

Wednesday March 15, 1870

The Telegraphic Controversy.

The proposition to take over or subsidize the telegraphic system of the Mainland has given rise to a controversy but too well calculated to arouse those sectional feelings which we had vainly hoped belonged to the dead past. It was found necessary to grant a subsidy of \$4500 to the Telegraph Company, in order to enable them to maintain the line between this city and Portland. The Company made a frank statement of their affairs in as far as they related to this colony. From this statement it appeared that the telegraph on the Mainland was costing something like \$5000 over receipts, and the offer was made to the Government to accept the entire Mainland system, including plant and material, on the sole condition of maintenance; and at the same time to give free use of the line to Victoria for all messages transmitted over the Mainland wires. A second proposition was made by which the Company expressed its willingness to maintain the line, provided the Government would make a grant of \$6400 for the present year. It is proper to mention that the expenditure of \$1400 would be necessary in order to place the line in a good and efficient condition, in the first instance; so that precisely \$5000 would be left as a subsidy for the working of the line. It was felt by many that it was the duty of the Government to accept one or other of these propositions. In support of this view many weighty arguments were urged. It was thought unfair to the people residing and doing business on the Mainland to make them pay their full share of the subsidy given to the line between this city and Portland, and at the same time deprive them of the telegraphic system they had become accustomed to during the past five years. It was considered unwise to take such a retrograde leap as the abandonment of that system would import at a time when the colony appeared to be on the verge of returning prosperity, rendering such means of communication not only more necessary but, in all probability, self-sustaining if not really profitable as a commercial undertaking. Especially was it thought unwise to permit a property which could not be replaced for less than \$150,000 to go to utter ruin and waste at the very moment the colony was about to inaugurate a political change which would make the telegraphic system a Federal work and a Federal charge; so soon as the great work of constructing the overland railway may, even the wagon road, should be commenced, the telegraph would not only be rendered necessary but profitable. In addition to these reasons it was urged, and with much force of truth, that the telegraphic system of the Mainland was potent in preventing crime and punishing criminals, and that it was the means of affording protection to commerce while in transit. In fact, it was boldly asserted by the Attorney General that as a means of strengthening the hands of the authorities to prevent crime and bringing criminals to justice, it was worth more than any subsidy required for its maintenance. In view of these facts it was not surprising that there should have been a large majority willing to make provision for the maintenance of the telegraph on the Mainland; and there is no reason to doubt that the Executive will listen to the majority of the Legislative Council and to the petitions pouring in from the Mainland. In this connection it may be permitted us to allude to the opposition to the maintenance of the telegraphic system of the colony offered by a local print. There is a certain section of the Press—It might be said, it is designated the lay-and of the Fourth Estate—generally found in opposition to Telegraphy. Without the enterprise or ability to give its readers the benefit of telegraphy it would play the old game of the dog in the manger. This unwholesome output of the local press, which would wish to see the colony deprived of its telegraphic system may, therefore, be considered as harmless as the honest transparent, while its unscrupulous efforts to place certain members of the Legislature in a false position in education with this question may well be treated with that caution which when their dears'. The item of \$6000 set down in the Estimates for the purpose of assisting immigrants from England—not for the purpose of aiding them after their arrival here, as has been falsely asserted—would appear to present the ready means of making provision for taking over the mainland telegraph, and we are greatly disposed to think that if the Government would adopt a most liberal tariff of charges, so as to place the telegraph within the reach of the masses as a medium of communication it would be found that the receipts would be increased, instead of diminished.

ed. Such a policy would certainly make the telegraph a public boon in a very much wider sense than it has been in the past.

Legislative Council.

MONDAY, March 7, 1870.

GENERAL EXPENSES OF THE LATE GOVERNOR. In Committee of Supply on the bill to indemnify the Government for excessive expenditure. Mr DeCosmos asked for particulars respecting the charge of \$2067 for funeral expenses of the late Governor, and asked by what authority it was charged to the colony. He believed it was an improper charge and one which ought to be defrayed from the private estate of the late Governor. The Colonial Secretary said it was the custom for colonies to bury their deceased Governors, and referred to the case of the burial of Sir Dominick Daly. Mr DeCosmos said this being a Crown Colony such an expense, if not private, should be defrayed from the Crown revenue. He then asked for details to show how such an expense, which seemed to him extravagant, had occurred. The Colonial Secretary said he had not been requested by the Council to produce a detailed account with vouchers and was not therefore prepared to satisfy the curiosity of the hon gentleman. Mr DeCosmos then moved that the item \$2067 be struck out. Motion was lost. Yes—DeCosmos, Humphreys, Drake. Mr Drake then moved that His Excellency the Governor be requested to appropriate the sum of \$2067 from the Crown revenue to pay the expenses of the late Governor's funeral. The motion was declared out of order.

