

Saturday, February 13, 1869

The unfortunate and anomalous condition of the Supreme Courts of this Colony has frequently formed the subject of discussion and remark, and given rise on more than one occasion to scandalous vexation, and annoyance, all which might have been avoided had care been taken in framing the Union Act to provide for the retirement of one of the gentlemen who act in a judicial capacity in the two sections of the Colony and the union of their respective courts. At the last session an ordinance was sent down by the Government and passed; but when it went home Her Majesty's consent was withheld because it failed to provide for either of the Judges in case of retirement. Before the present Council had been called together it was understood that an effort would be made on the part of the members of the legal fraternity who hold seats in that body to remedy the evil. About one month ago, hon. Mr. Drake, junior member for the city, introduced an emphatic resolution which expresses so tersely and clearly the public feeling and want that we cannot do better than to produce it here:

"That this Council is of opinion that the existing condition of the Supreme Courts of this Colony is highly anomalous, mischievous, and inconvenient; and pending an Organic Ordinance for the establishment of one Supreme Court, an Ordinance should be passed forthwith to establish, (1) A concurrent jurisdiction in each of the Supreme Courts throughout the entire Colony; (2) An appeal as of right from the decision of either of the existing Supreme Courts, to the Judges of both Courts, with the addition of a third Judge of Appeal."

The resolution was debated twice in secret session and action deferred for a few days. In the meantime the hon Attorney General brought forward a measure which he stated was to prove a panacea—a cure-all for the Judicial ills under which the Colony labors. The bill was essentially a Government measure. It settled nothing; decided nothing. There was to be no concurrent jurisdiction. The Courts would remain as now constituted until the death, resignation, removal or translation of one of the judges, when the other was to be created Chief Justice, and then the Courts would be united as the Supreme Court of British Columbia, and a Puisne Judge appointed at a salary of \$1000 per annum. Yesterday the bill was pressed upon the attention of the Council. As it appeared in the orders of the day, it proceeded Mr Drake's resolution, which, having been introduced first, was entitled to precedence. This fact was pointed out by Mr Ring, and upon a vote being had the order was reversed, the resolution taken first, and an amendment calling for a special committee to prepare a bill upon the basis of the resolution passed without debate. The bill was next considered. The Government members spoke and voted in its favor, while the representative members, strengthened by the voices and votes of Hons. Mr. Wood and Mr. Walker from the ranks of the appointed members, voted to throw it out, which after a sharp struggle was accomplished by a majority of one. In the hands of a special committee of practical men, the Supreme Court muddle is capable of a solution satisfactory to both occupants of the Bench. In the hands of the Government for two years and upwards, it has been "muddle and muddle" from first to last. Not the slightest good result has been attained by any of the multifarious projects emanating from the Executive Council for the settlement of this vexed question. As we have shown, the Government measure of last session was cast aside by the Home Government for a reason that our Government ought to have been aware existed before it took the matter up; and now that the whole subject has been thrown into the hands of practical members we trust that no obstacle will be interposed to prevent an equitable and honorable solution of the difficulty, for which we regret we cannot employ a milder term than that of disgraceful.

Wednesday Feb 10

The inaugural lecture of the Mechanics' Institute at Moody & Co's Mills, at Burrard Inlet, was delivered on Saturday the 23d, ult., by the Rev. A. Browning. Charles Hughes, Esq., President of the Institute, was in the chair, and among the audience were several ladies, and the officers and leading men of Stamp's Mill, in addition to the proprietors and employees of the mills more directly interested. The lecturer had selected for his subject 'Woman', and the hearty cheering throughout the delivery of the lecture proved that at the Inlet the age of chivalry is not passed. The influence of woman in the shaping of great destinies was shown by contrasting the short lived Commonwealth of England with the flourishing Republic of America; the decay of the one and the permanency of the other was attributed to a great measure to the character of the two men most prominent in creating them, and it was shown that these men were moulded by women. 'Had not Washington's mother,' said the lecturer, 'with rare prescience shaped her son's life, he would have died a subaltern in the King's army, and the American Republic postponed perhaps for centuries.' Nero was then contrasted with John Quincy Adams, and Byron with Patrick Henry, and again the sons were shown to be what the mother had made them. The influence of woman in shaping the future life of Britain and the sacrifices of women to secure the triumph of principles in the late American war, some quaint thoughts of old authors as to wisely influence were given, and the testimonies of Milton, Shakespeare and Garibaldi adduced to show how a good wife may shape the thoughts and actions of even great men. It was hinted that the weakness of Buchanan and the eccentricities of Stevens would not be so prominent had they been other than bachelors. The sketches of the character of Queen Victoria, and in a subsequent part of the lecture of Florence Nightingale, the era of humanity inaugurated by her and sustained by others, was rapturously cheered, and when the lecturer closed by enjoining the several influences at work for elevating man, but declared woman to be the auxiliary if not the champion of each, the response was loud and long.

