

The News.

The crowded state of our columns prevents more than a passing notice of the exciting news from Ireland. The Fenians have at last risen in the vicinity of Killarney, and after killing a police guard and committing depredations upon property, have fled to the mountains, where they stand a fair chance of being captured by the Government troops. The first despatch—to the effect that two shiploads of men had been landed on the coast—is discredited by later intelligence, which treats the affair as a local revolt that the Government has well in hand. The telegraph wires having been destroyed for many miles, the amount of mischief these misguided wretches have already wrought cannot at present be ascertained. Valentia, the point at which the Fenians appear to have first aimed, is situated on the S. W. coast of Ireland, and is celebrated as the terminus of the Atlantic cables, for the safety of which there is reason to fear. The inhabitants of Counties Kerry and Munster—the disaffected districts—are mostly Catholics. The highest mountains in Ireland run through these counties. Mallow Junction, at which point the troops, under Colonel Haswell, are said to be concentrating, is so-called from being the junction of the Great South-eastern and Killarney Branch railways. In its immediate vicinity are several extensive military establishments. The fine harbors of Bantry Bay and Kenmare offer facilities for the landing of troops which are not to be found elsewhere on the coast. We look for additional and more important despatches to-day.

LEGISLATIVE COUNCIL PROCEEDINGS.

[Specially Reported for the British Colonist.]

Thursday's Sitting.

(Continued.)

The Hon President thought the Governor would be glad to receive the recommendations of the House, which might assist him in providing Customs Laws. The course suggested might not be parliamentary, but it could do no harm.

Hon Crease favored protection, but considered the subject had better be dealt with as a whole than in part and thought it ought to come up in Committee.

The motion was ordered to be printed and referred to Committee of ways and means. Hon Helmecken said it had been remarked that this was not a Parliament, then they must make it one. The Council had been enlarged and would require its business to be done in a regular manner.

MESSAGE.

No. 5. From the Governor enclosing returns of road tolls and tonnage dues and statements of repairs, ordered to be printed.

No. 6. Enclosing petitions for abolition, road, tolls, expressing regret that same could not be complied with.

SHERIFF'S LAW BILL.

This Bill came up for third reading, when hon Macdonald objected to Clause IV., excluding High Sheriff from all penalties, suits or actions.

On motion of Hon Walkem the bill was recommitted and the objectionable portion of the clause amended. After some discussion and further amendments the bill was reported complete and ordered to be read a third time on Monday.

INDIAN LIQUOR BILL.

This Bill came up for third reading. Hon Helmecken moved that it be rejected. He had his own peculiar opinions on this subject and was entirely averse to the measure. The act was very stringent, but it would be an act on paper only and would not have the effect they desired as the machinery did not exist in the country for carrying it out. It would require half the estimates to suppress the Indian Liquor traffic on the coast, and it was mere sham and mockery to persuade ourselves that we were doing the Indians good by it. The money it would take to carry out the law could be put to a far better use than catching half a dozen poor wretches who made their living by supplying liquor around the towns. In most cases the miserable beings did it in order to be kept in prison and fed at the public expense, and where was the utility of catching half-a-dozen for selling a bottle or two when some 1000 gallons were sold annually without detection. The penalties were also far too high, many might pay and go out, but £100 was virtually to put them in prison. Once in a man is sure to go there again for the moment he is known as a whisky seller, he is watched like cat and mouse. It was no use for people at New Westminster, who were buried out of the way of all civilization, and knew nothing of what was going on, to talk about the advantages of this measure, let them go into the world and see how it worked. They may parade the morality of their laws before the world, and exclaim, look at our stringent bill to prevent intoxicating liquor being supplied

to Indians. They may send it to Exeter Hall and show it to the Aboriginal Protection Society, yet its value, if they only knew it, was not worth the paper it was written on and the money that it would cost would be far better employed in improving the condition of white men who need it more. Put on a few thousand dollars more for the purpose of enforcing the measure and see if the people will stand it. The whole thing was of no earthly use, we only humbug ourselves here and others elsewhere. Then part of the fine was to be given to the informant, that was a very injurious principle. Six res were made by the police who occupied more of their time in looking after whisky sellers than after their duties. He was free to admit that he did not regard the vending of liquor to an Indian as an offence. Take away the act, and where was the wrong. It was perfect nonsense, and the sooner we stop treating the natives as babies the better.

