COURT OF ASSIZE.

(BEFORE CHIEF JUSTICE CAMERON.) His Lordship took his seat on Tuesday at

bout 10:30 a. m.

about 10:30 a. m.

The following Grand Jurors were sworn in:—J. G. Shephard (foreman) Jos. Hardisty, J. J. Cochrane, Thos Alsopp, Thos. Pattrick, Thos. Lowe, Edw. Green, Rich. Carr, A. E. Siffken, Thos. Trounce, Rich. Layton, Alex. J. Chambers, A. H. Green, F. K. Kingston, H. O. Teideman, Daniel Scott.

His Lerdship opened the court with a short address to the grand Jury. He said they met once more to deliver the jail of all malefactors and persons charged with offences. With one exception there were no serious cases. In one case where the jury at the

cases. In one case where the jury at the coroner's inquest had brought in a verdict of guilty of manslaughter, the Attorney Gen-eral in the indictment had preferred a charge of murder, they, the grand jury, had the power of trying the case for manelaughter or

parties for stealing the same cow. As it was probable the prisoners would set up different defences, the Attorney General had made out separate indictments. There was also a charge of being found in possession of stolen property.
But the case he would put on trial first would be that of James Murray, for stealing \$140, the property of one R.A. Collins, as the parties concerned were Cariboo miners and were anxious to get away as quickly as possible.

His Lordship concluded by expressing his confidence in the ability and intelligence of

the jury to do their duty.
The grand jury having retired a common

True bills were returned in the cases of Regina v. Murray and Regina v. Edwin Kitsen and Wm. Ross, Murray pleaded guilty and was held over for sentence. COW STEALING.

Regina v. Kitson—Pleaded not guilty. The prisoner was undefended; but after the evidence had been gone into, Messrs. Ring and McCreight volunteered their services. Wm. Mann, Wm. McNiel, Superintendent Smith and Charles H. Page were examined f r the prosecution, and Wm. Ross, Mrs. I. O'Brien and Mrs. Hubbs for the defence. The nature of the evidence, however, has already appeared from time to time in the columns of the COLONIST. A witness named William Spencer failing to answer to his name when called was aped \$250 by the Court.

called was fined \$250 by the Court.

Mr. Ring addressed the Court, and dwelt, upon the unreliable nature of the statement said to have been made by Mrs. O'Brien to Superintendent Smith, relative to the taking of the cow by Kitson and Rose, as she spoke a mixture of Canadian French and Chinoek, and Mrs. Hubb's had sworn that even Mrs O'Brien's own children at times had d O'Briea's own children at times had difficulty in understanding her. In every other respect the evidence by Mrs. O'Brien, through an interpreter, had been supported by other witnesses. There was a dispute as to ownership, which might leave good grounds for a civil action, but it was quite clear that this was a case of agency. The son was told to kill the cow, and hired Kitson to assist him. As the act was done so openly, the jury could As the act was done so openly, the jury could sibly find any felonious intent, and he charged them to be guided by the verdict and not by the speech of the learned Attor-

ney General.

The Attorney-General was heard in reply,

The Queen vs. Dougherty, indicted for manslaughter.
The Attorney General, assisted by Mr.

McCreight, and instructed by Mr. Green, for the prosecution; Mr. Ring, for prisoner.

The Attorney General opened the case, stating that as the Grand Jury had thrown

stating that as the Grand Jury had; thrown out the first count of the indictment, which was for murder, he was abliged to confine himself to the case of manslaughter. After condemning strongly the use of the kuife in any quarrel, he called

Wm. Gardner, pilot, sworn—Witness said he was passing along St. Ours wharf, and heard prisoner called him that again he would strike him; prisoner remeated the would strike him; prisoner repeated the words, and Hobbs struck him and they

Hobbs struck the first blow, knocking prisoner ever the dray; witness passed away leaving them scuffling on the dray; when he

came tack from loading a vessel, found them in a second scuffle; saw deceased take they were only in through an eversight of my learned friend (Mr. Cary.)

so put it back; did not see the prisoner trike Hobbs; witness was walking up the wharf in the indictment in the form in which it had been leid before the grand jury. But if she saw them; Bill is now in gaol; her they were only in through an eversight of my learned friend (Mr. Cary.)

