

Wednesday April 13, 1870

The San Juan Question.

It will have been seen by our published reports that the Legislative Council of British Columbia has unanimously adopted a resolution asking His Excellency the Governor to urge upon the Imperial and Canadian Governments the importance of retaining possession of San Juan Island, on account of its relations to British North American interests. This is well. British Columbia is most interested, and it becomes her to make her voice distinctly heard in a matter which so directly and so deeply concerns her. Not that she will, by thus putting in an appearance, add one jot to the strength of the claims of Great Britain to the Island in dispute; but the movement is chiefly important as a reminder to impress the British authorities with the importance of the Island. Our experience of past diplomacy in the settlement of international boundaries in North America shows that British interests have, somehow, always suffered. In all such matters our American cousins have proved themselves far more than a match for John Bull, and the consequence of all this is that, when we come to the work of constructing an empire out of the scattered British North American Possessions, we find ourselves sadly hampered on both oceans and crowded into a rugged mass of mountain, lake and jungle in the centre. A glance at a map will show how completely we have been encircled in this matter. On the Atlantic the State of Maine was by a recent treaty thrust like a wedge between the Provinces of Quebec and New Brunswick, interrupting direct communication and covering some eight million of acres, previously regarded as British territory and occupied by British subjects. In the Central or Northwest Territory, through ignorance of the natural resources of the country in 1773 and under a spirit of aimless concession in 1813, a vast territory was surrendered and the boundary carried so far north that communication between Canada and the great valleys and plains of the Northwest Territory just acquired by the Dominion is through a region of lakes and mountains, instead of a level plain. Nor were we more fortunate in map-making on the Pacific. A map of North America has been published in which the name of the Great Republic spreads across the continent from Behring Straits to Mexico, with the 'B' in 'United' ominously near Vancouver Island, and the 'S' in 'States' actually planted upon British territory. Through the sheer stupidity of Great Britain the boundary which should have given us the Columbia River presses hard upon the Fraser River and actually intercepts the track of our steamers plying between Vancouver Island and the mainland part of British Columbia. The only act which remains to cap the climax of British folly would appear to be the surrender of San Juan Island. The Americans already press upon our northern boundary, running down between us and the ocean with a narrow strip extending many miles along the seaboard. Give them San Juan, and Britons cannot pass to the Pacific without humbly asking permission from Brother Jonathan! About the validity of our claim to San Juan there can really be no honest doubt. It is perfectly clear that the Treaty—ah! I hate the word, rather say *swindle*—of 1846, which establishes the boundary throughout the channel which separates the Continent from Vancouver Island, intended by the words the channel nearest the Continent, the only one then generally known and used by navigators. It is the first channel and therefore pre-eminently the one which separates the Continent from Vancouver Island. The Americans by contending for the third channel, or that which is furthest from the Continent, and the very existence of which appears to have been unknown to the British Commissioners, prove to the world that their object is not to obtain possession of a few rocky islands in the Gulf of no commercial or agricultural value, but of an important military position which would block up the Straits of Fuca and overlook British Columbia as effectually as Fort Montgomery built in Canadian territory, which was stupidly surrendered to the United States by Lake Champlain and threatens by its proximity and its magnitude the chief city of the New Dominion. A territorial compromise in British Columbia may be deemed of little consequence to the people living in London; but it is only proper that Her Majesty's government should know that the Island in dispute, in itself insignificant and worthless, is in reality the key to the Pacific, to the true North-West Passage. Vancouver Island has been aptly described as 'The strong man armed, holding the door; but if the key to that door is to be surrendered to the enemy the

'strong man' must speedily evacuate, as he will have been shorn of his strength as effectually and ignominiously as Sampson was. Let the British Government understand once for all that the surrender of the apparently insignificant Island of San Juan may mean the surrender of British North America.

Legislative Council.

