

Hamilton Police Court.

(From our own Reporter)

Branigan vs. Grey.—The complainant charged the defendant with an assault on the night of the fire at Banks' store on James street, to which the defendant pleaded not guilty.

Terence Branigan sworn, said,—That he was present with a number of citizens before Mr. Gray, the Chief Engineer of the Fire Brigade arrived. That he was rendering all the assistance in his power to get Banks' door opened to get at the fire. That the defendant came up to him and asked him what he was shouting about—when he replied that he came there to assist at the fire,—whereupon defendant, then, without any provocation, violently dashed both hands shut against complainant's breast, and knocked him off the side walk into the gutter. That others were shouting there as well as complainant; and that he and those around him were doing more good than the Fire Brigade who were late at the fire. That defendant singled him, complainant, out, to vent out his spleen or spite upon him, complainant. That the Chief had not the brass helmet on.]

John Sloman sworn,—Said that he saw the defendant put his hands to the complainant and push him off the sidewalk. [This witness gave his evidence with great reluctance, and being a fireman, was evidently afraid of his Chief, or some one else. He also swore that when the complainant was knocked down, Banks' door was not open.

Mr. Fury, constable, sworn,—He also saw the Chief push the complainant off the sidewalk; that there were a number of persons on both sides of complainant at the time. He heard some hard words between the parties before complainant was thrown down.

Mr. Irwin, bookkeeper, sworn, said,—That he was present at the time Mr. Branigan was assaulted. He did not hear Mr. Branigan shouting more than any one else. Saw the Defendant come out of Banks' shop to Mr. B., and ask him what he was shouting about, and in the same instant dashed complainant violently into the street. Saw complainant after the fall. He did not seem much hurt.

The Bench intimated that such a trifling assault was justifiable, taking into consideration the excitement and anxiety of the Chief in his endeavors to get his men to work at the fire. [Query—How did it come that his excitement did not extend to any of the others present.]

Complainant's Attorney said, that no assault was justifiable, especially when coming from a person protected by a By-law of the city, and by which, if any person

disobeyed the orders of the chief, he could be fined.

The magistrate decided that it was an assault, but of a trifling nature; and having a discretionary power in cases of trifling assault, they would dismiss the complainant.

[Editor's Note.—The public are perhaps not aware that this is the same case in which Mr. Branigan was fined a short time since, \$4, upon complaint of Mr. Gray, and which was appealed and decided in Mr. Branigan's favor at the last Recorder's Court, after he had been put to an enormous expense. It came out upon this trial, and was admitted both by the Chief and the Magistrate, that the first trial was a mere ruse, in order to smother over Mr. Branigan's real cause of complaint. Now matters are shewn in their true light; and the public are left to judge—while Mr. Branigan comes off the victor, and at the same time must remain the monument of injured innocence. "Murder will out," Tom.

To the Editor of the Chronicles.

Applaud you Brother! I will.

Do Tom! yes Charlie! depend upon it I surely will; and thank heaven thou puttest it my power within. My friend—my chum—my patron, and my brother. Doth one good turn not deserve another? What care I for jury verdicts, for opposition lawyers or all the world beside, my brother! truth is no stumbling-block to me, nor any other virtue, so long as thou, thy interest, thy name, thy fame, yea, thy little finger is at stake. Have I not disregarded truth, for thy sake, my brother? Have I not stifled facts and given coloring to thy words, to extend thy fame and and raise thy name, my brother! yea, remember the case thou did'st last week defend in Court in which the jury gave a verdict against thee. Did I not in our paper chronicle to the world that thou gained it? Dost thou not remember the false coloring I gave to the many cases in thy favor? Dost thou not behold my silence on cases in which thou'rt not engaged; and which are tried when thou art not in Court? But hush! keep matters such as these in the dark, for such the public are wont to call "dodging;" and matters such as these being kept in the dark between us, the public will never know but all I print is true as Gospel. None will take trouble to compare my rich Railway supported Times with both. But what is truth to me? A lie supported by thy smile smells much sweeter incense. The oath of twelve men may state a thing that's true; but what is that to thee or me, my brother! Our heads we must and will keep up.

So WILL I.

Hamilton, April 12, 1859.

An Avenue Tale.

To the Editor of the Chronicles & Curiosities:

DEAR SIR,—On Monday last, about noon, as I was quietly perambulating Rebecca street, between the theatre and Catharine street, I observed a man issue from the door of a house in that locality, and after gazing up and down the street very cautiously for a few minutes, he retired again. This proceeding somewhat excited my hump of inquisitiveness, so I took a stand near the corner for the purpose of observation. In a few minutes I was astonished by the appearance of a young grocery clerk (married man, by the way) who came sneaking out very demurely, followed by two brothers of Avenue notoriety (one of whom is likewise off the bachelor list.) These three worthies, after a careful survey of the street, shrugged their shoulders—meaning thereby, I suppose, that all was right—that they were, in fact, unseen. Now, Mr. Chronicles, I wish your aid to ascertain their motives in thus trying to escape recognition. It certainly looks very suspicious that young men (and especially a grocery clerk with such expensive habits), should be prowling about at noon-day in places where— from the above manoeuvres—I argue that they are ashamed to be seen. I have had my eye upon them for some time past, as well as upon others in this city; and if a new leaf is not turned over forthwith, both their employers and the public will have the benefit of my memorandum book.

Vidocq.

Hope is a brittle thread suspended from the summit of success, on which many who have essayed to climb have been plunged into ruin.

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