## WEEKLY COLONIST AND CHRONICLE.

the Heir of Radcliffe. gone to Paris to cons trists. The lady has eral occasions shown toms of hypochendria.

ome, dated April 13, sets eceived on the previous elegrams of congratulal dioceses, convents or abroad. The Nuncio rded the compliments of nish Government. His hanked the Diplomatic the Marquis de Banneasked to be present at th. The director of the had left for Florence gement with his talian le the accounts of the The Giornale di Roma y Father had received om all the Sovereigns, ngland, the Emperor of peen, and Prince Royal ess of Mexico, the King Grand Dukes of Tus-

g-Strelitz. 11-The remains of arrell, an officer of the were refused the burial Catholic Church. The appeared in the church ody was taken from the to the cemetery by a enians. This action of a profound sensation.

## —A Volcanic Island Iiddle of the Sea.

esting memoranda are ptain Nickerson, of the , which arrived in port from Hongkong, having -four days-a very ex-6th, (seventeen days very moderate, with the t, and fine weather. At e Smith Island-one of s south of Yeddo Gulf. atitude 31 deg. 18 min. deg. 50 mim. east. At. very large column of the water, about half thward of the island. ound it to be a volcano. was an island-conof rocks about fifty tending northeast and cut of the water. streak of muddy water extending about 5 miles. ly-formed island. This E., ½ E, and is 5 miles laland. We walked en the two islands, and volcano could hear it vas sending up a dense team, which apparently eight of 1000 fe t. The n very hot, for when the hem a beavy column of above them, and was arful hissing sound. We and smoke rising from er of a mile N.W. from not been that we were , we would have sent a but the position of that on the chart, it was

do so.—S. F. Call. erald's correspondent in this bit of gossip about on : "The Duke of Hamdetermination of avenga slight put upon him by blackballing him, by reish turf. He will accordad in the week after the only the flying "Leonie" He has been down at week, riding about on his ng, and either avoiding or mejority of the English ne of the best known on or though he is only 24 bs, I should think, 220 high, has a purple face the whole surmounted by of red hair-will be missas will also his borses. and supported them handite lis character, he will English turt. After all. in favor of most of the

## signs on China.

aggressive and ambien extending her sway ia towards the Pacific. ye fixed on Constantibeen fixed on Peking. tween the ratification of ting and the misunders at one gigantic stride hin conquering distance at of India. She, how alley of the Amoor too oiut d'appui for further the time that this long ion was made to her terher ancient antagonist. to thwart her designs anted themselves in the and thus undoubtedly a Muscovite sway. The nen intelligent Chinamen first war had the effect pendence of the Empire. that England and the allow Russia to proong cherished object of see Empire; it is certain powers aim at territor-in China and it is not could not permit other

k, of Paris, 103 years of he Fine Arts Fxhibition e representing not less The veteran artist enjoys d takes strong walking He is married to an rty, and has a son aged