Hon Macdonald thought that if no such bill was in existence there would soon be a call for one [hear]. Giving portion of the fine to the informant, he considered as one of the most effective parts of the scheme; the only thing he objected to was flogging juveniles. He regarded Indians as nothing else than babies.

A motion being put the third reading was carried; contra Stamp, Helmecken, DeCosmos, Smith.

ENGLISH LAW BILL.

This bill passed through Committee with slight amendments.

INTEREST BILL.

This bill which provides that the legal rate of interest when not otherwise provided shall be one per cent, was opposed by hon. Walkem, but passed second reading and was ordered to Committee for Monday.

ASSIMILATION LAWS.

The Chairman of the Select Committee introduced the following bills separately, Regulation Bridge and Ferries, Game Law, sale of Real Estate of Intestates, Violation of Indian Graves, Protection of Inventions, which were all read a first time.

In answer to Dr Helmecken, Monday was fixed for the Legal Professions Bill. Council adjourned till Friday.

Friday's Sitting.

Council met at 2 p. m. Present the Hon Birch, (presiding) Crease, Wood, Brew, Hamly, Ball, Smith, Barnard, Robson, Young, Walkem, Macdonald, Helmecken, DeCosmos, Southgate, Stamp, Pemberton, Cox, Sanders, O'Reilly, Trutch.

MESSAGES.

No. 7. From the Governor stating that transport returns in detail would involve considerable difficulty and labor, and requesting Council to state the particular heads under which returns are required.

No. 8. Stating that the Governor had given instructions, which he thought would be satisfactory to the Council, respecting the remission of harbour fees and dues.

COMMITTEE OF SUPPLY.

On the order of the day for going into committee on supply, Hon DeCosmos rose and said that the Council was now entering upon the most important part of its legislative duties, the voting of money for the use of the Government. He was prepared to give every reasonable assistance to carry on the Government during the ensuing year; but there was a want of information in the returns, from the absence of returns of the revenue and expenditure for '66. Now the returns of preceding year '65, which was a prosperous one, would not assist members, and enable them to act intelligently in voting the supplies. He would therefore move that approximate returns of revenue and expenditure for '66 be laid before the Council, before going into committee of supply, and would ask the House to allow those returns to be furnished; he did not expect that the expenditure could be given in detail, but an approximation might be arrived at in 3 days, which would be sufficient for the purpose, and no serious delay would consequently occur. The information was wanted before he, for one, could vote pro or con; and hon. members need not rush in and vote blindly.

Hon. Walkem, thought it would be a gracious act on part of the Government, to grant the information asked for. The vote and body of intelligence in the present Council was larger, and limits of the Colony had been extended; and as the information asked for was needed by hon members, he did not think it could be refused.

Hon Southgate seconded the motion, and hoped the Government would be able to furnish the particulars required, as the House at present had not the data to go upon.

Hon President had every wish to lay information before the Council on the estimates, and every other subject, but the Council must be aware that large sums of money had been voted in the Cariboo and Kootenay districts, the returns from which, would not be forthcoming for some time to come; he hoped however, that they would not be found excessive. The Auditor was surfeited with work, and he thought that sufficient information could be derived from the returns of '65. The principal item that would not be found in them, would be for ocean mail service; he would be ready to afford all information required, and no doubt the hon Magistrate from Victoria would do the same, with respect to the Island. If it was the wish of the House to delay the estimates, he should not oppose, though he did not see what was to be gained by it.

Hon Young did not see the necessity for elaborate returns. It was very desirable that an approximate statement of the revenue should be laid before the House, but not the expenditure, with which this Council had not now to deal, and which had no bearing on the question. An approximation of the revenue of '66 was a good criterion to go upon, and might be obtained in a short time, but there was no necessity for delay, in the meantime, as any item requiring information could be postponed.

