

The Weekly Colonist.

Tuesday, January 26, 1864.

HOUSE OF ASSEMBLY.

House met at 3:15 p.m. Members present—Messrs. Young, DeCosmos, Duncanson, Bayley, Dennes.

SUPPLIES FOR 1864.

The House will go into committee on Monday next on the supplies to be granted for the use of Her Majesty's Government for the ensuing year.

BRIDGES.

The Bridges Protection Bill from the Council passed a second reading.

MINISTERIAL COUNCIL.

The House went into committee on the above subject. The Speaker asked a postponement of the question for a short time, to allow him to draw a series of resolutions, to which he read a rough draft before the committee, as follows:

That, in consequence of there being no authorized connection between the legislative and executive bodies, business is delayed and much inconvenience occasioned, by the Executive being brought into questions which it is desirable to avoid. In order to remedy this evil, and relieve the Executive of its responsibility, this House would suggest the desirability of your Excellency appointing some one of the members of the Legislative Assembly to represent the views of the Executive in this House, and vice versa, such member to choose two other members from the Assembly and two from the Council, who should form a Ministerial Council, whose duties would be to assist the Executive in devising the necessary measures for the public welfare, and to bring forward such measures and aid in carrying them through the Legislature. That the members of this Council should not receive any salary, but to be responsible—that is, in the event of disagreeing with the Executive or a majority of the House, they should resign, and a new Council be appointed, or that the Executive may order a new election to take place. The House is of opinion that such a Council would render great assistance to the Executive, relieve it of much responsibility, meet with general approval, and form a government suited to the advanced state of the country.

Mr. DeCosmos also read a series of resolutions on the appointment of a Council.

The further consideration of the question was postponed till Tuesday next.

SMALL DEBTS BILL.

Mr. Dennes brought in his bill for the more early recovery of small debts and demands.

Mr. DeCosmos said, what we wanted was a Chief Justice; a barrister of 12 or 15 years experience in common law. He had high authority for stating that a good Chief Justice could easily get through the work required in the colony. He considered that the proper course for this House was to propose to the Governor to obtain such a Chief Justice. To do this we have to give an increased salary. The Duke of Newcastle had proposed in his despatch that we should give £1200 per annum. He doubted if we could obtain the services of a proper man even for that sum. Assuming that we had such a Chief Justice, he could not see that we required a county Judge at all, as proposed by this bill. He did not believe that the Imperial Government would consent to the removal of the present Chief Justice without adequate provision being made for him, which could not be done at less than half his present salary. The only way to obtain an efficient Chief Justice was to send to Great Britain for a capable barrister, and this, with the retiring pension of the present Chief Justice, would be at least £1600 per annum, and looking at the fact that an efficient Judge could easily undertake all the work of the country, he thought there was no necessity for the appointment of an inferior Judge, as contemplated by the bill before the House. The hon. gentleman also opposed the bill, as it seemed to confer on the proposed Judge legislative power, which was contrary to the laws of England.

Dr. Helmecken—the question of a new chief justice was not to be taken up at the present moment. It would however have come up long ago, had it not been for the action of a certain committee which had delayed the business of the House at least two months. The subject of a new chief justice would come up in its proper place before the House. His object in supporting the present bill was in order to bring it before a full House, to be properly considered.

In reply to a remark by Mr. Young, Mr. Dennes said he had embodied the clauses of English Acts in his bill at the express request of his legal friends.

Mr. Young quoted a case in reference to a British Columbian bill which had been sent home, and had been returned with a suggestion that the special sections of the English acts to which it alluded, should be re-acted in the bill. With all deference to the hon. mover's professional friends, he thought this should also be done in this case.

The bill was reported.

BRIDGES PROTECTION ACT.

This bill was brought up in committee, and passed as received.

The House adjourned till to-morrow, (Friday) when the bank note question will be brought up.

FRIDAY, JANUARY 22, 1864.

House met at 3:15 p.m. Members present—Messrs. Young, DeCosmos, Powell, Tolmie, Street, Duncanson, Bayley, Dennes.

BRIDGES PROTECTION ACT.

This bill passed a third reading.

SMALL DEBTS BILL.

This bill went to a second reading.

BANK NOTE BILL.

The House went into committee on the above bill, Mr. Bayley in the chair.

