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LES, SAUCES, JAM
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Free from Adulteration.)
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COLLIS BROWNE'S CHLORODY
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strongly are we convinced of the immen
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Agents for Vancouver Island.
SRS. JANION, GREEN & RHO

THE WEEKLY BRITISH COLONIST.
And Victoria Chronicle.

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Our Coasting Trade—Its Legal Aspect.

We yesterday pointed out the injury that would result to Colonists were foreign vessels allowed to enter into competition with British vessels for the carrying trade of this Colony; and objected, as an abstract principle, to power being placed in the hands of His Excellency to grant permits to foreign bottoms to engage in that trade. We are prepared to-day to show to the satisfaction of our readers and the Government that the Council cannot confer upon the Governor any such power. Any attempt to do so is illegal and unconstitutional—as was ably contended by Messrs DeCosmos and Helmcken. The Queen in Council has alone that power, and even Her Majesty cannot exercise it unless upon the receipt of an address from the Legislature of the Colony interested praying that its coasting trade may be opened to the vessels of nations other than British. The power is specially reserved as a Royal prerogative, and no permit issued by His Excellency will be worth in law the paper upon which it is written, except Her Majesty's consent has first been signified in response to a prayer of the Legislature. That there may be no misconception, we copy the following section from the Customs Consolidation Act, 16 and 17 Victoria, Cap. 107:

CCCXXVIII.—If the Legislature or proper Legislative authority of any of the *British* Possessions abroad shall present an address to Her Majesty, praying Her Majesty to authorize or permit the conveyance of goods or passengers from one part of such possession to another part thereof in other than *British* ships, or if the Legislatures of any two or more Possessions, which for the purposes of this act Her Majesty in Council shall declare to be neighboring possessions, shall present addresses or a joint address to Her Majesty, praying Her Majesty to place the trade between them on the footing of a Coasting Trade, or of otherwise regulating the same, so far as relates to the vessels in which it is to be carried on, it shall thereupon be lawful for Her Majesty, by Order in Council, so to authorize the conveyance of such goods or passengers, or so to regulate the trade between such neighboring possessions, as the case may be, on such terms and under such conditions as to Her Majesty may seem good.

That there may still be no misconception on this point, if the reader will turn to the Union Act (Sec. 5), he will find that Governor Seymour has conferred upon him all the "powers and authorities vested in the Commissioners of her Majesty's Treasury, or in the Commissioners of Customs. These "powers and authorities" we find, upon reference to 18 and 19 Victoria, Cap. 96, Sec. XVI., to be as follows:

"XVI. The powers and authorities now vested in the Commissioners of Customs with regard to any Act or Thing relating to the Customs or to Trade or Navigation in any of the *British* Possessions abroad shall, from and after the passing of this Act, be vested in the Governor, Lieutenant Governor, or other person administering the Government in any such Possession, and every Act required by any Law to be done by or with any particular officer or at any particular place, if done by or with any such officer, or at any place appointed or nominated by such Governor, Lieutenant Governor or other person so administering such Government, shall be deemed to have been done by or with such particular officer or at such particular place, as the case may be, and as required by Law; and all Commissions, Deputations and Appointments granted to any officers of Customs in force at the commencement of this Act shall have the same force and effect to all intents and purposes as if the same had been granted or made in the first instance by such Governor, Lieutenant Governor or person so administering the Government of any such Possession; and all Bonds or other Securities which shall have been given by or for any such officers and their respective securities for good conduct or otherwise shall remain in force, and shall and may be enforced and put in suit at the instance of or by directions of any such Governor, Lieutenant Governor or person administering the Government of any such Possession. There is nothing in this section about the Coasting Trade. The Governor is merely required to enforce the laws relating to Customs, etc.; but in section 6, of the Union Act, we find it clearly laid down that nothing *"in this Act shall interfere with the exercise of any power that would have been exerciseable by Her Majesty in Council if this Act had not been passed."*

We put it to the country fairly and honestly, if the Attorney General and the Collector of Customs—sitting as members of the Legislative Council and voting "aye" when it was proposed to confer a power upon His Excellency which it was their duty to have known they had no right to confer—should not be heartily ashamed of themselves for the lamentable ignorance they have displayed. The one gentleman is supposed to be the legal adviser of the Government—the fount from which was drawn the inspiration that has dictated the preparation of every important measure brought before the Council during the session; the other is the officer whose department was specially concerned in the passage of the clause—who is handsomely paid for attending to the duties of that department, and who is supposed to have the Customs' laws at his finger ends. Yet we find both these gentlemen sitting in the Council in a state of beatific ignorance as to the laws under which they hold their positions, and actually aiding by their voice and vote in the passage of a clause they should have known was an invasion of a prerogative of the Crown. After this, we are prepared for anything ridiculous and absurd from the official members of the Council.

LOCAL INTELLIGENCE.

