WEDNESDAY MORNING, MARCH 29, 1865.

LETTERS & TELEGRAMS.

A. H. & Co., Liverpool.

SPRING ASSIZES.

END OF MONDAY'S BUSINESS.

LYSTER vs. BURGESS ET AL.—The verdict for the defendants in this case was given on adverse possession, with leave to the plaintiff to enter a verdict for himself, if the Court is of opinion that the 20 years' possession does not bar him from recovery.

LYSTER vs. FARR ET AL.—This action of ejectment, brought by the Rector, to recover possession of a disputed lot of land, was governed by the case of Lyster vs. Burgess et al., and a verdict for defendants allowed. Sir Henry Smith, Q.C., Mr. R. A. Harrison and Mr. T. Kirkpatrick, Q.C., for plaintiff; Mr. James O'Reilly, Q.C., and Mr. Britton for defendants.

CHAMBERS vs. SECKLE ET AL.—This was an action of ejectment brought by Philip Chambers against John D. Seckle and John Stevenson, to recover possession of the east half of Lot No. 22, in the 5th concession of the township of Fredericksburg. The plaintiff claimed the lot under a deed dated in September, 1848, from the plaintiff's father, Timothy Chambers. The defendants claimed title under a sheriff's deed, as agents of the land of Timothy Chambers. Mr. James O'Reilly, Q.C., and Mr. R. A. Harrison for plaintiff; Sir Henry Smith, Q.C., and Mr. W. H. Wilkison for defendants. Verdict for defendants.

Tuesday, March 28th.

The Court opened this morning at nine o'clock, the Hon. Mr. Justice Morrison presiding.

FISHER vs. BERRY ET AL.—This was an action brought by Robert Fisher against Edward Berry & Co. of this city, for balance of account said to be due plaintiff. The defendants in February, 1864, engaged the plaintiff to erect a steam saw mill and dressing machine in the defendants' ship-yard at Portsmouth, certain portion of materials to be furnished by the plaintiff and part by defendants. An agreement was entered into between the parties that the mill was to be finished within a certain time, and that some old machinery of the defendants' was to be inserted in it. It was also agreed that $10 would be forfeited for every day the mill remained unfinished, after the appointed time. The forfeiture amounted to $500, which defendants kept out of the agreed price, and the plaintiff claimed, beside this $500, damages for extra work on the mill, and hiring men to fill a well which was intended to work the engine, but was insufficient to do so. The plaintiff contended that the delay in the work was caused by the defendants' not having supplied the connecting pipe &c. of the engine, mentioned in the agreement, in proper time. The plaintiff shewed that the work was done sufficiently, and proved by competent witnesses that the mill was in better working order than the mill at the Marine Railway, (the agreement also mentioning that the mill was to be an equal, if not a better one than the railway mill,) as it supplied material for building six vessels of from 750 to 1000 tons. The defendants contended that the delay was on the plaintiff's side, as he did not commence work for six weeks after the agreement was made, and then did not put sufficient men on the work; that the engine kept up a jar and vibration contrary to agreement. They therefore refused the amount of the whole contract price, as the $500 was forfeited; and refused to pay for the extra work, as it was not done under special contract. Sir Henry Smith, Q.C., and Mr. R. A. Harrison for plaintiff; Mr. James O'Reilly, Q.C., and Mr. G. L. Mowat for defendants. Verdict for plaintiff $350.

The Grand Jury brought in a true bill in the case of the Queen vs. David J. Campbell and Charles Playfair, for a Breach of the Foreign Enlistment Act.

THE QUEEN vs. WILLIAM CHRISTMAS, Misdemeanor.—The prisoner was charged with a Breach of the Foreign Enlistment Act, in enticing a lad named Charles Ransier in the month of October last to enlist in the United States army. The case was reported in a late Police Report. Mr. W. H. Wilkison for the prosecution; Mr. Macarow for the prisoner. The Jury had not returned a verdict when our report left.

THE QUEEN vs. DUNCAN MCKENZIE, Breach of the Foreign Enlistment Act.—This case was put off until the next Assizes, on application of prisoner's Counsel.

THE QUEEN vs. MCKAY WARE, Misdemeanor.—The prisoner was indicted for an alleged Breach of the Foreign Enlistment Act, in enticing one John Herchmer Conway in February last to enlist in the United States army. The case was the one with which ex-Policeman McDermott was connected, and was lately reported in a Police Court report. The prisoner had several times enticed the informant and once went so far as to drive him part of the way to Wolfe Island, in company with McDermott, when informant refused to go farther. Mr. W. H. Wilkison for the prosecution. The prisoner defended himself, and made not a very eloquent address to the Jury. Verdict 'Guilty.'

In the course of the trial it transpired that the witness had been committed to gaol in default of bail to appear to prosecute. His Lordship stated that the committal was improper and illegal, and there was no authority invested in a magistrate to do so. His Lordship was furnished with the warrant under which he was committed, and had been confined in gaol for more than a month among hardened criminals, from whom he could receive anything but good lessons. His Lordship quoted the decision of a learned English Judge on a similar case, where the witness was a boy of eleven years of age, and the prisoner was committed on a felony (not a misdemeanor, as in this case) and that Judge placed upon the magistrate the highest disapprobation of his conduct. He hoped he would never again see the committal of a witness repeated.

