The Weekly British Colonist,

Wednesday April 19th 1871

County Court Judges.

Since the publication of Governor Musgrave's dispatch to Lord Lisgar public opinion has been more pronounced upon the subject of the County Courts being administered by gentlemen devoid of legal training; and we are bound to say that the verdict of public opinion is decidedly against the continuance of such a system. Referring to the Stipendiary Magistrates, His Excellency says: "These Magistrates are not only Justices of the Peace, but County Court Judges, Indian Agents, Assistant Commissioners of Lands and Works, Collectors of Revenue in the different departments of the public service at the several stations hundreds of miles apart and in very extensive districts," and His Excellency adds, "I think that these appointments are singularly well filled." A twelve years' residence in the colony and a close scrutiny of the administration of its affairs, both civil and judicial, enables the present writer to concur in an opinion formed by His Excellency respecting this class of officers in less than eighteen months after his arrival in the country, with this reservation or qualification, however, that in so far as their exercise of the functions of County Court Judges is concerned they have done singularly well for men, without the advantage of legal training. A sense of what is due to the public interest and to the cause of truth compels us to make this reservation; and in doing so we mean no disrespect to a set of officers for whom we entertain the greatest regard, many of whom we venture to count amongst our personal friends. Indeed, to say that gentlemen without legal training were well fitted to administer a Court of Law having a very wide jurisdiction would be to knock over the theories and ignore the experience of the most powerful and enlightened country in the world. If we look at our own mother country, or if we refer to Canada, we will find that not only is a legal training held to be an essential qualification for administering Courts having much more limited jurisdiction than our County Courts, but legal practitioners of the greatest experience are as a rule, selected to fill these positions. If it really be so that the positions of County Court Judges in British Columbia "are singularly well filled" by gentlemen wholly innocent of the law, it occurs to one to ask why, in other lands, the sole road, and the long and tedious road, to the Bench should be through a thorough course of legal study and a lengthened practise at the Bar? Nay, it may justly be asked if gentlemen of ordinary education and destitute of legal lore may take but one step from the guard-room or the counting-house to the Bench, why is it that we are called upon to pay one thousand pounds sterling a year for a Puisne Judge, or twelve hundred pounds sterling a year for a Chief Justice? There is no short cut, no Royal road to the Bench in England. There is none in Canada. There none but a thoroughly trained and experienced professional man can administer even in the Division Courts, with jurisdiction restricted to matters involving eighty dollars. The Stipendiary Magistrates of British Columbia will not take it unkindly when we assert that they are not possessed of an essential pre-requisite for the position of County Court Judges; that it is not in the true interests of the country that they should be continued in that position, and that matured and thoughtful public opinion is decidedly adverse to a perpetuation of the present system. Indeed, we have reason to know that the best qualified amongst them are conscious of the false position into which they have been reluctantly pressed by the exigencies of the public service; and now that a great constitutional political change is about to sweep away the conditions which created this judicial anomaly, liberation from that position would be no less grateful to their own feelings than it would undoubtedly be acceptable to the country. It is not impossible that the Governor has been surrounded by those who have led him to believe that these officers have been enabled to discharge the functions of County Court Judges with satisfaction to themselves and general acceptance to the country; and it is presumable that, in a very natural anxiety to seek refuge in the County Court from the possible pecuniary consequences of impending political changes these estimable officers may have been tempted to smother their own convictions; but we beg to assure both the Governor and the Stipendiary Magistrates—and we do so respectfully and in a friendly spirit—that no greater unkindness could be done to these gentlemen than to leave them in a position which every thinking person must know it is impossible for them to continue to occupy under a representative form of administration. If the matter is to be regarded in the light of a mere diplomatic transaction, having no object beyond placing these gentlemen in Federal keeping, it is a different affair. But if these officers are to be transferred to the Federal list with the distinct understanding that the positions of County Court Judges "are singularly well filled" by them, and that the colony will complacently acquiesce in their permanent occupation of these positions the Governor is committing a grave mistake, respecting which both His Excellency and the Canadian Government will ere long be undeceived.

