WERKDY COLONIST AND CHRONICLE.

AND CHRONICLE. Saturday, August 29, 1868

The Weekly

Let us Prepare a Clean Balance Sheet.

As the Executive have thought proper to keep the people of the Colony in ignorance of the extent of the deficit in the last financial year, may we not with justice, assume that it is possible that up to the present time the Lords of the Treasury have not received a full statement of last year's accounts ; if their Lordships have been satisfied, what possible reason could there be for keeping the public in ignorance. We cannot as that the jurisdiction of Canada will be exsume that the Executive have any tended westward at no distant day ; other. studied intention of passing a slight wise we should earnestly insist that both upon the taxpayers, therefore we the propositions of Mr Beaman's should be must suppose that a reason exists for amended in their territorial scope. Whatreticence. If there is a reason that ever arrangement on this subject is good either some harm, or some danger, to some animate or inanimate thing must frontier. If the Northwest Tetritory and be apprehended as likely to conr, British Columbia were within the jurisdic. Ludlow. Her treight is delivered in excelfrom the knowledge of the extent of tion of Canadan the operation of the shill plent condition ad vidagetlers based the evil to one other explanation might would be proportionately enlarged , but there bei given inamely, that from press of is some uncertainty on this subject, which business, or from some other cause, calls for an amendment to the first section of the proper accounts had been neglect. the bill. Of course, this legislation may be ed to be made, out, and hence the want of information both here and in vinces, with the expectation" that our rela-England. This, however, would be the subject of a direct and important negoneglect, which, with the number of tiation with Great Britain. If so-and we Heads of Departments and their efficie are quite willing that it shall be so-we ent staffs of clerks, could hardly occur we waive our objection to the present meaotherwise than of premeditation ; but sure." It would do no harm if the forthpremeditated neglect, or want of dili. coming Convention at Yale make this a gence cannot be charged against the special question at their session. The Home member of the Government, whose business it would be to prepare accounts both for transmission to Eng- Columbia, into the treaty, as a condition of land, and for publication here. It is its being granted with that of Canada. By hard labor in default of payment of the best however for all reasons, that at urgingthis point we may benefit by present tention to these matters should be opportunities; as they may not exist again in public. Let the people of the Colony our favor to the same extent for years. look to their balance sheet, we must not rely in these matters, as we have learned from past experience, upon the Royal Oak, Saanich Road, was observed the Executive, neither ought we to to be on fire. From the barn being full of look to the Colonial Office, nor to the this seasons hay at the time, nothing could Lords of the Tressury, nor to the be done to prevent the total destruction of Lords of the Treesury, nor to the the building. The loss is estimated at Bondholders, to do that which it is \$2,000. The fire is pretty well known to be the duty and privilege of the people the work of an incendiary, and the case will of the Colony to do. It must be probably be before the Police court to-day. steadily borne in mind, that any un London and Parm The city of Paris

Brilish Culmist present system of Government puts an additional stone in the solid founs dation of Confederacy. Let the weakness of the Government be thoroughly exposed, and let the voice of the people be heard declaring that the time for weakness and hesitation has passed away, and that reticence and neglect will no longer be tolerated.

Saturday, Aug 22 RECIPROCITY .- The question of the admission of British Columbia into the treaty of reciprocity, proposed by Mr Beaman, is not being entirely overlooked by those, who like arselves, are interested in the matter. Commenting upon Mr. Beaman's proposed legislation on the subject, the St. Paul's, Minnesota Press says :-- " It is probably anticipated conterminens, with the whole unorthern tions to Northwest British America shall be Government certainly ought to be requested by our people to insist apon the admission of the Northwest Territory and British

FIRE -On Thursday morning, about o'clock, the barn belonging to Mr Bailey, of

soundness in our accounts may retard contains about 2,000,000 of inhabitants, five

later than the date of the Douglas. The Flying Eagle, as reported, was expected to eave on Monday morning for San Francisco. The Active left this morning, for Portland, with two hundred tons of coal

We call attention to the fine stock of oustom-made clothing and staple goods to be sold at the saleroom of J P Davies & Co, Wharf street, on Monday next; also the balance of J Brunn & Co's stock, the whole will be sold on a liberal credit.

