The Weekly British Colonist,

Wednesday, February 8th 1871

The New Constitution.

Well, we have got a new constitution—Responsible Government! What shall we do with it? With the exception of the manner in which the country has been districted, we confess that there is little in the Bill to cavil at; and should it be followed by a good conservative franchise, simple and efficient machinery for maintaining the purity of elections and for settling controverted returns, we shall have the pleasure yet of congratulating the Government upon the admirable way in which it has met the wishes and expectations of the people. This measure virtually enables the Colony to enter the Dominion with Responsible Government; so that it meets *reasonable* expectation in that respect. The preamble to the Bill says, "Whereas it is desirable that this Colony should enter into the Union with the Dominion of Canada with a Constitution altered in some respects from that at present subsisting, and with an enlarged Legislative Assembly consisting of wholly Elective Members." We must be permitted to congratulate His Excellency Governor Musgrave upon the admirable tact and ability with which he has managed the great Confederation scheme, from first to last, and especially upon the handsome manner in which he has given way to public opinion upon the subject of Responsible Government. The Government will have done its duty when it shall have well completed the new political machinery by supplying the measures already referred to. It will remain for the people to do theirs. Responsible Government having been conceded, it will remain for the people to make good and proper use of it—to demonstrate their fitness for self-government. As regards the constitution of the Executive Council there is a lack of perspicuity about the Bill. It is clear enough in limiting the number of members to FIVE,—not four, as stated in a local print—and in pointing out that in the first instance, the Colonial Secretary, the Attorney General and the Chief Commissioner of Lands and Works shall be of the number, leaving it to be inferred that the remaining two may be without office. But, as to whether all the appointments to the Executive shall be made from the Assembly, and be fully responsible to the people, is not so clear. Indeed, we can see nothing in the Bill to prevent the Governor appointing men to seats in the Executive who have not seats in the Assembly, and who will be in no way responsible to the people. Of course the Assembly would hold a sort of remedy in its hands. It could signify, and make the Executive *feel*, its disapprobation. But this is a class of remedy which it is highly undesirable there should be occasion to resort to. What is wanted, what is implied in the term Responsible Government, and what is doubtless intended by the present Bill, is that the Executive Government should be composed of the Governor and such members of the Assembly as he may call to the Cabinet, and who shall obtain the consent of their constitutents by re-election, and that a Cabinet so constituted shall only continue to hold office (the Governor of course excepted) so long as it commands the confidence of a majority of the Assembly. That is what we mean by Responsible Government, and nothing short of that will work well. We may be told that it is more traditional than written. And yet we do not see why a point of such primary importance might not be expressed with all the perspicuity which pervades the rest of the Bill. The Assembly is large enough, in all conscience, and there may be some difficulty in getting twenty-five good men and true who will be willing to devote two or three months every year to public business; but this is a difficulty which will gradually disappear as the country fills up. To the manner of districting the country there would appear to be more reason to object. And, here, we are glad to know that the Government will give the Legislative Council the utmost latitude in dealing with the schedule to the Bill. Take Nanaimo and Comox for instance: The former, with the country districts attached to it, must have seven or eight times the population of the latter, to say nothing at all about its large commercial, maritime and mining interests; and yet to each of these districts one member is assigned! If we assume that population has been made the basis of representation—and this would appear to be the only ground upon which twelve members out of the twenty-five have been assigned to Vancouver Island—either Nanaimo is under-represented, or Comox is over-represented. But it is when we approach the Mainland that the greatest anomaly presents itself. A territory of two hundred and twenty thousand square miles is divided into six electoral districts any one of five of which has as great an area as the United Kingdom of Great Britain and Ireland. Three of these enormous districts send two members each. Two of them send three each. Now, it occurs to us that it would have been much better had the Mainland been divided into as many districts as it has members. Just think of the frightful tax imposed upon political aspirants by having to canvass these districts. Fancy every candidate for the British Commons having to canvass the whole of the United Kingdom, from John O'Groat's House to Land's End, and from Derry to Cork! Yet even that were an easy task compared with canvassing the Cariboo district (including, as it does, Omineca), the Yale district, or the Kootenay district, where the expense and facilities of locomotion are so very different. In truth the work is so herculean that we fear many good men will be deterred from offering themselves. It is to be hoped that the Council will subdivide these large districts, so as to have thirteen in all upon the Mainland.