its conquest.—Friend

The Weekly British Colonist

be sure to meet with the information he required on any subject connected AND CHRONICLE. with the aborigines. We conclude, as a matter of course, that an Indian Agent Saturday, June 26, 1869 will be appointed; our late experience has made apparent more palpably than As we predicted, the Irish Church ever, that such a functionary is re-Disestablishment Bill has passed a secquired, and further neglect of such a ond reading in the House of Peers. necessary appointment would be high-The struggle was undoubtedly determly blameable on the part of the Gov. ined, by those who conscientiously beernment. An effort should be made lieved it was their duty to r ject the throughout the Island to fix the reserves bill; and had it not been for the votes on such spots as will make them of the moderate Churchmen and Conavailable for the Indians within a cerservatives, there can be no doubt the tain radius, thus throwing open the hill would have been thrown out. It land to white settlement which is now will soon be made clear whether. rendered unsafe by the scattered aud leaving aside the advantage to the migratory habits of the natives, lead-Whigs of having such a large sum at ing to occurrences such as the murder their disposal as will be derived from of Robinson, on Salt Spring Island. the sale of the Church property in Ire-Another advantage to be derived from land, the measure is likely to produce the assemblage of Ingians at any given all the advantage sought by it or point-it will enable the settlers to whether it is not merely one of those choose from among thom the young Liberal panaceas that have marked men or boys that can per turned to that party's advent in every instance profitable account as laborers or apto power. We doubt whether the prentices. The missionary labors can Whigs have ever realised in any case also be more effectively applied, and the half of what they promised the nacivilization so rapidly inculcated that, tion in return for what has been at the so far from being a source of terror time the most terrible sacrifices. We to settlers and the Government, as they know them to be far "smarter" than are at present, the Indians would bethe Tories, who retain all the heavy come a means of strength and wealth to the Colony. We cannot see any-Saxon blundering in their policy, marked by a great deal of bigotry, but thing to prevent the adoption of such an arrangement, but we see a great certainly with much more honesty than and immediate benefit to be derived the Whigs, who are unquestionable from it. time-servers. They have, probably, a Tuesday June 22 few honest men among them like John Brutal Assault on the Cedar Hill Road Bright, but like him they are hoodwinked until the party objects are attained. George D Clarke, stockbroker, was arrest. ed on Sunday on a charge of of committing Nothing so distinctly illustrates the un' a violent assault upon Mr Elijah Anderson, principled character of Whig policy. than the advantage taken of their majo- while the latter was walking along the Cedar Hill road in campany with John George Tayrity to carry the Disestablishment Bill lor. Mr Bishop appeared for the prosecueven in the face of a possible revolution. tion, and Mr Jackson, of Drake, Jackson & Granted that the Whigs argued rightly Aikman. for the defence. The prosecutor in believing that the Peers would not testified that Clarke, (who was on horseback) risk such an eventuality; that only goes first called him vile names, and then threatto prove more decidedly their aptitude for ened to ride over him. Prosecutor celled Clarke a scoundrel and tried to get out of political finesse. The nation was sick of his way, when the prisoner dismounted and their oligarchical system of government seized him by the throat and choked him . long ago and had it not been for Gladston Taylor came forward to expostulate, when they would not have returned to power Clarke, uttering fearful oaths, threatened "to for a long time to come. The Whigs are do" for Taylor; prosecutor broke away but just as quick as the Tories are slow

their friends to account. Strange to prisoner said he would "do" for prosecutor if say, the Tory ranks have always been he was bung on the gallows; he had assaulted witness on one or two previous occasions: the school where aspiring statesmen began their career; and when not bound prisoner then set his dog upon witcess and by ties of blood they almost to a told him to tear his throat out. men deserted to the Whig ranks for old up a stick to strike Clarke; he might

was seized again and throttled so violently

in seizing an advantage and turning that present almost lost consciousness:

a time, usually to finish their career

where it began. The reason is simple;

the ultra respectability upon which the

on the other hand, are the first to ap-

matured experience, who find after all

that the safest principles are to be

ally, of the Whigs, who hate and dis-

extreme and is a fanatic in his new

principles. His present supporters, or

a majority of them, having, as they

an early opportunity of deposing him

if they can effect it, and a year or two

may see him safely back to the Conser-

vative ranks for the rest of his days.

We only hope that his present extrava-

gant measure may not then cause him

IT is announced that all the Indians

in the vicinity of the city are to be

gathered into one fold or reserve. and

in future will be prehibited from pitch-

ing their tents in any handy locality

that may suit their wandering fancy

at the moment. The idea is a good

one; but we should recommend going

a little further and bringing together

all the tribes and remnants of tribe

that speak one; language in any suita-

ble locality where a reserve can be fixed

without inconvenience to the white

settlers in the vicinity. The Cow-

cnans and kindred tribes might be

brought together at Cowichen; the

Songish and their kin might be col-

lected within eight or ten miles of the

city. The advantages of such aggre-

gation would enable the services of an

Indian Agent to be more immediately

and constantly useful, as he could pro-

much regret.