Mr. Duncanson spoke on the obvious danger of allowing an unauthorized issue of paper money. He denied that the proposed bill created a monopoly as it provided an opportunity for any one, by obtaining an act of Parliament, to issue bank notes. His opinion as to securities was that any issuer of such currency should furnish two-thirds of property guarantees as security, and one-third of cash. He deprecated the passage of

such resolutions as those of Dr. Powell,

which ignored the principle of a metallic reserve. The honorable member reverted to the petition of the Chamber of Commerce, which he thought should have great weight. As making banking as free as the provision made, as was advocated by the honorable second member for the city, he thought it hazardous in the extreme to allow paper money to be thrown on the public without a sufficient metallic reserve. The public have no means of knowing the real position of issuers of such money, and we have often seen bankers, whose papers were taken by everybody, totally upset by the slightest panic; yet the honorable gentleman would allow the manufacture of bank notes to be as free as that of hams! He moved that the first clause of the bill be amended to allow a period of six months to elapse before coming in force.

Mr. Street would ask the hon. member for Lake if the chartered banks in this colony retained a certain amount of specie reserve to meet the issue of paper by them in this colony, and if so, in what proportion to the issue.

Mr. Duncanson was not prepared to answer the question.

Dr. Powell said the hon. mover of this bill had ignored the rights of banking institutions now existing. The bill would create a species of monopoly which he hoped every hon. member would join with him in denouncing. As to the amendments he [Dr. P.] had introduced, they simply guaranteed rights now in existence in this colony. These amendments would allow the party now issuing bank notes, to do so, under certain restrictions for twelve months, and would then fall to the ground. The best means of guaranteeing the solidity of any bank would be a proper publicity as to its condition and resources. At the expiry of the twelve months all banks not incorporated by royal charter or act of Parliament would cease, and this period would give such banks time to wind up their affairs or obtain an act of incorporation. The hon. member stated that his amendments were drawn up in accordance with the English Banking Act of 1844. As to the amendment proposed by the honorable mover of the bill, he thought six months too short a time for any one to get an act of incorporation.

Mr. DeCosmos said the hon. member for Lake had attacked him for advocating free trade in banking, and he would continue to do so, as well as free trade in every thing else. But he had also advocated a sufficient metallic reserve, or government securities, or both. He deprecated any undue interference with the chartered banks here, but he also would wish to do justice to the only unchartered bank here. He (Mr. DeC.) had taken the pains to go to the head of the bank, and he had found that this bank did not issue a single note in this colony; the notes were sent to British Columbia in an unfinished state, and received another signature there, making them complete. He believed that this bank was ready to guarantee a metallic reserve, and he would propose to add to the amendments now before the House that a metallic reserve of one-third of the amount of issue should be required of all unchartered banks. He advocated the placing on our statute book an Act to allow such banks to issue paper money on guaranteeing a proper metallic reserve or government securities. So far as the chartered banks were concerned, he was not prepared to interfere with them at all.

Dr. Powell had no objection whatever to the addition to his amendments proposed by the hon. member for Victoria.

Mr. Young thought that this matter was becoming rather complicated. He did not think we should restrict this question solely to the banks now in existence. As the law stood now it was quite competent for any one to float the country with worthless paper. He argued that an extension of the currency would have a beneficial effect on the commercial interests of the country, provided that currency be on a sound basis. In the Bank Act of 1844, it was provided that banking establishments when an act was taken to charter them, should be allowed to remain out till proper steps had been taken to protect the holders of them.

Mr. Street said the object of the House at present was not to construct a general banking act, but to protect the public in a particular case, and also to prevent injurious acts in the future. He was more particular in wishing to prevent this bank from being shut up, because he was prepared to state that it enjoyed the entire confidence of the mining community in Cariboo.

Dr. Powell said he proposed to introduce in his amendments a clause compelling unchartered banks to show a metallic reserve of at least one-third of the amount of notes in circulation.

Mr. Young—What security would be offered for the other two thirds?

Mr. DeCosmos—For the same reason that a merchant having a capital of say \$10,000, may safely trade to the extent of \$20,000 more; so a bank may be considered on a safe basis with a one-third metallic reserve.

Mr. Young did not see that that would be an adequate security. It was simply trading on one's good name.

Dr. Helmecken said that free trade in banking and free trade in issuing bank notes were very different things; he would propose to refer the matter to a select committee.

Dr. Tolmie was in favor of free trade in banking and, with proper restrictions, free trade in bank notes also, (hear, hear, from all parts of the House.)

Mr. Young thought the Colony was in so perilous a condition in regard to this matter, that an act should be passed as soon as possible to ensure the public security. He proposed the following amendments to Mr. Duncanson's bill:

That after the word dependencies in the first clause, should be inserted the words "or actually issuing notes on the 1st January, 1864."

