

The Weekly British Colonist

Tuesday, August 6, 1865.

THE MUNICIPAL ELECTION.

If it wanted any more evidence of the almost unanimous feeling of the inhabitants of Victoria on the question of removing the fences around the Church Reserve, the result of yesterday's election in Johnson street Ward has certainly supplied the requirement. A public meeting unanimously resolved that the fences should be taken down—that the public nuisance should be abated. The electors of James Bay Ward endorsed the resolution, and returned two members to carry out the principle in the City Council. The Council passed the resolution and requested the Mayor to perform his duty in the matter, and while the latter functionary has been taking the subject under his "serious consideration," another election takes place in Johnson street Ward, in which the Church party get beaten by a majority of fifty-five to twenty-one. The resignation of Mr. Lindsay at three o'clock diminished considerably the victory of his opponent, whose majority before the closing of the poll would have borne a much larger proportion than it did. As it is, the number of votes polled—seventy-six—shows conclusively enough that where any opposition is raised on this question the popular voice there is sufficient interest taken by the inhabitants to crush it out with an overwhelming majority. Had the polling been continued till four o'clock, we have no doubt that a hundred votes would have been recorded, which at this time of the year for a single ward is a large proportion. The result of the election will show clearly to the Mayor the desire of the inhabitants. Not a vestige of excuse can now be put forward that the resolution passed by the public meeting does not meet with the full approbation of the public. Every election or other test results in the same condemnation of the Church party, and shows the quiet determination of the inhabitants to have the obnoxious erections removed and the property clearly and indisputably an appanage of the city. With such unanimity of public feeling—and such an indisputable claim to the property by the people—any man holding the position of Mayor must be laboring under a heavy load of squeamishness who shirks the performance of those duties which the Council has in this Church reserve matter chosen to place upon him.

From the proceedings of the City Council last night it would appear that His Worship the Mayor, has become a staunch supporter of law and order—so staunch in fact that he shirks from the tender task of removing a public nuisance. If a man erects a barricade across the street, this philanthropic city father in his paternal gentleness says if the obstructions are to be removed, he will only sanction the use of moral force. The tenderness of our municipal magistrate is very powerfully evinced, but what he means by moral force in removing fences is something, we confess, we are unable to make out, unless indeed he is a member of the Canute family, and fancies that the laws of nature will roll back at his bidding. We recollect a period, not anterior to the Deluge, when His Worship was not so wedded to the moral-ania. It is not indeed a very long time ago when an unfortuniate man was incarcerated for leaving some goods which were for sale encroaching a little on the sidewalk; but then the man was poor and uninfuential—crimes sufficient in most countries to justify the sternness of outraged dignity which His Worship donned for the occasion. As the killing of one man makes a murder, and the destruction of thousands a hero, so no doubt Mr. Harris fancies that a poor man encroaching one foot nine inches on a thoroughfare should be severely dealt with, while a Bishop who confines himself to the trifling area of twenty-five acres on the public domain should be allowed, Dogberry like, to "depart in peace." The public and the Council agree in asserting that the fences on the Church reserve are a nuisance, and the Mayor is called upon clearly and distinctly by the resolution of the Council to have the nuisance removed. Mr. Harris, however, with a critical eye detects something "wrong" in the resolution, and pathetically appealing to the Council, asks them if they would like to see him—the Mayor of Victoria—made a criminal, and consigned to a dungeon or prison cell. A little melodrama is not bad occasionally, but we are afraid our worthy civic dignity is rather indulging in the burlesque. If John Smith or Tom Jones erected a fence across Government street tomorrow, we should hear nothing about moral force, expensive lawsuits, or prison cells; His Worship would swell with true patifio indignation, and have the fences removed within an hour. He would find nothing "wrong," nothing "vague" in a resolution calling upon him to test the obstruction down, but would go into the matter with spirit, and deal out the most condign punishment to the offender. Now, however, the rules of the Council are to be set at defiance. If any of the members have the impertinence to attempt to carry on a discussion on a subject that displeases Mr. Harris, His Worship in true Cromwellian style is inclined to drive the members out of

the building, lock the door, and put the key in his pocket. He will adjourn the body when he pleases and put a stop to discussion when it offends his taste. We are afraid Mr. Harris and the Council are fast coming to loggerheads; but if the Mayor from his present course expects anything but an ignominious defeat—if he fancies for a moment that his futile efforts against public opinion are going to benefit either himself or the Church party, or postpone indefinitely the abatement of the public nuisance, he will be the most egregiously mistaken man that ever formed an individual element of any community.

