

LEGISLATIVE COUNCIL PROCEEDINGS.

[Specially Reported for the British Colonist.]

Tuesday's Sitting.

New Westminster, March 19th. The Council met at 3 p.m. Present—Hons. Macdonald, Franklin, Brew, DeCosmos, Southgate, Pemberton, Wood, Robson, Walker, Hamley, Crease, Smith, Cox, Sanders, O'Reilly, Birch, Young, Ball, Helmcken.

His Excellency's message No. 32 was read recommending officers of the Government to abstain from voting on the question of Crown salaries.

His Excellency assented to the following ordinances: An ordinance for the protection of inventions.

An ordinance to establish a standard of weight and measures.

An ordinance to appropriate the sum of \$566 638 30 out of the general Revenue of the Colony for the contingent service of the year 1867.

NOTICE OF MOTION.

Hon Helmcken—That \$3,000 be granted to the Royal Hospital, being a sum expended on the faith that the money would be paid by the Government of Vancouver Island.

Hon Robson—That \$5,000 be granted as a premium to the first quartz mill erected and put in operation in the Sheswep district.

On the application of the hon Walker, the motion respecting saw mills was deferred till Friday next.

ORDERS OF THE DAY.

Hon Helmcken would ask whether the executive intended continuing the collection of customs duties upon goods imported into Vancouver Island previous to the Union with British Columbia, and if so, for how long a period, and under which Tariff.

Hon Birch—The duties chargeable would be legalized under the bill now before the House; when that bill was passed they could then consider whether they would continue the collection of duties between the two sections of the Colony.

Hon DeCosmos regretted to learn that some gentlemen were under a misapprehension regarding certain expressions of his in that House, on the day previous; if such expressions were used it was without his knowledge, and he trusted the House would accept that explanation.

Hon Crease was glad to hear the hon member make that statement as he had been much surprised at the time.

Hon Helmcken could state as he attended his professional yesterday that his hon colleague was ill.

Hon Birch accepted the explanation as satisfactory.

Hon Helmcken moved that this House be ready and would be glad to receive His Excellency's promised message relating to the seat of Government. The session was nearly at an end and it was really the only matter that detained him in New Westminster.

There was another reason why he wished the message at once. He had no wish to act unfairly, and as the magistrates would soon leave for their posts in the upper country, there would then be a majority in favor of his section.

Hon Crease hoped that the message would not be sent down, if that was the only matter that detained the hon member in that House; there were several important measures still to come under consideration, and they could all spare the judgment and erudition of the hon member from their midst.

Hon Robson thought the message should not be brought forward until the business of the House was entirely finished as the effects on certain honorable member's nerves would be so serious (cries of no, no) it was the only bond that held the House together.

The resolution was then carried. Hon Robson moved for an address to His Excellency the Governor, asking for returns showing how the public money voted for schools on Vancouver Island during the past three years had been expended. His object in the present motion was to procure information that might be useful to the select Committee on Education.

Hon Young—If the hon member would say more precisely what he wanted he (Hon Young) having in his possession the returns furnished to the Legislative Council of Vancouver Island might afford him the desired information.

The resolution was then put on the file.

The Gold Fields bill was read a third time and passed.

The House went into Committee on the Customs duties (Tariff) bill. Hon Ball in the chair.

Hon DeCosmos moved the insertion of the following amendment in the first clause. That no duties shall be collected on goods received at New Westminster from Vancouver Island subsequent to 19th March 1866. The insertion of the amendment would set the question at rest.

Hon Helmcken enquired whether any duties would be charged under this ordinance on goods from Vancouver Island.

Hon Crease—No, if such duties were collected a separate act would have to be passed. After some discussion, in which Hons Birch, DeCosmos, Helmcken, Crease, Hamley and Macdonald took part, it was determined to introduce the Customs Declaratory ordinance 1867, in order to dispose of the question of continuance of duties on goods from Vancouver Island.

Hon Ball was appointed to the chair, and the ordinance was then considered in Committee.

