

fine Sunday it is said that fifty thousand persons, from the close and crowded courts and alleys of the city, spend the greater part of the day among its pleasant haunts—keep up here their alliances with Nature—take moral lessons from the scent and hue of flowers and the song of birds, and treasures of health from the free breeze. Of this reservoir of many of the beneficent agencies that the people have needed so long, and now use so harmlessly, it would seem that they are about to be to a great extent deprived. We trust that the minister will not commit the queen and her people to a quarrel on such a point. The public cannot afford to lose a yard of this park. That is no wise government which takes on itself to sequester any part of it in the absence of Parliament. It is well to speak plainly—because authority is just now coquetting offensively with the park at Richmond. There is something especially ungracious in the circumstance, that these encroachments are made under the sanction of a statesman who is not only lodged in the town at public charge but occupies gratuitously a house and grounds belonging to the nation, situate in one of our beautiful parks.

Communications.

Will Mr Pierce be so kind as to insert the following extract from the New York Albion.

THE THEATRE IN 1850.

For the first time in some years, we looked into a theatre (the Broadway,) last evening. The play was one of the best of Shakspeare's comedies, (As You Like It) as full of lively incident, quaint philosophy, sparkling wit, genial humour, as a play can be. The heroine (Miss Kimberley, to see whom we had been drawn thither) was natural, spirited, and effective—not good in points but sustained her part creditably throughout. She is new to the stage, and (we heard) had never even seen this play acted, so that a critic would not be troubled to find fault with her but she evinced talent and energies, which, if rightly directed, might lead to signal usefulness and honor. But does the stage of 1850 give scope for a truly lofty career?

We could not repress the thought while witnessing the performance, that the theatre is essentially a thing of the past. We make no allusion here to its moral tendencies, and shall endeavor to keep them for this time entirely out of mind. Neither do we mean simply that the courtiers, clowns, wits, lovers, fools, &c., of the play were not such as we meet in our daily walks; for no one denies a certain striking fidelity to Shakspeare's characters—is not the play but the stage that seems unnatural and false—mere tinsel and wasted breath. If there are two or three characters so personated that the poet's very men and women seem to be passing before you, there dozen or twenty associates flit (or rather flounder) before your eyes, and break the spell every moment. We doubt whether there is the human material in New York for presenting one of Shakspeare's comedies, so truly that a dozen educated persons may appreciate and enjoy its beauties as thoroughly as they could were they to sit down together in a private parlor and read it aloud for themselves.

Yes the stage is a by-gone affair. At rare intervals (growing rarer) a great genius may appear upon it, and, by his transcendent conceptions and delicate shadings of character, create a temporary interest; but the Addisons and Dr. Johnsons of no future age will make it a habitual resort. They will find metal more attractive elsewhere. Even the better aspirations and nobler purposes of the present are not reflected by it, it is doing nothing to day for Human Progress; it is exerting no decided influence over the opinions and ideas of mankind. The Newspaper, the Lyceum, the Public Meeting have supplanted it; it may occasionally satirize a current of folly (though it far oftener joins the herd of fools to laugh down a generous and fruitful, but novel idea) but it is no longer a power, a former of opinions, a ruler of multitudes. It stands like a ghost at day-dawn, and like it must shortly banish, all efforts to shake off its satellite vices must fail, mainly because they are its chief remaining supports—its still subsisting fascinations. The single class who find the theatre of 1850 permanently attractive is that of the frequenters of the upper story. But we had proposed not to touch the moral question. "Good night to Marmion!"

Editor's Department.

MIRAMICHI:

CHATHAM, MONDAY, JANUARY 27, 1851.

EUROPEAN NEWS.

We have copied under the proper head, a few paragraphs of European news to the 4th, received by telegraph at the news room in St. John. This intelligence has been procured by the arrival at New York of the steamers Franklin, from Havre, and the Asia from Liverpool. No intelligence has yet been received of the United States Mail Steamer Atlantic, which left Liverpool on the 29th December. Fears are entertained for her safety.

