

Court of Assize.

[Before Chief Justice Needham.]

THURSDAY, Nov 7th.

Quilts, an Indian, was tried yesterday for the wilful murder of an Indian named Luqua-lat-sa.

Quil-sal-ab, an Indian, proved that deceased and prisoner had a quarrel about some whiskey, which belonged to the prisoner and had been taken possession of by the deceased. A short time afterwards Quilts took a rifle, and hanging the weapon on a small tree, wilfully fired at deceased, the ball entering at the back just above the thigh and coming out in front above the groin.

At the time of the death an inquest was held, but no post mortem examination took place.

Dr. Davis proved the state of the wound, and after an address from Mr. King on behalf of the prisoner, and an able charge from his Lordship, the case went to the jury, who returned a verdict of not guilty.

THE SENTENCE OF TOMLINSON.

C. C. Tomlinson was placed in the dock at half-past two p. m., and asked if he had anything to say. He replied nothing, except that he was suffering from a bodily infirmity. The prisoner also in reply to the Judge stated he was unmarried.

His Lordship said the crime of which the prisoner had been convicted was of a very high character, and in former times was subject to the penalty of transportation for life or for a term not less than fifteen years, and by a subsequent statute, to penal servitude for life. It was of the utmost importance to society that the safety of the person should be held sacred. He was not sorry that the Court had been allowed discretion in such cases. The jury had recommended the prisoner to mercy, and the act was committed under provocation; the evidence gave him a character for humanity, and the prisoner was not known to have been concerned in a similar affair on any previous occasion. His Lordship could not doubt but the prisoner came over prepared to commit the act. It was not even in the nature of a duel—one was armed and the other not. The verdict of the jury, on the charge of shooting with intent, did not do bodily harm, he fully agreed with. The sentence was imprisonment for two years with hard labor, to date from committal. Upon a proper medical certificate of bodily infirmity, the nature of the punishment would be adapted accordingly. The prisoner seemed to receive his sentence without much concern.

SENTENCE FOR SCHLESINGER.

C. B. Schlesinger was next asked if he had anything to say. He replied that he had not, and that he was unmarried. His Lordship characterized the crime as very grave; few offences were counted worse in English law; and some time ago the penalty was death, but in later times it was mitigated. There was but small discretion left to the Court; the evidence had been anxiously looked over, but His Lordship was sorry to say he could find nothing favorable to the prisoner. The prisoner abused the kindness and confidence shown him by perpetrating the act on his friends, and during the trial he seemed to have found no friends and to have secured no sympathy, and the Court was left to its own inferences. The sentence was penal servitude for five years.

The prisoner on his removal wept freely.

A GREAT SCANDAL.—All good Americans are terribly shocked at an exhibition that Mrs. Lincoln—widow of the President—has been making of herself through the columns of the New York World. She has ostentatiously sent to New York for sale certain articles of her wardrobe, such as camels' hair shawls, varying in value from \$350 to \$1500, point lace shawls worth \$2000 and dress of the same material valued at \$4000, a fur cape at \$1500 a fur boa at \$1200, together with diamonds, &c., to the total value of \$24,000. She pleads poverty as the reason for disposing of these articles, and authorizes the World to state that her income is but \$1700 a year, and she also authorizes the publication of her letters to the broker in New York to whom she has consigned the articles for sale. In this correspondence and in her conversations with the World reporters, she complains bitterly of the country and of the Republican party, and especially of Messrs. Seward, Weed and Raymond for not providing for her "rightful maintenance" as she terms it. These three gentlemen are the only ones she names, probably because they are the most unpopular she can think of, and she declares that the late President thoroughly tested these men and had become fully aware before his death of their treachery and falseness. The articles are displayed at the broker's office and hundreds call daily to examine them. Some of the dresses are stained by perspiration and much worn under the arms, and several of the shawls are frayed and torn. Mr. Weed, one of the parties alluded to, by Mrs. Lincoln, has published an article in which he hints very plainly that Mrs. Lincoln was guilty while at the White House of more than one indiscretion, if not impropriety. The papers also say that Mrs. Lincoln is not so poor as she makes herself out to be; and a correspondent charitably suggests that she has become insane. A statement has been published that Mr. Lincoln was worth \$100,000 when he died, and the question is naturally asked what has become of so large a sum in two years and a half? Mrs. Lincoln is given to visiting the large cities, alone, under assumed names. The fact that a woman who has been almost idolized by a great nation has fallen so low that the breath of scandal has sullied her fair fame, has awakened a universal feeling of regret.