Negotiating for Surrender.

It will be seen by reference to our dispatches that W B O'Donohue, President Riel's Prime Minister, under the Banditti Government at Fort Garry, has turned up at Washington in the *role* of Embassador Extraordinary to President Grant for the purpose of negotiating for the annexation of the Red River Country. That O'Donghue should be received 'kindly' by the President, we were quite prepared to expect, as every unhung scoundrel who goes to Washington on a similar errand is sure to be received 'kindly' and and even 'lionized' by the present administration. But when the President felicitates himself upon the fact that the current of public opinion, not only in the North-West but in the maritime Provinces, flows towards Washington, he betrays scarcely less ignorance upon that subject than he did in his famous Message upon certain other subjects. It is to be feared that President Grant has become a mere tool in the hands of the most unscruplous political clique that has yet been permitted to trail the glorious Star-Spangled banner in the dirt. In his simplicity the President suggests that the people so desirous of annexation should raise the issue at the polls, so as to express that desire in a definite form. The reason why this course has not been adopted is exceedingly simple and palpable. The desire for annexation has no existence. It occurs to one that the 'kindly' reception with which every fugitive from British Justice is sure to meet at the White House scarcely comports with that dignity and those international amenities which become the head of a great and powerful nation like the United States. If the Courts of the other great nations were turned into manageries for the exhibition of this class of 'lions' what a picture would the world present! No doubt, we shall hear of resolutions enquiring into the Red River Expedition, moved in the House of Congress by Butler or some of his kidney. We suggest that these enquiries might, with equal propriety, be extended to the police system of the large towns of the Dominion to know whether they are administered in a spirit of friendliness towards the Great Republic.

Thursday, Feb. 2nd.

IMPENDING CHANGES.—Our late Canadian exchanges intimate that Mr. F. Smith of Toronto is to fill the vacancy in the Dominion Senate occasioned by the elevation of Senator McCrea to the Bench, and that the Hon. Robert Read M. P. for Hastings, will be appointed to the vacancy in the Senate caused by the death of Senator Crawford. It is further stated that the contemplated appointment first above mentioned has again occasioned a good deal of dissatisfaction amongst the old Legislative Councillors, and that Sir John A. Macdonald has given them assurance that in future all vacancies in the Senate will be filled by appointment from their number.

CABINET CHANGES.—The rumored probability of Sir A T Galt accepting an appointment in the Dominion Cabinet has been alluded to more than once in these columns. It appears from late exchanges that the rumor is assuming a more tangible form. It is said Sir Alexander will take the place of the Hon Mr Dunkin, the latter accepting a Judgeship. We have already stated our opinion that Sir A T Galt would take into the Cabinet a large accession of administrative talent and of political influence.

GRANT'S MESSAGE—The Hon P Mitchell, Minister of Marine for the Dominion of Canada, has written a very able pamphlet, reviewing President Grant's Message. It places the whole fishery question in a most able and lucid manner before the public, and leaves the President and his Cabinet in a rather awkward position. It is said the pamphlet caused quite a sensation, and ran through two editions of five thousand each in no time.

REAL ESTATE SALE.—On Tuesday next Mr Franklin will hold a sale of Cook, Fort and Quebec street, Victoria West, New Westminster, Comiakan and Shawnigan property. Comprised in the parcels to be offered are three desirable homesteads, a quantity of farming land and several well-situated town lots. The terms will be liberal.

