LETTERS & TELEGRAMS.

B. H. & Co., Montreal; R. B., Brighton; J. P. R. & Co., Boston; R. N. W., Coburg.

THE MEDICAL ACT.

We have delayed further remarks upon this act until we had received an exact copy; and now proceed to make a few remarks upon an article in our co-temporary, the Toronto Leader of the 5th of October, and correct some errors into which he has fallen, which a sense of justice to the public and the medical profession appears to require of us.

The "Old Medical Board," it is observed, "which there is much reason to believe had long outlived its usefulness, is entirely swept out of existence." This is certainly a matter of congratulation to the profession and the public; but when we consider who composed that Board, their relationship past and present to Medical Education, and when we read in the Parliamentary returns the more than extraordinary proceedings of that body in conducting their examinations; and when we further consider the mode in which the new Medical Council is to be constructed, we fail to see with our cotemporary any prospect that the Act "may tend to raise the profession to a higher standard than it has yet attained in this country."

The new Council is to be styled the "General Council of Medical Education and Registration in Upper Canada." But we submit that it is by no means general, because it does not include the Eclectics—nor does it include the Homeopathists—nor does it include Lower Canada—in which respect the Editor of the Leader has fallen into a great error, only to be accounted for upon the presumption, that he has hastily grounded his remarks upon the Bill before it had received the final amendments of Parliament. By the Act it is provided that there shall be one representative to the Council from each of the following bodies:—The University of Toronto; the University of Victoria; the University of Trinity College, Toronto; the Toronto School of Medicine; and from every other College or body in Upper Canada by law authorized or hereafter to be authorized to grant Medical or Surgical Degrees or Certificates of Qualification to practice Medicine, &c. It then divides the Upper Province into twelve Electoral Divisions, each consisting of two of the Electoral Divisions established for the election of members to the Legislative Council. This it must be admitted is indeed a large territorial division in which to go from all parts of it to register their votes—and for what?

So much as to the formation of the Council, now as to its powers. It is empowered to establish a "uniform standard of matriculation for the admission of Students to all the Schools, and to make by-laws and regulations for determining the admission and enrolling of Students." Still this power of the Council the Editor suggests should be cautiously and sparingly exercised; and yet it is only in some such way we would think that the Editor could expect the Act "to tend to raise the profession to a higher standard than it has yet attained in this country." But we will remark further on this hereafter.

The Council is further empowered, "to determine from time to time" a Curriculum of Studies to be pursued by the Students. Upon this point it would be premature to offer any observations until we are even more fully acquainted than at present with the existing Curricula of the different Institutions of the Country; or we might by some mistake upon the matter cut a sorry figure before our readers.

The University of Trinity College having for many years had no Medical Faculty, the Editor of the Leader properly questions the propriety of its being represented at the Council, but remarks that "as it is the Act is not very objectionable if it be carried out with fairness and honorable intention"; but it has a crooked letter in it, and so much of the fairness and impartiality of the Council depends upon its construction in the first instance, that we are inclined to weigh the matter in all its bearings. In truth the Editor of the Leader himself is not without his misgivings, and hopes that the Act will realize more unanimity in the Profession than he will perhaps find. Again our contemporary is so sanguine upon the matter, that he expects it magically to heal all "quarrels" and rivalries between Medical Schools, although we trust it will never repress a wholesome and honorable competition.

"When quarrels between such bodies" (not a happy expression) are spoken of and indiscriminately applied to them, it is not a promising way of inviting them to harmonize, but rather provoking to vindication. If discrimination between them is just we shall be ever ready as public journalists to do that justice, rather than involve all in indiscriminate censure. We shall in some future number give a synopsis of the Act.

New York, Nov. 14.

The rumor that Preston King had resigned is entirely untrue. Mr. King for a week past has been laboring under an attack of nervous debility. Yesterday he left his room at the Astor House, and since that time nothing has been seen or heard of him. Later. Preston King jumped overboard from the Hoboken ferry boat while in a state of temporary insanity and was drowned. Body not recovered.

Latest.—Thurlow Weed states that Mr. King was seen to jump off the ferry boat yesterday morning by a little boy and girl on deck. They picked up his hat, which had been handed to Mr. Weed and recognized by him. No traces of body as yet.

COURT OF QUEEN'S BENCH.

END OF SIXTH DAY.

THE QUEEN VS. JANE KERNAHAN, Larceny.—The prisoner, who was found guilty last week of a similar offence, was charged with stealing a quantity of sheets, quilts, &c., from the house of Mrs. Ann Griffin, Brock Street. The prisoner was a hired girl of Mrs. Griffin and was discharged on the tenth of October. Prior to the girl's discharge, Mrs. Griffin missed several sheets and other linens from the house, and after the girl left her place, she found that a sheet or quilt, had been carefully removed from each bed in the house. A further search discovered about two dozen sheets, as many pillow cases and some linen towels, missing, having been from time to time extracted from the place where the article were kept. They followed the girl and found the articles taken that day in her possession. The prisoner was afterwards arrested. The Jury returned a verdict of 'guilty.' Mr. R. M. Wilkison for the Crown; Mr. W. B. Thibodo for the prisoner. This was Mr. Thibodo's first experience at the bar, but he conducted the case in a very creditable manner. He had no defence to make, and had only to take all advantage of any doubts in the prisoner's favor. Having broken the ice, to use a common expression, he must slide along smoothly to a leading position at the bar.