Hon Helmecken was very sorry to have to support his hon colleague; he did not mean that he was sorry to be found on his side, but that he should have to ask Government to concede this matter. A day or two, to enable information to be furnished, might remove many difficulties, was really no loss of time, and to go into the estimates without the

returns of income was very wrong. If the condition of the country was taken into consideration, the doubt as to the future, the anxiety as to the past, and the distrust in the public mind outside of this small place, the Government would at once see the necessity of not going in opposition to the representatives of the people: He advised the Government most sincerely not to go against the popular members, as they were called; by so doing, existing difficulties would be only increased. The state of the country demanded that the Council should be in possession of every information; to go into the estimates and vote sums of money blindly without knowing what revenue could be expected was wrong, and they should be wanting in duty to their constituents, did they not ask—not demand—the information they were most desirous of having. Upon that information depended very much the course they would have to adopt; and they could not go into the estimates at the present moment. Seven hundred thousand dollars was a sum that did not accord with the actions of Vancouver Islanders, who were accustomed to deal with two or three hundred thousand, and they could not be expected to be so conversant with the state and affairs of this country as those who lived in this secluded spot, where the hum of industry was never heard across the street. He therefore asked the Government to concede the point, not only for convenience, not only for the despatch of business, not only to enable them to act intelligently, but that they might allay the public mind, a dispute would not alone bring the Government into disrepute, but would serve to increase the feeling of mistrust.

Hon Robson thought an approximate return of the revenue for last year was very desirable in voting the supplies, but he agreed with the hon Mr Young, that the expenditure was of very little practical bearing, even if it could be had, which it could not. That they could be furnished in 3 or 4 days was simply preposterous. The Auditor's report, it had been stated, would take six months to frame; the expenditures on the mainland took a long time to obtain. Passing by the poetry of the preceding gentleman's remarks, his arguments only showed the necessity for returns of revenue, and not of expenditure. There were no necessity of delaying the estimates; many items might be gone on with and passed in the absence of the returns—others could be deferred, and so they might get along with the business.

Hon Pemberton did not see how they could proceed without at least approximate returns of revenue and expenditure. How they knew what they were not a heavy debt, or the balance in their favor to begin with? With those returns they could very well commence with the estimates, but as men of business not without.

Hon Macdonald moved in amendment, that an approximate return of revenue of '66 be laid before the Council before going into committee.

Hon Robson moved that the Government be respectfully requested to furnish the returns.

Hon DeCosmos was surprised at such an amendment coming from the hon gentleman—a man of business, and one of the representatives of the people. It led them to suppose that he either possessed full confidence in the Government, or an intimate acquaintance with the revenue and expenditure of the past year. He hoped the House would not concur with the motion; he did not stand there as a mere stammerer, he was willing to assist, not to obstruct, and would accept the first amendment; but it was their duty to keep a check upon the Government in the expenditures of the public monies, and the Government must have data upon which it estimated the revenue for '67.

On the suggestion of the hon Mr Young, the original motion was amended, and carried, asking for the revenue in detail, and approximate expenditure, Monday next being fixed for committee on supply.

Hon President thanked the Hon Dr Helmecken for his gloomy foreboding, representing the country as going to the dogs, and intimating that there was something which the Government desired to conceal. It was no such thing; the Government was willing to assist the Council in every possible way.

Hon Helmecken denied that he was gloomy; he was one of the most cheerful of temperaments.

LEN LAW.

Hon Robson obtained leave to postpone the introduction of this bill till Thursday next.

LAND BILLS.

The bills prepared by the hon. Pemberton and Trutch were, after some discussion on the subject of our land system and necessary modifications, submitted to a select committee consisting of the hon. Trutch, DeCosmos, Pemberton, Robson and Walkem.

HOMESTEAD BILL.

Hon Robson moved first reading of the Homestead Exemption Ordinance. It was the same as the Vancouver Island Act and proposed to exempt from forced seizure or sale homestead property not exceeding \$2500. Before entitled to register, the applicant would be required to make a formal declaration that was to such extent free of all debts, liabilities whatsoever. In addition to personal property to the extent of \$200 could be secured, and the property could be alienated and mortgaged; but not without consent of the wife. The object was to protect families from being turned out of house and home. He knew the bill would meet with strong opposition from the hon. Attorney General. The hon gentleman's heart was right and he wished his head was equally right [laughter] He had a strange crocheted that it was legalizing fraud.

Hon Crease had no intention of ventilating his crochets till the second reading, and would let the bill pass the first time.