FRIDAY, April 9. Council met at 1:30 p.m. Mr DeCosmos gave notice to ask the Chief Commissioner of Lands and Works on Monday if any arrangement was being made to have the steamer Sir James Douglas run to Sooke once a week, and if the government are going to build a bridge built across the Sooke river, the same to be paid for in land. ROAD TOLLS. The Council went into consideration of the Governor's Message respecting the abolition of tolls on four roads. Mr Humphreys moved that after having had his Excellency's Message respecting road tolls under consideration, this Council is of opinion that it is desirable to have a conference with his Excellency the Governor respecting the necessity for the abolition of certain road tolls at Clifton, the deputations to be composed of elected members. Mr Dawdney moved the following amendment, That this Council, having taken into consideration his Excellency's Message referring to the report of a select committee appointed to enquire into the road tolls on home grown produce, is of opinion that for the reasons mentioned in that Message it is undesirable at the present time to make any change. The amendment was lost and the original motion carried. A communication from his Excellency the Governor submitting returns from assay offices in Cariboo and New Westminster, was read and laid on the table. ORDERS OF THE DAY. The Council went into Committee of the Whole on the REGISTRATION OF TITLES BILL, and passed with several amendments all the remaining clauses in the bill except two, which were postponed for recomittal. Council rose and reported progress. PROROGATION. Mr Robson gave notice that he would, on Monday next, ask the Presiding Member when it is the intention of his Excellency the Governor to prorogue this Council. Council adjourned to meet on Monday at 1 o'clock, p.m.

Representative Government—What is it? EDITOR BRITISH COLONIST:—This phrase has become so common among those who stand opposed to responsible government that it ceases to elicit any enquiry or remark as to the significance of the term. It has, in fact, come to be regarded as a mere idiom of speech used by those who oppose popular rights in contradistinction to responsible government. At the present time, however, it may not be amiss to suggest to the public mind an enquiry into the full meaning of this popular conservative expression. During the recent debate in the Council on the Confederation Resolutions, popular members were frequently told from the Executive benches that the people of this colony were to have representative government, and more particularly was this the glowing theme of the representative members of the Executive—and the only apology for an answer as to its meaning that has been given, is that a liberal proportion of the members of the Legislative Council may be elected by the people. The utter futility and fallacy of such a system of government has been so thoroughly and so repeatedly discussed and exposed, that it would be a mere waste of time and words to go over the ground again. No further argument is necessary to convince the most obtuse of the fallacy of such a system than to say British Columbia already has representative government. 'Tis true our generous rulers have graciously told us that the elective element will be increased, so much so, that the elected members will form a majority of the Council. What of that? Do numbers change principles? Cannot so irresponsible Executive veto the acts, even if they should fail to control the votes, of a large Council as easily as that of a small one? What matters how large may be the majority on a vote emanating from the 'people's representatives in the present Council? Is it regarded by the Government? And what guarantee have the people that any other set of officials, under the same system of irresponsibility, will regard the votes of any Council, even though four-fifths of its members might be elected by the people? No! No! The whole thing is a sham, a deception, a 'bilk.' And this is the keynote of the proposed delegates, who are to carry our liberties and our dearest rights to Ottawa to barter for a mess of pottage—'substantial money advantages'—with political chains! Will the people consent to be thus represented and sold? The people of British Columbia have hitherto spoken in this matter, and their voice has been regarded. Let them speak again, not 'in bondsman's key with bated breath' but with a voice that will reach to Ottawa and the Throne, that may 'strangle in the porch' this bidding flattery on the threshold of that union which it so long has sought as an asylum from political tyranny. No FRENCH woman, no English woman of cultivation nowadays wear her garter below the knee. It is ruinous to the shape of the calf. More than this it has serious consequences of another kind. The principal vein of the leg (*vena saphena brevis*) runs just beneath the skin until it nearly reaches the knee, when it sinks beneath the muscles. Now if this is constricted at its largest part by a tight garter, the blood is checked in its return to the heart, the feet are easily chilled and more liable to disease, the other veins of the leg are swelled into hard, blue knots, become varicose, as it is called, and often break, forming obnoxious ulcers. This is a picture which a physician sees nearly every day. With the garter fastened above the knees all this pain and deformity are avoided. It is said that a new description of lava is being thrown from the crater of Vesuvius since the last eruption, consisting of crystallized salt. This beautiful phenomenon has hitherto been unknown in volcanic natural history.

European Mail Summary.

