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## The Weekly British Colonist.

Tuesday, June 5, 1866.

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LONDON.

THE NEW BRUNSWICK CRISIS

There is something just now in the political atmosphere of the British colonies that is strangely inharmonious. No sooner has the excitement of the Australian collision begun to disappear than a fresh imbroglio arises in New Brunswick. By the arrival of the mail vesterday we learn that Lieutenant Governor Gordon has given great offence to his "constitutional advisers," and that the Ministry have in consequence resigned. The subject of the difference is rather interesting. New Brunswick, as our readers know, has responsible Government; but the Upper House, like our own, is nominative, and is therefore an irresponsible body. It is from the Assembly the Governor takes his advisers, who form the Executive Council. On a recent occasion, however, it would appear His Excellency acted on an important matter without the concurrence of his Ministers. Certain resolutions passed by the Legislative Council praying that Her Majesty might cause to be introduced into the Imperial Parliament a measure to unite all the North American Provinces under a scheme of confederation, were forwarded by the Governor had been postponed on his motion in order with an endorsation of the views contained in the address. As these views were to some extent, adverse to the sentiments of the Ministry, and as the advice of the Ministry was not solicited, the gentlemen composing | bound to say that his conclusion was that this body resigned and threw the responsibility of the situation on the Governor. The tutions would not benefit the place—and that gist of the reasons for resigning is thus sta- the central government could deal better ted in the Ministerial address :- "The reply given by Your Excellency to the Legislative Council is a distinct and emphatic approval of their proceedings, the responsibility of cate for doing away whenever practicable which your advisers are unwilling to assume for the following reasons: 1st. That in any measure involving an organic change in the Constitution and political rights and privileges of the people, they should be consulted, and, unless approved of by them, no such measure should be adopted or forced upon them. 2nd. That in March last a dissolution took place professedly with a view to ascertain the sense of the people upon the Quebec Scheme, and they pronounced unmistakably against its adoption by large majorities. 3rd. That the representatives of the people at the last session of the Legislature, passed resolutions condemnatory of such scheme by a majority of 29 to 10. 4th. That the Legislative Council are not elected by the people, and are not constitutionally responsible to them for their Legislative conduct, and have no rightful authority to pray Her Majesty to give effect by Imperial legislation to any measure which the people have rejected.

5th. That such proceeding violates every principle of responsible and self-government. and is subversive of the rights and liberties of the people, and seeks to take from them their Constitution, not only without their constitution. sent, but against their clearly expressed wishes."

We sympathise with Governor Gordon as we did with Sir Charles Darling-for the cause he espouses is the right one-but we must say that, like the Australian Governor, he has done wrong. He has not acted constitutionally, nor has he acted with policy. He found a majority of the representatives of the people hostile to the policy which the Imperial Government desired to see carried out, and, instead of wounding their dignity and creating fresh complications, it was his duty to soften down as much as possible the political bitterness of party spirit. So far from that it would appear he has been engendering distrust instead of removing it, by accepting the advice of members of the Opposition. Nothing could have been more indiscreet; for, New Brunswick, as late advices showed, was advancing rapidly in the cause of Confederation, and there was every prospect of the measure, in a very little time, meeting with the support of the Assembly. Now, however, the Governor has given the anti-confederates a cry that may prove ruinous to the cause of colonial union-a cry that the Constitution is upset and that Confederation is to be forced upon the people. We hope, however, the public mind of New Brunswick will prove less confined-that it will follow quickly in the wake of Nova Scotia and accept the Imperial policy. With this end in view Governor Gordon has called a new Ministry together, with Mr. Tilley, the former Provincial Secretary, in his old position, and several their party. The Legislature will assemble on the 15th of May, and it will then be seen whether the Government can be carried on by members in favor of Confederation. If Tilley gets into a minority again there is but one course, and that dissolution. Under any circumstances the unfortunate collision is likely to postpone Imperial action on the question for another year-a misfortune that cannot be otherwise than

CUSTOMS' RECEIPTS for week ending Saturday, May 26th.—Duties \$2 332 42; harbor dues, \$73 12; head-money, \$64 00; tonnage dues, \$290 49; inland navigation licenses, 90. Total, 2,760. 03. Number of passengers

deeply deplored.

