

The Weekly British Colonist AND CHRONICLE.

Tuesday, April 16, 1867.

The Capital Question as regards "Public Faith" and "Honor."

A few days ago we quoted from the Prorogation Speech of His Excellency for the purpose of demonstrating the fallacy of the views advanced by some of the honorable members who took part in the debate upon the capital question. To-day we propose to discuss the merits of that question with reference to "Public Faith" and "Honor," as alluded to by the Governor, and for the purpose of rendering the matter clear, reproduce the previously quoted paragraph, as follows:

"If in spite of your resolution in favor of Victoria, I still hesitate on removing my abode and the seat of the Legislature from the spot established by law, you will understand that I consider the public faith and honor arrayed on the one side against possible expediency on the other."

We here find the matter treated completely as one of "public faith" and "honor," and this point was vehemently pressed in debate by several members hostile to the resolution which was carried; indeed, if we mistake not, it was their main argument. The objection, it will be seen, perhaps conveys—though we are satisfied that it was not here so intended—an oblique reflection upon the majority of the Council, and, we must add, upon the vast majority of the inhabitants of the United Colony, as preferring "expediency" to "public faith and honor," or at least as not being sufficiently alive to the claims of the latter. The matter, in one important point of view, being now almost set at rest, we trust we shall find but little difficulty in proving that "public faith" and "honor" are not involved in the inquiry, and that the seat of Government may safely be removed to Victoria without their sacrifice on the shrine of "expediency."

If we peruse the Proclamation of the 14th of February, 1859, which is referred to as a pledge of the Legislature as to the locality of the capital, we find that it deals with three matters—namely, Crown Lands, Gold Claims, and the Capital of British Columbia. We find, moreover, that the main object of the last part appears to be to state that New Westminster is to be the capital instead of Langley, and it indemnifies lot-holders at the latter place by giving them town lots as compensation in the former. But we seek in vain, and no wonder, for anything approaching to a promise that in the event of Union with Vancouver Island, New Westminster was to be the capital of the United Colony. The words made use of are: "It is intended with all despatch to lay out and settle the site of a city to be the capital of British Columbia," and the friends of New Westminster are bound to make out that this constituted a promise by Sir James Douglas, and that he intended to convey such promise (for this also is essential) that New Westminster should in all events be the seat of Government. The bare idea that Sir James intended that whenever Union should take place Victoria should be supplanted by New Westminster, and that he should have issued the Proclamation with that object in view, is enough to cause a smile with any one who knows the Colony. The rapid and steady rise of Victoria under his administration, the high prices of her town lots, and the numerous substantial stores built during that prosperous period, form the best proof as to which city was looked upon as the future capital of the United Colony. Supposing, moreover, the two Colonies had been united under the title of the Colony of British Columbia and Vancouver Island—and probably the sole reason for not adopting this name was its length—there could not have been any room for the argument. What difference can it make that the expression "British Columbia" was selected? We cannot suppose that the shorter title was preferred with a view to afford an argument in favor of Westminster. Such a manoeuvre would be entirely beneath the dignity of the Imperial Parliament, and we should be sorry to think that even interested parties

would resort to it, and thereby attempt to impose upon the Legislature; still less can it be supposed that we, as a Colony, can be sacrificed and tied down by an artifice. They who assert that "public faith and honor" are at stake are called upon to make out that some promise was made that in any event New Westminster should be the Capital, even if British Columbia was united to other Colonies or States. In short, that if annexed to her neighbors on her southern frontier, or, what we should greatly prefer to see, taken into the British North American Confederacy, the pretensions of the City of Stumps should continue unaffected, and that she should still claim to be the Capital in preference even to San Francisco in the one case, and Montreal, Ottawa or Quebec in the other. Of course, such a proposition is simply ridiculous; but we submit that it is no more than a legitimate conclusion necessarily to be drawn from the doctrine that "public faith" and "honor" require that New Westminster should be the Capital after Union; this latter proposition, leading as it does to an absurd result, must therefore be abandoned as a fallacy. But the matter may be put upon another, and, we believe, a wider ground. We deny that the selection of a particular place as a Capital necessarily imports that there is never to be a change, when substantial reasons exist for a removal. The history of English legislation, from an early period, shows a constant effort to make laws continually conform to the ever varying necessities of mankind. Such must be the case in every prosperous and enlightened community. We know, for instance, that though it is a trite maxim, that "every man's house is his castle," yet every railway or other important public work that is undertaken, shows that in numerous instances the Legislature have disregarded it. Complaints used to be made as loud and louder than those of our New Westminster friends about what "public faith" and "honor" required, but the Legislature allowed the public works to proceed notwithstanding. It is admitted that new laws must constantly be made to meet new circumstances; but whilst everything else is mutable, is the question of the Capital to be determined by a rule as inflexible as the principle which pervaded the laws of the Medes and Persians? Suppose at some future day a railway is made from Bute Inlet to the Rocky Mountains, and communicates with the Eastern Provinces, and that a large town is formed at the head of the Inlet, whilst those along the Fraser River become deserted, must New Westminster still be the Capital, notwithstanding the most intolerable inconvenience? In truth, the Legislature never does or can attempt to bind subsequent Legislatures on this point. Such interference would be contrary to well established principles, and must not be thought of in a Colony. A site for a Capital may often be selected during the infancy of a new State, which time and circumstances will prove to have been inexpedient; and in this, as in other instances, as soon as we find we have made a mistake we should promptly correct it. Canada, California and New Zealand all furnish parallel cases, and we need not look in vain for them in the old world. Victoria, moreover, has lost her free port—a, perhaps, necessary sacrifice to the exigencies of Union, but which tells heavily on those who have invested in her town lots and stores on the faith of the continuance of a free trade policy; and New Westminster cannot expect that during a serious organic change she will not be called upon to surrender something, if required, to the great principle of modern Legislation—the benefit of the community at large. The time will perhaps come when population, as we trust, flowing in from the East, Victoria will in turn have to yield to some town in the interior of the mainland, and find that what she took from New Westminster "is given to another."

