

the Committee was adjourned.

Thursday's Sitting.

WESTMINSTER, March 21.

At 3 p.m. Present—Hons. DeCosmos, Helmecken, Fracklyn, Walker, Cox, Ball, Robson, Cressie, Trutch, Young.

ORDER OF MOTION.

To move a further extension of the Harwood Coal Company, and amendment of Excise Ordinance.

IN MOVING THAT \$1470 15 be the general revenue, thought, the hon. President on duty, it would be unnecessary to say any lengthened statement as to the merits of the case, but it had been voted last year, but the case was very of the Victoria hospital with that there was a larger ratio of duty than that of \$1000, was carried.

It moved that Barley used for sea be admitted duty free. considered the duty on barley high, he thought 12 1/2 per cent for all purposes of protection, and upon packers, keepers of horses and chickens, it would bear so heavily on the means in a great thing to stop; he might assist being one of the effect the difference to the revenue small matter, but would make to the brewers.

He would not recommend of barley free of duty, but on deferring the collection of months, as there was really no duty on the island. That the agreement of the duties would to brewers no one could seem they ought to find out shielding that class.

He differed from the hon members spoken in putting the tax on no; protection so much in the consumer, that was the big some articles in preference could not interfere with the, because there would be a so far as the home consumption, but brewers were protected duty on beer. The Vancouver better adapted for barley than Pacific coast; there was a to home producers.

It was sorry he had to differ Solicitor General in recomper cent duty on grain, it was a view to protection of ags admitted at the time to be duty; it amounts on barley to other articles had only 12 1/2, or duty; but he was under the impression that was intended a prom would not have been voted for members who entirely legislaown locality; those gentlemen in their views. There was a victoria extensively engaged in ewed excellent beer, he was hat House; he (hon Robson) for concealing the name, he Bunster, he had stated that the duty of 30 cents being awers would be completely spoke of suspending busi-

ness. There was no barley w country nor would they speak for two years. Mr. d him (hon Robson), that in growth of barley being stimuand, he (Bunster) could al in three months. It was on an article that could not time to supply the market, low would be paralyzed. It low the resolution to pass. He decidedly opposed the reserew thousands of acres on for cultivation, but as brew could obtain their barley in of a cent per lb. it was imown people to grow it. It o bring farmers to a country one's own policies. There Nansimo capable of supplyofony with beer, and the probat if they could procure ley would never buy a cent's

Notwithstanding all that by the hon member for New (hon DeCosmos) must agree Solicitor General that prote- incidental to raising revenue, appeared to support either the ley duty free, or to defer the ty. If they attempted to der collection, they would in production of equal darsent of delay in the enforcey, the importation would be to shut out the home growng time to come. There was duty on barley was a real re growth; he only spoknowledge, as it appeared that for New Westminster know interests of Vancouver Island

totally opposed to the resod the gate to similar demanohes of industry, with equal o. There were vast tractover Island that would proarley. It was well knowbarley contained one-third matter than any other kind the island had struggled long foreign importations, it wasion should be afforded them, y rotting on the ground, beot pay to bring to market, only amount to 1 1/2 cents; 200 lbs were required.

He did not believe with for New Westminster that brewers to close up or col-

did from two members of the committee that imposed the duty, it looked rather inconsis-

Hon McDonald—The duty was too high; but he would rather see the duty on barley for brewing purposes than on flour. He moved an amendment that the rate be 15 cents per hundred pounds.

Hon Pemberton—If the duty was taken off for a time it might as well be abolished altogether, as the injury it would inflict on home producers would be as great. He should oppose such clearly impolitic action.

Hon Smith, in replying to the hon member for Nansimo, said he thought the hon member knew more about shipping than he knew about farming. He conceived a bit per 100 pounds sufficient protection for the farmers. If the grain could not be raised with such an amount of protection, he would agree to 15 cents. There was no barley in the Colony. He went in for protecting industry.

Hon Fracklyn—He was on his own ground again. The cost of conveying the grain from Comox to the Victoria market was 25 cents on the 100 lbs., so that there was not so much enforced at once the Californians would crowd it on the market and shut out the home grown article for three or four years to come. Farmers had been shut out of the market during the continuance of the free port system. They were almost starving for want of roads to bring their produce to market. They could easily import bottled beer, but they could not so easily import men with families. He objected to giving three months grace to importers.

Hon Pemberton could quite forgive the hon Mayor for his half measures; it was his usual manner.

