

The Weekly British Colonist AND CHRONICLE

Tuesday, August 14, 1866.

Tardy Justice.

Better late than never! After being importuned by the people and goaded by the press for two sessions, the Legislature has at length passed a law which should have been recorded on the statute books of this Colony from the earliest days of its constitutional history, and has effaced another which has as effectually depopulated the country as a visit of the cholera would do. We allude to the "Homestead Bill" and the bill amending the "Law of Arrest." Both bills originated in the Legislative Council, which gives them quasi executive sanction. The last named, entitled the "Debtors Relief Act, 1866," was passed by the Assembly last week and sent up to the Governor; the Homestead bill was yesterday accepted in its entirety by the Lower House and passed through Committee, without dissent. With all the progressive tendencies infused into us by our close proximity to a liberal and go-ahead nation, it has been a lamentable reflection on the vaunted wisdom of our senators, that legislative enactments so essential to the permanent settlement and prosperity of the country should have been so long withheld. The horse in fact has been suffered to escape before closing the stable door, but in the last moments of an almost effete Legislature, the obstructive scales have fallen from the eyes of the men who blindly and pertinaciously arrayed themselves against the two most urgent and useful bills that have engaged their attention during the session, and some atonement has been made for the short sighted policy of the past. The great objection urged against a Homestead bill, is that it opens the way to and thus legalizes the practice of fraud, but we see no weight in the objection. The bill in the first place provides that before a Homestead shall be entitled to exemption from seizure and sale it shall be duly registered with the Registrar General of Titles, in the manner and form provided in the second section. According to that section the owner is required to register his title to the property as in the case of real estate, and must cause a notice of registration to be given, accompanied with a schedule of instruments evidencing his title to such Homestead, and a declaration, either declaring his assets to be not less than the sum of \$2500, or otherwise, that his assets are not greater than the value of the Homestead, such Homestead being of less value than \$2500. The penalty of a wilfully false declaration is declared to be a misdemeanor and nullifies any registration under the act. All notices of registration, abandonments and declarations, are to be recorded with regular indexed lists of persons claiming exemption under the act, which shall be open to public inspection upon payment of a fee of 25 cents. The Homestead shall be wholly free from seizure or sale by any process at law, in equity or bankruptcy, on account of any debt or liability incurred after the registration of such Homestead, provided, that at the time of such process, it be of no greater value than \$2500 and shall have been the continuous bona fide place of residence of the owner; and in case the value shall then exceed \$2500, the excess only shall be liable to seizure and due regard is had to the selection and determination of such excess. Provision follows for aliening and encumbering—the owner if a married man with a wife resident in the Colony, requiring the consent of his wife to such alienation or encumbrance, but nothing in the act exempts any real or personal property from sale for taxes, or from distress for rent. With such stringent preventives to the exercise of fraud, we really cannot see any plausibility in the outcry raised against the bill. True the owner of a homestead may secure his property from seizure one day and on the following day, on the ostensible credit of that property, involve himself to a considerable amount with an innocent party. But are these not the ordinary risks of business? Are there not an infinity of modes of practicing dishonesty if

men will be dishonest? Have we not seen orbits to what extent fraud may be perpetrated upon unsuspecting persons without recourse being had to the provisions of the Homestead Act? The protection of the public lies in the declarations to be made in the first instance, in the public record in the second, and in the encouragement to settlement and industry in the third; while the Colony may rejoice in having a bill calculated more than any other to foster what is just now wanted more than anything else, a permanent rural population. The meeting to be held on Wednesday next comes opportunely with the passage of the bill.

By Electric Telegraph

SPECIAL TO THE COLONIST AND CHRONICLE.

Europe.

Farther Point, August 4.—The steamer Moravian has arrived, with dates to 27th July. It was stated in London that the armistice between Prussia and Austria will probably be renewed. There is no intimation of this having been done. Previous to the armistice the Italians were successful in South Tyrol.

The British Government has announced its intention of removing the suspension of the writ of habeas corpus in Ireland.

