The Britten and Holbrook Shooting Affair.

The examination in this case before his honor, Justice T. H. Stringham, commenced in Placerville on the 8th and closed on the 13th inst.,—E. D. Holbrook appearing as counsel for T. Holbrook, H. L. Preston for Frank Britten, and Dist. Atty. Hough for the people. The testimony as taken down, fills 350 pages of legal cap, and is of course too voluminous for our columns. We give below the decision of the Justice, which will enable the reader to understand the merits of the case.

OPINION OF THE COURT.

In deciding this case, wherein T. Holbrook and Frank Britten are charged with the crime of assault with intent to commit murder, I have to perform a duty that I owe to the defendants and to the community that I would gladly avoid, but a zealous desire to do justice to all and see that the law, of which I am an officer, is kept inviolate, impels me to its performance.

From the evidence, which has been fully brought out both by the Prosecuting Attorney and the Counsel for defendants, and ably and almost impartially argued by the attorneys on both sides, I am satisfied that an offense has been committed over which this Court has not jurisdiction; I shall, therefore, claim the privilege granted by statute to an examining court, and transcend, to some extent, the rules and forms as expressly laid down in the law.

The evidence shows that T. Holbrook com- ted an assault upon F. Britten with intent l, by drawing a revolver and presenting im without sufficient cause, although have been justifiable in fighting his terwards in the contest. It also . Britten committed the same wing a derringer in a hostile ying his hand on Holbrook's g into consideration the fact not on speaking terms), and not embracing an opportunity of danger, but procuring a re- he sought his antagonist in the street, and fired at him,—thereby endangering the lives of many,—with intent to kill him. It does not, however, appear to have been provoked on the part of either of these defendants by malice aforethought, or any previous design or preparation; no threats either preceding or succeeding the combat. It is also shown to the Court, that the defendants are both men of *unimpeachable character*, of *good order* and *law-abiding*. After considering the circumstances and weighing the evidence in this case, and with the advice of the Prosecuting Attorney, the Court is satisfied that, although an indictable offense has been committed by these parties, that it would not advance justice nor prevent crime to require these parties to recognize in any sum for their appearance at the next term of the District Court, as the Grand Jury and Prosecuting Attorney will have the evidence in the case before them, can act in the premises as they deem expedient, and if this Court has erred, can proceed as in an original case;—no fear is apprehended of the commission of any crime growing out of this affair. The Court, notwithstanding a serious offense has been committed against the peace and dignity of the people, discharges the defendants with a *reprimand*, and hopes this experience will teach them that prudence and forbearance are more profitable in their observance than pride governed by passion.

T. H. STRINGHAM,
Justice of the Peace.

EASTERN NEWS.

New York, Jan. 15.

One thousand Sioux Indians have fled into British America near Selkirk, from Minnesota, and the British government have denied our troops permission to cross the line to chastise them. It is also stated that some of the British officers have been furnishing these fugitive fiends with ammunition, &c., that they may be enabled to resume their depredations in Minnesota, which has created much feeling among the people as well as in official circles.

New York, 16th.

The Conscription Act as amended, provides that a drafted man who pays four hundred dollars is exempt until every other man in his district is drafted, when he is again liable.

McCook killed 14 and captured 40 Texans at Mosey creek, Tenn.

Ex-rebel General Gantt, of Arkansas, arrived in Washington, on the 19th at the head of a delegation of prominent loyalists of that State, on a mission concerning the reconstruction of the State government.

The Committee on Territories are perfecting a bill for the erection of the Territory of Montana, composed of portions of Idaho and Utah. R. F. Perkins has been appointed Postmaster at San Francisco. It is stated that within the next four months, Arkansas will come into the Union as a free State with Col. Rogers as Governor.

The 1st Rhode Island pickets were attacked by a force of rebel cavalry at 3-mile Station, on the 4th, whom they repulsed, killing 30, with a loss of 5 Federals killed.