The second reading of the Trades License Bill was postponed at the request of the hon. Crease.

English Laws Application Bill was read the third time and passed.

Council adjourned till Monday 3p. m.

MONDAY, Feb. 18th.

Council met at 3 p. m. Present—Hons. Birch, Crease, Hamly, Brew, Ball, Smith, Barnard, Robson, Young, Walkem, Macdonald, Helmecken, DeCosmos, Southgate, Stamp, Pemberton, Cox, Sanders, O'Reilly and Trutch.

MESSAGE.

No. 9. From the Governor assenting to the resolution of Council to amend the standing order as to notices of motion, and admission of the public.

NOTICES OF MOTION.

Hon Crease at next sitting to ask leave to introduce an ordinance to incorporate the city of Victoria.

Hon Walkem on Wednesday next an ordinance respecting the amalgamation of the legal profession.

COMMITTEE OF SUPPLY.

Hon President regretted that the returns asked for to enable the House to go into committee, could not be supplied in time as certain Vancouver accounts could not be furnished until Tuesday.

Hon Helmecken remarked that the information was not required with respect to the Island, and the House expected these returns to have been submitted with the estimates, as full information was promised in the Governor's speech.

The Committee was adjourned until Thursday.

POSTAL BILL.

The second reading of this bill was opposed by Hons Helmecken, DeCosmos and others on the ground, that it was a tax bill and should be deferred until the consideration of ways and means.

Hons President, Robson and Young, favored the second reading, which was carried, and bill ordered to be committed.

SHERIFFS BILL.

This bill was read third time and passed.

INTEREST BILL.

Council went into Committee on this bill, Hon Cox in the chair, which resulted in a long desultory discussion on the proposed limit of one per cent, in cases where no rate of interest is stipulated, and also on the conflict of the bill with existing laws, and the bill was finally reported, third reading on Tuesday.

FERRIES AND BRIDGES.

Hon Crease moved the second reading of this bill which was to assimilate the existing laws. Read a second time and committed Tuesday.

INTESTATE ESTATES SALE BILL.

Hon Crease moved second reading of this bill which was to extend the law existing on the mainland providing machinery for administering the property of persons dying intestate, to the Island.

The bill was read the second time and ordered to go to Committee.

LEGAL PROFESSION BILL.

Hon Helmecken moved second reading of this bill which was simply to place the legal profession in the hitherto separate Colonies on a level footing and could meet with no opposition.

Hons Walkem and Crease supported second reading, considering that the exclusion of the legal profession of the Island was a hardship entailed by Union, which should be set right. They had previously opposed the bill from ignorance of its content, but nevertheless intended that all interests should be merged.

The bill was read a second time and Council went into Committee, Hon Cox in the chair, and bill was reported with slight amendments.

Tuesday's Sitting.

Council met at 3 p. m. Present the Hon. Birch, Crease, Hamly, Brew, Ball, Smith, Barnard, Robson, Young, Walkem, Macdonald, Helmecken, DeCosmos, Southgate, Stamp, Pemberton, Cox, Sanders, O'Reilly, Trutch.

NOTICE OF MOTION.

Hon Pemberton for leave to move a resolution respecting the Dredger. The purport of the hon gentleman's motion (a lengthy one), was to the effect that the Dredger having cost the country considerable money, should be kept in a proper state of preservation for future use: her machinery coated over, and weighty portions removed, so as to raise her copper above water line, and the barges to be housed over.

THE CONSTITUTION OF THE COUNCIL.

On the order of the day, hon DeCosmos rose and said that in asking that the House go into committee of the whole, it was not usual to enter into the merits of a question, but he would remind hon members that this was a very important matter—one which deeply interested the large section to which he belonged, which was near and dear to the great body of this community; and he trusted that leave would be given according to parliamentary rule to have the matter discussed in committee.

On division leave was granted. Ayes—Trutch, Pemberton, Stamp, Southgate, DeCosmos, Helmecken, Macdonald, Walkem, Young, Robson, Barnard, Smith, Brew, Crease, Hamly, Brew, Ball, Cox, O'Reilly, Sanders.