Notice has been given that Government has agreed with the Council of the Reform League, to facilitate in every way their obtaining a speedy decision under law as to their right to hold public meetings in Hyde Park, and until the question is decided, no further meetings will be held, except one on the afternoon of the 30th. The statement, however, is contradicted in a letter from Mr Walpole, who states that no promise was made and no permission given; but the Government promised to withdraw the Police and military, under an express stipulation that no attempt would be made to insist on the supposed right to hold meetings until the legal questions have been decided.

The Star Telegraph and Advertiser, represent the step taken by the Home Secretary as a compromise and partial discomfiture.

DELAYED DESPATCHES.

European.

Farther Point, July 28.—The steamship Peruvian brings dates to July 20.

The bullion in the Bank of England had decreased £347,000.

The Monitor says Prussia has consented to abstain from hostilities for five days, provided Austria would give her decision on the basis of peace proposed, within that time.

New York, July 29.—The following was received by the Peruvian:

Austria and Prussia had accepted proposals for a suspension of hostilities for five days, and it was expected it would result in an armistice for six weeks.

Heart's Content, via Gaspe Bay, July 29.—The London Times of July 27th, says of the telegraph: "It is a great work—the glory of the age; and the nations and those who have achieved it deserve to be honored as benefactors of their race."

A treaty of peace has been signed between Austria and Prussia.

A previous telegram says an armistice between Austria and Prussia commenced at noon on the 23d. There had been fighting on the 22d, the Austrians claiming a victory.

Earl Shaftesbury had protested in the House of Commons against reform meetings.

During the discussion of the Tariff bill Sir John Pakington admitted that England was behind other nations.

A naval engagement took place on the 21st of the island of Lissa. The Austrians claimed a victory as they sunk the Italian iron-clad, running down one and blowing up three.

There had been riots in London on account of the refusal of Government to allow reform meetings in Hyde Park.

Chicago, July 31.—The following is additional news per steamer from Liverpool, July 22d:

In the great naval fight off Lissa, the Italian frigate Re De Italia was sunk by the concussion.

At the beginning of the battle an iron-clad blew up with all on board, with cries of "long live the kingdom of Italy" from the crew.

The Italian accounts state that the Austrian squadron retired after one man-of-war and two steamers had been sunk.

A Vienna telegram says the Italian fleet was driven back and pursued by the Austrians in the direction of Ancona.

The Monitor of the 21st says, Austria has accepted the proposals of Russia to abstain from hostilities during the time that the Court of Vienna will have to refuse or accept the preliminary basis to peace.

The Times says Prussia urges her demands very nearly to the exclusion of Austria from the new federal combination.

The Monitor says Italy has engaged to abstain from hostilities for five days.

The following royal manifesto has just been issued at Vienna:

To the faithful people of my kingdom of Hungary:—The hand of Providence weighs heavily upon us in the conflict into which I have been drawn, not voluntarily, but through force of circumstances. Every human calculation has been frustrated, save one—the confidence I placed in the heroic bravery of my valiant army of the North. Grievous are the heavy losses by which the ranks of those brave men have been thinned, and my patriot heart feels the bitterness of that grief with all the families afflicted. To put an end to the unequal contest, to gain time and opportunity to fill up the voids occasioned by the campaign, and to concentrate my forces against the hostile troops occupying the

northern portions of my Empire, I have consented, with great sacrifice, to negotiations for the conclusion of an armistice. I now turn confidently to the faithful people of my Kingdom of Hungary, and to that readiness to make the sacrifice so repeatedly displayed in arduous times. The united sections of my entire Empire must be set in motion that the conclusion of the wished for peace may be secured upon fair conditions. It is my profound belief that the warlike sons of Hungary, actuated by feelings of hereditary fidelity, will volunteer and hasten to my banners to the assistance of their kindred, and for the protection of the country, which is also immediately threatened by the events of war. Rally! therefore, in force, to the defense of the invaded Empire; be worthy sons of your forefathers, whose heroic deeds gained never fading laurels for the glory of Hungary's name.

(Signed) FRANCIS JOSEPH, Prince Napoleon arrived at Venice on the 16th inst.

A decree had been officially promulgated organizing an Administration for Venetia.

The Marquis Leopold had been appointed State Commissioner at Padua.

Archduke Albrecht has issued a proclamation assuming command of the Austrian army.

