

The communication on the subject of "Boise city Town Lots," signed by Allen and others, is too late for the number. Next week.

BUTTER TRAIN.—23,000 pounds of Salt Lake Butter, arrived here by wagons on Wednesday.

SOUTH BOISE.—We had occasion during the week, to visit South Boise, but owing to the crowded state of our columns and the lateness of our arrival, we will have to defer an account of the trip until next week.

PROCEEDINGS of Democratic Central Committee furnished too late for this issue, will appear next week. Edward Nugent was placed on the ticket for Prosecuting Attorney, vice I. S. Hascall, who is absent from the Territory.

HOOR RIDDLE of Placerville, was robbed while asleep in his cabin near Centerville, on Wednesday night, of a purse containing \$350. Suspicion rests on a party, as we learn, but as no responsible name accompanies the information, we forbear to mention the suspected individual.

FREIGHT TRAINS.—Two large trains from Council Bluffs for this city, will arrive here to-day or to-morrow. One train of nineteen four-mule teams, two tons each, owned by Jackson & Co., and one train of twelve ox-wagons, owned by Ford & Co., loaded, as we understand, principally with groceries.

KILLED.—Sam'l Seabery, while mining on Walla Walla bar on Tuesday last, was killed or drowned by a slide of rock and gravel, which damed up the water so as to cover his body, where it was found fastened among the rubbish. Deceased was a native Maine, and leaves a wife in Portland, Ogn, who was expected to join him here in a few weeks.

MOUNT ORO.—A. W. Morton left with us during the week a fine specimen of gold-bearing rock, taken from the Mount Oro ledge discovered Thursday of last week. Mr. M. assures us that the ledge is well defined, about six inches thick and easy of access, situated only five or six miles from town, in an easterly direction. From the appearance of the specimen we should unhesitatingly pronounce the Mount Oro a good ledge.

L. H. TOWNS, of the Tower House, Shasta county, Cal., has shown us a letter from a military expressman in the mountains, in which it is stated that Capt. Curry's Command has been made acquainted with the circumstances of the death of Langdon and Remy beyond Harney Lake valley, and that an effort will be made to chastise the savages as well as to recover a portion of the stock lost, if possible.

ROAD IRONS.—H. Bledsoe, W. F. & Co.'s Messenger, left Placerville on Friday, last week, making the trip to Walla Walla and back to Placerville, inside of six days, with the express, having laid over one night in W. W. During the passage by Greathouse & Co.'s stages, they experienced heavy rains—thunder and lightning on Powder and Payette rivers. The Stage Co.'s new road over the Blue Mountains, will be done in a few weeks. The pass is some thousand feet lower than the Indian valley route. The Toll-Road from Munn's Ranch to Birch creek, is open for travel.

SOUTH BOISE QUARTZ.—Mr. W. Waddingham, whose departure for San Francisco with 1,500 pounds of rock from the Comstock and Confederate Star, we noticed a month ago, has returned. He had about one thousand pounds worked, and left the balance in the mill, and expects to receive returns soon. The portion already worked, yielded about \$800 to the ton, although the assays of the same rock, ran much higher. We shall have more to say with regard to this matter, in future.

PERSONAL.—We had the pleasure of a visit, from Frank Kenyon, editor and proprietor of the Golden Age, on Saturday last. Mr. K. has received the appointment of Census Marshal, and comes to Boise in the discharge of the duties of the office. Gov. Lyon has also reinstated him to the position of Territorial printer, and after taking the "Age" from Lewiston to Wallula by steamer and loading it on teams for Boise city, he had it driven straight back to Lewiston where, after the string it has had, it comes to us again looking refreshed and more vigorous than ever, and not so overgrown in size.

FITZGIBONS.—This man, after the killing of Coray on Monday night, was arrested by John Keenan, with the assistance of Messrs. Sbafer & Nugent, between whose office and the Occidental Hotel he had taken refuge in a small alley way. When arrested he had on his person a Colt's revolver, cocked and stuck down in his pants, as also a knife in a scabbard. With regard to his former history, we can only learn that he has been at work nearly a year for Scott Bonham, during which time, he was never known to be intoxicated or to have a quarrel. On that day he got drunk, appeared to be wild, and shot into several houses on Buena Vista Bar before he came over into town, and seemed to be determined to kill somebody. The particulars of the murder we give elsewhere in this paper. A preliminary examination has been waived.

