

THE WEST

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WEDNESDAY, July 31, 1907.

Side Lights on Autonomy Act

Too much importance has been attached to the one side of the decision recently given by Judge Newlands respecting the right of a school district to recover arrears of taxes from a subsequent occupant of a homestead, the taxes having accrued against his predecessor.

The real importance in this decision is the weakness of our provincial position with regard to lands the title of which is vested in the Crown in the right of the Dominion.

It is palpable that Dominion lands cannot be taxed. While we were under Territorial law it became necessary to organize the country for school and local improvement purposes and at the time the local improvement ordinance was passed it was found that if in the assessment of districts for taxation only patented lands were included, organization would be utterly impossible, so small was the proportion of patented land compared with the unpatented.

Section 50 of the Local Improvements Act, which is Territorial law reaffirmed by provincial enactment, says with respect to assessment: "The council may cause to be levied in each year for the general purposes of the district a tax not less than one and one-quarter cents and not more than five cents per acre upon every owner or occupant in the district for land owned or occupied by him."

"Owner," any person who has any right, title, or estate whatsoever or any interest other than that of a mere occupant in any land.

"Occupant," includes the inhabitant occupier of any land, or if there be no inhabitant occupier the person entitled to the possession thereof and the leaseholder or holder under agreement for sale and any person having or enjoying in any way or for any purpose whatsoever the use of the land.

When this law was first enacted there were several appeals on the ground that Crown lands could not be taxed, but the courts held that the law as worded was sound and all occupants of such lands were taxed for local improvement and school purposes, and this was the only way the organization of the country could be affected.

It is obvious that if an "occupant" is taxed this year, and, without paying the taxes leaves the district, that tax cannot be charged against his successor who files as the second occupant of the land. The law follows the eloper and if he is worth it he can be made pay, but in many such cases it is useless to attempt to collect, for if he is not worth anything, what is the use of suing? The loss of this money, however, to the district means a great deal. Under the Territorial status this was borne by the districts with more equanimity than at present for it was thought that when we became a province we would get control of our lands and such matters could be easily adjusted by legislation. In this, however, the country has been disappointed and the recurring difficulty referred to impresses upon us the weakness of our provincial position.

It should be possible for a district to realise some time on arrears of taxes such as the case referred to, and the subsequent occupant of the land should pay it into the district the same as he is liable for the improvements if there are any, and he has to pay for those to the Dominion government. This matter is seriously engaging the attention of the local improvement districts but they can get a remedy only from one source at present, but if we ever get possession of our domain the province can adjust this matter very easily and speedily.

Then there is the question of the school lands. The Dominion has been holding school land sales and a great many farms have been disposed of throughout the country on terms that will leave the title of the land vested in the crown for a long time to come. The occupants of such lands are in the same position as homesteaders with respect to taxation, and the school and local improvement districts cannot charge up arrears of taxes against the land or against the subsequent occupants. So it is seen that the whole question of the right to our lands for the successful administration of the country is opened up to view by these side lights, such as we have referred to.

Another phase of this question is one which will appeal very strongly to the wage earners. The Mechanics' Lien Act is provincial legislation to protect the workman against loss, yet if a carpenter, stonemason or bricklayer has no protection under this act when he is doing work on a building situated on land the title of which is vested in the Dominion government, whether it be homestead or school land. This is something for the workmen to consider when the question of the ownership of our public domain comes up for discussion.

From whichever point of view this land question is discussed we are continually confronted with obstacles which owing to the autonomy settlement prevent the proper administration of our local affairs. These difficulties do not arise either in British Columbia, Quebec or Ontario, and why should we be in an inferior position to the citizens of the sister provinces?

One of the eye-sores at the exhibition grounds is the large patches of French weed which is so prevalent ground the race track especially. The grounds in many places have the appearance of an experimental weed farm. There is enough French weed sown at the fair grounds to seed down the whole adjoining country.

We realise that the city is doing much for the agricultural interests in providing the exhibition accommodation but the weed question and it will soon have to be handled by extreme measures. The weeds around the track have been cut but they had matured and the seed had been left on the ground to propagate, and how tenacious of life the French weed is, farmers know to their sorrow.

The time has come for the city to place a man in charge of the grounds the year round and this is the only effective way to cope with the conditions prevailing, both with regard to tree planting, the care of the city's building investment and the weed problem.

EDITORIAL NOTES It is bad enough to charge high water rates, but evidently Winnipeg does more than that according to the following comment from the Tribune: "Joseph Kerr, the well known city undertaker has had an experience pointed and the recurring difficulty referred to impresses upon us the weakness of our provincial position.