Hon DeCosmos had only to reiterate what he had before stated in reference to the levying of these duties on goods received on the mainland from Victoria. That city was a free port and parties had imported goods when the island was a separate colony. The importation of these goods was a perfectly legal act. Merchants were entitled to try all legitimate means of benefiting by the change of Government. He hoped that Government would return any excess in revenue collected. He thought, this House had acted in a manner liberal spirit towards Government in voting the very large sums provided for the ensuing year. The best policy for Government was to drop the matter at once, the longer the question was kept before the public the worse. He would move that this committee do now rise. The object of his motion was that the bill be dropped. This would harmonize conflicting opinions and be best for the Government.

Hon Trutch thought a bill of indemnity was necessary. Hon DeCosmos would cheerfully vote for indemnifying the Government for what had been done.

Hon Trutch thought no bill of indemnity was required; if it was required he should recommend that the bill be passed as it stood.

Hon Walkem thought it not advisable to kill the bill; doubts might arise as to the legality of the duties which would be smoothed away by the passage of this bill.

Hon Helmcken had very few words to say, a great deal of feeling had been created on the subject of these duties, let the past speak for the past. To continue the collection of these duties would injure the country at large and the Government in particular.

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Hon Robson—I should like to see some further explanation. The hon senior member for Victoria had not supported his statement with any proofs. He should like to know the total amount the institution cost; the proportion derived from voluntary contribution, and the number of patients relieved during the year. He proposed the postponement of the motion till to-morrow, when he trusted the hon member would be prepared with his proofs, as he should be in respect to the Royal Columbia Hospital. The Victorian institution must be a very expensive affair; there was very little done for the money. There was, he presumed, a certain sum voted for Hospital purposes; Government should be careful before voting so large a sum to one institution, that the interests of the others were properly catered for; it was not advisable to act in that haphazard way. People in some localities had contributed very generously towards the support of their own institutions; he hoped this would be taken into account.

Hon Birch conceived that the speech of hon member for New Westminster had been wholly irrelevant. The amount asked for the debt incurred in the past year, for which the sum had been voted, but not paid. He should have an objection, however, to some arrangements being made to place the whole of these institutions on a better footing.

Hon Crease thought the words 'if sufficient revenue is collected,' should be inserted in the motion of the hon senior member for Victoria. If that hon gentleman was correct, the expenditure of government was far in excess of probable revenue.

Hon Helmcken—The hon Attorney General is trying to be sarcastic.

Hon Helmcken moved that the Governor be requested to grant the sum of \$5,000 to the first Quartz mill that should be erected and put in operation in the Sheswep district. He thought the condition that the mill be driven by steam, suggested by certain hon gentlemen, was quite unjustifiable, as where water privileges existed parties should be allowed to turn them to account. He also intended to the Cherry Creek Silver mine, but there were a number of other leads discovered in the same district. The cost of erecting the machinery would be \$30,000 and this expenditure would amply repay Government for the grant. The cry of quartz had been raised in almost every district in the country. He hoped that Government would not give the cold shoulder to this branch of industry; there was a want of confidence on the part of the capitalists. It was necessary that Government should aid in the commencement of such undertakings, and the development of quartz mining would create a permanent source of wealth.

Hon Walkem had refused to second the motion of the hon member for New Westminster, because it was injudicious to grant money to companies for such a purpose, where they had already the idea of starting the mill themselves. It would be great folly for Government to assist in such private speculation where the quartz was sufficiently rich to pay for such an investment. The mill may be on the way from California at the moment. It was only encouraging men to go into business at the public expense. A similar application had already been made to that House, which had been rejected on that ground.

Hon Birch—The hon member for New Westminster had been candid enough to state the amount for which he asked the grant. He would like to see grants of this kind all over the Colony, if the exchequer could afford it, but in their present straitened circumstances he did not see why they should give \$5,000, when the lead was sufficiently good to pay for such an investment by the Company.

Hon Robson—The company although on paying ground was unable to establish a mill without Government assistance. He was obliged to abandon the undertaking. The Government should not allow the company to break up. He did not think that the possession of privileges in the shape of a lease was a sufficient reason for a refusal on the part of Government to grant the assistance.

