

The Weekly British Colonist.

AND CHRONICLE.

Tuesday, July 3, 1866.

The Tyrant Judge.

Mr Chief Justice Begbie of British Columbia has made his appearance in a new role. After setting aside the verdict of the jury in the suit of the Aurora v. the Davis Gold Mining Company, the Chief Justice offered his services as sole arbitrator. The Aurora Company jumped at the chance and accepted the offer. The Davis Company held back for a day or two but finally agreed to leave the case in the Chief Justice's hands. The result has proved disastrous to their interests. The Aurora Company are confirmed by the decision of this upright, conscientious man, in the possession of a piece of ground to which not one man in ten in Cariboo believes they are entitled. Apart from the iniquity of overturning the verdict of twelve men sworn to do their duty, and returning a verdict in accordance with justice and equity, Chief Justice Begbie has compromised himself by the extraordinary decision he has rendered, and the extraordinary manner in which he attempts to explain away his conduct. "Why," says he, "the stakes were driven in August, 1864; I know they must have been driven then, because I saw them a few days before this case came on!" In other words, if a thing exists to-day, it must have existed two years ago. At any rate such is the logic of Mr Begbie's explanation. It is difficult to imagine why the Chief Justice, when acquainted with the merits of the case before it came on, should offer himself as an arbiter after it had been concluded. The conclusion that his mind must have been made up before the case came on at all, is irresistible. He appears to have started from New Westminster deeply impressed with a solemn conviction that it was his bounden duty to decide against the Davis Company in any event, and he has done so. But, if we mistake not, he has raised a storm of indignation about his ears that will not soon subside. The indignant remonstrance of the miners at the late mass meeting should show this judicial tyrant that he is treading on dangerous ground and that when he upsets the verdict of a jury without proper cause he is tampering with the best interests of the country. The request for the removal will, we fear, do no good. The Administrator of the Government has not the power to comply with the request, even if he had the will. He may suspend, but he cannot remove. And he will do neither. Therefore, meetings should be held in every part of the country and memorials passed asking Mr. Cardwell to remove the official who arrogates to himself more than sovereign power; who summons what he calls "twelve men of one sort" to deliberate with "a man of another sort," and then refuses to accept the result of their deliberation as binding. Now, if Chief Justice Begbie may upset the verdict of juries at pleasure, wherein is the sense of having juries at all? Why not do away with government, legislatures, courts and juries, and place the destinies of the country in the hands of the Tyrant Judge? Either this, or the people must agitate and not relax their efforts until they have obtained relief.

Science. An assumed that, and hence, that rested by the action. So far from loss of self-insanity, this, however, a promulgated, eminent phylisoblished a treatise he subjects the arching analysis mental and phsman's nature. that "if the mohe laws which them, can be determined, a en gained, both thology of the shing its active." This is un discoveries are ferent sciences; ason why in-taking analysis ed out by Dr. duce the most cause producing icide, whatever run in cycles. comparatively few n a particular hen the disease, will break out, ith fearful rapar modes of self-eval at partice drowning is r poison—then will be used, and so great was ng from high aced were closed. Upon general investigations founded. Dr. ar that there is enerally recipy city to life in. On the contrary portion of sui in the ages of 70 he ages of 30

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took place last ouse in the sub- lished in the death U. S. War steam harbor, and James d of the steamer skill, which the seaman was re- arrested and ed during the in the Saranac.

THE PLANT of the Nanaimo Gazette was brought down on the Sir James Douglas last evening. It will be sold about Monday next.

H. M. S. Sutley went outside for ball-practice yesterday.

THE WEATHER was extremely sultry yesterday. The thermometer, at one o'clock, stood 86° in the shade and 120° in the sun. In the evening, a thunder and lightning storm was reported by the Seattle operator.

The Sir James Douglas returned from Nanaimo last evening.

LOCAL INTELLIGENCE.

Thursday, June 28th.

"SLIPPED UP."—Joseph Jones, a stranger from the other side, got himself into trouble yesterday. Jones, having heard, no doubt, of the superiority of the malt and spirituous dispensed in Her Majesty's Possessions over those sold across the water, thought he would put the assertion to a practical test on his arrival here, and imbibed somewhat too freely. His first freak, after losing self-control, was to visit a Celestial establishment, and endeavor to defraud the pig-tailed vendor of oranges and other wares out of change for a \$5 note. John handed over the change, deducting a quarter for four oranges, but to his astonishment, instead of receiving back the note saw Jones deliberately pocket the money and the fruit and walk out. Officer Mitchell was sent for, and on ascertaining the nature of the charge arrested the man. Jones then became aware that he had transgressed the laws of the country, and was likely to visit the interior of the calaboose, which he stoutly objected to, and resisted the strong arm of the law. The officer finding himself unable to cope with the man single handed called upon Matthias Rowland, who was passing at the time to assist him, and the two together brought Jones vi et armis to goal; not however before the prisoner had divested Matthias of all his lower garments, and had attempted to trip the officer up over the ravine bridge. Jones was fined \$10 or two months hard labor for each assault, the charge of theft being dismissed.

