

SECOND EDITION.

TUESDAY MORNING, JANUARY 22, 1850.

COMMUNICATION.

MR EDITOR,

In looking over the "Grand Jury Presentments" in your last paper, my attention was particularly arrested by the paragraph referring to the Gaol, in which the case of the person confined for debt, is spoken of as "a hard one"—"he has no friends to provide him with necessaries, and if it were not for the humanity of the High Sheriff and Gaoler, must have starved."

I happen to have something to do with this transaction, and am aware that the prisoner has been giving a hard version of the case, the hardship, of course, bearing upon him.

The case is simply as follows:—A neighbor of Mallen's, the prisoner, was owing me a debt, accumulating from 1840 to February, 1846, and amounting to £27. In February 1847, I obtained a judgment in a Magistrate's court against him for a portion of the debt, which exposed his stock, consisting of an ox, cow, and calf. The principal was Mallen's neighbor—lived within three miles of him on the Richibucto Road, and sixteen miles of me. Mallen knew the man and his circumstances as well, if not better, than I did.

However, in order to relieve his neighbor, he, together with the son-in-law of the principal, joined him in notes for the amount, payable at the rate of six pounds fifteen shillings per annum, upon condition that I would have the cattle protected from levy at the suit of any other person, and return them to the principal—and only upon this condition would the son-in-law, or Mallen, have anything to do with the matter. This I consented to, and had the cattle driven out to Chatham, advertised and sold under my Execution, and returned to the principal under Lease;—the whole with the sanction of all the parties concerned,—and Mallen's son even assisting the son of the principal to drive the cattle out to Chatham for sale, and home after the sale.

In March last I sued Mallen and the principal, the other surety having removed to Bathurst, upon one of the notes due 2nd November, 1847, for £37 6, but not before I had repeatedly applied to Mallen for something on account. He was then, and has for the principal part of the time since, remained in the employment of Messrs. Gilmonr, Rankin & Co., in their mill in Chatham. I have since had an Execution in the Constable's hands; and after having waited since March, at last learned from the Constable that he could not apprehend Mallen—that whenever he approached the mill, Mallen, dodged. However, I contrived to get hold of him, in one of his dodging capers, among the bolders, and at the moment when he was recommending to the Constable not to approach any nearer to him.

Even then I consented to take at the rate of five shillings per week, in goods, on account, so long as he continued in employment.—His wages was, I think, 18s. per week. But no—nothing would do but Gaol, and I indulged him. Even since he has been in gaol I offered to take the same rate and mode of payment.

I offer this explanation, knowing that Mallen's statement of the case had made an impression that it does not deserve.

THE PLAINTIFF IN THE CASE,
21st January, 1850.

NEWS BY THE MAIL.—After a careful perusal of the papers that came to hand by the mail yesterday, we glean a few additional items of news, which we publish below.

LATER FROM CALIFORNIA.—The Alabama, from Onages at New Orleans on the 2d, brought \$50,000 in gold on freight, and passengers brought \$200,000. Steamship Unicorn was to leave San Francisco on the 10th, and was expected at Panama January 1. The Panama Echo says that a gold mine had been discovered in the Province of Varaguas on the Isthmus. Some Americans had gone to dig there in preference to going to California. Some passengers give a bad account of the state of affairs in California. The scurvy was raging at the mines.

Labor is becoming constantly cheaper at San Francisco, on account of the great number of persons coming down from the mines to spend the winter, and seeking occupation in every department of industry.

The prices of vegetables here are enormous, owing to their scarcity, and, in fact, the necessities of life generally are much higher than they were at this time last year.

Heavy boots are now selling at San Francisco at the rate (almost unimpaired to any one but a Californian) of ninety six dollars a pair.

The rainy season has set in and has made the ground among the mines as well as the roads thither impassable in many places. A great number of the miners are without their usual supplies, and have no means of obtaining necessaries. There will be much suffering if the roads do not become better.

Flour at Stock on it \$1 per pound, and other articles in the same proportion.

The quantity of gold dug still continues to increase.

The steamers Senator and McKim are both now running on the Sacramento.

The carpenters at Sacramento city made a strike for higher wages, as they were only paid \$12 a day, whereupon the contractors settled the difficulty by raising their wages to \$16.

CANADA.—Rumor says that a project has been sent out from the Colonial office to Lord Elgin, for the Union of the British North American Provinces, with representatives in the Imperial Parliament, and the abolition on the present local legislatures, substituting in lieu thereof a Governor with an elective Council. If this be true, who shall say that the League has borne no fruit.—Toronto Patriot.

DEATH FROM COLD.—We are informed that a little boy who had been looking on at the shooting match at the Race Course, on Christmas Eve, was observed to remain after all the bystanders had moved to go away, and on going up to him to ascertain the cause, it was found that although his attitude was unchanged, and his eyes open, he was actually frozen to death.—Toronto Patriot.