Abstract of Meteorological Observations during the Month of January 1871

Number of of rainy days.....16
Rain fallen.....5 inches and .99 100 part of 1 inch
Maximum height of Bar.....Jan 1st, 8 o'clock PM....30.76
" " Ther....Jan 20th 8 o'clock PM.....47
Minimum height of Bar....Jan 28th 5 o'clock AM....29 43
" " Ther....Jan 1st 1 o'clock AM.....—26

The prevailing winds have been from NNW and occasionally light Northerly to SW, and variations of SSE driving squalls on the 12th, 19th and 29th, and a moderate breeze at East on the 5th inst at 5 o'clock P.M. The height of the Barometer has not been corrected for the sea level, being at an elevat on of about 25 feet above the same. W.H.B.

FISGARD ISLAND, Feb. 1st 1871.

THE LANE & KURTZ CO.—Stock in this Mining Company is how offered to the people of British Columbia at the rate of $25 per share. The Company, as has been frequently explained, have obtained important concessions from the Government and will proceed immediately to open the richest tract of gold-bearing land in British Columbia—if not in the world. The names of the Directors are a sufficient guarantee of the good faith and responsibility of the Company.

CORRECTION.—In noticing the Hon Dr Carrall's explanation, on Tuesday, our Reporter inadvertently omitted to mention that the hon gentleman did not say the Lane and Kurtz machinery could not be made here; but that he had been told that it could not be made here *at the same price*, as patterns, &c, would have had to be got out specially for the job.

THE INTERNATIONAL REGATTA—Great preparations are being made for the International Regetta to come off at Halifax next summer. The Tyne and another English crew, and the Ward Brothers of New York will compete.

RUNAWAY.—A horse attached to Thomson's bread wagon ran away from Rock Bay yesterday afternoon, thundered across the bridge, dashed along Store street, rattled through Waddington Alley and dashed up Yates street to the corner of Government, where he was secured. No damage.

TENDERS are required for the supply of tea coffee, sugar, soap, salt, pepper, bread, beef, vegetables, potatoes and coal to the Victoria Gaol. Contracts will be from the 1st of March to the 31st of December. Tenders will be received till the 20th inst.

PORTLAND IN DANGER.—Kalama, the new railway town on the Columbia River, is likely to eclipse, if, indeed, it does not snuff out, Portland. In addition to its being much nearer to the sea it possesses the very important advantage of being below the ice blockade in winter.

SUSPICIOUS CHARACTER.—W H Lamont was yesterday before the Police Court on a charge of being a suspicious character, with no visible means of support. The accused failing to give a satisfactory account of himself was remanded for one day.

KALAMA.—The Western Union Telegraph Company are about establishing an office at Kalama, the new railroad town on the Columbia River, the Oregon terminus of the N P railroad.

FORGERY AND PERJURY.—Mrs Amelia Copperman was yesterday examined before the Police Court on a double charge of forgery and perjury, and after a short examination, was remanded for one day.

FACTORY DESTROYED.—An extensive woollen factory at Cornwall, Canada, was recently destroyed by fire. Loss estimated at $300,000. Insurance $153,000.

THE Otter sailed yesterday morning for New Westminster, carrying 20 passengers and a small freight. She is expected back to-day.

"THE OTTAWA" is the name of another of the handsome Pullman cars now running on the Canadian Grand Trunk Railway.

BANKRUPTCY COURT.—Re Thomas Golden—In this case the bankrupt came up and was uncopposed.

NOVA SCOTIA—It was rumored that Attorney General Williams would take the office of either Sheriff or prothonatory of Halifax.

THE schooner Black Diamond, Capt Ruddin, arrived yesterday morning from Nanaimo.

POLICE COURT.—Capt H B Good was yesterday installed as clerk of this Court.

ESQUIMALT MAIL.—There are half-a-dozen tenders in for carrying this mail.

COUNCIL.—The Legislative Council will sit at 1 o'clock to-day.

THE bark Ada, Capt Falconer, for Callao will sail to-day.

Is Uncle Sam Dead?

EDITOR BRITISH COLONIST.—The old Consular Flag has been at half mast for several weeks, which fact has created a great deal of uneasiness in the minds of his anxious nephews and nieces.

If the old gentleman has actually pegged out, let us know, and we will call a public meeting so as to express our sympathy for our dear departed relative. Yours,

JONATHAN.