THE QUEEN vs. WALLACE WILLIAMS.—Misdemeanor.—The prisoner was indicted on a charge of a breach of the Foreign Enlistment Act, in enticing one John Hunter, during the present month, to enlist in the United States army. Mr. W. H. Wilkison for the prosecution. The principle evidence for the prosecution was so incosistent that his Lordship charged the Jury to bring in a verdict of 'Not Guilty' without proceeding farther, which was accordingly done.

The Grand Jury brought in a true bill in the afternoon, in the Queen vs. Thomas McDermott, for a breach of the Foreign Enlistment Act.

THE QUEEN vs. DAVID J. CAMPBELL.—Misdemeanor.—This case was put off till the next Assizes on an application by prisoner's Counsel.

LIVERPOOL AND LONDON AND GLOBE INSURANCE COMPANY.

[From the London Daily News, Feb. 24.]

The 29th annual general meeting of the proprietors was held yesterday, at the Company's Offices, Liverpool, Mr. James Aspinall Tobin, the Chairman, presiding. The Secretary, Mr. Swinton Boult, read the report of the Directors and the statement of accounts.

The Chairman said he thought he might again congratulate the meeting upon the very satisfactory statement of the affairs of the company presented. During 1864 they had passed through a period of great trial to insurance companies, and, in the opinion of competent judges, if the whole of the companies in England were taken, it would be found that in the aggregate there had been a loss upon the business of the year. Yet the directors of this company felt justified in proposing a dividend of no less than 40 per cent. for the whole year. To show that the past year had been really disastrous, he took the years since the establishment of this company in cycles. In the ten years from 1836 to 1845, the losses had been 58¼ per cent.; in the years from 1846 to 1855 47¾ per cent.; in the years from 1856 to 1864, 64¾ per cent. The losses during 1864 had been no less than 70½ per cent.; and in 1863, 57½. If in 1864 the losses had not been greater than in 1863, it would have made a difference of no less than £100,000 in the profits of the year; and 1863 was not an exceptionally favorable year. The favorable feature in the company's affairs which would strike them all was the enormous increase, year by year, of its revenue. During the last two years the increase in the fire revenue alone had been £200,000—an amount in itself equal to the whole fire business of almost any other company in England. He felt the most perfect confidence that during the next two years the increase of income—which was at the present moment going on at an almost accelerated ratio—would amount to no less than a million per annum. The arrangements in the Globe company, for amalgamation, had been completed during the year; the great difficulties which necessarily arose in a transaction of such enormous magnitude having been overcome; and he was confident that the result would be satisfactory to the shareholders of this company. The amalgamation had placed the company in a position which was unrivalled in this country and a basis so secure and firm that it would be very difficult to shake it. The reserve fund now amounted to £1,164,000. Another arrangement which had been entered into with the Leeds and Yorkshire company—a long established company in Yorkshire and the surrounding districts—was one of the most satisfactory with which he had to do during his confexion with this company. It would be of great advantage to the company. The terms were most satisfactory, and a large and good class of business had been brought over. The local boards in all parts of the kingdom and in different parts of the world, sent in to the directors annual reports, specifying the securities existing in their districts, and certifying that they were of the value represented in the company's books. The arrangements with the Leeds and Yorkshire and the Globe companies made the past year are very favorable in this respect; but it was only right that from time to time there should be a careful examination of the securities. The directors had to deplore the loss of Mr. Earle, a most valued and estimable colleague, who has been actively connected with the company since its constitution in 1836. His interest in it had never flagged for a moment, and he had held an enormous stake in it. The directors all felt that they had lost a dear and valued friend, and the company a valuable adviser in Mr. Earle; and they had thought it at once conducive to the interests of the company and a just tribute of respect to their late colleague, that they should elect Mr. Thomas Earle, a near relative of his and a gentleman of the highest position in Liverpool, to succeed him. (Hear, hear.) They had also to deplore the loss of the late assistant secretary, Mr. Wilks, a gentleman who would have risen to a much higher position had his life and health been spared. The death of Mr. Wilks had forced upon them the consideration of a subject which had often before engaged their attention—the necessity of provision for the vast business of the company. They had thought it desirable that Mr. Boult's attention should not be so much devoted to the details of the business as to the general interests of the company—carrying out the views of the directors with regard to its general policy and bringing into harmony the views of its various boards throughout the world. The directors were glad—and he was sure he expressed the sentiments of the shareholders in this—that while they were doing what was in itself conducive to the interests of the company, they were also paying a just compliment to Mr. Boult, who had been so long connected with the company, who might, indeed, be said to have originated it, and who had brought it to a state of success not equalled by any other company in England. During its existence £1,041,000 had been distributed in dividends, and its property had increased in value to the extent of $1,950,000. (Applause.) He moved the adoption of the report.

