

General Intelligence.

The Assizes.

On Wednesday the 7th inst., a case of assessment (Ned vs. Silverlock) was tried, which, though unimportant in itself, is rather a novel one in this country. The defendant purchased goods of the plaintiff, an auctioneer, but did not remove them, although requested to do so. The goods were resold, and loss accrued thereupon. The plaintiff's action was to recover the amount of loss for the resale of the goods. Verdict for the plaintiff.

Yesterday, the Grand Jury found "True Bills" against the following parties, viz:—Jane Grantfield, larceny; James Doyle and others, felony; Samuel Hastings, Joseph Gowan and George Morrison, riot and assault.

John Teals was placed at the bar on a charge of burglary, and pleaded guilty. Sentence deferred.

LYMAN ET AL vs. BANK OF UPPER CANADA.—Assumpsit for goods furnished by plaintiff, for the steamers formerly owned by D. Bethune, and assigned to the Bank of Upper Canada. The goods were ordered by Mr. Holland, who represented himself as acting under the direction of the Bank. The defence was, that the Bank had chartered the boats to Mr. Bethune, who alone was liable for the supplies to the boats, and that Mr. Holland acted as his agent, and not for the Bank. J. H. Cameron and J. Bell for Plaintiffs. Fankoughnet and Gamble for defendants. Verdict for plaintiffs £108 16s. 4d.

This trial occupied the Court during the greater part of the day, and excited a good deal of interest, among the mercantile men especially, inasmuch as several other claims would be brought of a similar nature to this, as soon as the liable party could be established.

SMITH vs. BOUTON.—This was an action brought by a Shipping Merchant, against the Lake Huron Fishing Company. Plaintiff endeavored to prove that the Hon. J. Cayley was a party to the debt, and liable for an amount for which W. H. Bouton gave his individual note. Verdict for Plaintiff, £472 17s. 6d. Bell for Plaintiff—J. H. Cameron for Defendant.

Bridget Shea was placed at the bar, on charge of stealing a watch, and pleaded not guilty. It was proved that the prisoner pawned the watch with a tavern-keeper, on March Street, who, suspecting all was not right, took it to some of the watchmakers in the city, and discovered it had been stolen. Verdict Guilty, with a recommendation to mercy—sentence deferred.

Mary Ann Hinds was convicted of stealing a piece of flannel, from James Lensk—not sentenced.

Lyman Gamson was arraigned on a charge of forgery—pleaded not guilty. Prisoner stated he was not ready for trial, and was remanded until Monday.

Curry vs. Penrose.—This was an undefended action for seduction. The Plaintiff is a Farmer living in Whitchurch, and the Defendant the only son of a Farmer residing in the same neighborhood. From the evidence it appears that defendant had paid his addresses to Plaintiff's daughter, evidently with the intention of marrying her; so fully were his attentions considered in that light, that the girl had purchased and made up her wedding garments. Defendant said he intended to marry her as soon as a house he was then building was finished. He afterwards seduced and deserted her; and has since married another girl with whom he is now living.

The girl had along with her in Court ample proof of her frailty in the shape of a beautiful little girl about three years of age.

Verdict for plaintiff, £200 damages.

John Catreal was placed at the bar, and pleaded not guilty to a charge of stealing a coat.

It was proved that on the 6th Oct. last, prisoner went into T. Lawson's tailoring establishment. He was observed by a shopman, engaged in the rear of the shop, to advance towards the counter and then leave the store rather hurriedly. The shopman followed him and found in his possession a coat, which he instantly recognized as belonging to the store. He charged prisoner with taking it, without paying for it. Prisoner replied that he bought it from a man sweeping at the door, and paid four dollars for it. On ascertaining that his statement was incorrect, he was arrested to answer for the theft—Verdict Guilty.

This is Catreal's second conviction for felony, having been found guilty in 1848 of stealing a watch, and sentenced to six months in common jail thereupon.

James Doyle, John Murphy, and Thomas Annis, were indicated on a charge of shooting at one James Caesar with intent to kill. The parties concerned were all boys between the ages of 14 and 9 years.