Mr. Ring insisted on the words being left in the indictment in the form in which it they were "wake closch."

Frank Hill, sergeant of police, sworn when the blow was struck; saw prisoner ly-ing down and blood flowing from his head; Hobbs advanced to the prisoner, when he was called a son of a b—h and struck him

was called a son of a b—h and struck him down on a dray.

Re-examined by Mr. McCreight—Did not know how long the scuffle lasted; there were several people about; nene of them were near enough to have stabbed Hobbs; saw no other altercation than between Hobba and the prisoner; they were both in the struggle when Hobbs sung out he was stabbed, and seemed to throw the prisoner off by main

strength.

J. M. Sparrow, sworn, examined by Mr.
Cary-Was in the Harbormaster's office on
the day in question; heard an unusual noise
on the wharl, and looking out saw Hobbs and
prisoner in a scuffle; Hobbs seemed to have
the prisoner in his grasp, pinioning him with
his arms; all of a sudden Hobbs threw him
off and ran into the storehouse; did not hear
Hobbs seementhing at the time. Hobbs say anything at that time; witness rushed down to the wharf, and saw Hobbs rush out of the storehouse and eall out that he was stabbed; saw a knife in the prisoner's hand, with a blade four or five inches long; did not see anybody interfere in the fight; saw several persons within twelve or fourteen feet; none of them could have stabled Hobbs at the time witness went down; did not see the wound; the knife was in prisoner's right

hand.

Cross-examined by Mr. Ring:—Saw Hobbs go to the dray and take a bar, but he was dissuaded from using it; witness was going away when he heard an exclamation and looking back saw Hobbs in the act of striking prisoner with the dray-bar; he only struck him once, and then got on his dray and drove off; prisoner's friends picked him up almost immediately,

Re-examined by Cary:—Not more than two or three minutes elapsed between Hobbs running into the storehouse and his coming out and striking prisoner.

In this case his lordship suggested that as the evidence was the same as in the case of Kittson yesterday, there was no chance of conviction.

The Attended Hobbs, who came to his office for assistance about half an hour after being stabled; the wound was in the left thigh, about 4 inches down, running externally, about 2 inches long, and apparently a cut wound, not stabled; visited him several times after; deep-seated inflammationset in and ultimately produced death; witness called in Dr. Haggin when he found inflammation running very high; the wound was 4 inches deep; witness stitched the wound up and put some adhesive plaster on it; thinkling it would heal readily; did not think Hebbe was constitutionally disposed to inflammation; he was a stout man; witness went to the gaol to see prisoner, and at his recommendation the examination was postponed.

In this case his lordship suggested that as the evidence was the same as in the case of Kittson yesterday, there was in the case of Kittson yesterday, there was no chance of conviction.

The Attorney General accordingly defevred to his lordship's decision, and a verdict of nolle prosequi was taken.

The case of Charles Fisher, for burglary will be brought up to-day, at 10 o'clock.

Thurspax, April 21st.

The Queen vs. Clephane, an Indian, sent down from Nanaimo for trial on a charge of stabbing one of his tillicums, came up for sentence.

His Honor, through an interpreter, addressed Clephane, telling him he had broken the laws, to which he was amenable the same as white people, and it was no excuse whatever to say he was drunk. His Honor said he would sentence him to 6 months' imprisonment with hard labor.