Mr. C. S. Parker, as one of the few survivors of the original board of directors, had peculiar pleasure in adding his testimony to the merits and services of Mr. Boult. Mr. G. H. Laurence was the only other gentleman now present who had been present when the company was formed. Mr. Boult, then in the prime of his youth, had devoted his untiring energies to the founding of the company. He had been more sanguine than most of them; but even his expectations had now been almost realized. If Mr. Boult, they possessed a rare union of mental qualities—combining with grasp on mind which enabled him to deal with a large future, a capacity for strict attention to the minutest details. He (Mr. Parker) was sure the shareholders had ratified the appointment of Mr. Boult as managing director of the company. (Applause.) He was sure they would all join him in the hope that for his own sake, for the sake of his family, and for the sake of the company, the vigor of body and mind which he retained after thirty years' labor might be long continued. He (Mr. Parker) had made a calculation, by which he found that the company's income for the whole year of 1837 would be equal to about four days' income at present. He seconded the adoption of the report.

In reply to Mr. Huntley, the Secretary said that besides the sum of £64,000 interest mentioned in the report, there was a further sum of £97,812 interest derived, with the £64,000 from the invested capital. In answer to the same gentleman, the Chairman said the new stock issued to the Globe shareholders had been at £8 premium, as arranged in 1862, when that was the full market value.

The report was unanimously adopted.

The Chairman moved, and Mr. Harold Littledale seconded, the usual resolution, authorising a dividend at the rate of 40 per cent.

Upon the motion of Capt. F. Shaw Stuart, seconded by Mr. R. H. Wood, a vote of thanks to the board of directors was passed unanimously; and the Chairman responded.

Mr. S. Ashton, of Manchester, moved the re-election of the retiring directors—Messrs. Tobin, Littledale, Parker, Forget, Gilmour, Haigh and Swainson.

Mr. R. W. Gaussen seconded the resolution and the gentlemen were severally and unanimously re-elected.

Mr. G. A. Laurence moved, and Mr. C. J. Forget seconded, a vote of thanks to the various local boards, which was unanimously passed.

A vote of thanks to the auditors Messrs. C. T. Bowring and N. Caine, was proposed by Mr. Walter Stead, of Leeds, seconded by Mr. Brancker and carried.

Mr. Bowring in acknowledging the compliment, explained that the audit extended no further than a comparison of the statement of accounts with the books, and said it would be absurd for amateurs to attempt to audit the voluminous books of the company.

The Chairman said the directors went much further. The audit committee of the finance committee examined the books periodically, and they proposed to have the assistance of a professional auditor from time to time.

Mr. J. C. Corbally moved that £2100 should be placed at the disposal of the directors for distribution amongst themselves as they think fit. This sum could not be considered in the light of remuneration, but merely as a slight acknowledgment of their valuable services. (Hear).

Mr. J. Mollyneux seconded the resolution, which was unanimously adopted.

The Chairman moved, and Mr. C. Saunders seconded, a vote of thanks to the secretary of the company, and to the secretaries of the various boards, which was unanimously passed.

Mr. Boult responded, expressing his most cordial gratitude to the chairman and Mr. Parker for the observations with which they had introduced that portion of the report which had reference to his appointment as managing director. He had endeavored to do his duty; he had taken great pride in the company's success; and he entertained a strong hope that that success was but the prelude to greater success yet to come.—(Hear, hear.) He was conscious that no single individual, however anxious, could accomplish such results as had been realised without the confidence and support of those who were in authority over him, and the laborious, voluntary exertions of those who had to carry out any policy which might be adopted. No company in England could command a ghost of the services of a more attached and efficient staff than that which carried on the various concerns of his company. He thought the changes made in the organisation of the executive were calculated to assist greatly the future progress of the company, for he believed its concerns had become so large that no one mind could grasp them altogether, or, at least, see that they were carried out, both in their inception and in their details; and he had no doubt that the proprietors would see great benefit resulting from these alterations. He should continue to do all in his power to aid the company in attaining that greater success which he was persuaded, under ordinary fortune, lay before it in the future. (Applause).

A vote of thanks to the chairman brought the meeting to a close.

CRIMPS ARRESTED

STRATFORD, March 25, 1865.

John McCulloch and James Watson, resident of this place, were arrested to-day for taking men to Detroit to enlist in the Federal army. McCulloch was tried before the Mayor, and committed to trial at the assizes. The case of Watson was adjourned till Monday. The evidence is quite conclusive, and there is no doubt of the conviction of the prisoners.

*** Why did not the Justice of the Peace try the man and convict him under the provisions of Mr. John A. Macdonald's Crimping Act?