STATE OF NEW YORK.—On the 7th Inst. both branches of the Legislature of the State

of New York assembled at Albany. The New York Herald of the 8th instant contains the message of the Governor, Washinton Hunt. Mr Hunt advocates the enlargement of Erie Canal and is in favor of its being effected even if it be necessary to amend the constitution, so to do. He says, he does not doubt that a large portion of the citizens would unite in conferring upon the legislature, the necessary authority to create a loan of seven or eight millions of dollars, on a pledge of the surplus revenue of the canal, for its early completion and enlargement. 'Our canals,' says Mr Hunt, 'continue to yield a rich return. The amount received for canal tolls including the interest, rents, &c., during the last fiscal year was \$3,496,172 30,' and after paying all expenses of superintendance, collection and repairs and \$1,850,000, to the sinking fund, and the general fund, a surplus remained from the revenues of the last fiscal year of \$800,200 49, applicable to the completion of the Black river and Genesee Valley Canals, and the enlargement of the Erie canal.

The Governor reports that their Common School Fund is in such a prosperous condition that the increase in the fund and its income will justify the Legislature in increasing the amount of the distribution among the Common Schools of the State to the sum of from two hundred and eighty five thousand to three hundred thousand dollars. He regrets that existing laws do not furnish sufficient protection to the numerous emigrants arriving at New York. The poor emigrant is as much pirated upon as ever he was—as a general thing the emigrant is no better off than he was five years ago, when he was swindled of everything he possessed.

HALIFAX AND QUEBEC RAILWAY.—We are indebted to the New Brunswicker for the following piece of important news:

"A book of five hundred and fifty pages has been published in London, with plates and a map of North America down to the 40th degree of north latitude, detailing the plan of a railroad across Nova Scotia and the Canadas from Halifax to the Pacific. The idea is magnificent. The route from Halifax to Quebec is already surveyed. The distance from England to China by this proposed road is shown to be fifteen hundred miles shorter than the nearest route across the United States. The cost of the road is estimated at fourteen millions of pounds, averaging five thousand pounds per mile. To build it twenty thousand convicts are to be set to work at once, paupers are to be sent over, and Canada is to be raised to great dignity in the United Kingdom. Five millions of people can be spared from England, Ireland and Scotland, to settle along the route, and populate it to the Pacific. The scheme is to relieve Great Britain of her pauper burdens, regenerate the old Monarchy, and to establish her more firmly on the American Continent."

PRESENTMENT OF THE GRAND JURY.

We have much satisfaction in being enabled to lay before our readers the spirited Presentment of the Grand Inquest of the County, to the Magistrates in Session. It is a very able document, and the thanks of the people are due to them for the stand they have made to procure our rights, and put a stop to those abuses which have so long existed.—Abuses which have been again and again complained of—but owing to their repetition have at length created such a feeling of dissatisfaction, that the voice of condemnation is heard throughout the length and breadth of the land.

We trust His Excellency, as well as his Council will give this document a careful perusal, and when they have done so, we feel satisfied they will not be surprised that the inhabitants of the county are about petitioning them to investigate the character of our Magistrates; but be astonished that such an enquiry had not been sought for at a much earlier period.

We do not mean to say, that all the members of the Bench are alike incompetent or guilty. On the contrary, we admit that there are many honorable exceptions—but unfortunately their voices are disregarded, or they absent themselves from the Sessions, finding they are constantly in the minority, and have to bear their portion of the odium cast upon the whole body for sins of omission and commission.

It is gratifying to see such a spirit of enquiry and resistance abroad, and we trust it will continue to grow until every freeholder and ratepayer will not only feel it is his interest, but consider it his duty to assist those per-

sons who are now laboring to correct our public abuses, and to establish a more wholesome state of things.

The following are the names of the Grand Jury. They deserve to be recorded, and to be held in grateful remembrance.