2. All such notes as aforesaid, which may

be issued by any Bank duly authorized

thereof under the provisions of this Act, shall bear date at the city, town, or place, at and from which the same respectively shall be made and issued, and the same respectively shall in all cases be payable in specie on demand at the place, date, and also at the principal office of the Colony, of the bank so issuing such notes. And the total amount of the promissory notes payable on demand, shall not at any time exceed the amount of the paid up capital of the bank so issuing such notes, and such bank shall at all times hold within the Colony a reserve in legal tender coin not less in amount than one-third part of the total amount of notes so issued as aforesaid.

3. It shall be lawful for the Governor of the said colony at any time to authorize the Colonial Treasurer and Colonial Auditor, or such other two or more persons as he may think proper to proceed to examine and establish within the said colony issuing promissory notes payable on demand, and to call for and examine the books of such establishment to ascertain the total amount of notes issued and in circulation, and that the same be reported to him as aforesaid in accordance with a report by the Managing Director, Manager, Chief Cashier or Clerk, as the case may be, of such banking establishment, who shall refuse to produce and exhibit the books of such establishment, or the coin so required to be held in reserve as aforesaid, shall be deemed to be an officer or person duly authorized as aforesaid; shall for every such offence, forfeit, to Her Majesty, her heirs, and successors, a penal sum, not exceeding five hundred dollars, to be recovered in the name of the Attorney-General, for the time being of the said colony, or other officer duly authorized in that behalf.

4. Every managing Director, Manager, Chief Cashier or Clerk, as the case may be, of any Bank issuing Notes as aforesaid, shall within fourteen days of the passage of this Act, declare and record in the office of the Registrar of the Supreme Court of this Colony the amount of the paid up capital of the bank or establishment which he may represent.

5. Any person or association of persons now or hereafter issuing promissory notes payable on demand, not duly empowered under the provisions of the first section of this act, or to re-issue such notes after the passage of this act, or any person or association of persons duly empowered to issue promissory notes payable on demand, who shall exceed the amount of issue of such notes to which he or they are restricted by this act, shall for every such offence forfeit to Her Majesty, Her Heirs and Successors the penal sum of five hundred dollars to be recovered in the name of the Attorney-General of the colony in the manner aforesaid.

INTERSECTION OF BANKS.

Mr. Young gave notice that on Wednesday next he would ask leave to introduce a bill to provide for the periodical publication of the liabilities and assets of Banks in Vancouver Island and its dependencies; and for the registration of the names of the proprietors of such banks.

THE SUPPLIES.

The Speaker announced that on Monday next the House would go into committee on supply.

The House adjourned till Monday next.

OREGON ITEMS.

The Steamer which arrived on Saturday morning by the sloop Northern Light, brings us Portland exchanges to the 13th instant.

The body of the unknown person who fell off the wharf at the foot of Alder street and was drowned, was subsequently recovered and proved to be that of Anthony McCue, better known as "Mac, the Drayman." He was a member of the Hibernian Society, and died on the 2nd inst. His funeral was attended by a large number of friends.

SHOOTING AFRAY.—An altercation occurred yesterday between Mr. J. H. Lappas, one of the proprietors of the Orford saloon, and a man named Jas. Dobson. The parties separated and met again soon after in the Bank Exchange, when an affray took place in which Dobson was slightly cut with a knife, and Lappas received two pistol balls, one in each thigh—flesh wounds. Dobson was arrested. Mr. Lappas was immediately conveyed to his residence. His wounds, though painful are not regarded as dangerous. The matter will be investigated before the Recorder to-day.—Daily Times.

FLOATING ICE.—Capt. Turnbull yesterday made the trip to Vancouver and back again by three o'clock, p.m. The passage was quite difficult if not dangerous. Just as the steamer reached the dock at Vancouver large fields of floating ice, hundreds of acres in extent, broke loose and started down which compelled her to immediately shove out and put back, without discharging any freight, not even the mails, and she was very fortunate in escaping at all. Had the steamer been half an hour later in going up, she could not have reached Vancouver. Captain Turnbull thinks a day or two will elapse before navigation can be resumed. Only those who have witnessed such scenes can have any idea of the immense quantities of ice which pass down the Columbia river after a freeze and break up.—Id.