Error of the Egmont's crew having refused to do duty, they were yesterday sentenced by the magistrate to undergo terms of imprisonment varying from six to twelve weeks, and three of the number were each ordered to lose ten dollars of their pay. The investigation showed that the men had no real grounds for complaint, and that they were really too well treated by Captain Inglis.

LOCAL INTELLIGENCE.

Tuesday, April 9th

Municipal Council.

The Council met last evening, the Mayor and Councillors Gowen, Gibbs, Hebbard and Trahey were present.

COMMUNICATIONS.

From N. M. Hicks, requesting payment of \$8.50 as due Kavanagh & Co. Laid over.

From A. DeCosmos, requesting payment of an account due late firm of Harris & Co. Laid over.

A second claim of A. DeCosmos was referred to the Finance Committee.

The Clerk stated that several verbal complaints had been made in regard to defective sidewalks.

FINANCE COMMITTEE REPORT.

The committee to whom was referred, at last meeting, several claims for examination, reported that their liabilities of the past three years were greater than anticipated. The committee recommended payment of 25 per cent on all bills over \$5; payment in full of smaller amounts; balance of claims to be paid quarterly, if funds are in hand; parties indebted to the Council and having taxes to pay the Council, the same to be taken as set off; that the respective amounts due the clerk and messenger up to Nov. 7, 1865, be paid in full.

The Mayor suggested that some street improvements be commenced.

Councillor Gowen believed that before the end of the municipal year improvements to culverts and street crossings would most likely be effected. The Council would then, he thought, be in a better position than for some time past.

On motion of Mr. Gibbs, who agreed with the equity of the recommendation of the committee, the report was unanimously adopted.

MR. TITUS' CLAIM—THE VIEW STREET DRAIN MATTER AGAIN.

The committee on this case recommended that it be referred to a Committee of the Whole, and that Mr. Titus be requested to attend. The matter has already engaged the attention of a Select Committee. Agreed to, and Wednesday evening was fixed.

A. Bunsler asked permission to raise the sidewalk near his premises, in order to effect an improvement to his brewery. Referred to committee on sidewalks.

A special claim, due to the late evening papers, respectively, were ordered paid.

Councillor Gowen detailed particulars of defective sidewalks in various parts of the city.

The clerk was instructed to prepare for signature the respective checks for claims as per recommendation of the Finance Committee.

Council adjourned till Wednesday evening.

Summary Court.

Official Assignees of Henry Fry v. Luxon—To recover \$240, excess of seizure. Adjudged till Wednesday.

Bunker v. Davies—Judgment for \$10.12. Nagle v. Meldrum—To recover \$88, share of scow and interest. Judgment for \$45.66.

Bayley v. Mason—Judgment for \$52.27. Ross v. Mason—To recover for property left in defendant's possession. Judgment for \$30.

Mary Rothwell v. Rabson—Rent. Judgment for \$20.

Smith v. Bradley—Promissory note for \$35.25. Judgment for plaintiff.

Assignees of Bayley v. Booth—Judgment for \$69.

Nicholson v. Byrom—Judgment for \$67.

Marvin v. Booth—Judgment for \$25.