THE steamer Enterprise left yesterday morning for New Westminster. She took up about 80 tons of freight, and a number of passengers. Mrs Seymonr, Mrs Hayman Mrs Woods and family, and Dr Black, wer amobgst the latter. affindiale add tariw

THE VOLUNTEERS .- We are informed that there will be a meeting of Volusteers at Norris' drag store, Government street, on Thesday next at half-past seven p. m., at which all who take any interest in the Volunteer question are invited to attend.

THE Free Brade, finished discharging yes terday, and will leave this morning for Port stick daid

of mid bal Supreme Court. vow side [Before His Lordship Chief Justice Needham.] te iem alat adi Fridey, Aug. 21st. 1868.

Wm. Lyons, appellant vs. Wm. Bowden, came on in the shape of a case stated by ing, what I am about to add, may be conthe Magistrate for the opinion of the Supreme sidered as extra-judicial. After the very Court. Mr McCreight, instructed by Mr Bishop,

appeared to support the conviction. Mr McCreight stated that the two ques-

tions for the Court to consider were : 1st. Had the Magistrate the power to award a sentence of six months' imprisonment with

soundness in our accounts may retard the final settlement of Confederation, Let us not be in the humiliating posi-ing in 50,000 houses. London has 3,000,000 ing in 560,000 houses. The by the lith section of the same Act stand of the same Act stand ad subsequent to Jervis' Act, which gives the war his own of course, and he never

Tax steamer Active arrived from Nanaimo with it on the merits. Now, to support the yesterday at mid-day, but brings no news charge against the appellant, there must have been a guilty knowledge; we have there-fore to look carefully through the evidence to see whether there is not knowledge. It must be borne in mind that suspicion alone outrages on English mat the Loyalty Islands. will not amount to evidence or warrant conviction. Now, having given this case and the return of the Hawaiian Missionaries, who been before the court, I can only come to the conclusion that there is no evidence of guilty knowledge; there is no one fact here that is been before the court, I can only come to the not perfectly consistent with the prisoner's innocence; the price of the boat appears to have been reasonable, and the prisoner does not seem to have had any motive ; there does not seem to be any ground for saying that not seem to be any ground for saying that the price was even suspidious. Then, with regard to the character of the purchaser of the boat, he gomes in civilians clothes, is not accompanied by any person in uniform; there is no appearance of secrecy, the ap-pellant gives his name upon a card and writes upon it the price he means to take, Lachapelle makes the remark to Lyons about Lacaspelle makes the remark to Lyons about his enspicions subsequent to the sale and departure of the meul. Had the occurred be-fore or at the sale instead of after, it would have had an importance which it does not now possess. I have been thus, minute, on now possess. I have been thus minute on a account of the importance of the case, and

can come to no other conclusion than that there was no evidence of guilty knowlekge; the conviction must therefore be quashed. With regard to the other points, it will perhaps be useful for me to express an able assistance which I have received in this

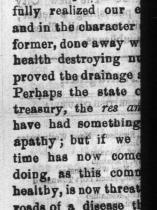
case both from the Attorney General and appeared for appellant ; the Attorney General Mr McCreight, and for which I am very much indebted to both gentlemen, and after giving it my own most careful consideration. I am of opinion that the conviction must be quashed on the ground that there is no power to award hard labor, nor in the first penalty. 2nd. Was there any evidence of out the method of recovering the penalty by guilty knowledge; this conviction was for distress, and imprisonment in default of sufan offence against the Naval Discipline Act, ficient distrets ; I can entertain no doubt of 1866; the 25th Section of which enacts that Act 29 and 30 Vic, chap 109 applies to the penalty of a fine of £30 for assisting a this Colony, it is made applicable to the seaman unlawfully to absent himself from whole of Her Majesty's dominions, and reduty; that this section does not authorise the quires no local statute to make it applicable sentence of hard labor, nor does any other here, nor can the local ordinance of 1867 nor part of the same act." The Magistrate seems any other ordinance touch it. It must be to have convicted under the Act of 1866 understood that no local ordinance can afand has gone back to the Act of 1847 for feet any Imperial Statute expressly applying the penalty. That section 11 of 1847, which awards the penalty is distinctly repealed in the Act of 1866, and it could not be the which it is repugnant to such Imperial Act. intention of the Legislature to let the 13th The 25th section of this Act gives the power