CITY COUNCIL.

Monday, July 31.

Council met at 7:15 p.m. Present—His Worship the Mayor, and Councillors Fell, Smith, Jeffrey, Thorne and Carey.

COMMUNICATIONS.

From Vancouver Times, enclosing account for advertising municipal election, \$4, and requesting payment.

His Worship said the Councillors elected should bear these expenses.

Mr. Fell thought it was a matter that should be referred to the Sheriff.

The Mayor said the notice was for the general election in November, 1864, and he thought each might contribute his share of the expenses, the amount of which could be ascertained on application to the Sheriff.

Leave was given to Messrs. Mason & Ball to remove sidewalk, and occupy portion of street corner of Humboldt and McClure streets, for building purposes.

EQUIMALT BRIDGE.

Mr. Russell, of Esquimalt road, complained of the condition of the second bridge on the Esquimalt road, and asked that it be repaired.

The Mayor said the Council had frequently been addressed on the subject of the bridges, but had always declared them out of their jurisdiction.

Mr. Fell asked if they were not within the city limits?

The Mayor read section 20, of the Charter, and said it was vague on the subject. The Council had always kept aloof from the bridges, and he should advise them to pursue the same policy, particularly while the Council was without funds to effect the necessary repairs, which he believed would be found to involve considerable outlay when once they commenced.

At the suggestion of Mr. Fell, the clerk was ordered to address Mr. Russell, informing him that the bridges were not within the city limits, and the Council regretted that they could not comply with the request.

CLEANING THE STREETS.

An offer was read from J. Jackson to clean the streets for the sum of \$50.

The Mayor did not see that the Council could accept the offer.

Mr. Fell thought that they could, and if the party was willing to wait for payment until the Council was in funds, they could not refuse, considering the odiferous state which the streets had attained.

The communication was ordered to be received and filed.

CRAIGFLOWER ROAD.

A communication from K. McKenzie, Chairman of the Esquimalt District Road Commissioners, was read, calling the attention of the Council to the condition of the Craigflower road on the reserve, and the mischief to be anticipated during the winter months from neglecting it.

The Mayor explained the circumstances under which the communication was sent. The Councillors thought that the Corporation must decline to comply with the request, though they might sanction its being done by the Road Commission. The communication was received and placed on file.

THE POWERS OF THE COUNCIL.

A communication from the Colonial Secretary was read stating in effect that the Council had sought information on so many points that his Excellency thought it unreasonable to expect the Attorney General to answer them all, but if the Council desired his opinion on any definite point so as to remove any pressing doubts or to strengthen their hands in any emergency, it would be readily afforded.

Mr. Fell thought that so simple an answer might have been sent sooner.

The communication was ordered to be filed.

ABATING NUISANCES.

The committee appointed to wait upon the Superintendent of Police and to ascertain whether and what instructions had been received by that officer on the subject of the Police assisting in abating nuisances, reported that in the absence of the Superintendent they had seen the Inspector, who said he had received no instructions on the subject.

NOTICE OF MOTION.

Mr. Cary said after the communication they had heard read he should wish the two motions of which he had given notice should stand over until next meeting.

ADDRESS TO MR. COLFAX.

On motion of Mr. Cary, the address presented by the Mayor and Council to the hon. Schuyler Colfax, Speaker of the American House of Representatives, was ordered to be entered upon the minutes of the Council.

LEGAL QUESTIONS.