UNITED STATES.—Per Royal Mail Steamship Cambria, we have received New York and Philadelphia dates to the 8th and Boston to the 9th inst. The news from Washington is highly interesting. Mr Cass has introduced a resolution relative to the Austrian Embassy, and in an eloquent speech purposes to withhold diplomatic relations with the uncrowned despot of that power. He quotes largely from Mr Clay's speeches upon the straggles of Greece, and also from Mr Webster's great impromptu speech at the late New Hampshire Festival. He referred to the unholy alliance which had been entered into for crushing Hungary—to the monstrous barbarity which had characterized Austria in the prosecution of the war, and the brutal butcheries, when by the aid of Russia she had succeeded in overpowering the Magyars—and he contended that she had thus, by her cruelty, placed herself outside the pale of civilized nations. Happily the voice of Liberty is no longer as one crying in the wilderness, it is beginning to be heard in the thorough-fares of the world, and despots are conscious that the dissolution of their former much abused power is now more than on the wane.—Cass is one of those statesmen who profess to act on the principle of securing the greatest amount of good for the greatest number.—Halifax Nova Scotian.

THE PARKMAN CASE.—The Grand Jury are investigating the evidence against Professor Webster. His trial, it is said, cannot take place, till May.

NOBLE CONDUCT OF A NOVA-SCOTIAN.—The Nova Scotian furnishes the following account of the heroic and philanthropic conduct of a Nova Scotian:—

Captain Cook, of the barque Sarah, of Yarmouth, N. S., who made such large sacrifices to rescue some four hundred sufferers on board the ship Caleb Grimshaw, recently burned at sea, was at the last accounts, daily expected to arrive at New York, a vote of thanks for his heroic conduct has been ordered, and the freedom of the city is to be presented to him in a gold box. The Journal of Commerce says, that Congress is to take some action on the subject, and make honorable mention of the generous conduct of Captain Cook. The capt. of the Caleb Grimshaw, in writing to his owners, represents the generous preserver of the lives of his crew and passengers, as a noble fellow, with a heart as big as Nelson's Monument, and in the right place too. Our readers are already informed of the fact, that the Sarah remained by the burning ship seven days and it was, under Providence, through the skill and energy of Captain Cook, that so many human beings were rescued from a horrible death.

SAD ACCIDENT.—Private letters by the last British Mail, state that Captain Morris, of the new bark Assandale, was killed on board that vessel, on the 2nd ult., while on her passage to Britain. The cargo in the temporary cabin, was cast adrift during a heavy gale, and coming in contact with him, deprived him immediately of life. His remains were committed to the deep the following day. Capt. M. while here, superintending the rigging &c. of the vessel, by his unostentatious manners, had won from his employers and a large circle of friends, their regard and esteem; and his melancholy end is deeply regretted.

DEATH.

At Chatham, on Sunday last, ROSINA CAROLINE, infant daughter of James Johnson, Esq., aged three months.

THIS DAY'S MAIL.

NEW-BRUNSWICK.—SHIPBUILDING.—We beg to draw the attention of Shipbuilders and others interested, to an excellent letter published in Liverpool by William Pope, Surveyor to Lloyd's Register of British and Foreign Shipping, on the subject of Ship-building in British America, which letter, we have considered of sufficient importance to transfer to our columns. The object of Mr Pope is to improve the character of our ships by a great number of very useful practical hints and instructions as to the most substantial manner of building ships, and the best kinds of wood to be used for durability, which if carried out, together with the well-learned character that many of our ship-builders have already obtained for splendid models, will tend to place our vessels in the markets of Great Britain on a better footing than they have hitherto been, and to command such prices as they will be justly entitled to.

Railway and Banking.—Notice has been given through the Royal Gazette, that an application will be made to the Legislature of this Province, at its next meeting, for an Act for the construction of 'The Canada, New Brunswick and Nova Scotia Railway,' thro' New Brunswick, from the Province line of Canada, or supposed Province line, to the Province line of Nova Scotia; also for Banking privileges on the Capital expended within the Province, for efficiently carrying out this national undertaking with the least delay, and for other required regulations.

CIRCUIT COURT.—Arthur Rowe, with his wife and a man named Moore, from Black River, were tried for an assault upon the Custom House Officers, (as stated in our last number.) Rowe was convicted, and his wife and Moore acquitted. He was this morning sentenced to two years imprisonment in the Provincial Penitentiary, but not appearing for judgment, his recognizances were ordered to be estreated.—St. John Courier.

CANADA.—The Montreal Board of Trade have memorialised the Governor General with reference to the new Navigation Act, in so far as its provisions relate to the trade in Canada; and praying that His Excellency will convene, at the earliest possible day, the Provincial Parliament, in order that the necessary action may be taken to establish the footing upon which our coasting and inter-colonial trades are to be permanently placed. His Excellency promises to give the matter his most attentive consideration.

COLONISTS.—Lord Charles Beauclerk, who was recently travelling in Canada, is about to make this country his permanent residence, and we understand that he is engaged in collecting a number of other gentlemen, and their families to accompany him.—Mrs Fraser, widow of the late Colonel Mackenzie Fraser, daughter of our late Governor, Sir Charles Bagot, is also about to return to this country for permanent residence.—Montreal Courier.

NOVA-SCOTIA.—The Legislature of this Province was opened for the despatch of business on Friday last. We shall publish the Governor's speech on the occasion, next week.

