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# THE WEEKLY BRITISH COLONIST

VOL 12. VICTORIA. VANCOUVER ISLAND WEDNESDAY, MARCH 29. 1871 NO 16.

THE BRITISH COLONIST
PUBLISHED DAILY BY
DAVID W. HIGGINS

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## Naturalization Treaty.

Most of our readers will know that during last year a naturalization treaty was negotiated between the Earl of Clarendon and Mr Motley, on behalf of the two nations they represented. Inasmuch as that treaty has just been confirmed by the Senate of the United States, an epitome of its provisions may not prove altogether uninteresting. Heretofore the doctrine "Once a British subject, always a British subject" has governed the action of Great Britain in international affairs. The inconvenience of this doctrine made itself especially felt during the Fenian movement in Ireland, when Irishmen who had become naturalized citizens of the United States during their residence therein, were held to be and dealt with as British subjects on their return to their native land, and it was this circumstance chiefly that pointed out the necessity for an abandonment of the doctrine. British subjects, according to this treaty, who have become or shall become and are naturalized according to law within the United States of America as citizens thereof, shall be held by Great Britain to be in all respects and for all purposes citizens of the United States and shall be treated as such by Great Britain. Reciprocally, *vice versa*, citizens of the United States in the British dominions, shall, under similar conditions, be recognized and treated in like manner. *Provided*, however, that such British subjects as aforesaid, who have become and are naturalized as citizens within the United States shall be at liberty to renounce their naturalization and to resume their British nationality, if such renunciation be publicly declared within two years after the 12th of May 1870; and provided such citizens of the United States as aforesaid who have become naturalized within the dominions of Her Britannic Majesty as British subjects, shall be at liberty in like manner to renounce their naturalization and resume their nationality as citizens of the United States, provided that such renunciation be publicly declared within two years after the exchange of the ratification of the treaty. The manner in which such renunciation may be made and publicly declared is to be agreed upon by the governments of the respective countries. It is also provided that if any British subject as aforesaid, naturalized in the United States, should renew his residence within the dominions of Her Britannic Majesty, Her Majesty's Government may, on his own application and on such conditions as that Government may think fit to impose, re-admit him to the privileges of a British subject, and the United States shall not, in that case, claim him as a citizen on account of his former naturalization; and, in like manner the United States government may re-admit to citizenship those who have become naturalized subjects of Her Britannic Majesty, and Great Britain shall not, in that case, claim such as British subjects on account of their former naturalization. It is further provided that the treaty must be ratified by Her Britannic Majesty, and by the President of the United States by and with the advice and consent of the Senate thereof, and the ratifications exchanged at London as soon as may be within twelve months from the date of the same. The Queen ratified the treaty last year. It has now been ratified the by other party thereto, and these ratifications will doubtless be exchanged at London without unnecessary delay.

THE ENTERPRISE FOR SKEENA.—Mr Grahame proposes, should sufficient inducements be offered, to send the steamer Enterprise to Skeenamouth. She will make the run in about 60 hours.

## The Protest and the Answer.

In another place will be found a copy of the protest in which five members of the Legislative Council joined against the Civil List Bill, together with the Governor's reply thereto. It is to be presumed that those who signed the protest did so more for the purpose of *appearing* consistent than with any idea of practical results. One cannot but think, however, that at least two of those who signed that document must have felt that they were placed in an awkward predicament by the strange confession made by one of the protests, viz. that he did not regard the Civil List as at all excessive, nor could he find much fault with the bill; but that he opposed it in order that he might not be misrepresented outside—for claptrap, in fact. So far as a majority of the protestants are concerned, it is difficult to believe that their conduct is the result of genuine conviction—a sense of duty. They have been assured over and over again by the highest legal authority in the land that the bill cannot retain a single incumbent in office one day longer than the Legislature wills it, any more than it can perpetuate the office itself. They are now told the same thing by the Governor himself; and yet they will continue to reiterate the groundless assertion that the bill saddles the colony with the present officials during their natural lives. One experiences no difficulty in understanding why mere dealers in claptrap should continue to pursue this phantasmagorial measure with so much avidity; but it is not quite so easy to account for honest and conscientious politicians being found following in their wake. If it be true that the current of public opinion runs so impetuously against the measure from a misapprehension of its real nature and effects, surely it is the work of the true patriot to endeavor to undeceive public opinion, rather than seek to ride into place and power upon his angry breakers. As we have said all along, we deprecate the measure; but at the same time we cannot admit the utility of continuing an agitation which can accomplish no practical good, and which has a great deal too much selfishness at the bottom of it.

