

The Weekly Colonist.

Tuesday, October 18, 1904

A UNIQUE DEBATE.

The debate on Tuesday last in the Legislative Council, on the Barristers' bill, requires something more than a passing notice. The Chief Justice agreed with the bill generally, but was opposed to the clause admitting barristers to practice as attorneys and attorneys as barristers. The reasons, however, given by Judge Cameron for excluding this clause do not appear to be very forcible. He says that previous to the advent of English practitioners, he allowed Americans to fill both positions, but that on the arrival of professional men from England he found the latter incapable of practicing in the two capacities. Now all that we would fairly deduce from this would be that English lawyers, as a general rule, were unskilled to small colonies, and that before they could be admitted to practice, they should be obliged to make themselves conversant with the duties of that branch of the profession which they had hitherto neglected. We have before said that colonies were not made for lawyers. If we have a certain class of barristers and attorneys whose experience has been confined to but one part of the profession, it is scarcely reasonable to make the colony pay double for its law on that account. If the Chief Justice were a law reformer he would turn the tables on the ambitious gentlemen from England, and introduce a clause into the Barristers' bill that would prohibit them or any lawyers from practicing who were not conversant with duties appertaining to both barrister and attorney. But Judge Cameron talks too much of the "rights and dignity of the profession" to make any reforms that would ever cheapen law in Vancouver Island.

The Colonial Secretary was in favor of the general principle of the bill, but he wished a postponement of its consideration on two grounds—first, in order to give the Attorney General time to furnish up his knowledge of legal practice in other colonies, and second to give the new Chief Justice an opportunity of voting on the measure. Now, what the practice of other colonies has to do in this matter we are entirely at a loss to conceive. If the people of Vancouver Island desire certain laws to meet certain exigencies, what is it to them if the North American Provinces, or Australasia, or the British West Indies, adopt a different class of enactments. What the learned Attorney General is going to discover in the consolidated statutes of other colonies we do not profess to know; but there is something eminently profound in the idea of making laws not to suit the population that demand them, but to conform to the standards of other countries. The suggestion of the Colonial Secretary to postpone the discussion of the bill until the arrival of a new Chief Justice is about as enlightened as the foregoing. If the people of the colony choose to have a certain law we would like to know what a Chief Justice's opinion, as a legislator, has to do with the matter. It is generally conceded that judicial and legislative functions should never be combined; but it would appear, from the remarks of the hon. the Colonial Secretary, that the combination of the two, so far from being prejudicial is absolutely necessary—so much so indeed that legislation must wait for some months, until the arrival of our new Chief Justice. Verily the people of Vancouver Island are a very ignorant and helpless class of colonials.

After the foregoing one would naturally have expected that a little ballast would have been thrown into the debate to remove its crankiness; but so far from this being the case the Attorney General jumps up and piles on an additional burden to its top weight. With a flippancy that even Mr. Cary would never have dared to use, this gentleman proceeds to show what a number of blockheads are the members of the Lower House, how lost they are even to all sense of propriety. They legislate in not only ignorance, but indifference, and are little better than a reckless, rampant, radical lot of adventurers. Poor Mr. Wood, we are afraid his recent elevation has been too much for him—otherwise he would have perceived that he was speaking in the most unparliamentary language of one of the estates of Government—in the most insulting manner of the people's representatives—and in the most flippant tone of the principles of the bill. He fastens with almost a Chief Justice's acumen on that glaring absurdity which would have admitted so ignoble a person as Sir James J. Macdonald to practice at the Vancouver Island bar. He points out, with a more than Ciceroian flourish, the ignorance of legislators who would admit a D.C.L. to legal practice. Unhappily, however, for the gentleman's legal reputation, he discovered something that wasn't in the bill at all—a clause that had been struck out in the Committee of the Lower House. Beyond disclosing this absurdity the learned Attorney-General did not attempt to go. He had evidently got to "the length of his tether"—the end of his objections to the bill; that however did not make much mat-

ter. He demolished the Lower House. If he only wandered from it a minute he rubbed back again with renewed vigor to the defunct body, and, like Faust with the dead Percy, gave it another stab. His Excellency Governor Kennedy alighted some time since to the obstacles which had been placed in his way over which he was expected to break his shins. We sincerely believe that he after stumbling block for this undisciplined gubernatorial exercise could be found than some of the official elements in the Upper House.