have "done" for me if there had been no witness present. To the Court-Clarke has a bitter preju-Tory rolitics are based admits of no dice against me; I gave him some money to scope for a man of ambition; the Whigs, go across the Sound and he failed to account for it teatisfactorily, and since then I have

terminated all intercourse with him. preciate incipient genius and turn it to John George Taylor, sworn-Witness coraccount. The charlatabry of Whiggery roborated the testimony of the prosecuting generally disgusts the politicians of witness as to the assault and violent language of Clarke; who tried to ride both Anderson and witness down; witness stood looking at found in Conservatism. It is thus that Clarke because he knew the man, and expec-Gladstone is now the champion, nominted a krife to come out next and he (witness) knew "what them things is-knives and pitrust him. Like all converts from a tols;" he said he would fix me off if I interfered : he called a dog and told him to tear former belief, he rushes to the other the threat out of Anderson, but the dog would not interfere : Anderson had a little bit of a cane belonging to me in his hand, but he did not use it-he was too frightened to do anysuppose, got safely into power, will take thing; Clarke choked him till he could not

> Cross-examined-I believe it was a murderous assault; I did not interfere because I was afraid of a knife.

Mr Adderson, recalled-swore that he was afraid of his life. Mr Bishop pressed to have the case sent to a higher court. Mr Jackson said Mr Bishop ought to be

ashamed of himselfar teorg out at Me Bishop reforted that he was not asham-Mr Jackson addressed the Court in behal of his client, claiming that he was not sober at the time of the assault the alleged intention of Clarke to "do" for the prosecutor. W. sbeard on his client was extremely sorry fo

what he had done and the offence would be coeded by the infliction of a small fine J.G. Taylor recalled—said he knew that Clarke once chased Wren with a knife in his S. MAW & SON . See

The Magistrate ordered Clarke to furnish sureties to keep the peace for 12 months each. win viefault, to stand committed vfor three months at Mind all conference of the

THE H. B. Cos. CLAIMS .- The Pacific Tribune says the H. B. Cos claims have been fully submitted to the Commissioner The Tribune adds that "this gives room for the hope that the next generation may witness the adjustment of these long pending ceed to the locality where he would

WILL OF THE LATE HONORABLE H. D LASCELLER, R. N. - The will of the late Hon. H. D. Lescelles was yesterday admitted to probate on the application of Messrs. Pearkes & Davie. Testator bequeaths his and elsewhere (except in the Oblony of Brit- of skilled witnesses, Captain Larcom, tish Columbia) to his nephew, Walter I as- H. M. gunboat Forward, Lieutenant celles; and all his real and personal property in British Columbia to his sister, Lady Maud Lascelles. Charles Mills, Banker and Member of Parliament, is appointed Executor in Great Britain, and J. J. Southgate, Esq., Executor in British Columbia. It gives us of the captain of the Rosalia. much satisfaction to be able to state that a Secretary of State for the Colonies, directing of the ship at from \$2000 to \$5000. the Administrator to render every assistance in the obsequies held over the remains of the deceased gentleman. The fellow-colonists of Capt Lascelles (who always styled himself a British Columbian) will be glad to hear of this mark of respect towards his memory.

A LITTLE MITE of a man, aged 7 years, named Benjamin Brown, was brought before the Police Magistrate yesterday on a charge of stealing \$20 75 from his employer, Mr Monoks, of Store street. The little fellow pleaded guilty, and said he spent the money. he bired four horses at a livery stable, on from under their burthens and trotted home. The Police stated that Brown's father, who is a longshoreman, said he i "didn't want anything to do with his son;" but Mr. Pemberton, who appeared to think the parental responsibility too binding to be thus easily cast off, sent for the elder Brown and remanded Benjamin for one day.