Tuesday, March 28

THE CATHEDRAL.—A meeting of the Cathedral Building Committee was held at the residence of the Dean yesterday afternoon. Plans prepared in England by Mr Ferry, F S A, and sent out by the Bishop, were placed before the meeting, and communications from his Lordship were read strongly urging an effort to build the new church in stone. Mr Ferry's designs, although extremely beautiful, are considered to involve too great an expenditure, and other circumstances in connection with the matter led the committee to agree unanimously to delay action until the designs advertised for locally have been opened, and replies to several important enquiries which have been made in regard to matters in reference to the work, received. The general feeling of the meeting was, however, that active steps for the erection of the building should be taken as early as possible.

SERIOUS ACCIDENT.—An accident of a somewhat serious nature occurred at the Seattle coal mine on Thursday last. Mr Edward Gough was at work in one of the drifts getting out coal, when a large section, weighing several hundred pounds, became detached from the wall of the drift and caught one of his legs, causing a compound fracture below the knee. Owing to the length of time that necessarily elapsed before medical aid could be had, the injured limb had become too much swollen to admit of the fracture being properly reduced. Mr Gough was brought over to this city on the Olympia yesterday and placed in the Royal Hospital, where he will be quite certain of the very best treatment. He is one of the oldest and most respected residents of Nanaimo, where the news of the sad accident will cause universal regret. Mr Gough speaks in terms of the warmest praise of the great kindness he experienced at the hands of Capt Finch.

PUGET SOUND ITEMS.—Rev Father Chirouse has been appointed sub-agent at the Tulalip Reservation.....The newly-built propeller Ella White, belonging to J R Williamson & Co of the Freeport mills, visited Seattle on Thursday. She is described as a finely-modelled and substantial little craft. She will be employed in the service of the company as a tug boat....Charles Annis of Seattle was shot on Thursday by Frank McCann, a saloon keeper at Steilacoom. It was thought Annis would recover....The Puget Sound fishing returns for 1870 are given as follows: The schooner Alaska, of 138 tons burden, 240,000 pounds codfish, valued at 6cts per pound, $14,000. Schr Shooting Star, 72 tons, 63,000 pounds codfish, valued at 6½cts per pound, $4095. Total, $18 496.

CANADIAN PACIFIC RAILWAY.—We clip the following from an Ottawa paper of the 9th ult: "A Toronto contemporary announces that the directorate of the Dominion Pacific Railroad will comprise some of the wealthiest and most influential men in the country. Mr Hugh Allan of Montreal will be the President, and Mr McInnes of Hamilton the Vice-President. The Attorney-General of British Columbia will act as agent of the directorate in that Colony. Mr Angus Morrison, on introducing the Bill for the incorporation of the company, will be in a position, it is expected, to lay before the House a financial scheme that will secure the confidence of the Government and the Legislature.

THE Q. C. C. M. CO. TROUBLES.—The Supreme Court will hear counsel in the case of the Queen Charlotte Coal Mining Company on Friday next.

DEATH OF GOVERNOR BLACKALL.—Late exchanges announce the death of Col. S. Wensley Blackall, Governor of the Colony of Queensland. Col. Blackall was the eldest son of Major Blackall, of the East India Service, and for several years sat in the British House of Commons for the county of Longford, Ireland. He was Lieut.-Governor of Dominica, Governor of Sierra Leone, Governor Gaol of the West Africa settlements, and was appointed Governor of Queensland in November, 1867. He died at Brisbane on the 2nd January last.

POSTAL CARDS.—The Postmaster General of Canada is about to introduce the one cent postal card system now in use in England into the Dominion. This will enable persons residing at the extremes of the Dominion—say at Halifax and at Victoria—to correspond with each other at an outlay of one cent each way. The correspondence is written upon a card prepared for that purpose, and it is transmitted without any envelope.