Davis v. Davies—To recover \$145, balance alleged to be due for wages, defendants paid into Court \$59. Judgment for defendants—each party to pay their own costs.

COWICHAN DISTRICT.—Ploughing has commenced in earnest in Cowichan, the season being fully a month earlier than it has been in other years. Owing to the grist mill that was erected last fall, quite an amount of wheat will be raised this summer—a gratifying fact, as hitherto no wheat, except for chicken feed, has been raised in the settlement. A large amount of pork has been killed and cured during the last winter; one farmer killed alone 7000 or 8000 lbs., all of which will be sent to market shortly. Farmers generally are displaying a little more spirit than formerly. They fancy times are about to be a little better for them. A school for Indians in connection with the Church of England, is to be established, and a school-house will be erected near the parsonage at once; it is hoped by the Bishop that in the course of twenty years some good results may be apparent. Two out of the four whiskey shops that formerly did such a flourishing business in the settlement have closed—a fact not to be regretted when taken in the abstract—but it is yet a disputed point whether the decreased consumption of alcohol is attributable to the increase of piety or to the increase of poverty in the settlement. Let us hope it is not the latter.

POOR MRS COPPERMAN always has a grievance that only Mr Pemberton can redress. Her last complaint was made yesterday against a Siwash, whom she charged with stealing a pair of three dollar pants from her store. The accused pleaded that she gave him the pants in part payment of his wages, which were in arrears. Mrs Copperman swore that she saw the pants on her self on Friday, whereas a trader on Johnson street testified that he saw the Indian wearing the pants a week previous. The prisoner was discharged, Mr Pemberton advising Mrs Copperman to employ more trustworthy servants for the future.

Eleven thousand two hundred and fifty dollars were subscribed at the Southern Relief Meeting in San Francisco.

M. M. S. ZEALOUS AND REINDER.—The London Times of the 30th January says:—"Private letters received from Madeira by our Chatham correspondent announce the arrival on the 23d ult. of Her Majesty's armour-plated ship Zealous, 20, 800-horse power, Capt. R. Dawkins, bearing the flag of Rear-Admiral the Hon. G. F. Hastings, Commander-in-Chief of the Pacific Squadron. During her passage out the Zealous had encountered very severe weather, and ran short of coals, necessitating her putting into Lisbon for a supply. After receiving 200 tons at Madeira she sailed again at noon on the 27th ult., all well. The sloop-corvette Reindeer, 7, 200-horse power, Commander E. Nares, arrived at Madeira on the 1st inst., after a lengthened passage, during which she encountered a succession of very high gales. On the 14th ult. the Reindeer exchanged signals with the brig Commerce of London, standing east, in lat 49 40 and long 3 45. The Reindeer was at Madeira at the despatch of the mail, but would leave in a few days for China." [It was previously reported, that the Reindeer was destined for this station.—Eds. COLONIST.]

COMBINATION OF STEAMSHIP COMPANIES.—A despatch from San Francisco, April 5th, says:—"Rumors of the consolidation of the Portland steamship lines have been rife for several days. Parties directly interested either refuse to give information or deny that the propositions have been fully accepted. We have reason to believe, however, that the screw steamships Montana and Idaho in the Anchor Line, and the new sidewheel steamer Oregonian, owned by parties in Oregon, have been purchased by the California Steam Navigation Company, and the California, Oregon and Mexican Steamship Company, and that these two lines will hereafter control the Portland route. The rates for passage are fixed at \$35 for cabin and \$20 for steerage passengers. The rates before the proposition was put on were \$45 and \$20. Freight is now \$7 against \$10 prior to the inauguration of the opposition line. All agree that the late rates have been ruinously low."

ARRIVAL OF THE FIDELITER.—The Fideliter arrived yesterday at 10 o'clock from Portland, having made a very quick trip between the two ports. She brings a full cargo and ten passengers. We are indebted to Capt. Erskine and the steward of the steamer for files of late Oregon papers, from which we take a number of interesting delayed despatches.

BRUTAL ASSAULT.—A child of the Flowery Kingdom, while walking in the suburbs on Sunday, was attacked by four Indians, who knocked him down and kicked him in a dreadful manner about the head and body. Two young Siwash were "taken up" charged with having been concerned in the beating.

FOR KISSING HIS WIFE.—William Kelly, the individual who, disregarding the direction of the Court to keep away from his wife, called upon her and insisted upon kissing her, was yesterday sentenced to pay a fine of \$20, or in default of payment ten days imprisonment in the county jail.—S. F. Call.

THE GLARAMARA.—Dickson, Campbell & Co. have chartered the H. B. Co.'s ship Glaramara to take a cargo of coal from Nanaimo to San Francisco, and to load with grain at the last named port for England.