A Vienna correspondent says that 400,000 men and 600 cannon are promised for the defense of that city. It is said that 100,000 men are crowded within the intrenchment.

The camps of Florishehof, of from sixty to eighty thousand fresh soldiers from Venetia, have joined, and everything betokens a coming conflict as inevitable.

A portion of the Prussian army has crossed the river and are on the march near Holes in Hungary.

New York, July 31.—The Herald has the following special over the cable.

Queen's Hotel, London, July 28.—An armistice of four weeks has been signed by Austria, Prussia and Bavaria. The other German States have also signed the armistice. The propositions embrace a lasting peace throughout Europe.

A Tribune special over the cable, dated Friday night, says: In the House of Commons, on Monday night, Lord Stanley said he was anxious to remove the irritation caused by the war between the North and South. If the American claims are presented by the American Government, the English Government will appoint a board of commission to investigate the claims of America and enquire into the neutrality laws. And it possible revise them.

Another special to the Tribune is as follows:

London, July 29.—Baring Brothers announce large remittances as on the way to pay the dividends on Mexican bonds.

Consols 88@89. There had been an alteration in bank rates for a week.

A riot had occurred owing to an attempt to prevent a Reform Meeting.

New York, July 30.—The following is the very latest through the cable:

London, July 29.—The latest advices from the seat of war state that the preliminaries for peace are being arranged but no particulars have yet been received.

London, July 28.—Consols closed at 88½. Five twenties closed at 69½.

The following congratulatory message was sent by the Queen of England to the President of the United States:

OSBORN, July 25th, 1866.—To the President of the United States: The Queen congratulates you upon the successful completion of an undertaking which she hopes may serve as an additional bond between the United States and England.

The following reply was at once transmitted.

EXECUTIVE MANSION, Washington, July 30, 1866.

To Her Majesty the Queen of the United Kingdom of Great Britain and Ireland:

The President of the United States acknowledges with the most profound gratification the receipt of your Majesty's dispatch and cordially reciprocates the hope that the cable which now joins the Eastern and Western hemispheres may serve to perpetuate peace between the Governments of Great Britain and the United States.

(Signed) ANDREW JOHNSON, New York, July 30.—The following dispatch has been sent over the Atlantic cable:

MAYOR'S OFFICE, New York, July 30.

To the Lord Mayor of London: The energy and genius of man, directed by the Providence of God, have united the continents. May the union be instrumental in securing the happiness of all nations and the rights of all people.

(Signed) JOHN T. HOFFMAN, Mayor of New York.

Gaspe Bay, July 30.—Midnight—By the arrival of a vessel from Port Au Basque to-night, further despatches brought by the Atlantic cable from Europe have been received.

Messages to private parties are among those brought from Heart's Content by this vessel.

Arrangements have been made which will insure more rapid and frequent transmission of despatches from Port Au Basque than heretofore, until the Gulf cable is laid.

Europe.

LONDON, Aug 3.—There is no political news of importance. Consols closed firm as formerly. Cotton irregular; report of sale for week ending Saturday, at 70,000 bales middling uplands fourteen pence.

New York, Aug. 6.—Advices have been received by the steamer Germania, confirming the news briefly announced by cable.

A great reform demonstration was held in Hyde Park on July 23rd. 1800 police, and two companies of Life Guards were called out. Nothing serious occurred.

Austria has accepted the preliminaries of peace submitted by Prussia. Plenipotentiaries had assembled at the Prussian headquarters to negotiate an armistice. Italy's definite reply was expected. She had already admitted in principle the peace preliminaries proposed by Prussia, and approved of by France and Austria, to recognize the dissolution of the former German bond, and permit the organization of a new Confederation from which Austria is to be excluded.

Austria agrees to this settlement, North Germany to form a union under Prussian direction; the annexation of the Duchies to Prussia, excepting Danish Schleswig; the part payment by Austria of the war expenses; and the maintenance of Austria's integrity, excepting Venetia.—Prussia intends annexing territory containing thirty millions of people. M. Mantoufel insists on the immediate payment of 25 millions florins, and threatens to deliver Frankfurt up to pillage in the event of non-compliance. The Bourse and warehouses were closed, and the Frankfurt Chamber refuses to pay, preferring to submit to pillage.