LEGISLATIVE COUNCIL.

MONDAY, May 28. Council met at 3 p.m. Present—the hons. Chief Justice (presiding), Colonial Secretary, Attorney General, Treasurer, Donald Fraser,

LIQUOR LICENSE AMENDMENT ACT. A communication was received from the House of Assembly, sending up this bill with

The Hon. Colonial Secretary said it was only splitting straws, and was not a matter of much importance whether Nanaimo was called Colvilletown or not; but Nanaimo was a large district, and the town sprang up when the coal mine was sold to the Nanaimo Company. The whole of the town did not front on the harbor of Nanaimo. It was krown on the map as Colvilletown, and he pteferred things being called by their proper

Hon. Mr. Fraser much preferred the name of Nanaimo; it was not only more euphonious, but the place was better known as Nanaimo- it was distinguished from the

district by being called the town of Nanaimo. Hon. Chief Justice said there was no more reason why it should not be called Nanaimo in the District of Nanaimo than the city of

Hon. Colonial Secretary said it was a matter of so much indifference that he should move that the Assembly's amendments be accepted, which was agreed to.

NANAIMO INCORPORATION BILL. The Hon. Colonial Secretary said this bill to enable the Select Committee to take evidence on the petitions sent in, and to present their report. The Committee had sent in an elaborate and valuable report, with the evidence taken, and he now felt no case for the incorporation of Nanaimo with the requirements of the town than a local one. There were some local affairs that were better dealt with by a local than a central government, and he was an advo with centralization; but he considered that to introduce such cumbrous municipal machinery in this case, which would duplicate offices and increase taxation, would be doing the people an injustice. [The hon. gentleman here quoted from John Stuart Mill to show the danger and inexpediency of granting municipal institutions to small communities. One or two officers must be there to represent the interests of Government, and he thought they could do all that was wanted at the present stage. He had

be read this day six months. mittee, thought it his peculiar duty to say a and which he would propose to amend in few words on this subject although he had committee. and if they could not be so maintained they aimo. The persons who would have to bear the great burden of taxation would have no voice in the matter. He therefore felt compelled to do violence to his cherished principles of allowing people to manage their own affairs by seconding the motion of the Hon. Col. Secretary.

The motion was then put and carried nem

SANITARY ACT.

This bill came up for second reading. The Hos. Col. Secretary said he thought it advisable in the first place to determine whether the bill was really wanted. He was not by any means opposed to sanitary com-missions, and if any hon. member showed that the bill was necessary he should be happy to vote for it. At present he looked upon the bill not only as unnecessary but as extraordinary. It authorized the Governor to appoint a Sanitary Commission for Vancouver Island and its dependencies whose functions should cease on the passage of an Incorporation Act for the town of Victoria. so that the small-pox might be raging at Nanaimo and no steps could be taken to stop

it. The hon. gentleman pointed out other objections to the bill and also the powers of the corporation to frame by-laws for the sanitary regulation of the city. Some discussion ensued on the operations

of the Incorporation Act.

The Hon. Attorney General in answer to the President explained that the power of the Municipal Council had only been questioned in so far as it related to the framing of a by-law taxing professions.

The Hon. President said it appeared to him on referring to the act that the Municipal Council had full power to do all that was required to accomplish the purpose.