REMEMBER THE FATE OF ABSALOM.—Fred Payne, Tonsorial Artist. Shaving 12½ cents Hair Cutting 25 cents, Shampooing 25 cents That Original Cheap Shaving Shop stand on the sunny side of Johnson street. *

CHRISTMAS, 1870.—The show of fancy goods for the season will commence on Saturday next, the 17th inst, at London House, Government street. *

Permature Decay of the Apple and Cherry Trees.

EDITOR BRITISH COLONIST.—Abuse and misrepresentation never yet assisted false theory. The truth of this truism is well illustrated by your correspondent J Clayton, of Moss Street celebrity, in his effusion in your Sunday's issue. The man when writing his *modest* epistle was surely laboring under considerable mental excitement or hallucination—so strong, indeed, as to prevent him from stating the *truth*, or writing intelligent English, for he has so muddled the letter of Mr Mitchell with mine of the 22nd, that I am really at a loss to know for whom his scientific and wrathful eloquence is intended. Accuracy, however, never formed one of Mr John Clayton's cardinal virtues, and so I will suppose it is intended for my unfortunate self.

"Precocity and high productiveness of the apple in this Island," so stands the dictum of this great authority, is the cause of its permature decay. Let us thus apply the test as to its accuracy. In 1868 I planted a number of well grown, healthy young apple trees, in a soil chiefly composed of decomposed organic remains, similar in character to the best vegetable soils of this Colony. It is of very good quality and rests on a healthy subsoil of gravel, sufficiently retentive of moisture to produce healthy vegetation throughout the year. Previous to planting, the soil was trenched two spits in depth, and every care was taken to ensure conditions favorable to the future welfare of the trees. Up to the spring of 1870 *all* the trees were in the most perfect health. But soon in April of that year and after the very severe frosts I discovered by close inspection large, slightly discolored patches on the bark of a number of the trees, and which eventually were developed into masses of canker—so called—from the top of the stems to the surface of the ground, killing many of the trees down to within a few inches of the ground.

Very well, says Mr 'J.C,' your trees had exhausted themselves by precocity and early fruitfulness and by the roots having descended into the 'sour bowels of the earth,' introducing poisonous food into their systems until the trees had not sufficient stamina left to withstand the hardships they were called upon to endure. Unfortunately for your theory, Mr 'J.C,' the truth must be told. The trees were five years old, they never had produced an apple; the roots were a perfect mass of healthy fibres and without any of those strong runaways which pierced into the 'sour bowels of the earth' in search of food. I ask you, therefore, the cause of the malady. For your further information I may state that I have apple trees in the same ground and planted under less favorable conditions, in rude health and which for several years have borne heavy crops of fruit.

In his letter he has made some assertions which claim some notice from me; and let me say, by the way, that though open to the teachings of better men than myself, yet for every assertion I demand proof, which will be easy to such a mind as his which has 'risen to a proper perception of the complex phenomena of life,' bringing his facts into close relation with the science evolved from them and opening the hitherto hidden mysteries of creation; which have been a closed book to less gifted minds.

First, then, what is the proper time for root-pruning? and to what fruit trees is it highly beneficial? Second—What fibrous rooting stock would he use on which to graft the apple? Third—What varieties of the apple does he consider worn out?

These are questions of vital import to the fruit grower, and should be answered without a moment's delay, for while we wait the mischief progresses. And at the earliest date let us have his epistle on the *proper* management of fruit trees on this Island—for depend upon it such a public-spirited benefactor as this your correspondent is not to be found at every street corner;—but let me whisper in his ear, would not a small amount of example on his part add weight to his precepts?—for

"I passed by his garden and saw the wild brier,
The thorn and the thistle grow broader and higher"

POMONA.

THE

VANCOUVER COAL CO.

DELIVER AT NANAIMO THEIR

BEST DOUGLAS COAL

At $5 50 per Ton

Newcastle COAL at

$4 50 per Ton.

DROSS or SLACK

at $2 50 per Ton

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A. CARD.