LEGISLATIVE COUNCIL.—Mr Humphreys gave notice of motion for an address to the Governor, praying that the duty on horned cattle be raised to \$5, and on sheep to \$1 per head. The Attorney General gave notice that he would ask leave to bring in the Vancouver Island reconveyance Ordinance. Dr Helmcken's motion on the Graving Dock at Esquimalt, was postponed till to-morrow. Mr Ring asked leave to bring in a bill to extend the time granted to the Harewood Coal Company. He stated that the company had already expended about \$20,000. Leave granted and the bill read a first time. The Health Bill was read a third time and passed. Some discussion arose on the third reading of the Game Bill as to the possession of deer meat during close time being taken as *prima facie* evidence of an intention to sell the same; the bill was ultimately read a third time and passed. A short debate took place on the propriety of taking Mr Drake's motion before the Supreme Courts Bill, which was ultimately adopted—yes, 10; noes, 8. The house then divided on the motion, by consent, without discussion, when the motion was carried—10 to 8. The Attorney General then moved a second reading of the Supreme Courts Bill, which led to a protracted debate, resulting in the second reading being negatived by an amendment—yes, 9; noes, 10. The School Bill was taken up in committee of the whole, and an irregular debate ensued on Dr Helmcken's amendments, some of which were accepted. The committee was then adjourned till to-morrow. The Anatomy Bill made a narrow escape from being antagonized on a motion made to have it read that day six months; by the exertions of Drs Helmcken and Davis the innocent was saved and read a second time. The Council then adjourned till 1 p. m. to-day.

MECHANICS' LITERARY INSTITUTE.—There was a very large attendance at the Institute last evening. Mr James Fell introduced the rev lecturer, Mr Jenks, who proceeded to describe the various views, which were depicted upon canvases with lifelike fidelity by means of the fine Oxhydrogen Lantern. Scenes from the Crystal Palace, the old Abbeys of England and Scotland, Houses of Parliament, Tower of London, etc., were shown, and elicited rounds of applause, the effect being greatly heightened by the remarks and explanations of Mr Jenks. At the close of the entertainment Mr Fell proposed a vote of thanks to Mr Jenks, which was carried by acclamation.

THE SHIP TREBOLGAN.—The British ship Trebolgan, which loaded at Burrard Inlet and left this port something over a year ago for China, has arrived back at Puget Sound under another name and is loading lumber at Port Gamble for the Chinese market. The *Message* says of her:—The Trebolgan was sold last fall at Shanghai by order of the English Court on account of the failure of owners in England. Mr Thorndike purchased her and put her under the American flag and called her the Alaska; but on account of her being a foreign built vessel, she comes to this port flying the British ensign.

THEATRE ROYAL.—Last night Mrs Bates took her benefit, selecting the beautiful and highly sensational play of the 'Lady of Lyons' for the occasion. Of a character in which the ablest and most brilliant actresses have striven to distinguish themselves it is unnecessary to speak; but it appeared to us that on these boards, Mrs Bates never appeared to greater advantage. In all that is weak, true and lovely in woman, for which passions the character is so suited to display, she was in all scenes, in all gestures, intonations and attitudes, strictly in unison with nature, earning throughout most amply the repeated acknowledgments of the audience. Mr Bates' Claude Melnotte was also a chaste and fine piece of acting. His Excellency the Governor and many of our leading families were present, the beneficiary being greeted by a full house. At the close of the performance Mr and Mrs Bates were again called before the curtain and made the recipients of one of those earnest compliments our people are so ready to bestow upon talent and merit.

LEIGH RIVER.—Mr Harnett and Captain Wyld returned from the river last night, having walked the whole distance each way in a day. They walked from Victoria to the river in six hours and a half, and from the river to Victoria in eight. On one day night, three inches of snow fell on the river, and from six to eight inches from Wolf Creek to the Goldstream mountain; on this side the mountain there was but a sprinkling of snow, and at Mr Ash's house none. Capt. Wyld, we understand, was for many years in the same fine gold district in California as Mr Harnett, in working which he had much experience. He thoroughly endorses Mr Harnett's opinion that the ground will all pay well if properly worked, and a second company has been formed and has located six hundred feet for hydraulic mining. This ground is considered somewhat more promising, and less expensive to prepare than that taken up by Harnett and company. If the snow does not interfere, washing will commence in three weeks.

