

The Weekly British Colonist, Wednesday February 22nd 1871

County Court Judges.

The impression has gone out that the class of officers commonly known as 'Stipendiary Magistrates,' and amongst whose manifold functions are comprised those of County Court Judges, are to pass into the Dominion along with the Colony, and, by virtue of their position as County Court Judges, are to become Federal officers. The impression is, we have every reason to believe, substantially correct. It will scarcely be necessary to say that this impression has given rise to no little dissatisfaction. Not that there is any objection to the Stipendiary Magistrates becoming officers of the Federal Government. Not that there is any desire that the gentlemen filling these positions should not drift into "a good thing." The feeling arises entirely from a very general and, to our thinking, well grounded conviction that these Magistrates do not possess those qualifications which would fit them for the position of County Court Judges. As a class of officers they are both respectable and respected, and they have for the most part conducted themselves in such a way as to be a credit to the Colony. But they lack that cardinal prerequisite to a seat on the Bench—a legal training. Our County Courts give wide jurisdiction and deal with intricate questions of law demanding legal acumen equally with the Supreme Court. It will be admitted that respectability, integrity, gentlemanly bearing and goodness of intention cannot possibly make up for the absence of a knowledge of law. A thorough legal training is one essential, fundamental ingredient in making up the County Court Judge. In Canada such a qualification is regarded as a sine qua non for a seat on the County Court Bench, and even in the Division Court, the same qualification is required. But it will be unnecessary to multiply words upon this point, as the soundness of the proposition must readily be suggested to the reader's reflection, and none are more conscious of this than the Stipendiary Magistrates themselves. They know, feel and admit that they occupy a false position every time they are called upon to sit as County Court Judges. Under Confederation the Federal Government will provide and pay our County Court Judges, and very great dissatisfaction would be occasioned should the judges of the Pacific Province be destitute of legal training, while those of the other Provinces are the flower of the Bar. Indeed, it would be difficult to believe that the Dominion Government would knowingly become a party to such an arrangement. While adhering to these general principles, it may, perhaps, tend to allay public anxiety and discontent to know that, although our County Courts will remain as they are until altered after the colony shall have become a Province of the Dominion, there is really no intention to perpetuate a system by which the Stipendiary Magistrates will continue to act as County Court Judges. Having entered the Dominion on that basis, and having thereby become Federal officers, it will devolve upon the general government to make due provision for them; and we believe we are justified in saying that such disposition will be made of this class of officers as will enable the County Courts to be administered by gentlemen possessing a legal training.

The Fiscal Policy of the Dominion

It is now nearly a week since we informed our readers of the general result of the session of the Dominion Board of Trade, held at Ottawa last month, viz, that, while admitting the policy of incidental protection, the Board declared that the duties should be decreased as fast as the finances of the country would permit. We also informed our readers that the Board passed a resolution recommending the removal of duty from flour, grain, coal and coke, and another urging the Government to take steps towards the construction of a Canadian Pacific Railway, and to apply public lands towards assisting the enterprise. Since then our local contemporary has given somewhat more in detail the results of the proceedings of the Dominion Board of Trade, and he states that a resolution to reduce the tariff was carried by 27 yeas to 6 nays, and that another resolution to reduce the duty on flour, grain, coke and coal was carried by 26 yeas to 8 nays. After this statement of facts, showing the Dominion Board of Trade to have been nearly unanimous in favor of a reduction of the Customs Tar-

iff and a gradual approximation to free trade, our contemporary reaches the following conclusion: "The evident tendency of events, however, in the Dominion, is towards a lower tariff." When it was pointed out to a certain judge that his charge was in direct conflict with the facts, he replied "So much the worse for the facts." Our contemporary would appear to occupy a similar position. He first adduces facts to prove that there is a very decided tendency in Canada towards a lower tariff and an approximation to free trade; and in the very face of his facts he boldly asserts the reverse to be the case. It may be added that not only was the Dominion Board of Trade nearly unanimous on this point, but it had the support of the leading newspapers of Ontario. We presume the article of our contemporary was designed to create a prejudice in this Colony against the acceptance of the Canadian tariff.

General Order.

