

The Weekly British Colonist AND CHRONICLE.

Tuesday, November 12, 1867.

Court of Assize.

[Before Chief Justice Neidham.]

At the opening of the Court His Lordship called attention to the fact that Registrar General Alston, who had been deputed to act as Crown Prosecutor, could not legally act as such for reasons which will be found detailed elsewhere. Mr Alston having withdrawn, Mr Wood, at the earnest request of the Chief Justice, consented to act for the Crown.

MURDER.

Regina vs. Silhook—Mr Ring, instructed by Mr Courtney, appeared for the defence. In this case the prisoner (an Indian) was indicted for the murder of another Indian, at Esquimaux, on the 21st ult. Two witnesses were sworn for the prosecution, when it appeared that the medical men who had attended the deceased had not been subpoenaed to attend. The jury were ordered to be locked up and the Court was adjourned until 3 o'clock. Upon the re-opening of the Court, His Lordship said it was a matter of extreme regret that the jury had been subjected to so much annoyance and inconvenience in this case. The Court was not to blame for the delay—the blame must rest upon the proper shoulders. Two witnesses—Dr Bellamy and Dr Comrie, R. N.—who attended the deceased, sewed up his wound and attended the deceased with regard to his treatment. On the next day, at 3, they found the wounded man dead. There was no statement as to the manner in which the wounded man was treated between 12 o'clock on the 21st and 3 o'clock on the 22nd Oct. The medical testimony was necessary. In its absence it was left to conjecture whether the man died from the effects of the wound or the manner in which he was treated after the departure of the physicians. The Court had adjourned until 3 o'clock, process had been issued, and officers had been sent out to search for the witnesses, and the report had come back that one was at San Juan Island and that the other had gone to Leech River, consequently they could not be served with processes. They were not amenable to the law for not being present. Under such circumstances the position of the Judge was one of great difficulty. The Court was anxious that the accused person should not escape if guilty; and if innocent, that he should not go out of the dock without the evidence that established that innocence. At present there was no evidence to prove the one state of things or the other. There were so many unnecessary difficulties, so much injustice to the prisoner, and so great an injury to the jury—for if the case were adjourned until the return of the gentlemen, the jurors must be locked up and furnished with every convenience at the Colonial expense, and the Court did not know where the funds were to come from for the one or the convenience for the other. There was only one course to pursue. The Court, however, much it might regret the necessity, must instruct the jury that it was not justified in finding the prisoner guilty. There was not the slightest evidence to show how the man died. A man's throat might be cut and he might recover, or he might die from the effect of the treatment he received. After a short consultation, the foreman of the jury (Mr J. G. Norris) stated that the jury were unanimously of opinion that the prisoner was not guilty. Mr Norris, on behalf of the jury, added that he was requested to state that His Lordship had the fullest sympathy of the jury, who desired to express their condemnation of the manner in which the public business was conducted.

The Court here adjourned until 10 o'clock on Wednesday morning.

Wednesday, Nov. 6th, 1867.

The Chief Justice took his seat at 10 1/2 o'clock.

The Grand Jury were discharged with the thanks of the Court for the able and impartial manner in which they had discharged their duty.

ASSAULT WITH INTENT AND AFFRAY.

Charles C. Tomlinson and George T. Smith, were arraigned on indictments charging the first with assault with intent upon the person of Jacob Marks and affray, and the latter with conspiring thereto.

Mr Wood appeared to prosecute, and Mr Ring and Mr Robertson, instructed by Mr Courtney, appeared for the defence.

Twenty peremptory challenges were allowed the defence and six British jurors having been obtained, Mr Ring asked that the prisoners, being Americans, the six additional jurors required to complete the legal number be drawn from an American panel.

The Chief Justice—Upon what grounds, Mr Ring?

Upon the ground, My Lord, that the prisoners are foreigners. I want a jury de medietate linguarum; your Lordship issued an order in chambers for a mixed panel.

The Chief Justice—I want your application now in open court. The prisoners speak the language of the country, do they not, Mr Ring—They do, my Lord.