Mr. Fell moved that the following questions be submitted for the opinion of the Attorney General:

Have we power to collect trades licenses or have we power to levy a rate on rental of all buildings and real estate within the city, provided a by-law be passed by the Council for such a purpose?

Have we power to enforce all by-laws passed in conformity with the charter?

Mr. Jeffrey seconded the resolution, considering that it touched the main spring of every thing—the power to raise funds.

Mr. Smith concurred.

Mr. Cary thought it would be better to expunge the latter part of the resolution, as the less asked the more likely they were to receive an answer.

Mr. Fell said the questions put were de-

finite and could be easily answered, but Mr. Cary had desired to submit a series of questions to the Attorney General which were vague and would necessitate his travelling over the whole of the Corporation Act. The resolution was carried.

STANDING COMMITTEES.

Mr. Fell moved the appointment of a committee of three to form a standing Sanitary Committee, also a Committee on Reserves and on Finance.

Mr. Cary moved that no further resolutions be passed until previous resolutions had been acted upon.

Mr. Thorne seconded.

The Mayor called upon Mr. Cary to explain the purport of the resolution, because if it referred to the Church reserve matter he had remarks to make upon that subject.

Mr. Cary said he referred to all previous resolutions. The Council had been sitting for some time and had passed many resolutions which were allowed to drop, and nothing more was heard of it he did not see the use of the Council wasting any more time unless their resolutions were acted upon, and he hoped the Council would support him in his view.

The Mayor put the amendment, Messrs. Cary and Thorne voted for.

Messrs. Fell, Smith and Jeffrey did not vote; the Mayor said the amendment was lost.

CHURCH RESERVE.

The Mayor said in answer to the enquiry on this subject he wished to remark that Mr. Thorne's resolution was not in conformity with law, and it was not to be expected that he should act upon anything so vague. It contained no instructions whatsoever as to how the fences were to be removed. It was intended that he as an able-bodied man was to go axe in hand, and knock them down; he would state plainly that he should not do it, but if Mr. Thorne wished to do it he should not stop him. He felt certain they could not wish to see him, the Mayor, do anything derogatory to themselves or the town at large which it certainly would be if he used physical force. If ever the Reserve belonged to the people it belonged to them still, the fencing would not deprive them of their right in any shape or form. There was a more proper way of testing the question, and he felt sure they did not wish to see him criminally prosecuted or put in prison. It would be very inconvenient to be put in gaol just now (laughter). No man would put his hand in his pocket and pay \$400 to get him out. He was glad to hear Councillor Cary talk of retrenchment. He would not pay \$50 for cleaning the streets but wished the Mayor to involve the city to the extent of \$5,000 or \$10,000. He would be happy to give his moral aid to the resolution when properly worded, but he would not act upon it as it stood.

Mr. Thorne said it was a pity for the city that everything they did was wrong. His poor resolution was now wrong; but he should like the Mayor to state how it was wrong. The fact was that everything was wrong, where pounds, shillings, and pence conflicted, and that was what had hurried him into the Council.

Mayor—Your intention no doubt was good enough, Mr. Thorne, but you did not put the thing in such a form as I could act legally upon it.

Mr. Thorne—I have nothing to do with intentions; I came here to do my duty. If I had been Mayor I should have felt it my duty to confer with counsel as to the best means of complying with the terms of the resolution. My resolution is not to be acted upon because it is not good English. (Laughter.) I know I am putting you in an awkward position. Five thousand dollars is certainly a great sum; but let me ask whether one man is to be allowed to take 24 acres of land that does not belong to him, and to keep it against the whole city united? (Applause.) Mr. Thorne concluded by stating that this and that resolution of the Council might be called "hosh," but it was the duty of the Mayor to have taken action upon the resolution, and to have removed the fence in broad daylight.

Mr. Cary followed, declaring that the Mayor not only had the power to carry out the resolution, but it was his duty to do it, and if he had not the power to set upon this resolution he could have no power to do anything else. He personally did not mean to fall back from the resolution. He was as loyal and as peaceful a subject as his Worship or any of the Council, but he had been sent into the Council to protect the rights of the people, and when he saw one of their rights being infringed upon he was prepared to do his utmost to prevent it, and would give his life for it if necessary. He contended that the Mayor had the power to swear in a sufficient number of special constables to assist him in removing the obstructions and to prevent the interference of the police. He was sure the people would all stand by the Mayor and support him (applause).