The rebel General Vance and his Adjutant General were captured near Perryville, Tenn. by Col. Palmer, together with an ambulance loaded with medicines, a hundred horses and a hundred stand of arms. Ice was an inch thick at Montgomery, Ala., on the 4th of January. In the Senate, on the 19th, Conness introduced a petition for a railroad between Cal. and Arizona. The election for Governor of Louisiana, under the proclamation of the President, will take place on the 22d of February.

Chicago, 20.—Sec. Seward holds that the British Government is responsible for the depredations of the pirate Alabama and cannot instruct Minister Adams to refrain from presenting the claims of law-abiding citizens of the United States. Chas. A. Dana has been appointed Assistant Secretary of War. One two thousand persons met in Nashville Tennessee, on the 22d, to send delegates to the Southern Free-State Convention to be held in Louisville. Gov. Andrew Johnson spoke and said Slavery had been the disturbing element, and Government should put it down at once and forever. He wanted free Whites and a white man's government, but his platform was broad enough for freedom to all both black and white. Strike the fetters off the States and let the oppressed go free. Gradual emancipation proposes to fit a State for freedom by prolonging Slavery: gradual emancipation is preposterous.

Guthrie is probably elected Senator from Kentucky.

Harrisburg, Pa., Jan. 23d.—Judge Woodward's decision of the unconstitutionalty of the Conscription law, and injunction restraining Federal officers from taking drafted men from the State, has been negatived by a full bench decision, only two dissenting.

A call has been issued at Raleigh for a State Constitution, and to secede from the Confederacy. Gov. Vance and nearly all the leading men of North Carolina are in favor of returning to the Union.

Gen. Scofield goes to Knoxville to take the place of Foster.

New York, 25.—The election for Governor of Arkansas will take place on the 28th of March, under the Proclamation of the President.

A Canadian pugilist, named Graham, has thrashed a Long Islander, named Drumgold, in 46 rounds, near Flushing.

The distillation of grain is prohibited within the District of Ohio.

The steamer Canada arrived at Halifax on the 25th, with dates from Liverpool to the 9th. Mrs. Wales had a boy baby on the 8th, at Frogmore.

New York, 26th.—Gen. Gantt will issue an address to the people of Arkansas, urging them, as Slavery is dead, and they have nothing to fight for, to return to their allegiance.

Longstreet will be recalled from East Tennessee and placed at the head of a new army to operate on the south side of James river. Kirby Smith succeeds Longstreet.

Terrible Catastrophe at Santiago, Chili, on the 8th of December.

TWO THOUSAND WOMEN AND CHILDREN BURNED IN A CHURCH!!

On the day of the Immaculate Conception, while the Order of the Daughters of Mary, under the leadership of a fanatical priest named Ugarte, were celebrating in the old Church of the Jesuits, with lights of oil, liquid wax, gas and every luminous combustible known in pyrotechnics, causing the church to blaze as a sea of fire and flutter with clouds of muslin and gauze draperies, Urgate had persuaded himself and simple followers, that by this foolish display, unwarranted either by the church or common sense, they were invoking an unction that would put them in direct communication with the Holy Virgin. A letter-box had been provided near the altar by which the daughters of Mary were induced to believe they could correspond with the Mother of God in writing. An Apostolic Nunci had declared that he had seen a more brilliant illumination of a church at Rome, Ugarte determined, as, he said, to show him on this occasion such an illumination as the world has never seen, and he kept his word. The following editorial comments are taken by the Bulletin from the Valparaiso *Mercurio:*

"A dreadful visitation has fallen upon us. Truly this is 'a day of trouble and rebuke and blasphemy.' The voice of lamentation is heard all over the land, the bitter weeping of fathers, husbands and lovers, for those who were the joy and brightness of their life, that refuses to be comforted because they are not.

Hundreds of young girls—only yesterday radiant and beautiful in the luxuriant bloom of the fresh, hopeful spring of life—to-day calcined, hideous corpses, horrible, loathsome to the sight, impossible to be recognized.

