

buildings. This was done with considerable exertion. The house destroyed was a large two-story brick building and was understood to be insured. The insurance is said to have been the cause of the fire.—*Graphic.*

TORONTO WINTER ASSIZES
BEFORE JUDGE M'LEAN.

NELSON vs. SUTHERLAND.

An action against defendant as a common carrier by water, to recover damages for the loss of a chest shipped in May 1847 at Hamilton, on board the steamer "Magnet," of which defendant was captain. The box was consigned to plaintiff at Toronto but did not come to hand. The contents were engineers' tools &c., alleged to be worth £32.10s.; the value, however, could not be proved as the plaintiff himself had packed the chest. There was some conflicting testimony in reference to the receipt of the chest on board of the steamer.

Plaintiff's counsel contended that his client was at all events entitled to damages which would carry costs, and so prevent further loss.

Verdict for plaintiff, £1s. damages.
Mr. R. Dempsey for Plaintiff; Mr. Duggan for Defendant.

VAN VLACK vs. MAJOR.

Plaintiff is built in the division court at Whitchurch, defendant is a farmer in good circumstances at Pickering. The action was to recover damages for the loss of services occasioned by the seduction of Plaintiff's daughter.

The plaintiff's daughter Mary Ann Van Vlack, was in the service of a person named Milligan, the defendant's stepfather at Markham. She was introduced to defendant during one of his visits at Markham, and on his second visit the criminal intercourse took place. This was in November, 1849. In the following January, she discovered that she was pregnant and at once left her situation. She applied to defendant for 20 dollars, to enable her to leave the country, but he refused. She then went to her father's where, in August, she gave birth to a child, which she swore was the result of her intercourse with defendant. Witness underwent a lengthened cross examination, with the view of showing her intimacy with others. She swore that she had been intimate with no one but defendant, and that her conduct while in Milligan's service was proper.

The counsel for defendant, characterized the case as a foul conspiracy got up to ruin the character of a young man of position and respectability. Several witnesses were called to sustain the assertion.
Mrs. Hannah Vardon, a resident at Pickering, was at Milligan's house during the last week in November, 1849, and heard frequent complaints with regard to the girl Van Vlack having many visitors.
While witness was there, defendant did not visit the house. But Van Vlack rose at about 2 o'clock one morning and went up stairs, where the servant man slept.
She remained there until the time of rising. There were two rooms up stairs in one of which she slept during part of the summer. Milligan's name was then absent.
Early in January Van Vlack complained of illness to witness, leaving an impression that she was pregnant.
In her cross examination witness said she had a daughter, about 19 years of age, defendant frequently called at her house; but she declined to say whether he visited her daughter.

Joseph Milligan son of the Mr. Milligan named step-father of defendant, remained at home that going to bed, one night Van Vlack was up with a Mr. Haggerman, a person of respectability in the village and on another night was left with, a Mr. Kay, Milligan's servant. Defendant did not visit the house on, or about the 23rd of October, (about the time fixed by plaintiff, as the date on which the illicit intercourse occurred.) Witness believed he was not from home during the latter part of November.

Sarah Elord was nurse in Milligan's house from November 23rd till the end of December, and during that time slept with Van Vlack. Major was not at the house in the latter part of November. One night Van Vlack told witness that on the night of the 22nd of November, she had sat up till 2 o'clock in the morning with Haggerman. During another night, when the baby which witness had was troubled with Van Vlack rose from her bed and went up stairs, where the servant and Milligan's son slept. Witness noticed great freedom between Haggerman and Van Vlack and considered that her conduct was marked by improper levity.

Peter Stevens, who had been acquainted with Van Vlack for some years, visited her several times at Milligan's as her suitor.
He had on several occasions spoken of marriage. On Christmas day, 1849, she had told him of her pregnancy, and finding that she had other suitors, she withdrew his pretensions telling her that she would not suit him. Before this witness knew her to be a girl of loose virtue.—On cross examination, witness declined to say whether he was related to any one connected with the "Markham Gang."