The Mayor remarked that the subject could be brought up again, and if put in proper form, the mode pointed out, and where the funds were to come from, he would be prepared to give it all his moral support, but not physical.

Mr. Thorne—No, I am not one of those to go back from my position. The thing is plain enough.

The Mayor—There is no other business before the meeting, I adjourn the Council till next Monday evening. His Worship here left the chair (hisses).

Mr. Cary—I don't think your Worship has the power.

The Mayor—Yes I have; I don't want to sit here and hear you talk all evening.

Mr. Thorne—No, I don't suppose you do (laughter).

Considerable confusion here followed. Mr. Thorne begged the Mayor to resume his seat as he had a resolution to bring forward.

The Mayor—It is too late now, I cannot hear anything more on the subject.

Mr. Thorne—I want to move a vote of want of confidence.

The Mayor—Bring it up then at the next meeting.

At the suggestion of Mr. Cary the Mayor resumed his seat to adjourn the Council by vote, and the meeting adjourned amid much noise and confusion.

CARFAX DE VETERA OF THE HON. S. COLFAX, may now be obtained at the theatre portrait gallery.

THE MUNICIPAL ELECTION.—The election of a Councillor to represent Johnson street ward in the place of Mr. Malcolm Munro, resigned, took place at the Railroad Restaurant, Johnson street, yesterday, and terminated in the return of Mr. Hibbard by a large majority. The Mayor having sworn in Mr. Wm. Leigh as polling clerk, the books were opened at eight o'clock, and the friends of the candidates, Messrs. Lindsay and W. Hibbard, commenced mustering the voters, eight votes being recorded immediately for Hibbard. At noon a return was made, Hibbard having received 28 votes, and Lindsay 12. The voting continued steady, Hibbard maintaining about the same lead up to about half-past two, when Mr. Lindsay reached 19 votes, the same number that he polled on a former occasion. Mr. Lindsay then offered to resign, but was informed that it must be in writing, and after consulting with his friends, he returned at 3 p.m., with a written resignation, and the clerk immediately closed the books, although several parties were desirous of recording their votes for the leading candidate. At the close of the poll the votes stood—Hibbard, 55; Lindsay, 21. The books having been sealed up, were taken to the Sheriff, who announced the result at 4 o'clock. Mr. Hibbard thereupon thanked his constituents for electing him, expressing a hope that they would feel as well pleased with him after he had served three months' apprenticeship in the Council, and begging the electors to support the Mayor and Council in the action they might take with respect to the Church Reserve encroachment. The result of this election is conclusive of the popular sentiment on this question. Mr. Lindsay possesses qualifications that would have undoubtedly made him an able Councillor, he is also a man of undoubted integrity and respectability, and has many friends in the community, but his views on the test question were looked upon as equivocal and unsound, whereas his opponent was bold and uncompromising, and despite the giant exertions of William Burlington, the voters showed plainly and unmistakably that they would have no bearing about the bush in regard to the recent infringement of their undoubted rights.

ROCKY MOUNTAIN MINES.—The Walla Walla Statesman publishes the following news from Bitter Root Valley, the gold diggings discovered some time since on the head waters of the Missouri river, on the eastern slope of the Rocky Mountains:—

There are five grist mills in course of erection in the Bitter Root Valley, all of which will be completed this fall.

The crops in the valley did not promise an abundant yield. The fall wheat had been winter killed. The spring wheat was most promising.

Flour, supplied from Salt Lake, was selling in the valley at \$20 per hundred.

Five steamboats, from St. Louis, had arrived at Fort Benton, up to the middle of June, and five or six more were daily expected.

A general stampede of miners had taken place to the Big Blackfoot river, where report said very rich gold mines had been discovered. Nothing definite was known about the mines when Mr. Shockley left.