THE QUEEN VS. JANE KERNAHAN, Larceny.—This was another charge against the same prisoner. After the jury were sworn, the County Attorney said he had no evidence to offer, and a verdict of 'not guilty' was returned.

DEACON ET AL. VS. BREDEN.—At half-past six o'clock, the Jury in this case returned a verdict for the plaintiff with $25 damages for the house and $125 for the timber cut on the farm. Mr. B. M. Britton for the plaintiff; Sir Henry Smith, Q. C., and Mr. Jas. O'Reilly, Q. C., for the defendant.

SEVENTH DAY.

Tuesday, Nov. 14.

The Court opened at half-past nine o'clock, his Lordship J. W. Gwynne, Esq., Q. C., presiding.

THE O'TOOLE MURDER CASE.

The prisoner John O'Toole, charged with the murder of his step-father, Michael Gethins, was placed in the dock. The counsel on both sides being ready with their cases the trial of the prisoner was proceeded with. Mr. R. M. Wilkison was counsel for the Crown, and Mr. Jas. O'Reilly, Q.C., defended the prisoner. Some time was occupied in selecting a Jury, about twenty challenges having been made. When selected the Jury was exclusively from the country, all Jurors from the City having been thrown out. Mr. Wilkison opened the case for the Crown, shewing the responsibility he took upon himself in prosecuting a person, charged with such a serious crime, the most serious on the Criminal Calendar. He would on his part refrain from any action which would prejudice the Jury, against the prisoner, but simply rely on the evidence he had to offer to support his case. The prisoner has every reason to expect justice in his case for he was defended by one of the ablest members of the Upper Canada bar. The Jury had a far more responsible duty to perform, for it was on their cool deliberation, that the prisoner's case would be rightly judged. He explained to to the Jury the case of murder as distinguished from manslaughter, the former crime being committed, when the perpetrator of the deed had used premeditation in performing it. The case of manslaughter was one with extenuating circumstances were on the side of the prisoner, and where the deed was done without forethought. Mr. Wilkison then entered into the facts of the case, as they appeared at the Coroner's Inquest, after which the first witness was called by the prosecution.

Robert Bell, Sergeant of Police, sworn: Was on duty on the 24th of October, in charge of the police station; knew the deceased Michael Gethins; saw him on the night in question; he came about ten o'clock to the police station for police to go and arrest some person at his house; sent policemen Cunningham, Hoyle and Lane; went to Gethins' house shortly afterwards; saw the deceased, Charles O'Toole and the prisoner there, as well as others in the bar room; all was quiet when witness went in, but shortly after the deceased, who was excited, struck one Lawrence Brock; separated them, and there being no more disturbance, the police went back to the station house; not long after witness heard some one fall against the station house door, opened it and found the deceased apparently dead; brought him in and saw him bleeding; he showed signs of life, but could not speak; sent for Dr. Sullivan to attend on Gethins; went towards Gethins' and met Charles O'Toole; told him Gethins had been stabbed, and he came and saw him; afterwards arrested the prisoner in Gethins' house; found him in bed; he had been drinking.

Cross-examined by Mr. James O'Reilly: Witness knows Gethins to have been quarrelsome when under the influence of liquor; heard no provocation for the blow that the deceased struck Brock.

Policeman Cunningham, sworn: corroborated Bell's evidence; when witness went to Gethins' house he saw Charles and John O'Toole clinched in fight and the deceased standing by; the parties were separated, and witness arrested John O'Toole and policeman Lane his brother Charles, but on the request of their mother, the police did not take them to the station house; restored peace between the parties and went back to the station, when the facts as Sergeant Bell related occurred; heard the shout at the lamp post when deceased was stabbed, but could not distinguish the words.

Cross examined: saw no blows struck in Gethins' house; the O'Tooles and Gethins were very excited; had his baton snatched from him when arresting Charles O'Toole; did not strike any one with it; when he found O'Toole in bed after the murder he was in a drunken stupor; did not know prisoner's state in the cell the same night; heard no noise in the cell that night.

Policeman Lane corroborated the same evidence, he being one of the police which went to Gethins' house.

Cross-Examination.—When witness first went to Gethins' he arrested the prisoner, but released him when quiet was restored; Gethins struck Brock afterwards, when a second row commenced, but which was quieted, and the police left; Gethins was a very passionate man while under the influence of liquor; the prisoner did not speak a word from the time he was arrested in bed till placed in the cells, or make any resistance; he was in a kind of drunken stupor.