There is a rumor, and we hope it may have good foundation, that Col. McMurdo, the Inspector General of Volunteers in Britain, is about, with the consent of the Imperial authorities, to offer his services to the Canadian Government to complete the organization of the Provincial Militia. We have long advocated the policy of securing the services of a competent military man as Adjutant General of Militia. And if such a man as this, long accustomed to deal with the humors of a citizen soldiery—one who has done his duty with such admirable tact and discretion, as to gain the hearty good will alike of the Government and the volunteers in the mother country, will undertake the work, there is good reason to hope for increased efficiency in the Militia Department. It is needed; for with all the zeal of the present men in office, (which we do not wish to call in question) some of those have been too long accustomed to serious work, and others are too new at the business of soldiering to give entire satisfaction to the country. If the Government and people are thoroughly in earnest in the matter, as we believe they are, they will be glad to see a man like Col. McMurdo undertake to complete the work already well begun. If there is ever to be formed a separate, independent state in this North America, its people must be imbued with a military spirit. The young men of the country are already responding in large numbers to the call to train themselves for military service. We hope the time will never come when they will shrink from the performance of this duty of all good citizens.—Quebec Chronicle.

*** The danger attending a European instructor or Superintendent in America is, that he is sure to bring with him European ways, customs and manners, which won't go down with the people in America, and his usefulness becomes thereby greatly lessened and in fact rendered of no value whatsoever.

THE RECTORY CASE.

This great Cause which has occupied the time of the Court of Queen's Bench for three entire days, was finished on Monday afternoon. The verdict, as might be expected, was for the Defendants. Juries don't like to dispossess people of property which they have bought and paid for, without strong provocation and some equity. This verdict, however, does not settle the law suit. Leave was reserved to enter the verdict for the plaintiff, if the Court above was of opinion that the law was with him. But this is a matter that one trial as Nisi Prius will not settle. There will be new Trials, other verdicts, applications to the Courts, and Appeals to Higher Courts, if not finally to the Judicial Committee of the Privy Council. An immense amount of property is at stake, and litigation may go on for years. As to the legal merits of the case, we are unable to give an opinion; but as to its equity, there can be no doubt, but as these people have purchased their property and kept possession of it for more than twenty years, they have an equitable right to keep it. And this we think will be the final result.

CANADIAN DEFENCES.

An important debate has taken place in the House of Commons on the subject of Canadian defences, and we are very happy to say that the tone, so far as we can judge by the telegraphic report, is exceedingly satisfactory. It will be noted that the chiefs of both the great parties in the House declared unalterable determination to defend Canada with all the resources of the empire. We apprehend that that settles the most important question at issue in Canada. If our people do their fair share of the work, they will be sustained firmly and cordially by England. The opposition of Mr. Bright was expected as a matter of course. He is opposed to colonies as he is to war, but in these matters he does not represent the nation, nor even a large minority. If the question 'colonies or no colonies?' were submitted to the people of England to-morrow, the decision would be, we believe, almost unanimously in favor of the former. The doubts which have pervaded some minds in Canada, owing to uncertainty as to the position of the Imperial authorities, may now be expected to disappear. It is evident that the tie which binds Canada to England will be rendered as firm and lasting as the British Government can make it and so long as that is the case it will never lack devoted adherents and supporters in this Province. We also observe that Mr. Cardwell and Lord Palmerston's speeches confirm what we have lately said as to the good feeling existing between the British and American Governments, and the improbability of war arising out of present complications. We trust that these statements will have the effect of allaying the war panic in England, which has brought down Canadian securities to a very low point.—Globe.

ARRIVAL OF THE "AMERICA."

CANADIAN DEFENCES IN THE HOUSE OF COMMONS.

A SPIRITED DISCUSSION.

BRITAIN WILL DEFEND CANADA.

New York, March 26.

The steamship America, from Bremen, via Southampton on the 15, arrived to-night.

The Europa arrived out on the 12th, and the Lafayette on the 13th.

ENGLAND.—In the House of Commons, on the 13th, the Chancellor of the Exchequer stated that he would make his financial statement on April 27th.

Mr. Fitzgerald called attention to Col. Jervois' report on Canadian defences. He disclaimed any intention on attribute to the Federals or to the people generally a spirit of hostility towards England. We should not disregard a certain proposal during the conference between the Confederates and Federals. It was important to look to Canadian defences in the event of war, and we ought to come to an understanding with Canada as to the proportion England should bear of the cost of its means of defence.

Mr. Förster believed that the fear of hostilities was unreasonable and utterly groundless, and protested against expenses for the defence of Canada.

Mr. Cardwell assured the House that our relations with America continued perfectly friendly, but the Government was prepared to defend Canada.

Mr. Disraeli thought Canada should be properly defended.

Mr. Watkin said in order to prevent war, England should declare Canada part of the British Empire, and defend it.

Mr. Bright said the root of the misunderstanding was a feeling of jealousy entertained in England towards the American nation. Every one knew that England could not hold Canada in case of war. What could England have said if she had suffered as the Americans have from the Alabama?

Lord Palmerston denied that England was jealous, and believed there was good feeling towards England amongst the great bulk of the Americans. No doubt both the North and South have some feeling for our non-espousal of their cause, but that was no reason why we should not place Canada in a state of defence. Lord Palmerston could not agree with Mr. Lowe. It was not the intention of government to follow his advice, and the relations between England and America were perfectly friendly.