Friday Nov. 8th.

THE DEATH OF SIR FREDERICK BRUCE.—The death of Sir Frederick Bruce occurred at Boston. The Minister was travelling for pleasure. He visited Auburn (the home of Secretary Seward) West Point and Newport, R. I. At the latter town he contracted a cold and was ordered by his physician to Boston. In the cars his illness increased, and when he reached Boston his voice was gone. Dr. Bigelow and his son were sent for. A strong light was held to the face of the patient, and the doctor, pressing his tongue down with the end of a spoon, made an earnest scrutiny of the throat and a careful diagnosis of the case in other respects. He ordered stimulants (brandy and wine) to be given, and warm salt bags to be applied to the feet. He then took Governor Gilpin (a personal friend of Sir Frederick's) aside and informed him that the powers of life were exhausted; that Sir Frederick was in a dying state, and could survive only a few hours. The prediction proved too true, and he expired at 2 o'clock a. m. on Thursday last.

ARRIVAL OF THE CALIFORNIA.—The steamship California, Capt. Winsor, from San Francisco on the 31st ult., arrived yesterday morning at 8 o'clock in Esquimaux harbor. The memoranda reports that she was roughly handled during a severe gale off Columbia River Bar, which rendered it impossible to cross, and she was accordingly headed for this port. The Portland passengers, freight and mails are on board the California. She brought 48 passengers, a mail, express and 150 tons of freight for Victoria.

DEATH OF AN OLD PRINTER.—Mr. John Flint, who set type for the first newspaper published on Vancouver Island, died on the 25th ult., at San Francisco. Mr. Flint was an amiable, noble-hearted man and was long favorably known to Victorians. He was a native of London, England, and resided many years in the United States.

CHARGE OF ARSON.—Charles Solomon, who, in the absence of his father, N. Solomon, had charge of the store, which was burned on Wednesday night, was arrested yesterday morning on a charge of arson, and committed to prison to await examination to-day.

THE ESCAPE OF CAREY.—John Dwyer, Wm. Wood, Wm. Fitzpatrick, and Peter Walsh, are in custody charged with conspiring to assist Maurice Carey to escape.

ON THE WAY.—The bark Ava, consigned to Millard & Beady, sailed from San Francisco on the 16th ult., with freight for Victoria merchants.

GOVERNOR KENNEDY.—New Zealand papers say that this gentleman is to be appointed to the Governorship of that Colony, vice Sir George Grey, recalled.

THE STEAMER ENTERPRISE returned from New Westminster yesterday morning. She brought 64 passengers. No news.

THE bark Lightfoot, from San Francisco for Burrard Inlet, arrived yesterday, to load with lumber for Australia at Stamp's mills.

TREASURY.—The California brought \$50,000 in coin.

THE James McIntosh convicted of selling whiskey to an Indian is not Capt. James McIntosh of this city.

THE mail steamer will sail for San Francisco via Portland at 6 o'clock on Saturday evening.

EXPRESS.—The contract for carrying the mails between Victoria and San Francisco.

English and Continental News.

(Dates to September 16th.)

The London correspondent of the Edinburgh Scotsman says that Lord Derby will soon resign the Premiership of England, on the ground of ill-health, and points to Lord Stanley or Mr. Disraeli as most likely to succeed to the office.

General Garibaldi definitely refused the invitation to be present at the banquet at the Crystal Palace, London, fixed for the 30th of September, on the ground that he did not know what matters "may be then engaging his attention in Italy."

The steamship Bresil, belonging to the French Messageries Impariales Company, and the English bark Dolphin, had been in collision in the sea of Marmora, resulting in the total loss of the steamer, with thirty lives.

The remains of Napoleon II. are to be removed from their various resting places at Vienna, and laid in the newly-restored vaults of the Abbey of St. Denis, France.

Le Situation, of Paris, of Sept. 6th, publishes the draft of a treaty between Austria and Prussia, chiefly based on the principle that Prussia should favor the extension of Austria's power in the East, and that Austria should support Prussia's prospects in Germany.

Some Russian officers have been sent to Warsaw to instruct Russian officers and sergeants in the handling of the needle-gun. In addition to the American breech-loading rifle adopted by the Russian army, the needle-gun is to be also introduced.