Policeman Hoyle, sworn—Was one of the officers who went to Gethins' house; (he corroborated the previous evidence as to what occurred at the house) when Gethins fell against the door, witness lifted him up, having previously heard the shout, and saw that he had been stabbed; brought him in and found that he was dying; he never spoke after he was brought in; when Chas. O'Toole came to the Police Station, witness asked him for "the knife that done the job"; Charles then handed him a clasped knife, covered with fresh blood; (the knife was here produced by the witness) the prisoner when arrested appeared to be very drunk, more so than he thought he was; the next day traced blood from the Station House door to very near the lamp post.

Cross-Examination.—The prisoner had been drinking as well as Gethins; both were alike, when arrested the prisoner was stupid with drink; a quarter of an hour elapsed after Gethins was stabbed before O'Toole was arrested.

Lawrence Brock, sworn—On the night in question witness went into Gethins' with a friend; several persons were in the bar; John O'Toole came in afterwards; there was a row between the O'Tooles and Gethins about drinks; the parties were excited with liquor; the prisoner was noisy; while Gethins went for the police, Charles O'Toole endeavored to get his brother to bed; when the police came the former again endeavored to get the prisoner to bed, out of the way of the police; he got him up two steps when the police pulled the prisoner down and placed him under arrest; was struck by Gethins because witness interposed for a comrade who owed Gethins money; witness left with the police and saw nothing of the stabbing.

James Hogan, sworn: Lived next to Gethins'; on the night of the murder he heard a noise in Gethins' house; his wife said there was a row there; the noise continued for half an hour; went out to put up the shutters of his house, when he saw the police go into Gethins' and return to the station; in a few minutes saw Gethins run out of the house and direct his steps toward the police station, immediately followed by the prisoner; they met at the lamp post and closed on each other; saw the prisoner make a thrust at Gethins with his arm, and both fell outwards; they regained their feet, Gethins running towards the police station shouting "murder, murder, I'm killed;" John O'Toole then ran back and passed through witness' bar to Gethins' house; witness was shortly informed that Gethins was dead at the station house; went over and saw the body; came back and told some persons of what he had seen; the prisoner passed from Gethins' house to witness' dining room with a carving knife in his hand; O'Toole asked what was the matter, when witness said "nothing, nothing;" O'Toole then said "if there is anything wrong he was just the boy to fix them;" he was then taken away; when he first passed through witness' house he had a carving knife tucked up his sleeve; O'Toole was very excited, but more so than drunk; the following morning witness traced blood from the lamp post to the door of the police station.

Cross-Examined.—Had no ill-feeling with the deceased or the prisoner; the night of the murder was not quite dark; the first time he spoke of seeing the knife in O'Toole's hand when coming back to Gethins' was at the present trial.

Charles O'Toole, brother of the prisoner, deposed that he was step-son of the deceased Michael Gethins; remembers the night that Gethins was stabbed; prisoner and witness left Gethins' separately in the evening, and returned in about an hour or so; several persons were in the bar, including the deceased; the latter was noisy and wanted to fight with a sailor, who was one of those in the bar; two or three parties called for drinks, including the prisoner, to whom Gethins refused drink; this caused a slight altercation; witness then went behind the bar and served drinks to prisoner, Gethins and others; Gethins went over to prisoner and said "Johnny, you know you are not the man for me;" this caused a fuss, and witness separated the parties; the police came in, when the facts already stated occurred; was told that policeman Lane struck the prisoner with his club, and witness remonstrated with him; after the police left Gethins pulled the prisoner about, when witness was taking him to bed; Gethins afterwards left for the police, and the prisoner ran out of the back door of the house after Gethins; ran out after prisoner, and called to his mother "to take care as John had a knife;" followed the prisoner as far as Hogan's tavern; saw Gethins and prisoner meet near the lamp post; they struggled for a minute, and saw both fall, the prisoner running back to the house, and Gethins towards the Police Station; heard Gethins shout, but did not recognize what he said; John O'Toole went through Hogan's into Gethins' house, when the servant snatched a bloody knife (already referred to) from his hand, and gave it to witness; went to the Police Station and saw Gethins dead; (witness recognized the knife already produced) his brother had a similar knife when he ran out of the house after the deceased.

Cross-Examination.—The prisoner had been drinking freely all day, and was quite drunk at night; Gethins and prisoner drank several times together; at two o'clock the prisoner gave Gethins some four or five half dollars; prisoner and deceased were generally on the very best of terms; when the prisoner asked for the liquor in the bar and was refused by Gethins he spoke in a respectful tone; in the morning when the prisoner was roused in the cells, he was totally unconscious of what he was confined for; when witness told him that he had murdered Gethins he commenced to cry and tear his hair out; when put into the cells he was in a state of stupor.

Dr. Sullivan deposed: that he was called to the police station on the night of October 24th; saw deceased lying on the floor; he was apparently dying; saw his shirt covered with blood, and found a wound in the left breast; he gasped once or twice, breathing slowly, and died; examined the body next morning, but saw no other wounds or marks on the body; the wound was a clean stab about two inches in length and entered the heart; it must have been done by a sharp knife; either of the knives produced (the two brought into Court and recognized) would have made it; the wound must ensure death. This closed the case for the prosecution.