Mr. Milligan, soon after trial to previous statements. When cross-examined, he said he did not consider that there was anything remarkable in Van Vlack going up stairs as stated by other witnesses, as the child was very cross on that very night.
She kept rather too much company, but witness did not consider her conduct improper, and would not have noticed her levity had she not been a professor of religion.

Two respectable witnesses, who have known the girl Van Vlack for many years were called by plaintiff's counsel to speak in her uniform good character. One

of the witnesses was the late town Reeve of Whitchurch.

On the testimony of these two witnesses defendant's counsel commented, maining that general statements could not invalidate the circumstantial evidence that had been adduced to rebut the allegations.

Plaintiff's counsel replied on the whole case, remaining in detail on the evidence brought forward for the defence. The discrepancies between the statements of other witnesses were pointed out; and importance was attached to the absence of all attempts to show that the defendant did not commit the offence on the 18th, 19th, or 24th of November. In conclusion, the jury were called upon to give heavy damages to the plaintiff; if they were so heavy that they stippled the defendant of all he possessed, they would not be more than his bosom was merited. Had he lived in the adjoining town, he would have been prosecuted against as a criminal; instead of having his pocket only touched; he would have been consigned for seven years to the penitentiary.

At half past four, (the trial had occupied from 10 a.m. till that hour) the Judge summed up the evidence, noting its points, and dwelling upon contradictions—real or apparent—which existed between the testimony of Van Vlack and the defendant's witnesses. With regard to contradictions as to precise dates, his lordship remarked that Van Vlack could have no motive in stating that which was wholly or partially incorrect. It was as possible that she had been misled as that she had wilfully told a truth.

Verdict for plaintiff; £50 damages.
Messrs. Cayley and Cameron for plaintiff; Messrs. John Bell and James Boultain for Defendant.

The Court then proceeded with criminal cases. John Archibald, a boy, pleaded guilty to a charge of stealing a horse, the property of his uncle, John Archibald of King, in this County.

Schenk, Flout, and Stephen Germans, charged with the outrage upon Mr Ross, Keele, pleaded not guilty, the trial was fixed for Saturday. The bill against Schaefer was ignored by the Grand Jury.

James Mahon was charged with stealing a pair of boots, the property of Messrs. Brown and Childs. The robbery took place on the 15th inst.; prisoner was seen effecting it; and he was taken near to the shop with the boots in his possession.—Guilty.

After the trial of another case of larceny the Court adjourned.—*Patriot.*



THE WATCHMAN

ST. THOMAS:

SATURDAY, FEBRUARY 8th 1851.

THE WORKING OF THE RAILROAD TAX !!!

The principle of assessing under the new Act will be so different from the old one, that we were much surprised indeed, at the fifteen northern Councilors of the County of Middlesex determining again to take rank in the Great Western Railroad by imposing a tax of one farthing in the pound on the property in the County, including the town of London, before they themselves actually knew what they were about, and particularly before the working of the new assessment act was fully understood by them, or even had a trial.

The people in the town of London assuredly are to be censured very much for pushing and driving the fifteen northern Councilors of this County in, for the tax so unthinkingly, hastily and imprudently for pushed and driven they certainly were by the Londoners, and no mistake.—Every exertion has been made and is now making in the town of London to force this unjust tax on the farmers of the County before they become acquainted with the features of the new assessment Law.

Before closing this article we shall endeavor to open the eyes of the Farmers in Middlesex, and show them why so much anxiety and haste has been manifested in London for the tax and the immediate passing of the By-Law—a By-Law that must stand as law for 20 years; once the law, then no repeal. Before doing so we beg to inform our readers that the united Counties of Wentworth and Halton have not yet taken any step, although they are the united Counties where the great depot is located—the head quarters of the great speculation. The city of Hamilton is situated on the limit betwixt these Counties. The Council of these Counties is not opposed to the tax for the Railroad, (see extracts from the report of their Railway committee in another column) but that Council cautiously and wisely recommends that no action be taken to tax the Farmers