THE DAVIS AND AURORA COMPANY DISPUTE.—The jury in this case, it will be remembered, returned a verdict awarding to each company half of the disputed ground. This verdict Judge Begbie declined to receive—alleging that the jury had no right to compromise the case. He then offered his services as arbitrator. The Aurora Company accepted them at once. The Davis Company at first refused to submit the matter to the Chief Justice, believing that they would not have justice done them. Subsequently, their scruples appear to have been overcome, and the Chief Justice decided in favor of the Aurora. The sequel will be found in our special despatch from Cariboo. The two gentlemen appointed to wait on the Administrator and ask for the removal of the "righteous Judge" will arrive at New Westminster in a few days.

BANKRUPTCY COURT.—Yesterday John Copland came up for second examination but did not pass; ordered to answer certain queries supplied by Mr Green... John A. Macready, who was appointed Trade Assignee in this case, was superseded by Mr W. P. Sayward... John Nesmith passed last examination and got a discharge... Sparks & Jennings' estate realized a dividend of five cents on the dollar... In the Queen Charlotte Mining Company's case, a second dividend of 25 per cent. was ordered to be paid to-day, making a total of 5 1/2 cents thus far paid.

DEPARTURE OF THE "SIERRA NEVADA."—The steamship Sierra Nevada, with nearly 150 passengers, sailed from the outer harbour, at 1 1/2 o'clock yesterday afternoon, for San Francisco. Passengers and freight were put aboard by the tug Diana. Several Victorians, on their way to the East and Europe, were among the passengers. A number of ladies and gentlemen went down on the Diana to say good-bye to their friends, and in returning the tug ran around the steamship—both vessels sounding their whistles and the passengers cheering heartily.

LEASES TO SILVER MINING COMPANIES.—An impression has gone abroad that the silver mining companies who have located leads at Shuswap have secured free grants of sixteen miles square. This impression is erroneous. They are allowed to select a square mile of ground for mining purposes within a radius of sixteen miles, and are bound to make the selection within a few months' time. The remaining fifteen square miles will then be open for pre-emption by other companies.

SHUSWAP SILVER MINING.—Major Robertson and several other experienced silver miners started for the Shuswap silver district yesterday. Major Downie was at Fort Kamloops at last accounts, with a party of prospectors, where he was engaged in prospecting. Mr J. Carter and several other Oregon capitalists, who have purchased interests in the Shuswap and British Columbia lead, are expected to arrive on the Fidelity, on their way to the argenteriferous district.

COLLEGIATE SCHOOL.—The distribution of prizes at this seminary of learning will take place to-day at 1 o'clock, p. m., and promises to be a highly interesting affair. Among the visitors who are expected to be present are His Excellency the Governor and the Lord Bishop.

SHRIMPS.—A person who visited Cadboro Bay yesterday informs us that close to the water, all along the edge of the bay, splendid shrimps and large prawns were visible in myriads. Here is one of the numerous chances, that persons out of employment neglect, for turning over a few dollars.

CITY COUNCIL.—The Municipal Council held a meeting last evening—Councillor Lewis, in the absence of the Mayor, presiding—and after the reading of the former sitting's minutes, proceeded to discuss in Committee the provisions of the Sanitary Commission By-Law.

PIC-NIC OF THE TURN-VERREIN.—The pic-nic of the Turn-Verrein will come off to-day, and will, no doubt, be a highly successful entertainment. Stages will leave the St. Nicholas every half-hour during the day for the ground.

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Legislative Assembly.

WEDNESDAY, JUNE 27.

Speaker took his seat at 1:15 p. m. Present—Messrs Trimble, Young, McClure, Stamp, Pidwell.

MESSAGES.—A message was received from His Excellency the Governor forwarding the audited accounts for 1865; also acknowledging receipt of resolution of the House, asking for the Treasurer's statement of revenue and expenditure since the 1st of January, which would be forthwith prepared.

CORONER'S JURY BILL.—This bill came down from the House above and was read a first time.

FRANCHISE AMENDMENTS.—These amendments also came down from the Council, with certain of the Assembly amendments agreed to and others rejected. [Messrs Cochrane, Carswell and Powell here entered.]