The defence had no evidence to offer, and Mr. O'Reilly addressed the Jury on behalf of the prisoner. He proceeded in a happy strain for over an hour, making a splendid address on behalf of the prisoner, which could not fail to have full weight in their minds. This was one of his best efforts, and appreciated alike by all who heard it.

The Judge charged in favor of a verdict of Manslaughter, and the Jury returned a "verdict of guilty of Manslaughter," after a quarter of an hour's deliberation. Sentence was deferred.

The prisoner throughout the day exhibited a cool, manly bearing. He did not seems to realize the real condition of his case, and when the verdict of manslaughter was returned any one could see that he really expected it. The Court room was fairly crowded in the afternoon, particularly during the Judge's charge.

The Court adjourned when the jury returned their verdict, none of the lawyers being ready with their cases.

ARRIVAL OF THE BELGIAN.

THE CABINET ALMOST COMPLETE.

MR. BRIGHT'S CLAIMS TO OFFICE URGED.

SPEECH OF THE CHANCELLOR OF THE EXCHEQUER.

CONFIDENCE EXPRESSED IN EARL RUSSELL.

INTERESTING EUROPEAN NEWS.

Father Point, Nov. 13.—The Canadian steamship Belgian, from Liverpool on the 2nd Nov., via Londonderry on the 3rd, passed this point at 4 30 p. m. en route for Quebec.

The steamship Louisiana, from New York, arrived at Liverpool on the 3rd.

The steamship China, from Boston via Halifax, arrived at Queenstown on the 2nd, and at Liverpool on the morning of the 3rd.

The steamship North America, from Quebec, arrived out on the afternoon of the 1st.

GREAT BRITAIN.

The British parliament has been further prorogued until the 23rd instant.

The Times says the present cabinet is complete, with the exception of a single office, that of Chancellor of the Duchy of Lancaster.

The Star alludes to and remarks upon the unanimity of the London press on the following points, namely—the reform which must decide the durability of the cabinet, and the imperial necessity of a reconstruction of the ministerial personnel in the Commons if the cabinet is to face a new parliament with a decent show of influence and debating power. England is not wanting in material from which the recent Liberal losses might be supplied.

The Star publishes in large type a letter from a member of parliament hinting that no Cabinet will be satisfactory to his party which does not include Mr. Bright, and suggesting his appointment to the Secretaryship of State for India.

The Chancellor of the Exchequer, while on a visit to Glasgow, was presented with the freedom of the city on the 1st instant. He was invited to a dinner which was followed by a working men's demonstration. He also received an address from the Parliamentary Reform Union. The Chancellor spoke at some length in acknowledgment of the honor of being placed on the citizens roll. He deplored Lord Palmerston's loss and paid a tribute to his memory, but bade the country be of good cheer. The name of Russell was a pledge and a promise to the people. Earl Russell was sad likely to unlearn a lesson of life to change his career and inquire the inheritance he had secured in the memories of his countrymen.—The Chancellor helped the country had reasonable assurance that the wise and enlightened policy of the last thirty years would still continue to be followed by those who had the responsibility of public affairs.

FRANCE.

A reduction of 30,000,000 francs in the army and navy estimates is said to have been decided upon.

The Moniteur announces that Russia has joined the Sanitary Conference at Constantinople.

The Bourse was closed on the 1st, being All Saints Day.

AUSTRIA.

The government had issued an official intimation which indicates a fixed resolution to adopt, as far as possible, a free trade policy.

ALGIERS.

The Bey of Tunis has granted a general amnesty to all persons implicated in the late revolution. Other measures of clemency and progress had been proposed to the Bey.

TURKEY.

Advices from Constantinople state that a new commissioner has been appointed to investigate the physical resources of the empire with a view to their development.

The conversion of the Turkish consols had already amounted to nearly £9,000,000 sterling.

JAPAN.

Shanghai, Sept. 21.

The quarrel between the Tycoon and Prince Nogato has been settled. A plot to murder the former had been discovered.

Sir H. Parker's negotiation with the Japanese government was well received.

ITALY.

The election returns show the position and strength of the parties in the Italian parliament to be as follows:—Moderate 286, constitutional 101, clerical right 9, and doubtful 46.

The Journal di Roma says the Pope has relieved M. Merodi of his functions for some particular reason, especially ill-health, without withdrawing his affection and esteem.

INDIA.

A Times telegram from Bombay to the 18th of October, says cotton goods are lower.

COMMERCIAL INTELLIGENCE.

London, Nov. 3, p.m.—Consols for money 88½ to 89. Illinois Central 82 to 82½. Erie shares 54 to 54½. United States 5-20's 63½ to 64.

Liverpool, Nov. 3.—Cotton sales for the two days 12,000 bales at a decline of 1d per lb, the market closing with an upward tendency for American. The sales to speculators and exporters were 5,000 bales. Breadstuffs less firm. Provisions steady; bacon easier. Produce quiet but steady.