COMPENSATION TO OFFICERS, \$6110. Mr DeCosmos asked for particulars of this charge. The Colonial Secretary said \$2910 was paid to Capt Cooper as a retiring allowance, and to Mr Young, late Colonial Secretary, a retiring allowance of \$1260, and for his passage to England \$1940. Mr DeCosmos moved that the \$1940 be struck out. Motion lost. Yes—DeCosmos, Drake, Humphreys, Ring.

LAND REGISTRY ORDINANCE. Hon Attorney General Grease proposed the second reading of the Land Registry Ordinance, 1870, and explained the principle of the measure. After commenting on the great importance of the subject he paid a warm tribute to the admirable and thorough manner in which the Registrar General of British Columbia, the hon Arthur T. Boshby, had superintended the working of the Registration Act of the Mainland from the first commencement, in 1861, to the present day—a period of ten years. The way in which his books had been kept were a credit to any office. Equally creditable to that gentleman was the frank and hearty manner in which he placed himself at the disposal of the Government when that assembly of laws which followed the action of the two Colonies rendered it necessary to merge the different systems for the registration of land which had previously obtained into the more perfect system, which had so long and so successfully ruled in Vancouver Island, and which he continued and extended in the new Land Registry Bill. The Vancouver Island system was based upon the recommendation of the Royal Commissioners appointed by the Imperial Parliament to enquire into the best mode of registering titles, and is still more fully carried out in the new ordinance. The Attorney General then proceeded to contrast the Mainland registration with that of the Island. The British Columbia Act provided merely for the literal transcript of deeds, line for line, blot for blot, and making an unregistered instrument void, as against subsequent purchaser or incumberance. It accepted and registered every instrument valid or invalid. A stereotyped 'bad title' for all time. It multiplied books, documents, and deeds, and necessitated a search to the root of the title on every transfer—an evil constantly increasing. The Vancouver Island Registry Act also provides for the literal copying of deeds, but as an auxiliary simply to registration of title, and makes the copies good evidence in case of loss of the originals, but only records prima facie, good titles after examination of the bills deeds, thereby avoiding the perpetuation of errors which in time would become incurable. When once registered, the title is affected only by such charges and incumbrances as appear on the register, and it is so arranged that a single reference to a single page will point out the present state of any title, thereby saving endless references. After registration for five years the title becomes indefeasible against the whole world, (the Crown only excepted), subject to registered charge and to losses of not more than 3 years. The hon Attorney General then proceeded to explain the points in which the new Registry Act varied from the existing Vancouver Registry still further in the direction of the report and suggestions of the Royal Commissioners on Registration. These points were, that—1. It gives authority to all Stipendiary Magistrates to receive acknowledgments and make use of the existing Magisterial machinery for the purpose of enabling persons at a distance to register without coming to Victoria. This gives the Act a range all over the colony. The Magistrate receives applications and transmits documents to the head office which, when stamped, are delivered by them to the applicant on the spot. 2. It saves married women the trouble and expense of acknowledging their conveyances before the Supreme Court. 3. It allows subsequent dealings with land once registered must also be registered. 4. It defines the interest of the owners of absolute fees and charges. 5. Formerly separate Register Books were kept for registration of charges against, unregistered lands; now all charges are registered in the same book. 6. It allows transcripts of deeds, as on the Mainland, but only as auxiliary to the re-issuance of title and for the purpose of meeting the contingency of loss of deeds. (7. It is not now declared but the estate of deceased owners are represented by the entry of the words 'deceased', which keeps up the full number of trustees as a check on the other. 8. A short form of transfer is added applicable to

all cases, the use of which will place the transferee in exactly the same position as a transferee. 9th. The conditions necessary for obtaining a certificate of indefeasible title are more stringent than before and will add to the value of a statutory title conferred. 10th. The mode of contesting titles is much simplified, as also 11th. The power of reference by the Registrar to the court in cases of doubt. 12th. The forms have been remodeled and simplified. 13th. The necessity of conveyances and surrenders of interest once created but discharged is done away with so that no matter whether the charge on land be a mortgage, judgment, or lease, the simple cancellation of the entry on the register will free the land from the encumbrance. These are in brief the chief points to which attention is called in the new Ordinance and its passage is advocated as being well calculated permanently to benefit the country and give a greatly enhanced value to real estate.

Passed a second reading and committed for Wednesday, the 16th inst.

Wednesday, March 9.