RESIGNATION OF THE GOVERNOR GENERAL.—The Toronto Patriot says, that Lord Elgin's conditional resignation has been accepted by the home government. He goes home in the spring. His successor will be General Lord Saltoun.

FOR SALE.

The STOCK, TOOLS, MOULDS, &c., at the MIRAMICHI FOUNDRY,

Will be sold on reasonable terms; and the PREMISES will be Sold or Leased with the Stock.

For particulars apply at the Office of the Assignees of Mr Cunard, Chatham, December 31, 1849.

FOR SAN FRANCISCO.

The Superior and Fast Sailing Packet brig "MINERVA," Delaney, Master, having ample Cabin and Steerage accommodation.

Should a sufficient number of Passengers offer before the 10th day of February next, this vessel will sail from here for San Francisco (calling at New York) on or about the 10th day of March next, but will in the meantime be continued on the line between this City and New York. The sailing qualities of this vessel are now so well known that they require no description here, and as she will be thoroughly coppered, and in every way well fitted for the voyage, it will afford a safe, comfortable, and expeditious mode of conveyance to persons desirous of visiting the Gold Regions.

FARE—Cabin, Provisions found, \$250; Steerage, without Provisions, \$125.

Persons desirous to sail by this vessel can obtain a credit of 3, 6, and 9 months on a small advance on the above prices, upon approved security.

N. B.—An experienced Surgeon will be on board.

For Freight or Passage apply to JAMES McDONNELL, New York; WM. HOWARD ST. JOHN, N. B.; MARTIN CRANNEY, Esq., Miramichi; EDWARD L. NEGAN, Yarmouth; MR CHARLES TAYLOR, Restigouche, N. B., or (post paid) to M. McDONNELL, Halifax, January 1, 1850.



CANDLE MANUFACTORY, Chatham.

The Subscriber begs leave to intimate to his friends and the public in general, that he has recently made arrangements for carrying on the CANDLE MAKING in the vicinity of Chatham, and is prepared to manufacture as good an article as is imported, put up in boxes of the neatest style, stamped, &c. &c.

Merchants and others importing from Great Britain and elsewhere, will please make trial of Letson's Candles before ordering for the ensuing season, as they can now be supplied with a good article, superior to any heretofore made in the place, and on more reasonable terms, with a liberal discount to large purchasers. Having used every care in selecting the best of Tallow and other materials for his present undertaking, he can with confidence recommend his Candles to all who may favor him with a call.

He is also making preparations for SOAP-MAKING, to commence early next spring, at which time, and when in operation, due notice will be given.

WM. ALBRO LETSON.

N. B. Orders from a distance will meet with every attention and despatch, at the shortest notice.

A liberal price given by the Subscriber for Tallow and all kinds of Grease at his shop in Chatham.

Commercial Building, Chatham.
Miramichi, December 8, 1849.

NOTICE.

The Partnership hitherto existing between M. SAMUEL & SONS,

is this day dissolved by mutual consent of the surviving Partners. All persons indebted to the said Firm, or to MICHAEL SAMUEL, separately, are requested to call without delay and settle their respective accounts with WM. E. SAMUEL, who is duly authorized to settle the same.

M. SAMUEL, Surviving Partner.

WM. E. SAMUEL, Partners.
Miramichi, 2d January, 1850.

The Business will in future be carried on by the Subscriber, who, with the usual Stock of DRY GOODS AND GROCERIES, has for sale some superior PORT WINE. Also—a lot of Prime Annapolis CHEESE. The highest prices given for FURS.

WM. E. SAMUEL.

NOTICE

Of Dissolution of Partnership.

The Co-partnership heretofore subsisting at Richibucto, by the undersigned JOHN W. HOLDERNESS and THOMAS CHILTON JUNIOR, under the Firm of Messrs. J. W. HOLDERNESS & CHILTON, as Merchants and Commission Agents, is this day dissolved by the retirement of Thomas Chilton, Junior, on account of ill health, and by mutual consent. In future the business will be conducted by JOHN W. HOLDERNESS in his own name, who is duly authorized to settle all transactions arising from the said Partnership.

JOHN W. HOLDERNESS,
THOMAS CHILTON, Jun.,
By his Attorney,

J. A. JAMES.
Richibucto, December 1, 1849.

NEW BRUNSWICK.

HOUSE OF ASSEMBLY.

Wednesday, 8th March, 1848.

RESOLVED, 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.

HOUSE OF ASSEMBLY.

Saturday, 7th April, 1849.

WHEREAS the number of applications to this House from School Teachers for Grants of Money have been from year to year increasing; and whereas it is desirable that such information should be furnished as would enable this House to arrive at just and equitable conclusions: therefore

RESOLVED, That this House will in future sustain no applications for allowances to Teachers of Common or Parish Schools, unless it shall be certified by at least two Trustees of Schools for the Parish where such School has been taught, showing the time actually taught—the Teacher to be licensed—the cause why such Teacher was not certified to the Sessions in the ordinary way—and that such Teacher was not compelled to discontinue his or her School on account of any improper conduct.

CHAS. P. WETMORE, Clerk.