

The Weekly British Colonist.

Wednesday April 27, 1870

Constitution-Making.

The proposition made in the Canadian Parliament, and doubtless acted upon, to define the constitutions to be conferred upon colonies entering the Dominion appears to us to be in the right direction. It will supply an obvious want in the British North America Act. As that Act now stands provision is made for the admission of all the British North American colonies other than the four principal Provinces which form the original Dominion, but no provision is made for defining what political or constitutional status these shall assume upon becoming part of the Confederated Empire. They may apparently enter with whatever constitutions they please, and thus, so far as Provincial constitutions are concerned, the greatest dissimilarity, the most unseemly want of harmony may exist. Some of the practical evils of this defect in the Organic Act have already received painful illustration. This is the rock upon which the Red River people split. All was dark and undefined. Mr McDougall was sent out for the purpose of organizing a government; but the people were left to gather or guess the nature of that government as best they could. Under these circumstances the sequel can surprise no one. They were taught by suspicious or ill-disposed persons to regard the entire proceeding with utter distrust; and the people rose in rebellion against institutions of the nature of which they were in total ignorance. Had provision been made by Act of Parliament for the constitution under which the Northwest was to come into the Dominion, the painful incidents which have made that hitherto quiet and obscure settlement the observed of the nations world, in all human probability, never have transpired. We come nearer home for another case in point. Governor Musgrave, with the purest and best intentions, proposed to confer upon British Columbia a constitution such as he thought it ought to possess in entering the Dominion. Fortunately the people were made aware of the nature of the proposed conditions in time to admit of an expression, to some extent at least, of popular opinion; and the verdict rendered by the people was one of unqualified condemnation. More fortunately still, the Governor proved to be too much of a statesman to launch the little Confederation bark amid such breakers as these. By prompt and timely yielding to public opinion he has doubtless averted consequences which might not unlikely have been even more serious than those presenting themselves at Winnipeg. Had the Governor been less yielding, and had the Representatives of the people been less firm, British Columbia might have afforded a still more painful and startling illustration of the impropriety of leaving to chance or individual caprice what ought to have been carefully defined by Act of Parliament. Let us hope we have now seen the last of this class of dangers and difficulties in connection with the extension of the Dominion. With the exception of the great country intervening between British Columbia and Ontario the other portions of British North America already possess a distinctive colonial existence, a possess constitutions of a more or less liberal character. Referring to the former, we cannot omit in the view of the Hon J Howe, that the country should have passed through the Crown Colony state before forming part of the Dominion. Such a process would have been a needless waste of time and trial of the patience of the people. Confederation could endure no such delay. The admission of that country as a Territory, rather than a full-fledged Province, would appear to be suggested by circumstances as well as by the expressed wishes of the people; and the further dealing with that enormous stretch of country as it becomes developed and settled up must, in a great measure, be left to the future. Respecting the admission of the colonies now in possession of Constitutional Governments there should be less difficulty. In their case uniformity of constitution appears not only practicable but important. Nor are we indisposed to question the propriety of leaving in the hands of each Province such a wide power in dealing with its constitution. It strikes us that a greater degree of uniformity than is likely to be obtained under existing conditions is highly desirable. Every Province ought to possess, on entering the Dominion, a Constitution based upon the great and only true principle of Responsible Government. This much should be a uniform condition. How far the Federal Government should decide other principles of Provincial Constitutions may well form the subject of Parliamentary discussion; but we are greatly disposed to think that the sooner some common un-

derstanding is arrived at in order to secure greater uniformity the better for all parties. Ontario, the most populous, wealthy and important of all the Provinces, selected the least cumbersome and complicated form of government. It was the only Province which dispensed with the middle or 'old woman's' chamber, commonly called the Legislative Council. All the other Provinces retained that useless, often obstructive branch; and we infer from recent exchanges that New Brunswick is likely to be the first in following the example of Ontario to rid itself of that incubus. That the other Provinces will follow there can scarcely be a doubt. Considerations of economy alone will greatly tend thereto. Once the four original Provinces have thus voluntarily attained uniformity in this particular it is not improbable that such uniformity may be perpetuated by Federal legislation. Whatever bearing the proposition referred to in the beginning of the present article may have upon this Colony, it may now be taken for granted that British Columbia will enter the Dominion upon a constitutional political equality with the people of the other Provinces—for however inimical to such a condition the personal views of the Delegates may be, they must have been taught that they do not go to Ottawa to carry out their own hobbies.