in the County until the nature and working of the new assessment law is more fully comprehended. What a rebuke that report and decision of the Council of Wentworth and Halton is to our fifteen impetuous northern Councilors in Middlesex. The course pursued by that Council in the city of Hamilton, is highly commendable, and speaks favorably not only for the Councilors of that Council, but also for the people of the City of Hamilton, who show not the least disposition to humbug or wheedle the Councilors, or to force them to vote for the tax, but allow the County Councilors to act cautiously and freely for themselves, although no place in Canada will derive more advantage from the Railroad than Hamilton. Who can say as much of our fifteen northern County Councilors, and the men of London, who forced these fifteen Councilors from the north to rule this County by the force of superior northern numbers alone, and compelled them by declaring [see Free Press] they—

"Have never seen a more intelligent and respectable body of men in any District or County Council than the members of the present Council, or men who seem sincerely and zealously to labor for the good of the County."

Why, these very Councilors appointed a committee, Messrs. Mee, Smith, Dixon and Moye, to examine the assessment law for the guidance of the Council. We should like to read their report, for we cannot understand how such Councilors as are described in the above quotation, could vote for such a By-Law as they did to take stock in the Great Western Railroad, by imposing one farthing in the pound on all assessed property in the County, including the town of London, if they read and comprehended the new assessment Law.—Reading a law or act of Parliament is one thing, and may be quite sufficient for the fifteen northern Councilors "who seem so sincerely and zealously to labor for the good of the County," shall we say the County, or London? But understanding the law is quite a different thing, and to be left to such dull heads as compose the Council of Wentworth and Halton.

We have peeped into the assessment act, and in the absence of the report of said committee of the Council of the County of Middlesex, venture to lay a few remarks before the rate-payers of the said County, on which they may peruse until Tuesday the 4th day of March ensuing.

The new Act provides that, in Townships all the property, real and personal, shall be estimated by the assessors, and entered in the Assesment Roll at its actual and full value, not its yearly, or six per cent value, and in incorporated Towns, all the taxable property, real and personal shall be assessed by entering in the Assesment Roll, not the actual, but only the yearly value of all taxable property, and the yearly value shall be the amount of the interest only on the actual value at 6 per cent in other words, the difference in assessment and tax under the By-Law for the Railroad will appear thus on the roll for Westminster Township, or any other, six houses and lands full value, £2,000, horses, cattle and carriage, full value, £500 full value, total £2,500; and the tax under the By-Law for the Railroad would be on the above property, at one farthing in the pound, exactly two pounds twelve shillings and one penny, and the same property if located within the Town of London would appear thus on the roll for London Town, six houses and lands yearly value, £120—Horses, cattle and carriage, yearly value, £30, yearly value, total, £150—And the tax on the above property in the incorporated town of London, under the same By-Law for the Railroad imposing one farthing in the pound would be exactly 3s 1d. So that under the By-Law supposed to be framed, read, and deliberated on by the Council. A By-Law condemned by ten Councilors from the Talbot settlement, a By Law moved and seconded in the council by Messrs. Anderson and Barker, two of the intelligent men in the County Council, men who seem so sincerely and zealously to labor for the good of the County.

A By-Law carried by 15 northern Councilors, in the very face of justice actually declaring that a farmer in the township of Middlesex, whose property, at the full value shall be entered and assessed at £2,500 shall pay during the continuance of the iniquitous By-Law; the sum of 52s 1d, yearly, in addition to all other taxes for school purposes, roads, bridges, & other township purposes, also, the tax for the Lunatic Asylum, where a person might suppose the By-Law was framed. It declares that a gentleman in the town of London whose property is equally valuable, &

far more productive, but assessed only for the yearly value and entered at £150 shall pay only 3s 1d. Do you call that equal justice? We call it fleecing the farmers in the north as well as south to aggrandize our northern Councilors in Middlesex. No wonder the Londoners are zealous to hold a County meeting in their town. It is not strange that we are censured by the people in London for the opposition given to the Tax, and our unflinching advocacy for the interests of the Talbot settlement.

The new assessment act points out the equitable manner for the Council to raise money equally on the property in the County and town of London for county purposes.

DOGS KILLING SHEEP.