Sunday, April 16.

MR. PUNSHON'S MOVEMENTS.—Yesterday the Rev Dr Punshon and party, together with the Mayor and Mrs Robertson and others, lunched at Mr Jessop's. After lunch Mr Punshon and party drove out with His Worship Mayor Robertson to see some of those beautiful localities with which the environs of Victoria abound. On Tuesday this distinguished gentleman will go to New Westminster and proceed thence to Yale, probably taking a run up as far as Boston Bar. On his return he will probably visit the Sumas and Chilliwack settlements, preach at New Westminster and lecture at Burrard Inlet, getting back to Victoria on Saturday. Beyond this the present programme does not extend, but we believe it is understood that the party will leave for Portland on Tuesday week. It is greatly to be regretted that Mr Punshon's engagements are such as to prevent an extension of his trip as far as Cariboo; for, in the larger and more important sense, no man can truly be said to have seen British Columbia who has not passed through the magnificent country east of the Cascade Range. To stop short at Yale or Boston Bar is to turn back at the threshold of this great Province of the Pacific. It may be mentioned in this connection that Mr Barnard, with his usual liberality, tendered Mr Punshon a free passage to Cariboo and back.

NEW WESTMINSTER ITEMS. — The Rifle Volunteers have commenced practice at the butts. The prize medal given by the late Dr Black was shot for yesterday..... The Hyacks held a meeting on Monday evening for the purpose of completing their arrangements for May Day celebration. Miss Lizzie Irving was elected May Queen. A committee was appointed to draft resolutions of condolence to the widow of the late Dr Black.... The members of the Cemetery Board held a meeting on Friday. A reply from the Governor was read stating that certain financial aid applied for could not be granted, whereupon the members of the Board at once resigned. Phew!.... A movement is on foot to erect by popular subscription a fitting monument at the grave of the late Dr Black.... Owing to some temporary defects in the steamer Hope the Onward would take her place for a couple of trips or so.... The early run of salmon to the Fraser River has commenced.

GREAT ATTRACTIONS FOR THE LADIES.—The enterprise displayed by Messrs J H Turner & Co of the London House in supplying the ladies of this remote region with the latest European fashions is deserving of all praise. The siege of Paris only slightly interrupted their regular importations; but scarcely had the gates of that emporium of fashion been thrown open to the German army than a shipment of goods issued out for the London House. These goods arrived by the last direct steamer and are now in stock. They combine the very latest styles and the most exquisite fabrics with the best material. Amongst the goods just opened are the choicest productions of England, France and Germany.

ODD FELLOWS HALL will be thrown open to the public to-day from 10 a m to 4 p m. The Hall has been repainted, repapered and refurnished, and now presents an elegant appearance. The upholstering was done by Weiler, the painting by Eli Harrison and John Crowther, and the carpenter-work by Thomas Story. The reconstruction committee of the Order are Messrs Drummond, Hurtable and Gowen, and the excellence of the work performed is evidence sufficient (if any were wanted) that they have ably discharged their duty. The hall is now the handsomest in the Colony.

BIG BEND.—From Mr J A Mara, who left that district on the 30th March, we learn that there are four companies working on French Creek, viz: Jim co, Baily co, Walsh co and Comox co—all making about $5 per day to the hand. On Camp Creek a company was also making good wages. The weather had been very mild, but on Seymour divide the snow is 20 feet deep. The farmers along the Thompson are doing well and are all sowing their grain. The cattle are in fine condition and every interest looks thriving and prosperous.

THEATRE ROYAL.—"A Touch of Nature" and "Satanella" were produced at the theatre last night to—we are sorry to have to write it—a very poor house. Better acting we have never seen on a stage in this colony and it speaks badly for the taste of our city that it should be worse than wasted. To-morrow evening three fine pieces will be produced and as it is no more than right that an effort should be made to give the company at least one good house during the season, suppose that effort be put forth to-morrow.