DULL.—Time is remarkably dull in Portland just at present; in fact, it almost amounts to a general stagnation, affording our merchants a nice opportunity to look over their stock in anticipation of the good times coming. In the way of amusements, we have had nothing of a public character since the close of the theatre. Portland seems to be reposing on her dignity. As for local news or items, the very mention of it is disquieting to our nerves. Our only hopes at present are that the refreshing showers of yesterday may be followed up by a more copious one, and that it doesn't eat something going on. We shall at least have the usual conditions of mud and water to grumble at, and luxuries too dear to be deprived of and submitted to with patience.—Id.

NAVY.—H. M. S. Bacchante was at Panama on the 25th ult. H. M. S. Sutlej is expected to arrive here in another week.

SUPREME COURT.

REFORE CHIEF JUSTICE CAMERON.

Re Thomas Hester Farrell.—This was the first examination of the bankrupt, and for the choice of assignees. The bankrupt was brought up from prison, having been lodged there at the instance of sureties in a chancery suit. He was first opposed by B. Duncanson, but from the explanation afforded it would appear that the goods had passed into the hands of Mr. Reinhart, who, through his counsel (Mr. Cary), stated he was ready to make good any loss sustained by Duncanson. The bankrupt was also opposed by several other creditors, and his Honor ordered an adjournment for one week. Mr. Cary, instructed by Green, appeared on behalf of the bankrupt; Mr. Wood, instructed by Drake, for the Hudson Bay Co.; Messrs. King and McCright for McLaughlin, a heavy creditor; Bishop for DeBarham.

Re Thomas Rabson.—This bankrupt came up on his further examination. Opposition was offered by Mr. Drake on behalf of some of the creditors, on the grounds that a sum of about \$460 said to be due by bankrupt was not due, and that \$250 had been paid on account. Also, that Rabson had endeavored to abscond, and a captain of a schooner who had picked up Rabson on his family in a boat on the Sound was called to prove this fact. His evidence was by no means clear, and the Judge stated he would take time to consider the case.

Re Ironsides.—The Judge ordered that this bankrupt should pass, upon his presenting an account, as required by the Bankruptcy Act.

CORRECTION.

To THE EDITOR BRITISH COLONIST: SIR,—In the report published by you this morning of the bankruptcy proceedings, you have misstated nearly everything that occurred.

1st. The bankrupt was not lodged in prison at the instance of his sureties in a chancery suit, but at the instance of the official assignee.

2nd. Mr. Reinhart was not represented in court by counsel, but only appeared as a creditor of the bankrupt, and as such agreed to restore any goods which might have come into his hands under an assignment made to him upwards of fifteen months ago by the bankrupt, belonging to other persons. Mr. Wood appeared on behalf of the general body of creditors; and Mr. McLaughlin is no creditor at all, or at all events has failed to prove any debt, and his own books show that he is indebted to Farrell & Co. for nearly \$2,000.

Your obedient servant,

W. S. S. GREEN,

Solicitor to the Bankrupt.

Owing to a pressure of business caused by the unexpected arrival of the mail steamer on Wednesday, our reporter was unable to attend the Supreme Court on that day, and we consequently accepted in good faith the report as furnished to us by Mr. Robt. Bishop, one of the solicitors engaged in the case. (En. Col.)

CORRECTION CORRECTED.

EDITOR OF BRITISH COLONIST, SIR.—Allow me to state in reply to Mr. W. S. S. Green, the solicitor for the bankrupt Thomas Hester Farrell, that my report of the proceedings in the Bankruptcy Court which appeared in your paper of yesterday's date was substantially correct. In addition to my own notes taken at the time, I can also refer to those taken in shorthand by another gentleman then present.

With regard to Mr. Green's assertion that the bankrupt was not lodged in prison at the instance of his sureties in a chancery suit, but at the instance of the official assignee, I would state that the solicitor to the sureties, who was also Farrell's solicitor in the chancery suit referred to, and who is now solicitor to the official assignee, told me on Tuesday morning last that he had secured Farrell to be arrested to save his sureties, as he had heard he was going away. I find that the order of arrest was granted on the affidavit of the official assignee, who stated that Mr. Simon Reinhart had given him the information of his (Farrell's) intention to leave.

I assert, and the records of the Supreme Court will prove that in January, 1863, Farrell was taken under a writ of *ne exeat Regno*, at the suit of McLaughlin for a claim sworn to amount to £1,400. He was admitted to bail on three sureties. Since then several attempts have been made to discharge the bail bonds, but without success, and McLaughlin's claim for £1,400 remains undischarged. Mr. King and Mr. McCright were both in attendance to support Mr. McLaughlin's claim if necessary, but were not required.