CHIEF JUSTICE NEEDHAM.—A number of gentlemen belonging to the legal profession, consisting of Attorney General Grease and Messrs McCraith, Robertson, Alston, Green Peakes, Bishop, Davis and Woods, waited upon Chief Justice Needham yesterday and presented an address appropriate to the occasion of his leaving the colony. The Attorney General spoke substantially as follows.—Our object in waiting upon your Lordship is to offer you our congratulations upon your promotion to the Chief Justice's office, and to express our satisfaction and interest in the Imperial Government. We beg also to express to your Lordship our high opinion of the great legal acumen and ability with which you have administered the duties of your office here, and to assure your Lordship of the deep regret which we in common with many others experience at your departure from us. We cannot however help feeling that our loss in this respect is your Lordship's gain. The Chief Justice replied that it was indeed most grateful to his feelings to receive such a mark of respect from the Bar and the Profession generally. During his residence here he had simply endeavored to do his duty—and if the efforts he had made in the attempt to solve his purpose had met with the approbation of the Profession, next to the approval of his conscience he would esteem their good opinion. To the Bar and to the Profession in general he felt constrained to express his sincere thanks for the constant and valuable support they had rendered to him in the administration of justice. Small as Victoria was, so far as its legal profession was concerned it was most happily placed, for it possessed a body of learned, able and honorable men. Wherever he might be he should remember with pleasure he stay in Vancouver Island. One of his chief regrets in leaving it now was that it involved the severing of many dear ties.

LOSS OF THE PANAMA STEAMSHIP.—The steamship Golden City, plying between Panama and San Francisco, on her last trip down the coast, ran ashore at Laredo, Lower California, on the 22nd ult. She is a total loss. The passengers were rescued by the Colorado, on her way from Panama to San Francisco. Nine passengers were lost on shore. The passengers saved held an indignation meeting. The Captain is supposed to be culpable. The treasure was left on the beach. The passengers were on shore four days; they suffered for water, and walked twenty-five miles before they were rescued.

FIRE.—The destruction of the Pot Orchard mills by fire is another chapter in the records of villainy of our territory. The owners of the famous steamer Yerana were the owners of the Pot Orchard Mills. The property was in the Bankruptcy Court and was to have been sold to-day at San Francisco. The torch of the incendiary has made a more effectual sweep of the place than the Sheriff's floor contemplated. There is a growing spirit of lawlessness on Pages 3 and 4 that might have a judicious application of the rope will mend.

CONVICT DIFFICULTY.—Patrick O'Dwyer, a once respected citizen of Victoria, but who has lately fallen into evil courses, was arrested yesterday upon complaint of his wife, charged with assaulting her. O'Dwyer, who appears quite idiotic from the effects of drink, was attacked by the railway terms later in June last and removed his family to Seattle, W. T. There, in common with many hundred others, meeting with bad luck, he took to drink, his wife procured a divorce and—as O'Dwyer was married again. A week ago Mrs. O'Dwyer returned to Victoria, to reside, and the prisoner assaulted her yesterday morning. The case will be heard to-day.

Singular History. THE WAIRMOOTH [ENGLAND] COAL-MINE. Richard Pemberton, a man of means, first conceived the idea that coal was to be found on the spot. He commenced operations, and soon enlarged his fortune, without finding coal. His friends endeavored to dissuade him from pursuing the enterprise, confident he had made a mistake. He would not listen to them; he felt certain the coal was there. His relatives were wealthy, and inspiring them with his enthusiasm, they at first lent him all the money he asked for. Still he did not succeed. They began to be distrustful; being a man of strong will and much persuasive power he induced them to make advances until they were literally bankrupt. Again his friends importuned him to desist. He would not listen to them, seeming to be more content as they grew more despondent. He swore he would dig down to hell before he would stop; that if he did not find coal he would find either. He was declared crazy, but he still continued to raise money. He would never admit the possibility of a failure, but hope so long deferred, evidently wore upon him. He grew thin and haggard, taciturn, and morose, and being naturally of a high temper, his nearest friends were afraid to speak to him. The mine, about which they believed he had become a monomaniac. At last one day when he was in Newcastle, coal was reached. A messenger went post-haste from Sunderland to inform him of the joyful news. Pemberton met the messenger on the bridge over the Tyne, and heard the tidings as he was riding moodily along, on horseback. Pemberton's mind flew to his great fiancée when the fact was announced. He reeled from his seat and fell to the ground as if he was shot. He was picked up insensible. He never spoke afterwards, and in twenty-four hours he was a corpse. The glad news had killed him. But all his expectations of the mine were realized after death. To-day his son receives a very large income from the company of capitalists who are working the mine.