Susan Hobbs, sworn; examined by Mr. Cary: Was wife of deceased; deceased was put to bed at once when he came home, and never left the house till he was carried out; he received every attention during his ill-

she may be guided by the section of the procession between the section of the procession between the section of the section of

learned counsel went into the legal explana-tions of the different kinds of manslaughter. The deceased instead of availing himself of the law against his insulter took the law inte-his own hands and struck him down, and, a own hands and struck him down, and, had some connection with the San Juan packet, and had brought the goods from unters, he did that which is totally repugant to every British subject—he continued in McCatchan & Callingham's store, Fort

as they formed no part of the indictment, as it she saw them; Bill is now in gaol; her Destruction of the U. S. Corvette House.

had been laid before the grand jury. But should bis Honor see fit to look at the charge as one simply of manelaughter, he would again direct their attention to that view of the case. He would ask the jury to observe that the first blow was struck by the man who accuses the prisoner, that he contined to strike him, and strike him when he was down—when the prisoner, weak and debili-tated as he was, as was proved by the medi-cal evidence, made use of the readiest and the only means at hand of saving himself.

The learned counsel called

D. Kavanah, who testified that he had known the prisoner two or three years, and to the best of his knowledge he was an industrious and hard working man.

John W. Williams, Philip Hall and P. O'Dwyer, were also sworn, and testified to the general good conduct of the prisoner. The learned counsel said he would now

leave the case in the hands of the jury.

His Honor briefly summed up, alluding to
the words "of malice aforethought," which he said were mere surplusage; the case was placed before the jury as a case of mans aughter. His Hunor read the evidence and commented on it, saying that if the prisoner had wished to get clear of Hobbs he might easily have called to his friends to take him off, as he did in the first onslaught. The use of the knife was greatly to be deplored, and was a mode of settling a dispute rarely resorted to in England. His Honor said it would be quite sufficient for him to state the nature of the offence; if the jury thought that the pri-soner really believed his life in danger, they must bring a verdict of excusable homicide, but if they thought he had no necessity for using the knife, they must find him guilty.

The jury retired, and after an hour's de-

beration returned a verdict of not guilty. THE COW-KILLING CASE.

In this case his lordship suggested that as the evidence was the same as in the case of

went to the gaol to see prisoner, and at his recommendation the examination was post-poned.

Dr. Haggin sworn; re-examined by Mr.

Cary:—Witness corroborated Dr. Trimble's evidence; said Hobbs was of a full pletshorie habit of body, rather favoring inflamma-

the preceding one, he would therefore sentence the prisoner to 12 months' imprisonment with hard labor.

The Queen vs. James Murray—Charged

never left the house till he was carried out; he received every attention during his illness.

James Bramwell, called, did not make his with hard labor.

declared to be forfeited.

The evidence for the prosecution being finished, Mr. Cary proceeded to sum up his case; he said the difficulty arose from the prisoner calling deceased a "son of a b—b;" a struggle ensued, and Hobbs, who was the a struggle ensued, and Hobbs, who was the man initioned his antagonist;

Next morning, he, prisoner, learnt that Wight had left the country.

the usual caution, who then said be had bought the goods at a sale, and had sent Kitty round to sell them; afterwards said he

Frank Hill, sergeant of police, sworn— Testified to finding the goods in Fisher's house.
His Honor recalled Sergeant Wilmer, and asked him what Kitty had said to him.

Mr. Ring objected that they could not take

to criminate the prisoner.

The jury returned a verdict of " not guilty" vithout leaving the box, and the prisoner was discharged, but remanded on the charge

of receiving stolen goods.

The Court here adjourned till Wednesday. next at half past ten, when the same jury will sit on civil cases. On Tuesday next five or six special jury eases will come on.

POLICE COURT

BEFORE A. F. PEMBERTON, ESQ.] John French, for being drunk and disorderly and using obscene language, fined 5s. in default 6 hours' imprisonment.

John Lewis, charged with stealing a coat valued at \$3, on the night of the 16th inst, the property of Morris Dobrin, remanded for an day.

one day.

Leonard Paque, arrested on suspicion of

John C. Butz, charged with being a strag gler from H. M. S. Tribune, ordered to be given up to the naval authorities.

SUMMARY COURT

[BEFORE CAMERON C. J.]

tion which was now produced. Judgment reserved till Monday.

A Doo Cass—Green v. Smith.—Bishop for Plaintiff, Dennes for Detendant. This was an action for \$25, value of a dog alleged to belong to plaintiff. The dog was produced but wagged his tail most impartially on both his assumed masters. The other evidence was also very conflicting. Judgment reserved till Monday.