The mines adjacent to the Bitter Root Valley, which were discovered last spring, are paying well. The diggings are "spotted," however, and the paying claims, so far as discovered, pretty generally taken up. The richest diggings are on the head of the Little Blackfoot, and in Last Chance Gulch, just beyond the divide of the Rocky Mountains. The former mines extend along the river for about six miles, and the richest claims pay from \$100 to \$200 per day. Two men on Last Chance Gulch bought a claim, recently for which they paid \$11,000, and they took the amount out of the claim in six days.

About 500 men—including those who went from the Cour d'Alene—have gone from this side into that country this season.

NANAIMO ITEMS.—We have the Nanaimo Gazette of Monday, July 31, from which we condense the following: Mr. DeCosmos arrived at Nanaimo on Friday last; a public dinner was to be given in his honor last night. The Marsh troupe gave two entertainments last week, which were well attended. Flour is sold in Nanaimo by Mr. Mayer for \$8 per barrel. An inquest was held on Monday last on the body of Alexander Porter, Verdici—"Accidental drowning." A set of new coal scales, made by Spratt & Kriemler, of this city, and capable of weighing eight tons, had arrived. A new store has been opened by Messrs. Platt & Johns. Mr. Marsh has presented a number of books to the public library. The bark Austerlind sailed on Saturday, with 600 tons coal and twenty passengers.

ANOTHER FIGHT FOR THE CHAMPIONSHIP. Jem Mae has challenged the present champion, Joe Wormald, and they are to fight for £200 and the belt. Mae expects an easy victory. It will be his last appearance in the roped arena. To which ever side victory may incline, he will retire from the profession, to become a Vice-President of the Benevolent Pugilist Association, and hold levees and parting reunions in the gallery of his "hostelry."

TRIAL OF CONSTANCE KENT.—Mr. Karslake, Q. C., and Mr. H. Lopes, both of the western circuit, have been retained by the Crown to conduct the prosecution of Constance Kent at the approaching Wills assize. Mr. Edlin has been retained for the defence.

PRESENT TO COLONIAL CHILDREN.—The Duchess of Argyll's little girls have sent a box of clothing to the colored children in America, worth about \$20, which they made themselves.

HIGH RENTS.—The rents of the London theatres are enormous. That of the Haymarket is nearly £4000; of Drury-lane, £2800; the Princess's is sublet at £4000; the Adelphi is £2500; and the Lyceum, £4060.

BRITISH COLUMBIA.

The steamer Enterprise arrived from New Westminster yesterday afternoon with about 25 passengers and a Cariboo express.

LATER FROM CARIBOO.

From Mr. Wm. C. Dinwiddie, who left Cameron, Williams Creek, a week ago Monday last, we have the latest news from the mines. Times on the creek continue dull; between 200 and 300 men are out of work and can get nothing to do.

No new strikes of any consequence had been made except the Reed claim, in Cooklin's Gulch, above the Ericson, where they reported having struck \$8 to the pan.

The Sawmill claim, in which our informant was a shareholder, is doing well; the company is sinking a shaft on the line between the disputed ground and the old ground. The day before our informant left, they took out of the old shaft as high as 14 ounces to the pan. Previous to that time they had taken out 38 1/2 ounces to the pan. For three shifts of thirty hours, with one pick at work, they have taken out 327 ounces.

The Ericson claim have stop work in their upper shaft for the present, but are still taking out as big pay as usual from their lower shaft. Our informant believes that great news may be expected from the Reed claim by next express. Mr. Dinwiddie has sold out all his interest in Cariboo, having been nearly four years at the mines, and having made his "pile," goes home to Canada by the first steamer.

CENTRAL PUBLIC SCHOOL.