The Hon. Colonial Secretary proceeded to say that it was still maintained by some that the corporation had no power, he thought they had extraordinary power when they had Secretary, in his old position, and several the power of sending a man to the chain weeks have been given them to organize gang for three months for not cleaning out his gutter. If this bill passed it would create two powers in the city which was already profected by laws existing on the statute book. It would impose a second jurisdiction that would create a conflict between the Executive and the Municipality, and he felt justified in moving that it be read

this day six months. Hon. Mr. Fraser said the bill would not produce a conflict because it was too nonsensical. He agreed with the previous speakers that the municipality had the power to provide for the regulation of the city in

The hon. President did not wish anything

require much discussion to see that the Ocrporation had the power, under the 20th section, to carry out the sanitary regulations of the city under proper by-laws. It appeared to him that there had been a want of knowledge of the Act on the part of the House in passing what he hoped he might be excused for calling a piece of crude legislation. He alluded to the perfection of the English Nuisance Removal Act, and thought that if anybody had devoted their time and energies in framing a bill based upon that they could have done some service. This bill was even more loose than usual, and would conduce to confusion in bringing two powers into operation. It might be a benefit in case of an epidemic in the country for a Commission to have the power of dealing with the matter, but this bill proposed that the Commission should become inoperative the moment an Act was passed for the Incorporation of the City of Victoria; and smallpox, or any other

epidemic, might be raging in the country, but the Commission became powerless. He regarded the measure as an abortion, and regretted that the Council should continually have to reject bills sent up from the Assembly, as it looked like a spirit of opposition and antagonism where there should be unity Lincoln in the shire of Lincoln. He thought of purpose; but in this case he felt assured Nanaimo was better known than Victoria. the Assembly, as sensible men, could not re the Assembly, as sensible men, could not regard the bill otherwise than as a mistake, or blame the Council for rejecting it. Without wishing to express an extra judicial opinion he thought the City Council should never have hesitated to carry out the powers conferred upon them in every particular until they were shown that they were wrong by the highest tribunal in the land. All the powers were vested in them that were essential to the performance of an act that

> Aon. Mr. Fraser said the Corporation had never refused to carry out sanitary regula-

> committed by fever and sickness in certain families, which had been attributed to a want of attention to the cleanliness and sanitary condition of the city. He hoped what he had said would be taken in good part; his only intention was to rouse the Corporation to a sense of their duty.

> Hon. Mr. Fraser spoke of the expense which drains would entail. He thought that to drain the city in a proper manner would cost as much as the whole fee simple of the city would realize if one year was given to do it in.

> After some desultory conversation, during which the Hon. Treasurer came in, the motion to throw the bill out was carried.

VICTORIA INCORPORATION ACT.

The Hon. Colonial Secretary said the obmade careful inquiry and felt satisfied that ject of this bill was to place the municipality to grant municipal institutions to Nanaimo of the city on a proper basis, and he asked would act as a drawback and injury to the the Council to allow it to go to a second place. Supposing, however, that it would reading. In committee some considerable benefit by them, when a very large majority amendments would, he thought, be advisable. came forward and said they did not want He objected to taxes on real estate for munithem, the Council then needed nothing fur-cipal purposes when it was already taxed for ther, and he, therefore, moved that the bill the support of the general revenue. It was the rental that should be taxed. There were Hon. Mr. Fraser as Chairman of the Com- other objections that he pointed out in detail,

IMPRISONMENT FOR DEBT. . This bill was on the order of the day in

Committee. The President remarked that the hon. Mr Fraser had charge of the bill, and suggested that it be deferred until the hon, gentleman was present. It was certain that the bill could not pass in its present form.

Hon. Attorney General said he was prepared to go on with the bill. He did not wish it to pass in its present form. He thought it better to swallow the British Coumbia bill at once.

Hon. President said it was easy enough to swallow the bill, but it might prove sweet in the mouth and bitter in the stomach.

The Hon. Colonial Secretary said the bill had been before the Council for four months, and there was always some reason for deferring it from day to day.

The Hon. Treasurer did not see the use of the bill at all if it was true that mail steamers picked up runaway debtors from boats. It would be better to pass a bill in the first instance to put a stop to that practice.