The Chief Justice—Then how can I grant you a jury de medietate linguarum; where is the statute—I want to see the law.

His Lordship having consulted the statute directed that the calling of the panel be continued.

Mr Ring rose to say that he hoped his application would be entertained. He did not think a strict construction should be placed on the law. The evident intent of the law was to allow a foreigner to be tried by a mixed jury of his own countrymen, without reference to the language, besides, although the English language was the language of both countries, yet the English language might not fully express the American mind.

Mr Wood, on the part of the Crown, objected to a mixed jury on the ground of illegality.

The Chief Justice said that the statute that applied to this case did not mean jurors who spoke the same language as the prisoner. It was only necessary that they should be aliens. The proper time to apply for a jury

de medietate linguarum was when the prisoners were called on to plead. But the court, even at this stage would, notwithstanding the informality, allow six aliens—not chosen from any particular country—to enter the box as jurors.

It appearing, however, that a British juror had entered the box without having been challenged, he was sworn, and the number of the jurors reduced to five.

The following jurors were then sworn to try the case.

- BRITISH. Eli Harrison, J. Force, J. Huxtable, W. Giffin, D. Spencer, P. McFerran. FOREIGN. A. H. Guild, Gustav Suto, W. G. Bowman, W. Zelner, J. H. Gaston.

Mr A. H. Guild was chosen foreman. Mr Wood then proceeded to open the case for the Crown in a brief but eloquent address, in which he rapidly sketched the evidence that the prosecution would bring forward in support of the indictments, and called the following evidence:

Jacob Marks, sworn—Am of no occupation at present; returned from Cariboo about the 1st of October last; on the 5th of October, about 3 1/2 o'clock p. m., I saw Tomlinson standing at Campbell's cigar stand, corner of Yates and Government streets; he said he wanted to speak with me; I said yes, I'll be along in a minute; I walked on down Government street, Tomlinson joined me about the Colovier office; I told him there was no use of us going to Marshall's place as I had only a few words to say; I suppose you have come over from the Sound for the purpose of making me deny the assertion you made to me; he said he certainly would; I then told him if he denied what I had said he lied; I then heard the report of a pistol, I next saw the pistol in his hand after the report; this pistol was a Sharp's 4-shooter; I saw this pistol (produced in the Police Court; Tomlinson struck me on the head with the pistol; I then clenched with him and the fight continued till Sergt. Bowden came up and arrested us; I was trying to get the mastery all the time supposing Tomlinson had the pistol; Tomlinson dropped the case (produced) after the pistol was fired; he afterwards picked it up and tried to use it on me; I wrenched it from him and then I used it against him; I struck him with it; I know the prisoner Smith; I had a conversation with Smith about Tomlinson after I came from Cariboo; it was in the streets of Victoria I had a conversation with Smith about a week after I came from Cariboo; no one was present but Smith and myself; Smith said he had been slandered by either Tomlinson or I and that there was a lie out somewhere between us and that he would send for Tomlinson, or had sent for Tomlinson; I told him I was not the party who uttered the lie; this was all that passed at this interview; Smith saw me subsequently about the Post Office, I think the same day or the day after; he showed me a telegram from Tomlinson saying that he would be down on Monday's boat or words to that effect; nothing else passed at that time, this was 3 or 4 days before the shooting took place; the shooting happened on Tuesday and the meeting took place on the Friday or Saturday previously; Smith spoke to me on Tuesday the 8th, previous to the occurrence; he said Tomlinson was here now and he would like me to have a talk with him about this affair; I said, very well, Tomlinson is in the bar-room, I'll speak to him now; he said as there is a lady interested in this don't make a street scene or a bar-room scene of it; appoint a place and meet him; I told Smith I knew of no place to go to; Smith asked, do you know where Marshall's place is? I told him I did; what time will you go there and meet Tomlinson so as to talk the matter over; I said I should go up there about 4 o'clock, but I should be busy till then; during the conversation I said to Smith that Tomlinson had a couple and I did not know that he had not; he said yes, he had; I then asked him if he had a pistol or revolver; Smith replied, no, there should be nothing of that kind; I am a reasonable man and all I want is that you have a talk, as I feel bad about this matter; I saw Tomlinson and Smith drinking, walking and talking together previous to this; I also saw them at Bulor's and Reed's shops together.

