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# THE WEEKLY BRITISH COLONIST.
## And Victoria Chronicle.

VOL. 8. VICTORIA, VANCOUVER ISLAND, TUESDAY, JUNE 18, 1867. NO. 32

WEEKLY BRITISH COLONIST

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## The Last Attempted Assassination.

The sailors tell us of "a sweet little cherub that sits up aloft" charged with the sole duty of guarding over and protecting "poor Jack;" and the numerous unsuccessful attempts that have been made of late years upon the lives of great personages in Europe almost induce one to believe that the highest walks of life as well as the humblest have their guardian angels. Bismarck, last summer, narrowly escaped destruction at the hands of a German youth who had grown fanatical upon the subject of republicanism; but notwithstanding the pistol was directed point blank at the Prussian Premier, within a few feet of his head, the assassin missed his aim and was seized by his intended victim and handed over to the police. It is not above a dozen years ago that Louis Napoleon, while driving to the Opera, one evening, had the carriage in which he was seated blown to pieces, thirty of his body-guard and his horses killed, by hand grenades, thrown by Orsini, and yet the Emperor escaped without a scratch. A few years after Queen Victoria came to the throne, a maniac's hand that held a deadly weapon was struck up and her life preserved to a grateful nation. Within a twelvemonth two attempts have been made on the life of the Russian Czar. The first was at St. Petersburg; but the aim of the assassin was destroyed by a Russian peasant who stood near and seized the regicide's arm as he fired. The peasant was ennobled;—the assassin was hanged. The late attempt in Paris, as near as we can gather from the despatches, appears to have been without any political significance whatever. The man says he came from Belgium, and that he has no accomplices. He was evidently a notoriety-hunter. There are some men so thoroughly eager for notoriety that they would commit any devilish act within the power of the mind of man to conceive, and would walk to the scaffold rejoicing were they but certain that their names would fill a page, however infamous, in their country's history. Such men would shudder to shed the blood of a person as humble as themselves, but would consider it a meritorious act to assassinate a King. Booth, (who by the way was the only successful first-class assassin of the present generation) when he fired the fatal bullet at good Mr Lincoln, thought he was doing a meritorious act, and his diary (lately published) taken in connection with the tenor of his conversation with friends immediately before and after the homicide, show that he was anxious to emulate the example of the "youth who fired the Ethesian dome." But what good end was subserved by either? The last attempt on the Czar was made—unfortunately for the credit of the city—in the streets of Paris, to which he had been invited by Napoleon. If the deed was attempted by a Pole, it was bad enough. If by a Belgian or other foreigner, it was infamous; if by a Frenchman (whose guest virtually the Czar was) the weight of infamy is a thousand times greater than if it rested on either foreigner or Pole.

ELECTION FOR COUNCILLOR.—If the ratepayers of Yates street ward value their interests rightly, they will unanimously agree upon the return of Mr John Banks, as their representative in the City Council. Mr Banks is a pioneer resident, and is eminently fitted to go into the Council.

## LOCAL INTELLIGENCE.

Monday, June 17th.

DOMESTIC JARS—The police are frequently called upon by distressed females whose husbands have either turned them out of doors, or beaten and kicked them to an extent that renders an appeal to the authorities necessary for their safety. On Saturday night a "man" whose name is in our possession turned his wife—a faithful, hardworking little body—out of the house, locked the door and went off down town to enjoy himself, leaving his two children—the eldest only two years old—alone in the house. The wife remained about the place for many hours, and at last, excited by the cries of her children for food procured an axe and knocked in the door. The [illegible] early morning. He was drunk, and the treatment to which he subjected the poor wife for daring to enter the house to feed his children, may be imagined. There are instances, however, where the "gray mare is the better horse." The other evening, in passing the house of a well known citizen, we were attracted by shouts and screams, and presently the should-be "boss of the shanty" came flying out of the kitchen door toward the street, pursued by his infuriate wife. The woman was armed with a pitcher containing milk, which she hurled at the head of her retreating "liege lord and master." The pitcher fell short and was dashed to pieces on the walk and the lacteal fluid spilled. The tale the poor man unfolded was really woeful. He said his wife had been drunk for a week, during which time he had only ventured home once before when he was set upon by his spouse and two female companions, who were drinking brandy and water, and driven with blows and curses from the house. His poor children, deprived of the care of either father or mother are running wild through the streets like young savages, growing up in ignorance of anything save vice, and the furniture is being carried off by piecemeal to exchange for liquid fire. If you ask one of these ill-mated pairs why they do not separate or complain to Mr Pemberton, the answer invariably is—"for the children's sake!" But they are in reality by the force of example, doing the children a great deal more harm by remaining together than they could possibly inflict upon them by separating at once.

