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The Question of Judicial Jurisdiction.

Whatever may be the popular opinion as to the propriety of Chief Justice Needham sitting as a Commissioner in Bankruptcy, to pass upon the question of the jurisdiction of the Supreme Court of British Columbia, it is a question which the Chief Justice cannot decide. The other is a matter that intimately concerns the public interests of the Colony, and consequently cannot be decided by the Chief Justice. Perhaps, under the circumstances, a review of the position of the Court of the Island and the Mainland, and since the proclamation of Union may not be amiss here, and may tend to the degree, to render clear to the public mind what now appears enveloped in a fog as dense as the atmosphere of the Colony.

The Colonies, were distinct, the Judges in either Colony having exclusive jurisdiction. Mr. Begbie was Judge of the Supreme Court of British Columbia; Mr. Needham was Chief Justice of the Supreme Court of Vancouver Island. The gentlemen constituted the highest judicial authority in their respective Colonies. The only appeal was to England. Subsequent to Union it was held by Governor Seymour that all the Civil Offices on Vancouver Island were "abolished" by the Act of Union, including the office of Chief Justice. Mr. Needham differed from the dictum of His Excellency, and the public was given to understand that the matter had been referred to the Home Government for final adjustment. Nearly a twelve-month has elapsed since the question was referred, and an unaccountable silence has been observed by the Executive with regard to the position, power and jurisdiction of both of the Courts. The mind of the legal fraternity has been agitated as to "which King" they owed allegiance; the public has been equally undecided before which Judge or Court they should look for justice. The Judiciary, in fact, was left in a state of glorious uncertainty, from which, but for the raising of the question of jurisdiction before Mr. Needham, on Friday, it might never have emerged. The decision of the Chief Justice on this point seems clear and unassailable. His Lordship says in effect that when the legality of his Court was challenged he referred the matter to the Colonial Office, and that the answer promptly returned was that his Court was in no way affected by the Act of Union; that the Imperial Act creating the Court was still in existence; and that her Majesty's Government had not intended, in any respect, to interfere with the Court.

Now, then, we have the opinion of the officers of the Crown that, notwithstanding the extinction of the Colony of Vancouver Island as a Colony, the Supreme Court of Civil Justice still remains intact. It follows, therefore, that Mr. Needham is Chief Justice, not of the Colony of British Columbia, but of that integral part of the Colony of British Columbia known as Vancouver Island. On the other hand, Mr. Begbie is Judge of the Supreme Court of British Columbia, but as such, his powers are confined to the mainland, as before the proclamation of Union. Were the case otherwise—were he directed to hold Court on Vancouver Island under the commission which he now holds as

Judge, he might do so, but only as the subordinate of Mr. Needham, who is Chief Justice of the Supreme Court of Vancouver Island. It is open, we opine, for the Governor to issue a commission raising Mr. Begbie to the position of Chief Justice of the Supreme Court of British Columbia, but his Excellency cannot, as some suppose, abolish the Supreme Court of Vancouver Island, or interfere with the functions of its officers constituted by Imperial authority. Again, the position assumed by Chief Justice Needham in proceeding to Cariboo and holding Court on William Creek, is brought forward as a precedent for the special appointment of Mr. Begbie to try the case now under discussion. Let us see how far the action of Mr. Needham constituted such a "precedent" as that which is now claimed. The hands of the judicial power were fastened at Cariboo—a deadlock prevailed in consequence of a decision of Judge Begbie that "there was no appeal upon matters of fact from the decision of the Gold Commissioner." The country was in danger of falling into a state of anarchy and confusion, and the strong, by the mere exercise of their strength, had begun to trample upon the weak. It was while the country was in the midst of this crisis that the Chief Justice, at the request of the Executive, accepted the temporary appointment of "a Judge of the Supreme Court of British Columbia," and having discharged the special duties thrust upon him he resigned the appointment and returned to his duties on the Island. In pursuing this course the Chief Justice says he was justified by "urgent public necessity." Admitting then, for the sake of argument, that the Governor, having the power, were to seize upon the fact of Mr. Needham going to Cariboo as a precedent, and were to appoint Mr. Begbie "the Chief Justice of the Supreme Court of Vancouver Island," does the state of affairs here justify such a course? Does the "urgent public necessity" that called Mr. Needham to Cariboo, justify the appointment of Mr. Begbie to the Island, after that gentleman's statement of Friday, we entertain not a grain of doubt. Why the announcement was not made long since—why the Executive have kept the contents of that despatch from the knowledge of the public—we are at loss to conceive. That the motive which prompted the burking of the despatch and left a question of so much importance in a state of doubt and uncertainty, was a praiseworthy one, we cannot bring ourselves to believe. The status of the Courts might have been settled months since, and a great deal of annoyance and bad feeling prevented, had the Executive acted in a spirit of frankness and sincerity towards the Judges and the Bar.