Friday, March. 22d, 1867.

ASSAULT.—Sofa Scaloff was yesterday charged by Lucy, a Fort Rupert Indian, with assaulting her, and was ordered by the police magistrate to pay a fine of $10, or in default to suffer 14 days' imprisonment. Another charge, of stealing a shawl from the same female, was dismissed.

TEST CASE—We understand that a mandamus has been applied for by one of the purchasers of property under the sale of real estate for delinquent taxes to compel the Sheriff to issue a title in fee simple for the property. Counsel on both sides have been engaged, and the argument promises to be interesting.

OPPENHEIMER ESTATE—A third dividend of five per cent. is declared in this estate, payable on and after Monday next, at the office of Mr F. Weissenburger.

THERE is splendid skating on Little Langford Lake, while strange to say, the water on Skinner Bottom, usually the first to freeze over, is as innocent of ice as the streets of Victoria of snow. Skating parties visited Little Langford yesterday.

THE INDIAN WOMAN who received a gun shot wound through her breast on Thursday is receiving the kindest attention from Dr Bellamy, surgeon of the Naval Hospital. The injuries received, though painful, are not considered dangerous.

THE ESQUIMALT TRAGEDY.

VERDICT OF MANSLAUGHTER.

An inquest was held yesterday afternoon by Coroner Pemberton on the body of Thomas Madden, infant son of John Madden, who was killed under the painful circumstances narrated in yesterdays' COLONIST.

A jury having been empannelled, consisting of Samuel Askew (foreman), John T. Howard, T. O'Brien, R. Williams, G. Connor, and J. B. Thomson, and the child inspected, the following testimony was taken:

John Madden, sworn—I am the father of the deceased child, whose age is 11 months; was not present when deceased met his death; the Indian woman Annie is the child's mother; she has lived with me four years and about three months on Skinner's farm; have seen the marks of a bullet on the door of my house, and also on the partition inside; the marks were not there when I left the house at 11 a.m. yesterday.

Annie, a Cowichan Indian woman, deposed—I was in the small room at back of the house yesterday washing deceased's face; the person calling himself Marrack came round the house and tapped at the door at the side of the house; the man calling himself Carter was standing at the fence, I saw them leave and shoot at a hat; I afterwards took two steps from the window where I was standing, and a bullet struck the deceased and fell on the floor; I then looked out of the window, when I saw Marrack running, carrying the musket; I came out of the house when the men told me to return; the man who knocked at the door said something but I did not understand him and made no reply; the child was not crying when the man came to the door; when I came out of the house I saw the man with the musket run towards the house from the field; two shots were fired at the hat, and another which struck deceased and myself.

Gilbert T. Carter, sworn—I belong to H M S Malacca. Yesterday Mr Marrack and myself left the Hospital with the rifle produced; and went down to a place called "Skinner's bottom." When we got about 20 yards from the house in which the Indian woman lives, Mr Marrack said he was going behind the house to ease himself. I told him I would put my cap on a tree for him to fire at; when he returned to the field he shot at my cap and I shot at his cap. We then walked towards the house and two shots were struck, after which we went down behind some bushes to the right of the tree. Marrack stopped and was about to load, I walked away a few yards throwing stones, all at once I heard a cap snap and Marrack said the rifle had missed fire; he then put another cap on, and I walked away a short distance when I heard the rifle go off, I cannot say in which direction. We then proceeded towards the house, and on getting to the middle of the field I saw the Indian woman in the road about 20 yards from the house. We got over the fence but neither of us spoke to the woman. We walked past the house without knocking or going in and went across the open space to the right. The first time I knew of the occurrence was when Dr Bellamy showed me the bullet about an hour and a half after we passed the house. I had no idea any person lived in the house as I had often been there before without finding any person in it. I saw no signs of its being inhabited. I did not see Marrack knock at the side of the house. He was four or five hundred yards distant when the rifle missed fire. I did not see in which direction it was pointed when it went off, he did not put it to his shoulder to take aim.

George Bellamy, Surgeon in charge of the Royal Hospital, deposed to the nature of the wound inflicted. When called to examine the child at O'Brien's residence he found a bullet wound in the right side and another near the navel, portion of the intestines were protuding which he replaced, but death resulted shortly afterwards from internal hemorrhage. The bullet produced corresponded with the bore of the rifle produced, and would be such a bullet as to cause the wound.

Terence O'Brien swore to having picked up the bullet produced, and given it to previous witness.

William Marrack after receiving the usual caution said; I belong H M S Malacca. I have heard the evidence of Mr Carter read; it is true. After the rifle missed fire I put on another cap holding the rifle at my side. I am not sure if I pulled the trigger. I did not know how high the muzzle was elevated; to the best of my belief I cannot say if the house could be seen from where I was standing; the rifle went off accidentally; I did not hear the child or woman cry. Recalled—The rifle produced is the one which I fired.