Hon DeCosmos then delivered a speech which occupied nearly two hours in delivery, and was attentively listened to (the hon gentleman's speech is too lengthy for publication to-day.) At the conclusion of his address, Hon DeCosmos moved a resolution to the effect that the Legislative Council of British Columbia shall consist of 24 members, one-third nominated by the Crown, two-thirds by the people. Nominative members to hold seats during the pleasure of the Crown; elective members for three years. The Crown at any time to dissolve the Council, and order a new election. The qualification of members to be male British subjects, resident one year in the Colony, and three months in the district they represent. Disqualification—Having been convicted of felony, &c. The Council may enact such laws, subject to the assent of the Governor, as may not be repugnant to the laws of England. The Governor may reserve any bill for Her Majesty's assent before giving his assent thereto. Members during the session to be allowed \$6 per diem, for forty days; also mileage to and from their electoral districts to the Seat of Government.

Hon Robson moved that the committee rise and report progress, and ask leave to sit again, which was carried.

Hon Crease moved that the committee be resumed.

Hon Walkem moved in amendment that it be postponed for a week.

Hon Crease and others objected, as the views of the mover would go abroad without the views of those who dissented to them. The motion was carried on a division.

GAME LAW BILL.

This bill was read a second time, and passed through committee. The Vancouver Island Act, '62, protecting small birds and pro-

hibiting nets and seines being used in lakes and inland waters, was left unreported in accordance with a suggestion from hon Dr Helmecken.

LEGAL PROFESSIONS BILL.

This bill was read a third time and passed. Council adjourned till 2 p. m., Wednesday.

LOCAL INTELLIGENCE.

Thursday, Feb. 21st.

A CASE OF DEFAMATION OF CHARACTER AT CARIBOO.—It will be remembered that a case of defamation of character, in which Mr Laidlaw, foreman in the celebrated Heron claim and one James Cummings, a hired hand in the same claim, were the parties to the suit, was brought before the Supreme Court last fall. It appears that Laidlaw coupled the name of Cummings with some gold found secreted, and said to have been taken from the claim. Cummings, to clear his character, brought an action laying damages at \$10,000. The counsel for the defense failed to join issue on the counts of the declaration within the time allowed, and judgment went by default. A Court of Equity, consisting of Sheriff J. Spencer, Thompson, Esq., and twelve Jurors, was held on the 21st January, under a Writ issued from the Supreme Court, to assess the damages. The whole merits of the case were gone into at considerable length, but the jury failed to agree and were discharged. It would appear from the evidence that Mr Laidlaw had spoken under excitement, and really did not mean to make a direct accusation against Mr Cummings. The Jurors have published a card stating that they believe, from the evidence, the language made use of by Mr Laidlaw, was in no way intended to cast a stigma upon the character of Mr Cummings, but merely to sift a case of suspicion. To this is appended a card, signed by Cummings and Laidlaw, mutually accepting the statement of the jury. Laidlaw to pay costs and the whole matter to be dropped.

A NOVEL WAGER.—Mr P., a citizen of "good repute," on Tuesday wagered \$25 with a friend that he would walk up and down the principal thoroughfares, on three successive days, for six hours each day, with two placard-boards, containing an announcement of the benefit of the Amateurs, suspended from his shoulders. The task commenced yesterday, and the gentleman, fully equipped, marched up and down Government and Yates streets quite coolly and unconcernedly with the placards, dangling before and behind. The wager will be won or lost tomorrow afternoon.

A SELL ON THE NATIVES.—Our telegram the other day alluded to a gathering of the Indians at New Westminster for a war-wax with the Governor. His Excellency, however, denied having sent for the warriors, and they are considerably crestfallen at not receiving a *Kiosch politch*. The belief exists that a graceless wretch perpetrated a hoax at the expense of the savage.

ROAD RETURNS.—From an approximate return, laid before the Council last week, we learn that \$79,514 50 were collected for road tolls during the year, with two stations yet to be built. For tonnage dues, \$13,850 were received. The total amount of money expended in the construction and repairs of roads was \$114,260 20.

WASHINGTON'S BIRTHDAY.—To-morrow is the anniversary of the birthday of George Washington, the father of American independence. It would be a delicate compliment to our American residents were the banks, stores and public offices closed at noon, and the employees accorded a half-holiday in honor of the day.