Thursday April 21.
Legislative Council.Wednesday, April 20,
Council met at 1 p.m.

ORDERS OF THE DAY.

LAND BILL.

After a long discussion several amendments were made. Clause 17 was struck out and the following clauses added:

17. Every holder of a pre-emption claim shall be entitled to be absent from his claim for any period not exceeding two months during any one year. As an ordinary rule he shall be deemed to have permanently ceased to occupy his claim when he shall have been absent continually for a longer period than two months unless leave of absence has been granted by the Commissioner as hereinafter provided.

18. If any pre-emptor shall show good cause, to the satisfaction of the Commissioner, such Commissioner may grant to the said pre-emptor leave of absence for any length of time not exceeding four months in any one year, inclusive of the two months absence from his claim, provided for in clause 17.

ROAD AMENDMENT BILL.

Read a second time.

COUNTY MERGER BILL.

This bill was committed and reported as complete, read a third time and passed.

COURT FEES BILL.

Committed and reported complete, read a third time and passed.

CEMETERY BILL.

Read a second time.

LOAN BILL.

Read a third time and passed.

REGISTRATION OF TITLES BILL.

Read a third time and passed.

BOAT TAX.

Mr Drake moved that his Excellency be respectfully requested to take into consideration the position of persons letting out pleasure boats for hire, in order that a reduction in the present duty of \$10 a year for each boat be made; and this Council respectfully suggests that a license be granted for the business in lieu of a special tax on each boat.

BILL OF SALES ACT.

Council went into committee on the bill and reported progress.

MUNICIPAL FEES BILL.

Was reported complete by the committee. Bill read a third time and passed.

IMMIGRATION.

Mr Robson moved an address to the Governor recommending that the sum of \$5000 be set down in the Estimates for Immigration be appropriated towards establishing an Immigration and Intelligence Office at San Francisco. Lost—6 to 8.

Council adjourned to meet at 1 p.m. tomorrow.

A SMART GEOLOGIST.—Professor Whitney, State Geologist of California, disputes the statement of Dr Robt Brown of Edinburgh, that "California must depend for coal on British Columbia," and adds that there is no difference in quality between the coal of Bellingham Bay and that of British Columbia. The proof of the pudding is said to be in the eating. Now, if there be no difference in quality between the two coals how does it chance that a prohibitive duty falls to shut British Columbia coal out of the San Francisco market where it commands from \$1.50 to \$3 per ton more than coal from Bellingham Bay? The fact is, all the veins yet discovered on the Pacific Coast south of 49 and north of 54:40 are much inferior to that obtained between those lines, and Professor Whitney, having examined personally all the seams as well as a few of the local ones, he merely seeks by appealing on values, to comfort his countrymen in their disappointment in not being able to obtain British Columbia in the form proposed two years and a half ago by the Original Association of the New.

THE STEAMER OTHER, for the Northwest Coast, sailed yesterday morning. She carried about 60 passengers, 86 of whom were booked for the Skeena.

CONFEDERATION AND PROTECTION.—On the 25th ult. a large meeting was held in Toronto to discuss the question of Free Trade and Protection, when a resolution demanding a continuance of the present Free Trade policy was voted down and the following amendment substituted by a large majority: "That it would be the exercise of a wise and practical statesmanship on the part of the Government to so shape its legislation in the adjustment of a tariff as will, without increasing the burthens of the people, afford a moderate amount of Protection to the producing, manufacturing, mechanical and other industrial interests of the country, as against the known advantages of foreign competitors for the trade of our own markets."