The bill was deferred for future consider-

HOMESTEAD BILL

This bill was also postponed for the same RIRTHS, DEATHS, AND MARRIAGES.

The Hon. Colonial Secretary thought it hardly worth while to pass such a bill. The Council had spent some time on valuable bills which had been thrown out by the Assembly on the ground that they were money bills, following the practice of the Commons and Lords, which could not be originated in the Council. He therefore did not see the use of the Council wasting time on this bill only to be treated as waste paper by the House below, as the word fee was used which would no doubt be the means of its being thrown out, and he moved that the bill be

postponed sine die. The Hon. Attorney General commented on the course pursued by Lords and Commons in England, as laid down in May, in reference to bills containing clauses which were construed as money clauses. The practice was to treat them as suggestions, but not to reject

The Hon. Colonial Secretary did not yield the question that the Council had not the right to originate bills containing money clauses, but the House of Assembly could not be coerced any more than the Council and seeing that every bill that had been sent down was regarded in the light of a money case of an epidemic. This bill provided nothing, and was only a piece of blank paper. A clergyman once preached a good sermon taking a blank piece of paper as his rogative of the Assembly and was on that account discarded, he did not see the use of wasting time over a bill which would be he had said to carry any weight as a judicial only treated in the same way. He would opinion, as it was not right that he should therefore postpone the bill, leaving it to the other House to bring forward such a bill when the country demanded it.

The Hon. Treasurer said the records of the Council would show that they had never yet yielded their ground to the Assembly, and he was averse to its being done in this case. He would prefer the bill being passed through its several stages and sent down to test the result.

The Hon. President remarked that in cases where bills sent down to the Assembly involved a charge upon the revenue the view taken by them would be correct, and it would be an infringement of their prerogative on the part of the Council; but it appeared to him that the Assembly's ruling had been too extended, and that they had not bit the true definition. However, as that was the construction they had put upon it, he agreed that it would be useless to spend time over the bill, which would share the fate of the others; and although all would agree in more prosperous times on the advisability of a bill regulating births, deaths, and marriages, still it was not a matter of moment, and he therefore supported the motion to postpone.

After some further remarks the further consideration of the bill was postponed sine die, and the Council adjourned till 2 p. m. on (this) Wednesday.

HOUSE OF ASSEMBLY.

The House met yesterday at one p.m. Mem bers present—The Speaker, and Messrs. DeCosmos, Carswell, Dickson, McClure, Young, Tolmie and Trimble.

COLONIAL AUDITS.

A communication was received from the Governor to the effect that the audited accounts could not for various reasons be laid before the House just then, but would be were enjoined by the general clause of the sent down as soon as possible. GOVERNMENT LOANS.

The following communication from His Excellency was read with regard to the pub-

GOVERNMENT HOUSE, Victoria, May 26th 1865. To the Honorable the Speaker and Members of the Legislative Assembly.

GENTLEMEN,-I have the honor to acknowledge the receipt of an Address from the Legislative Assembly for "a Return of the sums of money borrowed from the respective Banks of this Colony, and due at the expiration of the year 1865; also the amount borrowed during the year 1866, and now owing on account of the General Revenue" and "a Return showing the authority under which the Governor negotiated such loans respectively."

I would take the opportunity thus afforded me to recall the attention of the Assembly to the fact that I have specially brought this subject under the notice of the House, on several occasions.

In addressing the House on 16th May, 1865, now more than twelve months ago, I stated that owing to the smallness of the balance in the Treasury, I had been under the necessity of arranging with the Bank of British North America, to overdraw, to the amount of \$10,000-that the Bank had agreed to a further advance of \$10,170, to be applied to meeting the liabilities of the Corporation of the City of Victoria, an application of the public funds in which the Assembly expressed concurrence, by resolution dated 23rd January, 1865,—that in view of the necessity of remitting immediately to England £2000, to meet payments on account of interest and sinking fund of loan, and of providing for current expenditure, a further credit of \$20,000 had been obtained from the Bank-and further that on that date (16th May 1865) the sum of \$39,794, was due by the Colony to the Bark of

North America. This communication did not elicit any response from the Legislative Assembly. On the 20th December, 1865, I informed the House, in submitting the Estimates of Revenue and Expenditure for 1866, "that there is a present balance of \$52.465 due to the Bank of British North America, and it is not probable that this will be decreased before the 31st December, 1865."