The Jury on hearing the evidence and the Judge's charge, returned a verdict acquitting Annis, and convicting Doyle and Murphy of a common assault.

The Judge on sentencing the prisoners remarked that in consideration of their age, and having been in custody some time already, the Court would only inflict on them a fine of five shillings each, on payment of which they should be discharged.

Jane Grantfield was found guilty of stealing an iron pot and a washing board—two articles of no great value in themselves, but as this is the lady's second conviction, she will no doubt have the benefit of it on being sentenced.

The trial of John Malone for rape on Ellen Hanlon, occupied the Court the latter part of the day—the evidence is not such as would be fit to publish in a newspaper. After a patient investigation the Jury found a verdict of guilty, with a recommendation to mercy.

The Attorney General and Solicitor General conducted the case for the prosecution—Jas. Boulton for the prisoner.—Patriot.

Among the inventions of modern science, few confer a greater benefit on the community than that contribution of Chemistry to the healing art; known as *Ayer's Cherry Pectoral*. In our advertising columns may be found the evidence of distinguished gentlemen that shows their confidence in its peculiar efficacy to cure disorders of the Throat and Lungs.

The Cornwall Canal Breach.

The following particulars respecting the breach in the Cornwall Canal, ascertained by a personal visit, may be interesting to many. The breach in the Canal took place immediately above the Moulinet Mills, at the place where a stream had formerly crossed the line of the Canal. The natural ground appears to have been washed away by degrees here, and consequently, the bank built upon it gave way. The rush of the water carried away probably about 100 yards of the bank, and, what is worse, made an excavation of the natural soil under it to the depth of perhaps fifteen feet. The water, all that was in the level, passing into a narrow channel of the St. Lawrence, has carried away the dams of the mills above mentioned, together with a bridge which connected, at that place, an island with the mainland. The steamer "England," which was in this level at the time the breach occurred, was borne by the rushing water toward it with great velocity until she grounded, when she was in danger of being round and being laid on her beam ends, but happily no damage except detention occurred. A considerable number of men and teams were excavating earth and stones from the bed of the canal and placing them in the breach, and though the work is great, it will doubtless soon be accomplished, if plenty of hands be procured; and this the assistant commissioner, Mr. Bouriet, who was on the spot, said the calculation was to have the canal in order again on the 14th instant, if the weather permitted.—Witness.

We understand that the damage is nearly repaired, and that the Canal will be re-opened on the 14th inst., if not sooner.

The following certificate has reference to the North Channel of the Long Sault, which has been recently, fully and carefully explored.—Patriot.

"This is to certify to whom it may concern, that we, the undersigned, passed through the North Channel of the Long Sault, with the steamer *Oldfield*, towing two large Tenders, lashed apart with timber, on which Poles were suspended drawing ten feet water—covering a width of nearly 300 feet. That there is every appearance of fifteen feet water throughout; and we believe this Channel to be as safe as any other Rapid in the St. Lawrence. Witness our hands at Cornwall, this 22nd day of October, 1850. Thos. Maxwell, Capt. steamer *New Era*, A. Wright, in charge of Government Dredge and Tender, and sixteen others."—Globe.

From the Kingston News.