Mining Intelligence.

The weather in Cariboo, up to the 24th ult., had become so cold that mining operations in the open air had to be stopped. There were, however, signs of a change, which would be gladly welcomed. We take the following summary of mining news from *Sentinel* of the 17th:

MUSQUITO CREEK.
Willow co. washed up for the week 25 oz. Discovery co. 20 oz. Point co. 20 oz. Holman co. 40 oz. Rising Sulphur co. 40 oz.

[From *Sentinel*, 24th.]—Minnehaha co. washed up for the week 47 oz. Point co. 23. Discovery, 15. Holman, 25.]

BLACK BEAR CREEK.
There are four companies at work above the falls, who are reported to be making \$10 a day to the hand. The diggings on an average do not exceed eight feet in depth. Work will again be renewed on the various claims below the falls at an early day.

GRAND CREEK.
The report that the Rolly claim had struck good prospects is confirmed. As much as \$5 was obtained from two buckets of dirt.

NEW CREEK.
We were shown by Ned Campbell, who returned yesterday from a prospecting trip, about an ounce of coarse gold, which he states was obtained by him out of five pans of dirt that he washed in a new creek, some two days travel to the southeast of this place. The creek is about 2 1/2 miles in length, and the diggings appear to be very shallow.

RED CREEK.
From *Sentinel* of the 21st:
Discovery co. washed up for week 35 oz. Catch-if-you-can, 20 oz. Several new tunnels and shafts have been commenced on this gulch.

New Books.

"Confucius and the Chinese Classics"—Edited and compiled by the Rev. A. W. Loomes—San Francisco: Roman & Co. This book is a series of readings on Chinese literature, principally from the works of Confucius; the translation of DeLegge, of the London Missionary Society, furnishing the text. It has been said by a distinguished Chinese scholar that to understand Confucius is to understand the Chinese, as his writings are an incarnation of the Chinese character, and although he has been dead for many centuries, his teachings are still the basis of the Chinese mind. His different books are carefully committed to memory and a complete knowledge of the whole expected from all who present themselves at the various competitive examinations for high official positions. As gathered from the various extracts here given, the characteristics of the Chinese mind seem to be an attachment for whatever is useful and practical, a profound respect for family relationships, and an implicit obedience to authority; endeavoring all through his writings to impress his readers with a fondness for family life, and to make it the abode of benignant old age and prudential youth. His doctrines are universal charity, impartial justice, conformity to ceremony and established usages, rectitude of heart and mind and pure sincerity. In the absence of Christianity one cannot but admire the code of morality inculcated by this heathen philosopher, 500 years B.C.; including, as it does, so many truly Christian precepts. His system of political government is also a very advanced one; thus, in speaking of the duties of a sovereign he says, "When the sovereign behaves to his aged as the aged should be behaved to, the people become filial; when the sovereign behaves to his elders as elders should be behaved to, the people learn brotherly submission; when the sovereign treats compassionately the young and helpless, the people do the same." The Chinese are certainly a wonderful people, considering how far advanced they seem to have been in many things that only lately have attracted our attention, such as competitive examinations for public appointments, rotation of crops, suspension bridges, pisciculture, &c. But everything connected with their habits and mode of thought are peculiarly interesting to dwellers on the Pacific coast; constituting, as the Chinese do, an important part of the community, as merchants, miners, and especially domestic servants, more particularly in the mining districts, and in the most important unknown. The broad eyed natives of the flowery land in this last named capacity are well known to all of us, and very good servants they make, combining the qualifications of washerwoman, cook, baker and general usefulness. They all can read and write, which we are afraid cannot be said of the lower classes of many other countries. We have known many of them spend all their spare hours in studying voluminous histories of their own country. Everything, therefore, throwing a light on the customs and social life of this interesting people we gladly hail, and have perused with much pleasure Mr. Loomes' interesting book and trust it is only a first instalment of other volumes upon Chinese language, customs and literature.

