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was abund-

ant evidence in Captain Stamp's statement
to show that Captain Mount had not been
guilty of negligence, and was proceeding to
read from the evidence, when

His Lordship said—Mr. Ring, I must ask
you to desist from this course and sit down.
I cannot have the mind of the jury distracted
by these observations, or the time frittered
away by any such remarks. I will lay the
evidence of Captain Stamp before the jury.
You will retire, gentlemen of the jury, and
consider upon your verdict.

Mr. Ring protested that he was endeavor-
ing to assist justice rather than distract it.
His Lordship—Mr. Ring, you are so seldom
guilty of irregularities that I hope you will
desist now. The jury will now retire and
find upon the main issue, leaving the techni-
cal points to be settled afterwards. All Mr.
Ring's points shall be put before the jury.
The delivery of the charge occupied 2 1/2
hours.

The jury were then conducted to their
room.
At 4 o'clock the jurors sent word into
Court that they stood 5 to 3, and requested
that a majority verdict be taken. Counsel
declined to accede to the request, and at the
expiration of three hours after their retire-
ment, when a 6-8th verdict can legally be
received, they returned into Court and an-
nounced that there was no possibility of a
change taking place in their sentiment.

The Chief Justice then forcibly charged
the jury that if they found the vessel was lost
by a want of any amount of human skill,
prudence and forethought, their verdict
must be returned for the plaintiff; if they
thought that all due precaution, skill and
forethought had been exercised, they must
find for the defendants.

The jury again retired, and the Court ad-
journing at 7 o'clock in the evening.
At 7 o'clock the Court again assembled,
and the jury having again been brought
into Court, announced that they still failed
to come to a verdict. The foreman said he
was sure that they would not be able to ar-
rive to a decision. The Chief Justice then
went categorically through the various issues
as follows:

1st. Were the defendants common car-
riers?

Answer—Yes.

2nd. Did the plaintiffs deliver the goods
to the defendants and contract for their safe
delivery at Victoria?

Answer—Some of the jury are of the
opinion that the goods were not delivered.

The Court—If the plaintiff went on board
with her luggage as a passenger, and was
received in an ordinary way, that was de-
livery.

Answer—Some of the jury are not sat-
isfied that the luggage went on board?

The Court—I shall read over the evidence.

This is the first time I ever heard there was
any doubt on the subject. [The evidence
was then read over to the jury.] If the lu-
gauge went on board the ship, it was a de-
livery.

Mr. Wood—Captain Mount said he sent
Mrs. Piddell's trunk ashore.

Mr. Ring—You have heard Mr. Wood in
aid of that point, will you have the goodness
to hear me?

Chief Justice—No.

Mr. Ring—No, my lord?

The Chief Justice—I say, No!

Mr. Ring—I hear that.

The Chief Justice—Then have the good-
ness to act upon it.

The jury, after a short consultation, ad-
mitted that the luggage was taken on board,
but was not received by the Company's
agent; it was under the care of the
plaintiff's wife.

3rd. Did the defendants promise to convey
the plaintiff to Victoria?

The Jury—Yes; but that she received the
passage money back again.

The Chief Justice again declined to hear
Mr. Ring, saying he did not require his as-
sistance.

4th. Did the defendants safely and securely
convey plaintiff's wife to Victoria?

Mr. Ring again demanded a hearing, but
the Chief Justice requested him to sit down.

Answer—No.

5. Did the defendants carry the luggage?

The Foreman—Some of the jury do not
believe the luggage was ever in the charge of
the Company, that they had nothing to de-
liver except Mrs. Piddell.

The question is—Was the luggage that
was taken on board delivered at Victoria?

The Foreman—Some of the jury are of
opinion that the Company did not receive it,
and consequently could not deliver it.

After some further remarks from the Chief
Justice, the jury found that with the excep-
tion of the one package mentioned in the
evidence, the luggage was not delivered at
Victoria.

The 5th issue, that the defendants never
were indicted, was ordered to be found for
defendants.

The 6th issue, that the defendants are not
guilty on the count for negligence:

The Foreman—That is the point on which
the jury cannot agree—it is impossible.

The Chief Justice proposed to read over
the evidence again to the jury, but after a
short deliberation the foreman announced
that no result could be arrived at, and the
reading was waived.