Mr McClure moved that the amendments be sent back to the Council. The House had shown every disposition to compromise this matter with the Council but in vain; the same system was pursued in every case and this was a matter that essentially concerned the Assembly alone. Other Upper Houses did not interfere with measures affecting the Franchise and return of members to the Lower House.

The Speaker thought it better to see what the amendments were first in Committee of the Whole.

Mr Young said the Houses had met in conference and discussed the points at variance. He thought the arguments the Committee of the House had advanced, were irresistible, but if the Council would not be convinced by arguments, they would not be influenced by anything else.

Dr Dickson favored the consideration of the amendments in Committee.

Dr Trimble rose to second the return of the amendments to the Council.

Mr Carswell claimed that he had already done so.

Mr McClure said if this was an exceptional case, he should not press it, but the Council made it a rule now to treat everything that came from the Assembly in the same manner. (Hear, hear.) This measure had been up two or three times before the Council and the House had shown every disposition to meet their views.

The motion was carried, Dr Dickson dissenting.

REAL ESTATE TAX ACT.—Mr Cochrane gave notice that he would move that a Committee be appointed with power to send for persons and papers to consider and report upon the manner in which the provisions of an Act to amend the Real Estate Tax Act, 1860, have been carried out by the Government in the disposition by public auction, of the property of alleged defaulting tax payers, and what steps if any, are necessary to be taken to remedy grievances complained of. (Dr Tolmie here entered.)

THE LOAN BILL.—House went into Committee on the \$90,000 loan bill.

Dr Dickson said he had opposed this measure at the outset, and saw no reason to change his views. He pointed out what he thought were contradictory statements in the message, which showed, that the expenditure had fallen short of the revenue, and asked for a bill of authorization for \$26,581 expended over and above the estimates. He did not look upon the accounts, which only gave lump sums, as affording the information sought for by the House. They were as much in the dark as ever as to the manner in which the people's money had been expended, and he did not therefore feel disposed to commit himself to a bill of indemnity. He asked the Committee to rise and report progress so as to enable him to move that the particulars asked for be supplied.

Mr Young said the object in calling for the returns had been to satisfy the House that the money had been expended in a legitimate and not an illegitimate manner.

Dr Helmecken explained to the hon. member for the District (Dr Dickson) that there was nothing contradictory in the Governor's message. The expenditure had fallen short of the estimates voted in the aggregate, but there had been an excess in the expenditure over some of the specific items voted, and for the authorization of this excess a bill was required. He did not wish to push the bill through at all, but would ask the House to advance the bill a stage, as every one knew how affairs stood, and it would show some disposition on the part of the Assembly not to prolong it. It could be dealt with at the third reading in such manner as the House determined. After some further discussion the motion to rise was lost on a division by 7 to 3.

Mr DeCosmos here entered, and the first clause of the bill was taken up.

Mr DeCosmos objected to the repayment of the loan being extended over three years; it should be redeemed in less time.

Dr Helmecken did not think it could be repaid in less than three years. The hon. gentleman proceeded to dwell upon the present financial condition of the Colony. It was admitted on all sides, he said, that the Government estimates were far too high; the revenue could not be raised.

Mr DeCosmos—What evidence have you? Dr Helmecken—What evidence? How can you ask such a question? Have not the Court of Revision lowered the value of real estate 40 per cent? There was no evidence required; the thing was too patent. But he (Dr Helmecken) did not wish to be thought the father of the bill. He did not care a snap what became of it.

Mr DeCosmos said he had voted for the loan, and would still do so, but he was not disposed to sanction measures at hap-hazard. He dissented from the hon. Speaker's views as to the incapacity of the Colony to raise a revenue.

Mr Young suggested making the loan a good round sum instead of such a small one. He had been told that his opposition prevented certain government employes from being paid, but his object was the very reverse; it was not to prevent any person being paid, but to see that no undue preference was given. He understood that some officials had been paid, while schoolmasters and other useful and worthy men had nearly two months salary due to them.

Dr Tolmie said the committee had investigated the matter as far as they could, and

had seen the bank accounts. The committee had asked the Government to send down a bill. He did not think the amount could be paid in less than three years, although he should be glad if it could. It was no use wasting time, however, and he hoped to see the bill put forward a step. On motion of Mr McClure the committee rose and reported progress.

SUPPLY BILL.—The consideration of the bill of supply was taken up in committee, standing rules suspended.

CIVIL ESTABLISHMENTS.—His Excellency the Governor—Messenger, \$500. Carried.

Legislative Council—Clerk, \$500, and other items; passed.