Hon Trutch—When a similar grant had been sought for Kootenai he had been opposed to it as giving a false stimulus to such undertakings. The company for which the hon member for New Westminster had just made the application had received every encouragement from Government in a most liberal manner on the condition that the mill was to be erected in one year and certain work done within a certain time. The subscribed capital of the company was to be \$100,000, and he did not think that \$5,000 would be a sufficient inducement to proceed with the work if they had determined to stop.

Hon Smith—Had proposed a steam mill where Government assistance was wanted because the importation of machinery would go far to reimburse the public revenue; water machinery was expensive and would not justify a grant of public money.

Hon DeCosmos—Had received a letter from a correspondent in California, who stated that he had observed in the morning papers the intention of Government to grant \$5,000 as a premium; and that he had the pleasure to inform him that a steam machine with all the necessary appliances, capable of crushing 30 tons of quartz per day, and quite new, could be had for \$15,000, or falling purchase, that the owners would be glad to quote near the lead, and they would probably raise a company in California. The Cherry Creek Co. could therefore save more than the premium by purchasing that machine.

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and the Attorneys. It was found however, that confining the practice to one class was impracticable. Where the separate branches were maintained, the attorney did the work and was really the barrister's client. The amalgamation of the two branches could be effected with advantage to both, and economy to the public. Should it be deemed advisable at some future time to separate the branches, do so. He had no wish to sacrifice the interest of either branch to the other. The petition sent in by the Attorneys of Victoria should be referred to a Committee of the Whole. They (the Attorneys) had stultified themselves, as he could prove by other documents. They had absorbed the money paid over. They had sacrificed themselves to extend what had been heretofore practised in British Columbia to Vancouver Island, but these gentlemen (the attorneys) wished to pass a bill to make them barristers at law wherever they go. They could with equal propriety pass a bill to make quacks into doctors of medicine.

Hon DeCosmos—Thought the Bill introduced by the hon member for Victoria was in the proper shape. It was quite immaterial to the public whether the attorney called himself a barrister or not. The amalgamation of the professions was to the interest of the public. It would, however, be unfair that the barristers should be obliged to practice as attorneys in hard times, and then when the times were more prosperous to resume their former position, and their large profits.

Hon Robson—No one was more reluctant than himself to come in contact with the two branches of the legal profession, it was like going between man and wife; the public, however, should have a say in the matter. Any man having a cause, with the branches separate would be obliged to employ both attorney and barrister, and so undergo the double grinding process. He would oppose the second reading of the Bill and ask that it be referred to a select committee, as it required calm consideration.

Hon Crease—The reference to a select committee would be the same as shelving the Bill. The select committee would either be formed of professional opinions already formed, or of men with no opinion of dealing with the Bill. If barristers had to give way to public pressure, he hoped they would not overbrow the status they held at the Bar. They did not ask to practise because attorneys had 75 per cent of the profits. If it was necessary in an inferior capacity they should do so.

Hon Wood—The house was not familiar with the details. He doubted there being amongst the whole twenty-two members, another non-professional member besides his hon friend to the left (Hon DeCosmos) who knew anything about the matter; he wished the public interests protected, but regretted that the subject had been brought forward. He thought sufficient time should be taken to master the details.

The Bill will be considered in Committee on Friday.

The House then went into Committee on the Currency Bill. Hon Ball in the Chair.

Hon Walkem proposed an amendment to fix the rates at which sums stated in sterling in the public Acts, should be converted; 1 shilling to be 25 cents; 2 shillings 50 cents; 3 shillings \$1; one pound, five dollars, and so on in proportion. Amendment carried.

The Bill was then reported complete; standing orders were suspended; the Bill read a third time and passed.

The House resumed the adjourned Committee on Ways and Means. Hon Ball in the Chair.

Hon DeCosmos objected to rates of license on boats; the gains from which are small and precarious.

Hon Young—The present license in Vancouver Island is \$20, so that the present rates will be a considerable reduction. The charges for hire of property are reported complete; standing orders were suspended; the Bill read a third time and passed.