DEATH OF JOHN CORAY.—As we were returning from the theater on last Monday night about half-past eleven o'clock, our attention was attracted by the report of a pistol fired on Montgomery street immediately in the rear of the Washoe Saloon on Main street. Everything appeared quiet, however, afterwards, and it was not until Tuesday morning that we heard that a man had been killed. At 10 o'clock Justice Walker, acting as Coroner, had a jury of six good and lawful men summoned, and repaired to the Idaho Brewery, lately the property of deceased and partner, when an inquest was held over the body of John Coray, and the following facts elicited by the testimony:—About 11 o'clock, or a little after, on Monday night, a party consisting of Adam Pefferlee, John Coray, James Hogg, P. J. Wetzel, John Shoal, and perhaps two or three others, were in the brewery taking a social glass of beer, when a stranger rapped at the door and demanded admittance. Coray—one of the partners—objected to his coming in; said it was too late, and that they had shut up for the night. The other partner, however, went to the door and opened it to see what was wanted. The stranger, who proved to be an Irishman by the name of FitzGibbons, inquired if they could tell him where a man called Harry or Henry lived. Pefferlee answered that he knew several men by that name. FitzGibbons said the one he knew was from Auburn or Mermon Basin. Pefferlee answered that he thought he knew such a man on Buena Vista Bar, and told him that if he would go in a certain direction he would come to a bridge, then in a certain other direction, turning, &c., &c., he would find him himself, on the way to Buena Vista. At this he went away. The door was again fastened, and the party were proceeding to take another drink, when he returned and again rapped at the door. Deceased again objected to having the door opened, but the other parties did open it, and the same questions were repeated with regard to a man named Harry. Coray then said to him,—"go away, we don't want any of your kind, or any drunken bummer here at this late hour." FitzGibbons then flew into a passion, and called some one "a son of a b—h," without designating the person alluded to. At this C. advanced towards him and asked—"who do you call 'a son of a b—h'?"—"You, you,"—said FitzG., at the same time retreating into the darkness followed by Coray. In this manner they went out into the street some thirty or forty feet, Coray advancing to within 12 or 15 feet of FitzGibbons, when the fatal shot was fired, which took effect a little to the right of the sternum, in the pit of the stomach, piercing the lower portion of the heart. He only lived 10 or 15 minutes afterwards, and the only words spoken were,—"I'm killed." Drs. Harris and Hogg examined the body in presence of the jury, and extracted the ball, which was a navy-sized slug. John Coray was a native of Switzerland, aged 29 years, a good citizen and peaceable man, as we are assured by those who have known him for years at Yreka. He evidently had no idea he was in any danger, nor do we think he had any thought of doing violence to FitzGibbons. Everything seemed to be going on in a spirit of playfulness and pleasantry in the brewery until the fatal shot was fired. One of the witnesses, Mr. Hogg, who lay on a table, thought nothing of it, but considered it a "sky-lark," after the shot, until he heard Coray cry—"I'm killed."

INCORPORATION.—GRIFFITH TOLL-ROAD CO.—Incorporators: Wm. McGrorty, J. A. Griffith, Wm. Parley. Object of company to construct and conduct a pack-trail and wagon road, to commence at Idaho city, Boise county, I. T., thence up Moore's creek on the most practicable route fifteen miles more or less, thence in a northeasterly direction across the summit of the mountain to Crooked creek, thence northeasterly across the mountain to Beaver creek, thence northeasterly across the mountain to Crooked river, thence to Silver city; and to build all necessary bridges, embankments, etc., for the purpose of completing said road. Capital stock, \$5000 in 50 shares of \$100 each. Principal place of business, Idaho city. Trustees,—Griffith, Harley and McGrorty.

Too Good to be Lost.—A certain attorney residing not over one hundred miles from this city, was present at the Jenny Lind Theater on Tuesday evening last to witness the play of "The Hunchback." The next day at dinner, he requested the proprietor of the building to inform one of the ladies (not Mrs. Hayne) performing one of the cast of characters that evening that he would be very happy to appear upon the stage in that play with her, any night that it could be repeated, in the character of Medus. The lady promptly returned an answer to him that on Saturday evening next (to-night) she would gratify him as requested. We shall see whether he will venture on the role of the bashful lover to-night. It is said he will stick to his bargain.