By the Active and California we have European papers to the 12th of March. In England the workmen are organizing, to return a member of their class to the House of Commons. The government, or more correctly, the managers of the Liberal party in the House of Commons, have taken to heart the lesson of the Southwark election, and have decided to adopt a policy which will avoid such calamities in future. Four vacancies are to be created, as soon as possible, in the House of Commons, and these seats are to be filled by working-men candidates. The vacancies are to be made for boroughs in which the constituency is largely composed of workmen, so that there is to be no risk of the matter, and it is understood that three of the four new members are to be Mr Odger, Mr Applegarth and Mr George Potter. The fourth one is not yet determined. The managers of the party were plainly apprised that this concession must be granted to the working-men, or that they must expect to have the Southwark business repeated over and over again, and Tories let in at every contested election. The managers for a while endeavored to postpone the business until the next general election, but the proposition was at once rejected. 'We cannot afford to wait,' said the representatives of the working-men; 'there are too many questions coming up for decision in which we are interested, and on which we must be heard now. You can take your choice; if you think you can afford to split the Liberal party into factions, and to drive us to set up a separate organization, so be it. We will no longer vote for you men unless you will now return the favor and give us, not our full share, but a share of representation. We have made up our plan of action. At every election hereafter, we will put up our man; you will put up yours; the Liberal strength will be divided, and the Tory will win. If you grant our demand, and put our four men in, we will be satisfied, at least for the present, and you can rely on the votes of our wing of the party.' The case was a clear one; the managers yielded; and as soon as may be the arrangement will be carried into effect. The elections at Waterford and Tipperary have been attended with disgraceful and dangerous rioting. Threatening letters still continue to be sent to persons holding or letting land, and the rights of occupiers are urged at public meetings with extreme force. The Land Bill is unsatisfactory to the Farmer's Clubs, and the extension of the Ulster Tenant Right to the whole country is insisted upon. Mr Heron, Mr Disraeli's 'sham Fenian,' was officially returned for Tipperary by a majority of four votes over his opponent Mr Kichham, the 'true Fenian,' having polled 1668 votes against Mr Kichham's 1664. The total number of votes given was therefore 3332, a third greater, as compared with the 2171 given last November, on the occasion of the contest between O'Donovan Rossa and Mr Heron. Still, the number of electors who did not vote is far greater than the number who did, as there were near 9000 registered electors in 1865, and in the contest between Mr White and Mr Waldron in October, 1866, no less than 6284 actually voted, nearly double the number of those who voted last week. Clearly there is terrorism in Tipperary on one side, perhaps on both. A great Conservative banquet was held in the city of London on the 10th March, when speeches were delivered by Mr Hardy, Sir J. Pakington, Lord O. Hamilton, and others, but no declarations of any great importance were made. Mr Berkeley, member for Bristol, and a persistent advocate of the ballot, is dead, and three candidates are vying for the constituency on the Liberal side. Mr Kirkham, Hodgson, ex-Governor of the Bank of England, and Mr Robinson, local magnate, will submit to a test ballot; but Mr Odger, workman's candidate, will not. If three Liberals or even two go to the poll a Tory will slip in—but what is to be done? The workmen will not yield until the class exclusion is over, and if Mr Odger goes to the poll alone half the Liberals will vote for the Tory. The Nottingham election resulted in the return of Mr Auberson Herbert by a majority of some 300. Mr Bernal Osborne has been elected at Waterford by a narrow majority over Mr Smythe. Lord Barcople (Mr Maitland), a Scotch Lord of Session, is dead. Several accidents in the hunting field have occurred. The Marquis of Ailsa fell with his horse and sustained severe internal injuries, in consequence of which he now lies in a dangerous state. The Hon Mrs Loyd Lindsay was thrown while hunting and fractured her ankle. Count Esterhazy, riding in the Malton steeplechase, sustained a fracture of the collar bone by a fall of his horse. A number of men who forcibly asserted the rights of the *soi-disant* Countess of Derwent, water have been tried for riot and the leader sentenced to 9 months imprisonment. A merchant, William Lindon, recently absconded from London to avoid a prosecution for forgery. He was found at Valencia, in Spain, and was brought to England in custody, but committed suicide by hanging himself when off Liverpool. In an action brought by an eminent physician, Dr Williams, against the Duchess of Somerset for a libel, an apology was tendered and accepted, and a verdict with nominal damages given for the plaintiff. The Carmarthen Magistrates are inquiring into a charge brought against the doctors and the Watching Committee of conducting to the death of the Welsh fasting girl. The Wicklow Peasage case has assumed a new shape. Charges of fraud and perjury have been raised. Mrs Howard, the alleged mother of the infant claimant, has been committed to custody for refusing to give evidence. Lieut Henry D Macaulay will vacate his post as Flag-Lieut of the Indus, Rear-Admiral the Hon James R Drummond, O.B., in April. This appears to indicate that future Admirals Superintendents of Devonport dockyard, if appointed, will not have a Flag-Lieut under them. Jacob Spinas, the Swiss porter who murdered an unfortunate woman at an hotel in Finsbury-square, has been convicted and sentenced to death. A large body of merchants waited on Lord Clarendon on March 10th to complain of the new treaty with China. They did not like the increase of 2-1/2 per cent on imports, because they thought the local mandarins would still levy transit duties—and they objected to the increased export duty on silk. Lord Clarendon, in an excessively lengthy written article, fairly smashed their case, showing, first, that experienced men believed that Pekin would prevent local transit duties; and second, that under the Treaty of Tientsin, China was entitled to put a 5 per cent. export duty on silk, and that the enhanced duty did not exceed that figure.