The Judges of the Supreme Court of British Columbia have issued a General Order regulating the practice in County Court cases referred to the Supreme Court. Passing over the preamble, the following may be offered as a synopsis of the General Order in so far as it interests suitors:—Leave to remove a cause shall be obtained from the County Court Judge, who must be satisfied that the amount claimed is bona fide above the value of £10, and that notice of intention to remove shall have been given in writing five days prior to the return day of the summons, and that there is not to the knowledge of the Judge any matter rendering the removal inequitable. A copy of such permission, signed by the County Court Judge and authenticated by the seal of his Court, shall be delivered to the Registrar of the Supreme Court with a fee of twenty-five cents for filing the same, and the cause will, upon the receipt thereof, by such Registrar, and not sooner, be considered (unless the Supreme Court or a Judge thereof shall otherwise order) as removed from the County Court and belonging to the Supreme Court. Every such permission will be taken as prima facie evidence that the removal has been properly effected, and shall operate as a certificate of the propriety of such removal. A fee of twenty-five cents, if you please! If a cause be removed at the request of the Plaintiff, he shall, prior to setting down the said action for hearing in the Supreme Court, give to the Registrar of the same such security as the Registrar shall think sufficient for the costs of the action. If by the Defendant, he shall give security for the claim and costs. Provision is made for service of notices of removal, together with copy of plaint, upon the opposite party, within one day after permission has been obtained. Unless a special day be fixed for hearing, any cause removed shall be taken up and dealt with as though originally brought in the Supreme Court. Provision is made for application for hearing without jury. The costs and fees shall be in accordance with the General Order regulating County Court, or that regulating Supreme Court costs, according as the proceedings are peculiar to the one or the other. Witnesses' costs and allowances and fees of office copies, &c., shall be according to the scale allowed in Supreme Court General Order of 20th June 1870, and no charge shall be made for filing any document required under the present Order. In case of any person not complying in due time with the requirements of the "County Courts Amendment Ordinance, 1870" or of any General Order, application may be made at Chambers for a writ in the usual way to enforce compliance; and for this purpose a cause may be considered to be removed from the County Court into the Supreme Court even before the filing of the certificate of removal.

GERMANIA SING VERIN.—This German Society, one of the most respectable and popular of our national societies, will hold its annual gathering at the Colonial Hotel on Tuesday evening next. On these annual occasions in past times our German friends have been wont to meet under the auspices of Terpsichore. This year they will worship at the shrine of Epicurus. We have been requested to state that the occasion is not one of special thanksgiving, and least of all is it connected with or commemorative of the victory of the German arms in France. Indeed, so far from it being anything of the kind, that Frenchmen will be found mingling in friendly sociability with their German fellow citizens, and there is no reason to doubt that the gathering will be characterized, as it is fitting it should, by the utmost harmony and cordiality.

INTERRUPTED SPORT.—An Kee, so innocent celestial, whilst engaged in the celebration of his new year holiday by setting off fire crackers in the streets, was arrested and arraigned yesterday before the Police Court, and in order to restrain the propensities of the culprit the Court, in its wisdom, imposed a remand of three days.

TELEGRAPHIC.—The line south remained down nearly all day yesterday—a few dispatches from San Francisco on the 16th were received at the office. The Mainland line was in good order and an interesting scrap respecting the weather came through. The late co-aster must have been widespread in its effects.

PRESIDENT GRANT is expected at San Francisco in June and will, we understand, be invited to attend in this city the ceremony of taking over the colony by the representatives of the Dominion on July 1st. The President, should he accept the invitation, would receive a hearty welcome.

APPOINTMENT.—Saturday's Gazette contained the following announcement: The Governor has been pleased to appoint Peter O'Reilly, Esq. to be a member of the Legislative Council of British Columbia, vice the Hon J. W. Trutch, absent from the colony.

THE U S R O Lincoln sailed at daylight this morning for Cape Flattery to inspect the light-house and visit the wreck of the Forest King.

FROM NANAIMO.—The schooner Black Diamond Capt Radco, arrived from Nanaimo yesterday afternoon with a load of coal for R. Brodick & Co. She reports the brig Orient at the quay but no vessel at the coal wharf.

THE CALIFORNIA.—This steamer, from Portland on Thursday, was seen by the U S R O Lincoln, yesterday afternoon in the Straits, bound for the Sound. The list of passengers for Victoria will be found under the telegraphic heading.

FOR MAPS of Cariboo and Omineca gold fields and the routes thereto compiled and drawn from reliable sources by W. D. Patterson, C. E., apply to T. N. Hibben & Co Agents for British Columbia.

IN TOWN.—M S Drew, Esq, Collector of Customs from the Puget Sound District, Col Briggs, Deputy Collector, and Mr Hovey of the Port Gamble Mills, came over in the Lincoln yesterday and left at daylight this morning for Cape Flattery.

GLASS SMELTING WORKS have been erected at San Francisco, which, one of the papers says, is destined to be the Swansea of America. The consumption of our anthracite coal, in consequence, will be very great.

Boss's large building will shortly be removed from the corner of Store and Johnson streets to the corner of Johnson and Blanchard, where it will be converted into dwelling houses.