Cross-examined by Mr Ring—I observe the word 'fixed' in one of the telegrams; that word has no definite meaning among gentlemen who play; I suppose it would mean to have plenty of money; when a mischief is premeditated the word 'beheld' is used—that is on the American side; it means 'armed'; Smith said that Tomlinson had denied to him the truth of the statement that I had made; Smith also said that Tomlinson stated to him that on seeing me the whole difficulty would be cleared up and there would be no misunderstanding; I was willing to give Tomlinson an explanation and said I would see him; Smith asked me there? and told him I had no particular place to go to; I said I would go up to Marshall's and have a talk with Tomlinson; Smith did not say that his object in wishing a private meeting was on account of a lady's name being in the matter; I don't know whether it is the practice on the other side for gamblers to go armed.

The Chief Justice remarked that in his view he travel to and from Cariboo he saw only one person armed and one pistol, and that was in the hands of the person in charge of the gold. Witness continued—I never had any necessity for pistols; I don't remember carrying a pistol; I should put a revolver in a belt I have; and a Derringer in my pocket; I have known Tomlinson for two or three years; have been on fair terms with him; I have lived with Tomlinson; he was a humane man, so far as I ever knew him; I never knew of his being involved in an affair of this kind before. Re-examined by Mr Wood—When Tomlinson and I went up Government street I was on the side nearest the road; Tomlinson was in front and faced me when he fired the shot at the corner; I have never known anything against Smith. Aaron Henry Aarons, sworn—Am a partner in the Arcade Saloon, Government street, recollect an occurrence on Tuesday, 8th October, on Government street; I was passing Campbell's cigar store, corner Government and Yates street; I saw Marks speak to Tomlinson and say, 'I want to speak to you,' or 'I want to see you,' I can't say which; I then saw them walk away together towards the corner of Fort and Government;

I made a call on business which detained me two or three minutes; when I got to corner of Government and Fort streets, I saw Marks and Tomlinson fighting; I did not notice them till then; what Marks has stated about the assault is substantially correct; I saw Tomlinson speaking with another party; can't recollect whether it was Smith.

To Mr Robertson—I did not see the fight commence; I saw them struggling. John O'Dwyer, sworn and examined by Mr Wood—Keep a commission store; saw the scuffle between Marks and Tomlinson; the scuffle happened as I have heard it described.

Wm. Bowden, sworn—Am Sargeant of Police at Victoria; I was in Government street when the shooting affair took place; when I arrested Tomlinson and Marks, the latter asked me to look after the pistol, meaning Tomlinson's pistol; I looked over the fence into a vacant lot and saw the pistol lying there; Mr Allison handed me the pistol; he got over the fence and picked it up; the pistol was then cocked; three barrels were loaded and one discharged; I could not say whether it had been recently discharged; the copper cap was on the pistol, but the powder and ball had gone; the cap was exploded; when the hammer of the pistol strikes the cap the ball and powder are discharged at once; I took Tomlinson and Marks into custody; it must have been half an hour after I got the pistol till I examined it; these are the charges (produced) I took out of the pistol; the pistol would kill a man at 25 yards; I took Marks and Tomlinson into custody; this is Tomlinson's coat, and was on him when I arrested him; at the time I arrested him the right hand pocket was on fire in the inside, where the hole is burnt out; I had seen him in company with a man named Waters before that time; I found a hole in the coat, the sort of hole a ball would make when passing through.