Belasco v. Taylor.—Dennes in absence of Green for Plaintiff, Bishop for Defendant. Action for two menths rent of a saloon on

veys, the construction of roads and bridges, and other permanent works, and in the introduction of the 15,000 military settlers with their wives and families. An electric telegraph is also to be faid down at the cost of £150,000, from Dunedin, Otago, through the Middle Island, and under Cook's Straits.—

These undertakings are to be charges against the forfeited land, except the first and last named. The Act of Confiscation has been passed by the New Zealand Legislature, and now awaits the sanction of the Imperial authorities.

The Army and Name Grante says we have

disregarding the satar roles, of Deginate of counters, he did that which is totally repugnant to every British subject—he continued to strike him when down, and the prisoner justly fearing that his life was in danger, took the means which had been related to save the means as the same in and saked film to detain her while had gard the attention of the jury; would they say that Dongherty had committed the deed with "malice aforethought"—that he had gone there prepared with the knife to take the life of Hobbs. He would ask the jury te line no the swidence he would bring before them and judge whether the prisoner ontertained malice aforethought.

Mr. McCreight—I would sak your Honor to strike out the words "malice aforethought," is more contained to save the gun fired; the goods were wrapped to strike out the words "malice aforethought," and of malice aforethought.

Mr. McCreight—I would sak your Honor to strike out the words "malice aforethought," is more contained to save the swide of the plane of the Pine actording to the plane of the Nary Constructor. Wm. John Callingham, sworn;—Kitty the alcording to the plane of the Nary Constructor, The Renderprise (#90 tons burthen), built according to the plane of the Pine actording to the plane of the Nary Constructor. The armour-plated sloop Enterprise (#90 tons burthen), built according to the plane of the Nary Constructor. The armour-plated sloop Enterprise (#90 tons burthen), built according to the plane of the Nary Constructor. The armour-plated sloop Enterprise (#90 tons burthen), built according to the plane of the Nary Constructor. The armour-plated shows Laurence for the Ansert Answ Indoor Constructors. The strength of the Nary Constructors and the plane of the Nary Constructors. The farm of the Nary Constructors are pla

tonic by a Torpedo.

A correspondent of the Boston Herald writing on board the U.S. ship Canandaigua, off Charleston, Feb. 18th, says :

It is with profound grief that I chronicle the loss of the United States corvette Housatonic, (one of the blockading squadron of Charleston, by an internal torpedo machine. The event took place last evening, one of the coldest of the season. At 8% o'clock a long object, just on the edge of the water, was discovered astern of the ship. In a limited the hear-say evidence.

His Honor said Kitty was Fisher's agent, and ruled that Wilmer should be examined, which was done, but solhing further elicited.

Attorney-General Cary said he now had evidence to criminate the man Bill of stealing, and as he had no evidence of theft against Fisher he must ask His Honor to against Fisher he must ask His Honor to acquit him and remand him on a charge of acquit him and remand him on a charge of the stern was torn to pieces, and the ship and rapidly in less than eight misutes from receiving stolen goods.

Mr. Ring said that the prisoner was virtually acquitted, and as this was a gool delivery, he would ask if the prisoner was to be kept for three months in gool, thus anticipations of the prisoner was not designed. The vessel sunk in six fathoms of water. As the began to sink the most frightful scenes were witnessed. Men with nothing but their ing punishment which possibly was not deserved.