Hon Robson—If 75 cents per 100 pounds could be obtained for their barley, the farmers must be a very careless and slovenly set of men if they could not make that pay with the protection they had in the freight from California.

The resolution was lost.

Leave was given to the Solicitor General to bring in the Excise Bill.

The Harbor Dues Bill was brought up for third reading.

Hon Helmecken—The existence of the 5th clause in the bill would do a great deal of injury to the country. It was unfortunate that it was his duty to advocate such important interests as those connected with our merchant marine, as his coming from the section where that interest was predominant was looked on with suspicion (cries of no! no!), he, however, believed that it was the vital interest of the country that the clause should be reconsidered. If we wished to do our own coasting trade the clause must be altered. He would ask that for the last time; and he would strongly urge upon them not to sacrifice the country by the retention of a clause the mischievous effects of which they did not understand.

Hon Birch—The progress of the bill could not be arrested at its present stage unless the hon member had new and supplementary matter to propose.

Hon Helmecken believed that what he proposed was new and supplementary matter.

Hon Robson was much gratified to see the hon members from Victoria working together in such harmony, but there was a great deal of special pleading on the subject that was quite unnecessary; they could not expect the House to go back in its legislation.

Hon Helmecken—The whole history of the opposition to the amendment was because it was proposed by the members from Victoria. The principle of protection to home shipping had existed in England for more than two hundred years, and he naturally looked more to the old country than to the judgment of that House. It was a forlorn hope, he knew, to struggle further; but he did ask the House to reconsider the clause.

Hon Fracklyn—The law was passed to admit foreign vessels under special circumstances, and he did not see cause for so much alarm. When we have coasters of our own it would be time enough to shut out foreign vessels.

Hon DeCosmos—We have enough of coasts-to-day to do all our coasting trade; so the statement of the hon member for Nansimo falls to the ground.

After some further discussion, the House divided and the amendment was lost. The bill was then read a third time and passed.

REAL ESTATE TAX REPEAL BILL.

Hon Wood was pleased to have gentlemen present who had previously been opposed to the same bill when it was introduced in the Legislative Assembly of Vancouver Island with those exceptions; he presumed the rest of the honorable members would make but an indifferent audience, as the measure had very little interest for them. A real estate tax was levied as early as 1860 of one per cent, but was not put in force. It was brought up again in 1862, but remained inoperative till 1864. The machinery, it was well known, was imported from California, where it was universally condemned. He had been told that the law had been submitted to the Supreme Court of the United States, where it was well founded. It was condemned by both English and American jurists. Law is law and becomes binding on all parties. It was distinctly laid down in this law that the Sheriff was first to distraint on the parties owing the taxes before seizing the property on which the taxes were due, and then only when it was impossible after diligent enquiry, to find the owners of the property. A lot worth \$1000 was liable to be knocked down; if a smaller undivided portion was not sufficient to produce the \$10 taxes due upon it, and in case the owner did not turn up in one year, the sheriff could give a statutory title for the lot so purchased. This law was not put in force till 1864, when the tax was so much in arrears that they were compelled to put it in force. In many cases the taxes were paid for '63 and '64, the holders at that period being ignorant of arrears for previous years, when the property was held by previous owners. During the period prior to 1864 certain defalcation had taken place through an officer of the Government, named Gordon; the consequence was that much confusion, and in relation to the public accounts, and it had been found advisable to receive whatever amounts of taxes were paid into the office without reference being made to any possible arrears. Thus, lots were sold when the parties were

living on the property wholly unconscious of what was going on, and without the previous notice required by law. If it was intended to set aside these sales it would be necessary to recompense the buyers; but there was no doubt that these last were guilty of great carelessness. It was their duty to have inquired as to whether all the provisions of the statute were complied with. The facts cannot be got over, that the sheriff did not distraint, and that the buyers did not make the proper inquiries. No conveyances have been made under the statute, and buyers have not taken any proceedings against the sheriff, showing the existence of doubts as to the value of a title thus obtained. The sheriff, (the sheriff) was not to be blamed; he had had no one to correct him. These purchases were only speculative, and no inquiry could be done by setting them aside. The money paid could be returned with 21 per cent interest. If the property was bought at its then value the purchaser would be well repaid; if it was purchased at less than a reasonable value, then the purchaser could not hope to be secured in such a stolen coat, he ought to be satisfied to return on repayment of his money. The hardships inflicted on poor widows and children in having their property sold from over their heads, were most heartrending (DeCosmos—Give us a few of the widows); he thought one widow enough at a time (great laughter). So much stir was made about the action of the statute that very few instances remain to be settled. He asked hon members to endorse his views of the case; it was what the Government of Vancouver Island had determined to do. The people would consider the property liable to the Crown, and in two or three years after it had been properly advertised the property could be given to the owner appeared, and then those gentlemen who look after speculative purchases could have an opportunity of purchasing in a bona fide manner.