- |                     |                   |
|---------------------|-------------------|
| Charles Marshall,   | John Macdougall,  |
| Robert Faulkner,    | Wm. E. Samuels,   |
| Robert Blake,       | James Fish,       |
| Louis Robicheaux,   | Robinson Crocker, |
| Michael Searle,     | James Kerr,       |
| John Troy,          | Charles Stewart,  |
| John Carruthers,    | William Stothart, |
| John Kain,          | John Ritchie,     |
| John Esson,         | Donald McLeod,    |
| Patrick Fitzgerald, | Joseph Griffith,  |
| William McKnight,   | Samuel Betts.     |

JANUARY SESSIONS, 1851.

The Grand Jury of our Lady the Queen, for the County of Northumberland, upon their oath, present:—

We, the Grand Jury, feel ourselves called upon to perform a more important and serious duty than has heretofore devolved upon Grand Juries summoned to attend at the General Sessions of the Peace.

Because by statute 13 Vic. cap. 30, sec. 14, act 1, it is provided that "whenever it may become necessary to raise any sum of money by assessment, in any County, for the payment of the contingent expenses thereof, the General Sessions shall lay before the Grand Jury a detailed statement, showing how the sum so required is made up; and upon the approbation of the Grand Jury being first obtained, such Sessions may order and direct an assessment for that purpose, and not otherwise."

And by act 4 of same cap., it is further provided—"That at the time of appointing Town and Parish Officers, a full and detailed statement of the County and Parish accounts shall be laid before the Grand Jury for their consideration, immediately after the opening of the Court, and shall be returned into Court on or before the Friday following, with such Presentment as the Grand Jury may see fit to make thereon; and no unpaid claim or account shall be paid, or ordered to be paid, which has not been so first laid before the Grand Jury."

The power given to the Grand Jury by this Law, and the responsibility thus laid upon that body, is at once gratifying and unpleasant to them. Gratifying, because to the people of the County an opportunity should be thus afforded of knowing for what they are called upon to pay; whereas their knowledge upon this subject has been heretofore in a great measure confined to the how much only, or if informed at all, it has been after the accounts were passed, and ordered for payment, when it was too late to resist or avoid the evil, and they had but the Englishman's privilege, "to pay and grumble." And unpleasant, because this privilege has first been granted to the Grand Jury at a time when the County is so heavily involved in debt, and so ill able to bear it, and when they cannot conscientiously concur in the expenditure, for two very weighty reasons:

1st—Because they have not been afforded the information on the subject, which they humbly conceive the law intended, and their duty requires; and

2nd—Because, from what little information they can glean from the papers laid before them, and other information which as individuals they possess, they are not satisfied that such expenditure was warranted by law, or required for the interests of the County.

The Grand Jury find by the documents laid before them, that the debt now hanging over this County is about One Thousand Five Hundred Pounds; but they have not had a detailed statement of this expenditure laid before them by the Sessions.

They are aware that by a law long existing on the Statute Book, and not acted upon, when the County could bear it, the Sessions were authorized to erect public offices for the Registry and Clerk of the Peace, and to assess for the same to the extent of £300, and that to this extent the Justices were legally authorized to go; but they believe that the Sessions have far exceeded that sum, and expended in this way £600, leaving the sum over £300 as a part of the general debt upon the County, which the Jury cannot consider the Sessions justified in having incurred; at a time, too, when the trade of the County had become so depressed, the farming operations so unproductive, and the inhabitants in many parts so reduced in circumstances, that the Legislature deemed it necessary to grant the sum of £600 to this County, for the purchasing of seed.

The Grand Jury are aware that much expense has been incurred by the Justices in removing buildings to Sheldrake Island, and in disputes with the Board of Health of that Island, which the Jury much regret; but as the Justices have refused to give the Grand Jury any detailed account of all these expenditures, they are unable to point out the particular items composing the heavy County debt, which they disapprove of or concur in.

