail, by W. W. UPHAM, Treasurer Tremont Oil Factory, No. 10 BROAD STREET.

ST. JOHN AND LIVERPOOL
LINE OF PACKET SHIPS.

Appointed to sail from Liverpool as under—

1857.

Ships	Captains	Tonnage	To sail
John Owens	Brown	1236	5th Feb'y
Athena	Goode	1010	23rd March
John Barbour	A. Betts	990	20th do.
John B. Rogers	Romey	921	5th April
Peter Maxwell	Marshall	1035	20th do.
Middleton	H. Betts	990	5th May
Imperial	Moran	1279	20th do.

These Ships are built of the best materials, sail remarkably fast, are classed A 1 at Lloyd's, and coppered, and will be dispatched punctually on the days appointed.

They are commanded by men of the greatest experience and nautical skill, and no expense or exertion will be spared to make this line efficient in every respect for the safe and speedy conveyance of Goods.

Orders for shipment of Goods by this line are respectfully solicited.

For Freight or Passage, apply in Liverpool, to Messrs. FERRIS BROTHERS & Co, Water Buildings, Water Street, or at St. John, to J. & R. REED.

January 1, 1857.

BARLEY.

BARLEY in any quantity wanted immediately at the

Patent Steam Brewery,

St. Andrews.

CHAS. A. THOMPSON.

St. Andrews, Sept. 8, 1856.

House to Let from 1st Nov. next

THE House and Barn in Queen Street, at present occupied by Mrs. Julian.

Aug. 27. Apply to J. W. STREET.

The Court of Probates,

FOR the County of Charlotte, will in future be held on the first Tuesday in each month, at the hour of noon, at the Registrar of Probates' Office, in St. Andrews, of which all persons will take notice.

By order of the Court,
GEO. D. STREET,

Registrar of Probates.

St. Andrews, Sept. 17, 1856.—31

Cooking Stoves for the Provinces.

A Tall pipe to suit purchasers. Also Parlor Stoves, Cylinder stoves, Ranges, Iron Sinks, Hollow Ware, Tin Ware, Furnace, &c. Also, an assortment of Carpenters' TOOLS, Farming Tools, &c. &c.

J. H. B. HENDERSON & CO'S,

102 Haverhill street, Boston, Mass.

sp 10

NEW FLOUR.

JUST RECEIVED, TWENTY-FIVE BARRELS

"Brandy Wine" Fancy FLOUR,

from New Wheat.

J. W. STREET.

Sept. 16, 1856.

SELLING OFF!

AT THE BRITISH HOUSE,

ST. ANDREWS.

In order to make room for

EXTENSIVE IMPORTATIONS

this spring, the Subscriber is determined to

SELL OFF THE REMAINDER OF HIS STOCK

at such prices as will ensure a clearance.

He has on hand a large assortment of

FANCY & STAPLE DRY GOODS

which at the reduced prices will be found

exceedingly cheap.

D. BRADLEY.

April 16, 1856.

ON Consignment—

Brandy, Gin, & Whiskey,

Of Superior Brands.

CHAS. A. THOMPSON.

Patent Steam Brewery, St. Andrews.

21st Oct. 1856.

WEST INDIA GOODS AND GROCERIES.

HAVING purchased from HALL & FAIRWEATHER, their entire STOCK of West India Goods and Groceries, the undersigned now offers for sale low—

45 Chests and 20 hfs. do. Congo TEA, the following brands—Chebucto, Chantener, Eagle Wing, Howland, Golden Gate, Wild Pigeon and Huzzar.

18 n. chests Orange Pekoe favorite brands

20 do. Oolong

25 chests from 15 to 20 lbs each;

30 hds Masovado MOLASSES;

15 do Clayed do; 5 do SUGAR;

6 boxes TOBACCO;

210 bags Coarse and Fine SALT; 3 bbls Fine Oil

2 casks Pickles; 2 cases INDIGO;

1 bbl VITRIOL; 120 lbs NUTMEGS;

40 boxes common and pale Yellow Soap;

10 do Candles; 30 qts rose-oil;

35 Gress Woodstock PIPES;

150 lbs Candles; 1-2 REDWOOD;

1 cask ANNOTA;

2 cases Colman's No 1 Mustard; 2 boxes Candle

WICK; 2 bags COFFEE; PAINTS, OILS,

Glass Dye Stuffs, Spices, &c., with a large variety of other GOODS.

St. John. W. E. STRONACH.

TO LET.

THE HOUSE at present occupied by Capt. GREEN.

Aug. 26, 1856.

TO LET.

THREE good ROOMS and a SHOP

on the first floor of my House in Water

formerly occupied by Mrs. Kennedy.

J. W. STREET.

INDIAN MEDICAL SOCIETY.

At a meeting of this Society, held in Boston, Oct. 1st, 1856,

the following Resolutions were adopted, and approved by the

General Assembly, held in Boston, Oct. 1st, 1856.

Resolved, That in assessing contributions to the fund for the relief of the Indian population, the Society shall be guided by the following principles:

1. That the contributions shall be assessed on the basis of the number of persons in the community who are suffering from the effects of the Indian population.

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