COST OF THE INDIAN WARS.—A compilation from official records regarding the Indian wars show the cost to the United States Government of the various Indian wars of the past forty years to have been as follows: The Black Hawk war, 400 lives and \$5,000,000. The Seminole war cost \$160,000,000 and 7,500 lives, only 1,500 of the Indians being warriors. A war with the Creeks and Cherokees, about the same time, cost \$100,000,000. The Sioux war of 1862 cost 300 lives and about \$40,000,000. The Cheyenne war in 1867, 300 lives and about \$12,000,000. The Indian wars on the Pacific slope for the last twenty years, about \$30,000,000. Three campaigns against the Navajoes cost \$30,000,000. The whole of the troubles in New Mexico, of which the last item forms a part, \$150,000,000.

THE SATELLITE.—Admiral Hastings yesterday received a telegram from Consul Booker at San Francisco, which stated that H.M.S. Satellite sailed from Yokohama, Japan, for this station, via Hokadadi, on the 12th December last. She is consequently only about due here at this date, and the anxiety felt on her account is therefore allayed. Captain Edy, R.N., who has been ordered to take command of the Satellite, arrived at Esquimalt some weeks ago.

CAPT. WM. WAITT has been appointed to the command of the steamer Wilson G Hunt, now lying at Portland, Oregon, and has started for Olympia overland to bring her around to run as an opposition steamer on Puget Sound. Capt Waitt has for several years successfully piloted the well known steamer Eliza Anderson through the tortuous channels of Puget Sound.

THE P. S. PILOT LAW.—A bill has been introduced into the American Congress to repeal the pilot law of Washington Territory. This statute compels vessels bound for American ports on Puget Sound to take pilots or pay half pilotage. The law gives great dissatisfaction to owners of shipping bound there, and if maintained will materially increase the rates of freight.

We understand that in consequence of the dangerous condition of the planking in Waddington Alley, the Municipal Council intend having the said alley-way closed forthwith, unless the same is immediately put into proper repair. This step is rendered necessary for the protection of the public safety.

THE METEORIC AND GOLDSTREAM range of mountains were covered with a mantle of pure white yesterday morning, and a keen NE wind, laden with frost, prevailed during the day, with indications of a heavy blow or rain.

THE steamer Geo S Wright returned from Puget Sound yesterday morning with a number of passengers. She will sail at 8 o'clock this morning for Portland.

SMALL POX at San Francisco is increasing again, owing to the relaxation of precautions. Twenty-five deaths from the disease occurred for the week ending February 6th.

THE steamer Eliza Anderson left Olympia yesterday for Victoria.

JAMES BAY BRIDGE.—This bridge is now open for the passage of vehicles. The first wagon crossed on Monday. It is said the contract will be completed on Friday.

THE boilers, engines and machinery of the Alberni Mills were sold at Teekale last Tuesday for four thousand five hundred dollars.

THE bark Ceoropa, bound for Victoria, was spoken in latitude 9:30 S latitude, on the 16th November, by a ship bound for San Francisco.

#### The Baby Nuisance.

EDITOR BRITISH COLONIST:—I think you are entitled to thanks for the bold manner in which you have attacked infants that almost nightly disturb the audience, and spoil the effect of the superb acting of the Bates troupe. Babies are nice enough in their place; which is not in the dress-circle of a theatre, but in the arms of their mothers, or in the arms of people who have paid their dollar for the privilege of listening to what is going on upon the stage, and who are forced either to submit quietly to the infliction or retire from the theatre to another part of the house. You ought to keep hammering away at what you term the 'Baby Nuisance' until every mother's son or daughter of 'em is left at home, or gagged before being brought to the theatre.

#### DRESS-CIRCLE.

EDITOR BRITISH COLONIST:—Are you not afraid to meet the ireful glances of indignant mammae whose children you have made a raid upon through your paper? No! Then, sir, you ought to be; for I warn you that the infant-ry of Victoria have sprung to arms and threaten to rain sucking-bottles and high chairs upon your head if you don't cease your attacks upon them.

Young Vancouverians ought to be encouraged, sir, in their search after histrionic information and intellectual amusement, instead of being bullied and abused by a set of people who, I don't believe, ever had a child of their own, and can't tell a bib from a diaper, or a sugar-teat from a bowl of pap.

Let the babies enjoy themselves; let them scream, squeal, crow or cry. So long as they like it, I don't think the old bachelors who crowd the dress-circle every night instead of having wives and babies of their own to take care of, have any reason to object. As for fathers—if they go to the theatre without their wives they deserve to be annoyed—haunted by babies; and were their wives with them, they would not dare to object to the innocent little dears when they make a little noise by way of showing their approbation of the play.