It is notorious that throughout the proceedings in McLaughlin v. Farrell and vice versa, the same counsel represented Mr. Reinhart and Mr. Farrell; and at the hearing on Wednesday the same counsel again appeared, and his offer (which was most fairly made) was endorsed by Mr. Reinhart, who was then present.

I do not know what Mr. W. S. S. Green's object could have been in calling attention to the report which I communicated, except to advertise to the public that his client was in prison, charged on oath with being about to leave the colony after having obtained his "protection."

With respect to the report which I gave to the *Colonist*, I will only say that I have not complained, and your contemporaries might have left me to fight my own battle; you are aware it was in consequence of a promise made by me to one of your firm, at his request, that I would furnish you with a statement of what took place, as you could not conveniently attend. Yours faithfully,

ROBERT BISHOP.

FEMALES! FEMALES! FEMALES!

Use that safe, Pleasant Remedy known as HELMBOLD'S EXTRACT BUCHU, For all Complaints incident to the Sex. No family should be Without it.

And none will when once Tried by them.

It is used by YOUNG AND OLD, In the decline or change of Life, And after an arduous Marriage.

During and after Confinement, To Strengthen the Nerves, Restore Nature to its proper channel, and Investigate the broken-down Constitution.

From whatever Cause Originating, USE NO MORE WORTHLESS PILLS.

Take HELMBOLD'S EXTRACT BUCHU. See advertisement in another column. Cut it out and send for it.

The Weekly Colonist.

Tuesday, January 26, 1864.

LOCAL INTELLIGENCE.

POLICE COURT.—Kock-yah

ley, the Hyah Indian, charged with assaulting another Indian named Naley, with intent to kill, was remanded for a week. John Doum, charged with cutting and wounding Hobbs, was remanded to the prison for 84 days, with hard labor of a warrant issued on board ship Cameleon.

DEPARTURE.—Robert Burr

P., took his departure this morning by the steamer Oregon. He was accompanied by a number of Mr. Baraby's friends to the Equiptal.

GANGERS REPORT.—The number in gaol yesterday amounted to 54, on bail, 3; debtors, 3. To

WHAT ARE DISORDERLY HOUSES?

of Thos. B. Williams charged a disorderly house by wilfully exposing of notoriously bad character of his license and contravention of the statute, was yesterday before Police Court before Mr. Pe Bishop and Mr. Wright appeared for Mr. Williams. Sergeant prosecution, stated that on Nov. he heard music, singing and dancing in the room adjoining the Royal Exchange which was kept up until a late hour. He did not see the person who was the cause of the disturbance, but he would, a hard doctrine to lay down, that class could not assemble for the purpose of dancing or singing in a room adjoining the Royal Exchange, and he would therefore go into the matter and see that it was otherwise could. In answer the Superintendent stated that he had previously been told that such a thing to take place, it was his own responsibility, by not going against the disturbance. Mr. Pemberton the Court had always been assembling of such characters, drinking went on, tended to disorderly, and had a miscellaneous party, he was willing to suppose that he was lawfully, and would therefore case for one month, and if it there was reason to believe it was not to be repeated, the case allowed to stand, and the case asked his Worship to pronounce at once on the legality of the Pemberton decision, and said rendered his decision.

THE CHARGE OF COW STEALING

McNeil and Edwin Kitson, day on remand, charged with the value of \$56, belonging Mann. The evidence proved read. Chas. Fage was exposed to having purchased a cow on the 12th November. Ross. Kitson had previous telling him they were going and wishing to borrow \$5 being nothing to criminate discharged and placed in the and stated that Wm. Ross applied to him for block and told them to take it. He hid and head of a cow lay Ross owned no such cow to Office Curry deposed that on January 24 on Discovery after giving him the usual re had killed the cow, but Ross \$5 for doing so. The further case was adjourned to Friday.

CHARGE DISMISSED.—Mr

trader of Johnson street, brought before Mr. Pemberton of having received a silver watch of one Wm. Proud, known to have been stolen. Mr. B. the accused. Proud was exposed to the loss of the watch given discovery in Dobrin's Sergeant Ford proved that a rin's premises with a search found the watch. Dobrin's property in the shop belonged to called a man named Willie that he was present when about 30 years of age, of entered the shop, and off watch, which Dobrin purchased and a pair of pants, exposed immediately in the window, name on the back was his missed.

MR. MEIGGS NOT DEAD.—

learn that the report of the A. Meiggs, of Port Madoc, contradicted by the Sound post and *Press* says Mr. Meiggs on Friday last, on his steer good health.

The U. S. steamer

Equiptal yesterday for the detour that she will not side of the Straits.