THE GROUSE CREEK TRESPASSERS—Much feeling has been created at Cariboo by the arrest and imprisonment of four members of the Canadian Company who had trespassed upon the Grouse Creek Flume Co.'s ground, from which they were lately ejected. It appears that on the 1st inst. A. Mellowday, foreman, S. Walker, Robert Cameron and John Sanderson, members of the Canadian Company, were brought up before the Gold Commissioner on the charge of trespassing upon the ground of the Grouse Creek Bed Rock Flume Co. The foreman was sentenced to one month's imprisonment, Sanderson and Cameron two weeks' imprisonment, and Walker, who was not proved to be a member of the company, but only a hired hand, one week. It appears to be the impression that these men were not aware of the real position of affairs, and that the sentence is, under the circumstances, unduly severe.

PHOTOGRAPHY.—The London *Intellectual Observer* says: "No place is now safe from the incursion of photographers. Who would suppose that they could carry on their operations under water? Yet such is now the case, as M. Bazin has proved. His photographic studio consists of a strong sheet iron chest, perfectly watertight, with watertight windows, that are in the form of lenses. The electric light is used, and renders distinctly visible any objects lying at the bottom of the sea, so that they may be photographed, and thus their value and position be accurately marked. M Bazin has remained at depths of nearly three hundred feet for about ten minutes. This application of photography promises to facilitate the recovery of lost objects and the raising of sunken ships."

SAD NEWS FROM NORWAY HOUSE—The *Nor'Wester* of April 15th has the following melancholy item: "The melancholy tidings of the death of four children at Norway House has reached us. It appears the four children of Mr Anderson slept in a room together at some distance from where the rest of the family were, and during the night the eldest child informed the parents that the room was on fire. Rushing at once to the scene, the fire prevented their entrance at the doorway, but they succeeded in dragging two of the now insensible children through the window. Turning their attention then to the fire it was soon extinguished, and the other two children were found, and though unburnt, were dead from suffocation. The two rescued through the window lived only a short time afterwards.

BAD STATE OF THE ROADS—The *Columbian* has the following dispatch: Soda Creek, June 14—The stage from Yale arrived here this morning at two o'clock. Passengers report 9 wagons fast in the mud between 150 and 164 mile posts: Turk's wagon upset; two wagons of H. B. Co. and two of E. T. Dodge have been all day making portages of freight, their waggons immovable in the mud. Barnard's stage met the same fate as the wagons, horses down in the mud—horses were unhitched and the services of eight yoke of oxen to haul the stage to Bates' Ranche! Imagine Her Majesty's mail bags being hauled by 16 bulls at the rate of two miles per hour! No wire bridges up here!

THE Active will sail from San Francisco on Wednesday next, 19th inst.

LEECH RIVER—Specimens of decomposed quartz, said to contain silver, were brought to us from Leech River on Saturday. The specimens were found in the mountains back of the river. A new store has been opened on the flat. There are 26 men on the creek. A year has elapsed since Governor Kennedy, with Messrs Young and Pearse, paid a visit to the creek and decided to construct a ditch; yet the work is still far from completion, and the few miners who remain are nearly starved to death.

ROBBERY AT THE BOOMERANG—Yesterday morning some thief whipped into the barroom of the Boomerang Inn, while "mine host" was taking breakfast, and carried off the till. Fortunately the heavy "taking" of the day previous had been removed, and the scamp [illegible] Mr Griffin requests us to say that if the fellow will return the latter, he may keep the former, and enjoy not only the metallic fruits of his theft, but Ben's blessing into the bargain.