The official denial is given in St. Petersburg to a statement of the Courrier Francais that a concentration of Russian troops had taken place on the Austrian frontier.

Telegrams from India, dated Calcutta, Aug. 29th, favorable accounts are received from the tea districts. The crops are thriving. Cholera still prevails in the north-west provinces of the Punjab. Bengal is healthy and the harvest prospects are good.

The People's Gazette, of Florence, mentions a rumor, according to which the King of Italy had reproached Garibaldi in friendly terms with his attempts against Rome, and pointing out to him the danger to the public peace and the tranquillity of the nation which would be created by any further hostile effort.

Marshal Niel, the French Minister of War, on dismissing the troops encamped at Chalons, made use of the following significant words:—"Messieurs, you have been studying the theory of war; you will soon study its practice."

There was an election of a member of the French Legislative body, and the government candidate was defeated. The election was for the department of Isere, and M. Riondel, the opposition candidate, received 16,000 votes against 13,000 given to M. Kleber.

Count Bismarck is represented to have offered large advance of money to the Italian government and promised to assist the latter if it should think fit to make a *casus belli* of the position taken by France in Rome.

The committee of the reform fete and banquet to come off at the Crystal Palace, London, on the 30th September, had received authority from a number of members of Parliament and others to place their names on the honorary committee. Mr. Bright will be present. Earl Russell in a letter to the committee declines the invitation. Mr. Gladstone's letter to the committee says the celebration is amply justified by the great extension of the franchise.

The fortress of Luxembourg was evacuated by the last Prussian soldier on the 3rd of September.

The Pall Mall Gazette contradicts a report circulated in London, to the effect that Mr. Charles Dickens is in so bad a state of health that he has been ordered to abstain entirely from literary labor, and that his contemplated visit to America is to be undertaken principally with the view of restoring his health.

Dominion of Canada.

MONTREAL, Canada, Sept. 27, 1867.

The Executive Council held a meeting at Ottawa to-day.

It is understood that the chief subjects to come before the House of Commons will be an indemnity bill, inter-colonial railway, fishery question, transfer of local public works to provincial control, equalization of the tariff and the admission of Northwest Territory, British Columbia and Vancouver to the Union.

The elections in Nova Scotia have resulted in a defeat of the Unionists Dominion and local candidates in every county, save two in the Province. Howe and Tupper are both successful.

Archibald McKellar, the leading candidate of the Opposition party, defeated in Kent, was on the 20th inst. returned to the House of Assembly by another constituency. Mr. Cumberland, Manager of the Northern Rail-

way, was also elected. The Hon. John Hillyard Cameron, a prominent member of the Government, was on Saturday elected for the House of Commons.

The Hon. Mr. Carling and Rufus Stephenson, members for Kent, and others, who were returning from an electioneering tour west, were mobbed on their arrival at the London station on Friday last.

The Ottawa official Gazette of Saturday contains an order proroguing the Parliament of the Dominion until the 2nd of November. The Parliament of the Province of Quebec is prorogued until the 4th of November.

A scrutiny of the whole poll of Montreal West is to be instituted by Mr. McGee's friends, who expect to show that 500 fraudulent votes were polled for Mr. Devlin. It is rumored that Mr. McGee is shortly to be appointed to a high and permanent position under the Government.

M. M. Dorion, the leader of the Quebec Opposition, has been elected in Hochelaga for the House of Commons.

The Hon. D'Arcy McGee publishes an earnest letter on the morale of election riots, and calls for evidence against and prompt justice to be done upon the ringleaders. He traces the mob spirit so suddenly developed to Fenianism, but considers that the riot would not have occurred had not the first symptoms found apologists.

It is reported that Lieut. Gen. Sir Charles Windham, K.C.B., is to succeed Sir John Michel in command of the forces in British North America.

Parliament was to meet Nov. 2d.

Australia.

NEW SOUTH WALES.

Dates from Sydney are to the 31st of August. The recent news from England, via South Australia, states among other things that Sir John Young's successor is to be Earl Belmore, an Irish nobleman, descended from one of the Scotch emigrant families.

The bushranger Thunderbolt robbed the Cassilis and Maswellbrook mail on the 6th August.

At the Great International Exhibition at Paris, the colony of New South Wales has carried off one gold medal, (three silver ditto, nineteen bronze ditto, and seventeen "honorable mention") thus placing herself in a decided superiority to her sister colonies.