The Justices have referred the Grand Jury to an Act of Assembly authorising the assessment of £900, for paying off part of the debt due by the County. To this Act the Jury have referred, 13 Vic. cap. 13, and find that that Statute provides that the assessment shall "be assessed, levied, collected and paid agreeably to, and under and by virtue of any Act or Acts which are now, or hereafter may be in force in this Province, for assessing, levying, collecting and paying the Rates for public charges;" which latter clause most

apply to the Statute first referred to in this Presentment, and therefore that the recommendation of the Grand Jury must first be had.

The Sessions have also remarked that the Jury did not understand the meaning of the word "Contingencies," and the Grand Jury beg to admit that they do not put the same construction on that word which has been given to it by the Justices. The Sessions have stated that "Contingencies" mean the fixed salaries of the County officers, &c., and not the casual expenses of public buildings, or removing buildings from Middle Island to Sheldrake; while the Jury consider the latter much more in the nature of contingent expenses than public salaries.

The Sessions have remarked in the Charge to the Grand Jury, that "there was agitation respecting the refusal on their part to grant the use of the Court House for the Newcastle Parish Meeting, under the late law—and that motives of hostility to that law have been attributed to the Justices. The Grand Jury do not know what were the motives of the Justices in having refused the use of the Court House, but they do consider the inhabitants of Newcastle entitled to that building, for the purpose of electing their Parish Officers.

The Order of Sessions in 1829, referred to by the Session, does not, in the opinion of the Grand Jury, mean to deprive the inhabitants of the use of that building, for public meetings, when called under the authority of law and for the purpose of carrying out the provisions of legislative enactments; and the Justices cannot but know that the Court House has been used for meetings not connected with the County business or Judicial proceedings within the last twelve months.

The Grand Jury cannot approve of an assessment for an amount of expenditure, without knowing what the nature of that expenditure is; and as the Sessions will not furnish them with any information on this subject, they must decline the responsibility of acting in the dark.

They do, therefore, approve of and recommend an assessment on the County for the sum of £300, being the extent to which the Justices could legally go in the erection of the Clerk's and Register's Office; but at the same time beg to state explicitly, that such is the only sum which can be allowed by them as a burthen upon the County for that building.

In addition to the sum of £300 for the building, the Grand Jury would recommend an assessment on the County for the sum of £241 10, after deducting therefrom the amount received for Licences, and other sources of County revenue, which sum is made up of the charges and other items of expenditure contained in the annexed list, marked A, and that such should be the whole amount assessed upon the County for any purpose, or on any account; as the Jury only recommend such assessment on the ground that the Sessions have no power to assess for any sum without their approbation.

C. MARSHALL, Foreman.

Grand Jury Room, January 17, 1851.

In dismissing the Grand Jury, we understand Judge FRASER remarked—"That he hoped he would not see any of their faces in that box again for the next three year." This we consider a piece of ill-timed impertinence—insulting to the members of Jury and derogatory to the Bench. We wonder that the Foreman, or some other member of the Jury did not retort on him, by expressing a wish that when they did return, his situation would be filled by a more wise, discreet, and courteous individual.

THE WORLD'S EXHIBITION.

The St. John and Halifax papers for some time past, have contained lengthy Editorials and Communications, inciting the people to manifest a proper spirit, by forwarding to the great Exhibition which is to come off in London, some articles of Domestic Manufactures, Natural Productions, Curiosities, &c., so that the space devoted to New Brunswick and Nova Scotia, will not be left vacant. In the sister Province these appeals have not been made in vain, for we perceive that a number of rare and valuable articles have been collected.

We have not learnt what, or if anything has been done in this Province. The matter came under the consideration of the Board of Directors of the Agricultural Society of this County, on Thursday last, and their action thereon will be seen by the annexed Resolutions. We consider the move an excellent one, and hope that it will incite a proper spirit throughout the County, and that the Committee will be enabled to collect together such a variety of articles as will redound to the credit of the Province.

We sincerely trust there will be a large gathering at the meeting, and that parties will bring with them such articles as they may deem worthy of being forwarded. This can be effected, if our Farmers and other persons will manifest a little zeal in the praiseworthy enterprise. In the meantime, each member of the committee will be happy to take charge of any article that may be placed under his care.