The City of Dublin arrived out on the 14th.

Liverpool, March 14, Evening.

Cotton firmer, with an advance of ⅛d to 1d since Tuesday. Sales for two days twenty-two thousand bales, including eight thousand bales to speculators and exporters. The Manchester market closed with an upward tendency.

Flour quiet and steady. Wheat firmer, and 1d higher for red. Corn firm and some descriptions 3d higher. Beef quiet and steady. Pork easier. Lard quiet but firm at 58s to 61s. Butter dull and easier. Tallow steady at 40s to 41s for American. Sugar steady. Coffee—no sales. Petroleum steady.

Weekly British Whig

"Opifer per Orbem Dicor."

THURSDAY MORNING, MARCH 30, 1865.

LETTERS AND TELEGRAMS.

H. G., et J. A. M., Quebec.

Public Meetings, Amusements and Sales This Day.

Assizes continue to-day.

Convocation in Queen's College for Laureation of Graduates at three o'clock.

SPRING ASSIZES.

Tuesday, March 28th.

THE QUEEN vs. THOMAS FANNING AND PETER HANLEY, Misdemeanor.—The prisoners were indicted for a Breach of the Foreign Enlistment Act, in enticing one John Horan during the present month to enlist in the United States army. Mr. W. H. Wilkison for the Crown; Mr. Macarow volunteered his services for Fanning; Mr. George A. Kirkpatrick for Hanley. Verdict 'Not Guilty.'

THE QUEEN vs. DAVID J. CAMPBELL, Misdemeanor.—The prisoner was bailed to appear at the next Assizes to answer the charge of crimping standing against him.

Wednesday, March 29th.

The Court opened at nine o'clock, punctually, this morning, the Hon. Mr. Justice Morrison presiding.

THE QUEEN vs. WILLIAM CHRISTMAS, Misdemeanor.—The Jury in this case, out since three o'clock yesterday, came into Court this morning and stated that they could not agree. They were discharged by His Lordship, who held the case over until the next Assizes.

THE QUEEN vs. ROBERT NEWMAN, Misdemeanor.—An application was made by Mr. O'Reilly to stay execution against the sureties of defendant, who had been distrained. The application was granted.

VENN vs. CHAMBERS ET AL.—An action of ejectment brought by a young woman named Catharine Venn, to recover possession of a sixth part of lot 20 in the fifth concession of the township of Kingston, alleged by her to be her property as heiress of her father, Sergeant Venn. The defendants claimed possession under the will of Sergeant Venn, made on his death bed, willing all his property to his second wife, Mrs. Eleanor Venn, step-mother of the plaintiff. There are six sons and daughters of Sergeant Venn, three by his first wife and three by Mrs. Eleanor Venn one of the defendants, who claim to be entitled to a sixth part each of the lot, and the plaintiff contends that the will was made at a time when Sergeant Venn was unconscious and on the verge of death. Mr. James O'Reilly, Q.C., for plaintiff; Sir Henry Smith, Q.C., for the defendants. Verdict for plaintiff.

The Grand Jury brought in a no bill in the Queen vs. John Nickle, for a breach of the Foreign Enlistment Act, and presented the following Report:—

Grand Jury Room,
Kingston, March 29th, 1865.

The Grand Jury beg to report that they have disposed of all the business brought before them by the Counsel for the Crown, and feel it to be a subject of congratulation, that although several petty offences have been before this and other Courts lately held in the city, yet no bill for a felonious offence has been brought before this Jury.

The Jury visited the Gaol and found the premises clean and comfortable, with the exception of the kitchen, the drain of which appears to be defective, and they recommend that it be put in order before the warm weather sets in. Some complaints were made to the Jury by the prisoners, that the rations furnished are not at all times good. The Jury having examined some of them found them not to be satisfactory.

For several years past most of the Grand Juries sitting in this Court House have endeavored to call the attention of both the Government and the Municipal Councils of this and the adjoining Counties to the great want which exists for a substantial stone wall, enclosing the jail and out-houses, thereby effectually securing the prisoners and allowing those confined for petty offences to be set to labor, agreeable to their sentence. The Jury are of opinion that many idle and worthless persons endeavor d to make the Gaol a home during the winter months, as they are there well fed and kept warm and comfortable, with no labor to perform, it being utterly impossible for the Gaoler, with the few assistants he has, to guard the prisoners when at work outside, without the security of a substantial wall enclosing the yard and premises. Indeed it appears to the Jury that in the present position of the Gaol, the Gaoler must have sufficient to do, watching the prisoners inside and seeing that they conduct themselves properly in the cells.

The Grand Jury beg to express their serious regret that no attention has hitherto been paid to the repeated representations made by the several Grand Juries on this subject. Whether the fault lies with the Government, the Prison Inspectors, or the County Council, the Jury are not aware, but they are quite satisfied that the erection of such a wall, which would not cost much but would add greatly to the efficiency of the Gaol, as a place of correction for criminals sentenced to hard labor, instead of being, as it is at present, only a comfortable house of entertainment for that class. The Jury would therefore earnestly recommend that measures be immediately adopted by the parties whose duty it is to take cognizance of such matters to get the wall in question erected without delay.