FROM NEW WESTMINSTER.—The steamer Enterprise, Capt Swanson, with Capt Linsley and sister, Mrs Woods, Mr Eikhoff and two or three other passengers, arrived from New Westminster at 4 o'clock last evening. The sloop Marion, loaded with potatoes for Burrard Inlet, was captured below New Westminster on Saturday during a squall, and the bodies were not recovered. Reid was a Scotchman and Jones a Welshman. Cooper's sawmill, at the mouth of Harrison River, is nearly completed. It will cut white pine of which there are extensive groves in the vicinity. The new brick and limekiln of Mr Peers, at Harrisonmouth, will be ready for operations in about a month. Vegetation is backward on the Mainland as well as the Island.

ALHAMBRA HALL.—Mr Frank Richards is preparing Alhambra Hall for theatrical entertainments. The stage has been removed from the east to the west side of the room and new scenes of rich and beautiful designs have been painted by Mr Peterhof, the artist. The drop-curtain represents a scene on the Rhine, the perspective being well wrought. Another scene represents the east side of Government street, as it appeared before the fire that destroyed the French Hotel and adjoining buildings. A company is expected to arrive from San Francisco in a few weeks to play at the Alhambra. We may add that the new arrangements enhance rather than detract from the accommodations formerly enjoyed by balls and parties, and that elegantly furnished dressing rooms have been provided. The Odd Fellows' Anniversary Ball will be held at the Alhambra on Tuesday next.

Tax following item appears in the Montreal telegraphic correspondence of the Toronto Globe: "Prince Arthur is to visit California before returning to England. He will make the trip about the latter end of April or the beginning of May by the Pacific Railway. He will afterwards return to Montreal and take his departure along with the Rifle Brigade for England, preferring to return home by troopship rather than by any of the lines of steamer."

ACCEPTED.—Messrs. Trutch, Holmoken and Carrall have consented to go to Ottawa as Confederation Delegates; but should they bring back the Terms unaccompanied by a guarantee of Responsible Government they might better have remained at home.

The steamer Verano sailed yesterday morning for Port Townsend to take a cargo of goods from that point to Cape Flattery, where Messrs L & J Boscowitz of this city have established a depot.

The New York, Newfoundland and London Telegraph Company has brought a suit against the United States for \$32,420, the cost of sending five despatches from Secretary Seward to the United States Ministers at London and Paris.

The report in circulation yesterday as to the next sailing day of the Active was incorrect—no announcement concerning her movements having been received here.

The captain of the Big Bend steamer '49'—Leonard White—died at Portland, Oregon, on the 10th inst. of consumption.

The California sails from Portland to-day for Victoria direct.

Dominion Mail Summary.

The conflict which has been going on for some time in New Brunswick between the Legislative and Executive Councils has resulted in a complete triumph of the principle of Responsible Government, and has fore-shadowed most clearly the doom of another of those obsolete and obstructive appendages to representative legislation engrafted upon the colonies from a dread of giving the people full power to manage their own local affairs. The cause of quarrel was the removal of Mr Botsford, who had been Clerk of the Legislative Council for twenty years, and the appointment in his stead of Mr Bliss by the Government. This act was viewed by the Legislative Council as an interference with their constitutional rights on the part of the Government. The Legislative Assembly took the matter up and passed resolutions annulling the Government and declaring to recognize the acts of what they regarded as an irresponsible body. The Morning News, in remarking upon the matter, says: "We are really pretty much inclined to think it had better be wiped out. If fifteen hundred thousand people in Ontario can do without such a House why cannot we do without it? What is the use of it? It just now except to spend money and do mischief. And if 'little' can be said in its favor on the score of its being useful, still less can be claimed in its behalf on the ground of its being ornamental. It is destructive on stationary, death on parliament, and powerful on a stage. Beauty and certainly is not a thing of beauty, and cannot be a joy forever in this small Province. If not wiped out at once it is fated to disappear at no very distant day. Dr Tupper's name has been repeatedly mentioned of late in connection with the Lieutenant-Governorship of the North-West. The Doctor would be missed in Parliament."