AMONG the passengers per Fideliter we noticed Hon. W. C. Johnson, the American gentleman who represents the United States in the Government commission to inquire into the Hudson Bay Company's claims.

THE Sir James Douglas is undergoing repairs to her feed-pumps, and will not start for the N. W. coast until to-morrow.

A Washington despatch states that when the Russian Treaty was received by the Senate it created a general ridicule.

THE schooner Rebecca, well known in these waters, has been sold by virtue of a mortgage at San Francisco for \$1000.

RAPID.—A clipper ship, named the Herald of the Morning, has made the trip from San Francisco to Liverpool in ninety days.

Michael Reese has paid the \$5000 awarded Mrs. Clarke.

The steamship Colorado left San Francisco for China on the 4th inst.

Oregon Flour sells for \$15.50 in New York city.

Mr. Franklyn's Vote on the Capital Question.

NANAIMO, 4th April, 1867. MESSRS. EDITORS:—You will not be surprised to learn that the folks here are indignant about the way Capt. Franklyn cast his vote on the capital question. The hon. gentleman certainly acted under some potent influence, else his vote would have been recorded on the other side. We only hope his vote will not be construed in such a way as to lead to the belief that he in the smallest degree represents the feelings or wishes of this community in the matter, as he most assuredly does not. There is scarcely an individual in town who, were he asked, would not say that Victoria to all intents and purposes should be the capital; consequently the seat of Government. We are at a loss to understand how Mr. Franklyn so easily lost sight of the interest of this town and that of the whole colony. Perhaps Mr. Birch held his rod over him.

Idaho.

MORE MURDERS BY INDIANS—STAGE ATTACKED—THREE MEN KILLED.

The following is from the Idaho Statesman of the 26th ult:

Yesterday about noon the stage was coming over from Silver with four passengers, named Pomeroy, Bennett, Ullman, and another whose name we did not learn, and Younger the driver. When just at the foot of the hill, very near the spot where McCoy was killed last summer, they were fired upon by a band of Indians. Younger was shot at the first volley, having his arm broken and a wound in the right side. He dropped the reins, when Pomeroy, who was on the seat beside him, took them up and drove on as fast as possible. Before going far, however, it became apparent that Younger could not remain on the seat, and they stopped the team, when Bennett and Reichenberger got out and took Younger into the stage. This halt gave the Indians time to overtake the stage again, so that they fired another volley at the stage before it started. As they started Bennett asked to drive, as he was accustomed to drive a stage team, but Pomeroy insisted that he was a good driver and drove on, making very good time, at least sufficient to gain upon the Indians. The next misfortune that happened was the breaking of the hold back strap of the rear wheel, which soon threw the off horse under the tongue. Ullman and Pomeroy loosened the leaders, when one of them got away from Pomeroy and ran down toward the ferry. Pomeroy said to Ullman, "Let me take this horse and go and catch the other one." About this moment the Indians came in sight again. Pomeroy mounted the horse that Ullman had and rode off at full speed, the latter following on foot. Bennett and Reichenberger had meanwhile getting the wheel horses untangled with a view to drive on if possible. Six or seven minutes had been consumed since they stopped, but before they could get hitched up again the Indians came within easy range and commenced firing. There being no prospect of escaping with the stage Reichenberger started off on foot, while Bennett mounted the horse that was loose, to leave, supposing that Younger was dead. But Younger seeing Bennett mount, begged him not to leave him. Bennett, then helped Younger out of the stage on the horse behind him, the Indians firing all the while. That they were not both killed seems a miracle. Bennett says he felt the wind of several balls or slugs as they passed his face, and Younger received one ball in the right leg as he was getting on the horse. Younger became so faint that he could not hold on the horse and begged to be left in the brush. Bennett kept him on, however, until he got a little out of sight of the Indians, and then left him in a small ravine a few yards from the road. The Indians did not find him after that. Bennett now took Reichenberg on the horse with him and began again to make his escape. One of the Indians had by this time come down upon them again on the right, the others following behind. Ullman had by this time secreted himself among some rocks, but seeing Bennett and Reichenberg come along, came out after them. They had no arms to make a fight, and they could not all escape on one horse. So the two rode off toward the ferry and Ullman started again for his hiding place; but it is presumed that the mounted Indian discovered him as he was found dead near the place. Bennett and Reichenberg made good their escape, arriving at the ferry some time after Pomeroy. A party of seven soon started back to rescue the men left behind, but the Indians had done their worst and fled. Ullman was found near his rocks where he had hid, shot through the heart. He had three shots in his body and a wound on his head, as if made with a rock. Younger had died on the spot where he was left, and had seven shots in his body and limbs. On going back to the stage they found it rifled, the mail bags cut open and the letters scattered about. The Frenchman, Bachee, was also found near the stage, murdered and scalped.