From Kootenay.

A party of miners arrived from Kootenay yesterday, having about \$20,000 in treasure. They do not bring much news. The five Indians who murdered two white men and wounded a third at the Tobacco Plains diggings had all been executed by the American authorities. Herring, the wounded man, was recovering. The Tobacco Plains diggings had proved a failure. The weather continued quite open and mining was still carried on. No new strikes reported. No snow was met with on the way out. The party left Kootenay on the 17th ult.—*Examiner*.

Mechanics Institute.

Active operations have lately been in progress in the Reading, Library and Assembly Rooms of this institution, in renovating, painting and whitewashing, previous to the winter season. This week will be a busy one. On Tuesday evening the annual meeting will take place, when a report of the proceedings of the past year will be laid before the subscribers, followed by the election of officers—on Thursday evening will be the opening night for the winter season of the Elocution and Debating Classes, on which occasion there will be the usual entertainment.

From Peace River.

Mr Sutcliffe Baxter arrived from Peace River on Saturday. He left that country on the 23rd September last. Peter Toy was the only miner at work there. He was making about \$15 a day with the rocker. Black Jack and Dancing Bill arrived at Fort Danvegar, Peace River, across the plains from the Blackfoot country. They intend wintering there, and prospecting the river next season.

Queen's Printer.

It is rumored that the editor of the *Columbian* will shortly be pitchedforked into the office of Queen's Printer, as a reward for his recency to the popular cause and his fulsome laudation of the Governor. The position will be a sinecure, as the appointee has not the slightest knowledge of the business.

Steamship Agency.

We learn that Col. W. T. Welcher, late of this city and Cariboo, is on his way up from California to assume the duties of Agent for California, Mexico and Oregon Steamship Company.

Evening School.

Mr Jessop will open a school for evening instruction, commencing at 7 o'clock this evening, in the Central School Room.

The Fidelity.

The *Fidelity* sailed on Saturday for Portland; she had a few passengers and a fair freight.

ARRIVAL.

A large ship from San Francisco, bound for Burrard Inlet, arrived in Royal Roads yesterday.

The Enterprise.

The *Enterprise* on Saturday brought down 60 passengers and \$30,000 in Kootenay dust. The mail steamer will be due here on Friday.

Wages of the Working Classes in Great Britain and Ireland.

It appears, from Mr Leone Levi's volume, as we learn through the *Guardian*, that, under this title, the working classes of the United Kingdom number in all about eleven millions, and that their collective annual earnings amount to something more than four hundred millions pounds sterling—\$2,000,000,000. If we take men, women and children together, the average weekly earnings of each worker will be \$2 88, and the average weekly earnings of each family will be \$6 20 in England, \$2 66 for Scotland, and \$4 70 for Ireland. Labor is thus, as might have been expected, more highly remunerated, on the whole, in England than in other parts of the United Kingdom; but if we descend to particulars, this rule is not without important exceptions—the labor of children, for instance, being considerably cheaper in England than in Scotland. In England the farm laborer is scantily fed, at the cost of barely sixty cents a week; the Scotch laborer fares better, on sixty-seven cents; while in Ireland, when food is much cheaper, the peasant, for less than thirty-seven cents, obtains nearly twice as much as in Scotland, and more than two and a half times as much nitrogen as the Englishman procures for three and a half cents more per week. The Englishman has apparently the stronger love for animal food, for out of the families included in a recent inquiry meat or bacon was consumed by 90 per cent. in England, by 84 in Wales, by 72 in Scotland, and by only 59 in Ireland.

The Exposition—Something Like a Row.