All of which is respectfully submitted.

WM. FORD, JR.,
Foreman.

His Lordship promised to see that copies of the Report were sent to the Government, to the Warden of the County and to the Prison Inspectors. The repairs to the Jail were much needed, but he did not know whether it was the Prison Inspectors or the Government that were to blame. It was much to be regretted that the County Council did not take the same view of the necessity of a stone wall around the Jail as the Grand Jurors, and apply themselves to the perfection of a proper wall, for which they would only have to add a little money to that now lying for that purpose. In the long run they would find it the most effective and cheapest way. It was really a shame that such splendid buildings as the Court House and Jail should be rendered unhealthy, through neglect to clean drains. He congratulated the Grand Jury on the state of the city and county in regard to crime, as there were none but exceptional ones, breaches of the Foreign Enlistment Act, (brought on by the high bounties and inducements to substitutes,) before them. He then discharged them.

STONES ET AL. vs. CALVIN ET AL.—This was an action brought against Calvin & Breck to recover damages to the amount of $573,84 for difference in the number of floats, pole-binders, &c., contained in a raft brought from the Rideau Canal, which was towed to Garden Island and intrusted to the defendants by the plaintiffs under the understanding, as alleged by the plaintiffs, that plaintiff Stones would return in two weeks, when the defendants would be ready to take the floats out of the water and count them. The defendants allege that Stones came at the appointed time and found that the floats had already been drawn out. On comparing the calculations of plaintiffs and defendants it was found that the defendants' was much lower than that of the plaintiffs, and the former refused to allow anything for the alleged loss. The defendants contended that some of the floats and binders were unfit for use or under the standard, and were culled out of the good ones. Sir Henry Smith, Q.C., for the plaintiffs; Mr. Thos. Kirkpatrick, Q.C., and Mr. A. Kirkpatrick for defendants. Verdict for plaintiff $70.

FEE vs. BERRY ET AL.—This was an action brought by William Fee against E. Berry & Co., of this city, for damages for failure of contract. The defendants made an agreement in July last with Fee to provide him with large quantities of bran and shorts at a stipulated price. Fee shortly afterwards was turned out, and before he had proper accommodation to keep grain, defendants sent him some bran, which he could not receive, and it was taken to another customer of the defendants. The defendants on this account would not carry out the contract, alleging that they had several times made offers to supply the plaintiff, but he refused to take it. Bran and shorts have since raised in price to nearly double the contract price, and plaintiff is thereby a heavy loser, being forced to buy these produce at what is considered a very high price. The plaintiff contended that the defendants had but the once offered him the bran or shorts. Sir Henry Smith, Q.C., for plaintiff; Mr. James O'Reilly, Q.C., for defendants.

THE EXECUTION OF CAPT. KENNEDY.

The judicial murder of Capt. R. C. Kennedy, of the Confederate service, was perpetrated at Fort Lafayette, New York harbor, on Saturday afternoon, in presence of about one hundred spectators. He met his fate bravely, exhibiting to the last, fortitude that has borne up many a Southern heart in the struggle through which they are now passing. The New York papers gives lengthy descriptions of the scenes at the execution, from which we make a few extracts. The Herald says:—"The first person who took leave of the condemned was a representative of the press who had visited him on several occasions, and acted the part of a friend to him. 'Good bye, old fellow,' said Kennedy; 'do me justice in that publication of yours.' Captain Wilson then shook hands with him, when Kennedy requested him forward his pipe to his mother. In taking leave of Gen. Beale his manner was quite affectionate and unrestrained. He wept bitterly, but Gen. Beale soothed him by telling him to die like a man 'Oh, this is hard of the damned Yankees, to treat me in this way,' remonstrated the prisoner. 'I have been a regular soldier, and should not have been treated so.' Then, asking Gen. Beal for a handkerchief, he signified his readiness to proceed to the scaffold. At this juncture the executioner stepped forward to place the black cap on the culprit's head, when Kennedy drew back in horror, and enquired if it was necessary to wear the cap before arriving at the scaffold. Marshal Murray assured him that it was, when Kennedy resigned himself into the hands of the executioner, and quietly allowed himself to be arrayed for the forthcoming ceremony. A procession was then formed, when just as the cortege was about to move Kennedy turned around, and addressing Gen Beale, said, 'This is a cowardly murder;' and then, relapsing into silence, motioned the marshal to proceed.' On arriving at the gallows the findings and sentence of the court were read, after which a prayer was offered up by a clergyman in attendance. The Herald proceeds:—"The prisoner did not appear to be much engrossed with the clergyman's effort, notwithstanding it was full of feeling, and calculated to inspire the most hardened character with feelings of religion. During the reading of the prayer an incident occurred which could not fail to leave a lasting impression on all who witnessed it. Kennedy was standing under the beam to which was dangling, the fatal rope apparently quite absorbed, when the rope, swaying backwards and forwards with the wind, struck him on the shoulder. He immediately turned around, supposing that some one had touched him to attract his attention, when his eyes met the rope. It was a dreadful remainder of his situation, and the expressions of terror depicted on the man's countenance as he shrunk from the cord showed how complete was the realization. The clergyman having concluded his prayer, he took the prisoner by the hands and invoked him to die like a man and a christian; but Kennedy seemed to pay little attention to the minister for hardly had he concluded his remarks, when the culprit turned to Colonel Burke and asked him if he could not have a drink before he died. Colonel Burke turned from the man in disgust, and shook his head, as if there should be no further delay to the execution. Kennedy, finding that no notice was taken of his request, addressed the crowd as follows:—Let me make a statement here. I consider this a judicial and cowardly murder. The government of the United States had no need to condemn me.' He then turned shook Gen. Beale warmly by the hand, and allowed the executioner to place the black cap over his head. The hangman then proceeded to adjust the rope, when the unfortunate man, on the brink of eternity, as it were, gave way to his feelings, and in a plaintive voice commenced to sing:

'Trust to luck, trust to luck,
Stare fate in the face,
For your heart will be easy,
If it's in the right place.

The spectators had hardly recovered from the shock produced by the effect of the above line, Lt. S. M. Black gave the signal to the executioner, the axe fell with a heavy thug, and instantaneously the body of the culprit was dangling in the air. The execution took place at sixteen minutes past one o'clock, and in twenty minutes the body of the culprit was lowered and placed in a rude coffin, and conveyed to the soldiers' burying ground at Fort Hamilton.'

THE CONFESSION OF KENNEDY.

After my escape from Johnston's Island I went direct to Canada, where I met a number of confederate officers. They asked me if I was willing to go on an expedition. I said, 'Yes, if it's in the service of my country.'—To which I replied, 'It's all right.' We gave no information as to its nature, nor did I ask for any. I was shortly after sent to New York, where I stayed some time. There were eight of us in the party, and after we had been in the city three weeks, we were told that the object of the expedition was to retaliate upon the North for the atrocities of Sheridan in the Shenandoah Valley. It was originally intended to set fire to the city on the night of the Presidential election, but as the phosphorus was not prepared, it was postponed until the night of the 25th of November. Of the eight men who formed the original party, twoffled to Canada, leaving but six. I was at first stopping at the Belmont House, in Fulton street, but afterward moved into Prince street. I set fire to four hotels, or rather to Barnum's Museum, Lovejoy's Hotel, Tammany Hotel, and the New England House. The others only set fire to the house in which each was stopping and then cutoff. Had the entire eight done as I did, we would have set fire to thirty-two houses, and played a big joke on the fire department. I know that I am to be hung for setting fire to Barnum's Museum, but the fact is that the affair was simply a reckless joke. I had no idea of doing it, but when we were in there, for the mere fun of the thing I emptied a bottle of phosphorus on the floor, just to scare the people. I knew it would at set fire to wood, for we had tried that before, and had at one time about concluded to give it up.—There was no headiness about it. The Museum was set on fire by merest accident, after I had been drinking and just for the fun of a scare. After setting fire to my four places I walked the street all night, until near morning, when I went to the Exchange Hotel.—There we all met the next morning, and again at night. My friend and I had rooms there, but we sat most of the day in the office, reading the papers, while the detectives, who were thick, watched us. I expected then that I should be caught, and if caught I expected to die. Had I done so then it would have been all right, but I think now it's rather rough.—I escaped to Canada, as did all the rest, and very glad I was to get safely across the bridge. I was restless, however, and wanted to rejoin my command. I started with my friend via Detroit. Just before we reached the city he received an intimation that the detectives were on the look out for us, and giving me a signal, he jumped from the cars. I didn't notice the signal, but kept on, and was arrested in the depot. I wish to say that the killing of women and children was the last thing we thought of. We wanted to let the people of the North understand and feel that there are two sides to this war, and that they can't be rolling in wealth and comfort while we at the South are bearing all the hardships and privations. In retaliation for Sheridan's atrocities in the Shenandoah we desired to destroy property, not the lives of women and children, although that would of course have followed in the train."

We observe in the Montreal Evening Telegraph a gross attack upon Lord Monck and his Secretary, Mr. Godley. We shall not sully our columns with repeating its language. Suffice it to say that it charges Lord Monck with want of knowledge of Canada and of attention to its affairs, and actually accuses Mr. Godley of advocating annexation to the United States! Perhaps, if these statements appeared in any other journal, we might think it worth while to deny formerly that there was any truth in them, but the Telegraph is too notorious for reckless slander to need contradiction. We desire only to point out that it is not creditable to the Government to continue to bestow patronage on a journal which, after endeavouring to embroil Canada with her neighbors, now seeks to cast doubt upon the efficiency and even the good faith of the representative of her Majesty. The members of the Government know how earnest have been the labours of the Governor General on behalf of Canada, how heartily he likes its people, and how thoroughly he understands their position. He ought not to be slandered by any journal to which they give their support.—Leader.