New York, Nov. 13.—The steamship Scotland has arrived from Liverpool. News anticipated.

Halifax, N. S., Nov. 13.—Gero and Lurder, the mate and cook, have been found guilty of murder and will be sentenced on Friday next.

THE HON. JOHN A. MACDONALD.

Mr. Macdonald left town for Montreal yesterday to attend the Dinner in honor of the Hon. D'Arcy McGee. The honorable gentleman is in the best of health, and a good Speech may be confidently anticipated.

A FLIGHT OF TURKEYS.

A gentleman of this city passing through Prescott on Monday, saw two droves of Turkeys, consisting of nine hundred each, driven down to the Ferry to cross to the United States. The Yanks, at this rate won't leave us a feathered biped for our Christmas Dinners.

LATEST FROM MONTREAL.

BANKS ARMING THEIR EMPLOYEES.

CHASSEURS FOR THE FRONTIER.

NEW MILITIA ORGANIZATION.

BARREAU'S SCAFFOLD RISING.

A NEW SECRET SOCIETY.

TRADE WITH BRAZIL, &c.

APPOINTMENT OF COMMISSIONERS.

Montreal, Nov. 13.

Our banking institutions have resolved to arm their employers, and the money Brokers purpose establishing a night patrol.

A company of Chasseurs Canadiens is under orders for the frontier. Hundreds are wanting to go.

The Minerve states that a new Militia organization is under consideration.

Two children have been scalded to death. A man named Pinot entered his Lodging on Saturday night intoxicated. In attempting to light his pipe, he knocked over a boiler full of scalding water, which fell upon two boys aged from four to six, who were lying beside the stove. They were scalded from head to foot so dreadfully that one died yesterday and the other to day. The mother, whose name is Morin, was at market at the time of the sad accident. Pinot is in custody.

Lance Corporal Dunlevy, of the 30th, died suddenly in bed this morning about 4 o'clock;—a soldier was awakened by sounds as if Dunlevy was choking. Before a doctor arrived, he was dead.

On the 11th, a man named Lachappel died at St. Vincent de Paul from wounds inflicted by a horse.

On the 12th, a son of Martin Labelle went on the ice at Terrebonne after a frozen goose, and was drowned.

A man aged 73 was caught by the machinery of a mill near Jolliette, and killed. He had been warned of his danger, but being deaf, did not hear.

A. Dorchet, in endeavoring to get on the street cars missed his footing. The wheel broke his leg.

More particulars as to the death of Mrs Capt. Voligny was given. She was awakened by the cries of her child, and found an alcohol lamp burst and the fluid burning on the table. She called in vain for the servant. She then attempted to blow out the flames, when some sprinkled on her night clothes; she ran to the upper story to awaken the girl, and in doing so set her bed on fire. Then rushing down stairs in flames, she attempted in vain to open the door to throw herself on the snow. She then placed her head under the water tap. The servant in the meantime ran for the neighbors. When they came they found the whole body except the head dreadfully scorched. She lived but a few hours. Had she wrapped herself in blankets she might have been saved. A large number went by a steamer to-day to attend the funeral. The deceased lady was very much esteemed.

The scaffold for Barreau is being erected. He appears resigned to his fate.

The house of Mr. P. Brilliant was entered, and the cash box with $400 stolen.

There were 46 burials last week in the Catholic cemetery, which were less than the previous one. Of the 11 in the Protestant cemetery only two were females.

A new secret society, "St. Jean Baptiste Club," has a large number of members. The Minerve says it is radical, and aims at complete emancipation from the priests.

Mr H. Der Riviere died at Malmaison, yesterday, of apoplexy.

We have had a rapid thaw since two days. It is said that a commission is to be appointed to examine into possibility of opening up trade relations with Brazil, the West Indies, British and foreign markets, and Mexico. The commissioners will be accredited by the Imperial Government, so as to treat representatives of Great Britain. It is expected that one of our ministers will be a commissioner.

ASSISTANT ADJUTANT GENERAL.

The Government having decided to appoint two Adjutant Generals—one for each section of the Province—Lieutenant Col. Durie has received the appointment for Western Canada. The selection of Col. Durie will give much satisfaction to the volunteer force. The appointment being only temporary, his services, it is hoped, will not be lost to his old battalion for all time. With regard to the companies for the front Col. Durie is instructed to confer with Col. Booker of Hamilton.—Leader.

POST OFFICE NOTICE.

COMMENCING on MONDAY, Next, the 22nd instant, and until further notice,

MAILS GOING EAST

By Day Express Train will Close at 1 p.m.; Arrive at 2.10 p.m.

By Night Express Train will Close at 9 p.m. Arrive at 2.00 a.m.

MAILS GOING WEST

By day Express Train will close at 3.50 p.m. Arrive at 5.15 p.m.

By night Express Train will close at 9 p.m. Arrive at 3.00 a.m.