THE following is the amount of the annual pay and allowance of United States army officers on a peace footing:—Gen Grant, $18,120; Lieut Gen Sherman, $14 814, Major Gen Halleck, $7717; Major Gen Meade, $7717; Major Sheridan, $7717; Major Gen Thomas, $7717; Brig Gen McDowell, $5,517; Brig Gen Rosecrans, $5517; Colonels, $4500; Lieut Colonels, $3994; Majors, $3764; Captains, $3049; First Lieutenants, $2713; and Second Lieutenants, $2653.

FOUND—The body of the unfortunate man Brown, whose death by drowning near Langley we noticed in our last, has been recovered. It appears that the deceased was wading across some of the low land now overflooded between the farm and the fort, and walked into one of the sloughs, when, not being able to swim, he was drowned. Mr Allard held an inquiry into the matter, and the jury decided the case to be one of accidental death.—*Examiner*

PETITION—A petition from Cariboo to the Governor, praying that the trespassers on the Grouse Creek Flume Company's ground, who were sentenced to short terms of imprisonment, be pardoned came down on Saturday. Before an answer can be returned to the memorial, the men will be set at liberty by the effluxion of time.

FISHERY—The steamer Lillooet, on Wednesday last, towed Mr Waller's schooner and barge, with a few tons of salt and a lot of empty barrels, to the fishing station three miles above Langley. Mr Waller is going into the trade extensively this year for the Sandwich Islands market.—*Examiner*.

THE ISABEL, tendered by Captain Stamp for the purpose, left Victoria yesterday morning, at 7 o'clock, for The Camp at New Westminster, to bring down Mrs Seymour. Governor Seymour, if he has not gone to Sitka will probably arrive here to-morrow.

IT is rumored that Holladay & Brenham, of the steamship company, have leased or purchased the splendid stone warehouse and wharf of Dickson, Campbell & Co., on Store street, and that their steamers will in future proceed thither.

SHIP VORTIGERN.—Mr A. F. Main advertises the ship Vortigern for sale on the 24th inst., instead of on the 28th. This change is made in consequence of the alteration in the time of sailing of the Active.

WIRES DOWN.—A despatch from San Francisco, dated yesterday, states that the overland line continues down, and that there is no San Francisco news of importance.

THE SMUGGLING CASE—We understand that Mr Ring has been retained by the Government in the smuggling cases against the Gazelle. Mr Pearkes is the Solicitor.

DYING—A Nanaimo Indian, convicted of theft and sentenced to six months' imprisonment, is supposed to be dying of consumption.

Saturday, June 15th.

TRACTS.—"Do you want any tracts left here?" inquired a *colporteur* of the surly inmate of a cottage. "Yes," was the reply, "you may leave your *tracks* with the toes towards the door." Yesterday some twenty postpaid envelopes, addressed in a female hand to prominent citizens, were dropped into the post office, and upon being opened by the parties to whom they were sent, were found to contain tracts on theological subjects and biblical quotations. The one received at this office was moral in its tone, and if the balance of those sent be of a similar character, may do some good. Our friend, whoever he or she may be, doubtless wishes us well, and we have no objection to receive a continuance of the kind admonitions so delicately conveyed, promising the sender that they shall not only be read but appreciated.

SENT UP.—James Irvine, who tries to conceal his identity behind the convenient *alias* of James Smith, was yesterday sent up for trial before a higher Court by Mr Pemberton. The amount sought to be obtained by false pretences is very small, only $5; but as he is charged with having made divers attempts of the same kind, the case becomes of more magnitude than if this was his first transgression.

FOR REPAIRS.—The steamer Sir James Douglas yesterday steamed around to Esquimalt, where she will undergo repairs to her copper, a piece of which has been stripped off.

MAN SHOT.—A Cowichan was brought in from the Willows yesterday in a wounded state, he having been shot in the back with a load of buck shot. The shooting is said to have been accidental, and to have occurred while another man was cleaning a gun.

WE learn that Mr Nicols, manager of the Vancouver Coal Company, at Nanaimo, will proceed shortly to San Francisco, where he will take steps for leasing a wharf and appointing a resident agent for the supply of Nanaimo coal to the San Franciscans.

THE Enterprise did not sail for New Westminster until 7 o'clock last evening. She carried a few passengers and a quantity of freight.

COURT OF ASSIZE.—The Court of Assize [illegible] the 26th inst.