We have been informed that a number of sheep belonging to farmers in the neighborhood, have been torn to pieces by blood-thirsty dogs. And among the sufferers our fellow townsman Mr. Dibley, who has lost a large number. There certainly should be some means taken to put a stop to it. We would caution the farmers to keep a good look out after their sheep in future.

PUBLIC MEETING.

A public Meeting will be held at Mr. Montford's "The Holmes Hotel" on Monday Evening next, at 7 o'clock, to take into consideration the propriety of purchasing FINE ENGINE, &c. for the use of this Town.

FIRE.

We understand that several buildings were consumed by fire in London last Evening. The fire originated in Mr. Tilly's Cabin Ship. We have not as yet learnt the particulars.

ARRIVAL OF THE CANADA.

ONE WEEK LATER.

The Steamer Canada arrived at Halifax the day morning. She left Liverpool the 18th ult. she brings no intelligence of the missing steamship A launce.

None of the Canada's news has as yet been published, in consequence of its having been kept back by the associated Press New York.

THE ATLANTIC.

We learn that premiums as high as 50 cent have been given in New York for insurance on the Atlantic or portions of cargo. Old sailors seem to hold to the belief that she is safe. Washington Union.

COUNTY COUNCIL OF WENTWORTH AND HALTON.

The Railroad Committee made the following report on Thursday afternoon: A standing Committee on Railroads have to make their first report.

Our Committee are fully aware of the advantage that would result to the Province, from the completion of such an important line of Railroad, and that it would, the several lines of already completed and the act of Legislature in the Western, with those of the Eastern States of America, as well line of road, content; but would recommend a postponement of any further action by this Council, until the working of the new Assessment law is more fully understood.

MECHANICS INSTITUTE CONCERT.

At the close of the last Lecture to the Institute, it was announced that a concert of sacred music would be given in the same place. The Baptist Meeting House, on next Tuesday evening. The handbills will partly show our readers the treat in store for them. And we hope that the kindness of our spiritual and ambitious Amateurs, whose performances are gratuitous, and solely for the benefit of the Institute, will be met by a hearty response on the part of the public in general, and the members of the Institute in particular.

DREADFUL DEATH.

Miss Lehnan was closed Tuesday night in consequence of the death of Adele Lehnan, died Tuesday morning the injuries sustained by the sad catastrophe which happened the other evening.

We have heard the most interesting and affecting account of the heroism of this young girl, both at the moment of the accident and during the long subsequent suffering she was mounting a ladder at the side scenes when her dress took fire from the impulsive and immediately leaped down without uttering a cry—a high she knew would alarm the mad ones and probably occasion some fatal confusion. The curtain was dropped at once; but there was nothing at hand to extinguish the flames but a center-table jacket, which she threw off and wrapped around her. Her sufferings were indescribable, and she was removed the morning after the accident to her lodgings, where she received the most able surgical attention. But it was all unavailing. The flame too enrobed of the grace that rivaled its own littleness, had folded her in a fatal embrace. Adele Lehnan was, we believe, about 23 years of age, and much beloved for the genial graces of her character by the large circle that explores her sadly and sad death.—*N. Y. Tribune.*

NEW ORLEANS, Jan. 27th.

Our city last evening was the scene of two of the most terrible tragedies that have occurred here for many years.—One of which was enacted at the Verandah, between two men named Errington and Byrd, in which the latter received two fatal stabs and almost instantly expired. Byrd's brother died in the same way a few days since, at Lexington, Mississippi.

The other occurred at a ball, the parties being Mr. Tate and Miss Sheppard. The former asked the lady to clove with him, to which she answered "No," whereupon he drew a pistol and shot her dead. It appears that the parties had been previously engaged to be married, but the parents of the lady were opposed to the match.

THE CITY OF HAMILTON IS NOW LIGHTED WITH GAS.

Our neighbours deserve credit for their enterprise.

THERE HAS BEEN AN EPIDEMIC AFFLICTION OF THE EYES IN PARIS.

Lady Morgan has written a most pungent and satirical letter to Cardinal Wiseman.