BRITISH MAILS

Per Cunard Steamers, via New York and Boston, will close on Mondays at 2 P.M., and per Canadian Steamers, via Quebec, on Fridays at 12 M.

UNITED STATES MAILS,

(Via Cape Vincent) will close at 2 P.M., and arrive at 7.30 P.M.

R. DEACON, Postmaster.

Post Office, Kingston, 13th Nov. 1865.

G. T. R. TIME-TABLE.

Trains arrive and depart from the Kingston Station as follows:—

EXPRESS TRAINS GOING WEST.

Arrive at.....4.20 p.m. and 4.30 a.m.
Depart at.....5.10 p.m. and 4.30 a.m.
Local Trains arrive at 10.00 p.m.; depart at 6.45 a.m.

EXPRESS TRAINS GOING EAST.

Arrive at.....6.00 p.m. and 1.15 a.m.
Depart at.....2.20 p.m. and 1.25 a.m.
Local Trains arrive at 4.00 a.m.; depart at 6.15 a.m.

(Montreal Time—15m. faster than Kingston time.)

The Train from Montreal on Saturday night lays over at Belleville till Monday morning, and that from Toronto lays over at Brockville.

Weekly British Whig

"Opifer per Orbem Dicor."

THURSDAY MORNING, NOV. 16, 1865.

LETTERS AND TELEGRAMS.

A. & L., Montreal.

Public Meetings, Amusements and Sales This Day.

COURT OF QUEEN'S BENCH continues its sessions to-day in the Court House. Court opens at half-past nine o'clock.

THE MARKET BUILDINGS.

The recent fine weather has enabled the Contractors to make great headway with the several contracts connected with the City Hall. At present, appearances are in favor of having every thing finished ere winter sets fully in.

Mr. Newlands has so far completed the Stone Masons' Work, that in about ten days or a fortnight, he will have completed his share of the work; and very well indeed has he executed his work. The new Shambles look remarkably well, and though not so large as those burnt down, look much handsomer, and are far more convenient.—The 'Back Kitchen,' completed as it will be, will prove not a blemish, but a positive ornament to the city; and could means be taken to dispossess the cook-shops and hucksters' shops of their tenants without pecuniary injury to them, the Market Building would still be the handsomest in Canada. As it is these shops are fearful eyesores and blemishes.

Mr. Newlands has commenced to lay down the extensive flagging contracted for. A very broad pavement is now in progress from King Street to the Shambles Entrance, which will be found highly substantial and convenient. Some of the stones laid down are twelve feet long, and very wide and thick. This broad pavement will extend entirely round the new Erection, in front of the Verandahs to be put up for the convenience of the Hucksters and Island market women.

The carpenters' work undertaken by Messrs. Irving & Son is well under weigh. The doors and windows alone remain to be put in, and if they are ready at the shop, another fortnight will finish this part of the work.

On the Dome Mr. Overend is busy at work putting up the additional tower or belfry. The new Bell will certainly be placed in its destined location in a short time; but as to the Clock, lower down in the Dome, we hear nothing. Doubtless all is O. K., and we shall soon see its smiling faces. A Town Clock is so much wanted and so greatly missed, that the loss of the old one by the fire, has been deemed by many as a greater deprivation than that of the Shambles.

COURT OF QUEEN'S BENCH.

Wednesday, Nov. 15.

The Court opened this morning at half-past nine o'clock, G. W. Gwynne, Esq., Q.C., presiding. The first case called was