Letter from Australia.

Melbourne, January 29th, 1870. The following jottings respecting Melbourne, may perhaps prove interesting to you, especially as some of the inhabitants of your distant Island occasionally express themselves as desirous of visiting Australia and Victoria, of which Melbourne is the Capital, is considered the best part of this Island continent. Melbourne, you are aware, is situated on Port Phillip Bay, an extensive inlet, some 20 miles long by 10 to 15 broad, entirely land-locked, the entrance being scarcely two cables in width. The inhabitants of Melbourne are very fond of comparing their city with San Francisco, and they generally flatter themselves that they take the lead of that celebrated American city. As to the amount of trade, statistics tell largely in favor of San Francisco. Its population, Melbourne proper has about 48,000, and with her suburbs some 4 or 5 miles away, 150,000. I believe San Francisco at present has some 110,000 and no suburbs. Victorians claim their city to be a handsomer city and better laid out. As most cities have some name bestowed upon them significant of their peculiarities, Melbourne might appropriately be called the city of unfinished buildings, for none of the public buildings of any size are finished, and the jagged ends of walls present a remarkable feature to the traveller from other lands. I may mention the Houses of Parliament, Public Library, Post Office, Custom House, University, and other public buildings, St Patrick's Cathedral (R O), and an infinite number of churches and chapels of all denominations that have been planned for a large population. In following out the comparison with San Francisco, the latter has far the advantage of Melbourne, both from the clear water of the bay coming right up to the city front, and from the hills rising from Montgomery street at the back. The public buildings of Melbourne are finer, but they have cost enormous sums of money. The private buildings are decidedly inferior. The streets are wider but they are very badly kept, as they are macadamized with broken blue stone, which is simply a lava, and comparatively softer than granite, and soon wears into holes and creates an insufferable quantity of dust. Melbourne is admirably supplied with water, a constant supply of which is essential to all 'on' led into every house, derived from very pure sources in the hills about 14 to 20 miles away and stored in the Yan Yan reservoir about 200 feet above the level of the sea and town. Melbourne is absolutely without sewers, or underground drains. All superfluous water passes away by surface drainage through the streets, and although all drainage from cesspools and other noxious sources is prohibited under heavy penalties, sometimes the effluvia on the principal drainage streets—Swanston and Elizabeth streets, running down to the river Yaa Yaa is fearful. The gutters on these streets are broad channels on each side of the street, some 9 feet wide and are crossed by bridges from the footpath to the roadway at the intersections, and frequently during a rain storm the street is flooded from side to side. You may judge of the volume of water passing down by the fact of a man having been drowned last year in the water channel on Elizabeth street during a heavy rain. He slipped off the side of one of the bridges, and was carried by the current under another bridge, where he stuck fast and before he could be got out he was dead. The cause of this disgrace to the city is that the property owners in the city do not like to tax themselves to make sewers, and the Legislature do not like to compel them to do it. The municipal franchise is entirely a property qualification. For property worth £100 or less, 1 vote, for £200 2 votes, for £300 3 votes. There it stops. Why it should not be carried out in its integrity and give a man a vote for every £100 worth of property, I cannot see. It ever the golden image was worshipped, it is here in this colony. If a man only has money, no matter how he got it, he is entitled to the highest seat in the highest places. And as a consequence corruption and knavery flourish with a rank growth rarely equalled. In public gardens and reserves, San Francisco is miserably deficient, while Melbourne is supplied abundantly with them. Fitzroy Garden, beautifully kept and much frequented. Carr, the largest, is about 100 acres I should think, and some 8 or 10 more of various sizes. There is none of very large size that will serve for a drive around, and they all partake more of the gardens than the park. The public are generally excluded from the grass, when there is any, and by some strange peculiarity of the people here, although we suffer the greater part of the year from tropical heat, there are I may say, no shade trees were planted. None of the native trees give any shade, their branches do not spread but grow upwards, and though some attain in their native forests to an enormous size, and attain to a height exceeding 200 feet, yet they give little shade. As everything native in Australia is different from the rest of the world, so the leaves of trees are pendant—generally long narrow and almost alike on each side. They are never of a bright green, and early in spring assume a chocolate color. The one exception is the wattle tree which sometimes looks green just before it puts out its yellow flowers. You must not come to Australia to look for delicate tints or beautiful forms. It must have been discovered 10,000 years too soon. But to return to the strange ideas prevalent in the management of the public gardens. You find plenty of coniferous trees, the Washingtonia (as it is called here, the Wellingtonia Gigantea), in stunted growth with cedars and others, all growing as shrubs, but of trees suitable to the warmest of the climate as the Spanish chestnut, Horse chestnut, Lime, Elm, Ash, and Oak, not a specimen. Indeed I do not know of a single specimen of some of them. I do not know what is the proper name of the Linden tree that make the public walks and gardens in Berlin, and other parts of Germany so pleasant, but it must be suited to this climate, and I believe is of rapid growth. G.