The Mundooran mail coach, horses and mail bags, were swept away by the last flood at Belbora. The driver and two passengers barely escaped. It is expected that the driver will not recover.

At Enn creek 100 tons of quartz from claim No. 1, north of O'Brien's, has yielded 385 ozs. the reef being 6 feet thick. The 7 mile Rush is progressing favorably; golden holes are being bottomed daily.

It is contemplated that through the co-operation of the different steam navigation companies, a fleet of from 30 to 40 steam vessels will meet Her Majesty's ship Galatea on her arrival off this port with the Duke of Edinburgh on board.

W. Kene, of Newcastle, has obtained the gold medal of the Paris Exhibition (the only one awarded to New South Wales exhibitors) for his coal and general mineralogical collection.

VICTORIA.

Dates from Melbourne, via Sydney, by telegraph, are to the 30th of August:

The newly-appointed American Consul for the colony of Victoria, Gen. George R. Latham, arrived at Melbourne in the latter part of July, in the American bark Surprise, from Boston. Gen. Latham succeeds Mr. Blanchard, whose term of office has expired.

A shock of earthquake passed through Melbourne at half past 5 o'clock on the morning of the 10th of August. It was preceded by a low rumbling noise that lasted for two minutes, followed by a violent shock that lasted for something like between 10 and fifteen seconds. Its course was from north to south; but it was not felt in South Australia. It seems to have been general throughout the colony. No damage has resulted.

The Melbourne Herald states that an English company of ample resources has sent out by the last mail the most tangible proposal that has yet been made for a monthly mail and passenger service via the Cape of Good Hope. They offer to despatch vessels of large tonnage and full power to the passage in 42 days so as to alternate with the monthly mail via Suez, and to bind themselves to punctuality under a penalty of £500 per day, on receiving also a bonus of the same amount for every day saved out of the 42. The subsidy they require is £60,000 per annum, leaving the colony to make its own arrangements with the other colonies as to their mails. The matter is before the Cabinet. It is understood that the most satisfactory security will be given for the performance of the contract, and the first ship will be prepared to send out the company within a year after the contract is signed.

The Payment of Members bill has passed the Legislative Assembly of Victoria, by a majority of 20 to 9.

Edward Bathurst, the notorious swindler, formerly a magistrate, has been sentenced to two years hard labor.

The Caledonian Societies of Victoria have combined to welcome Prince Alfred.

W. N. M'Can, ex-member of the Victoria Legislative Assembly, has been found guilty of forgery and sentenced to seven years' imprisonment.

During the first half of the present year, 1,990 persons were sent for from

the United Kingdom by their friends in Victoria. Of these 522½ were from England and Wales, 150½ from Scotland, and 1,251 from Ireland.

A nugget of 102 ounces has been found in the Gulf Claim, Ballarat, Victoria.

QUEENSLAND, SOUTH AUSTRALIA AND TASMANIA.

The President of the Marine Board of South Australia has returned from his surveying expedition to the southeast. He reports that Lacedip Bay is the best harbor all along the coast, conditionally upon a light being placed on Cape Jaffa by which to steer for the entrance.

The second session of the fourth Parliament of Tasmania was opened on the 20th of September.

The purchase of the Essenden Railway by the Government has been concluded, and it is to be put in working order immediately.

A sample of gold consisting of 138 ounces, from the Rosewood diggings, 50 miles distant from Rockhampton, Queensland, has been exhibited in Sydney. It is stated on good authority that it was procured by three men in ten weeks, from a dry creek west of the main range. There are several fine nuggets in the sample, one weighing 22 ounces, another 17, another 8, and another 7.

New Zealand.

Latest dates are from Auckland to the 3d, and from Wellington to the 8th of September.

THE RECALL OF SIR GREY.—The dispatch of the Duke of Buckingham, Colonial Secretary, to Sir George Grey, conveying the information in very curt terms that his Excellency is about to be summarily removed from his high office as Governor of New Zealand, has created an immense sensation in the colony. The indiscreet action of the Downing Street authorities in this matter is universally condemned. The dispatch referred to intimated that by the next mail Governor Grey will be informed who is his successor, and when he may be expected to arrive there.

Energetic protests are being prepared against Sir George Grey's removal, which will be forwarded to the Home Government. Considerable speculations are rife as to the reasons and motives of the proposed change as well as the name of the prospective Governor.