Legislative Assembly—Clerk, \$1700, and other items; passed.

Colonial Secretary—Chief Clerk, \$1000 and other items; passed.

Treasurer—\$1700.

Mr McClure moved that the item be struck out and that the offices of Treasurer and Harbor Master be combined.

Dr Dickson dissented. He had seen occasion to change his views in relation to abolishing the office of Treasurer. Although he was as much in favor of economy as any one, yet he thought the offices could not be united, and the salary had already been reduced from \$3000 to \$1700.

Mr McClure thought that the duties could be combined, whether the Treasurer was made Harbor Master or vice versa.

Dr Tolmie called attention to the circumstances under which the Treasurer had been induced to resign a good office to accept that he now held. He hoped the House would not be oblivious of that. He, however, deprecated considerations of friendship influencing members of the House.

Mr Young thought that the accounts showed that the Bank performed the major portion of the duties.

Mr DeCosmos said he knew no friendship in the House and had only the public interest to serve. The Treasurer's duties consisted chiefly in receiving taxes and trades licenses, and he saw no reason why the two offices should not be merged; the only question was as to the best mode of attaining economy.

Mr McClure said that the root of economy strange as it might sound, lay in reaching the heads of departments. Dispendise with the head of a department and it was then easy to get rid of clerks, messengers, and all the concomitant expenses.

Dr Helmecken maintained that if there was one office more necessary than another it was that of Colonial Treasurer, who should have nothing else added to his duties. It was a mistake to suppose that the Treasurer's only duties were to receive money. It was ignorance of what constituted his duties that made hon. members say so. The Treasurer had no clerks; the clerk who assisted him had to attend to the Land Office and perform whatever other services were required by the Government. The office must be preserved, as the salary had already been passed and the House had authorized him (the Speaker) to take up the Estimates to the Governor and state that those would be the Estimates of the year. How could competent men be induced to take office if they were to labor under the constant fear of rules being suspended, items recommitted, and votes rescinded.

Mr McClure said the moment heads of Departments were touched, friends cried out against it: It was the only way to effect retrenchment. He alluded to the frequent complaints urged by persons who had business to transact at the Treasury, that the Treasurer was absent either in the Executive or Legislative Council. The House was bound to pay the Treasurer's salary up to the time the bill passed, but not afterwards.

Mr Young considered that the heads of Departments cost money. He had long since suggested through the press, the advisability of having clerks to perform duties now fulfilled by heads. Salaries consistent with their responsibility might be paid, and they might be required to give bonds for security. He would have them all together in one building so that they might be at the call of the Colonial Secretary, and he thought that this system would work efficiently while it would be the means of closing useless offices and saving expense.

Dr Tolmie thought the proposal to place all the public offices under one roof a good one, and he favored it himself. It should, however, be borne in mind that the duties of harbor master, often took him away from his office. The House he thought must retain the Treasurer.

Dr Dickson also considered the suggestion a good one to act upon next year, but half of the present year had already expired. It had been mentioned to him that a large amount of money was saved by the Harbor Master going out and stopping goods from being smuggled away. This officer when away from his office was therefore doing good service to the country, which might not be said of the Treasurer when absent, but he thought the Treasurer would willingly be divested of his position in the Legislature. He had no friends to serve in the matter. (Oh! from Mr DeCosmos.) He scarcely exchanged words with the Treasurer, but he was independent now. (Laughter.)

Mr McClure did not care who the heads were, so long as the joint duties were efficiently performed.

Mr DeCosmos said for the past three years, with all the professions of retrenchment made by hon. members, there were only three in the House who were really earnest in the work of retrenchment. He denounced the practice of favoritism in the House, and designated it as a species of robbery.

Dr Helmecken took up the cudgels for the members who were assailed, and rebuked the last speaker for his choice language and chase flow of rhetoric. Instead of only three members being in favor of retrenchment he thought every member favored it, though they did not advocate destruction, (hear) and did not indulge in spread-eagle inflammatory language to fill up newspapers and go abroad.

Mr Pidwell did not consider that the Treasurer was competent to fulfill the duties of Harbor-master, or the Harbor-master of Treasurer. The salary, moreover was only that of a book keeper.

Mr McClure looked upon these personalities as a disgrace to the House. The question to be determined by the Committee was simply could the country afford to pay for both offices, or could they be efficiently performed together. He had no wish to complicate them.

The motion to expunge was lost and the item passed—Messrs Young, McClure, and DeCosmos dissenting.

Surveyor General, \$1600—Dr Dickson failed to see any necessity for this office. It did not do any good to the Colony, and it was clear from Mr Cardwell's despatch that the General Revenue was not expected to pay for it. He moved that it be expunged.