ARRIVAL OF THE U. S. TRANSPORT NEWarrived yesterday afternoon at 116 c'clock. Survey, Assistant Surgeons Powner, and Kirke, U. S. A., Major Brady, U. S. A , and General Davis in command of Alaska Territory. The efficers of the Newbern are: Captain, W. Freeman: 1st officer, C. H. Gibbs; 2d officer, - Douglass; Chief Eugi-2d Asst., J. Doyle, We are are indebted

Ir transpired after the jury in the Rosalia case was discharged, that on Saturday .. the jurors came to a decision and instructed the foreman to simply return a verdict for the defendants. In order that whe foreman Cross-examined by Mr Jackson-I did not should be prepared in the event of being paper containing words to the following effect; "The jury agree that the captain of the leabel was not guilty of ne vigence. and did not cause the loss of the Rosalia, Unfortunately for the defendants, the foreman forgot the verdict and read the paper, thus leading to the subsequent proceedings which resulted in a verdict of \$8473 for the plaintiffs subject to review

THE INDIANA - We understand that in pursuance of a plan prepared by the late Governor, stringent regulations are about to be adopted by the Administrator towards the Indians. None will be allowed to domicile in town, but they will all be collected in bouses to be erected on the Reserve at the rear of the Hospital.

THE Columbia Engine Co., of Olympia. W. T., have invited the Tiger Engine Co. of this city to visit their pleasant town with their apparatus, and join in the Fourth of July celebration. The Tigers will consider the matter.

SUNDAY SCHOOL PIC NIC. The Sunday School Scholers of St. John's will go upon a big nic excitsion to San Juan Island on the 28th instant—next Monday. Tickets are sold at the low rate of \$1." Caped Delacombe of the Eritish Camp has kindly per-Station and again

FROM THE SOUND -The steamer W. G. Hunt, Captain Waitt, arrived from Paget Sound last evening at 7 o'clock, bringing Messrs F. H. Lamb, S. O. Moody, W. W. Miller, F. Stratton, and about 30 other passengers. Mr. W. H. Taylor parser and Capt. Waitt, have our thanks for important favors THE DUKE OF EDINBURGH COMING. Prince Alferd, Dake of Edinburgh, second son of Queen Victoria, is now supposed to be at Honolulu, and we learn by private letter from the Islands that there is talk of his

THE ECLIPSE OF THE SUN.-Professor Davidson, of the U. S. Coast Survey, with seven men are on board the Newbern. They are bound for a point 150 miles above Sitks. in Alaska Territory where the eclipse of the sun on the 7th proximo will be total.

visiting San Francisco Cin spite of the Fen-

iensi — SO Eu Allana Manada isali ta di

Supreme Court.

Before Chief Justice Needham:

Saturday, June 18. Pearkes & Davie. Testator bequeaths his Dussel vs. B. C. & V. I. Spar and Mill toria? real and personal property in Great Britain Co.—The defence produced a number No. Conner, R N., and Capt. John Thain, whose evidence went to show that Isabel was not an unsafe place, and that the accident or loss was attributable, in whole or in part, to the negligence

The depositions of five gentlemen, telegram was received by the Administrator taken in San Francisco, were read as of the Government from Earl Granville, the evidence to damage, placing the value Mr. Robertson, for the defence, ad-

his power to Mr Southgate in the conduct of dresssed the jury at considerable length, and in a very able manner, resting his defence mainly on the point of negligence on the part of the Captain of the Rosalia, quoting authority to show that any negligence on the part of the plaintiff which might contribute in part to the loss of the ship, would prevent the recovery of damages He contended that the agreement made by the Captain of the Isabel to tow the Rosalia, did not prevent him from towing any other ship at the same time. arging strong arguments to show that It was stated by the Inspector of Police that the defendants hau, by no design or neglect, failed to do all that they were Sunday, and, mounting three companions, bound to do under the circumstances, started off for a picnic in the country. Op- as he had endeavoured to show by the posite St. John's Church the horses went evidence of skilled and disinterested witnesses