THE Common Jurors were yesterday relieved from further service until 10 o'clock on Tuesday, 25th inst.

THE strike at Nanaimo continues, and the stock of coal is running short.

Friday, June 14th.

ANOTHER ARRIVAL FROM NANAIMO.—The Sir James Douglas arrived from Nanaimo and East Coast last evening with a few passengers and a little freight. The bark Australind arrived on Tuesday morning to load with coal for San Francisco. Capt. Spaulding, the magistrate for Nanaimo, arrived by the Isabel on Monday, and his family on the Douglas next day. The Nanaimo Packet arrived, on her way to the Russian-American possessions, and Mr Cretney, the owner, bought all the casks he could find for the oil trade.

SALE OF REAL ESTATE—A farm of 292 acres with offices, garden, &c., situated in Lake District and adjoining the properties of Capt Dodd and H. N. Peers, was sold yesterday at auction for $1275 to Mr Sawers. The property at the corner of Yates and Wharf streets—45 feet on the former and 132 on the latter—with improvements thereon (the Identical Saloon, &c.) was knocked down to Mr Lowenberg for $3300. J. P. Davies & Co. were the auctioneers.

ELECTION FOR CITY COUNCILLOR.—On Monday next, at noon, in front of the Police Barracks, Town Clerk Leigh will proceed to hold a nomination for Councillor to fill the vacancy in the Yates street Ward, representation caused by the resignation of Mr Layzelle. If a poll be demanded, it will be taken on the day following, between the hours of 8 a. m. and 4 p. m.

COWICHAN PROSPECTORS—From Mr W. T. Crate, who arrived from Cowichan last evening, we learn that a party of five left Cowichan last week to prospect for quartz and gold in the mountains, near Cowichan Lake. They were at the lake on the 9th all well and in good spirits, believing they will strike something rich in the mountains.

INDIAN WHISKY TRAFFIC.—John Wilson, on remand at the Police Court, was yesterday sentenced to a fine of $50 or 4 months, for supplying liquor to an indian. J. Walker, for a similar offence, was sentenced to six months or a fine of $250. He did not appear, being out on his own recognizance.

MRS SEYMOUR, with the remainder of the gubernatorial furniture from Westminster, will be brought down by the Isabel on Saturday. Government House is being placed in complete order for the reception of Mr and Mrs Seymour.

SIX of the sailors belonging to the British ship Siam, now loading at Burrard Inlet, have stolen the ship's boat and deserted. The agent of the ship, Capt. Stamp, offers $25 reward for the recovery of the stolen property.

FROM NANAIMO—The ship Corderilliras, laden with 2200 tons of coal, was towed down from Nanaimo by the Isabel on Wednesday, and sailed yesterday morning for her destination, San Francisco.

ARREARS OF LIQUOR LICENSE.—Summonses were being served yesterday from the Police Court on a few parties who are yet in arrears with their license, for the quarter ending 21st July.

## Obstructions to the due Administration of Justice.

TO THE EDITOR OF THE COLONIST:—SIR:—From occurrences in Court during the late trial of Pidwell *vs.* Hudson Bay Co., and as Leader of the Bar here, I have been asked what are the reciprocal duties of Judge and Counsel during the progress of a trial. I, therefore, mention some of them, in the *sole language* of Mr Justice Lush, one of Her Majesty's Judges of the Queen's Bench, at Westminster Hall, London.

"It is usual and frequently essential for subsequent purposes, that the judge should take notes of the *points insisted* upon by each Counsel, but especially so, of the *precise evidence* given by each witness. The learned judge proceeds to *sum up* (as it is termed) to the jury, and which the leading counsel, in particular, is attentively to observe, as it may be necessary, *while the Judge proceeds, or at least, at the conclusion of his summing up*, to call his attention to any *material omission* or *misstatement of facts, or law*, that might mislead the jury and prejudice the client, and so as to afford the judge an *opportunity of correcting* his remarks *before the jury have been directed to consider their verdict*. The jurors, counsel and attornies on each side are equally bound to observe the summing up; and if either perceive any defect he should immediately communicate the same to the Leader; for all objections should be made through him."

