

# THE WEEKLY BRITISH COLONIST.

The Weekly British Colonist.

Wednesday June 15 1870

**Tee Strong a Government may Work  
out its Own Distinction.**

A few days ago, in sending to the Land Registration Ordinance 1870, we stated that a most objectionable Ordinance had received the Governor's assent. His Excellency affects surprise that a country so new and small should desire Responsible Government. But can he imagine that a people accustomed to free institutions, habituated to think and act like freemen, will be content to live under a one-man system of Government, a system under which laws of the nature of this Ordinance are made in opposition to, in utter and wanton defiance of, their views as expressed by the Representative Members within, and those, chiefly interested without, the House? The Bill passed through its second reading without much question, simply in consequence of representations then made by the late Attorney-General; but when it was considered in Committee and it had become known that, although possibly based, as related by the Attorney-General, on the recommendation in a Report of an Imperial Commission, it was not in accordance with the policy of the Imperial Statute passed three or four years later, and that it was strongly objected to not only by the Banks and landed proprietors but by all the members of the legal profession who had given it their attention, with the exception of the two officials whose creature it was, clause after clause was opposed, and amendments were offered by the Representative members, and in almost every instance voted down by the official element in the House. After the Bill had passed through all its stages the Managers of the Banks and the real estate holders in the city addressed His Excellency the Governor upon the subject, directing attention to the numerous objections to the measure. We had hoped that His Excellency would at least have so far yielded to public opinion as to have withheld his assent to the Bill until Her Majesty's pleasure thereon had been ascertained. But no! His Excellency has unlimited power; and, we regret to say that, in this instance, he has no hesitated to exercise it, although in doing so he has deliberately trampled under foot the clearly and repeatedly expressed wishes of the people. Who demanded the measure? Not the country. Was instant legislation on the subject so imperatively demanded? Not at all. In truth, the presumed imminence of important political changes, and amongst them a change in His Excellency's legal adviser, would naturally suggest to ordinary minds the wisdom of delay. To other minds, they appear to have suggested the reverse. What interests would have sufficed by permitting the subject of Registration to remain undisturbed for another year? Not the public interests, we venture to think.

**COUNTRY COURT.**—Before Mr Pemberton and a jury—*Lyon vs. Nagle*.—This was an action brought by the plaintiff to recover the sum of \$285 alleged to be due from the defendant to him. The first item of the plaintiff's claim was for five advance posts for \$35 each, and for one other advance note for \$40—in all \$215. The second was—to procure eight seamen for the ship Alaska at \$40 each—\$160; and lastly, for the balance of an account due on the ship Vigil of \$10—total \$325. Of this sum the plaintiff gave credit for \$100, for money received, leaving a balance due of \$225, the amount claimed. The case occupied nearly the whole day, and a great deal of argument was adduced by plaintiff and defendant both as to the law and also to last. Much contradictory evidence was brought to bear, the same being adduced upon by the respective advocates. His Honour summed up by remarking to the jury that their verdict must depend solely upon the credence given by them to the evidence, and on whichever side they considered the truth to be, they must act accordingly. The jury retired and after a short absence rendered a verdict for the plaintiff to the sum of \$215 and costs. His Honour thanked the jury for the manner in which they had performed their duty and discharged them, entering up judgment in accordance with their finding. Mr Bishop, for plaintiff; Mr Alex & B Davis (Pearce & Davis) for defendant.