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Responsible vs. Representative Government.

The difference between government and representative government would still appear to be far from fully understood. In the subject is regarded from a point which scarcely permits vision. The question is vie all the mist exhaled by self class-prejudice. Upon such no intention of spending a ing well that 'A man proved wrong against is of the same opinion still.' But we are led to think that others who are honestly who are accustomed to responsible government and responsible government as synonymous very much has already been written upon this subject. The most hesitates to fire the yet it is one which so deeply this people at the present that we are impelled to the iron and inexorable logic of shall, therefore, offer a thoughts. The difference responsible government and responsible government is both important. Responsible government imports, it is that the word imports, it is that which those who administer of the country are made dir- sible to the people. The composed of such of the pe- sionatives as the Governor n his aid. These with the G- stitute the government p whenever they fall to comm- fidence of the Legislative in other words, whenever the an adverse vote upon any measure of public policy, one is supposed to take place: The presumably having lost the of the people as represen- Legislative branch, place the tion in the hands of the who commonly invites the Opposition to form a new M- if the Ministry conceive the- lature does not truly re- views of the people upon t- at issue they advise the G- lissolve the House and a- country. A general electi- and should the new House o- of its members be of the s- thinking as the old, the M- cept it as conclusive evide- policy runs counter to pub- and there is no alternative place to the Opposition. course is very rarely adop- rule when a Cabinet sustai- defeat upon any cardinal public policy, it gracefully r- this is not of frequent occ- change of Ministry involv- oas of a sufficiently seriou- to make the Legislature tol- servative; while, on the othe- direct responsibility to the immediate consequences sponibility cause a Ministry ceedingly careful to frame conformably to the well- wishes of the people. The system every possible in- consult and conform to pub- and public opinion, being th- and conformed to, becom- and assumes a tone of healt- There are various forms of- tive government; but it w- be more convenient to de- question in the form pres- the Constitution proposed- diately conferred upon this- Legislative branch will be- a majority of members elec- people; the remainder by- the government corresponding- Ministers, but yet holding- pointment, being neither elec- any way responsible to- These appointees constitu- junction with the Governor, t- ment proper. There is a- ment composed of the electe- who, are invited by the G- take seats in the Executi- but merely to give advice- tions to this form of govern- be apparent. The very abe- sponibility to the people w- lead the Government to be- tous to administer in accord- the wishes of the people, with impunity disregard th- representatives. An adverse confidence, may only serve their sneers or provoke the- No matter how largely the- tative element may predom- Legislature, the Government it utterly powerless for good. twentyths may vote for a m- it will be perfectly compet- Executive to defeat it. In- acts of the Legislature may- ed only to be carried out- happen to accord with the v-