THE FRANCHISE BILL is expected to come down on Tuesday. Its character is supposed to be conservative, which is the best safeguard the colony can have with Responsible Government.

NEW YEAR'S CALLS.—The Chinese merchants yesterday received New Year's calls from their white and Mongolian friends and entertained them sumptuously.

FOR SKENA.—The Otter on Tuesday will carry 30 or 40 passengers and a large freight. Most of the passengers are bound for Omiseca.

INTO A FORTUNE.—Dr B Gilpin Lacy has come into a fortune in England by the death of his father.

RIVER COMMUNICATION.—The Grappler will not go to the Fraser on Wednesday, and it is believed that the Enterprise will be launched and ready for service on or before Thursday.

LEE SHANG, who represented Kwong Lee & Co., in this city, some years ago, has been created a Mandarin by the Emperor of China.

THE U S Revenue Cutter Lincoln Cap Hooper, arrived in the harbor yesterday at 4 p.m.

THE Western Union Telegraph Company will lay a cable from Boston to Milford Haven during the coming summer.

THE Legislative Council will meet on Tuesday.

THE PACIFIC reached San Francisco on Thursday morning, 4 1/2 days from Victoria.

THE Executive Council will hold a session to-morrow.

DR HELMCKEN'S SPEECH.—To supply the demand for this speech it has been published in pamphlet form.

LEA & PERRINS' Worcestershire Sauce. THE ONLY GOOD SAUCE. CAUTION AGAINST FRAUD. ASK FOR LEA & PERRINS' SAUCE. NORTON'S CAMOMILE PILLS.

TO PHYSICIANS.

New York August 15th 1868. Allow me to call your attention to my PREPARATION OF COMPOUND EXTRACT BUCHU—the component parts are, BUCHU, LONG LEAF, CUBEBES, JUNIPER BERRIES. MODE OF PREPARATION.—Buchu, in vacuo. Juniper Berries, by distillation, to form a fine gum. It is extracted by displacement with spirits, obtained from Juniper Berries; very little sugar is used and a small proportion of spirit. It is more palatable than any now in use. Buchu as prepared by Druggists, is of a dark color. It is a plant that emits its fragrance; the action of a flame destroys it (its active principle), leaving a dark and gummy decoction. Much is the color of ingredients. The Buchu in my preparation predominates the smallest quantity of the other ingredients are added, to prevent fermentation; upon inspection it will be found not to be a thick, sticky mass, as made in Pharmacies, nor is it a Syrup, and therefore can be used in cases where fever or inflammation exists. In this you have the knowledge of the ingredients and the mode of preparation. Hoping that you will favor it with a trial, and that your inspection it will meet with your approbation. With a feeling of profound confidence, I am, very respectfully, H. T. HELMBOLD, Chemist and Druggist of 19 year's experience.

from the largest Men's clothing Chemist in the world. NOVEMBER 4 1864. I am acquainted with Mr. H. T. Helmbold; he occupied the Drug Store opposite my residence, and was successful in conducting the business where others had not been equally so before him. I have been favorably impressed with his character and enterprise. WILLIAM WRIGHTMAN, Firm of Powell and Wigham, Manufacturing Chemists Ninth and Brown streets, Philadelphia.

HELMBOLD'S FLUID EXTRACT BUCHU! For weakness arising from indigestion. The exhausted powers of Nature which are accompanied by so many alarming symptoms, among which will be found, Indigestion to Exertion, Loss of Memory, Wakefulness, Horripilation of the Skin, and inability to enter into the enjoyments of society.

THE CONSTITUTION. Once affected with Organic Weakness, requires the aid of Helmbold's Fluid Extract Buchu.

Helmbold's Fluid Extract Buchu. A medicinal preparation of the most valuable and purest Buchu, which is generally produced by derangement of the Digestive Organs.

Helmbold's Fluid Extract Buchu. AND IMPROVED ROSE WASH. Will radically exterminate from the system diseases arising from habits of dissipation, at little expense, little or no change in diet, no inconvenience or exposure, completely superseding those unpleasant and dangerous remedies, Copaliva and Mercury, in all these diseases.

USE. Helmbold's Fluid Extract Buchu. All diseases of these organs, whether existing in male or female, from whatever cause originating, and whatever of long standing. It is pleasant in taste and odor, immediate in action, and more strengthening than any of the preparations of bark or iron.

Helmbold's Fluid Extract Buchu. The reader must be aware that, however slight may be the attack of the above diseases, it is certain to affect the bodily health and mental powers.