Hon Robson—The Hon Solicitor General had stated in his speech that hon members, with few exceptions, would take no interest in the bill; in this he was undoubtedly mistaken; the bill was famous throughout the world, all over Europe, Asia, Africa and America. It was on this bill that one hon gentleman, not now here, had spoken 47 hours, and an hon gentleman, who is here 17 hours (great laughter). The bill was a very proper measure; the law, he was sorry to say, was on one side and justice on the other; he hoped the hon gentleman who was now about to speak would not repeat the wonderful feat of speaking 17 1/2 hours (laughter).

Hon DeCosmos—After the effort of the Hon Solicitor General, and the extraordinary speech of the member for New Westminster, he would not attempt to speak 17 or 47 hours, but would address an audience that he hoped would not be altogether independent, as he appealed to them as judges in the case. The hon Attorney General had given a history of the Bill, he told us how it had been carried to the Supreme Court of the United States and there found defective; but he would inform the house that it never had conflicted with the laws of the United States. The hon learned gentleman had wound up with an appeal to the indifferent audience, most particularly alluding to poor widows being turned out of doors. He was not aware that the English law saw any difference between the buyer on speculation and the man who cut the trees; our law does not step so far as this. The hon and learned gentleman had allowed his feelings to run away with his judgment. By the law of Vancouver Island a certain time was allowed for the collection of the Real Estate Tax, and in the event of non-payment the goods and chattels of such persons were sold. The learned Solicitor General says every purchaser should have been cognizant of that fact before purchasing, and was guilty of gross carelessness in not acquiring this information. Now, he would read the terms of sale read by the Sheriff previous to each sale, and the hon gentlemen would judge whether further precautions were necessary. By Section 53 in the Act of '62 the sheriffs are empowered to give titles in a simple which shall hold good notwithstanding any informality in such sale. He would ask his indifferent audience whether that was not all that was required in such case quite irrespective of what Tom, Dick or Harry might say or do. He was surprised that the hon Solicitor General would come before that Council and charge men of the highest respectability in Victoria who had purchased at these sales with having acted unfairly. He had heard the 53rd Section of the Act read in his own ears. The sale was a contract made between the Crown and the purchaser in accordance with the clause in the statute read at the time of sale; and purchasers expected to be treated in accordance with the Act, where parties are unable to give a title and become liable to pay compensation to the purchasers. In this matter of tax sales, the Government is on one side and the purchaser on the other, and according to all rules of law and justice the contract is entitled to a fulfilment of the contract or adequate compensation. The Solicitor General, by this Bill proposes to violate the system in toto, whereas the Government should always be careful to maintain its faith with the people simply because the Government having power to enact a law is supposed to be in ignorance of the purchaser, the second party to a contract, who properly ought to meet the convenience of the purchaser. It is only honorable where a contract is made that both parties should be fairly notified of any proposed change in their relative positions, and above all of an ordinance to be introduced by the Government existing outside the understood right of a purchaser. It was not until two o'clock to-day that he learned the intentions of the Government on the subject. He therefore proposed that the second reading of the Vancouver Island Real Estate Repeal Ordinance, 1867, be postponed until the purchasers of land at tax sales, under the Real Estate Tax Amendment Act, 1862 had had due and ample notice of the provisions of the said Ordinance. That a respectful address be presented to His Excellency the Governor, asking that the provisions of the said Ordinance in substance, so far as they may concern the purchasers of lots at tax sales, be telegraphed to

Victoria, and published in both the daily papers for one week, with the request that all purchasers of land at such sales may report to the Government whether the said provisions of the said Ordinance meet with their concurrence, and if not, to forward forthwith their objections to the same. That His Excellency be further asked to lay before the Council a return of the numbers of lots or parcels of land sold at tax sales, and still unredeemed from the purchasers; the names of the delinquent taxpayers of the said unredeemed lots, together with the respective sums paid by such purchasers in respect of such unredeemed lots. Government should be careful not to lend its influence to any measure likely to shake the confidence of the people in these tax sales. Many poor persons invested all their earnings in these purchases, and paid 34 or 35 per cent for the loan of money in order to hold on to their property. The absurd stories about poor widows and children being turned out of their lots and gardens may furnish material for the speeches of the hon Solicitor General, but it would be better to lay before the House some facts as to the intentions of the Government to pass Acts having for their object an encroachment on the rights of the purchasers at tax sales.