John Williams examined—Keep Mr Harris' butcher shop on Government street; saw part of the affair which happened on Govt. street; saw something fly out of one of their hands; it was about 4 inches square and fell in the vacant lot near where the occurrence happened, and about three yards distant. A Bulor, sworn and examined—Keep a general dealer's store on Government street. Know Smith, the prisoner, for five or six months off and on. Recollect seeing Smith in my store about the 4th or 5th of October. There was some one with him, but don't recollect who. I was asked if I had any Deringers for sale. They are small pocket pistols. He said he was going on the other side; he would like one of a pair. I had not any and did not serve him. Cross-examined—Said nothing about Indians on the other side—was going to travel through Washington Territory. F. H. Lamb, sworn—Am superintendent of the telegraph from Victoria to New Westminster and thence northwards. It is called the Western Union Telegraph Company. I was acting operator at the telegraph office in Victoria about the 3d October. I know these three documents; were produced from the files of the office; B and C are in the handwriting of Smith, and were written by him in my presence, and were given me as messages to be transmitted and were sent accordingly. I did not see the first of these, letter A, signed at all. D, E, and F are messages received at Seattle from Victoria. Saw them in the police court for the first time; they would naturally come from Seattle, and would be delivered to the person for whom they were intended. G and H are impressions of messages received from Seattle. I have seen Smith in the office. T. Allison, sworn—Saw the affair on Government street; saw nothing fall down; afterwards picked up a pistol and gave it to Sergt. Bowden; did not examine it; it is a pistol similar to the one produced in court; saw a scuffle. Jailer McBride, sworn—On Tuesday, 8th October, searched Tomlinson when brought in; found money on him and telegraph dispatches, which I recognise; they are marked D, E, and F. H. Carmichael, sworn and examined—Am messenger and assistant operator of the telegraph office in this city; the handwriting of A message is Smith's; know him by seeing him at the office before; it was written by him in my presence; I know messages G and H were received from Seattle and delivered to Smith; those produced are copies; A is in Smith's handwriting and was sent to C. C. Tomlinson, of Seattle; it reads, 'Bring Bates and Buck Jack by my request. Come to Don't fail.' It dated October 5th. B from Smith to Tomlinson, Seattle: 'Come down on Thursday's steamer. Marks is here. Answer.' It is dated October 3d. C is from Smith to Tomlinson: 'Bring Jack Quail with you; don't fail.' D is from Smith to Tomlinson and is a copy of C; E from Smith to Tomlinson, is a copy of C; G is from Tomlinson to Smith, 'One 5, and read.' All right; H from Tomlinson to Smith, Oct. 3d; it reads, 'We'll be down on Monday.'

A. Peete, sworn—Am an chemist and druggist; recollect being at the Colonist Office on the evening of the affair on Government street; there were present Mr Long, Mr Bishop came in and another man, and afterwards Smith; Smith volunteered a statement concerning the affair which happened; it arose about a quarrel, so intense that it could not be accounted for, and which could only be settled by blood being spilled, or words to that effect; he then went on to say he sent for Mr Tomlinson and had arranged a place of meeting between Tomlinson and Marks, but Marks seemed rather afraid of a private meeting, and that while Marks was standing in the street Tomlinson came up and asked him if he was ready to go to the place of meeting which he had arranged between them; Marks said he would, as soon as he finished talking to a person with whom he was engaged in conversation on the street; after the conversation Smith said Marks then walked on with Tomlinson, and then the row commenced.

Cross-examined—It was about 7 or half-past, in the evening, after dinner; was not tired; was sitting near the fire; Mr Long was present, and I was near to Smith when the statement was made; we were sitting in the form of a triangle, Smith and Long were together; I was not further from Long than from Smith; I was sitting near the fire; the diagram expresses the rooms, the fire I am not certain about; the position of Smith was

near to the door; the conversation lasted about 4 or 5 minutes; I made no remark; said nothing to Smith; heard Long make some observations; one was interesting and the other was not; Smith said words to the effect that the matter could only be settled with blood; it occurred to me that it was after the occurrence in the street; it alluded to the quarrel and after the arrest; he might have said this was an extraordinary quarrel which might be settled by blood, but he did not; I recollect he said only by blood; I don't recollect the exact words, I say that Smith said that it was an extraordinary quarrel which could only be wiped out by blood; heard all this and made no remark in the room; I was subpoenaed to give evidence in the Police-court, by Mr Peaberton; was served by little Robinson.