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with city waterworks owing to a leak in the water service. Mr. Kerr is owner of a small store on Adelaide street, and it is claimed that the plumbing leaked. The city has billed Mr. Kerr with \$132 for excess water, and it is expected, unless he can compromise with the city, that the bill will have to be paid. The service was metered.

An extract from a recent letter received by James Brown of the educational department here, from the Duke of Argyle, has gone the rounds of the Canadian press and has apparently been subjected to many interpretations. Commenting on the quotation the Victoria Colonist says: "We have before us a paragraph headed 'Duke of Argyle fears conscription.' What the duke says in his letter, which was printed under this heading, is: 'If the civil education will make war training among Canadian and British youths a part of education we need not fear conscription.' If we understand the English language, the Duke is expressing his opinion that a certain course will prevent conscription, but he does not say that conscription will come if such a course is not taken. If a man should say that a certain fire extinguisher would enable you to save your house, if it was on fire, you would hardly conclude that he thought you were going to set your house on fire.

Three weeks ago we published an article stating that the lands department of the C.P.R. had notified the secretary of the Heward school district that they would not pay taxes to the district for lands assessed. Since then the secretary has received correspondence stating that the taxes would be forthcoming as they were in error regarding the matter. We are pleased to note that the company have signified their intention to pay without further trouble. The loss of that company's taxes according to assessment, would have made a deficiency in the school funds which, if they were successful in their contention that the lands were not assessable, would have had to be borne by the other rate payers of the district, thus raising the rate of assessment. And had the school board been compelled to take the matter up in the courts, as there is no doubt the ratepayers of the district would have insisted upon, there would have been considerable expense for both parties to the suit. An amicable settlement of the matter will be gladly received by our citizens.—Heward Chronicle.

PRESS COMMENTS (Victoria Colonist) The "better terms" act as passed does not contain the words "final and unalterable" in the body of the statute, but they are in the resolutions of the Canadian parliament, which are appended to it as a schedule. The act takes effect from July 1st, so that the "provisional" will receive their additional amounts from that date. The inclusion of the resolution and the omission of the words "final and unalterable" from the act itself make an apparent contradiction. How the courts would construe such legislation, as affecting individuals is quite immaterial. As between the province and the Dominion the case stands thus: The Dominion parliament asked the Imperial parliament to make a certain arrangement final and unalterable, and the latter body did not do so, although it recited the request in a schedule to the act. This state of things taken in connection with the statements in the house of commons; by the spokesmen of the government, show that the door for the further presentation of provincial claims is wide open.

(Toronto Telegram) Canada is staggered by the magnitude of the proposal to vote Lord Cromer \$250,000 as a reward for his services to the empire of Egypt. Britain is the home of the only democracy on earth that will pay generously for public service.

To pile a public grant of a quarter of a million on top of long years service at \$32,500 per annum is an enormity that would be classified as graft in the bright lexicon of Canada. A typical Canadian placement with the opportunities that followed Lord Cromer's unchecked supremacy in Egypt, might have heaped up treasures on earth to such an extent that he could dispense with \$250,000 grants from a grateful country.

At all events typical Canadian placements in the occupation of positions far inferior in power and opportunity to that of Lord Cromer in Egypt have been able to do so well for themselves that the country had no need to do anything for them.

Canada would leave a man in a position like Lord Cromer with no other reward than the fame of his high-handed integrity and the approval of his good conscience. Britain supplements these moral and intellectual rewards with substantial recognitions: the pension that kept British interests intact, and the integrity which kept British honor unscathed throughout the long years of Cromer's consulship in Egypt.



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JAPS OVER RUN COAST PROVINCE

Great Alarm Expressed in British Columbia Owing to Threatened Yellow Peril Vancouver, July 25.—Twelve hundred Japanese from Honolulu arrived in Vancouver today, on board the steamer "Kumeric." The Arthur, Sustuma Moreyama, Japanese agent, calmly admits that there is an organization behind the Japanese immigration movement. He says the headquarters are in Honolulu, and declares that the Japanese are "free men and will be brought here until the head tax is imposed. Fully one-fourth of the seventy-five thousand Japanese in the Hawaiian Islands intend to come here.