The 8th of December was a great triumph for the clergy of the church of the Jesuits in Santiago. An enthusiastic audience filled every nook. There were hardly any men there, but 3,000 women comprising the flower of the beauty and fashion of the capital were at the feet of the ecclesiastics, very many, against the will of fathers and husbands—but that of course only showed forth the might of the Gospel.

Never had such pyrotechny been seen before—20,000 lights mostly camphene, in long festoons of colored globes, blazed the church into a Hall of Fire. But the performance had not yet begun when the crescent of fire at the foot of the gigantic image of the Virgin over the high altar overflowed, and climbing up the muslin draperies and pasteboard devices to the wooden roof rolled forth a torrent of flame. The suddeness of the fire was awful. The dense mass of women, frightened out of their senses—numbers fainting and all entangled by their long swelling dresses—rushed as those who knew that death was at their heels, to the one door which soon became choked up. Fire was everywhere. Streaming along the wooden ceiling, it flung the paraffine lamps hung in rows there among the struggling women. In a moment the gorgeous church was a sea of flame. Michael Angelo's fearful picture of Hell was there, but exceeded."

AT Cologne, a young lady of good family was sentenced lately to a month's imprisonment, for robbing a live ostrich, an inmate of the Zoological Gardens there, of some of his finest plumes.

Objects of Union Leagues.

1. To preserve through all coming time, the unity of the United States from disintegration and decay.

2. To secure to posterity our birthright of freedom of conscience speech and action.

3. To afford to people of other lands an asylum, a refuge from tyranny, oppression and political wrong.

4. To perpetuate the memory of the founders of this great Republic and of their worthy and immortal successors.

5. To teach by covenants, emblems and solemn ceremonies, the harmony, strength and beauty of National Unity. tf.

Sheriff's Sale.

BY VIRTUE OF AN EXECUTION ISSUED out of the Probate Court of Boise County, Idaho Territory, on a judgment rendered therein, on the 29th day of January, A. D. 1864, in favor of Theodale Gautier, and against Isaac Harp, S. Stoneberger, M. Morry and Dr. Belknap, for the sum of one hundred and sixteen and 85-100 dollars with interest thereon, at the rate of ten per cent per annum from the date herein, until paid, together with said plaintiff's cost and disbursements included in said action, amounting to the sum of thirty-nine (39) dollars,—I have levied upon one house and lot on Main street, in Bannock city, and known as the Bello Creole Saloon; and, I hereby give notice that I will, on the 11th day of March, 1864, at 12 o'clock A. M., on the premises, sell the property at public sale, to the highest bidder for cash, to satisfy said judgment, cost and accruing cost.

S. PINKHAM, Sheriff,
By J. W. KEENAN, Under-Sheriff.
Dated February 12th, 1864. 21w4.

Teritory of Idaho, County of Boise } SS:
In the District Court of the Second Judicial District.

To James Downes:—Take notice, that John C. Cottrell and A. J. Jennings, for the use of John C. Cottrell, have filed a complaint against you in said Court, which will come on to be heard at the first term of the Court which shall commence more than two months after the twenty-third day of Jan. 1864, and unless you appear at said term and answer, the said complaint will be taken as confessed and the prayer thereof granted. The object and prayer of said complaint is to obtain judgment for $51 50 and to enforce a mechanic's lien for said amount, upon a certain building more particularly described in said complaint, the same being formerly known as "The Small Man" or "Tom Tumb's Grocery, and upon said Downes' interest in the lot upon which the same is situated.

WAITE & MILLER, Att'ys for Plfs.
January 18th, 1864. 15m3

JIM'S
DRINKING
SALOON,
GRANITE STREET NEXT TO HIGBY & BLEDSOE, PLACERVILLE.

WINES, Liquors and Cigars, of the best quality, direct from San Francisco always on hands. Also, Lager Beer.
1tf JAMES HART.