There are rumors of a plan to cat off the missionacy packet Morning Star on her re-turn to Micronesia. It is also stated that ies, stationed

From Butaritari we have good news. On the evidence my most careful consideration, fled from the island at the time of the murder upon the three occasions on which it has of three Hawaiian sailors, they found that the King had tabood the manufacture and had taught to read and write had become teachers, that over 200 had learned to read, and that religious services were regularly held by these natives Butaritarians, which the King and all the men attended, but from which 'the women were tabood.' The cause of this latter regulation has not been learced.

riere the mistakes. It was saredy HOW & MINING AGENT GOT RICH

Mark Twaine, in a letter to the Chi-cago Tribune from Navada, relates the following : "An acquaintance of mine shook hands with me in such a patronising manner yesterday that I respondent. This was an appeal from a de- opinion, although I have decided the case make him the text of a paragraph dision of the Stipendiary Magistrate, and upon the first grannd; and, strickly speak- that will serve to illustrate what one may term a state of things. When I first knew this man he hadn't a cent. He did not put on airs then. Now he is a superintendent of one of the great silver mines, and has grown rich. You may not believe that a superintendent can absolutely grow rich in four years on a salary of from ten to twenty thousand dollars a year, but such is really the case. Ordinary su perintendents are content to povertly instance imprisonment. Jervis' Act points receive a present of a dollar or so for each ton of ore they sell to a millman but my man's ambition soared higher than that. He took lumber belonging to the great corporation that employed him, and built a mill of his own with it. He built that mill below the company's mill too which was wise. Then he took other of the company's lumber and built a string of sluice boxes to his own. After that he worked the company's rock in the company's mill and got \$16 a ton out of it and turned the money over to the company —which didn't declare a dividend. Then he took the tailings from the same, rock, carried them, through his sluice to his little private



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Saturday, Augus

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have been kept in ignorance of our financial position, when we ought to be discussing terms of our admission into the Dominion. We are on the eve of a great movement, let us not slumber whilst there is work to be done. The people of British Columbia must bear in mind that they themselves are to blame for one-half of the evil that exists in our system of Government. There is always power in the hands of the people, if they know how to use it : a thorough and united determination amongst the people to have right, alone, will accomplish much. Let the people look to it then and set their house in order. If a wise householder or landed proprietor has reason to feel uncomfortable about lavish expenditure in his household. whilst rents are not coming in as they ought to do, does he not closely in-

vestigate the accounts of his stewards. applying remedies where they are necessary ; careful of the interest of his family and himself, rather than of keeping up appearances, and allowing his stewards to indulge in luxuries which of right do not belong to them. So it behoves the people of this Colony to act, questioning minutely where doubt is suffered to linger, and subjecting all financial matters over which the slightest shield of secrecy, mystery, or obscurity is sought to be thrown to the very closest scratiny. Especially would we draw the attention of those who attend the Convention at Yale, to the necessity of adopting measures which will show the Executive that the people are in earnest in

intending to carry out their ideas of what is best for the Colony. Let them consider also that the more com. pletely the house is set in order now. the less time will there be wasted when the change takes place, not forgetting in their eagerness to settle the main question, that every step taken

times larger in Paris than in the English Capital. The London average is eight, and Paris average, forty to each dwelling. Alter what we continually hear about the dense crowding of the London populace, few the evidence did not appear to have been ever defects they may contain. One great improvement suggested, is to make gold, silver, copper, coal, and all such mines simi-

lat in their provisions; to remove all obnoxious restrictions and conditions in working them and to make the tenure such that all, classes may apply their means, enterprise, and industry, successfully in their development. Explosion, -News was received in town