nevertheless he would make an excellent Governor. He is a man of ability, energy and courage, a well-tried Unionist, and is thoroughly British in spirit and principles. Mr Needham introduced a bill in the Legislative Assembly of New Brunswick to provide for women holding property in their own right to vote for members of the Provincial Assembly, and also to abolish the property qualification of members of that Assembly. The bill was carried through all its stages and passed. A dispatch issued to Mr McDougall under date Ottawa, 24th Dec., 1869, from the office of the Secretary of State for the Dominion, has been published. The dispatch certainly places Mr McDougall in a most unfavorable position. It would appear that he had conducted himself with even less discretion than was supposed; and great stress is laid upon the course he pursued, as conducive to the lamentable condition of affairs which supervened. It would appear from this dispatch that Mr McDougall did countenance the most reprehensible expedient of employing the Indians in order to subjugate the whites. A very important meeting upon the subject of free trade and protection was held at Toronto. The protectionists carried the day, passing a resolution favoring the protection of agriculture and manufactures. The announcement in Canada of the execution of one Scott, at Red River, by order of the 'Provisional Government,' gave rise to a feeling of intense indignation. The Toronto Globe, in a somewhat violent article, holds the Dominion Government responsible for the act, claiming that had it adopted a more decided policy Reid would never have dared to perpetrate such an outrage. The general feeling appears to be one of vengeance, and subsequent intelligence by telegraph indicates the firmer policy of the Dominion Government towards the Winnipeg insurgents. It was thought that the Dominion Parliament would not rise till sometime in May. It would take an Easter recess of ten days. A new weekly line of steamers between Montreal and Pictou (N S) will be established during the coming summer. The Hon T. Kirkpatrick, of Kingston, a member of the House of Commons, died on the 22nd ult. The House of Commons, on receiving the announcement, adjourned as a mark of respect. On the 29th Mr Mills introduced the following Resolution: "That the British North America Act, 1867, declares that it shall be lawful for the Queen on addresses from the Houses of the Parliament of Canada to admit Rupert's Land and the Northwest Territory, or either of them into the Empire on such terms and conditions in each case as are in the addresses expressed and the Queen thinks fit to approve."

"That the four Provinces of the Dominion are declared by the British North America Act to be severally united, under which form of union the powers of Provincial Legislatures are derived from the same high source as those of the Federal Legislature, and cannot be altered or abridged by that Legislature; and it is essential to the federal principle that the terms and conditions of admission into the Dominion of the remaining Provinces and Territories of British North America should be settled and secured in like manner."

"That it is expedient that her Majesty's Order in Council for the admission of the Northwest Territory into the Dominion of Canada, should contain such terms and conditions as will secure to the people of the Territory certain powers of self-government."

The New Attorney General and the Local Bar.

EDITOR BRITISH COLONIST:—Allow me to draw your attention to an error of fact into which you have been drawn in a paragraph which appeared in the Colonist of Friday last about the appointment of the new Attorney General of British Columbia, and at the same time to offer a few remarks upon a vote which you state has been passed by the Law Society of the colony. In the paragraph alluded to you state that Mr Phillips, who is appointed Attorney General, is a full-blooded African and the Law Society have voted it as an outrage on the Bar of the colony, not on account of race or color, &c. Before I go further let me set you right upon the question of fact—Mr Phillips is not a full-blooded African. And now a word about the outrage. In what does it consist? If you mean to imply that it is an outrage to appoint a gentleman of color to a high office under the Crown in British Columbia, you must allow me to correct the misapprehension you are under by stating that H M Government does not appear to think so, inasmuch as they frequently make similar appointments elsewhere. I confess I was surprised to find a society of gentlemen—members of an honorable and liberal profession—so far forgetting the amenities usually observed amongst them as to pass a resolution disavowing and hostile in the extreme to a gentleman whose character and abilities to the high authority of Earl Granville for referring entire title him to promotion in his profession. But I have been assured by a gentleman who is an active member of the Law Society that the word outrage in fact is not in the resolution and that the gentleman's color was not alluded to. Mr Phillips is a member of the Bar of England having been called in '62; he also holds a certificate of honor. In conclusion, I think I may venture to add that he will bear no unfavorable comparison with the members of the bar of British Columbia.

REMEMBER THE FATE OF ANANIAS.—Fred Payne, Topographical Artist, Shaving 12½c, Hair Cutting 25c, Shampooing 25c. That original cheap Shaving Shop stands on the sunny side of Johnson street.