DAVID GREEN, clothier, Government street, near the St Nicholas building, finding his former premises too contracted to accommodate his increasing customers, has doubled the capacity of his store and enlarged his stock of goods.

ANNUAL SERMON.—The annual sermon before the St Andrew's and Caledonian Society will be delivered by Rev Mr McGregor at St Andrew's Church. This morning.

Official Announcements.

The following announcements appeared in the *Government Gazette* of yesterday:

The Queen has been graciously pleased to appoint Anthony Musgrave, Esq, Governor of the colony of British Columbia, to be an Ordinary Member of the Third Class of the Most Distinguished Order of St Michael and St George.

Holders of Debentures under the 'Exchequer Debenture Ordinance, 1867,' the 'Vancouver Temporary Loan Act, 1866,' or the 'Cook's Ferry and Clinton Road Bond Act, 1863,' are notified that the Government will discharge their liabilities on application at three months from date, after which interest will cease. Parties desiring earlier liquidation are requested to communicate with the Colonial Secretary without delay.

A Court of General Assize and Gaol Delivery will be held at the Court House, James Bay, on Tuesday, the 16th day of May prox.

The Medical Practitioners who have registered under the 'Medical Ordinance, 1867,' are as follows:

John Sebastian Helmcken—A Diploma from the Royal College of Surgeons, England, dated 17th March, 1848. A Diploma from the Court of Examiners, Apothecaries Hall, London, dated 29th April, 1847.

John C Davie—A Diploma from the College of Medicine, San Francisco, California, dated 7th March, 1865.

The Governor of British Columbia has given notice that a Fog Bell has been established at Race Island Lighthouse, Juan de Fuca Strait, which will be used as occasion may require.

The Meeting at Yale—A Great Fizzle.

[FROM OUR SPECIAL REPORTER.]

Messrs Humphreys and Kay arrived in town on Friday, and immediately after notices appeared outside the public houses calling on the people to meet at Dunbar's Saloon at 8 o'clock on Monday evening.

At 8 1-4 o'clock twenty-nine persons assembled in the bar to hear the distinguished orators. Mr D McQuarrie was voted to the Chair. In a very short and appropriate speech he informed the persons present that the Permanent Civil List Bill was the subject for consideration. He then introduced Mr Kay and resumed his seat.

Kay delighted with the opportunity of exhibiting the knowledge that he has not, rose and proceeded to denounce the Bill. He read a quotation from Hallam, and said there was danger in giving to the Lieutenant Governor the power of drawing $78,900 a year from the public purse for official salaries without consulting the people's representatives. He read a very long resolution and proposed its adoption. Mr McCulley seconded and it was passed unanimously. The chairman asked if there was any other gentleman who wished to address the meeting. Humphreys sat in silent expectation of a call—but it did not come. After a pause of five minutes he rose and tried to look like a martyr: one who had suffered for his country. He denounced the Bill, praised himself and resumed his seat. The third orator, Dr McGennis, equal to the other two as a public speaker, addressed the meeting. He approved of the resolutions.

A vote of thanks to the chairman, and the meeting adjourned to the bar upon the invitation of Humphreys, who stood treat for all hands. This last part of the performance surprised me, and it did not pay. The drinking terminated with the one round. The want of cash may bring us all to reason wisely with ourselves.

ECCLESIASTICAL.—This morning at 11 o'clock the Rev Dr Punshon will preach at the Methodist Church, Pandora street. The doors will be open at 10:30 o'clock. At the close of the service the Rev Thomas Crosby will be ordained. At 6:30 in the evening the Rev Mr Johnson of Toronto will preach in the same place. At the close of the evening service the Sacrament of the Lord's Supper will be dispensed.

BURNSIDE ROAD.—Some parts of this road are still impassable by empty wagons. A short distance beyond Rowland's farm there is a slough that might well be taken for Bunyan's Slough of Despond. A few men a few days' work and a few loads of gravel would render the road passable.