HAVING LEARNED THAT CERTAIN interested parties are spreading the report that Barnard's Express and Stage Line will not continue to be run regularly to Cariboo as heretofore, I beg to state that not only will that business be continued in all its past efficiency, but that arrangements are nearly matured for greatly reducing the rate of charges and increasing the efficiency of the service, as soon as the Spring opens

a18 d&w F. J. BARNARD.

NOTICE.

MORSON'S

Harmless and Effectual Remedies

Are sold by Chemists and Druggists throughout the World.

INDIGESTION—The popular and professional medicine is MORSON'S PEPSINE, the active digestive principle of the gastric juice. In Powder, Lozenges, Globules, and as Wine.

CONSUMPTION—One of the greatest results of the chemical progress is the adaptation of the active property obtained from the Pancreas, and prepared as MORSON'S PANCREATIC EMULSION and POWDER. It enables the weakest stomachs to assimilate animal fat and oil, so essential to the constitution.

WEAK CHILDREN—In all cases where the elements for the formation of bone are imperfect MORSON'S WHEAT PHOSPHATES have never been known to fail.

CHLORODYNE—MORSON'S celebrated Anodyne is now being supplied to the public.

GELATINE—The purest preparation of this nutritious agent extant is MORSON'S.

All the above are carefully packed and shipped to orders which must be made payable in England.

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LEICESTER MEETING, 1868.

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The First Prize for the Best Wheel Plough for General Purposes.

The First Prize for the Best Wheel Plough for Light Land

The First Prize for the Best Swing Plough for General Purposes.

The First Prize for the Best Swing Plough for Light Land

The First Prize or the Best Subsoil Plough.

The First Prize for the Best Harrows for Horse Power.

The First Only Prize for the Best Steam Cultivating Apparatus for Farms of moderate size.

The First and Only Prize for the Best 5-tined Steam Cultivator.

The First and Only Prize for the Best Steam Harrow

The First and Only Prize for the Best Steam Windlass.

The Silver Medal for their Patent Safety Boiler

J & F. HOWARD thus received

TEN FIRST PRIZES, ONE SECOND PRIZE AND A SILVER MEDAL

Carrying off almost every Prize for which they competed and this after trial the most severe and prolonged ... oc2

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THE BOXER CARTRIDGES

For Snider Enfield of ·577 bore, and for the Henry, and Martini-Henry Rifles of ·450 bore, adopted by Her Majesty's War Department, also of ·500 bore for Military Rifles.

WATERPROOF Central-Fire Metallic Cartridges with enlarged Base for small bores, adopted by foreign governments for the converted Chassepots, Berdan, Remington and other Rifles; also, Cartridges for Ballard, the Spencer, and American Henry Repeating Rifles.

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Central-Fire and Pin-Fire Cartridges for all sizes and systems of Guns, Rifles and Revolvers

Double Waterproof and E P Caps, Patent Wire Cartridges, Felt Gun Waddings for Breech and Muzzle Loaders, and every description of Sporting and Military Ammunition

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WHOLESALE ONLY.

m2 1m

FRAUD

On the 27th June, 1866, MOTEEWALLAH, a Printer, was convicted at the Supreme Court, Calcutta, of counterfeiting the

LABELS

of Messrs CROSSE & BLACKWELL, London, and was sentenced by Mr Justice Phear to

TWO YEARS RIGOROUS IMPRISONMENT

And on the 30th of the same month, for

SELLING SPURIOUS ARTICLES

a ring Label in imitation of Messrs CROSSE & BLACKWELL'S, SHAIK BACHOO was sentenced, by the Subordinate Magistrate at Sealdah, to

TWO YEARS RIGOROUS IMPRISONMENT!

CAUTION.—Anyone SELLING SPURIOUS OILMEN'S STORES, under Crosse & Blackwell's name, will be liable to the same punishment, and will be vigorously prosecuted. Purchasers are recommended to examine all goods carefully before taking delivery of them. The GENUINE manufactures of Messrs Crosse & Blackwell may be had from EVERY RESPECTABLE DEALER on Vancouver Island. m19 1m

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ARE CONFIDENTLY RECOMMENDED AS A simple but certain remedy for Indigestion. They act as a powerful tonic and gentle aperient; are mild in their operation; safe under any circumstances; and thousands of persons can now bear testimony to the benefits derived from their use.