In relation to the war movements, the Times says, the armistice did not come a moment too soon to save Austria from a final catastrophe; yet one day more and the Italians would have found themselves in full possession of southern Tyrol; and Prussia master of the passage of the Danube, would have threatened Vienna, on the east and west. The combatants are now resting in respective positions. There are well grounded hopes that the time may be prolonged into an armistice, and this into definite peace. On the 26th, the suspension of hostilities for eight days was concluded between the Italians and Austrians, and everything betokens a coming conflict as inevitable.

WASHINGTON, June 4th.—A London letter says, of the attitude of European potentates the actual question is, will Austria consent to resign all power, all right in Germany, and leave Prussia the supreme control of forty millions of Germans? Consenting to this, Austria may have peace with the empire of thirty-three millions of people; if she will not consent, Prussia will endeavor to excite revolt in Hungary, and will do her utmost to blot Austria from the map of Europe.

The Emperor of France, a few weeks ago, insisted upon Austria being maintained as a German power, now he appears to have revoked that part of the programme, and urges Austria to accept the terms of peace offered by Prussia and Italy.

Russia also, which a few weeks ago seemed to sympathize with Austria, has become friendly to Prussia. Last night in the British House of Commons, there was a regular glorification over Count Bismarck and the success of the Prussian army.

Three months ago there was scarcely one to take the side of Prussia. There is evidently great confusion at Vienna, they are so hotly professed, that they cannot get time to deliberate calmly.

Europe.

The Paris Patrie says the terms of the armistice as regards Italy stipulated for the occupation of Verona by the Italian troops.

A telegram from Brun says that on marching in front, in every direction, pickets of enemy's cavalry, who retired as the Prussians advanced.

The bridges across the Thaya and March were restored by the Prussians in 24 hours. One brigade which had entrenched itself at Lundberg, evacuated the town without resistance and proceeded South.

During the few days preceding the occupation of Grading, by the Prussians, thirty-nine trains heavily freighted with troops passed through the town for the south.

The last six trains conveyed soldiers of the Saxon army vanguard at Hof in Bavaria by forced marches; they took sixty prisoners.

Eastern States.

New York, Aug. 6.—Money continues easy. Gold more firm. Stock dull. Bank statements show increasing loans of \$196,000; decrease of specie, \$252,000; increase of circulation, \$6600; decrease of deposits, \$526,000; decrease of legal tenders, \$47,000.

There were 20 cases and 4 deaths by cholera in this city, and one death at Brooklyn, reported to-day at noon.

Cincinnati, Aug. 6th.—Cholera has assumed an epidemic form since Aug. 1st, 64 deaths have been reported. Yesterday the number reached 24. Thermometer in the morning marked but 64.

Washington, July 6th.—A statement of public finances of 1st of August, shows a revenue for the year of \$277,500,000, with \$137,000,000 cash in Treasury. The net reduction of the public debt since a year ago is \$24,000,000.

New York, Aug. 6.—Cholera has not seemingly abated; for 24 hours ending 7 o'clock last evening, 29 official cases and 4 deaths are reported.

Chicago, August 4.—A correspondent at New Orleans writes as follows of Monday's riot: The Convention met at 12 o'clock; twenty-six members present. Judge Howell, sine missing, in the chair. R. King Butler, also missing, moved the adjournment of the House; during which time the sergeant at arms was directed to compel the attendance of absentees. The hall was densely packed with Freedmen. Just after the adjournment a procession containing hundreds of Freedmen carrying the United States flag arrived at the Institute, having had a slight disturbance on Canal street; at this juncture merchants all over the town, fearing the coming riot, closed their stores. When the procession entered the building a squad of police followed and attempted to make arrests. A scene of the wildest confusion followed, pickets were fired, clubs and canes used, and brickbats flew about in all directions. The policemen were finally driven out of the building, leaving Hahn and other gentlemen with 50 Freedmen inside. Fortunately, Governor Wells had just left the building for the purpose of consulting with General Baird about calling out the troops.