THE CHILCOATEN EXPEDITION.

Diary of a Volunteer.

This expensive and unfortunate expedition, which has dragged its slow length along for the whole summer, has at length been brought to a termination, and so far as appears at present, with the most barren results. Our New Westminster contemporary briefly sums up the fruits of the undertaking as follows: "While every one will regret that the practical results of an undertaking which must have cost considerably over \$100,000 are so meagre, yet it is matter of great thankfulness that it has been attended with no loss of life." The whole conduct of the affair has been thoroughly mismanaged; only a small number of the Indian murderers and their abettors have been captured, and of these the majority seem likely to escape their just punishment; and the effect of the expedition will in all probability only be to create a still more hostile feeling among the interior tribes, with a strong leaven of contempt both in them and the Coast allies, for the helplessness of the whites in their futile attempts at retaliation for the many outrages perpetrated on their countrymen.

We have been favored with the perusal of a copious diary kept by one of the volunteers of Mr. Brew's party during the progress of the expedition, from which we extract the following information as to the management of the affair, incidents by the way, nature of the country, and the ultimate failure of the undertaking:

The departure of Mr. Brew's party of twenty-eight volunteers and their arrival at the head of navigation on Bentinck Arm, have already been fully narrated in our columns. The first few days' travel were chiefly taken up with getting the pack-train—a lot of wild, half-broken, unmanageable stock—into good working order, which was a task of no little difficulty; on the fourth or fifth day out the whole caravan stamped, resulting in the thirty-hundred-pound pack-saddles here, ropes, staves, flour, blankets, bacon, beans, buckets, and a heterogeneous mass of *idols* scattered along the trail in the most admired confusion, all caused, as the writer quaintly remarks, "by starting before the pack-train, instead of about 150 lbs. were loaded down with from 200 to 350, and consequently would occasionally endeavor to lighten their grievances as well as their loads by lying down and kicking all every thing about them." About this time some Indians were seen on the opposite side of the river, and were said to be Chilcoaten, which caused considerable excitement among the volunteers, who were just then strung out along a narrow winding trail. One of the gallant fellows, who occupied a place near the rear of the file, doubtless anxious to have a brush with the redskins, came rushing up carrying his rifle—a Government Lancaster—at full cock, and the consequence was a twig caught the trigger, bang went the rifle, and the ball, after passing through the wrist of the man immediately before him, went whizzing close past about twenty more, some of whom had a very narrow escape. This was the first and only casualty which happened to this branch of the expedition. The Indians proved, when spoken to, to be Assinies, the tribe who murdered poor Robert McLeod last winter, and a good opportunity was offered to make them give up the murderers, but the matter was not even broached to them. On the 28th June the party arrived at the foot of the Great Slide, which has been held up as an insurmountable barrier to travel on the Bentinck Arm route. The diary briefly describes it as a steep, rough trail, covered with broken stones, which proved a considerable obstacle to their pack-horses, and would have offered no serious difficulty to them. A rather startling incident occurred at this point, which probably gave rise to the rumor which reached Victoria shortly after that time, that the expedition had been attacked at the Great Slide and hurried over the cliffs. As the packers were toilsomely wending their way up the steep, they were startled by the sudden appearance of a stalwart savage, painted and plumed, who springing up from behind a clump of fern, fiercely shouted, *Kar mika chako!* After glaring on them for a few seconds, the "brave" sunk down behind the bushes to the great relief of the packers. The same dodge was tried by the Siwash on Lieutenant Stewart of H. M. S. Stiel, who happened to be some distance behind the train, but the gallant officer at once brought his revolver to bear on him, and marched him off a prisoner to head-quarters. He stated that he was the chief Anobam's brother, and was recognized as one of the party who demanded powder from Elliot's store at Bella Coola. On being questioned, this Indian stated that there were three tribes implicated in the attack on McDonald's pack train; the fighting party numbered twenty, and a great many others were in the bush round the spot to see the "brave" shoot the white men. The plunder was distributed among all the three tribes. After a variety of mishaps in fording torrents, crossing rotten bridges, and clambering over steep, rocky trails, with such damaging effect to their ill-provided pack-train, as to draw from our journalist, who is an experienced woodsman, the bitter remark that "the whole business is botched from the first from want of a proper leader." The expedition passed Nadoon Lake and arrived at the scene of the murder of McDonald's party. The ground in this vicinity still showed many traces of