SAN DOMINGO. New York, March 1.—The World's Port Prince correspondence says Admiral Porter, commanding U.S. North Atlantic Squadron, entered that harbor February 9th with the flag ship Severn and Iron clad Diator. Upon landing he had an interview with the Haytian authorities and announced that the United States had formed an alliance with President Daes, of San Domingo. He had been sent to say that any aid given Cabral would be considered an act of hostility towards the United States, and would provoke hostilities in return.

New York, March 2.—Advices are received from San Domingo that the Dominican Republic has formally declared for annexation to the United States. The vote being taken by the government shows an overwhelming majority in its favor.

THE OPENING OF NAVIGATION. THE WAIRMOOTH [ENGLAND] COAL-MINE. Richard Pemberton, a man of means, first conceived the idea that coal was to be found on the spot. He commenced operations, and soon enlarged his fortune, without finding coal. His friends endeavored to dissuade him from pursuing the enterprise, confident he had made a mistake. He would not listen to them; he felt certain the coal was there. His relatives were wealthy, and inspiring them with his enthusiasm, they at first lent him all the money he asked for. Still he did not succeed. They began to be distrustful; being a man of strong will and much persuasive power he induced them to make advances until they were literally bankrupt. Again his friends importuned him to desist. He would not listen to them, seeming to be more content as they grew more despondent. He swore he would dig down to hell before he would stop; that if he did not find coal he would find either. He was declared crazy, but he still continued to raise money. He would never admit the possibility of a failure, but hope so long deferred, evidently wore upon him. He grew thin and haggard, taciturn, and morose, and being naturally of a high temper, his nearest friends were afraid to speak to him. The mine, about which they believed he had become a monomaniac. At last one day when he was in Newcastle, coal was reached. A messenger went post-haste from Sunderland to inform him of the joyful news. Pemberton met the messenger on the bridge over the Tyne, and heard the tidings as he was riding moodily along, on horseback. Pemberton's mind flew to his great fiancée when the fact was announced. He reeled from his seat and fell to the ground as if he was shot. He was picked up insensible. He never spoke afterwards, and in twenty-four hours he was a corpse. The glad news had killed him. But all his expectations of the mine were realized after death. To-day his son receives a very large income from the company of capitalists who are working the mine.

Barnard's Express LINE STAGES ON THE OPENING OF NAVIGATION. Yale for Soda Creek On Mondays Wednesdays and Fridays. Carrying Mr. Malley's Mail, Barnard's Express and Passenger, connecting at Soda Creek with the Steamer Victoria For Coquille and Coquitlam, which in turn connects with the Steamer Enterprise, Thence to Fort George, making the trip from Yale to Fort George in six Days Through Fare Including First Class Passage on Steamer Victoria to Fort George, \$35.00.

PEACE RIVER MINES. THE OPENING OF NAVIGATION. BARNARD'S BRITISH COLUMBIA EXPRESS. Will extend its operations to the newly discovered mines in the Omineca country. Regular messengers will be placed on the route, who will visit the various mining camps and undertake transactions in every department of the Express business. Their letters forwarded to Parties wishing to have their letters forwarded to Barnard's Office in British Columbia and of Wells, Fargo & Co., in California.

FOR SALE CHEAP. A CALVANIZED CORRUGATED IRON PIPE 12" DIA. in good condition. 250 feet long, 5/8" beam and 1" deep. Apply to Mr. Barnard, No. 121, Water Street, Victoria.

For Peace River Gold Mines. NOTICE. ON THE OPENING OF NAVIGATION. THE STEAMER VICTORIA Will run from Soda Creek to the Canon at Coquitlam, on Mondays, Wednesdays and Fridays. The STEAMER ENTERPRISE, Which will be placed on the route from the Canon to Fort George. THE PERFECTION OF PREPARED COCOA. MARAVILLA COCOA. TAYLOR BROTHERS, LONDON.

THE COCOA (OR CACAO) OF MARAVILLA. Various importers and manufacturers have attempted to obtain a reputation for their prepared cocoa, but we doubt whether any through success has been achieved until Messrs Taylor Brothers discovered the extraordinary qualities of "Maravilla" cocoa. Adapting their perfect system of preparation to this finest of all species of the Theobroma, they have produced an article which surpasses every other cocoa in the market. It is so soluble, a delicate and agreeable a rare concentration of the purest elements of nutrition, distinguish the Maravilla cocoa from all others. Sold in packets only by all grocers, of whom also may be had Taylor Brothers' original Maravilla Cocoa and Cocoa Butter. Steam Mills—Bridg Lane, London.