Again, the House will perceive that in a communication I had the honor to make on the 10th January, 1866, relative to the partial non-payment of the sums voted for 1865 for the Royal Hospital, Victoria, for the Female Hospital, and for the Victoria Fire Department, I stated, "I have already caused \$3,000 or one moiety of that grant to be paid, but in consequence of the income for the year falling short of expenditure, and a debt to the Bank having thereby been already incurred, I do not deem it expedient to increase that debt by the payment of the remaining moiety of the grant without placing the matter before the Assembly, so that it may be determined whether other means for the payment of this appropriation should be adopted or not."

The Legislative Assembly, by resolution dated 31st January, 1866, expressed the opinion that the sums due (on account of votes for 1865) to the Royal Hospital and the Victoria Fire Department "should be paid forthwith." The Assembly, however, did not by that Resolution determine any other means" for the payment of the appropriation than by an increase of the debt to the Bank as indicated in my Message.
I may inform the House that in the month

of December, 1865, I caused a further sum of \$8,680 to be paid pursuant to the Victoria City Half-per-cent Tax Act, 1865, to meet debenture liabilities of the City of Victoria, and that sum not having been collected under the provisions of that Act, an augmentation of the debt to the Bank was the re-

The amount due to the Bank of British North America on the 31st December, 1865, was \$63.515, and the amount due at the present time is \$80,561.

I take this opportunity of directing the attention of the Legislative Assembly to the fact that the Estimates of Revenue and Expenditure for 1866 have been more than five months before the House, and that no Bill of Supply has been passed nor have ways and means been provided for the necessary current expenditure and liabilities of the

> I have the honor to be, Your most obedient Servant, A. E. KENNEDY,

Dr. Dickson thought there was no answer to the question—by what authority the Governor borrowed the money?

colony.

The Speaker—The Governor has taken the silence of the Assembly for consent. Mr. DeCosmos although opposed on principle to the Governor borrowing money without leave of the House, could not see what else the Executive could have done, it

the public business was to go on, more espe-cially as there was no local law either prohibiting or allowing him to contract loans. Governor Kennedy had merely done what had always been done on Vancouver Island. Mr. Young denied that it had ever been

done before. Mr. DeCosmos said things were so bad at one time that Governor Douglas had to take money out of his own pocket and lend it to

the colony.

Dr. Trimble thought that in certain emergencies Governors ought to be able to borrow money without leave of the House, but he was not sure that this was one of them. Dr. Dickson moved that the matter be

taken up on Monday.

Mr. DeCosmos moved that the communiscation lie on the table.

The former motion was carried.

SALT SPRING ELECTION:

Mr. Pidwell was introduced by Dr. Tolmie and was about to take the oaths when Mr. Young objected on the ground that the gen-tleman was not qualified, and gave notice of motion that the question be referred to the Election Committee.

The Speaker ruled Mr. Young out of order. Mr. Pidwell could not be prevented from taking his seat, if he took the oaths.

Dr. Trimble said the whole proceeding was irregular after a member had been elected and returned he could take his seat. (Hear,

bear.) Mr. Young said because the House had done wrong before it was no reason why it should repeat it; he pressed his motion if it

was in order. The Speaker said this was the first case of the kind that had occurred.

Mr, DeCosmos said the House should be guided by what had been done in similar cases before. There was the case of Mr. Selim Franklin in 1860. Mr. Young said that was a question of

conscience not qualification. Dr. Dickson thought the member elect was entitled to be treated in the same manner as other members of the House.