The Southern Cross, of September 3d, says:—"We believed that the 'coming man' is Mr. Kennedy, late Governor of Vancouver Island, and formerly Governor at Sierra Leone. Lord A. Churchill is mentioned at Wellington, but we apprehend this is an error. Mr. Kennedy is presently out of employment, Vancouver having been recently annexed to British Columbia. Sir George Grey's successor may be expected by the next Panama mail."

Distressing floods have occurred on Middle Island, New Zealand, and numerous wrecks of coasting vessels are reported.

Severe weather has been experienced on the West Coast (New Zealand); the coaches between Canterbury and Hokitika were stopped by the snow, and the telegraph line for about forty miles was thrown down.

The yield of gold, both at the Grey and Hokitika diggings continues excellent.

On the night of the 24th August the tide at Hokitika, New Zealand, was so high and the surf so severe that a line of seven or eight feet more of the beach on which the town is built was washed away. The owners of wooden houses erected close to the sea have been busy of late removing them further away from the influence of the sea.

All of the imperial troops are now removed finally from New Zealand, and the colonists have henceforward to look to their own protection.

As an immediate consequence of the removal of the troops the Maories—that is the hostile portion of the natives—are beginning to muster and threaten. They are bent on having the confiscated territory of Waikato restored to them, peacefully if they can, but they are ready to fight for it otherwise. Matters don't look particularly pleasant to the colonists. Another war is among the probabilities of the immediate future.

The Thames gold fields have not turned out equal to the expectation of the Aucklanders. Prospecting is going on, but as yet without any very great result.

Bristol's Sarsaparilla and Pills

Are prepared expressly for the cure of those diseases that have their origin in impure blood and foul vitiated humors, and for 35 years they have proved that in all eruptive skin diseases, in all miasmatic and scrofulous or cancerous diseases, and in every form of ulcerous and scabious disease, these two great remedies never fail in effecting a cure.

The Breath of Flowers!

The breath of the rarest tropic flowers, fragrant and imperishable, is transfused into that most exquisite of all modern perfumes, MURRAY & LANMAN'S FLORIDA WATER, suited alike for the handkerchief, the toilet and the bath.

As there are worthless counterfeits offered for sale, buyers should always ask for the Florida Water, prepared by Lanman & Kemp, New York.

An Apology for the Absent General.

Mr Alston publishes a issue of the COLONIST and Attorney General from brought against him As yesterday, to a Council New Westminster is at failure of Mr Crease to a late Assizes; but we are that the "important pub was hardly as much m Colony as the due adm the law; and as nothing the country has resulted engagements, would it no for all concerned if th General were to eschew fu meetings and devote str to those duties which he paid for not performing tice of employing depu one. Deputies are expen that (to be paradoxical) be indulged in when ne Alston says "that Mr Cre the point of starting by th attend the Assizes, but wa &c. It is evident from th that Mr Crease had left till the last moment—that prepared to proceed with cases—and that we were we charged him with neg had he arranged his busine Mr Alston would have kn to have placed his hands o intended for the Court. pondent further says that ments "that two murde swindler were turned loos community to renew th and "that no subpoenas no depositions copied, no w are "contrary to fact," diately after the denial be state that "all the necessa were served." How, then, did it occur that althoug witness "was in attenda request"—the sequel shou believed his attendance "n that he went away during fusion," and was not sub subpoena until nearly hours after the prisoner h quitted of the crime for that very testimony. With case (Quilts) we have no We made no charge concern third case, however, quite our position. Here was who weeks ago killed Nanaimo, awaiting his depositions were sent to minister, where they were of the hands of the Attor until after the Assizes v Why were they detained? says, in consequence of "ba which postponed the arriv steamer." But how does that Mr Crease's letter del authority to our correspo not lay over from the sa How could one document without the other if ordinar been observed by the Attor eral? The explanation is e surd, and the conviction is i Like the subpoena that cu been served on the medic the depositions were forgot late to be of any service. was the case of a swindler—Alston singularly avoids. not the prosecution send it nesses notice to produce the ch suffer them to come into Co pared with the written evi man's guilt? The check was too, and the criminal escaped. we have three (Mr Alston were four) distinct instances of of justice through the ignoranc or moral cowardice of th General, who, whether he s duty or merely neglected it, is deserving of censure. Then the same official's egregious appointing Mr Alston to a po a local statute says distinctly occupy. Mr Alston thinks blunder was justified by pre having been "allowed during year to practice in Court w tion being made." Surely,