Helmbold's Fluid Extract Buchu. Sold by Druggists everywhere. Price \$1.25 per bottle, or 6 Bottles for \$6.50. Delivered to any address. Describe symptoms in all communications.

H. T. HELMBOLD Drug and Chemical Warehouse, 694 BROADWAY, NEW YORK. NONE ARE GENUINE unless done up in steel engraved wrapper with fac-simile of my Chemical Warehouse and signed H. T. HELMBOLD.

R. H. McDONALD & CO., WHOLESALE DRUGGISTS.

San Francisco Cal., Call the attention of Dealers to their large assortment of "Newly Arrived" Goods comprised in parts of the following articles, together with every thing kept in a well supplied WHOLESALE DRUG STORE. FRESH DRUGS, PATENT MEDICINES, TANNERS & SUPPLIERS, ESSENTIAL OILS, KEROSENE OIL, WHICH WE OFFER AT THE LOWEST CASH PRICES, and are determined not to be undersold. R. H. McDONALD & CO., SAN FRANCISCO, CAL. For Sale. OUR FRESH BUSINESS located in San Francisco, Cal. After our best wishes and expressions of thanks for the liberal patronage we have received for more than twenty-one years, during which period we have been steadily engaged in the drug business in California, we beg to say in consequence of the rapid growth of the State of California, and the consequent increase of our business, we are necessitated to devote our entire time to the said business. We are the oldest Drug firm on the Pacific Coast and since 1848, continuous under the same proprietorship, and have determined to sell our large, pure, fresh, and well established business on favorable terms. This is a rare opportunity for men with means, of starting a profitable business with advantages never before offered. For particulars enquire of R. H. McDONALD & CO., Wholesale Druggists, 101 N. Market St. San Francisco, Cal. We have a large stock of fresh goods constantly on hand, and sell at prices to defy competition.

A GREAT MEDICAL DISCOVERY. DR. WALKER'S CALIFORNIA VINEGAR BITTERS. Hundreds of Thousands Bear testimony to their Wonderful Curative Effects. WHAT ARE THEY?

THEY ARE NOT A VILE FANCY DRINK. Made of Pure Rum, Whiskey, Proof Spirits and Refine Liquors doctored, spiced and sweetened to please the taste, called "Fonics," "Appetizers," "Restorers," &c., that lead the tippler on to drunkenness and ruin, but are a true Medicine, made from the Native Roots and Herbs of California, free from all Alcoholic Stimulants. They are the GREAT MEDICAL DISCOVERY of the age, and are GIVING PRINCIPLE a perfect Restorer and Invigorator of the System, carrying off all poisonous matter and restoring the blood to a healthy condition. No person can take these Bitters according to direction and remain long unwell. They will give strength to the bones not destroyed by mineral poison or other means, and the vital organs wasted beyond the point of repair.

FOR INFANTILITY AND CHRONIC RHEUMATISM AND GOUT, DYSPEPSIA, OR INDIGESTION, BILIOUS, REMITTENT AND INTERMITTENT FEVERS, DISEASES OF THE BLOOD, LIVER, KIDNEYS, AND ALL SUCH DISEASES ARE CAUSED BY VITIALIZED BLOOD, which is generally produced by derangement of the Digestive Organs.

DYSPEPSIA OR INDIGESTION, Headache, Pain in the Shoulder, Constipation, Tightness of the Chest, Distention, Sour Eructations of the Stomach, Bad Taste in the Mouth, BILIOUS AT-TACKS, Palpitation of the Heart, Inflammation of the Lungs; Pain in the regions of the Kidneys and a hundred other painful symptoms, are the offspring of Dyspepsia. They invigorate the stomach and stimulate the torpid liver and bowels, which render them of unequalled efficacy in cleansing the blood of all impurities, and imparting new life and vigor to the whole system.

FOR SKIN DISEASES, Eruptions, Tetter, Salt Rheum, Blisters, Spots, Pimples, Pustules, Boils, Carbuncles, Ring-Worms, Scald-Head, Sore Eyes, Erysipelas, Itch, Scurf, Discolorations of the Skin, Humors, and all such eruptions, cleanse the system, and are liberally dispensed up and carried out of the system in a timely way by the use of these Bitters. One bottle in such cases will convince the most incredulous of their curative effect.

Cleanse the Vitiated Blood whenever you find its impurities bursting through the skin in Pimples, Eruptions or Sores; cleanse it when you find it obstructed and sluggish in the veins; cleanse it when it is foul, and your feelings will tell you when. Keep the blood pure and the health of the system will follow. CHLORIC ACID and other WORMS, lurking in the system of so many thousands, are effectually destroyed and removed. For full directions, read carefully the circular around each bottle, printed in four languages—English, German, French and Spanish.