last night by telegraph, of a disastrous loss of life by a steamboat explosion. The Reso lute, a small eleamer used at Meig's mills Pt Ludlow, for towing and other general purposes, exploded ber boiler yesterday, by which six men were killed, one seriously in-jured, and the Captain's leg broken. The extent of injury to the yessel was not given. MOUNT BARER .-- Mr. Coleman started from

the Mamerican loside, ofor Mount Baker, on the 7th inst. Mr Thomas Strattan, and Mr. Tennent have joined the party ; Mr. Tennent was with Mr Coleman on the previous ascent, two years ago. Mr Eldridge traveled thirty miles with them and then returned. This is probably the last news we shall have of the party before its return.

Novelry .-- The city of Paris is looking at theatre which may be made large or small at pleasure. The walls are moveable, and shut together like an opera glassi. One ada vantage of this novel theatre will be, that the actors, if they choose, can always perform to a full house.

DROWNED .-- Wm McCrackin, & respec table young Canadian, was drowned on Thursday at Moody's mill, Burrard Inlet, by failing off a log where the timber is collected in the water for the Mill, The decensed was well known in this city, and shortly it is said. was to be married.

CRICKET MATCH .-- The return match will take place on Beacon Hill to-day at 11 towards theroughly reforming our o'closk, between the married and single.

earned Counsel read the depositions with the thod by which Magistrates should act in view of showing that there was no evidence of guilty knowledge. . His Lordship during

under particular sections of the Acts, and were entitled to the minutest acouracy. Mr McCreight contended that the whole of the evidence was perfectly cunsistent with the innocence of the appellant, and that no. auspicion could convict an accused person.

conviction contended that the Magistrate was of 1866 applies the penalty in another way, the judge of the evidence, and that the Court namely, as the Admiralty shall direct. The could not review the propriety of the Magistrate's decision upon the facts, and that there must of course be returned. Power was tewas such evidence as a judge of Oyer and served for His Lordship to deal with any Terminer would allow to go to a jury. As regards the sentence of hard labor, that

Clause 11, of the Naval Discipline Act, 1847 though repealed by the Act of 1866, was reenacted in almost the same words, with the same penalty for the same offence, by Section 25 of the same act. That the act of 1860 does not show how the penalty is to be re-covered; but Section 18, of the Act of 1847, provides for the deficiency, and this Section was never repealed by any subsequent Act, and consequently is in full force, and the conviction therefore in that respect, good. With regard to the guilty knowledge, the depositions plainly showed that there was sufficient prime facie evidence of guilty knowledge to warrant a judge in coming to a decision against the accused : considering the Magiss trate to be in place of a jury, the rule being that the Court could not interfere with the exercise of the Magistrate's discretion upon

the evidence adduced. W 8 osD remasta His Lordship, in giving judgment hoped, that nothing which had fallen from him during the progress of the case, or which he might now have occasion to say respecting t, would be taken in any way to reflect the lightest discredit upon the very able Magistrate who had convicted in this case ; nothing can be more able than the manner in which substantial justice is meted out by that gentleman. This case coming before me as an appeal, I am compelled to deal

such cases, instead of being subjected to the onvenience and occasional errors arising the reading of the depositions remarked that out of having separate modes in each separdense crowding of the London populace, lew the evidence did not appear to have been ate Act. When the Act of 10 and 11 vic, the persons will be prepared to learn, that it is taken down accurrately, and called attention five times less than Paris. The evidence down accurrately, and called attention to the necessity of the Clerk to the Magis. Mining Laws of the Colony are undergoing a searching revision in order to remove whatate Act. When the Act of 10 and 11 Vic. of recovering the penalty given in section 13 of this Act was suxiliary to clause 11, ree pealed by the Act of 1866 and fell with it. There is one other point to which it is right to sovert. The Act of 1847, apportions the nenalty one-half to the informer and one-The Attorney General in support of the half to Greenwich Hospital; but the Act

> rule will therefore be absolute ; the penalty points which arise out of the decision.