Don't the men applaud, I'd like to know? and is not a baby right in claiming the same privilege? Babies forever, I say! and I wish there were more of them in Victoria, and fewer bachelors to poison the air with tobacco smoke and addle their brains with brandy.

I am, yours most truly, but not sympathizingly,

MARIA JANE.

Victoria, 9th Feb., 1869.

#### The Sun.

##### A REMARKABLE ASTRONOMICAL DISCOVERY.

The London *Daily News* gives a detailed history of a most remarkable discovery in astronomical science. It is no less than a practical determination of the character and cause of the brilliant red rays which are always observable at the moment of a total eclipse of the sun. It also includes, which is more wonderful still, the discovery of a method for observing changes in the character and structure of these sierras from day to day and from hour to hour, though no application of science has yet or probably ever will render them visible at any other time than the centre of a total eclipse. The method of observation is too technical for our columns. It will be sufficient to say that the instrument used is a spectroscopic of great effectiveness, which shows side by side the spectrum of the sun proper and the limb of the sun under observation.

The first suggestion of this method of observation was made by Mr J Norman Lockyer, in a paper which he presented two years or more ago to the Royal (British) Society, establishing quite satisfactorily that the cause of the sun's spot was a down rush of vapor into the sun's atmosphere, cooling or sweeping a portion of the incandescent photosphere. The priority in the successful application of Mr Lockyer's suggestion must be awarded to Dr Janssen, who commanded the French observing expedition; but, singularly enough, Mr Lockyer, having obtained similar observations, communicated them to the French Academy, and a few minutes after they had been stated the letter of Dr Janssen, announcing his conclusions, was first placed in the hand of the President of the Academy.

Two interesting facts, now first brought to light, deserve to be stated. It is found that these prominences, or sierras, to which the name of corona has been applied by astronomers, overlap a little upon the edge of the sun's disc. This is a phenomenon which could never be observed in a total eclipse, of course. The hitherto accepted theory that the orange line in the spectrum of the prominence examined by Lieut. Herschel was due to the presence of sodium in the solar flames, exploded, and it is almost certainly established that the flames are hydrogen flames by the very peculiar and extremely nice revelations of the spectroscopic. A single ray of solar light, so much more brilliant

than the light of the corona, renders it totally invisible. It must be set down as one of the great triumphs of modern science that it can determine certainly the character, map out and observe changes in the form of a distant light which, no instrument can render invisible.

#### The Pope and the Sultan.

A Rome correspondent, under date of the 5th ult., writes:

Fuad Pasha, who was lately given over by the physicians, has now so far recovered his health that he has been able to pay a visit to the Pope. He was received by the Holy Father in the most cordial manner, and they soon chatted as familiar friends, while the Turk was profuse in his expressions of gratitude for the attentions paid to him by the Pope during his illness. The Holy Father, on his part, described the Sultan as his *meilleur ami* among the sovereigns of Europe, and spoke gratefully of the toleration he extended to Roman Catholics, not forgetting to add that he hoped his Highness would grant them further privileges.

Fuad Pasha said that the Sultan deeply regretted he had been unable to visit Rome on his late tour through Europe, when the Pope rejoined with a laugh: 'Who knows but I shall go to see him at Constantinople? You are not ignorant that Christ has given me all the earth, and my empire extends to the Dardanelles and far beyond; but unlike that of a neighboring monarch, threatens no dangers to the Sultan. Indeed, his Highness and myself are in much the same situation as to neighbors, for he has his Piedmont in Russia, and I have my Czar in the Italian Revolution. We are menaced by the same dangers, and our brother rulers have the same measure for the Cross as the Crescent. At least, your sovereign believes in his prophet; but the other governments of our day do not believe even in God.' The Holy Father then requested Fuad Pasha to use his good offices with the Sultan for the protection of Catholics in every part of the Ottoman Empire, and here the interview came to an end.

SMALL vs. LARGE FARMS.—Robert Bakenwell, the celebrated English farmer, used to tell the following anecdote of a farmer in Leicestershire:

"This farmer, who owned and occupied one thousand acres of land, had three daughters. When his eldest daughter married, he gave her one quarter of his land for her portion, but no money; and he found, by a little more speed and a little better management, the product of his farm did not decrease. He then set to work, and began to grub up his furze and fern, and plough up what he called his poor, dry furze, covering, in some places, nearly half the land. After giving half his land away to two of his daughters, to his great surprise he found that the product increased; he made more money, because his new broken-up furze land brought excessive crops, and at the same time he farmed the whole of his land better, for he employed more laborers on it; he rose two hours sooner in the morning, had no more dead fallows once in three years; instead of which he got two green crops in one year and ate them upon the land. When the third and last daughter married, he gave her 250 acres or half what remained for her portion, and no money. He then found that he had the same money to farm one quarter of the land that he had at first to farm the whole.