The Modesty of Women Naturally makes them shrink from the delicate questions, the obnoxious examinations and unpleasant local treatment, which some physicians consider essential in the treatment of diseases of women. Yes, if help can be had, it is better to submit to this ordeal than let the disease grow and spread. The trouble is that so often the woman undergoes all the annoyance and shame for nothing. Thousands of women who have been cured by Dr. Pierce's Favorite Prescription write in appreciation of the cure which dispenses with the examinations and local treatments. There is no other medicine so sure and safe for delicate women as "Favorite Prescription." It cures debilitated drains, irregularity and female weakness. It always helps. It almost always cures. It is strictly non-alcoholic, non-secret, all its ingredients being printed on the bottle wrapper; contains no deleterious or habit-forming drugs, and every native medicinal root entering into its composition has the full endorsement of those most eminent in the several schools of medical practice. Some of these numerous and strongest of professional endorsements of its ingredients, will be found in a pamphlet wrapped around the bottle, also in a booklet mailed free on request, by Dr. R. V. Pierce, of Buffalo, N. Y. These professional endorsements should have far more weight than any amount of the ordinary lay, or non-professional testimonials.

The most intelligent woman now-a-days must know what they take as medicine instead of opening their mouths like a lot of young birds and gulping down what is called "drugs." "Favorite Prescription" is not a drug. It makes weak women strong and sick women well. Dr. Pierce's Medical Adviser is sent free on receipt of stamps to pay expenses of mailing only. Send to Dr. R. V. Pierce, Buffalo, N. Y. One-cent stamps for paper-covered, or 50 stamps for cloth-bound. It sticks around the Doctor, free of charge by letter. All such communications are held strictly confidential. Dr. Pierce's Pleasant Pellets invigorate and regulate stomach, liver and bowels.

Vancouver, B.C., July 28.—The Japanese who arrived yesterday on the steamer Kumeric have been taken to Stephenson. Their ultimate destination is unknown. Captain Baird says that more than four hundred of them passed through the Russian war, more than a hundred were medals for distinguished bravery at Port Arthur. Sustuma Moreyama, Japanese agent, calmly admits that there is an organization behind the Japanese immigration movement.

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OLIVER INVEST

Minister Come Through B.C. Government Winnipeg, July Oliver was in the on a tour through He was met here etc.

"My visit west said Mr. Oliver, in want to find out the conditions sur of land, twenty mi the C.P.R. through The disposal of the owned by the govern ing an important o Clashing "This land has b some time as of now people are wan are various classifi same rule can't b forty mile strip of prairie lands whic granted to the C extends from the e British Columbia miles of the east. R. had the right o of this land but ne and so the people o the Dominion gov for the benefits w on them by the C them with the east. "Now some peop this land for grazin small price per acre ment, and they aver good for nothing bu statements are at those of the man and says that it is try, and wants the wheat oil Then th he made very prod irrigation facilities e ed. The wet belt be is another importan considered, and we matter much better about it. Within th there are also severa could become rich fr tracts if there was p His States

Mr. Oliver then spe trip through a large American states, in into several matters the immigration que out how several que solved by our friends which Canada will h the near future. O important of these the restriction of the migration into the co "As you may know, I recently made a t trip through the Sta our agents in many sent. We have agent Boston, Syracuse, Pi apolis, Toledo, Detroi sas City, Omaha, St. Grand Forks, Great kan. Of these I visi dianapolis, Detroit, K Omaha. "Canada has an York also to turn grants destined for Ca is believed, would be co-operates with the orities just the same at Quebec, who is stat a similar purpose. I our agent at Ellis Isl were progressing very "In Washington I Oscar Straus, who is immigration affairs. He advised that Cana adopt the stringent re clusion of immigrants ed States has done b trary, that we should door policy to prev all the vastness of our un tory and the small po we have at present. "Notwithstanding the New York city and v by the constant strean ers, there is a great s southern states for E In fact the demand States have become s bureaus for the equita of immigrants have al established at Charle and New Orleans. "We have had consi for several years past to emigrate from Cana ther western States, a is still flowing in ovr though in volume it h diminished this year. 7 reasons for this. The first reason is severity of the winter which has scared a con bet of people away who wise have flocked, not year the seeding in a states was nearly six that of Canada, and th not be convinced that normal state of affairs.

Lure of the W "The second reason people who could inni ada from the states at here to invest the mon the sale of their farm number of acres than elsewhere. Now severa United States have tak of this and are boom The third reason is c die of Texas for all the and more than its wor vertise that they can so for five dollars an acre, in Canada will cost ten by this means they have start quite a southwest "The third reason is c die of Texas for all the and more than its wor vertise that they can so for five dollars an acre, in Canada will cost ten by this means they have start quite a southwest

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