The Institution used as the State Capitol was located in Dryade street, between Canal and Common; when the policemen were driven out they were met by a large body of Freedmen, who caused them to fall back to Canal street. They rallied and drove the Freedmen back to Common street, and, in turn, were driven back to Canal street; up to this time one policeman had been mortally wounded, one severely, and others slightly hurt with clubs and pistols. Police reinforcements soon appeared, a crowd of rioters accompanying the police as they approached the Institute, then commenced throwing stones through the windows and firing pistols at any one that could be seen inside the building. Some detachments of police attacked a crowd of Freedmen on Common street, and after sharp firing, wounding several blacks, they drove them away, giving the police and the mob which accompanied them full control of Dryades street; a fire engine which was brought out played on the front of the Institute, for what purpose is not known.

Several attempts were made to enter the building by the police, but were repulsed. The ammunition of the men in the Institute seemed to give out; they did not fire any more and attempted to escape through the rear of the Institute into Barrows street, but were either arrested or shot down. They also attempted to escape through the alley which runs from Dryades street to Barrows, but it is not known that any Freedmen succeeded in getting away from the building alive. I think every one who tried to escape was killed. Saw several brought into the alley above mentioned and after they fell saw crowds of ruffians beating them as they were dying. The riot commenced at 12:16 and ended at 3 o'clock in the afternoon. At 4 o'clock the military under Gen. Baird appeared and took possession of the whole city. How many have been killed or wounded or arrested it is impossible to say, but it is estimated that 100 Freedmen and 20 white men were killed or wounded and 100 altogether arrested.

New Orleans, August 6.—A military commission has been appointed to inquire into the late disturbances in the city and are pursuing their investigations.

Legislative Assembly.

Wednesday, August 8th: Assembly met at 1:15 p. m. Present—The Speaker, and Messrs Trimble, Young, McClure, Dickson, Cochran, Carswell.

ROAD AMENDMENT BILL.

Mr Pidwell introduced a bill to amend the road act, which he explained and supported. Dr Helmcken introduced a short bill merely amending the defective section in the old act, which he thought would suffice for present purposes. He entered fully into the question, in all its bearings, and was quite satisfied that Mr Pidwell's bill could never pass during the few days that the House would exist.

Mr Young introduced a scale of charges for road repairs which he thought more equitable as it did not allow the taxation to fall more heavily in proportion on the small property holder.

Mr McClure supported the last amendment, as the Speaker's amendment had the effect of legislating against resident property holders in favor of unproductive property holders.

After a lengthy debate Mr Pidwell withdrew his bill and the Speaker's short amendment bill was accepted, and reported; The bill simply provides for three days statute labor, in lieu of six below ten acres, and one day extra for every 50 acres instead of two days for every 100 acres.

HOMESTEAD BILL.

Mr DeCosmos said that sooner than there should be no homestead bill he would accept the Council bill, though there were two or three objectionable points in it. He did not approve of the lawful owner of a homestead being compelled to make it his actual place of abode. Further, the title of the bill was to exempt the Homestead and other property &c; there was no other property mentioned in the bill.

Dr Helmcken agreed with the last speaker; it would be a great thing to have a Homestead Bill on the Statute Books, and as this bill came down from the Council and might be called an Executive bill, it was certain to pass.

The clauses of the bill were then read and passed *seriatim*, no alteration being made except in the schedule, which, as a motion of Dr Helmcken was amended so as to require a fee of \$5 for registration and \$5 for cancellation; and the bill was reported.

The Committee here rose and reported progress, and the House adjourned till Thursday at 3 p. m., when the order of the day will be Mr Pidwell's Executive Council bill, Militia Bill, (1st reading); Road Bill, (2nd reading); Homestead Bill, (3rd reading); Report of Committee of Supply.

In our report of Tuesday's proceedings we state that Dr Powell moved that the Unconditional Union Resolutions be re-considered. The report should have read that the doctor moved the want of confidence resolutions be rescinded, because he considered them misapplied.

Administrator Birch resolved Queen's nelmouth on the 7th.

Up the Country.

ST & CHRONICLE:—Any good spirits among us and Colony will be doing a

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Mayor's Answer.

patch was received by

Frasklin, in response to

rom here on the 1st August

of London: 2nd

Aug. 4th, 1866.

ceived 10.30 a. m. 6th.

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