On the 6th issue, the jury therefore dis-
agreed.

7th—That the plaintiff's wife and goods
were received on the condition that no liabil-
ity should attach to the defendants in case of
loss.

The Chief Justice—There is no evidence
of any agreement of that kind. The only
thing before us is the ticket. The ticket
says nothing of the kind.

A Juror—A majority of the jury say the
Company were not liable.

The Chief Justice—That is not the issue.
There was no agreement of the kind.

After a consultation, the foreman an-
nounced that some of the jury were in favor
of giving that issue to the defendants.

The Chief Justice—You have only the face
of this ticket to guide you. The question is,
aye or no, is there any written evidence of
such a contract?

The jury found that there was no writ-
ten evidence of such a contract.

The Chief Justice—Is there any parol evi-
dence of such a contract?

The jury found that there was not.

The next issue, did they receive the plain-
tiff's wife upon the terms that they should
not be accountable for the baggage?

A Juror—I can't find in any other way
but the Company are not liable. I can't find
on that issue.

The Chief Justice—I am bound to get an
answer on the issues, and you are sworn to
find upon them.

The jury then found for the plaintiffs on
this issue.

The jury found that the plaintiff's wife re-
ceived the \$30 in full satisfaction for all
claims against the Company.

The Chief Justice said there was no evi-
dence of the plaintiff's wife having received
the \$30 in full satisfaction of all claims
against the Company.

The Foreman—Five to three of the jury
are agreed that the \$30 was received in sat-
isfaction of all claims against the ship.

The Chief Justice explained that the \$30
could not have been received in satisfaction
of all claims, but the jury failed to agree.

The last issue—Are you of opinion that
the Labouchere was lost by the perils of the
sea, against which no human caution or fore-
thought could guard?

The jury announced they could not agree
on this issue.

The Chief Justice—These results are
greatly to be deplored. They bring opprob-
rium on our institutions. The injury they
are calculated to do to innocent parties is
very great. The expense of coming into
Court with such a case is terrible, and they
surely should be a decision. It is a great
pity that the Colony should suffer in this
way. The Chief Justice continued to speak
for some minutes in the same strain and
again requested the jury to retire and delib-
erate.

Mr. Nathan, one of the jurors, said he came
into the box to find an honest verdict, and it
his judgment was in error, he could not
help it. He could only see the case in the
light in which it was set before them.

Mr. Stahl-schmidt, another juror, said he
was in doubt what the issue had to do with
the case.

The Chief Justice replied that the Court
would give the verdict the proper direction
The jury should trust to him to shape it
according to law.

The jury again retired, returning after a
short absence with the announcement that
they stood six to two "that no ordinary
skill or foresight would have prevented the
disaster," and five to three "that nothing
could have prevented the disaster."

The Chief Justice declined to receive the
verdict and sent the jury back to their room.
But no change having been arrived at they
were called in at 10 1/2 o'clock and dismissed,
after a brief address from His Lordship,
in which he said he regretted that the case
had not been disposed of, and that issues
which they should have found upon would
have to be decided by others.

LIKEKER VS. BERANCOUR.

The parties to this suit are settlers on Salt
Spring Island. The plaintiff claimed that
he pre-empted a tract of land on the island,
and that defendant "jumped" the same.

The present suit was to cause the defendant
to be ejected from the land which it was
alleged he unjustly held. For the plaintiff,
the Solicitor General instructed by Mr. Bishop;
for the defendant, Registrar-General Allen,
instructed by Messrs. Drake & Jackson.

After hearing evidence on both sides, a ver-
dict for plaintiff was returned subject to the
decision of the Chief Justice.

Cariboo.

[From the Cariboo Sentinel, June 3rd.]

WILLIAMS CREEK.

A deep gloom settled on the coun-
tenances of miners, traders, and the
inhabitants generally, in and around
Barkerville, on Friday afternoon, by
the report that the Bed Rock Drain
had caved in the rear of the town.