J. W. STEARNS. J. A. PINNEY.
Pinney & Stearns.
DEALERS IN GENERAL MERCHANDISE.
DRY GOODS, CLOTHING, BOOTS, &c.
Also, Groceries, Hardware, etc etc.
Together with a fine lot of
Liquors such as
BRANDIES, WINES AND WHISKEY.
Bannock City Sept. 25th, 1863.—1m3

HIGBY & CO.
CORNER MAIN and WALL STS., OPPOSITE INTERNATIONAL HOTEL.
Wholesale and Retail Dealers in
Groceries, Provisions, Mining Tools,
Hardware, Clothing, Wines,
Liquors, Boots and Shoes,
Amunition, Hats, Gloves,
Stationery, Ladies' and Children's Shoes.

N. B. The entire stock has been selected with great care, in San Francisco, by an experienced man, expressly for this market.
Bannock City, September 29th, 1863. 1tf

J. A. DAVISON
TAILOR.

WOULD inform the citizens of Bannock, that he has located himself on Wall St. where he intends doing a general business in his line, and will shortly receive a fresh supply of goods, suitable for the fall and winter trade. Consisting of fine Fancy and Black Doe Skin, Fancy Velvet Vestings, heavy winter Overcoatings. Also, a fine lot of Buck Skins suitable for Foxing Pants.
Bannock City, Sept. 26th, 1863.—1m3

GLOBE HOTEL.
DALLES CITY - - - - - - - OREGON.

THIS Hotel is newly opened and furnished, and the beds furnished with Spring Mattrasses, while the table is supplied with the best the market affords. Every attention will be paid to the Comfort of guests.

Board per week, with room : : : :	$10 00
" " without room : : : :	7 00
Single Meals, " " " " " " " "	50
Lodging, " " " " " " " "	50

1m3 JOHN EPPINGER, Proprietor.

March to the Music!
YE HAWK-EYES, SUCKERS, PUKES, WOLVERINES,
AND THE
PUBLIC GENERALLY,

ARE INVITED to call at the Auction and Commission Store, where you will find the best assortment of Fancy and Staple Groceries, Wines, Liquors, Provisions and Miners' Tools, on the
MOST REASONABLE TERMS,
for the Dust, which is much needed by the subscriber, at the Hawk-Eye Store, No. 313 Wall Street.
H. C. ANDERSON.
Bannock City, Nov. 3d, 1863. n6-2m

Umatilla House!
DALLES.....OREGON.
D. Handley & N. B. Sinnott, Proprietors

House kept open all Night.
Fire Proof Safe in the office for deposit of valuables
Baggage taken to the house free of charge.
November 3d, 1863.—tf

IF You want some Port or Old Tom Gin, called the IDAHO BREWERY and BAKERY.

IF you want Fine Old Henesy Brandy call at the Idaho Brewery and Bakery.

IF you want Fine Old Burbon Whisky you can find it at the Idaho Brewery and Bakery.

Orleans Hotel.
Front street, Umatilla, Oregon.

THIS Hotel is now open for the reception of gentlemen, and will be conducted in all its departments as a First Class Hotel.
MAY & FAILING.
Umatilla Sept. 1st, 1863.—1m3

Frank's Hotel.
WALLA WALLA, WASHINGTON TERRITORY.

THE proprietor of this Hotel takes pleasure in announcing to his friends and the public generally that he is now prepared to accommodate them with the very best Board, Lodgings, Rooms, &c. that can be found in the place. The Bar is always furnished with the choicest
WINES AND LIQUORS OF ALL KINDS.
1tf FRANK CARPIED.

Books and Stationery
City Book Store, Walla Walla, W. T.,
E. E. KELLY, PROPRIETOR,

DEALER in Blank Books, School Books and Stationery of every description. A large assortment of novels, and the latest papers and magazines always on hand. Orders from the mining towns promptly attended to.
oct20-tf E. E. KELLY.

Taylor's Hotel.
LE GRAND

HAVING removed my hotel from Umatilla to Le Grand and fitted up with especial reference to the comfort and convenience of the traveling public, I shall be happy to meet old friends and make new ones, at my new home, which I shall endeavor to make such to them also, during their stay under my roof.
W. B. TAYLOR.
Le Grand, Dec. 1, 1863. 11 tf

Payette Ferry Express Ranch.