LENNOX AND ADDINGTON ASSIZES.—The Grand Jury brought in a true bill against Josiah James for wilful murder. The prisoner, being arranged, pleaded 'not guilty.' The County Crown Attorney not wishing to take up the case until the morning, the prisoner was sent to gaol, bail being refused. On Wednesday Josiah James was placed at the bar for trial, but owing to the absence of an important witness for the Crown the case was laid over to the next Assizes, the prisoner giving bonds for his appearance—to the amount of $2,000 in himself and two sureties in $1,000. The prisoner appeared very anxious to have the trial proceeded with.—Ledger.

FIRE AT BRANTFORD.—Brantford, March 28.—Last night, about half-past eight o'clock, fire broke out in the rear of buildings occupied by John Robinson, as a dwelling and grocery, and John Stepleton, as a shoe store, on Colborne street, owned by James Laughery. The engines were soon on the spot, but the fire had gained too much headway to be put out, and the buildings were entirely destroyed. Most of the stock of John Stapleton was saved. Robinson's loss on stock and household furniture will be about $2,000, covered by $700 insurance. A great deal of his stock was got out, but a large quantity of pork in the cellar and furniture over the store were consumed. Robinson's store was insured in the Royal. These are all the particulars we can find out.

FIRE AT ST. GEORGE.—Harrisburgh, March 28th.—A large fire occurred last night in the village of St. George. A large barn, containing about 1,000 bushels of grain, and about eight tons of hay, were consumed by the flames, along with a driving house. The property was owned by Dr. Stinson of that village. The fire is supposed to be the act of an incendiary. No insurance. Dr. Stinson's loss is very heavy, amounting to be about $2,500.

NEWS OF THE DAY.

MR. TRUAX' CONCERT.

Mr. Truax gave his promised Concert in the City Hall on Tuesday night. As was anticipated, he had a good House. The Band of the R. C. Rifles lent their able assistance, and among other things played some Selections from 'Il Trovatore,' very delightfully. Miss Legassick executed a Piano Forte Solo, 'The Mocking Bird' so well as to draw down very great applause. Mr. G. Roche with his usual good taste, played one of De Beriot's Concertos for the Violin, and was greatly applauded. And a very young lady, Miss Katy Wilson, scarcely nine years of age, executed a Piano Forte Banjo Solo excellently well, so well that the Solo was re-demanded. These pieces, out of many others, are all that claim especial mention, with the exception of a very good Song, 'Officer's Funeral,' by Mr. Westlake, who sings very much better alone, than in duets or glees. But we forget the chief attraction of the evening, the Piano Forte Playing of Mr. Truax, the Beneficiare. This gentleman, altho' blind, is a consummate musician and showed his great skill in the execution of no less than four Solos and Fantasias, of varied excellence, all of which afforded much pleasure to the audience. On the whole the Concert was a good one.

ILLEGAL COMMITTALS.

Mr. Justice Morrison, on Tuesday last, administered a reproof to the city magistrate who committed a witness to close custody, that was unable to find bail for his appearance at the Assizes. Doubtless the practice is illegal, or the learned judge would not have animadverted on it; but it is a practice long perseverred in, both in Canada and at Home. A thousand instances flash across our memory while we write, but one alone will suffice. The witnesses in the murder case of the late Mr. Hogan, particularly the woman 'Jane,' were all kept in custody until after the trial. And this we believe happened during the time Mr. Justice Morrison was Solicitor General, living in Toronto where the trial took place. We do not mean to approve of sending an unfortunate witness to prison, who cannot procure bail to appear and give evidence, but we think the judge might have been less severe in his remarks, considering how few magistrates know the illegality of the act.

While upon this subject, we have to complain of another practice, still more illegal, and yet too much in use in Canada. The following paragraph which appeared in the columns of the British Whig a few weeks ago will explain what we mean:—

POLICE COURT.—There was no Court on Saturday, owing to the illness of Dr. Robison. There were six prisoners, who will be brought up this morning.

Here we find six prisoners illegally confined in the Station House for 48 hours longer than there was any necessity. The Police Magistrate was confined to his bed on Saturday, but were there not the Recorder, the Mayor, and fourteen Aldermen to attend to the duty of the sick magistrate? It may be very true, that these six prisoners were vagrants or drunks, to whom a little wholesome confinement might do a power of good; but that is not the thing. They were men and women, British Subjects, living in a free country, and entitled to the protection of the laws under which they live, and they should have been brought up, examined, punished or discharged on Saturday. It is possible that some one of them might be wholly innocent or very partially guilty, and yet this one, if so, was just as much punished as a much greater offender. Mr. Justice Morrison hoped that a recurrence of sending a witness to jail would not again happen. We do not speak with the authority of the learned judge, but we heartily hope, that no prisoner will lie in the Station House unexamined 48 hours longer than needful, while there are sixteen City Magistrates in town, any one of wh