THE QUEEN VS. PATRICK FOGARTY, Assault with intent to murder.—The prisoner, a convict cohfined in the Provincial Penitentiary, was charged with assaulting John Loux, a fellow convict, on the 20th of April last, with intent to murder the said Loux. Fogarty is well known as a most violent character, and continually assaulting his guards and fellow convicts. He has several times been tried for felonious assaults, since his first confinement in the Institution. When placed in the box he was handcuffed, and a chain was attached to each foot. The handcuffs were subsequently removed. The witnesses in the present case were convicts, and the facts resulting from their examinations went to show that on the day in question, the prisoner was working along with Loux and several other convicts in the stone masons' department; that suddenly the prisoner, without cause or provocation, crept up behind Loux, suddenly striking him a heavy blow in the back of the head with a heavy mason's hammer, following it by another on the right temple. The blows placed the life of Loux in a precarious position, and he was obliged to remain in hospital four months before he was sufficiently recovered to leave it. On cross-examination, the witnesses, who were all good conduct men, deposed that the general character of Fogarty was fash and vindictive; he was constantly being watched by the fellow convicts, who kept as much as possible out of his way for fear of violence; that the least remonstrance from his guards or keepers would anger him, and make him contrary and wild for a whole day and perhaps longer; that at times he would throw down the tools he was working with, glance wildly around, and defy the guards to put him to work again. The defence set up a plea of insanity, which was produced by constant punishment. They showed by direct evidence that since the date of the prisoner's first confinement in 1854 or '55, he had been under almost a continual punishment, frequently receiving 50 lashes of the cat and nine tails, and only a few days before the present assault was committed he received 73 lashes. Some times as soon as his back would heal he would again be flashed; also, that he was often sentenced to solitary confinement in a dark cell, with bread and water diet, in a few instances as long as three weeks, though he was permitted prison rations during part of that time. Since 1862 the prisoner has seldom been a day without a ball and chain on his feet, the guards stating that his temper was such that they didn't know when to trust him. This constant punishment, particularly the close confinement, must have affected his brain and made him a perfect mono-maniac, as his actions have every sign of insanity. The defence showed instances of recurrent maniacs whose delusions led them to violent actions, and also showed that some of the other convicts were constantly endeavoring to anger the prisoner when at work or in their company. Drs. Dickson and Litchfield were called on the part of the Crown, and the former deposed that in his opinion the prisoner was only feigning insanity. Both physicians had a consultation, and neither came to the conclusion that he was insane. The prisoner was conveyed to the Lunatic Asylum at one time, but sent back to the Penitentiary in about a month, having exhibited no appearance of insanity while detained there. They admitted that insanity might be brought on by too heavy punishment. The plea of insanity was not very well sustained, and the jury returned a verdict of guilty after a deliberation of about half an hour. His Lordship then proceeded to pass sentence on the prisoner, and asked him if he had any thing to say. The prisoner said nothing, but he wanted to know why the doctor swore he was three days in a trance at the Asylum. This caused some laughter in the Court, especially as no such words were given in evidence. The Judge sentenced Fogarty to five years imprisonment in the Penitentiary, the sentence to be carried out at the conclusion of his present term of imprisonment. Mr. R. M. Wilkison was counsel for the Crown; Sir Henry Smith, Q.C., and Mr. James O'Reilly, Q.C., defended the prisoner.

The Court adjourned at half-past five o'clock till half-past nine o'clock this morning.

ANNUAL REPORT OF THE MECHANICS' INSTITUTE FOR 1864 AND 1865.

The committee in relinquishing the trust reposed in them at the last annual meeting, beg leave to report,

That they have much satisfaction in advertising to the improved condition of the Institute, and they have reason to hope that its usefulness and prosperity will be materially increased for the future.

They have been enabled during the year to make important additions to the Library, numbering 80 Volumes, at a cost of $75, for the benefit of the members.

The Reading Room is now furnished with the following Periodicals and Papers:

Edinburgh Review, Westminster, North British, Blackwood's, London Quarterly, Hunt's Mcht. Magazine, Chamber's Journal, Harper's Monthly, Ballou's Once A Week, Glasgow Herald, Evening Mail, The Freeman's Journal, Illustrated London News, Punch, Montreal Herald, Quebec Chronicle, Toronto Globe and Leader, New York Advertiser, Chicago Tribune, New York Tribune, Harper's Weekly, Kingston Whig and News, Kingston Canadian Churchman.

The Librarian's Report shows that the number of Books drawn from the Library during the past year was 1,300 volumes, being a decream of 300 volumes. No doubt, caused in a great measure to the Library's being closed for about five weeks.

There have been added 59 new members, during the year which with the number of members previously subscribing, will make the total number of members 175.

The committee wish to impress upon the minds of members, that a punctual discharge of their annual subscription will enable the committee to forward the usefulness of the Institute. If the members had 'feeds more alive to its interests in their respect, the Treasurer's Report would have been much more satisfactory.

On the 1st of May the Committee of the Commercial Reading Room, found that it would be for their interest to close its doors.

A large number of its members have joined this Institute, and the Committee thought that it would be for the benefit of this Institute to secure their room, which they did, as well as the rooms underneath, for a Library and a Committee Room, and they can congratulate you upon having (they believe) the best and most comfortable Reading Room in the Province.

The Library is well and conveniently fitted up, and if not quite so central as the last was the best they could procure, and your Committee consider the members fortunate in obtaining them.

The Treasurer's Report shows the receipts to be $235.00, and the disbursements $[illegible], leaving a balance on hand of $[illegible].

In conclusion the Committee beg leave to impress upon the members generally the great importance of making individual efforts to procure additional members, for they feel confident that if they would assist the Committee in disseminating the advantages to be derived from having access to an extensive a Library and Reading Room, the members would soon be much increased.

All of which is respectfully submitted.

A. ANNOY, Secretary.

ITEMS OF NEWS.

The French horse Gladiateur was beaten in the race for the Cambridge stakes recently on account of carrying twelve pounds extra weight.

In the course of last month a portion of the fifty-second parallel of north latitude was measured at Orel. This operation has been undertaken by Russia, Germany, Belgium and England, in order to determine exactly the form and dimensions of the earth.

The St. Catharines Journal says that it is the intention of Bishop Lynch, of Toronto, to make St. Catharines his future residence.

Punch has been retaliating upon the Americans by publishing a list of subscriptions to the Fenian fund, to which are appended the names of the Hon. Mr. Sumner, the Hon. Mr. Raymond, the Hon. Mr. Welles, and other leading politicans and journalists in the States.