Mr Young objected to the abolition of the office. The House could not do it as the salary was paid out of the Crown, and not the General revenue.

Mr McClure thought the office quite unnecessary.

Mr Pidwell explained where the duties of the Surveyor were called into requisition in preemptions in the settlements, &c.

Dr Tolmie had always been in favor of a less number of officials, and that the Colonial Secretary should be the head of two or three departments. That officer might have more work to do and have the responsibilities of other departments on his shoulders. With the offices all under one roof it would simplify matters.

Dr Ash called attention to the probable approach of Union. The services of the Surveyor General might not be much required just now, but they probably would be by and by, and it would be better that payment in the interim should be restricted to services rendered to the Colony.

Dr Helmecken maintained that the office was one that could not be dispensed with. Shut up the Land Office and the Colony might as well be shut up altogether.

Mr McClure—Can it be paid for?

Dr Helmecken—That is another thing; but the office cannot be done away with. Let the House refuse to vote the salary out of the General Revenue if it likes, but it must not do away with the office.

Dr Tolmie suggested a resolution placing the department under the Colonial Secretary, and stating that the salary cannot be paid out of the General Revenue. He alluded to a case that he had heard of where a person had come here for the purpose of pre-empting land at Cowichan, but was unable to do so.

Mr Pidwell explained the circumstances. Mr DeCosmos thought the office of Lands and Works one of the most necessary and important ones in the Colony, provided that the House, as an intelligent body of men, could find work for him to do; but if not, then they should strike the sum proposed out, but should not abolish the office.

Considerable discussion followed.

Dr Dickson could not see the object of paying the Surveyor for doing nothing, and asserted that the Surveyor had not surveyed a single foot of ground this year.

Dr Helmecken—But he has looked after the roads.

Mr Young—Janion, Green & Rhodes? [Laughter.]

Mr Pidwell—Yes, and Road Commissioners have looked after roads, too, without getting anything for it.

The Chairman pointed out that one-half of the salary was already due.

The following resolution, offered by Dr. Ash, was finally agreed to:

That the \$850 for the Surveyor General shall be paid solely on account of services rendered, or works done at the expense of the general revenue.

The latter part of the clause in reference to acting as Secretary of Lighthouse Board, and performing the functions of Assessor, Messrs DeCosmos, Powell and McClure here left the committee—Messrs. Cochrane and Carswell having left previously.

Clerk to Surveyor General, \$1200—after some discussion, struck out.

The Master of the tug Sir Jas. Douglas, \$1200; Engineer, \$1091 25; Do. Dredger, \$1091 25; Stokers, Crew, etc., were severally passed.

On the resolution as to the employment of the steamer in mail service, Capt. Stamp called attention to the narrow escape of the vessel recently on a foreign shore. The committee therefore added that she should not be engaged during the year in foreign traffic.

Harbormaster and Postmaster, \$1700. Carried, making him Secretary of the Lighthouse Board; petty expenses, etc., voted.

Post Office Clerk, \$1455. Passed.

Nanaimo P. M., \$300. After some debate, elicited by Dr Dickson, who represented that persons in business at Nanaimo would gladly undertake the duties gratuitously—passed. Mail bags, etc., allowed.

Registrar General and Registrar of Supreme Court, \$2425, produced some discussion, but was finally agreed to.

Lighthouses—The items under this head were passed and the committee rose and reported progress.

FINANCIAL RETURNS.—Dr Dickson gave notice of motion asking for detailed accounts of items under "heads of expenditure" in statement 3 accompanying the Governor's communication, 22d June, 1866.

House adjourned till Friday at 1 p. m.

THE AGE OF SLANG.—This is evidently the age of slang. The fast young man of the present day is unintelligible to the matter of fact, slow-going foggy who had been left in the meshes of the inexpressive vernacular of his fathers. The fast young man, when he would drink, (and that's always), asks for a "wash." When he would smoke, he demands a "torch." When he eats, he "wrestles his hash." When he is drunk, he is "swiped." When he gambles, he "slings the pasteboards." When he sleeps, he is "under the blinks," and when he steals, he "goes through" somebody. His friends are "gay ducks," "no slonches," "bully boys," and "bricks." His enemies are "hits," "dead beats," and "suckers." A good writer "slings a nasty quill." A dancer "throws himself into a dangling attitude." A man is a "nibs," and a woman a "hen." Would it not be a paying thing for an enterprising man to get up a slang dictionary? If we were to propound this last interrogatory to a fast young man, he would immediately respond, "you bet."