T. H. Long, sworn—Am one of the proprietors of the Colonist; recollect being in my office on the evening of the day the affray occurred between Marks and Tomlinson; Mr Peete was there when Smith came in; my attention was not directed particularly to anything that Smith said; he (Smith) made the statement, addressing me, and said he wished to explain concerning the affair that occurred in Government street, and requested me not to make any outside remarks or comments on the affair, as there was a lady in the case; I said that it was not customary and I did not think there would be any departure from the rule in this case; he spoke 3 or 4 minutes; a good deal of his statement was repeated; do not recollect more than the subject of conversation; don't recollect his giving an account of the affair.

Cross-examined—Heard all he said; would have heard the expression stated by Peete if made; do not recollect it; I think I would recollect it if I had heard it; Peete was near the fire, at the left hand as you enter (in the corner); Smith near the door and facing me; the room is about 15 or 16 feet square.

The case for the prosecution here closed, and the Court adjourned for 15 minutes.

AFTERNOON SESSION.

The Court reassembled at 3 o'clock. The defence called no witnesses.

Mr Ring commenced his address on behalf of the prisoners. He said he regretted that the two men had not been tried separately. He was afraid that there would be two speeches inflicted upon the jury. The learned counsel claimed that if during the interview at the Colonist office the prisoner Smith had said that he had blood on his coat, the affair; it must have been heard by the person to whom the remark was addressed as well as by a person sitting by. The expression never was used by his client. As regarded the word 'fixed,' in the telegram, it meant money—not powder and ball. Tomlinson was to bring money over for the purpose of 'play.' Was it a crime for a man to purchase a pistol? Did the evidence of Bulor prove anything against Smith? Why, said the learned counsel, 'I've got a revolver myself—at my chambers.' Marks sought the interview with Tomlinson first. Marks said Tomlinson 'a liar.' Tomlinson's hand is in his pocket, and the nervous twitch which he gave upon being testified 'a liar' may have exploded the pistol accidentally. There was no proof of a bullet—it was not found.

Mr Tomlinson wanted to say Marks, why did he not fire off the other three bullets. The pistol went off by accident. How could it be so to suppose that Tomlinson would be involved here, in an English colony, to shoot a man down in the back of his head. In conclusion, he would ask His Lordship to direct the jury to acquit Smith, for he felt certain that he would be acquitted, and then allow Smith to go into the box and make a statement in behalf of Tomlinson.

Mr Ring having sat down, The learned Judge proceeded to charge the jury, saying he had no doubt that whether the accused were brother Americans or brother Englishmen, an honest verdict would be returned by them. There would be no difficulty in separating the facts as against one prisoner or the other—a portion of the evidence bore against Tomlinson and another portion against Smith. Was the general outline of Marks' tale true (there had been no cross-examination attempt) and, if true, what was the motive? There had been a story told about Smith and a woman, and Smith wished to get it cleared up. There was abundant evidence of a motive. It had been suggested that 'come fixed' meant bringing money to gamble; but if people are busy on having quarrels adjusted, would it not mean come prepared for eventualities—come prepared for whatever may arise? Tomlinson came with a pistol, or got one here. Bulor's evidence showed that Smith and another man came there to buy a pistol. Did Tomlinson have the pistol about him at the time? and, if so, did he use it? Did it go off by an accident? There was the coat on fire, and there is the hole in the coat. The pistol in his hand, and when a man struggles there is it likely to be turned against him, it is thrown away. It had been suggested that he threw the pistol away to prevent doing Marks an injury. If that were so, why did he have it with him at all? then the jury had it in evidence that Smith 'let bad' at a 'lie that was out somewhere.' Peete testified to a communication in the Colonist office; Long does not remember the material part of that conversation; Peete does. He is a respectable man and he swears that he distinctly heard Smith say that 'nothing but blood would wipe this quarrel out.' The witness was not even cross-examined—his evidence 'come fixed' meant to come prepared for Marks, and if you believe that Smith used the words ascribed by Peete; and if there was an evident intent to do bodily harm or to kill Marks, the prisoner Tomlinson was guilty, and he was guilty of inducing the assault.