ALF WALTON & BILL NABAN have a large band of California horses in market, which they are selling at reasonable rates. Parties who buy of this firm need have no fears about title. They are "up and up" in their dealings, as we have reason to know from many years acquaintance with them in business and otherwise.

MOB MATTERS.—On Tuesday morning Deputy Sheriffs Underwood and Whiting became suspicious that an attempt would be made after the funeral of John Coray, to take Thos. FitzGibbons—charged with the murder of deceased—from the county jail for the purpose of executing summary, or lynch-law punishment, and as a precautionary movement, (with the assistance of John Keenan, who had the night before made the arrest of F.) summoned a large posse and stationed them in the Jail-yard, armed with guns and pistols for the protection of the prisoner until through the proper legal channels he could be tried and convicted or acquitted according to his guilt or innocence, after a fair and impartial investigation of the case by a jury of his peers, selected with reference to their impartiality in the matter. The funeral took place about four o'clock in the afternoon. A very large procession of the friends of the deceased, preceded by Paston's brass band playing a mournful dirge, escorted the remains to the cemetery, after which, on their return, quite a number, say, perhaps, one hundred in all, halted on the brow of the hill above the jail and prepared to make a descent on the works, but were persuaded by Judge Parks and others to pause and reflect before taking so decisive a step as that of taking the law into their own hands. While the Judge was speaking we never witnessed a more attentive or orderly congregation than the immense crowd that had by this time swollen to several hundred men. He asked them to point out a single instance where a criminal had ever escaped punishment since Pinkham had been Sheriff, if a jury of twelve men taken from among the people had adjudged him guilty, or one that had escaped the vigilance of the officers in bringing them to trial. As no such case could be cited,—where was the necessity of disgracing the land with scenes of mob violence, when by a little patient waiting until Monday next a grand jury of cool and unexcited men would be impeached to inquire into the case, and if they found an indictment, a trial jury of twelve men would pass upon his guilt or innocence? At the close of Judge Parks's address, the word was passed 'round the crowd—"let us go home," and although many remained about the premises half an hour longer, a majority at once dispersed, convinced, as we believe, that though a man may be guilty of the foulest murder, it is not in the province of individuals to take his life outside of the forms of law, even though done in the collective capacity of a mob. When men reflect that killing, unless done in self-defense, is murder, and that, although a thousand others are equally implicated in that murder, each individual is responsible to his God and to his own conscience for its perpetration, they naturally hesitate, and having once hesitated long enough to reflect, reason and conscience come to the rescue and say—let the law take its course. So let it be in this case. There was perhaps not a single man in all that multitude that desired to take the responsibility of going coolly and deliberately and taking that man out of jail, ironed and fettered as he is, though guilty as we believe him to be, and killing him with his own hand; yet, with a crowd about him, each in a greater or less degree excited, they were willing to shoulder that responsibility collectively. We have no word of censure for those who felt keenly and deeply the wrong that had been done in the murder of their friend—it is manly and noble to feel so, and they have acted manly and nobly in taking a sober, second thought before plunging a whole community into anarchy and confusion, that could but result in the death of many good citizens on both sides. The triumph would have been a doubtful one to say the least, over a poor, deluded wretch already bowed down with manacles and closely confined in a dungeon with no hope of escape.