SOLELY BY R. H. McDONALD & CO., Druggists and Chemists, San Francisco, Cal. and 24 Commerce Street, New York.

CAUTION. Betts's Capsule Patents. Are being introduced by Impostors of Capsules, made in contravention of his rights, which necessarily are numerous, BETTS being the original Inventor and sole Maker in the United Kingdom.

DINNERFORD'S SOLUTION OF DINNEFORD'S FLUID MAGNESIA. Is the great remedy for Acidity of the Stomach, Headache, Heartburn, Indigestion, Sour Eructations and Bilious Affections.

IT IS THE PHYSICIANS' CURE FOR GOUT, RHEUMATISM, GRAVEL, and all other complaints of the Bladder. And as a safe and gentle medicine for Catarrh, Chronic Discharge, and for the relief of Pregnancy, &c.

JOSEPH GILLOTT'S STEEL PENS. Sold by all Druggists and Stationers.

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The Key to the Western Door of the Dominion. Speech of Hon. Dr. Helmcken before the Legislative Council of British Columbia.

TUESDAY, FEBRUARY 15th, 1871. MR SPEAKER.—It is well known the members of this Council that this Commission has been appointed the part of Great Britain and of the United States, to settle all outstanding difficulties, which prevent a perfect state of amicable relations between the two nations. I congratulate the world that its two greatest nations have taken this method of settling their differences instead of having recourse to quarrels and war. I congratulate Canada upon the enviable position she occupies, in that at least one of her greatest statesmen has been appointed on that Commission. I congratulate British Columbia for the reasons, because it shows that the Mother Country will not only trace the interests of Canada to her own people, but will also entrust her own interests of perhaps greater moment to the peace of the world to the same nation. Sir, it is a proud day for Canada, and we, like them, must feel that as they have more power so they have greater responsibilities. Canada to-day has union, we rise with her. It is not my intention to trace this question from its commencement, I shall not go back to the history of the British Colony that settled upon the west coast of the Island just about one hundred years ago, and which was subsequently destroyed by the Spaniards. I shall not trouble you with the subject of war with Spain that was nearly occasioned by this attack upon this, now our country. I will remark that out of this accursed Treaty with Spain, by which each Power allowed settlements to be formed agreed not to molest each other. Spain gave up her pretensions to exclusive right Spain and Great Britain to equal rights. Spain could not be given that what did not belong to her, the rights of Great Britain. I shall then, commence with the Treaty of 1818, which agreed to the joint occupation of this country or Oregon both British and American Government. Oregon was then an undefined country, not the Oregon of to-day; indeed, with our own recollection, Washington Territory has been cut off from the mode. The treaty of 1818 was for ten years, at the end of which it was continued by another treaty for an indefinite period until either of the two powers should give notice to the other of a desire to surrender it. About 1841 a resolution was proposed in the American Congress that that desire should be expressed; but as it was thought a rupture to involve the country in war with Great Britain it was rejected. In 1844 Mr. Pakenham, the British Minister to the United States, proposed to treat about the boundary line of Oregon, but Mr. Usher, who was willing to enter upon the subject was unfortunately killed by the trial of a gun—which burst. Thus were negotiations suspended for a time; and then there came on a Presidential election, at which "54° 40' or fight" was the political cry of the day. Mr. Polk was elected President. He was the great supporter of that wicked fulmination and in his inaugural address he asserted the undoubted right of the United States to 54° 50', that Oregon should extend to the line of the Russian Possessions. When this address reached England it created great excitement and it was then that Sir Robert Peel in the House of Commons made use of the well known and patriotic sentence "England has her rights and she will maintain them." This captivated the Commons and elicited rounds of applause, which, when heard in the United States, produced an intense commotion and every one looked upon war as inevitable, and expected every day to hear of its having been declared. Mr. Buchanan soon found it advisable to draw a note to Mr. Pakenham asking him to resume negotiations, and he proposed the old line of 49° to the Pacific Ocean which Pakenham refused and demanded the line of the Columbia River. It now leaked out that the President wanted to accept 49° rather than fight, and in the Senate he was denounced as vile and infamous. At this time a Bill was brought in relation to the Territorial Government of Oregon giving 640 acres to any one who would settle there. Mr. Benton wanted to know why no boundaries were put Oregon and he answered it himself by saying that it had none, for 54° 40' was no line at all, but only a mark upon a rock, that Russia had no claims in the interior of the country, and that the United States had no claims beyond 49°—but based that claim upon the treaty of Utrecht, which indeed is more than doubtful, and the Spanish claims as