BURGLARIES.—On Saturday night another attempt was made to rob Child's grocery store, but failed.....On Sunday night Union Market at the corner of Douglas and Fort streets was entered; the desk opened and the cash-box forced. There was no money in the box and the burglars contented themselves with strewing a number of papers about the floor.

FIFTY PER CENT OFF.—The *Standard* charges that in correctly reporting the so called Sale of Real Estate by Davies' on Friday, we were trying to blank-mail that individual—that is, that we want to drive or force him to advertise in THE COLONIST. To this charge we reply that Davies' advertisements have been offered us *twice* within the past three months *on the same terms that the Standard inserts them*, and that they have been twice refused.

THE U S S Lincoln arrived at Port Townsend yesterday from Nesh Bay. She tried to ride out the gale on Sunday night in that Bay, but rolled so that the water came in at the port-holes when she up anchor and scud before the wind.

STRANGE CASE.—The Cork Courts have recently been occupied with a suit for breach of promise of a rather novel character. The pursuer is Amelia Lloyd, daughter of Major Lloyd, and the defender Lieutenant Bruce, commanding H.M.S. Jackal. The pursuer is in her thirteenth year and the defender in his thirty-second.

HONOR TO A CANADIAN. — Agustus Lever, well-known in Canada as the designer of the Ottawa Parliamentary buildings, and in New York as the designer of the new capitol at Albany, has received the premium of $5000 in gold for the best plan for a new city hall in San Francisco.

## Legislative Council.

FRIDAY, March 24.

Council met at 1:30 p.m. Present—The hon Speaker, hon Attorney-General, hon Dr Helmcken, Mr Humphreys, Mr Pemberton, Mr Nathan, hon Collector of Customs, Mr Bunster, Mr DeCosmos, Mr Skinner, Mr O'Reilly, Mr Alston, Mr Nelson.

Minutes of preceding meeting read and confirmed.

MESSAGE.

A message was read from His Excellency the Governor assenting to a Bill to grant charters for the collection of tolls.

LOAN INVESTMENT BILL.

The House went into Committee of the Whole on a Bill to amend the Investment and Loan Societies Ordinance 1869, Hon Mr Hamley in the chair.

Clauses 1, 2, 3, 4 and 5 passed with slight amendment. Section 6 struck out. Section 7 struck out and section 25 of the old ordinance substituted. Clauses 8 and 9 struck out. Clauses 10 and 11 amended. Clauses 12 and 13 struck out. Clauses 14, 15 and 16 passed unaltered. Clause 17 struck out. Clause 18 passed unaltered. Clause 19 amended by substituting 1869 for 1871.

NEW CLAUSE.

Section 37 of the old bill amended and substituted.

Committee rose and reported the Bill complete with amendments.

The report was adopted, and on motion the Bill was read a third time and passed.

CATTLE EXEMPTION BILL.

Council went into Committee of the Whole on an Act to exempt (in certain cases) stock farmed on shares, and their increase from the operation of the Bankruptcy or Insolvency Laws, Mr Skinner in the chair.

On motion of the hon Attorney General, the word cattle was substituted for stock.

Clause 1 with a few amendments was passed. Clause 2 was passed unaltered. Clauses 3 and 4 passed with amendments.

Two new clauses were added on motion of the hon Attorney General.

Clauses 7, 8, 9 and 10 were passed unaltered.

A new clause was here added as clause 11. Clause 12 passed with amendments.

Forms A, B and C, in the Schedule were amended and passed.

The Committee here rose and reported the Bill complete with amendments, and on motion the Bill was read a third time and passed.

BILLS ASSENTED TO.

A message from His Excellency the Governor was read informing the Council of his assent to "An Act to repeal certain Acts." Also "An Act to prevent Bribery and Treating at Elections."

LIQUOR LICENSE

Mr DeCosmos moved that the rules of order be suspended in order to ask leave to bring in a bill to amend the license law. The hon mover said the present law acted unfairly in the case of Esquimalt; that place being considered by the present law a town, the dealers were obliged to pay $200, when they should not, according to their population, pay over $30. The Bill which he sought to bring in would fix the population for a town for the purpose of the license at 50 adult male persons.

Messrs Humphreys, Bunster and Nathan supported the measure.

Hon Attorney General said the proposition came too late in the session. The government were not in possession of facts sufficient to pass such a bill.

Hon Collector of Customs said a bill of this character should have been brought in before the Estimates were passed.