Hon McDonald thought the Bill ought to pass; people whose property had been sold, had much difficulty in finding out the proper mode of redeeming it. Under the Bill, no injury could be done to purchasers; it may be considered the matter.

Hon Pemberton—Had been one of the sufferers by these sales, and no notice had been given to him. The notice to purchasers was perfectly out of the question. It was like the pound of flesh in Shylock for purchasers to ask for ratification of such bargains.

Hon Helmecken—The amount of duties had been calculated at from 650 to 700 per 1000 feet. Would it not be well, by supporting the lumber trade, to see if we could not turn the fur trees about here to account?

Hon Walker supported the hon member of the resolution. If the mill was enabled to go on there would be \$150,000 per annum spent in the colony.

Hon Trutch thought the idea of allowing a drawback in proportion to duties paid quite impracticable, but he would vote for a drawback of 50 cents per M feet of lumber exported. He was frightened by the dreadful pictures drawn by hon members, and would vote for the 50 cents drawback in order that the lumber trade might be continued in the colony.

Hon Helmecken's amendment to grant a drawback of 50 cents per M feet was then carried.

The Legal Professions' bill was considered in committee of the whole, Hon Fracklyn in the chair. Several speeches were made, but the subject was only interesting to the profession.

The committee reported the bill complete with a few unimportant amendments, and will read a third time to-morrow evening.

The Victoria Incorporation bill was brought on in committee of the whole, but the hour being advanced, a motion was made that the committee do rise and sit again to-morrow which was agreed to accordingly. The House then adjourned.

portation of goods, it would be the best speculation Government could enter into. He denied that a sawmill could make money and pay the duties.

Hon Robson had no personal interest in the matter, yet he felt how important the subject was and would test the patience of the House by saying a few words on the subject. He was aware a great prejudice existed in the minds of hon members that any other branch of industry might apply for similar assistance, but no other branch of industry occupied the same position as the lumber trade; it was in a sinking state. It was up hill work to carry on the lumber trade, but doubly so with the present heavy duties, as every article was now considerably higher than when the mill was started. The hon gentleman made a long and telling speech, merely repeating former statements in relation to the trade.

Hon DeCosmos—Assuming all that had been stated to be the facts of the case, they would operate so as to stop mills, and Government would be considerably the loser in revenue. He thought it was the interest of Government to grant a drawback to the amount of duties paid on goods consumed at the mill. The amount of labor employed would fully repay Government for the sacrifice.

Hon Helmecken—The amount of duties had been calculated at from 650 to 700 per 1000 feet. Would it not be well, by supporting the lumber trade, to see if we could not turn the fur trees about here to account?

Hon Walker supported the hon member of the resolution. If the mill was enabled to go on there would be \$150,000 per annum spent in the colony.

Hon Trutch thought the idea of allowing a drawback in proportion to duties paid quite impracticable, but he would vote for a drawback of 50 cents per M feet of lumber exported. He was frightened by the dreadful pictures drawn by hon members, and would vote for the 50 cents drawback in order that the lumber trade might be continued in the colony.

Hon Helmecken's amendment to grant a drawback of 50 cents per M feet was then carried.

The Legal Professions' bill was considered in committee of the whole, Hon Fracklyn in the chair. Several speeches were made, but the subject was only interesting to the profession.

The committee reported the bill complete with a few unimportant amendments, and will read a third time to-morrow evening.

The Victoria Incorporation bill was brought on in committee of the whole, but the hour being advanced, a motion was made that the committee do rise and sit again to-morrow which was agreed to accordingly. The House then adjourned.

LOCAL INTELLIGENCE.

Wednesday, March 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

WEDNESDAY, MARCH 27.

Loss of a TELEGRAPH BARK.—A private despatch, received via St. Petersburg, announces the loss of the Western Union Telegraph Company's bark Golden Gate in the Anadyr river, where she was jammed to pieces in the ice. The disaster is supposed to have happened in December. All hands on board were saved.