THE Commissioner sent by the British Government to examine the counties lying on the northwestern frontier of its Asiatic possessions reports that the region between Afghanistan and Tibet is rich and fertile enough to support a large army with ease. As the Russian army must pass through this hitherto unknown region, in order to invade India, the statement has created great excitement. The Commissioner has also discovered that the Himalayas may be easily crossed in the northeast by an army with camels and horses, and that a railroad might be run across them. The reports of precipices 17,000 feet high are declared to be pure fiction, and it is asserted that there is, in fact, 'a hole in the north-northeast corner of the semi-circular wall which shuts out India from the rest of Asia.'

BRITISH INDIA.—Russia is not the only for England has to deal with in India. The *Friend of India*, a journal generally supposed to be well informed, explains to its readers the organization of a powerful society rivaling the Fenians in activity and strength, which has for its object the erection of a great Muslim empire. The Wahabees, whom our readers will remember as the religious sect who lately dethroned the Imam of Muscat, have zealously spread during many years past the ramifications of their order throughout the whole of Bengal, north and east of the Ganges. The society is well organized, and the tax levied on the members is large; moreover it is generously contributed. The movement is agrarian in its character. Its apostles promise that the land tax shall be transferred from the Mussulmans to the Hindoos.

A FLORENCE letter says:—"The pecuniary success of many of our artists is so considerable that they are able to furnish themselves with the best accommodations. Mr. Ball has built a fine large house and studio in the pleasant new quarter outside the Roman gate, and Mr. Powers has also a handsome cottage in the same neighborhood. Others are preparing to fix themselves permanently here in the practice of art. Our artists secure liberal prices for their works; indeed, in most cases at least double what is paid to Italian sculptors. The energetic young men now beginning their artistic career, promise to accomplish much more than those who have preceded them."

DESTITUTION IN NEW YORK.—It is estimated that no less than 200,000 persons are now residing in New York city who have no work, no real homes, and no means which insure them a livelihood. Some of them beg or steal outright; but a large number of them eke out a miserable existence by running into debt for lodging and board, or by borrowing from week to week of whomsoever will lend them, or by quartering themselves on reluctant relatives or friends. The result is reported to be an aggregate of want, equaling misery and degradation fearful to contemplate.

The Montpensier faction in Spain impute the recent uprising at Cadiz to the influence of agents of the United States.

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We presume that gentlemen who day after day across James Bay to and pass measures affecting the Colony, are rates of postage we are forced to pay upon all persons sent out of the Colony we are half-inclined to feel if any of their number standing all are equal, the rest of the Colonists, a moment's thought, ect thi!

ing a scheme to secure similar privileges, or rates as other Colonies, honorable gentleman has thought upon the subject given the Council the ben begin to fear lest the close without any action important being had. The reminder to-day from estate" may not come induce the inquiry by a gentleman as to how it for every let or weigh half-an-ounce sent hence of the United States the public is required 10 cents in addition Colonial postage of 8 for a letter sent hence Puget Sound the same Why the rate to English five cents per half-ounce, 40 cents? These v ment queries to put to the and we shall proceed In the first place, a le across the Straits at for any part of the Un requires a US three-ce sure its delivery in Republic without fur its destination be Can stamp pays it through 22 cents; if England, if the destination be Br 15 cents is the rate. prevail throughout the for every half-ounce cross the border to Co payment of three cents from one end to the o minion; six cents to United States; and to sure its delivery any United Kingdom. But This Colony and the Im ties pay \$750 per month to a line of steamshi the mails between V Francisco; and the Po Francisco exacts a rate sent thither by mail, would if it were and not a foreign Go furnished the subsidy. taxed twice for the sum Squeers would say; "He yon!" We cannot see obtuseness that prevent Colony should pay from cent. more in postage other British Colony; discover why our people on to pay fifteen cents permitted to the nearest neighboring territory, a fifty miles, when a letter patched for three cents office to any part of the American rule." Will gentleman put the questi of the Government in th

COUNTY COURT.—This day, Judge Pemberton presided over a number of cases, one—a suit for damages—heard, when the Judge appeared in his seat at the Court was adjourned until a large number of suits were in attendance, who inconvenience by the post one of the beauties of which compels officials to as well as in a judicial cap

SELECK'S WHARF.—The property has been purchased. It will serve for of such seagoing steam may have too great a dra admit of their entering V