Yesterday afternoon the business of our assizes was brought to a close. His lordship passed sentence on the following persons, viz:—James Webb for murder, to be hanged on the 10th December next; Joseph Matteau, for murder, to be hanged on 31st of December; James Young, horse stealing, 5 years in the Penitentiary. There were two criminal cases tried yesterday, namely, John Hogan for the murder of Patrick Nowlan, in Camden, and Nickerson for arson in setting fire to a part of the Penitentiary building in 1848. The Crown officer in the former case abandoned the prosecution after the examination of only two witnesses, the indictment being found altogether untenable. In the latter case, a verdict of acquittal was delivered. A report of these trials will appear in our next issue. The most remarkable case ever tried in Kingston, both as it relates to the time occupied in the investigation, as well as to the interest which so generally and painfully existed, occupied the attention of the Court on Tuesday, Wednesday, and Thursday of this week, and the Jury only came to a decision on the case yesterday at 1 o'clock, making it the fourth day they had been engaged in the consideration of it. We allude to the trial of James Webb, for murder. The case possesses strangely similar features to that of Professor Webster, at Boston. The same motive impelled the murderer to the deed, namely to get possession of a note which his victim held against him, and which he had been urgent in his demands to have paid. The time of the day in which the murderer was committed was nearly similar, both murders having been perpetrated at midday; the same difficulty existed in identifying the remains and one of the proofs which was brought forward in support of the identity, in both cases, was the formation of the skull. Even the names of the murderers were almost alike. The Prisoner Webb exhibited throughout the whole of the trial the most imperturbable stolidity of countenance; no item of the evidence, however confirmatory of his guilt, had the effect of causing the least change of expression; in fact his whole deportment was that of immovability; and it was not until the fatal word "guilty" was pronounced, that he shewed any symptom of either fear or sorrow: the deed of his own certain fate was then sufficiently exhibited.

THE JUDGE'S ADDRESS TO WEBB.

His lordship addressed the prisoner, and asked if he had anything to say why sentence of death should not be pronounced upon him. The prisoner who seemed deeply affected, did not reply. His lordship then proceeded:—

Prisoner, you might have perceived that during three long days of patient and diligent investigation, every circumstance that could throw light upon the transaction in which you, unhappily for yourself, have been the principal actor, have been carefully collected and placed fairly and impartially before the Court. Every chance has been afforded you. You have had the benefit of a respectable and unprejudiced jury, of an able defence, and every portion of the evidence advanced has been rigidly scrutinized. You have been convicted of a crime which in this country is happily of rare occurrence. Some crimes have their origin in the passions and other causes remote from that which appears to have instigated you to the deed of which you stand convicted, but we seldom hear of crimes so heinous as yours committed for the sake of lucre. It appears that previous to the commission of the crime, you have borne a fair character, and are possessed of some good qualities; you have lived in the bosom of your family, have been industrious and supported your family by the fruit of your own exertions; had you continued in this course a short time would in all probability, have made you better in worldly circumstances—all these advantages you have forfeited by the commission of a crime, from the consequences of which, and you even

escaped your life would have been a prey to conscious guilt, consumed by the tortures of remorse. You have spilled the blood of an inoffensive old man, who gave you money, had lived in your house and who relied with confidence on your integrity, yet you took advantage of that confidence, and for the sake of a paltry gain, cruelly deprived him of life. You have now but a short time to make your peace with heaven. I entreat you to let penitence and contrition for your sins occupy your mind; to withdraw your attention forever from the things of this world, and fix it on the affairs of eternity; to apply yourself with diligence to matters calculated to make your peace with God; so that when the hour arrives when you must pass from hence into eternity, the torturing reflections of your crime may be softened by the hope that your penitence has been accepted. The sentence of the Court is, that you James Webb, be taken back from whence you came, and from hence on the 10th day of December next to the public place of execution, and there hanged by the neck until you are dead; and may God in his infinite goodness, have mercy upon your soul.

CONFESSION OF WEBB.

The following statement is nearly a literal detail of the circumstances of the murder, as related by Webb, while making a voluntary confession of his guilt:—

On the morning of the murder, Brennan and myself set out to take a walk; Brennan began to talk about the note, and became very pressing in his demands for payment. I told him that I had part of the money, and if he would wait a little while longer I would pay him the whole amount; he said that would not do, he must be paid immediately, otherwise he would sue me. He continued talking in this manner until we reached the wood where the body was afterwards found; we went into the woods, and his continued demands and threats so enraged me that I suddenly threw him down and placing my knee on his neck, I seized his staff at the end of which there was a short spear, and plunged that instrument into his throat. I stood by him until he bled to death. I then searched his pockets in which I only found the note and three coppers. I then buried the body and went immediately from the place to James with the note. I inflicted no other injury on the body. Brennan used to complain of a pain in his side, in the spot where the ribs appeared fractured, my wife has more than once applied blisters to the part. There was no blood on my person having used Brennan's long staff in inflicting the wound. The cards I hid in the stump, where they were afterwards found.