THE SMALL POX is raging in San Francisco and has made its appearance in Portland, Oregon, among passengers lately from San Francisco. Precautions should be taken here.

ICE FROM NEW WESTMINSTER DISTRICT.—Capt. Hewitt, of the schooner Nansimo Packet, returned from Langley, Fraser river, with a cargo of twenty-five tons of ice for A Phillips. The blocks average two feet in thickness, and furnish unimpeachable evidence of the severity of the weather in the vicinity of the capital.

FALL OF TREASURE.—The bottom of one of Wells, Fargo & Co.'s waggons gave way in San Francisco, on the night of the 19th inst., and \$15,000 in gold dust and bars were deposited in the mud instead of in the bank vaults. The treasure was carefully guarded and conveyed to the office in two waggons.

WATERFALL.—A little girl in one of the Gloucester (Mass.) public schools, being asked in the course of her geography lesson what a waterfall was, replied that it was "hair wrapped around her dad's old stocking."

DR. TOLMIE.—We are glad to notice that Dr. Tolmie has so far improved in health as to be able to drive to town, and that there is now every prospect of his complete and speedy restoration to health.

FROM NANAIMO.—The Isabel returned yesterday morning. She reports the ships Revère, Silas Greenman and Scotland at the mines. The Greenman was ready for sea.

SEIZURES.—Heavy seizures of Chinese goods have been made at San Francisco, on the plea that their value was understated at the Custom House.

Summary Court.

Monday, March 25th, 1867.

Williams vs. Tuttle.—To recover \$39. Mr. Copland for plaintiff, Mr. Peakes for defendant. Judgment for defendant.

J. Sell v. T. Wright.—To recover \$55 for work performed. Messrs. Drake & Jackson for plaintiff, Mr. Peakes for defendant. Judgment for \$8.

W. Haynes v. Maguire.—To recover \$75, value of a musical instrument. Messrs. Drake & Jackson for plaintiff, defendant in person. Judgment for plaintiff, nominal damages to carry costs, instrument to be surrendered to plaintiff.

Bishop v. Turgoose.—To recover \$50 fees paid to Mr. Ring, in action of Turgoose v. Harkin. Judgment for \$50. Messrs. Drake & Jackson for plaintiff, defendant in person.

Harris v. Salschmidt.—To recover \$167, goods supplied. Mr. Bishop for plaintiff, Drake & Jackson for defendant. Plaintiff was non-suited.

Municipal Council.

Monday, March 25

Council met at 7:30 p.m. Present—Councilors Hebbard, Layzelle, Gibbs, Trahey. Councilor Gibbs was voted to the chair.

A communication from Geo. Hicken, asking permission to remove a house from lot 1266 to lot 193, Store street, and to raise sidewalk on last lot, was received and application granted, subject to supervision of committee on sidewalks.

VIEW STAKE DEATH.

A communication from A. Titus, requesting a satisfactory settlement of balance claimed for work performed on View street drain, three years ago, payment of which had been voted, was ordered received. Several Councilors remarking that there were disputes in regard to this contract work, and that payment had not been ordered, the matter was referred to a special committee of the Councilors present for final action.

MUNICIPAL TAXES.

A communication was read from Councilor Gowen, stating his inability to attend from indisposition, and suggesting that a notice be inserted in the papers naming that day upon which the municipal taxes fall due.

BANK DEPOSITS.

Councilor Gibbs reported that the Municipal account in the Bank of British North America had never been closed, and that the Manager would be happy to receive the Municipal deposit.

RETURNS OF REAL ESTATE IMPROVEMENTS.

The chairman of the committee reported their labors complete. Mr. Hebbard moved that the previous exemptions of '63 on lots 1177 and 1178 from assessment be continued, and that the First Presbyterian Church, Synagogue, and Gymnasium Hall be likewise exempted. He did not include the Presbyterian Church in connection with the Church of Scotland, because that building was only temporarily leased, and he believed they intended to build their own Church.

PUBLIC NOTICE.

Mr. Hebbard gave notice of motion that he would move the insertion of a public notice that all Municipal rates not paid by the 29th, will be subject to five per cent additional.

Mr. Layzelle called attention to the common practice of throwing rubbish into the gutters and streets, and interfering with the sewers. Mr. Trahey drew attention to the practice of throwing broken bottles on Cornorant street. Mr. Layzelle said notices had been given to certain persons to remove broken glass, who took advantage of the absence of the Mayor. Council adjourned till Monday next.