Ayer's Cherry Pectoral.

For Diseases of the Throat and Lungs, such as Coughs, Colds, Whooping Cough, Bronchitis, Asthma, and Consumption.

Probably never before in the whole history of medicine, has anything won so widely and so deeply upon the confidence of mankind, as this excellent remedy for pulmonary complaints. Through a long series of years, and among most of the races of men it has risen higher and higher in their estimation, as it has become better known. Its uniform character and power to cure the various affections of the lungs and throat, have made it known as a reliable protector against them. While adapted to milder forms of disease and to young children, it is at the same time the most effectual remedy that can be given for incipient consumption, and the dangerous affections of the throat and lungs. As a provision against sudden attacks of Croup, it should be kept on hand in every family, and indeed as all are sometimes subject to colds and coughs, all should be provided with this antidote for them. Although settled Consumption is thought incurable, still great numbers of cases where the disease seemed settled, have been completely cured, and the patient restored to sound health by the Cherry Pectoral. So complete is its mastery over the disorders of the Lungs and Throat, that the most obstinate of them yield to it. When nothing else could reach them, under the Cherry Pectoral they subside and disappear. Sufferers need double gratitude for their protection from it. Asthma is always relieved and often wholly cured by it. Bronchitis is generally cured by taking the Cherry Pectoral in small and frequent doses. So generally are its virtues known that we need not publish the certificates of them here, or do more than assure the public that its qualities are fully maintained.

Ayer's Ague Cure.

For Fever and Ague, Intermittent Fever, Chill Fever, Remittent Fever, Dumb Ague, Periodical or Bilious Fever, &c., and indeed all the affections which arise from malarious, marsh, or miasmatic poisons.

As its name implies, it does Cure, and does not fail. Containing neither Arsenic, Quinine, Bismuth, Zinc, nor any other mineral or poisonous substance whatever, it is as safe in its use as the most harmless medicine. Its number and importance of its cures in the ague districts, are literally beyond account, and we believe without a parallel in the history of Ague medicine. Our pride is gratified by the acknowledgments we receive of the radical cures effected in obstinate cases, and where other remedies had wholly failed. "Unsuspected persons, either residing in or travelling through malarious localities, will be protected by taking the AGUE CURE daily." For Bilious Disorders and Liver Complaints, it is an excellent remedy, producing many truly remarkable cures, where other medicines had failed. Prepared by Dr. J. C. Ayer & Co., Practical and Analytical Chemists, Lowell, Mass., and sold all around the world.

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For restoring Gray Hair to its natural Vitality and Color.

A dressing which is at once agreeable, healthy, and effectual for preserving the hair. Faded or gray hair is soon restored to its original color with the gloss and freshness of youth. Thin hair is thickened, falling hair checked, and baldness often, though not always, cured by its use. Nothing can restore the hair where the follicles are destroyed, or where the glands atrophied and decayed. But such as remain can be saved for usefulness by this application. Instead of fouling the hair with a pasty sediment, it will keep it clean and vigorous. Its occasional use will prevent the hair from turning gray or falling off, and consequently prevent baldness. Free from those deleterious substances which make some preparations dangerous and injurious to the hair, the Vigor can only benefit but not harm it. If wanted merely for a

HAIR DRESSING, nothing else can be found so desirable. Containing neither oil nor dye, it does not soil white cambric, and yet lasts long on the hair, giving it a rich glossy lustre and a grateful perfume.

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THE COCOA (OR CACAO) OF MARAVILLA is the true THEOBROMA LINNEUS. Cocoa is indigenous to South America, of which Maravilla is a favored portion. TAYLOR BROTHERS having secured the exclusive supply of this unrivalled Cocoa have, by the skillful application of their soluble principle and the perfection of prepared Cocoa, that it has not only secured the preference of homeopaths and cocoa-drinkers generally, but many who had hitherto not found any preparation to suit their taste have after one trial, adopted the Maravilla Cocoa as their constant beverage for breakfast, luncheon, &c.

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Sold in packets only for all countries, of whom also may be had Taylor Brothers' Original Homoeopathic Cocoa and Soluble Cocoa.

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