TO THE EDITOR OF THE BRITISH COLONIST.—Sir,—In your issue of yesterday I noticed a report of the proceedings at the opening of the Public School, and read with interest the many good things said by the Governor, the Bishop, the Rev. Mr. Somerville, Dr. Evans and Captain Lang. I suppose that they all spoke sincerely and are all true friends of the system so happily inaugurated, and will do all they can to make our public schools the schools of the place, but I was strangely surprised to observe that they made little or no reference to the history of the exertions which have resulted so well, and that the names of those who have pioneered the movement were passed over in silence. I think the three cheers to the Governor were well earned—I would not have grudged, either, three to the Bishop himself, but I certainly think that other three might have been given in honor of Dr. Powell, who introduced the Education bill, and the others who aided him in carrying it through. And I hope you will insert this to show that although forgotten by the orators of yesterday they are not forgotten by a grateful public.

SERIOUS CHARGE.—D. B. Chisholm, Deputy Sheriff of Cariboo, was brought up on trial last week before Judge Begbie, having been charged by John Perrin, a well known miner, with offering, for a bribe, to pack a jury for him in the case of Henness v. Perrin. Chisholm totally denied the charge, and said he had showed the jury list to both plaintiff and defendant in order that there should be no objection to any of the jurors. He said it had always been the practice of the court to endeavor to have juries not connected in any way with the cases, and he had been more particular in this case as the litigants were two of the oldest and best known miners on the creek. The jury after a short deliberation, returned a verdict of "not guilty," in which Judge Begbie concurred, at the same time censuring Mr. Chisholm for indiscretion in holding a private conference with a party in a suit about to come off.

JIMMY JONES AGAIN.—The redoubtable "Jimmy" was at length, after a series of adventures, turned up in San Francisco, where, however, he no sooner showed his nose than he was arrested by the detectives, on the strength of an advertisement in the Puget Sound papers, offering a reward for him. Jimmy, it appears, sold the "Jenny Jones" to a Spanish firm in Mazatlan for \$12,000, and boldly came up to San Francisco. The telegram says he takes it very philosophically; doubtless his old experience in the "Hotel de Pemberton" stands him in good service in the present juncture.

NEW GOLD DIGGINGS.—Mr. Thomas Smith, from Sheriff Naylor's farm, Sooke, informs us that he and two others recently found excellent prospects in a creek a short distance below Jordan river. He is confident that good diggings exist there, and believes from the prospects obtained and the appearance of the country, that they will prove better than Leach river. The creek is about 35 miles by land below Sooke river.

CONVICT AT LARGE.—A convict named John Scott, escaped from the Oregon State Penitentiary on the 21st ult., and as he is thought to have come north, the Oregonian requests the papers to mention the fact. A reward is offered for his apprehension, but the amount is not stated, nor is any description given of the convict.

DR. COLONSO.—Mr. Cardwell, it seems, thought it right, while inviting the other colonial bishops now in England to his State dinner, on the Queen's birthday, to invite Dr. Colonso also. Moreover, by virtue of his seniority, Dr. Colonso will grace on the occasion. The Record is daily horrified.

CANADIANS FOR MEXICO.—In order to counteract the Juárez emigration scheme, Maximilian is opening recruiting offices in Canada, for colonists. He offers valuable cotton, mineral and sugar lands to those who will settle in his dominions.—Oregonian.

NEW SETTLEMENT.—The Toronto Globe says a large number of officers and soldiers retiring from the American army, are about to establish a new settlement at the headwaters of the Yellowstone river, not far from the northwestern boundary.

Advertisement for Dr. Williams' Pink Pills for Pale People, detailing its benefits for various ailments such as indigestion, weakness, and general debility. The text is dense and repetitive, emphasizing the product's effectiveness.

Advertisement for Dr. Williams' Pink Pills, continuing the promotional text from the previous block, highlighting the health benefits and the scientific basis of the medicine.

Advertisement for Dr. Williams' Pink Pills, further detailing the product's uses and the testimonials of satisfied customers.

Advertisement for Dr. Williams' Pink Pills, providing more information about the manufacturer and the availability of the product.

Advertisement for Dr. Williams' Pink Pills, concluding the promotional text with a strong call to action for potential buyers.

Advertisement for Dr. Williams' Pink Pills, featuring a testimonial from a satisfied customer and a final endorsement of the product.