TEARFUL FIGHT AT A BALL.

Chandler, the expressman, arrived this afternoon with ten days later news from Rocky Bar. A bloody fight occurred there on the 16th inst., at which a notorious rough, named Harry Seymour, was killed, and another rough, named McQueen and Sheriff McClaren wounded—the latter in the leg. It appears that McQueen and Seymour raised a fuss at a dance that was taking place at a boarding house of Mr. Vroom. Mr. Derrick and Mr. McClaren tried to quiet them, but another man commenced firing at them. Another man named Settle, fired twice at McQueen, and then shot Seymour, who was about to kill Derrick. A private note from there says, "The whole community sympathizes with Settle, who is now undergoing an examination for killing Seymour."

WENT THE WHOLE HOG.—A German boarding house keeper in Cincinnati had roast pig for dinner on Sunday. The animal (a small one) was served up whole, and as it was placed on the table sent forth an appetizing and savory smell that pervaded the dining-room and made every occupant wish for a slice; but to the astonishment of every guest, a great burly, hirsute Teutonic pork-dealer from the country, sat down opposite the dish and incontinently appropriated the entire roast. The landlord happened to be absent, and good breeding prevented any of the guests from entering a protest; so Hans his lips with such evident relish, that one of the waiters with a keener sense of the fun, have anything else, Hans' beaming face replied, "Got any more of dem leetle hogs?"

Labels on the Flowers.

The increase breathing blossoms of every clime are innocently labelled by parties who attach the names of these exquisite products of nature to preparations manufactured from pungent essential oils. Murray and Lunnam's Florida Water, for thirty years the standard perfume of Spanish America, is frequently stimulated by impostors, whose preparations are not only worthless, but deleterious to health, producing a pernicious effect upon the brain and nerves, besides becoming rancid and disagreeable. Beware of such. Avoid them. Murray and Lunnam's Florida Water is the purest and most lasting of all perfumes. As purchasers are requested to see that the words "Florida Water, Murray and Lunnam" are stamped in red ink on each bottle, New York, are stamped in the glass on each bottle. Without this note is genuine. 531.

The Enterprise left over 100 passengers and the mines. She also had a few head of cattle, Trutch, Bushby, Carababbit and others left.

The two young accused of beating and on Sunday last, were Mr Pemberton, and being convicted, he was discharged.

The wreck of an old packet the Columbia River, years ago, by running aground on an Oregon firm, timbers and iron.

The eldest not above seven earned by the explosion which they fired off, at last: One of the party, feared, lose her sight.

California Steam Navigators to this port. On average passengers were of \$15, and freight was of \$6 per ton, as before.

Timid.—In case of a friend advises timid the Treasury building: ever think of looking thing else.

from San Francisco, and reports the loss sage up, of one of her

ore, Esq., U. S. Col- rene for Washington the New World yes.

Banking Sin.

Under this heading Morning News attempted to describe the folly of giving the Colonist with newhat severe though on the toadyism of the error; he, however, a cards exhibits a more and demoralising ecyony than that accorded ticism. In referring to en the Governor and b, he represents the isople of John Knox, cellency's notice, and him socially." I think elency was no more to ally much ill-feel- of the Morning News e Governor is so far om the people that he to them, or that cler- ould be debared from being of the lowest he writer's brain must in the darkness of the en the clergy did not es of society. Talent, worth have, however, roper status, and they fit associates of the former of the other classes. foremost in defence of and the British Constitu- ion most sacred clauses ion to monarchial des- d that the editor of a stamped his "moral and the public gener- of such a poor opinion eligion: If clergymen, of morality, present o his sycophant mind, look upon the poor eyes are dazzled by

Morning News su- editor of the Columbian sycophancy, I think if such in much more eated a faithful ex- vying Sin."

VOX.

Id Mines.

Idaho was received in Portland, from a 13.

pleasure to communi- ontry is still safe. gold regions. Two d intelligence from ch is very encourag- have wintered there he winter and have es out of one pros- bench diggings and down. The gold is There was a party ephed and brought them with the gold gs. In addition to ave discovered a h they have named it said to prospect Creek. Everybody is news and the dark, hovered over their shire can be seen u- shone has taken its ists have commenced start for the New El ber of boats leave the ed many Frenchmen ed letters and are away. Among the A party here has his partner at Big ome immediately, ghs have been dis- lance and French is anticipated in the as the appearance of fast disappearing, soon be deserted