the desperate struggle. The first indication seen was an apparition, some straps, a half keg of nails and some augers; a little further on we saw some broken boxes, matches, &c., strewn about, and in a few steps more, lying by the roadside, we came on the remains of poor McDonald. The clothing was all stripped off, and the body very much eaten by wolves, only the thigh-bones, ribs, back and head being left; both legs were off half way down from the knees, and both hands were also gone, the fingers of one being found near the roadside. On examining the clothes which lay around we found that he had been shot under the left arm, and through the right wrist—the latter shot having been fired so close as to singe the clothes—also through both legs. Some two hundred yards further on we found the body of Higgins, much eaten by wolves; he had also been shot under the arm and through the right wrist, and also in the stomach with buckshot. He had been dragged off the trail by the feet, and his head, the back of which was battered to pieces, lay in a hollow surrounded with hair, as if he had been pounded with axes and muskets. Still further on, we came to a smoky dead hearse; next to a box of candles and a quantity of broken ones strewn round, and then close to a little pond near the trail we found the body of McDonald, full of bullet holes, and horribly mangled. From the Assinies Indian the party learnt the particulars of the attack, and of the determined, although unavailing, bravery of poor McDonald. The savages had prepared an ambush at a point on the trail a little further on than the scene of the attack, but McLeod and McDonald hearing of it turned back, so the Indians ran rapidly round Nadoon Lake and got to the rear of the train, where they crouched behind logs till the packers came up, when they commenced their murderous onslaught. At the first fire McDonald and Higgins fell dead. Grant, who was walking with Mr. McDonald, raised his gun but it missed fire, so he called to the latter to run, but McDonald, saying he wanted to give them all he had first, discharged his double-barreled gun, loaded with ball and heavy shot, right into the crowd of savages, who by this time had called from their ambush. McDonald, who was perfectly cool, then stepped behind a tree, and resting his six-shooter on a limb, began popping over the red rascals. A tall, brawny savage, between whom and McDonald there existed an old grudge, rushed up with a frightful yell and leveled his musket, but before he could pull the trigger a bullet from McDonald's revolver pierced his heart. His revolver discharged, McDonald then seized his gun, but before he could load it he was surrounded by a crowd of savages, and rididdled with balls and shot. Grant, seeing his fate, fled, shooting down one of his pursuers and receiving a ball through his own arm. The Indians, however, Johnston was cleverly effaced. He started off at full speed through the bush, followed by several Indians, firing as they ran. Seeing a small lake ahead, Johnston headed for it, and his pursuers, having stopped to load, he slipped into the water and secured himself in the bushes. The Indians soon came up, and seeing the hat floating in the water imagined their victim was drowned and gave up the chase, when Johnston crawled out and made good his escape. The volunteers found the graves of two Indians close to McDonald's place, and the remains of the Assinies carefully interring the remains of the unfortunate packers, the party came on to Stilece, July 2d, over a very good trail. In the words of the diary, "this is the route for comfortable travelling, and no mistake." Some excitement took place here, caused by the discovery of fresh Indian signs. The party followed it for some distance, but were treacherously led off to the old trail by the Anaham Indian, whom Mr. Brew, contrary to the advice of the most experienced men of his party, allowed to guide the party. The rascal led them into a big swamp, and to the thighs in mud and water, and then said he did not know the trail, and they were obliged to go back to camp. Next day the party again went out scouting, leaving the Chilcoaten Indian to take care of the horses, but on returning in the evening he found that the wily savage had skedaddled with their best pack-horse. Two of the party took up the trail of the runaway, and after a hard chase came up with the horse, but saw no more of their quondam guide. "So much," said the diary, "for Mr. Brew's Indian company for the Indians, and his orders that the Chilcoaten rascal should not be treated as a prisoner!"