FROM NANAIMO.—The steamer Isabel, Capt Morrison, arrived from Nanaimo yesterday at 12 o'clock M. She brought six passengers and a cargo of coal for her own use. She will sail for Port Townsend on Monday at 10 A M, returning the same day with the mails, etc, from the Sound.

THE steamer Enterprise arrived from New Westminster at 4½ o'clock last evening, bringing the following passengers and a Cariboo Mail: Mrs Pope, Miss M Laumeister, Miss Amy Helmcken and Messrs Buie, Mara, Leggett, D McKinlay, E Coleman, Gartley, Boucherat, E Tie.

TIGERS IN LUCK.—There were 19 lengths of hose to be divided between the Tiger and Deluge Fire Companies. The odd length was thrown for and won by the Tigers, who now have the longest hose.

INCENDIARISM.—Arthur William Smith was brought before the Police Court yesterday on a charge of suspicion of having set the fire which destroyed the cottage on Gordon street on Friday night. The prisoner was briefly examined and remanded until Tuesday next.

COLQUITZ FARM.—At this farm to-morrow a large quantity of live stock, farming implements, produce and furniture, seized under distraint for rent, will be sold by Mr Lumley Franklin.

DALBY WILSON & Co.—This enterprising firm received large additions to their already extensive stock by the last steamer, and are selling harnesses, trunks and valises at cost to clear the store for other goods now on the way from England and Canada.

CENSUS.—Government is engaged in taking a census of the city and district and has detailed officer McCarthy for the duty. It is presumed that other towns and districts will be similarly favored.

THE WESLEYAN DISTRICT MEETING concluded its business yesterday. The report of the general work in this colony is satisfactory, showing an encouraging increase both in membership, extension of the work and financial results.

PIONEER SOCIETY.—The next meeting of the Pioneer Society will be held at New Dominion Hall on Tuesday evening. All who came to the colony before December 31st, 1860, are invited to attend.

ADMIRAL HORNBY, who commanded the Flying Squadron, has been made a Lord of the Admiralty, in place of Admiral Lord Arthur Hay, who returns to active service.

THE NEW SAVINGS BANK OFFICE, next door to Mr Macdonnell's, Government street, was completed yesterday and will be opened to-morrow. It is a neat little office, with the Royal arms beautifully executed over the door.

THE NEW STEAMER.—Captain Starr's new steamer is expected to be placed on the route between this city and ports on Puget Sound on or about the 15th prox mo.

FROM AN OLD FRIEND.—A letter from Rev A Browning, in to-day's issue, will be read with interest by his many pioneer friends in this colony.

FLOUR is going up! up! up! at San Francisco.

Letter from Canada.

[FROM AN OCCASIONAL CORRESPONDENT.]

PERCY, CANADA, March 20th, 1871.

EDITOR BRITISH COLONIST.—I have abstained from writing to old friends in British Columbia, and yourself among the number, simply because I found the effort to write made me remember what time is helping me to forget.

I found after leaving how much I loved British Columbia, and how deep was my affection for the old and tried friends I had forever left on the slopes of the dear old Pacific. I have been honored with opportunities to speak to audiences at Montreal, Hamilton, London, Toronto, Kingston and elsewhere and I have always endeavored to exhibit, as best I could, the great resources and moral characteristics of the Colony I was so long identified with. I have before me many applications to lecture on British Columbia, &c, at other places than the above, and whatever may be the shortcomings of the speaker the subject is one which never tires. I hear from some of the prominent wholesale merchants of Ontario that it is more than likely that branch houses of their firms will be established at Victoria as soon as Confederation becomes a fact. From what I have seen of Canadian enterprise the entrance of its business men into British Columbia would be a gain both to them and you. Every intelligent person I meet with admits that if the Dominion is to become a permanent institution, a railway to the Pacific is an immediate necessity. Hugh Allan, the President of the Company now about formed, is the Vanderbilt of Canada, and if the Dominion Government act as befits them the railway will be put through at once.