His Honor instructed the jury to find a verdict of not guilty, as there was no evidence

Shirts on were seen struggling in the water, officers were trying to get the boats loose, while others were mounting the rigging. Three boats were finally unlashed, and these Three boats were finally unlashed, and these were sent to rescue those in the water. The gig at once started from the Canandaigus, carrying Captain Pickering, who was badly injured, but is doing we l. As soon as Captain Greene of the Canandaigua got the news he at once heisted signals of distress, and came to our assistance, and in three hours after the attack on the Housetonic all hands that the attack on the Housatonic, all hands that were saved were salely transferred to that ship, where they received every attention. Subsequently, a portion of our survivors were transferred to the Wa bash. The Housatonic is a total loss. All hands

lost all they possessed—money, clothes, etc. In fact, many of them, including some of the officers, went on board the Canandaigua in a naked state. A sad accident of the disaster is the loss of Ensign Hazleton, of Concord, N. H. Mr. Muzzey, Captain's Clerk; John Williams, Quartermaster, and John Welsh, coal heaver, of Boston, were drowned. The latter had got safely on deck, but ventured being a deserter from H. M. S. Tribune, back to save \$300, which he had in his bag, ordered to be given up to the naval authoriturned. Theo. Parker (colored) who was on the lookout directly over where the ship was struck, was blown into the air and instantly Peter alias Haas, a Tsimsean Indian, by the explosion. John Goff, the Captain's charged with being found on private property under suspicious circumstances on the night of the 19th, remanded for one day. ing the trying scene, and thereby saved many lives. The Housatonic has been the especial spite of the rebels. Three times have they tried to destroy her, and now they have suc-seeded. It is feared that many others of the Foord vs. Lee & Co.—Green for Plaintiff,
Dennis for Defendants. This action on a contract, was tried at last court and adjourned for the production of the specification which was now produced. Judgment

The masts of the Housatonic are all that can be compared to the gale which is

Action for two menths rent of a saloon on Johason street and value of some fixtures removed. After hearing plaintiff his Honor ordered a non-suit.

In consequence of the meeting of the Legislative Council the Court adjourned till Monday next, at half post ten.

In a second boat, and had he remained in it would have been saved, but as the ship careened over he jumped on board. The last ever seen of him he was floating among the fragments of the wreck, a corpse. First Lieut. Higginson, of Boston, escaped from the state-room with nothing but his shirt and drawers on. The Surgeon's steward, and many others who were in head to the same of the state-room with nothing but his shirt and drawers on. The Surgeon's steward, and many others who were in head to the same of the state-room with nothing but his shirt and drawers on. The Surgeon's steward, and many others who were in head to the same of the sa

A New Iron-ctan.—The armour-plated at home 12,000 artillery, 9000 cavalry and 32,000 infantry, and that one half this force

HE BRITISH COL at bluon That Published a

BOSRY MORN ilas a circa (Sundaya Excepted, eds ni vino AT VICTORIA, V. of wing Army of the Potomac

and other poons of the other parties, par Honths.

The propose to the Carrier, and the Carr

B NON-PRODUCTIV RISTS.

he Civil List and the Union nies are questions that will a celebrity in the future history of Island. Many an original idea my would have remained or Mill-many a new oy would have been lost. hained a puzzle to the mit had not these important que "Vancouver Island in this Is in to them we ar and Committee, and it is to the he credit of the di xbeliment of

ordinary power taken away so, become like other man. We detect that out "tock and swampers" the Phrygian King in this real much they may resemble hi paraeter. Dut we are afraid her will have to pay a little of de Mr. Wasson, ond resolutions states truly "that t capitalists rated at a value numerical value, which, when in bonn fide setulets, will rise in via corresponding increase of the cold year after year increasing wellous reality through the in-mechanic, the farmer, and the table holders have hitherto se more than a merety nominal ta-order of political economy see spent reversed. Instead of en industrial elements of the cou-out every inducement to the and compel a man to pay to the just in proportion to the amount he contributes to the colony.

Our taxation seems to be, the does, the less taxes he is calle man investe \$500 in land whie tends to cultivate, and pays \$5 other invests the same amoun or gets into debt, is obliged to est computation \$10 a year. invests in the unproductive le property has risen the following haps double its former value; by paying one per cent, clears as the land is idle, and no sent he has the duplicity. tell his trading friend th will be under the proceeds fro him to contribute a larger pro Government, and thus enable unate land owner) to es

> Such is the position and ments of the land jobbers of Lower Houses Not content dog in the manger, in said

6,000 volunters and 300 sailors