Mr Pemberton said it was true that the present law dealt unfairly with the dealers at Esquimalt, and if there was sufficient time he would support a bill to amend it. The dealers however, for the present year, had paid six months license, and he thought it not of sufficient importance to bring in this Bill at the present time.

The motion to suspend the rules of order was lost.

MERCHANT SEAMEN DESERTION BILL

The Council went into Committee on the Bill Mr Alston in the chair.

Hon Attorney General explained the nature of the Bill, it differed simply from the old Bill in the 33 clause, which made it incumbent on the man charged to prove that he had no means of knowing the person in respect of whom the offence is charged was a seamen or apprentic.

Clauses 1, 2, passed without debate.

Clause 3, Mr Bunster objected to this clause; he thought it unfair for the accused to be obliged to prove that he did not know that the offender was a seamen. A saloon-keeper would not be safe in treating a sailor.

Mr Nelson thought the clause a very proper one.

The clause passed with an amendment making the penalty $150, instead of fifty pounds.

Clauses 4, 5, 6, passed without debate.

The Committee rose and reported the Bill completed.

Passed and adopted, and on motion read a third time and passed.

CONTROVERTED ELECTIONS BILL.

The Council went into Committee on this Bill, which was passed with a few alterations by the Attorney General.

The committee rose and reported the Bill complete, with amendments.

The report adopted, and on motion the Bill was read a third time and passed.

INCORPORATION BILL.

Mr Nathan said he had introduced this Bill by request of the Mayor and Municipal Council of Victoria. That since its introduction there had been a dissension in that Council in regard to it, and he would ask leave to withdraw the Bill.

Leave granted.

TELEGRAPH PAPERS.

The Speaker said he would lay the papers asked for in regard to the management of the telegraph line before the Council to-morrow.

VOTE BY BALLOT.

Mr DeCosmos said he did not wish to bring up his resolution regarding the motion, as next year would probably answer.

PEOROGATION.

The Speaker informed the House that the Council would be prorogued to-morrow at 2:30 o'clock p.m.

Council adjourned till 2:30 o'clock Tuesday.

## The Protest Against the Civil List Bill.

To His Excellency ANTHONY MUSGRAVE, Esq. Governor of the Colony of British Columbia.

*May it please Your Excellency*,

The undersigned elective members of the Legislative Council, representing a majority of the popular members of the said Council, respectfully request that your Excellency will not give your assent to a bill intituled 'An Act to provide for a permanent Civil List.'

1st—Because we believe that the said bill should not comprehend any office other than those of the Colonial Secretary, Chief Commissioner and Attorney General.

2d—Because it is eminently calculated to cause serious discontent in the public mind at a time when it behoves all public men to conciliate public opinion and remove all just causes of discontent.

(Signed) A DECOSMOS,
ROBT J SKINNER,
T B HUMPHREYS,
A BUNSTER,
HUGH NELSON.

COLONIAL SECRETARY'S OFFICE,
March 27th, 1871.

SIR—The Governor has had under consideration a memorial signed by yourself and four other members of the Legislative Council in which His Excellency is requested to withhold his assent to the Civil List Bill on two grounds:

1st—That the Bill should not, in your opinion, comprehend more than certain functionaries whose offices are named.

2d—And that you regard it as calculated to cause serious discontent in the public mind.

I am directed by the Governor to state, in reply, that he finds himself unable to agree with you on either of these two causes of objection. He regards it as highly desirable, for many reasons, that the operation of such a measure should not be limited to the appointments of Colonial Secretary, Attorney General and Commissioner of Lands and Works, and he believes that when the principle and effect of the measure are better understood the public sense of the necessity, both for justice and prudence in the administration of affairs, will cause the propriety of the measure to be admitted. The Bill seeks only to do that which is by no means unusual in other communities and which would have been done here long ago if this colony were not yet in its infancy and inexperienced as regards the working of constitutional and organized Government.

It is by no means necessary, or in fact generally the practice, to leave the fixed salaries of established public departments to be dealt with by yearly votes, although it is the duty of the Legislature annually to provide the funds necessary to defray the charges of Government. The proceedings of the Imperial Parliament are in accordance with this view and many colonial instances can be afforded, but a sufficient precedent is furnished in some of the provisions of the Canadian Civil Service Acts of 1859 and 1868, of which the gentlemen who signed this memorial appear to be ignorant.