Politics are stirring the soul of every patriot in Ontario. Last Thursday I attended a meeting in Toronto, the redoubtable George Brown in the chair. He looks old, but is as vigorous as ever. His extreme views seem to have alienated from him many of his old friends. The political parties here are very like those of British Columbia; and for genuine fun a political meeting in Toronto is not a whit behind Victoria.

There is every prospect of a successful sugar year in Ontario, and the Fall wheat looks well.

Mr Punshon will be with you soon. He is head and shoulders above every other orator in Canada; but more powerful than his splendid ability is the force of his high moral and religious character. The Minister of Militia for the Dominion (himself a Catholic) in the House and by letter has spoken and written of Mr Punshon as of no other man. This is the more remarkable as Mr Punshon is famed for his love of the old Protestant faith. When you have heard his lecture on Macaulay (for that lecture of his will fall very thrilingly on the ears of a Victoria audience) you will endorse all that has been said of him, and like one of old will say the half was not told you. I count it one of the proudest boasts of my life to be called his friend, for no one can have the friendship of such a man and not feel himself honored by its existence. The Rev Mr Benson, who will accompany Mr Punshon, is one of our rising men, and the Rev Hugh Johnston, who also goes with him, is a friend of my own—a genial, generous soul as well as a scholar and a gentleman.

I am getting to love Canada, but my heart clings to British Columbia.

If you think it worth while to publish (and my old friends in the colony to read) my letters, I will write you occasionally on matters passing around me in Canada.

I am, yours truly,

A. BROWNING.

QUEEN'S BIRTHDAY RACES!

UNDER THE PATRONAGE OF

His Excellency the Governor,

CAPT. HERBERT, R N.

And the Officers of H. M. Fleet.

THE ANNUAL RACES WILL TAKE place on Beacon Hill, on

WEDNESDAY, MAY 24th, 1871,

Commencing at 1 O'clock, Sharp.

COMMITTEE,

Capt Mist, R N	M T Johnston, Esq
Lieut Tucker, R N	Thos Harris, Esq
Lieut Wodds, R N	A R Robertson, Esq, Mayor
Lieut Diggle, R N	Jas Trimble, Esq
Capt Delacombe, R M L I	J H Grahame, Esq
Hon P J Hankin	A C Elliott, Esq
B W Pearse, Esq	W H McCrea, Esq
C F Cornwall, Esq	James Lowe, Esq
J P Tunstell, Esq	M W T Drake, Esq
H Nathan, jr, Esq	S E Jackson, Esq
F Garesche, Esq	J H Brodie, Esq
J R Stewart, Esq	A Bunster, Esq
D W Higgins, Esq	James Anderson, Esq
J H Turner, Esq	A Musgrave, jr, Esq
J D Pemberton, Esq	L Franklin, Esq
T H Long, Esq	J S Spark, Esq, R N

Hon Treasurer.....M W T DRAKE, Esq.

STEWARDS,

Capt Mist, R N,	Hon P J Hankin
Capt Delacombe, R M L I	A Musgrave, jr, Esq
J P Tunstell, Esq	J D Pemberton, Esq
Thos Harris, Esq.	J S Spark, Esq, R N
STARTER—C Green, Esq	JUDGE—A Bunster, Esq.

1. Trial Stakes $5 each with $50 added, for horses that have been used as hacks or in harness. Winners since 1869 of $50 once 7lb, twice or $100 12lbs extra. 1l stone, 1 mile.

Queen's Plate, a free handicap of $200 added to a sweepstakes, of $50 each 2 miles. Greyhound 11st 7lb Lucy 11st, Volrocco 10st 7lb, Boston Colt 10st, Royal Charley 10st, Butcher Boy 10st, Admiral 9st 7lb, Royal Bill 9st 7lb, Champagne Charley 9st 7lb, Deerfoot 9st 7lb, Kitty Clyde 8st 7lb, White Stockings 9st, Dutchman 8st, Governor 9st, R M Lucy 8st 7lb, Cats nu lait 8st 7lb, G M Lizzy 8st, G & Jim 9st 7lb

3. Hurdle Race of $10 each with $75 added. Winners of any hurdle race since 1869 to carry 12lb extra. 1l st. Mile heats, 2 in 3, over 6 flights of hurdles each heat.