SITUATED at the old crossing and Payette Ferry, on the north side of Payette river, on the route from the Boise mines to Walla Walla—Thirty-five miles from Placerville, thirty miles from Moore's Ferry, fifty miles from Old's Ferry and twenty-five miles from Boise City.

This house will continue to keep open for the ACCOMMODATION of the Traveling PUBLIC.
GRASS GRAIN & HAY
in abundance. D. G. DARGIN, Propt.
December 12th, 1863. 12m6

Willow Creek House

AT THE crossing of Dry Willow Creek on Old's road, thirty-three miles from Old's Ferry and fifty miles from Placerville. Plenty of
HAY And GRAIN
for animals constantly on hand at reasonable rates.
The Proprietor of this house takes pleasure in announcing to their many friends and the public generally that they are prepared to give as good Board s the country affords.
W. G. HILL & SOL NEWCOMER, Props.
December, 12th, 1863. 12m7

FOR SALE.

THE undersigned will sell cheap, for cash, the following interests in the rich gold and silver leads in the South Boise Quartz mines:

200 feet in Elipse,		200 feet in Old Dominion,	
200 "	Jeff Davis,	200 "	Wide West,
200 "	Metropolitan,	200 "	Emigrant Girl,
200 "	Phoenix,	200 "	Minnesota,
200 "	Pirate,	200 "	Burnt Pilot,
200 "	Ada Elmore,	200 "	New York,
25 "	Golden Star,	50 "	"
25 "	" Eagle,	25 "	Silver,
200 "	Idaho,		

Persons desirous of investing in quartz will do well to call on the undersigned before purchasing.
DANIEL M'LAUGHLIN.
Bannock City, Dec. 18, 1863. 13tf

Administrator's Notice.

NOTICE is hereby given that all persons holding claims against the estate of James Hawkins, deceased, late of Boise County, Idaho Territoty, are required to present the sam to the unersigned, administrator of said estate, at the store of Higby & Co., Bannock City, within one year form the date hereof.
G. W. CRAFTS, administrator.
Bannock City, January 23, 1864. 18w4

Marshall House.
LOWER END MAIN STREET,
Bannock City.

The undersigned having opened a first-class
SALOON,
Is now prepared to serve his friends and patrons with choice *Wines, Liquors and Cigars.*
11-tf J. R. MARSHALL.

ROMER & COLLEN.
IDAHO CITY MARKET
IS SITUATED ON MAIN STREET, bet. the Florence Saloon and Idaho Restaurant.
Every thing in the meat line,
From a Whole Beef to a Sausage!
CONSTANTLY ON HAND!
AS CHEAP AS ANYBODY SELLS!
AND AS GOOD AS ANYBODY KEEPS!
Bannock City, Oct. 26th, 1863. [n5:tf

Circulating Library;
H. M. Swinnerton & Co.,
—DEALERS IN—
STATIONERY,
SCHOOL BOOKS
&c., &c., &c.

All of which they will sell at low rates for cash.
Opposite White's Exchange, Main St., Bannock.
no8tf.

BLOCK MILLER & CO.
DALLES.
IMPORTERS and wholesale dealers in all kinds of Dry Goods, Clothing, Boots and Shoes, HARDWARE AND MINER'S TOOLS.
Also, a good assortment of all kinds of GROCERIES, PROVISIONS, LIQUORS, &c., Constantly kept on hand. 1tf

Empire Bakery,
SALOON, AND PUBLIC HALL.

NORTH-EAST Corner of Plaza, Placerville, Boise County Idaho Territory.
THOS. H. STRINGHAM, Proprietor.
Placerville, January 21st, 1864. 18m3

International Hotel,
PLACERVILLE.