Mr. Damien Cartier, advocate, and brother to the Hon. George E. Cartier, Attorney-General East, died on Wednesday last at St. Antoine de Richelieu, near Chambly. He was 32 years of age, and had been sick at his sister's (Mme Lusignan) for several months. He distinguished himself at the bar and was then in partnership with his brother the Hon. Geo. Cartier. For several years he had withdrawn from the active duties of the profession.

There is no rumor that the King of Saxony intends to abdicate in favor of his son, Prince Albert. This resolution is said to have been inspired by the awkward situation created for the secondary States of Germany by the menacing pressure of Prussia and Austria, and by the conviction entertained by the Prince Royal and Baron von Beust, that the only way to parry the danger is to give complete satisfaction to the liberal wishes of the population.

A NEW SECRET SOCIETY.—An association organized in this city amongst French Canadian young men, under the name of St. Jean Baptiste Club, has attained sufficient importance to be the object of a very savage article in the Minerve. That paper deplores that while Freemasonry has made no progress amongst French Canadians, this new club should have succeeded in gathering so many dupes. The club is a secret association, and, as such, forbidden by the Pope. Its forms and constitutions are reported analogous to those of the Freemasons. The members are radical in politics and want complete emancipation from the priests. The St. Jean Baptiste Club has acquired sufficient strength to meddle now with a municipal election in the eastern part of the city, where they are attempting to carry through their candidate.

MAGISTRATES' DUTIES.—Judge Draper at the last Assizes stated that magistrates were too apt to administer oaths upon anything they were asked. He was of opinion that all these oaths were extra judicial, and that they (the Justices) were confined exclusively to the directions laid down by the Statute regulating their duties.

A new paper, Le Canada, is advertised to appear in Ottawa in the course of a fortnight. Daveney Bros. proprietors.

MURDER IN MOORE TOWNSHIP.—We learn that a shocking murder took place in the Township of Moore, County of Lambton, near Sarnia, on Saturday night last, the victim being a farmer near Stephenson. Two men belonging to Port Huron, knowing Stephenson to be possessed of a considerable amount of money, came to that place to kill and rob him. They met him going to his own house, and struck him down unawares; then searched every apartment, but found only a small sum amounting to $25. On committing the deed the murderers, whose names we could not learn, attempted to escape to the other side of the river, but were fortunately arrested and lodged in Sarnia Gaol.

SAD AND FATAL ACCIDENT.—It is our painful duty this morning to record the particulars of an accident which occurred on Saturday morning to a young man named Robert Chalmers, between 18 and 19 years of age, which caused death in an hour. He was an employee of the Hon. E. Leonard, and while engaged in oiling a stave machine in the factory, his left coat sleeve caught in the revolving wheel. The wrist was immediately severed, the arm drawn in to the shoulder and wrenched from its socket. In the operation, strips of flesh were torn also from the side and neck of the unfortunate deceased.—From the time of the accident to the last he was perfectly senseless. Drs. Nelles and Cattermole were summoned, and staunched the flow of blood but without avail, as the sufferer died within an hour from utter exhaustion. He was the son of Mr. W. Chalmers, of the Glasgow Saloon.

It is remarked as a singular coincidence that the cholera came to this continent in 1848 on a vessel which which, like the Atlantic, cleared from Havre. The steamer New York, the vessel in question, arrived on the 9th of November, 1848, with 364 passengers, 26 of which died on the passage, and 7 while the steamship was in quarantine. The cholera did not spread, however, and was confined to the city of New York. If this precedent is to be relied upon the present attack may potsibly be again confined to that city, where so far it does not seem to be spreading. This is, on reason, however, why we should continue so apathetic. Fine warm weather will again likely set in before Winter fairly sets in, and the most energetic measures should then be taken to clean the city. It would be foolish and criminal to delay much longer.

THE MEETING OF PHYSICIANS YESTERDAY.—In accordance with the announcement in the city papers, a meeting of the members of the medical profession took place at the City Hall yesterday afternoon, for the purpose of considering the steps which ought to be taken in view of the epidemic with which we are threatened. The meeting was numerously attended, between forty and fifty physicians and surgeons residing in the city of Quebec and its environs, being present. Dr. Landry, Vice-President of the College of Physicians and Surgeons, Lower Canada, was called to the chair. The various branches of the subject, such as the question of contagion, the regulations of quarantine, and the treatment of cholera, were then fully discussed by the gentlemen present. After the adjournment of the general meeting, the committee met and appointed Dr. Landry, Chairman, and Dr. Russell, Secretary, after which the committee adjourned, to meet on Saturday, at 7 30 p.m., at Laval University. We may add that the meeting was exclusively professional, in accordance with the views of a number of leading physicians who believed that, as it was a preliminary meeting, it should be private. We understand that the theory of the communicable nature of the malady appeared to find a favor with the majority of those present. We are glad that the members of the faculty in Quebec have taken the lead in such an important matter. The subject is one of the utmost import