Many rushed to the scene, which cer-
tainly presented anything but a pleas-
ing aspect. The creek, which had
swollen to the dimensions of a small
river, in consequence of the heavy
rain that fell during the previous
night and that day, had burst through
the flume in which it was conducted,
over-very bad ground in the Welsh
claim, and the result was an extensive
cave along the line of the flume, into
which the water and tailings rushed
with great velocity, filling up shafts
and tunnels in a short time, and com-
pletely flooding out all the companies
on the creek that depended on the
drain. No one but felt that irrepar-
able damage had been done to the
drain, and that mining on the lower
portion of the creek had ceased for
the season, but thanks to good luck,
the dreadful calamity was averted.

The tailings and sediment having very
soon filled up the openings caused by
the cave, and the rain abating towards
night, the water was turned back to
its old channel, where it now runs.

The Baldhead and other companies
near town resumed work yesterday,
which clearly proves that the drain
still remains intact, and although a
few claims lower down the creek are
flooded, it is to be hoped that the
damage done to them is not so great
but that a few days' labor will put
them into working order again.

In consequence of the freshet, there
is little to record in the way of
mining news on the creek below this
town. About Richardson, the com-
panies who are ground sluicing have had
some detention also, by reason of
their flume breaking down; they
were all busy on Saturday repairing
it, and would be ready to start again
to-day.

The Bradley-Nicholson and Taylor
co's still continue ground sluicing, and
will not wash up for some time.

De wood co., are running an incline
Jenny Lind and Henrietta co's, are
both sinking new shafts. Forward co.
have commenced washing out of their

new tunnel. McLaren co. have been
hydraulicizing for the past few days,
and are making good progress.

The Bed Rock Flume co. are taking
advantage of the high stage of the
water to run off large quantities of
tailings. They expect to get up to
their lower line in the course of a
fortnight or three weeks. Tontine co
have commenced ground sluicing.

San Francisco co. have been taking
out good pay last week, and are now
putting up an hydraulic. Hilton and
party are sinking a shaft on the side
of the hill below the Black Jack tun-
nel, in the hope of striking the old
Diller lead.

Burns co. are hydraulic-
izing and ground sluicing. Chipps co.
have started to drift.

WALKERS GULCH.

There are two companies busy
ground sluicing in the rear of the
Court House. One of them has been
making an ounce a day to the hand,
since they commenced to work. On
Saturday last, as soon as this got
rumored around, the ground was
staked off both above and below them.

Three other companies are at work
some distance up the gulch, none of
whom have yet washed up.

CONKLINS GULCH.

Ancient Briton co. are still engaged
running their tunnel, the bed rock
being deeper than they at first sup-
posed. Small Hope co., who are just
starting to run a tunnel below the last
named company, found a piece of gold
last week which weighed \$25.

GROUSE CREEK.

Although much has been done of
late in the way of prospecting on this
creek, at various points, still nothing
new has yet turned up to reward the
efforts of the energetic companies who
have been hunting for the lost lead;
but instead of repeated disappoint-
ment lessening their exertions, it
seems only to afford fresh incentives
for further endeavors. It is very evi-
dent that when the creek widens to
such an extent as it does immediately
below the Heron co. lines, a great
deal of time and labor must undoubt-
edly be lost in discovering the exact
position of the channel, but we are
certain that if there is any continua-
tion to the Heron lead, it will soon be
discovered by one or other of the dif-
ferent companies who are now sinking
shafts and running tunnels, on both
sides the creek. Towards the head of
the creek, a good deal of work is go-
ing on in the shape of tunnelling and
sinking of shafts. Water is very plen-
tiful on the creek just now.

Fountain Head co., who got encour-
aging prospects out of their shaft last
fall, are busy running a bed rock tun-
nel, to drain their ground. Rankin co.,
are now in 160 feet, and have lost the
bed rock. They occasionally get
some heavy gold in the gravel, but the
large boulders that are constantly
met with impede work so much that
the diggings do not yield more than
small wages. Cascade co., it was re-
ported two weeks ago that this com-
pany had struck a channel 300 feet
into the hill, but it turns out after a
survey, that the crevice, not channel,
is only about 60 feet from the creek,
and as it appears to be angling into
the hill, the company have decided on
running a drift from the creek, to
work it. They cleared up a lot of
set of timbers, 1 oz. and \$9 of very
pretty gold. Sovereign co. are making
over wages. Morrill co. are taking out
about expenses. Black Hawk co.,
washed up on Friday, 115 oz. and 100
oz. yesterday, making 215 oz. for the
week. Blind Channel co., have bot-
tomed their shaft on one side. It is
believed this company is on the "lost
lead."