The peculiar, and in some respects the crude, form of Government which has prevailed almost unavoidably in a young country up to this time has left all provision for the public service to be dealt with from year to year at the will of the administration in a Crown Colony. Such a loose arrangement is no longer proper. The country is entering upon political changes of which the immediate effect upon the conduct of public affairs is uncertain; and it is both just to existing public servants and prudent as regards the public interests to protect present incumbents and the organization of official departments from the effects of unconsidered and indiscreet change which might arise from the temporary inadvertence of one political party or another. The Bill does nothing that has not been done repeatedly in other countries possessing Representative Institutions and Responsible Government. It does not protect any official servant from dismissal for misconduct, nor prevent reconsideration of departmental arrangements. It only ensures that nothing shall be done harshly, unadvisedly and without Legislative sanction, and the Governor sees no reason for declining his assent.

I have,
[Signed] P. J. HANKIN,
Colonial Sect'y.

A DeCosmos, Esq, M.L.C.

[Advertisement.]

## Black Diamonds v. Black Hearts.

EDITOR BRITISH COLONIST.—I am desirous of exposing the utter 'bosh' over the signature of 'Black Diamond,' who writes upon the subject of the Nanaimo coal strike; also, of assuring the readers of that senseless letter that the writer is not only meddling with a subject of which he knows little or nothing, but his want of knowledge, or, I should say, proper information, in the matter is palpable. 'Black Diamond' undertakes to expose and falsify the letter of 'Justice,' published one day last week; now, as an outsider, I am not in a position to prove the correctness of the latter in question as to figures, yet the clear and intelligible manner in which 'Justice' shows the facts of his case, is a sufficient guarantee to my mind that he has gone to some trouble in obtaining the information he sets forth, and that conclusive evidence is brought to bear on the subject to satisfy the most fastidious that 'Black Diamond's' account is false from beginning to end, while 'Justice' deals out the sober and honest truth. Any one with half an eye can perceive that 'Black Diamond' is not a resident of Nanaimo, nor are the parties who postad him conversant with the subject. Of course it would be impossible for any one to take an oath that the *ra-tening* at the commencement of the strike was recognised by the miners, but that low, base and murderous means were resorted to by some person or persons unknown to prevent men from earning their living, is certain. I should indeed be sorry to say that all the Nanaimo miners were implicated in those outrages, nor is it reasonable to suppose that the 'drunken loafer' as 'Black Diamond' calls the culprit, was guilty of all the dastardly acts perpetrated at that time. Why 'Black Diamond' should pitch into the Coal Company on account of the letter of 'Justice,' I cannot imagine. What the case of Perkins has to do with the strike I am at a loss to comprehend. I dare say if it were necessary to inquire into the case of him who unfortunately lost his sight in the mine, that 'Black Diamond's' assertion about the $30 would be found to be as false as the rest of his letter, or I have been misinformed.

With regard to the allowance of coal to miners being refuse, I need only state that in nearly all cases it was as good as that shipped; the exception to the first quality was an occasional box of soft coal, and although it would not bear rough handling in loading and shipping, yet many think it burns as well for stove purposes as the harder kind. I who have to pay for the same quality have nothing to grumble at. However, it cooked their food, warmed their bodies, dried their clothes and above all *cost nothing*—so much for the 'refuse coal' crammer. 'Black Diamond' finishes by accusing 'Justice' of looking over the mountains toward Nanaimo to inspect the Coal Company's books. Suppose he did, could he have got his information from a more reliable source? I should say not. By a shrewd guess at 'Black Diamond's' reply one can see the *Standard* of ignorance and falsehood in the matter most gorgeously displayed.

'Black Diamond' is a well-chosen *nom de plume* for the subject in hand, but I do not think the right man has taken it—nor is it worth while to parley with one who advertises *quality* and sells *dross*.

Yours, FAIR PLAY.

VICTORIA FRENCH RELIEF FUND.—Wells, Fargo & Co, of this city, are the bankers of this fund, and Mr Garesche has generously offered to remit all monies belonging to the Fund to France free of charge.

PROROGATION DINNER. — Invitations to dine at Government House this evening have been issued to members of the Executive Council.