Rev A C Garrett, who acted as interpreter, having translated the whole of the evidence to the Indian woman and her friends the court was cleared; and the jury after consulting about 20 minutes returned a verdict of manslaughter against William Marrack, who was thereupon committed to take his trial at the next Assizes, bail being taken for his appearance, himself in $1000 and two sureties in $500 each.

IT is reported that the Sir James Douglas will be converted into a steam revenue cutter. She would send one-eighth of the entire Customs' revenue through her smoke-stacks.

NATURALIZED.—Joseph Silva, a native of Portugal, took the oaths on Saturday and became a naturalized British subject.

THE LEGISLATIVE COUNCIL will not be prorogued, it is now said, at the earliest before Saturday next.

Dr Comrie's Lecture on "Water."

The last lecture of the series was delivered by P. Comrie, Esq., M.D., H. M. S. Sparrowhawk, in the Mechanics' Institute Thursday evening, the subject was 'water,' in its special relation to health and sanatory matters. The audience was not so large as on the occasion of his former lecture on air, but comprised many of our most intelligent citizens. He first spoke of the importance of water as a common necessary of life, described its general composition, and illustrated the several properties of oxygen and hydrogen, by interesting experiments. By putting a piece of charcoal into a jar of oxygen gas a most brilliant light was produced; and a small piece of heated steel wire became immediately inflamed and melted. The nature of 'lime' light or Drummond light so much used for signals was shown by a current of oxygen passing through a flame, and impinging on a ball of lime. Hydrogen was produced by potassium thrown on a basin of water, immediately bursting into a flame and decomposing the water. After a description of good water, the various impurities were shown by a series of tests applied to water taken from different wells within the city. A solution of Chloride of Barium applied to a specimen containing sulphates produced a white precipitate. Acetate of lead applied to water containing sulphuretted hydrogen gave a brown precipitate. Oxalate of Ammonia applied to another specimen gave a white precipitate, which was explained as indicating lime. Nitrate of silver applied to water containing chlorides gave a white muddiness. Drawings enlarged from microscopical views, showed in a rather impressive manner the nature of organic impurities. Of the specimens examined, the Spring Ridge Water was seen to be the best. It was stated that Glasgow, of all cities, had the purest and most ample supply—45 gallons being the daily average for each individual, and by computation saving the inhabitants £40,000 a year in soap alone. The influence of impure supplies in producing diseases was vividly represented by a reference to cholera, showing that the deaths and water supply closely corresponded during the epidemic of 1849 in London, and that districts had suffered, or been free from cholera, according as they changed a bad for a purer supply, and that these experiments involving the death of millions, should surely teach wisdom to the present generation. The defect of a system of sewerage and drainage in Victoria was pointed out, and the hope expressed that the citizens would support the municipal authorities in carrying out remedial measures, the water supply (exclusive of wells) in the meantime, being absurdly small—3 gallons daily for each individual; and the Spring Ridge Company being only able, at the utmost, to give seven gallons. The lecturer is in error here. The S. R. Co. are prepared to supply an abundance of water for a much larger population than we at present possess. As each individual ought to have at least twenty-six, it was suggested that recourse might be had in the future to Thetis or Prospect Lake, as the local wells contained very dangerous impurities, and reference was made to the Sanatary Act of 1866, which in England enforces proper drainage and a sufficient supply of pure water for all towns. In speaking of diseases, it was stated that no safe conclusion could be made in the absence of any proper system of registering births, deaths and marriages, and no opinion formed as to whether the population of the colony is stationary or progressive. The concluding remarks made an appeal to the good sense of the citizens acting in accordance with these well known sanatary laws.

We have given a full account of this lecture not only because of its inherent merits, but because of the importance of these subjects to the city at large. This lecture was one of the best in the series, and if the managers of the Institute could always provide such practical and interesting information in a form so easy of comprehension they might depend upon the attendance of the citizens even during the summer months.

The Rev Mr Somerville, in a humorous manner, moved a vote of thanks, which was seconded by Mr Wallace and heartily responded to.

The President, Mr Alston, after intimating that the Institute was now free from debt, declared the series ended, and the meeting dispersed.

LEGAL—The old and well known legal firm of Pearkes & Green has been dissolved by mutual consent—the late partners, we understand, continuing business upon their own account. Mr N. Jacob, chief clerk of the late firm for several years, remains with Mr Pearkes.

Monday, March. 25th, 1867.

ARRIVAL FROM LONDON.—The Hudson Bay Company's bark Glaramara, Capt Brown, 158 days from London, arrived on Saturday morning, and has gone into Esquimalt to relieve herself of 600 tons of ammunition and stores for the naval vessels, before coming here to discharge some 850 tons of general merchandise. The Glaramara brings two passengers. Capt Brown reports a succession of gales and calms during the passage. The bark was 73 days to Cape Horn, was three weeks in rounding.