Zealous efforts are being made in the south of Ireland to extend the culture of flax.

Perlet, the prince of Parsian actors died at Paris on the 20th ult., at the age of 66, after a long illness.

Female postichers are becoming numerous in Pershwa.

The Belgian Senate has passed, by twenty three votes to eight, the bill for putting gold money out of circulation.

Mrs. Mowatt has entirely recovered her health: she is engaged to play at the Dublin theatre during this month.

In Austria the government some time since gave, or rather renewed a former permission for the sale of horse flesh as an article of food.

The annual expenditure of half one's income in New-year's gifts, has become one of the established institutions of France.

Majah Noah, in speaking of the women's Convention, says that if the ladies persist in wearing the breeches, he intends to turn tailor, so as to have the pleasure of measuring them.

EQUITABLE FIRE INSURANCE COMPANY.

OF LONDON.

CAPITAL,—£5,0000 STERLING.

HEAD OFFICE in Canada, 17 Great St. James street, Montreal. Board of Local Directors for Canada—

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JOHN TORRANCE, Esq.

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JOHN FORTBRINGHAM, Esq.

ALFRED LAROCQUE, Esq.

Proposals will be accepted for Insurance against Loss or Damage by Fire in Buildings, Household Furniture, Goods, Stock in Trade, Farming and Agricultural Stock,

EDW. ERMATINGER, Agent.

The object of the Equitable Fire Insurance is an immediate reduction in the rate of premium through return to the Insured by way of Bonus resulting from Classification and average of risks, and by a careful analysis of its own experience will, from time to time a 'opt such rates of premium as the nature of the risk may justify.

9m3.

LOST.

On Friday afternoon between Mr. Hutchings Hotel and Alworth & Co's Store, a Steel hinged purse with clasps, containing three dollars. Any person finding the same and returning it to this office will be liberally rewarded.

S. Thomas, Feb. 9, 1851.

LIST OF LETTERS

REMAINING in the St. Thomas Post Office 1st Feb. 1851.

Brady Patrick	2	Loughlin miscel
Bridg Dugal		Grigor Lachlan
Brinscomb John		Kellar Neil
Baxter Thomas		Norris Mary
Berlin Samuel		Ugillie Beaford
Blackley Dennis		Perkins Horace
Brown B F		Ross Duncan
Clark Albert		Rose Peter
Coleman Mrs.		Roe Henry
Campbell Mary		Sinclair Donald
Deacon Daniel		Smithson Mrs
Dargott John		Sharon Sarah
Fowler John		Stepenson Joseph
Fraser Alex	9	Thomas Lucinda
Haltou Bartholomew		Teslen John
Hecley A.		Thomas Surrabus
Hannan Charles		Wilcox William
Howe Philip		Walker Aaron
Lewis Joel		Walker Wm
Lawrence Mrs Mary		Weldon Andrew
Munro John		Waite William
Maldivee Abraham		Ward Edw
Meredith Thomas		Wade Jacob
McKenzie David		Vail Nathaniel

EDW. ERMATINGER, P. M.
Per T. R.

BIRTH.

In this Town, on the 5th. inst. MRS. E. ERMATINGER of a Son.

DIED.—In this Town on Monday the 3rd. inst. ELIZABETH, Daughter of Mr. JAMES WHITE, Aged 3 Years.

JOHN M'KAY.

DEALER IN DRY GOODS, Groceries, Crockery, Hardware, &c. &c.

Brick Store, St. Thomas, Dec. 6, 1850.

O. B. JACOBS.

DEALER IN DRY GOODS, GROCERIES, Crockery, Hardware, &c., Talbot Street.

TO PRINTERS.

WANTED IMMEDIATELY, at the Office of this Paper, a Practical Printer. Steady employment will be given.

Printing Office, St. Thomas, Jan. 31, 1851.

EXCHANGE FOR CASH

All those Notes and Accounts past due, if not EXCHANGED FOR CASH before 1st March next, will be sent up for collection, unless an arrangement is made for an extension of the time on them.

E. PAUL, Agent.

St. Thomas January, 1851.