4. Navy Plate of $50 added to a sweepstakes of $5 each. 12st. 1 mile. To be ridden by officers in H M Navy.

5 Blue Jacket Plate for $25, with $1 entrance to go to the second horse. To be ridden by seamen or marines of the Royal Navy. Catch weights. 1 mile. Entrance to be made on the course.

6. Scurry Stakes of $1 each with $25 added. Weight 9 st. One mile. Entrance to be made on the course. Winners of the day excluded.

Three Horses belonging to different owners to start for each race or the public money will not be added.

Owners of horses intended to run for the Queen's Plate, not named, can have them handicapped by application in writing to the Hon Sec any time before May the 10th, upon which day nominations for the Queen's Plate will be taken at 4 o'clock in the afternoon by the Secretary.

All disputes to be settled by the Stewards or whom they may appoint.

Bays for entries, letting booths, etc, etc, will appear in a future advertisement

No horse will be entitled to the stakes, although a winner, unless he has been on the Island previous to the 21st day of April, 1871.

Mr George Richardson is authorised by the Committee to collect subscriptions for the Race Fund.

By order,

R. S. BYRN, Hon. Sec.

ap15

Marine Insurance

THE PACIFIC INSURANCE COMPANY

Transacts a general Marine Insurance business.

CASH ASSETS.....$1,272,266 4

Rates of Premium and other information will be furnished on application to

J. ROBERTSON STEWART, General Agent,

Who is authorised to adjust and pay Losses

Fire Insurance

IMPERIAL FIRE INSURANCE COMPANY.

CAPITAL.....$8,000,000

Claims for loss or damage by Fire promptly and equitably settled by J. ROBERTSON STEWART, Agent for British Columbia and Washington Territory

Life Assurance

CITY OF GLASGOW LIFE ASSURANCE Company

PAID UP CAPITAL.....$3,000,000

Incorporated 1838 by Special Act of Parliament

For rates of Premium, &c, &c, apply to

J. ROBERTSON STEWART, Agent.

Accident Insurance

TRAVELERS' INSURANCE COMPANY OF Hartford.

CASH ASSETS OVER.....$1,950,000

Insures against Accidents causing bodily injury or loss of life.

For information apply to

ap16 J. ROBERTSON STEWART, Agent.

GARDENER AND FLORIST

FREED WATSON,

PRACTICAL GARDENER AND FLORIST,

Offers his services to those having gardens to lay out, Planting and Pruning and Flower Gardens and Borders arranged with taste and dispatch, by the job or day.

Orders left at the store of Messrs MITCHELL & JOHNSTON, Fort street, or JAY & BALES', Yates street, will receive prompt attention ap15

St Andrew's & Caledonian Society.

THE ANNUAL SERMON TO THE Members of this Society will be preached to-day, the Chaplain, Rev S McGregor, in St Andrew's Presbyterian Church, on Sunday morning the 16th inst, at 11 o'clock.

ap15 J H LAWSON, Sec'y.

Municipal Court of Revision.

ADJOURNED SITTING.

NOTICE IS HEREBY GIVEN, THAT the Court of Revision will hold its next sitting on Wednesday the 19th inst, at 11 o'clock a.m. Appellants must appear in person.

By order,

WM. TELEGH, Jr.

Clerk of the Court

Victoria, B.C. April 4th, 1871 ap14

THE SEED STORE,

YATES STREET, VICTORIA.

JAY & BALES

Are now prepared to supply their Customers with Fresh and Good

Agricultural, Garden

AND

FLOWER SEEDS

OF EVERY KIND, PRINCIPALLY OF THEIR OWN GROWING.

FRUIT TREES, &c.,

At their Nursery, Cook Street, Victoria.

CATALOGUES may be had at the Store.

The "GARDENER'S CHRONICLE & AGRICULTURAL GAZETTE" on file. fe14dw