Mr. Young said he was not actuated by any vindictiveness but merely by a desire to preserve the dignity of the House.

The Speaker said it would come to the same thing whether the motion came up now or at the next meeting as it would have in any case to go to a Committee. The member elect had sworn to his possessing the qualification, Mr, Pidwell then took the oaths and his

# at. Mr. Young then gave notice of motion that the qualification of the gentleman elected to serve as a member of this House for Salt Spring Island be referred to the Elec-

tion Committee. The Speaker said the motion must be taken up at the next meeting.

BRITISH COLUMBIA TARIFF.

Mr. Young gave notice that he would move that the Governor be respectfully requested to lay before this House the views of Her Majesty's Government if he has received them, respecting the Tariff Act, 1865, passed by the Legislature of British Columbia, which act imposes differential duties on goods received from Vancouver Island at the ports of that colony. Also praying His-Excellency to inform this House what steps he had taken (if any) to prevent the said act from receiving the sanction of Her Majesty's

MAIL SUBSIDY. Mr. Young introduced his motion of which he had given notice, asking the Governor to furnish particulars of contract entered into with reference to a steam subsidy. He had been given to understand that a ruinous contract had been made for \$1500 a month for the privilege of carrying the mails to this port by the same steamer that obtained \$2000 a trip for taking the mails to New Westminster. He must express his great surprise at the House sitting with closed

doors to discuss this subject. The Speaker-I must call the hon. member to order. I cannot permit such reflections on the House. You don't know either what arrangements have been made.

Mr. Young went upon what he had learns ed outside. He deprecated the contract that report gave out as it was making the colony pay five or six times more than the mails might be carried for.

Mr. DeCosmos said the motion was like a fault finding one. The House had determined in secret conclave to request the Governor as a matter of emergency to act on his own responsibility. To ask for returns of what had been done was right enough, but not to

pass a motion involving censure.

Mr. Young said be was asked to give his reasors for the motion; he was not in the House when the discussion took place. The motion implied no censure on any person but reports were affoat of a ruinous contract having been entered into, and it was only right that the House should be in possession of the facts.

Dr. Tolmie said that to ask for returns was perfectly right, but to make comments before the facts were before the House was decidedly wrong. (Hear, hear.) The motion was carried.

Ayes-Trimble, Tolmie, Young, M'Clure. Dickson, Pidwell. Noes-DeCosmos, Carswell.

Mr. Carswell wished to give his reasons for voting in the negative but the Speaker ruled the hon, gentleman out of order.

SPRING RIDGE WATER WORKS. House went into Committee, Dr. Trimble in the chair, and passed the bill.

The Magistrates' Fees Bill was taken up and progress reported.

House adjourned till Friday at one p.m.;

BRITISH IRONCLAD FOR THE PACIFIC-The partially iron cased British corvette Favorite ten guns, 409 horse power, Captain Francis H. Shortt, remains at Spithead, completing the sighting of her guns and other slight additions to her equipment previous to leaving England for the Pacific. She is ordered to be made complete in all respects and reportsed ready for sea by the 16th April.

ELEY'S BEST OF ENFIELD CARTRIDCES. MMUNITION y description for Military Purposes. of Central Fire Caps, Felt the leading of Guns, Wire g Game, &c., at long dis ading Cartridge Cases of Shot Guns and Rifles, Pin aucheux' Revolvers of 7, 9, Tubes, Cartridges and Caps e's, Tranter's, Adams', her Revolvers. LARTRIDGES also for Westley Richard's, Mont Storm's, Green's, and weight made by compression ft Refined Lead, projectiles for Rigby's and try's Rifles.

Ill Day Long. " Chimes. Music Book for the Young Folks.

Home, and Abroad.

Golden Wresth" is meetented sale. Two Hundred of the "Wresth" were sold, that a larger number of the called for. Price of the Oliver Ditson & Co., For sale by HIBBEN & AITT & CO., Booksellers, a30

y's-Inn-Rd., London, W.C.