EXCELLENT accommodations for families or single gentlemen. The table is always supplied with the best in market. Rooms neat, clean and commodious. BURTHEY & BRUNN.
Placerville, Oct. 8th, 1863. 3m3

Peff's Bakery.

M. PEFFERLEE would respectfully announce to the citizens of Bannock that he is now prepared to furnish Bread, Pies, cakes &c., in large or small quantities. Orders for WEDDING OR CHRISTMAS CAKES promptly attended to. Peff keeps the best Cider and Lager Beer.
Bannock City, Sept. 25th, 1863.—1m3

FRANK CAMPBELL. MICHAEL SPAHN,
Idaho Brewery
—And—
BAKERY.

OPPOSITE Wells, Fargo & Co.'s Express office Main Street, Bannock City, have on hand and constantly receiving from San Francisco, the finest brands of Wines and Liquors. Also, Bread, Pies and Lager Beer always on hand. Give us a call and see for yourself. CAMPBELL & SPAHN.
Bannock City, Oct. 8th, 1863. 3tf

S. LAURIN & CO.
BANNOCK CITY, I. T.

WHOLESALE and RETAIL DEALERS in Fine Brandies, Wines and Liquors, Respectfully inform the public that they have on hand the largest stock of Wines and Liquors in Idaho Territory, from the well known House of Hamilton, Wilson & Co., Portland, Oregon. 3m3

"Empire Market,"
—AND—
"IDAHO MARKET."

MEATS of all kinds, on hand at all times. AND AT MARKET PRICES.
Main Street Bannock.
DRUSSEL, MARKAM & CO.
October 5th, 1863. 2tf

G. H. CHICK & CO. Bannock City. | Chick & Morrison, Centerville. | G. H. CHICK & CO Placerville.
Stoves and Tin-ware.

WE are now prepared to fill all orders in our line with dispatch and solicit a share of the public patronage.
Jobbing of all kinds done at short notice.
October 8th, 1863. 3m3

S. W. CHILDS. D. W. DANIELS.
CHILDS & DANIELS.
YREKA LIVERY
—AND—
FEED STABLE.
[Formerly the Olympia.]
HORSES BOUGHT AND SOLD EVERY DAY
Also, Boarded by the Day or Week.
GRANITE ST. PLACERVILLE.
October 8th, 1863. 3m3

A. WYATT. E. A. HALNY
JACK & CO.

CALIFORNIA LIVERY, FEED AND SALE Stable, Grnite St., Placerville. Comfortable
STABLING.
Stock received and delivered Tuesdays and Saturdays for the Mammoth
RANCH.
Placerville, Oct. 8th, 1863. 3m3

COUNTY HOSPITAL.

TERRITORY OF IDAHO, }
COUNTY OF BOISE. }

NOTICE is hereby given that a County Hospital, for the care and medical attention of the indigent sick, has been provided by the Board of County Commissioners of said county. Said Hospital is situated between Wall and Commercial streets, above Main, in Bannock City. All indigent sick persons who desire admission to the Hospital, must make and file an affidavit with the County Auditor, that he has no means, and no friends from whom he can obtain assistance.

No bills will hereafter be allowed for care or medical attention to indigent sick outside of the hospital, unless a special contract be made with one of the Commissioners.

J. C. SMITH, Chairman Board of Com.
J. W. BROWN, Deputy Clerk.
Bannock, November 9th, 1863. n7-tf

Rockfellow's Half Way House,
(at the Rockfellow Quartz Lod
EQUI-DISTANT FROM WALLA WALLA AND BOISE.

THIS HOUSE will be open for the accommodation of the traveling public on and after November 1st. Everything for the
COMFORT OF MAN AND BEAST
will be found on the premises. A good road is opened by way of this place, without addition to the distance.
n8tf W. H. ROCKFELLOW, Proprietor.

Z. F. MOODY & CO.
WHOLESALE DEALERS IN
DRY GOODS, CLOTHING, BOOTS AND SHOES,
GROCERIES, PROVISIONS,
MINING TOOLS,
etc., etc.
Umatilla Oregon.
1m3