ROYAL AGRICULTURAL SOCIETY OF ENGLAND. LEICESTER MEETING, 1868. UNPRECEDENTED SUCCESS. THE FOLLOWING PRIZES WERE REWARDED. J. & F. HOWARD, Britannia Iron Works, Bedford. The First Prize for the Best Wheel Plough for General Purpose. The First Prize for the Best Wheel Plough for Light Land. The First Prize for the Best Spring Plough for General Purpose. The First Prize for the Best Spring Plough for Heavy Land. The First Prize for the Best Harrow for Horse Power. The First Prize for the Best Steam Cultivating Apparatus for Farms of moderate size. The First and Only Prize for the Best 5-tined Steam Cultivator. The First and Only Prize for the Best Steam Harrow. The First and Only Prize for the Best Steam Weeder. The First Medal for their Patent Safety Baler.

FRAUD. On the 26th June 1868, NOTARY LAH. A FINDER was appointed at the Supreme Court, California, of certificates of the above named firm, which were procured by the above named firm, and were sold by Mr. Justice Chew to the above named firm. TWO YEARS RIGOROUS IMPRISONMENT. SELLING SPURIOUS ARTICLES. Bearing Labels in imitation of Messrs CROSS & BLACKWELL'S, SHAK BACHHO was sentenced, by the Hon. Mr. Justice Chew, to two years rigorous imprisonment, in the Penitentiary at San Jose, California.

JUDSON'S Simple Dyes for ANY COLOR. Anyone can use them. Judson's Simple Dyes are the most perfect of all dyes, and are used by all the great dyers and colorists of the world. They are of a permanent color, and are not affected by heat or light. They are of a fine texture, and are easy to use. They are of a fine texture, and are easy to use. They are of a fine texture, and are easy to use.

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The New Constitution.

In opening the Legislative Council less than a month ago, His Excellency the Governor intimated that he increase the popular element in the Executive Council, and 'ask for advice so to reconstitute the Legislative Council as to allow a majority of its members to be formally returned for Districts.' With that prospect which has characterized his administration, His Excellency has Her Majesty's State-craftsmen work on the constitution. What sort of a constitution will it be? The terms set by the Governor are so general that the people are left very much in the lurch on the subject. A majority Legislative Council may mean preponderance of numbers, or mean such an overwhelming influence as would be able to write and tag the Executive influence, may, perhaps, be better able to form an opinion about the character of a new constitution by considering the light of what it is not to be. His Excellency tells the colonists that, in his opinion, the form called Responsible Government not be found at present suited to the colony. It is perfectly clear, that, whatever amount of representation in the two branches the people joy under the new constitution are not to have that control over their own local affairs which can be enjoyed under a constitution. Those in power responsible to the people. Now we respectfully submit, in place, that the people of British Columbia have no faith in Imperial Government, and in the place, no constitution will be adopted to the people that does not give real control. Mere count of the Legislative Council will not do the case. So long as the vital principle of responsibility is absent every attempt to paint the system in popular words will only prove a delusion and a dream. In truth the more attractive it is to appear the greater will be the resistance to its adoption. The old musty doctrine of the right of kings has been long exploded. All power must be from the people. Power to government should not come from a Minister in Downing street; not to come from a Cabinet sitting in St. James's Palace; not to come from a few lords and bishops. It is not matter of surprise that an attempt should be made at Victoria to put the people of British Columbia with anything short of self-government, in so far as their own local affairs are concerned? The case of Red River however surrounded with the lessons, and should not be without its moral. But if there was a due consideration for the liberties of the inhabitants of a country in organizing a Government how much more in the case of Columbia. Red River presents a population which is not invidious to presume is less for self-government than the population of this colony. They are most part people who have lived under free institutions—their lives been accustomed to the rule of the local agents of the British Government. Yet in the terms given to Mr. McDougall the following passages: 'That your council the Governor will see that not only the Hudson Company but the other class residents are fully and fairly treated.' 'That your council will power to establish municipal government at once, and in such a way as they may think most beneficial to the colony.' 'That the present constitution to be considered as provisional and temporary; the Government of Canada will be prepared to submit a measure to grant a liberal constitution as you as Governor and council have had the opportunity of hearing fully on the wants and demands of the Territory.' Here at least a desire and intention of the people of the Red River settling their local affairs from the people. We find these people rejoicing in the proposed provisional constitution being sufficiently liberal. British Columbia is entitled to more, is it not? We know, asked to accept less. Governor, justified in calculating the acquiescence of these people to 'wise to try so dangerous an experiment as to place British Columbia in a position which would demand their political rights? Why provoke such an issue? Why mar and waste their efforts by seeking to place British Columbia in a position which would lower political status and give