**THE GOVERNOR OF MANITOBA.**—Mr Archibald is a native of Nova Scotia, about 30 years of age and has a wife and family. In person he is tall, commanding, gentlemanly and particularly good-looking. In speech he is elegant and poised, rather than eloquent and oratorical. In politics he is a Liberal, in profession a lawyer, in religion a Presbyterian—an Elder in the Kirk. Chiefly remarkable for the purity of his moral and the consistency of his political career, he warmly espoused the Confederation cause from the first, joined Dr Tupper's Government and was a delegate to Quebec and London. When offered a seat in the Dominion Cabinet last year, he declined to accept and left the government. Mr Archibald is an ardent and zealous advocate of the principles of the Confederation, although now required to do so. He has received the appointment of Lieutenant-Governor of the new Province of Manitoba. The Hon Mr Keay has gone to New Brunswick to assume the duties of Administrator of the Government of that Province, in the absence of Sir Hastings Doyle, who was about to return to England for a four months' leave of absence. The Hon Mr Holbrook read a paper on British Columbia before a large party of Senators and members of the House of Commons at Ottawa, on the 9th May. At the close of the debate, a vote of thanks was moved by Mr A. MacKenzie, leader of the Opposition, and seconded by the Hon Malcolm Cameron. Mr Cameron, in seconding the motion, said he had known Mr Holbrook on the banks of the Fraser, and knew him to be a real pioneer. He bore testimony to the faithfulness of Mr Holbrook's description of the country, and said British Columbia must have a railway. The paper read by Mr Holbrook receives favorable notice in the Press. A full report of it appears in the Leader, having been telegraphed to Toronto. Cook and dog fighting are now prohibited in Canada, under penalty of \$40. A seizure by the Custom authorities at Montreal of some jewelry, brought to light the fact that the smuggling of jewelry into the United States, through the medium of the mail, has been carried on to a considerable extent. It is stated that whereas the Customs charge on a hundred dollar watch would amount to \$16, the postage thereon would amount to less than \$1. According to intelligence from Port William of May 8, the force of workmen employed during the winter under Mr Dawson had built three bridges, and there was no doubt of passing the troops safely to Red River. The weather in that region was bright and splendid, the snow fast disappearing and the ice in Thunder Bay becoming very thin. The Globe's

**THE OLYMPIA.**—This fine new steamer will be removed from the Sound to San Francisco, as soon as the H. J. Anderson has been made ready to resume her trips to this place. The Olympia is at present lying at Olympia to receive the Siwanee's boiler. The cause of the removal of the Olympia in the shape of a too costly and expensive a boat for the limited trade of the Sound. The particular trade in which the Olympia will be placed has not transpired, but we can positively state that she will not ply between Victoria and San Francisco as an opposition boat, the business understanding of her owners with the N.P.T. Company precluding the consummation of any such desirable arrangement.

The San Juan Island Lime Kiln, which has been closed since the melancholy end of Mr Hibbard a year ago, is again in full blast. Several thousand barrels are now ready for market, and the first shipment will arrive here on Friday or Saturday. Mr N. C. Bailey, resident partner of the firm, will act as agent at Victoria, and is, indeed, a rare avis.

**THE McFARLAND TRIAL.**—The trial of McFarland, for shooting Richardson, lasted twenty-five days, during which the Court-room was crowded with both sexes. As an instance of the length to which the counsel for the defense went and, at the same time, of the kind of morality which prevails in certain circles, the counsel, in addressing the jury alluded to the "special Providence which seems to direct the bullet of an injured husband," a fact which proves the justice of the act. Rather a strange kind of proof, and a dangerous conclusion, we think. It might be made to prove too much, for the bullet of the cowardly assassin—what guides it to the breast of the innocent and unsuspecting victim? On the twenty-fifth day the Recorder addressed the jury. He said the accused was not to be convicted—not acquitted upon the speeches of the counsel, or convicted upon prejudice toward the dead or living, or because public policy may demand an example. They must conscientiously reject every fact or circumstance in the evidence which in their estimation could illustrate the question of sanity or insanity, or which did not bear upon the time, place, mode and act of killing. The state of domestic relations it was not necessary for them to adjudicate upon. The question was—what did the prisoner believe, and how did that belief press his mind, sanity or insanity? The jury retired at 3 o'clock, and at 10 minutes to 5 returned. A silence of death prevailed as they took their seats and McFarland turned pale as a sheet. The foreman finally rose to answer the usual question, and McFarland stood up to face the jury. He trembled violently and clutched the railing beside him as if for support. "Is the prisoner at the bar guilty or not guilty?" came the question at last. "Not guilty," was the answer. The scene that ensued boggled all description—the whole audience cheered as though determined to shake the house to its foundations. Even the Court Officers joined in the cheering. Men and women sprang over seats and struggled for the privilege of shaking McFarland by the hands. Ladies divided their attention between the prisoner and his counsel, whom they lavished with thanks. McFarland was also very much affected. He soon after left the Court-room and the crowd dispersed.