JENNY LIND THEATER.—Manager Potter, according to promise, re-opened this Theater on Monday evening last for a short season, with the renowned Tragedienne—JULIA DEAN HAYNE—as his Star. Determined that Idaho shall have all the novelties in season both in the Atlantic States and abroad, ere Winter sets in, and he bids farewell till next year. The play selected was 'Griseida,' written a few years since expressly for her, and on its representation the house was crammed to do homage to one who had come so far to amuse and instruct our golden city with her artistic and natural acting. So many having witnessed it on that occasion, a repetition of the plot would be superfluous on our part: it was enough to hear her musical voice; to feel her depth of constancy and love; her truthfulness in delineation of woman's finer feelings, when racked by doubt and despair, to at once carry away the senses captive and lead one charmed as by a siren, and it struck us very forcibly that were the same womanly feelings inculcated to a greater extent than they are, there would be much less cause for divorce courts, and a great deal more happiness in the nuptial state. She was supported by Miss Belle Douglas, Mrs. G. B. Waldron, Mr. G. B. Waldron, Messrs. Mortimer, Parley, Lindsay, Reeves, Lane, Robinson, &c., &c., not forgetting the manager, who is a host in himself. G. B. Waldron, as ever, was all that could be wished: of the support, generally, we do not wish to be tedious, but do think that some of the actors may devote a little more time and study to their parts; we were not aware that water was so scarce in the basin, until we noticed the lack of it on the stage, judging from appearances. At the conclusion of the piece, Julia Dean Hayne was loudly called for and appeared before the curtain to again receive the plaudits of her numerous friends and admirers. On Tuesday the Hunchback, Julia Dean Hayne as Juliet, and we regret she had so cold a lover in Sir Thos. Clifford. Miss Belle Douglas was evidently at home and happy in the part (art) of making love. On Wednesday Romeo and Juliet, when Julia Dean Hayne completely won the audience, and on Thursday Masks and Faces, acted by Julia Dean Hayne in such a manner as left nothing to be wished for. Each evening's entertainment closed with a funny farce, and we urge upon our townspeople to their appreciation by filling the house nightly. We would suggest that the Manager lower his prices to suit the times, (water being scarce,) and think that by so doing his exchequer would be the richer. New novelties are promised, and we wish them every success.

CREEK vs. DITCH.

MOORE'S CREEK, August 22, 1864.

We, the undersigned, appointed by the miners of Moore's creek to draft resolutions relative to the rights of the miners using the water naturally running in Moore's creek, in opposition to the ditches conveying the water from the creek to the dry diggings for the purpose of selling it, to the detriment of the creek miners, beg leave to report the following resolutions:

Resolved, That the miners of Moore's creek have not a sufficient quantity of water to work the claims in the creek, the natural water of the creek being taken out and conveyed to the dry diggings for the purpose of sale,—the water from this cause being very irregular, causing much extra expense and inconvenience.

Resolved, That not less than 250 inches of water will suffice for working the claims in the creek.

Resolved, That the miners deem it necessary that this amount of water shall run in the original or natural channel of the creek, past all ditches not used in working claims in the creek.

Resolved, That the miners of Moore's creek have, as a unit, determined that this amount of water shall run by each and every ditch used for the purpose of conveying water on dry diggings.

Resolved, That the undersigned, miners of Moore's creek, do bind ourselves to defray all expenses and costs accruing from carrying out the above resolutions:

- A. Bollett & Co.
Thompson & Co.
Tregaskis & Co.
A. Keyser.
Robinson & Co.
Poveroux & Co.
Saml. Deborue & Co.
J. M. Dennett & Co.
Samuel Griffith & Co.
M. M. McKean & Co.
J. Ball & Co.
J. E. Donnelly & Co.
Taylor & Co.
Kennedy & Co.
Connor & Co.
Geo. Chapman, Tatem & Co.
J. A. Andrews & Co.
Ferrit & Co.
G. W. Hanner & Co.
Gilkey, Scott & Co.
J. H. Thompson & Co.
John Farly & Co.
Henry Allen,
J. B. Friend, Garland,
Miller & Co.
C. H. Hark & Co.
Robertson & Co.
Payton, Bolings & Co.
Edward Waito & Co.
Johnson & Co.
S. W. Hunt & Co.
John Marschen & Co.
W. Williamson & Co.
W. D. Warren,
J. A. Knowles,
S. S. Johns & Co.
G. R. Wood & Co.
Small & Co.
Wm. Smarr & Co.
Schmidt & Co.
W. J. Robinson & Co.
Wm. Jack & Co.
S. Toner & Co.
Whitman & Co.
John S. Compton & Co.
W. McDougal,
John Fanning,
D. H. Jurey,
H. Meredith,
G. Carver & Co.
Geo. Dunboldt & Co.

At a meeting of the miners of Moore's creek, held at Pine Grove, August 24th, 1864, D. Thompson was elected Chairman and A. Bollett Secretary. The Chairman stated the object of the meeting to be to have all the water of Moore's creek left in the original channel of the creek. On motion the following resolution was unanimously adopted and carried:

Resolved, That a committee of five be appointed to wait on Messrs. Christie & Houston to notify them that if the amount of water required is not left in the bed of the creek by 8 o'clock a. m. to-morrow, then the creek companies (en masse) will go up and sluice this ditch out.