NEW MARKET—PUBLIC MEETING.—Last night a meeting of the citizens of Toronto was held in the Temperance Hall, to consider the propriety of forming a new Market at the junction of Queen and Yonge streets, and also for the purpose of expressing their disapprobation of the Corporation for having treated so disrespectfully a petition on this subject, signed by 1600 of the rate-payers of the city. The meeting was numerously attended, the Hall being quite crowded.—Captain Strachan was called to the chair. Several resolutions were unanimously passed in support of the contemplated object. Messrs. J. H. Cameron, Bilton, John Bell, Councilor Bell and several other gentlemen, addressed the meeting at some length. Alderman Bowes and Dr. King opposed the proceedings in so far as to state that the project at the present time would be imprudent, as they wished to see some of the City Debentures already issued redeemed, before any steps were taken to plunge them deeper into debt. The remarks of these gentlemen were not favourably received, and it was with difficulty indeed they could get a hearing. A report of the proceedings together with the resolutions passed, will be given in Tuesday's paper. The meeting terminated at 10 o'clock.—Globe.

The trial of Parkes for shooting at and wounding a man of the name of Swiss, with intent to kill, employed the Court all Monday afternoon. The circumstances, as developed by the evidence, are as follows:—Smith and a number of others in the prisoner's neighborhood, had carried into effect the odious and stupid practice of chivareeing a new married couple, relations of the prisoner, who were staying at his house, and in doing so committed considerable outrage, and went great lengths, but left the house, we believe, without finding the young couple, at the same time warning the prisoner that they would return the next evening. It seems that the prisoner armed himself with a loaded gun, and when Swiss and several other young men approached the house he let them have his contents amongst them, wounding Swiss severely on the head. The Jury were in all night, but were not able to agree upon a verdict, and were discharged. The prisoner will probably be admitted to bail till next term. We would have hardly blamed the Jury if they had unanimously given a verdict of acquittal as it might have a tendency to abolish this odious and disgusting custom altogether, which indeed is only countenanced by the very riff raff of the community.—Kings on Whig.

INQUEST.—An Inquest was held in the 8th Concession of Markham, on the 1st instant, before David Bridgford, Esq., Coroner, on the body of Andrew McIntyre, who came to his death by blows inflicted by Jane McIntyre, wife of deceased. It appeared in evidence that deceased and his wife, in company with Owen McGuire, a Tailor, had been at a store, and purchased some liquor, and had returned to the house of the deceased in the evening. McGuire remained with them until about 11 o'clock, and then left for home. About 1 o'clock deceased had occasion to go to the door, when his wife followed and struck him with a hoe, and continued repeating her blows until she had beaten and fractured his head in such a manner that not a single feature could be recognized. Verdict—wilful murder against Jane McIntyre, who was committed to jail. The wife is insane.—Globe.

A CHAIR OF AGRICULTURE IN THE UNIVERSITY.—It will be gratifying to the friends of progress in Canada, to find that there is now some hope of the claims of Agriculture being recognized by our highest national school. Notice has been given in the Senate, of a statute to provide for filling the Agricultural chair formerly created, but never filled.

formed that it is proposed to set apart a sufficient portion of the University grounds, for the purposes of an experimental farm.—Id.

DIVISION OF THE DIOCESE.—The Church of yesterday contains the copy of a letter, addressed by his Lordship the Bishop of Toronto, to the Arch-Bishops and Bishops, forming the council for the erection of additional Bishops in the Colonies—recommending the division of the present Diocese of Toronto into three Dioceses.

1st. The Diocese of Kingston, comprising the seven eastern districts; containing about 100 townships and 40 Clergymen.

2nd. The Diocese of Toronto, comprising the seven middle districts; containing 129 townships and about 70 Clergymen.

3rd. The Diocese of London, comprising the seven Western Districts; containing 113 townships and about 36 Clergymen.

His Lordship also advocates the establishment of a fourth Diocese to be called the Diocese of St. Mary; comprising the North-West part of the province of Upper Canada, but intimates that for the present it may remain attached to the Diocese of Toronto.—Patriot.