The learned judge, in addressing the jury said the case reduced itself to one single point. Ie has been clearly proved by the bill for the towage of the Rosalia, that the defendants are the owners of the Isabel. The plaintiff is admitted to be the cwner of the Rosalia. The contract to tow the ship is not denied. The question for the jury is one ot tort for non-fulfilment of contract. question for you, gentlemen of the jury, is this—aye or no, have the defendants seen BERN .- The U. S. Transport Newbern, 5 guilty of begligence, whereby the ship Rosalia days from San Francisco, bound for Alaska, was wrecked and lost? If they have, they are liable. If they have not been guilty of She brings as passengers General C. H. negligence, they are not liable. If the negligence of the plaintiff has contributed to the pl P. Ihrie, U. S. A., Prof. Davidson, Coast has been much confusion in the case, and a wrong application has been made of the negligence sought to be attributed to the plain-tiff. If the negligence of the defendants confamily. General Tompkins will relieve tributed to the negligence of the plaintiff any subsequent negligence of the plaintiff would not remove the liability of the defendants. If through the negligence of the defendants, the vessel was brought into peril and danger, the subsequent negligence of neer, Geo Fason , 1st Asst., C. G. Castell, the plaintiff would not relieve the liability of the defendants. The contract undertaken to the Captain and wardroom officers for by the defendants implies that they should use all reasonable care, skill and power to bring the Rosalia from Burrard Inlet to Vicpower sufficient for he performance of the contract, taking into consideration the time. place and distance, the season of the year, contingencies of the weather, etc.? It not, the Fanny's being towed astern of his ship. any subsequent negligence on the part of the 6 to 2. plaintiff, such as is urged and sought to be or without his consent?

snown by evidence, has no bearing on the or without his consent?

Answer Without [unanimous.] and men the leakage of the ship, the insecurity of the deck load, will not contribute to the Fanny ! the act of neglicence, necessary by law to relieve the negligence of the detendants. The defendants were negligent. Dit the

> to salvage for additional services . The evi- 6 to 2. to salte a dence of Capt. Endeiza and Capt. Arthur 12 Did the captain of the R sylia, after shows that there was no effort made on the he was cast of from the Isabel use search They both say they did not see the s'eamer linky to abword after they were cast off or broke clear of her Capt Pamphlet, however, says that he did will not be a matter for the jury to take into consideration, armed tends of the chief Justice then read portions of

the evidence and remarked that upon the ashore and was wrecked, quest on of damages they, the jury, must devent and was wrecked.

Answer—6, no; 2, yes. cide between the two extremes of \$7.000 and \$18,000, the different values set upon the vessel and cargo. The charge con-eluded by instruction the jury that the ques-tion for them to consider was, aye or no, are

ities, is not merely to tow, but if an exigen-

vessel from less and for any assistance ren-

tion for them to consider was, aye or no, are the defendants guilty of negligence?

The jury retired at five o'c ock, and after waiting, half an hour, the Judge informed them that he would return at eight o'clock and there was there a total loss funnities and receive their verdict. At five minutes mous leads the was given by the Chief Justice, for earne into Court, and when asked it they had agreed upon a verdict, retired, that they had agreed six to two. The Chief Justice asked the Counsel on both sides if they were say inside, that the jury had been one three bounds.

The counsel on both sides if they were say inside of the Justice provided, that the jury had been on three bounds.

The counsel assented of the juryman were the counsel assented to state what, had agreed upon. The foreman replied that their verdict Rivalia. and a sounded to state what, he had agreed upon. The foreman replied that their verdict Rivalia. and a sounded to state was not guilty of the defendants, so the defendants. of negligence, and did not thuse the loss of

be given the writing of added what two and the best the world but the questions of them and whiting, to which he would require them to bushes. The following questions were then but; in writing and the jury retried to consider the const mill the isobel had anken the Resalis alone in fow from Burrard folds, and taken no other wessel in tow during the toyage, would the Rosatia, in all human probability, under the circumstances, have reached Victoria in safeconvenience, and the clause in question on pives rise to a little red-tapeism whicher

Did the defendants bring the Rosalia into sails; allow me to state a by no

tow decrease the power of the Isabel to act in favor of the Rosalia?