On motion, Messrs. S. Toner, Gilkey, Rone, Ball and Farman were appointed said committee. On motion, the meeting adjourned until further notice.

PAYETTE DITCH SURVEY.

EXAMINATION OF ROUTES FOR CANAL FROM THE PAYETTE RIVER TO BOISE BASIN.

ES. BOISE NEWS.—You will confer a favor on not a small portion of the people of Boise Basin, as well as oblige the undersigned, by publishing in your columns the result of the above examination.

We commenced our work at "Grimes's Pass," on Grimes's creek, some four miles above Pioneer city. The digging on the first four miles was moderately good—the next six miles rocky, rendering fluming necessary in many places. At this point the ground became worse—the difficulties to overcome still greater, and the cost of construction much increased. From this place we made no regular survey, but examined the route of the line for the next twenty miles, and found the same to be principally rocky—with the hillsides not only continuously steep but much of the way exceedingly abrupt and even precipitous. We then abandoned said line, regarding it impracticable. The next trial commenced at a low pass, some two and a half miles below the head of Grimes's creek—the labor of a day and a half established the fact that this line was several hundred feet higher than a low place on the dividing ridge between the Payette and Boise rivers—consequently the second line was abandoned.

The initial point of the third line was at a pass nearly mid-way between the first and second lines—hoping thereby to secure better ditching ground than the first line afforded. After a trial of twelve miles of this line, the difficulties of the first line were encountered, with quite an additional increase in length of line. The distance of any line along the southern hillsides of the Payette is greatly increased by the many deep indentations caused by the numerous abrupt gulches extending far back towards the summit of the mountain. Our opinion is that no line can be found on which a ditch of the contemplated size (twenty-five hundred inches) can be constructed with less than an expenditure of one and a quarter million dollars. The short-

est line that can be obtained will not be less than forty-five miles in length.

August 27th, 1864.

S. S. HAWTHORNE, JAMES KINNEY, J. D. SMITH.

Died.

At the County Hospital, Aug. 28th, of congestion of the lungs, JOHN BRALS, aged 43 years—a native of Normandy.

New this Week.

PURSE FOUND.—A small dog belonging to the undersigned brought home a purse of gold in his mouth on Wednesday afternoon, August 31st. The owner will please describe the purse, amount, &c., pay charges and take it away. Inquire of J. J. Dooly on Buena Vista Bar. HENRY COOPER, Buena Vista, September 23, 1864. 50w4

PACK MULES FOR SALE!

FORTY-FOUR HEAD of fine mules, all in good order, with rigging complete, will be sold at a bargain. For particulars, inquire of Pinney & Stearns, Idaho city, or Drake & Co. Placerville. The train will be in Placerville at the 15th of Sept. LYNCH & CLAYTON. [50w4]

CITY HOTEL

AND GENERAL STAGE HOUSE, MAIN STREET, IDAHO CITY, I. T. Barber & Oldham, Prop's.

For Sale, or Rent.

The undersigned being desirous of closing out his entire interest in Idaho Territory, offers for Sale or Rent THE IDAHO RESTAURANT

Located in Pioneer city, together with all the kitchen and dining-room furniture. This house is located in the central part of the town, is better adapted for the hotel business than any other house in the place, having rooms overhead to accommodate lodgers, and a good well with a pump within ten feet of the kitchen door. The house has recently been renovated and refitted, is neat and clean, and in perfect order for opening a restaurant in three hours. Apply to R. H. JOHNS, Empire Hotel, Placerville 50w4

G. H. CHICK,

(Above Riggs & Agnew's) Main Street, Boise City, I. T., DEALER IN

STOVES, PUMPS, LEAD-PIPES, COPPER, ZINC, GOLD RETORTS, Brass, Japanned and Tin-ware.

All of which will be sold LOW FOR CASH. Orders from the Basin solicited. 50w4

For Sale or Rent: THE RESIDENCE

OF L. H. BARBER. Inquire of the undersigned at the City Hotel. 50w4 L. H. BARBER.

Sheriff's Sale.