An extraordinary scene was witnessed at the Exhibition on Friday, Aug. 23d. At 8 o'clock in the morning the Imperial Commission made its appearance with a procession of carts and a few dozen crowbars, and without any warning carried off chairs and tables which the proprietors of the cafes and restaurants had placed outside their premises for the accommodation of the public since the opening of the Exhibition. Several violent tableaux took place. Immediately after the seizure the English restaurant keepers stuck up outside a notice, which, not being to the taste of the Commission, was torn down by the police. They then closed their doors and stuck up another notice inside. This however was doomed to the same fate; the police broke open the doors and again tore down the objectionable placard. The result of all this was the majority of the cafes and restaurants shut up shop for the day, and the unfortunate public had to walk about athirst and hungry. And now for the cause of this remarkable proceeding. The Commission, which are determined to make money anyhow, had given to M. Duval the right to place chairs round the building, notwithstanding that they had previously left to these same restaurant and cafe keepers at an exorbitant sum the places they occupy. M. Duval complained that they had no right to place chairs outside their shops, the proprietors replied that they had paid for their space and ought to have it. A lawsuit was the consequence, and M. Duval gained the day. Such is one of the good results of the system of monopoly invented by M. Le Play.

The Pall Mall Gazette.

The *Pall Mall Gazette* gives an account of a "round" with Bishop Colenso, to which Bishop Twells, who has just arrived in England, treated himself before leaving the Cape of Good Hope. He was determined, it appears, to preach in Pietermaritzburg Cathedral before he left the Colony, and Bishop Colenso's churchwardens were determined he should not. The Bishop hired men with sledge hammers, who smashed the cathedral doors, and the excellent prelate having preached a sermon, as he had vowed he would do, both in the morning and the evening, returned triumphant to England. Such energetic conduct, observes the *Gazette*, will doubtless cause Christianity to stand high in the eyes of the heathen African.

Monday, Nov 3rd.

METEOROLOGICAL.—The thermometer on board the *Zenobia* is kept under the poop, and consequently indicates a low maximum and high minimum when compared with a similar instrument placed outside a house. The rain gauge at the Admiral's is placed in the centre of his lawn, that at the dockyard is placed opposite the office. The gauges agree together very well, sometimes one registering more, sometimes the other. The former was erected in the beginning of September, during which month it registered 0.13 of an inch in the two showery days which we had on the 12th and 13th. The latter was not in its place till the 1st of October.

	INCHES.
Total rain fall, Admiral's house,	5.19
Greatest fall in one day (9th),	0.98
Total rain fall, Dockyard,	0.92
Greatest fall in one day (9th),	0.92
No. of rainy days—i.e., days on which 0.25 of an inch or more fell,	7
Days without rain,	9
0.25 of an inch fall,	16
Maximum height of Barometer (29.5),	30.59
Mean of highest Barometrical readings,	30.11
Minimum height of Barometer (28.4),	29.5
Mean of lowest Barometrical readings,	29.92
Mean of highest readings Thermometer (58.6),	58.6
Minimum height of Thermometer (25.4),	54.2
Mean of lowest reading,	44.6

Imports.

The Colonial imports for the quarter ending September 25th, amounted to \$391,936 29. Averaging the Customs duty 20 per cent.—the revenue from that source will reach a sum somewhere near \$80,000. From the published statement in the *Gazette* it would appear that 5312 bbls of flour, valued at \$26,866 64, and 65,694 lbs bacon, valued at \$3005 17, were imported during the quarter. The value of the clothing brought in was \$42,992 37, that of dry goods, \$30,766 39. Owing to the heavy stocks in store when Union was proclaimed, only \$3483 20 worth of wines and 211 1-3 gallons of spirits, valued at \$359, have been imported during the same period. Of cordials there were only 20 cases, while of opium (where does it all go to?) 1206 lbs, worth \$14 472 06, were entered at the Custom-house. Live stock of all kinds, to the value of about \$35,000, principally from Puget Sound, was brought in, while 19 potatoes received were worth only \$116.

REMEDY
FOR
COLIC

DR. HIGGINS' PILLS
FOR
INDIGESTION

AGENCY
FOR
INSURANCE

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