"As to *when and how objections to the Judge's summing up* should be taken (he goes on): As a general rule, objections to the summing up should be taken in the *first instance* and *immediately the objection occurs*. or at all events *before* the judge *has closed his observations* and BEFORE THE JURY HAVE RETIRED. The most *prudent course* is for THE LEADER *to interpose before the* judge has *stated* the whole of his unfavorable view to the jury, so as to afford him an opportunity of altering [illegible] or qualifying his observation on matters of law *rather than afterwards contradicting* them."

Upon the admission or rejection of evidence or *misstatement of the law* (he goes on): "*It is the duty* of the Leading Counsel immediately to state the objection, *and if he do not, the Court*" (*i. e.* the full Court) will not afterwards grant a new trial, "and, therefore, *however painful the duty*, and in some cases *heretofore perhaps dangerous*, yet it is IMPERATIVE on Counsel, if at all, *to object at the time*." (Again), as when there is evidence which by possibility might if believed by the jury, lead to a verdict for the party relying on its effect, the judge is *bound to submit* such evidence to the jury for their consideration, *if required so to do* by the counsel of that party.

Of these reciprocal imperative duties of Judge and counsel as to time, place, fact and law, whether the constant respectful but firm efforts made by me to perform my imperative duty, or the disregard of his by the learned Judge deserves to be stigmatized as "an obstruction to the due administration of justice, or a design to mislead the jury," the Public can now judge. Careless, therefore, of "having the ear of the Court" and profoundly despising such a base and utterly worthless consideration, and all its consequences, when duty to myself, my clients and to the Public, is concerned, I now affirm that, for the substantial and secure administration of justice in this Island, and the correction of bad law, a Court of Appeal *is as immediately and imperatively necessary*, as is day by day our daily bread.

I am, sir,

Faithfully and obediently yours,

D BABINGTON RING.

Fort street, 15th June.

[We give place to the above communication, not because we believe that Mr Ring has chosen a proper medium through which to press the authorities quoted, but because he complains—perhaps justly—that a portion of his remarks in reply to an observation of the Chief Justice, were omitted from our report of Friday's proceedings of the Supreme Court; which remarks, our correspondent asserts, would have placed him in a proper position before the public.—EDS. COLONIST.]

## Canada.

CONVICTION OF A MAIL ROBBER—The carrier of the mail between Melbourne and Richmond, who, in November last, was arrested on the charge of robbing the mails whilst they were in his custody, was tried in the Sherbrooke Criminal Assizes on the 8th and 9th of April, and duly convicted. The sentence which this conviction involves is the fearful one of imprisonment in the penitentiary for life. The prisoner, whose name is David Brown, is a young man of about 18 years of age.—*Quebec Chronicle.*

The Hon. J. A. Taschereau, who died at Kamouraska, was interred on the 3d April at St Marie de la Beauce, his native parish. He had left it many years before to make what is called his way in the world. This dreary journey having been performed, he came back to the point of departure just as the soul sent forth by God returns to the source of its being. All the principal residents of Kamouraska hastened, in testimony of their affection and regret, to accompany the mortal remains as far as St. Pascal Station, where a special car received the funeral convoy and brought it to St. Henry Station. *Quebec Chronicle.*

MADOC, April 8—Mining intelligence during the past week has been extremely satisfactory. Gold has been found in Eldorado beyond a doubt, not only on one lot but on a dozen. Several of the incredulous started out as the report reached us and returned perfectly satisfied, bringing with them considerable gold as the result of their labor in digging and washing. Several large sales have been effected; amongst the largest was Mr F. Conlin's interest in the east half of lot 19 in the 7th concession, Madoc. The fee simple and one-tenth royalty of all minerals was purchased by Mr Develin, of London, for $4000 cash. Gold is reported to have been found in seven or eight different places, but this is not reliable.—*Hastings Chronicle.*

## New Brunswick.

MURDER AT ST. GEORGE—A telegram to the *Journal* says that on Saturday evening last a dissipated character named Sarah Maria Oliver killed an old man named John Mooney, by striking him on the head several times with a picket. After receiving the blows the old man walked about a hundred feet and fell dead. The woman is in custody.

There was excellent skating at the rink on Saturday, and the Band of the 15th Regiment being present, the numerous skaters were in great glee—*Globe, 19th April.*