UNITED STATES.

Another Attempted Bank Robbery.

Attempt to Rob the Village Bank at Danvers.—One of the Robbers Killed.—A short time since, the directors of the Village bank at North Danvers, received information which rendered it probable that an attempt would shortly be made by a daring and expert gang of robbers to break into, and rob the bank.

They accordingly narrowly inspected the defence of their safe, for an attack, and having concluded that it would resist a pretty serious siege, they appointed a citizen of the town, named Aaron Bateman, as bank watchman. This latter fact was not generally known in the town, and the robbers themselves were probably not aware of it.

At two o'clock this morning, Mr. Bateman heard three or four persons approaching the bank. They came to the door, which is of glass, to within a few feet of the bottom, and has no shutters, and hailed to know who was inside, to which he replied that he was there, and to another query as to what he was there for, he replied to guard the bank. At that the robbers began to press against the door, as if with a view to burst it open. The watchman warned them to desist, saying that he was armed, and that if they entered he would shoot them. They still persisted, and he, fearing that their intention was to get in and over power him, he took up his gun, and fired amongst them, as they stood upon the outside of the door.

The ball from the gun, it was afterward ascertained, passed through one of the lower panes of glass, carrying away a part of the sash. Immediately after the discharge the persons outside were seen to run; but one of them who was evidently wounded, only went a few rods when he staggered and fell. The others escaped in a carriage which they brought with them to the bank.

The noise of the gun awakened Mr. John Page, an aged and estimable citizen of the village who lives in the house nearest the bank, and only a rod or two distant. He came out, but did not notice the body upon the ground, and returned into the house. Shortly after, however, he again came out, and was proceeding along in front of his house, when he stumbled over the prostrate body.

He stooped down and discovered that it was his own son. He immediately returned to the house and aroused his son-in-law, Mr. Weston, who is cashier of the bank, and together they carried him into the house. At that time he was breathing, but senseless, and he shortly after died. Neither Mr. Weston nor Mr. Page then knew of the affair at the bank, and they at first imagined that he had received a stab in some affray, but they soon had information of what occurred.

The deceased was named John C. Page, and was unmarried. He was about 43 years old. Until within four or five years, he has carried on the brick making business to a large extent, and sustained a good character. Losses in business are said to have made him rather irregular in his habits. He returned to his father's house some time since, and was generally hoped that he had reformed. His father is said to have provided liberally for all his wants.

This sad tragedy has caused a great excitement in the region round about the scene of its occurrence. A coroner's inquest is to be held upon the body, when the matter will no doubt be thoroughly investigated. Mr. Bateman, the chief actor in the affair, bears a good character among his townsmen.

Some time ago, the keys of the bank were stolen, and since that time the bank has been in apprehension of an attempted robbery.

It is supposed that the unfortunate man, when he found himself wounded, ran with an intention of getting into the house of his father, where he resided. He fell under an apple tree nearly in front of the house.—Boston Traveller.

SAD EVENT.—A lovely young lady, Miss Anna R. Neil, the daughter of Jesse Neil, died very suddenly on Thursday night, through a mistake in preparing a prescription at the apothecary store of Dr. Chamberlain. The young lady was laboring under a slight attack of intermittent fever, and Dr. Scoffin visited her about 5 o'clock on Thursday evening, and wrote a prescription, by which 30 grains of quinine were to be divided into six doses, one to be given every three hours. Dr. Chamberlain being out of town, his store was in charge of a young man, a student of medicine, who had been in his employ for a considerable time. Through mistake or thoughtlessness, 30 grains of morphine were divided into six parts, instead of quinine, and about seven o'clock one of the powders was administered. The effects of the medicine were soon apparent, and Dr. Scoffin being sent for, immediately suspected some fatal mistake, which was confirmed on visiting the store. The proper applications were given to remove the drug, and the stomach pump resorted to, without effect. At one o'clock in the morning, the unfortunate lady awoke under the effects of the medicine, and in a few minutes expired.