Off River Platte a fierce pampero was encountered, and off the coast of Patagonia a fearful lightning storm, that lasted ten hours, was experienced. Balls of fire played about the yards and rigging, and the flashes of light were blinding and incessant for ten hours, when the storm abated. From the Cape to the Straits the bark was about 59 days, and after entering she was two days in beating up against a northerly wind. In company with the Glaramara five other ships entered the Straits on Thursday; three of which drifted out again. Capt Brown reports all hands well, and notwithstanding the rough passage, believes that the cargo has escaped damage.

FROM CARIBOO DOWN.—Mr Todd, who arrived in town yesterday from Cariboo, reports that from Quesnelmouth to the Junction there is an average of 2½ feet of snow. Weather intensely cold all the way down from the Blue Tent to 59 mile House. On the way down stock is looking very bad. Feed is getting scarce. There is a strong probability of a large number of stock being lost. From Yale down there are five portages, the heaviest above the Orchard. The aggregate length of the ice is not large—probably not a mile and a half.—*Examiner.*

ANOTHER of Dr Davie's sons came from England in the Glaramara. The doctor is a firm believer in the future greatness of this Colony, and not only manifests his faith by remaining here himself, but gathers his olive branches about him. We need not say that [illegible] and respected colonists, and that we are glad to note another instance of his unshakeable confidence in the stability of the country.

WESTERN UNION TELEGRAPH COMPANY.—The work on the British Columbia portion of the overland line to Russia will not be prosecuted this year. The explorations, however, will be continued, and the line, so far as it has been constructed, maintained. No working parties will be sent out, and the entire force of constructors will be relieved from further service.

ARRIVAL FROM SAN FRANCISCO.—The American ship Revere, from San Francisco, arrived yesterday morning. She is bound for Nanaimo to take in a cargo of coal, and was towed up yesterday by the tug Isabel.

A MERCHANT from Portland has been arrested for alleged dishonest practices, and held to await the arrival of the Fideliter with the complainant on board.

HOLLOWAY'S OINTMENT AND PILLS.—Outward Infirmities.—Before the discovery of these remedies, many cases of sores, ulcers, &c., were pronounced to be hopelessly incurable, because the treatment pursued tended to destroy the strength it was incompetent to preserve, and to exasperate the symptoms it was inadequate to remove. Holloway's Pills exert the most wholesome powers over unhealthy flesh or skin, without debarring the patient from fresh air and exercise, and thus the constitutional vigor is husbanded; while the most malignant ulcers, abscesses, and skin diseases are in process of cure. Both Ointment and Pills make the Blood richer and purer, instead of permitting it to fall into that poor and watery state so fatal to many laboring under chronic ulcerations.

Inflammatory Eruptions.—Few diseases of the skin that are not marked by constitutional symptoms, are so dangerous as Erysipelas. Its seat is in the derma or true skin, and during its continuance the superficial vessels are surcharged with an infectious virus. Yet it yields with a readiness almost incredible to the depurative counter-irritating properties of **Bristol's Sarsaparilla.** All the external eruptions, such as salt Rheum, Nettle Rash, Rose Rash, Inflammatory Scale, Rupia, etc., etc., are eradicated with great rapidity by this peerless vegetable specific. The bowels should be kept laxative, for which purpose **Bristol's Vegetable Pills** are the best and safest medicine. 518

Another Medical Triumph—Wonderful cure of rheumatism. No disease is more agonizing than Rheumatism; none more difficult to relieve; yet a case which, for thirty years, had baffled the Faculty, has, it appears, been completely cured. The particulars are given, with expressions of astonishment at the result, in many of the western journals. They state that John Roche, of Cleveland, Ohio, aged fifty-six years, had, for the greater part of his life, endured torments of the most terrible description. His limbs had been racked, and contorted by pain and muscular codtractions, until his knee-joints were of the size of a man's head, and his fingers knotted and drawn up, until they resembled the claws of a bird of prey more than human hands, while a scrofulous tendency in the blood was indicated by blotches and pustules on various parts of his body. In this dire condition he began to use **Bristol's Sugar-coated Pills,** in conjunction with that great antidote to the virus of scrofula, **Bristol's Sarsaparilla.** Eleven vials of the Pills, and eight bottles of the Sarsaparilla, relieved him from every vestige of pain; and, although his limbs and joints have been only partially relaxed (for they were beyond absolute cure), he is now well, cheerful and able to attend to his business. The Pills are put up in glass vials, and will keep in any climate. Both medicines are obtainable of all druggists. 417

HONESTY is the best policy in medicine as well as in other things. AYER'S SARSAPARILLA is a genuine preparation of that unequalled spring medicine and blood purifier, decidedly superior to the poor imitations heretofore in the market. Trial proves it.