Yes. it did. At the time the Isabel cast off the Rosalia was she able to tow both vessels into Vic-

Was the Fanny taken in tow with the consent of the captain of the Rosalia? The jury twice returned unsatisfactory an-

swers, after which they came into the Court and the Judge read a portion of the evidence where the Rosalia was cast off from the of Captains Endeiza and Pamphlet, bearing upon the question. The jury, after a few minutes conference. said that six of them were of opinion that

the captain of the Rosalia admitted the rope on board after the position of the ships was changed. The Judge would not accept the verdict on the question, and ordered them to retire to

the jury room, where he would be obliged to keep them the time required by the statute.

The jury retired, and at the expiration of an hour, with the consent of the Counsel on both sides, were permitted to adjourn until Monday morning at 11 o'clock. The Court adjourced at a quarter to 12 p.m.

Dussol vs. the B. C. & V. 1. Spar, Lumber & Sawmill Co.-This extraordinary case again came up for trial by special jury year terday. On His Lordship taking his seat, the counsel for the defende moved that the first answer of the jury absolving the I-abel from blame in the matter, be entered up as a verdict for the defendants. His Lordship stated that due weight would be given to every answer of the Jury, and suggested the propounding of other questions proposed by the

they were as follows: 1-If the Isabel had taken the Rosalia alone in tow would she in all human probabill y have been able, under the circumstances, to have completed her contract and brought the Rosalia on to Victoria in safety?

defence. Certain other questions were then

prepared for the jury who replied as annexed

Acswer-Yes | unanimous. | 2-Did the detendants bring the Rosalia from Burrard Inlet to Victoria? Answer No. [unanimous.]

3 Did the fact of the taking of the Fanny in tow decrease the power of the Isabel to actinithe favor of the Rosalia?

Answer-Yes it did. [unenimous.] 4-At the time the Isabel cast off the Rosalia, was she [the Isabel] able to tow both wessels, the Rosalia and the Fanny, into Victoria ? The test bearing gow

Auswer-No, [unanimous.] 5-Could she have towed in the Rosalia

alone?

Answer—Doubtful, 7; no. 1.

6—Did the Isabel take the Fanny in tow with or without the consent of the Rosalia?

Arswer—With the consent, 6; without it,

7-Did the Isabel take the Fanny in tow th or without the consent of the Rosalia? Answer—The jury still think that the captain of the Rosalia did not object to being towed astern of the Fanny, his objection being, in their opinion merely, confined to

9-Was the Rosslia taken in tow astern of

fore she parted with the Fanny ? loss of the ship accrae from that negligence? Answer-Yes. | unanimous ] at a og das The duty of a tug, as laid down by the author-

Isabel do all in her power to asset the Rieacy arise; to give all assistance in saving the lia to a betth in safety? sues 1 19sm Auswer-The Isabel did all in her power dered in his way the boat towing is cutitled antil she saw the Rosalis in a place of safety.

he was cast of from the Isabel, use seamanpart of the Isabel to render them assistance, like skill in his endeavors to save the Rosa-Answer-No. [unanimous | 10 w add bal 13-Did he do his best according to the

try to assist them. There is no charge made skill and judgment he porsessed and the Answer- Yes 14-Was it is consequence of acts of the Isabel or any of them that the Rosalia went

16-If seamanlike skill and care had been used by the captain of the Rosalia after she

was cast off in Haro Straits would the Rosalia have been lost. Answer—No. junanimous junalimous junalimous

ing with the agent of the defendants, conthe shighth of experience. With rest and the content and the c The foremen then requested that the charge replies of the jury to the questions submit

replies of the miny to the questions and of replies of the miny to the part of the month of the miny to the month of the month of the month of the month of the miny the month of the minth of the month of the minth of the month of the minth of the minth of the month of the minth of the minth

and is rapidly increasing it importance. T WENT TO THE WHOMO PORT A Chilean ship, consigned to Moody & Co. of Burrard Inlet, mistaking Port Gamble for the Inlet, went there and discharged one-ball of her Did the fact of the Fanny being taken in ballast before the captain found out his error.