**CHARGE.**—Mr J. H. Latham, Wells, Fargo & Co's agent at Victoria City, has resigned his position. Mr Latham was the first agent for Wells, Fargo & Co at Victoria, and has been succeeded by Mr G. C. Pendergast, second agent for the same firm at Victoria.

**RUNAWAY.**—A large bay horse, fully harnessed, dashed across James Bay bridge and through Government street at 9 o'clock last evening. He had evidently been implicated in a smash-up across the Bay, but no particular could be learned.

**GAS.**—Gas is being introduced into the residence of Mr Graham, Chief Factor of the Hudson Bay Company, on Bastion street. Government has decided to place a public lamp at the corner of Bastion street and the Police Barracks, and to introduce gas into the Barracks and Gaol.

**JAPANESE LILY.**—Meissner Jay & Bales exhibit in their window a large Japanese Lily of beautiful hue and delightful perfume. This lily is of a variety new to this country, but is being extensively raised in England, where it is greatly esteemed.

**New CATHOLIC CHURCH.**—A new church is in course of construction at Cowichan. It will be roomy, substantial, and it is doubtful if he will retain the sight of the injured eye.

Some time after the occurrence, the store

was visited by Mr. Samuel Lovens, lumber merchant, who gave a full explanation of the affair. He said that his adopted daughter, a young woman of about twenty years of age, had been seduced by Berry, who, not content with accomplishing her ruin, had got her out of sight—the father believed had placed her in a house of ill-fame—and refused to give any information respecting her, ascertaining that he was ignorant of her whereabouts. The woman who had driven up in the cab punished Berry so severely that Mrs. Samuel Lovens

It may be added that a few days ago Mr Lovens appeared at the Police Court to answer a charge of threatening, preferred by Berry, which had arisen out of the seduction, but the complaint failed to appear and the case was dismissed.

**How to Know Cook.**—Receipt.—A straw hat, linen suit and Pipe's Ice Cream. On

cumbers are called cool; but cucumbers can't keep cool with the mercury at 85.

**DEPARTURES.**—The Emma for the East Coast, the Enterprise for New Westminster, and the Olympia for Puget Sound, sailed yesterday.

**The Fire Department will hold a picnic**

sometime in July.

**Dominion Mail Summary.**

**Our Canadian exchanges are to the 17th.**

**The Premier was still in a very low**

**condition and it was felt that he could not**

**survive a relapse.** At the progration of

**Parliament, on the 12th the usual firing of**

**guns was omitted on his account.** The following

**is the full list of the 17th concerning him:**

"Although still very weak and requiring

**the utmost quietude and care, we are happy**

**to learn that Sir John A. Macdonald**

**continues to improve and is doing as well as**

**his medical attendants anticipated.** The very

**severe and dangerous attack under which the**

**honorable gentleman has been suffering re-**

**quires a recovery of necessarily a slow master,**

**with time, quiet, and the devoted attention**

**which he receives from the few who have**

**best permitted access to his chamber, his**

**convalescence may be looked forward to**

**with confidence." In his progration speech**

**the Governor-General alluded to the Red**

**River expedition in these words:** "Her

**Majesty's troops go forth on an errand**

**of peace, and will serve as an assurance to the**

**inhabitants of the Red River Settlement, and**

**the numerous Indian tribes that occupy the**

**North West, that they have a place in the**

**protection of the Councils of England, and**

**rely upon the impartial protection of the**

**British Sceptre." He alluded to the threat-**

**ened Fenian invasion, and to the laudable**

**promptitude with which the Active Militia**

**responded to the call to arms, "as having**

**filled the hopes of the invaders, and**

**averted the imminent outrage." Regarding**

**the Fisheries he said that "every care will**

**be taken to combine the maintenance of the**

**undisputed rights of our fishermen with the**

**regard due to the just claims of foreigners,**

**and he expressed his conviction that the**

**Canadian people would acknowledge with**

**gratitude the countenance and support which**

**His Majesty's Government had afforded**

**to the inhabitants of the Red River Settlement.**

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