DR. J. COLLIS BROWNE'S Chlorodyne. Cholera, Dysentery, Diarrhoea, Grippe, Ague, Fever, Rheumatism, Consumption, Asthma, Cough, &c. ALL PAIN, SUFFERING AND DISTRESS caused in a few minutes after taking, done so that wonderful Sarsaparilla and Anodyne...

SAUCE—LEA AND PERRIN'S Worcestershire Sauce. PREPARED BY LEA & PERRIN, MEDICAL CHEMISTS at Malton, Yorkshire, England.

Caution. Lea & Perrin's Worcestershire Sauce. Beware of cheap imitations. The name of Lea & Perrin is prominent on the wrapper.

BOARDING SCHOOL FOR YOUNG LADIES. Mrs. WILSON BROWN, CHURCH BANK HOUSE, Victoria, V. I.

DR. J. COLLIS BROWNE'S Chlorodyne. ALL PAIN, SUFFERING AND DISTRESS caused in a few minutes after taking, done so that wonderful Sarsaparilla and Anodyne...

SAUCE—LEA AND PERRIN'S Worcestershire Sauce. PREPARED BY LEA & PERRIN, MEDICAL CHEMISTS at Malton, Yorkshire, England.

Caution. Lea & Perrin's Worcestershire Sauce. Beware of cheap imitations. The name of Lea & Perrin is prominent on the wrapper.

BOARDING SCHOOL FOR YOUNG LADIES. Mrs. WILSON BROWN, CHURCH BANK HOUSE, Victoria, V. I.

BOARDING SCHOOL FOR YOUNG LADIES. Mrs. WILSON BROWN, CHURCH BANK HOUSE, Victoria, V. I.

ALL CURES MADE EASY!! Holloway's Ointment. Had Legs, Ulcerous Sores, Bad Breasts, and Old Wounds. No description of wound, sore or ulcer can resist the healing properties of this excellent Ointment.

SAUCE—LEA AND PERRIN'S Worcestershire Sauce. PREPARED BY LEA & PERRIN, MEDICAL CHEMISTS at Malton, Yorkshire, England.

Caution. Lea & Perrin's Worcestershire Sauce. Beware of cheap imitations. The name of Lea & Perrin is prominent on the wrapper.

BOARDING SCHOOL FOR YOUNG LADIES. Mrs. WILSON BROWN, CHURCH BANK HOUSE, Victoria, V. I.

BOARDING SCHOOL FOR YOUNG LADIES. Mrs. WILSON BROWN, CHURCH BANK HOUSE, Victoria, V. I.

ALL CURES MADE EASY!! Holloway's Ointment. Had Legs, Ulcerous Sores, Bad Breasts, and Old Wounds. No description of wound, sore or ulcer can resist the healing properties of this excellent Ointment.

SAUCE—LEA AND PERRIN'S Worcestershire Sauce. PREPARED BY LEA & PERRIN, MEDICAL CHEMISTS at Malton, Yorkshire, England.

Caution. Lea & Perrin's Worcestershire Sauce. Beware of cheap imitations. The name of Lea & Perrin is prominent on the wrapper.

BOARDING SCHOOL FOR YOUNG LADIES. Mrs. WILSON BROWN, CHURCH BANK HOUSE, Victoria, V. I.

BOARDING SCHOOL FOR YOUNG LADIES. Mrs. WILSON BROWN, CHURCH BANK HOUSE, Victoria, V. I.

BOARDING SCHOOL FOR YOUNG LADIES. Mrs. WILSON BROWN, CHURCH BANK HOUSE, Victoria, V. I.