KEITHLEYS CREEK.

Mr. Wright, who has been prospect-
ing on this creek lately, informed us
that he has discovered excellent pros-
pects on a bench situated about a mile
below the mouth of Snowshoe Creek.
Several miners left for the same local-
ity during the past week.

LIGHTNING CREEK.

The miners on this creek have not
yet begun to take out much money,
but all are sanguine of doing so soon.
The only claim we hear of taking out
pay is the Blyth company, which has
been yielding about two ozs. a day to
the hand.

Municipal Council.

The Council met yesterday afternoon.
The Mayor and Councillors Gowen, Lewis,
Gibbs and Hubbard present.

Mr. C. Clarke was appointed Returning
Officer for the Yates street ward at the forth-
coming election of a Councillor to fill the
room of Mr. Layzell, resigned, and provided
a poll be decanted that candidates pay ex-
penses connected with the return.

THE CITY MARKET.

The Council then resolved itself into Com-
mittees of the whole. Mr. Gowen in the chair.
On the question of a City Market. Mr. J. P.
Davies, the owner of the proposed premises
on Fort street was in attendance.

Progress was reported and the Committee
asked leave to sit again; the Council then
adjourned until Tuesday evening.

By Electric Telegraph

SPECIAL TO THE DAILY BRITISH COLONIST

European.

Chicago, June 9.—The steamship Bremen
brings European news to May 30th.

Candia intelligence through G. rekes
state that two fresh engagements occurred
on May 15th and 16th, resulting in favor of
the Cretans. The Turks under Omar Pacha
had devastated the country, burning 55 vil-
lages, without obtaining decided advantages
over the insurgents.

A fresh insurrection had broken out in
Bosnia. Sixty thousand troops have been
sent to quell the revolt.

A report from Jaffa reports a new persecu-
tion of the Jews. Large numbers have been
sent away. Joseph Corvas had addressed a
representation to the Emperor of Russia
praying for the protection of his brethren
against the arbitrary measures inaugurated
in the Danubian principalities.

The Prussian Government has opened
confidential negotiations with Denmark rela-
tive to the Schleswig question. Neither
Schleswig nor Denmark will be required to
assume the debt. Prussia will also guaran-
tee the protection of Germany to the inhabi-
tants of the district which is about to be
returned to Denmark. It contains 30,000
inhabitants.

Eastern States.

New York, June 10.—The trotting match
between Commodore Vanderbilt and Gen.
McClellan for \$2000 a side, at Fashion
Course, was won by McClellan, who won the
first, second and fourth heats. Best time—
2:30 3/4.

Mexico.

New Orleans, June 10.—Mexican advices
dated May 22, says Miramon is dangerously
ill from a wound, and is expected to die.

When Maximilian gave up his sword he said:
"I surrender my sword, owing to infamous
treason, without which, to-morrow's sun
would have seen you in my hands."

Escabedo ordered a court-martial to con-
vene on May 29th, for the trial of the Em-
peror.

Maximilian sent, through Gen. Diaz, a
telegram pressing the Court to appeal to the
Council at Matamoros, to obtain permission
for marine rifle (!) and others to defend him.
Three hundred and forty-seven officers were
captured.

Maximilian issued a proclamation as fol-
lows: "I came to Mexico, called and pro-
tected by Napoleon, who, to the ridicule of
France, abandoned me, cowardly and in-
famously, upon the demand of the United
States. When the news of my death reaches
Europe, all monarchs, of every age and
country, will demand of the Napoleon
dynasty an account of my blood and the
German and French blood shed in Mexico;
then Napoleon will be covered with shame
from head to foot." He concluded with an
appeal to the Mexicans to act with prudence.
(Here the line broke a tub of Yreka).

Mexico.

By way of New York we have
Queretaro dates to May 26th. No
disposition had been made of Maxi-
milian. Mendez was shot on Sunday
because he did not surrender within
24 hours. He met his fate bravely.
Col. Campos, commander of Maximil-
ian's body guard was also shot for
having attempted to escape with 4000
men after the surrender.

Canada.