Honolulu papers to the 11th July are to and. We take the tollowing from the Commercial Advertiser :

Late arrivals from Hawail report no change in the appearance of the volcano. A cor-respondent in Kau writes, under date of June 15th : No news of any consequence to communicate. We have an occasional shake. At Kapapala, which appears to be over the center of volcanic activity, the shocks average about four a day. The destitute natives in this district are mostly lying around, watching every opportunity to steal what they can, trading off the goods sent to them by the charitably disposed for food, eating the food and waiting for a fresh sup-

eating the food and waiting for a fresh sup-ply from your city. The missionary packet Morning Star sailed yesterday at 4 p. m. on a six months' cruise among the Micronesia Islands, intending to visit every mission station, to which she car-rise supplies. Rev. H. Bingham and wife, and several native missionaries, took passage in her. He is sugged in translating and proparing Micronesian works for the press. The Hawaiian topsail schomer. Blossom (formarly the Nahlenaens), arrived on Thurs-day from a five months' cruise among the islands west of this group, where she has west of this group, where she been collecting a cargo of cocoanut oil, of which she obtained about 500 barrels. She prought up in irons a Prussian sailor,

gave any of it to the company. Now you can understand how a man can get rich in four years, on twelve thousand dollars a year, when the com-pany furnishes him a dwelling house and horse and carriage free." "Saborg -s tortunately too short lized unashinity

TOBTURD .- Who would endute the forture arising from Chills and Fever, when it can inaugurated, turn foes inte bargs views ad Who would endure sleepless nights, barn-us ing fevers and icy chills alternately, when a emedy can be obtained for a trifle ?... who would wander like an uncertain shadow, never knowing what moment they may be prestrated ?

Whe would be a burden to himself and a burden to his friends, who are worn out in administering to his wants? ad Hiw si bad Who would live this life of agony when the

great alterative and tonic, HOSTETTER'S STOMACH BITTER'S. p be obtained at the nearest village. This can be obtained at the nearest village. This long established and justly renowned medicine has never been known to fail in a single case, and none but the foolish and weak would hesitate to procure it at once, and save them selves from intense, life-long torture: Pre-pared after a long experience and deep study; it has received the encomiums of the most eminent physicians, as well as all classes from every part of the country. To those who doubt its many virtues, all we can say is, they it and judge for yourselves... Every day letters pour in upon us, testifye ing to its great efficacy in curing Fever and Ague, Dyspepsia, Languor, Nausea and similar ills.

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HOLLOWAY's PILLS .- The change of temp HOLLOWAT'S FILLS, —The change of tempera-true and weather frequently spect persons who are most cautions of their health, and most particular in their 'diets. These corrective, purifying, and gentle sperient Fills are the best remedy for all defective actions of the digestive organs: they augment the appetite, strengthen the atomsch, correct biliousness, and sarry off all that is noxious from the system. Holloway's Fills are composed of rare balsams, unmixed with baser matter, and on that account are peculiarly well adapted for the young, delicate, and aged. As this peerless medicine has gained fame in the past, so will it preserve it in the future by its renovating end in-vigorating qualities, and its incepability of doing gorating qualities.

BORGE JAMES FINDLAY.



General Commission Merchants charged with having committed murder on the island of Jaluit, about 100 miles north of LONDON OFFICE-S1, Great Saint Helens, Bishopsga street.

and hygienic measur the occurrence of a theria, a disease co to be new, but which erable antiquity, hav appeared, but again extending over all globe; breaking ou 1855, and subsequen this coast, in Cal gradually increasing until 1860, since whi clined in frequency, isting. In Europ among its victims beautiful Queen of I her position, might l ed to be free from all roundings, but any the neighbourhood Palace, Lisbon, can dangerous it is for th neglect the physica these around them: we do not wish to believing prevention oure, and that such arrested and extingu to sanitary measure strongly impress of the necessity to p order." and organize proving the public but at the same tin forcing the remov sewerage, drainage: where it is imposs radical removal, the infectants ought to h Whitewashing all ments, shutting up with impurities, filtration or boilin water, the propriety to the public scho the crowding tog these and other pre as they do in the