BY virtue of an Execution issued out of the office of the Clerk of the District court, of the 2nd Judicial District, in and for Boise county, I. T., on the 17th day of August, A. D. 1864, upon a Judgment rendered in said court, on the 25th day of July, A. D. 1864, in favor of F. Sanley, Plaintiff, and against J. D. Marshall, Defendant, for the sum of \$127.00, with interest thereon at the rate of 10 per cent. per annum, from the 25th day of July, A. D. 1864 together with costs of suit, taxed at \$20.45, I have seized the following described property of said Defendant, to-wit: One house and lot, being part of lot No. (2) two in block No. (6) six, fronting on Washington street in the town of Centerville, county of Boise; and to satisfy said judgment and costs and accruing costs, also; I will offer the above described property for sale, at public vendue to the highest bidder for cash, on the 23rd day of September, A. D. 1864, between the hours of one and three o'clock p. m., at the Eagle saloon in the town of Centerville county of Boise. Given under my hand at Centerville, Boise county, this 27th day of August, A. D. 1864. S. PINKHAM, Sheriff Boise county; By CHAR. WILSON, Deputy. 50w4

SHERIFF'S SALE.

BY virtue of an Execution issued from the office of the Clerk of the District court, of the 2nd Judicial District in and for Boise county, I. T., on the 24th day of August, A. D. 1864, upon a Judgment rendered in said court, on the 17th day of August, A. D. 1864, in favor of R. B. Shilling, Plaintiff, and against Lewis Myers and U. L. Goodman, Defendants, for the sum of \$230.00, with interest thereon at the rate of ten per cent. per annum from the 17th day of August, 1864, together with costs of suit taxed at \$45.00, I have seized the following described property of said Defendants, to-wit: One building and lot, being west half of lot No. (7) seven, in block No. (10) ten, being in Washington street in the town of Centerville, county of Boise; and to satisfy said judgment and costs, and accruing costs also; I will offer for sale the above described property, at public vendue, to the highest bidder, for cash, on the 24th day of September, 1864, between the hours of one and three o'clock p. m., at the Eagle saloon in the town of Centerville county of Boise. Given under my hand at Centerville, Boise county, this 27th day of August, A. D. 1864. S. PINKHAM, Sheriff Boise county; By CHAR. WILSON, Deputy. 50w4

SHERIFF'S SALE.

Territory of Idaho, County of Boise.—BY virtue of an Execution issued out of the Probate Court of Boise county, Idaho Territory, and to me directed and delivered, upon a Judgment rendered in said court in favor of Rosebaum & Cohn and against A. H. Russ, for the sum of One hundred and sixty-five dollars with interest thereon at the rate of 10 per cent per annum from the 27th day of January, A. D. 1864, together with costs of suit taxed at twenty-eight dollars and six cents and accruing costs, I have seized all the right, title and interest which the said A. H. Russ had on the 5th day of November, A. D. 1863, in and to the following described property, which I shall expose to sale at public vendue as the law directs, on the premises, to the highest bidder for cash, on the 29th day of September, A. D. 1864, at one o'clock p. m., of said day, to satisfy said judgment and costs and accruing costs, to-wit: The west sixteen (16) feet of lot No. one (1) in block No. ten (10), fronting on Granite street, and thence running back fifty (50) feet together with the house thereon erected, and the appurtenances thereto belonging. Sheriff Boise county, S. PINKHAM, 50w4

Notice!

NOTICE is hereby given to whom it may concern, that the undersigned have commenced opening a wagon road between Idaho city and Silver city, said road commencing thence by way in said Idaho city, and extending thence by way of Robie & Bush's steam sawmill on Bear run intersecting Moore's creek first at a point about five miles distant up said creek from said Idaho city, and extending thence by way of Erwin, Barnett's saw-house up said creek to the dividing ridge between said Moore's creek and Crooked river, a tributary of the North Fork of the Boise river, and extending thence on the most feasible route to Silver city, in said county of Boise, a total distance of about thirty (30) miles, and will apply to the Board of County Commissioners of said Boise county, at their next session to be held on Boise city, on the date of publication of this notice, for a license to open and keep such road as a toll road, under such restrictions and upon such terms of toll, and length of time as said Board in their discretion and according to law may impose and grant. Idaho City, August 29th, 1864. 50w4 ERWIN & BUR ET AL