The jury were asked to turn the matter well over in their minds and consider upon their verdict. The jury retired at 4 1/2 o'clock, and at ten minutes past 5 o'clock announced that they had found a verdict of 'not guilty' in the case of Smith, but could not agree with regard to Tomlinson. They were directed to again retire, which they did, returning after an absence of ten minutes with a verdict of 'not guilty' on the first count; on the second count (abducting with intent to main) 'guilty,' with strong provocation, and recommending to mercy.

His Lordship said that he concurred fully in both verdicts, complimented the jury on their finding, and promised that the recom-

mendation should receive every attention. Smith was then called forward and told that he had had a very narrow escape. He had arranged a meeting between Tomlinson and Marks, which he must have been aware would end in a hostile manner. The Court, in discharging him trusted that during his lesson. Smith was then discharged, and Tomlinson committed to prison for sentence. The jurors were discharged for the term, and the Court adjourned until 11 o'clock on Thursday morning.

Thursday, Nov. 7.

Municipal Council.

TUESDAY, Nov. 5, 1867.

The Council met at 7:30 p.m. The Mayor and Councillors Gowen, Trahey, Gibbs and Hebbard were present.

A communication was read from Mr R. Bishop, relative to the claim of Titus vs. The Corporation, which was received and filed.

Councillor Gowen reported as to the payment of M. Walls, and on motion the vote of previous meeting was confirmed.

Mr Gowen called attention to a pool of stagnant water on Courtney street, and on motion, the Street Committee was empowered to effect the drainage of the same.

On motion of Councillor Trahey, T. J. Baker was appointed auditor of the Corporation accounts for the year about to close. Returning officers of the forthcoming Municipal election for Mayor and Councillors were appointed, to be paid by the respective candidates.

Councillor Hebbard moved that the communications of Mr Bishop and Mr Green, relative to the Titus claim, be considered; carried, and the clerk was instructed to refer Mr Bishop to the Corporation Council, in the case of Titus, for an answer. Councillor Gibbs moved that the clerk inform Mr Green that the consideration of Mr Titus' claim was in the hands of a Committee since last meeting, and the Committee was appointed to confer with Mr Titus in respect of the same. Council adjourned till today, Thursday.

FIRE LAST NIGHT—About 15 minutes past 11 last night, flames were discovered issuing from the frame building on Store street, near Cormorant, occupied by A. Solomon as an Indian trader's store. The building was wrapped in flames in an incredibly short space of time, and notwithstanding the exertions of the firemen, a number of sailors and marines and citizens generally, was entirely consumed with the stock, which consisted of clothing, blankets, furs, &c., upon which there was an insurance of \$1000. The Orleans hotel was in great danger for a time owing to a high wind which prevailed. The new Chief and Assistant Engineers were early on the spot and successfully directed the operations of the firemen. The Tiger engine threw the first water. The proprietor of the store is in San Francisco, and the establishment was in charge of his son.

A BOLD ATTEMPT AT BURGLARY.—About 10 o'clock, Monday morning, the family of Mr. Brown, who reside in the house of Mr. Brown, on Broad street, were aroused from sleep by the noise of breaking glass. Mr. Brown proceeded immediately in the direction of the noise and discovered that a pane of glass in one of the side lights of the front door had been shivered, and that the bolt of the door had been drawn back by some person standing outside, who had evidently thrust his arm through the aperture caused by the broken pane. The movement of the family apparently alarmed the burglars, and they fled before measures could be taken to effect their capture. The gates leading to the house were found standing open and fastened back, so as to render easy the exit of the burglar.