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a16 1aw 1y

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The Weekly British Co

Wednesday Februa y 8th 18

The New Constitution.

We have before us a Bill co forty-nine sections and a sched titled "The Constitution Act, Passing over the "Whereas following is a synopsis of the p of the Bill:—Sections 1 and the meaning of the word Gover the power of the Executive, whi shall, so far as the same is unal this Act, be continued as it e present, subject, however, u Union of this Colony with the of Canada, to the "North A Act 1867." Section 3 provides Executive Council shall be com such persons as the Governor f to time thinks fit, not exceeding in the first instance shall incl Colonial Secretary, the Attorn eral, and the Chief Commiss Lands and Works. It is prov section 4 that when either of t last named offices shall becom by the death, removal, or res of the present occupants, the G may appoint officers to hold suc respectively during pleasure, and n time to time appoint other or a members of the Executive Counci hold office during pleasure, and t ernor in Council may from time to scribe the duties of those officers an several departments over which t preside, or to which they shall be of the officers and clerks thereof, however, that the whole number bers of the Executive Council sh exceed five. Section 5 provides rights, powers, duties, functions, re lities, or authorities imposed upon cutive officers at present shall cont far as they are not repugnant to subject nevertheless, to revision by ernor in Council. Sections 6 and for the establishment of a Leg sembly composed of twenty-five a'l of whom shall be elected by th and for which purpose the colony into thirteen electoral districts as dule hereto. The Governor shall ha by and with the advice and conse said Assembly, to make laws in this colony in all cases whatever, however, after the union of th with the Dominion of Canada Union shall take effect to the pro the 'British North America Act, to any order of Her Majesty in C Act of the Parliament of the Uni dom of Great Britain and Ireland or passed for the purpose of effe union. Sections 8 and 9 provid person accepting or holding in Br umbia any office, commission, em —permanent or temporary—to whi fee, allowance, emolument or profit is attached either in his own name others, directly or indirectly, shal ble as a member of the Legislativ but members of the Executive C not be disqualified from these cau and vote in the Legislative Assen vided they are elected while ho office. Sections 10, 11 and 12 p a person disqualified as aforesa elected, his election shall be null that no member disqualified as afo sit and vote in the Legislative and that if any such person or me sit and vote he shall thereby forfe of two thousand dollars for each day on which he so sits or votes able by any person who may su same by action of debt, bill, plain mation, in any court of comp jurisdiction in the colony. Sectio vides that existing laws, or laws be passed during the present ses tive to the qualification or disqua members or voters, the revision of voters, the appointment and powe turning officers and the mode of d controverted elections shall, when lately repugnant to this Act, apply to the election of members the franchise, it may be remarke left just as it was at the late ele altered during the present session 14 provides for the issue of elec Section 15 empowers the Gov time to time to call together the Section 16 empowers the Gover rogue or dissolve the same, and sence of dissolution members their seats for four years and Seventeen provides for the sw members. Sections 18, 19, 20, provide for the election of one bers of the Assembly to be Spe first meeting, for the filling of Speakership, the supplying o during temporary absence, define &c. Sections 23, 24 and 25 nice members, including the Sp constitute a quorum for the tr business; that a majority of vo present shall carry any measure, only giving a casting vote in ca that the Assembly shall at its f adopt Standing Rules and Order 26, 27 and 28 provide for the of Government Bills to the Asse ing with them, the Governor' thereto, reconsideration of and a same, disallowance of Bills, et 29 and 30 provide that the du Assembly shall be for four y dissolved, and that a session sh least once in every year. Sec 32 recite the usual disqualifyi stances which render a membe cant, and that an interchang amongst the members of the any of them shall not render re cessary. Sections 33, 34 and 3 the resignation of a member a the vacancy consequent there 36 and 37 provide for the filling