REV. J. SHEEPBANKS, the esteemed Rector of Holy Trinity Church, New Westminster has preached his farewell sermon and taken leave of his congregation. The reverend gentleman came down on the Enterprise last evening en route to England. His departure will be deeply regretted by all.

ARRIVAL OF THE ENTERPRISE.—The steamer Enterprise arrived from New Westminster at 6 o'clock yesterday evening, bringing a few passengers, among whom were Mr McCreight, H. Nathan, jr., Messrs Jones and Bousfield (of Bank of British Columbia) Rev. J. Sheepbanks and Capt. Irving.

ASHORE.—The American bark Adelaide Cooper, bound from San Francisco to load with lumber at a mill on the Sound, ran on Point Wilson, near Port Townsend, on Sunday last, and remained there during two tides, when she floated off without having sustained injury.

GOVERNOR COLE, of Washington Territory, returned from a visit to San Juan Island, yesterday, on the Diana, accompanied by Capt. Fleming. The Governor was received with a salute at the garrison headquarters. His Excellency will remain in town a few days.

FROM NANAIMO.—The steamer Emily Harris returned yesterday afternoon from Nanaimo with 60 tons of coal for Kavanagh & Co. Capt. Frain reports the bark Amethyst, from San Francisco, loading with coal. Two new schooners are being built at Bolton's yard.

The Otter will return to the North-West Coast about the 1st of March.

The Estimated Revenue from Customs Duties.

The more we ponder over the midable array of figures sent down by the Council for their approval by Governor, the more we are convinced that it is utterly beyond the power of the people to pay anything near the sum demanded of them. There is a large deficiency, and to pay this to the satisfaction of our revenue we have only to point them to the item of estimated revenue—the "customs, port and harbor duties" which are set down as likely to \$400,000 for the fiscal year. The value of goods imported to the mainland last year, in round numbers \$1,100,000. The average impost including the rate on liquors, tobacco, &c., was 20 per cent, and the revenue derived from this source was therefore about \$220,000. At least two-thirds, in value, of these goods shipped from this port, and were assessed at the Custom-house upon Victoria value, which was an average of 25 per cent. Upon first cost England or San Francisco. They are in store at Victoria a sufficient quantity of goods—with the exception of leading articles—to supply the wants of the country for a twelvemonth. We will suppose, however, that notwithstanding the full stocks and decreased population, the value of goods imported into the Colony equal that sent to the mainland 1866. As Victoria is now, politically a part of the mainland, goods which duties have been once paid shipped hence to Westminster not have to pay duty a second time and the yield to the revenue will therefore be upon the value of goods entering this port at their last port of shipment—London, San Francisco. This will reduce the \$1,100,000 value of goods 25 per cent., or to \$825,000, from which \$175,000 only be raised for Governmental purposes. We do not, however, intend to do the Government so small a margin of revenue as these figures indicate, will give it the benefit of a reasonable opportunity that is likely to arise to swell the amount of Custom revenue. Now, there are being collected at the Victoria Custom-house duties amounting in the aggregate to \$6500 per month, levied principally on articles from California, Oregon, Washington Territory and Sandy Islands. Allowing for an increase in consumption during the summer months, we will place the average customs receipts upon goods from these places at \$8000 per month, \$96,000 for the year. There are the way from England three steamships, viz.: the Glamara and the Prince Royal, consigned to the Hudson's Bay Company, and the Aid, consigned to Janion, Green & Rhodes. The Glamara has on board 400 tons of dry stores, which are admitted duty-free, and about 500 tons, consigned to other parties, the English value of which is down at \$75,000. The Princess Royal will not bring a full cargo, and English value of goods on board for duty may therefore be fairly put down at \$100,000. The English value of the goods on board the Aid will exceed \$60,000. We have, therefore, a total value of English goods on way of \$235,000. It is believed—in consequence of the falling of population and the abolition of free port, the belief is not likely to be realized—that besides those on way three additional vessels will arrive from England during this year. The total value in England of goods on board these vessels will not exceed the value of the goods on the ships now on the way, and timing their cargoes at the same value we have a total of \$470,000 worth of English goods imported to the Colony before the first of January 1868. We have previously stated that the average duty on goods imported into British Columbia is 20 per cent, which will only give the Government a revenue of \$94,000 of English merchandise. It is said, by