The billiard match between Dion
and McDevitt for the championship of
America took place at Montreal last
night and was won by Dion who
made 1500 points to McDevitt's 815.

Eastern States.

New York, June 11.—The cholera
is reported to have disappeared in
nearly all parts of the world.

New York, June 11.—The Herald's
St. Petersburg letter of May 23d says
the negotiations for the purchase of
the property of the Russian American
Fur Company stand still and they
are not likely to be concluded soon.
I learn that the territory is to be de-
livered to the United States on the
15th of September at Sitka. The
commissioners are yet to be appoint-
ed. Bodisco left this morning with
eight copies of the treaty of Luxem-
burg and also the American treaty.
He is expected to reach Washington on
the 22d of June.

Europe.

The marriage of the King of Greece
with the Grand Duchess Olga, daugh-
ter of Constantine, will take place on
the 28th of May.

The Emperor of China will leave
Pekin in the middle of July. He will
embark on a steamer at Suez and land
at Marseilles the second week in Au-
gust.

The King of Sweden will soon ar-
rive.

LONDON, June 10.—There is great
rejoicing in Russia over the escape of
the Czar from assassination. The
Poles everywhere disown connection
or sympathy with the crime.

DUBLIN, June 10.—Two prominent
Fenians have been arrested in Dun-
gannon and identified as Cols. Nagle
and Warren, formerly officers in the
Irish Brigade of the Army of the
Potomac.

FLORENCE, June 10.—The Italian
Parliament refused to ratify the con-
vention concluded by Ferrara, Finance
Minister, with French capitalists for

a loan on the church property of
Italy.

LONDON, June 10.—The expedition
to search for Dr. Livingstone has sailed.

WASHINGTON, June 11.—Minister
Adams informs the State Department
that he had interposed in behalf of
the Fenian prisoners in Ireland in the
case of McCafferty. A writ of error
was issued at the instance and at the
expense of the United States.

LONDON, June 11.—All the Fenian
prisoners convicted of treason have
been transferred to England in chan-
cery [chains?] The case of the U.
S. vs. McRea was decided in favor of
the latter.

Despatches from Constantinople
say the Porte issued a decree making
Egypt a separate sovereignty.

PARIS, June 11.—The Czar has left
for Germany. The Emperor gained
popularity by distributing vast sums
of money among the poor, and richly
endowed various benevolent institu-
tions.

California.

SACRAMENTO, June 14.—The Union
State Convention nominated Geo. C.
Gorham for Governor. Wm. Higby
was nominated for reelection to
Congress in the second district.

San Francisco Shipping.

SAN FRANCISCO, June 14.—Arrived,
11th—U. S. revenue cutter Lincoln,
5 1/2 days from Port Townsend via Vic-
toria, 3 1/2 days; bark Architect, 9 days
from Port Discovery. June 12th—
Bark W.H. Gawley, 7 days from Port
Madison.

Sailed 12—Bark Gen Cobb.

Arrived 12—Stmr Active, 3 days 22
hours from Victoria; brig Admiral,
7 days from Utsalady.

Sailed June 13—Bark H.L. Rutgers,
Port Ludlow; bark Chris Mitchell,
Port Madison; bark Lizzie Boggs,
Port Discovery.

Municipal Council.

The Council met last evening, at 8 o'clock.
The Mayor and Councillors Gowen, Lewis,
Gibbs and Hubbard were present.

A communication from Councillor Lay-
zell, dated at San Francisco, was read,
tendering his resignation, fearing a delayed
absence from duties, and thanking the voters
of Yates street ward for the confidence re-
posed in him.

From F. Weissenburger several documents
were received in regard to the overpayment
of taxes; the matter was referred to the
Committee on Returns.

A communication was read from J. P.
Davies, with reference to the proposed City
Market, assenting to some and dissenting to
other sections of a proposition made by the
Council. Received and filed, and Mr. Davies'
presence was requested in Committee.

Communication from Drake & Jackson, on
behalf of the Agent of Joseph Bros., relating
to the Johnson street water course, was read
and referred to the Sanitary Committee.

From the COLONIST AND CHRONICLE was
received an account against the Corporation
amounting to \$115, which was referred to the
Finance Committee to act upon.

An account of \$100 for a safe purchased
from J. Sehl was ordered paid.