MECHANICS' INSTITUTES.—This evening will be an unusually attractive one, being the commencement of meeting for the season of the elocution and debating class, on which occasion the presence of the ladies is particularly requested. In addition to addresses, recitations and readings there will be a musical entertainment, consisting of glee, quartettes, trios, &c. The following is the programme:—Opening Address; Quartette, 'When evening's twilight'; Readings from Dickens' writings, by Mr. Clark; Trio, 'Life's a bumper'; London mother in search of lost child, by W. K. Bull; Song; Reading—The Boxes, Mr. Lumley Franklin; Quartette, 'Softly blows the wind'; Recitation—Queen Mab—Mr. Fox; National Anthem. Curtain rises at 8 o'clock; admission, 25 cents; subscribers and ladies free.

ANOTHER FAILURE OF JUSTICE.—Yesterday, Mr Wood, acting for the Crown in the Assize Court, stated to the Chief Justice that a prisoner from Nanaimo, committed for murder, was still in gaol, and that no depositions having been sent down, no indictment was laid before the Grand Jury. The Chief Justice inquired particularly as to the duty of the Attorney General, and complained that crime was suffered to pass through a Court of Justice in this Colony unpunished and unrebuked. His Lordship added, that he feared the only course left for him to pursue was to turn the criminal loose upon the country.

ESTREATED.—The bonds of Frank Manciot, a witness in the case of Regina vs. Tomlinson and Smith, have been estreated, he having failed to appear at the Court of Assize yesterday to give evidence.

POLICE COURT.—James McIntosh, for supplying intoxicating liquor to a Siwash, was yesterday fined \$50; and several 'drunks' paid the usual fine.

The Weekly British Colonist AND CHRONICLE.

Tuesday, Novemb

A Sailors' H

Some time ago we d the absence of a sal and the advantage s would afford to a frie man who, from their e tion, appeal especial patbies, cut off as the pleasures of domestic enjoyment. We all fe interest in the "toile and both at home and abroad the philanthr those who are in the happy homes themself luted to the comfort of the erection of some the mariners of both the Royal marine can we have access to newspa icals, enjoy a game of or skittles, and other ments, thus combin of a public house w taminating influences. tute would be to the what the club is to the of resort where he m self rationally, and at improve himself intell that this place is the the Pacific fleet with 700 men stationary at think it is incumbent ants of Victoria, wh benefit by their presen thing to promote the sailor by erecting a in which, we have no authorities would cord It is no uncommon war to come here ha been on the coast of able for months to leave owing to the di the country and the pe of the climate, and arrival in this place can be given. If after suc existence there were cessible for man to shore, where facilities joyment were given, advantage not only to selves but to the servi protect them from ma influences. But no Royal service be gain mercantile marine, as quently left behind sig or paid off, and waiti whom the erection of tion would be a great y we could specially in its establishment marine insurance ag chants. The expense Sailors' Home would afterwards might, u management, be made We hope these sugg acted on and some stop supplying the want commencement, our Victoria Dramatic Clu tours of the Zealous come forward, as they other occasions when a was to be furthered, and performances form a nt to start it.

Catching "F

The Cariboo Sentinel re malitish Columbian in the tering terms. The Colum remembered, impudently champion for the Sentinel, rebuking which the admiral named journal with referent the Grouse Creek difficulty, the Sentinel lead us to efforts of its New Westm unappreciated, and that editor has at last "caught Sentinel thus applies the editor of the Columbian taxing us with reticence, e says, after treating the Cou dose of his favorite bill editor of the Sentinel havin terest in the issue main silence throughout." We sh what our friend the Columbi having a personal interest he means that we had a pe seeing a speedy terminati satisfactory state of affairs cheaply depleted by our v throughout the season, the which he has endeavored t will admit that we had a issue; but if he means to i had any personal interest indirectly in the late disput phatically tell him that he slanderous falsehood, and t him personally responsible calumny."

Big Bend News—Judge 14th, many miners coming farewell; 100 men on the ment for all; Discovery Con \$130 to the hand, the last men going to winter; 4 feet Divide. When water in Hill Bench there will be camp. All the old bands next year. '49' expected her last trip.

Three thousand one hun six tons and 15 cwt. of co from Nanaimo during the