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Hon Helmcken moved the reconstruction of clause 5, which empowers the Governor to grant licenses to foreign vessels if necessary. No one would engage in the ship-building trade in the face of such a clause. If we want ships it is not with such a clause that we can obtain them. If we want a merchant marine we must protect them against foreign vessels. His objection was to vessels at present holding licenses to hold their licenses, and this would be acting on the adverse principle. He maintained there was nothing to prevent 40 ports of entry in the Colony; every foreign vessel could have one port of discharge and one port to load, if necessary, but he was decidedly opposed to allowing foreign vessels to interfere with our coasting trade by discharging at two ports. He would cheerfully accede to the continuance of the licenses, now granted as in the case of the '49.

Hon Robson—Thought hon members were assuming too much in opposing that licenses would be indiscriminately granted; the Governor would do no such thing; no one would be happier to see a merchant marine of our own, but not a forced one, at the expense of the other interests of the country; would not the same argument hold good against importing any foreign produce at all? It would injure important interests in the Colony to close out foreign bottoms. He did not think that such a cold blooded, calculating Executive as we had, would be easily moved to grant licenses to all that applied for them. Hon Helmcken—Was not aware that we had a cold blooded, calculating Executive, but if we had, there was so much more reason for insisting on the removal of the clause. The Government might or might not exercise his power, but the existence of the clause would create doubt, and the only way to avoid doubt on the subject was to strike out the clause.

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The Report of the Committee was The House then adjourned.

Thursday's Sitting.

New Westminster, March 21. Council met at 3 p.m. Present—Hons. Brew, Pemberton, DeCosmos, Helmcken, Smith, Southgate, Franklin, Walker, Cox, Macdonald, Birch (presiding), Ball, Robson, Hamley, Wood, Crease, Trutch, Young, O'Reilly.

Hon Crease to move a further extension of the lease to the Harewood Coal Company, also the enactment of Excise Ordinance, 1867.

ORDERS OF THE DAY. Hon Robson, in moving that \$1470 15 be granted out of the general revenue, thought, after the remarks of the hon President on the preceding day, it would be unnecessary for him to make any lengthened statement on the subject; he might state however, that the money had been voted last year but never paid over. The case was very similar to that of the Victoria hospital with this difference, that there was a larger ratio of voluntary effort. The government aid was \$2500, the voluntary aid about \$1000. The resolution was carried.

Hon Smith moved that barley used for brewing purposes be admitted duty free.

Hon Smith considered the duty on barley and oats too high; he thought 12 per cent sufficiently high for all purposes of protection; the duty bore hard upon packers, teamsters, and every one keeping horses and chickens; he did not know it would bear so heavily on brewers, it would be the means in a great measure of causing them to stop; he might be thought inconsistent being one of the select committee. The difference to the revenue would be but a small matter, but would make a great difference to the brewers.

Hon Helmcken would not recommend the admission of barley free of duty, but would recommend deferring the collection of duty for three months, as there was really no barley at present on the island. That the immediate enforcement of the duties would be a serious injury to brewers no one could deny and as statements they ought to find out some means of shielding that class.

Hon Wood differed from the hon members who had just spoken; in putting the tax on barley they had not protection so much in view, as taxing the consumer, that was the reason for taxing some articles in preference to others. It could not interfere with the export business, because there would be a drawback, and so far as the home consumption was concerned, brewers were protected by an import duty on beer. The Vancouver Island soil was better adapted for barley than any other on the Pacific coast; there was a moderate benefit to home producers.

Hon Robson was sorry he had to differ from the hon Solicitor General, in recommending the 30 per cent duty on grain, it was done solely with a view to protection of agriculture; it was admitted at the time to be a prohibitory duty; it amounts on barley to \$3 1-3 per cent, other articles had only 12, or 15 per cent duty; but he was under the impression that the duty was intended as protection, or he would not have voted for it. They had hon members who entirely legislated for their own locality; those gentlemen were mistaken in their views. There was a gentleman in Victoria extensively engaged in brewing, who brewed excellent beer, he was well known in that House; he (hon Robson) had no motive for concealing the name, he alluded to Mr Buxton, he had stated that in the event of the duty of 30 cents being levied, the brewers would be completely crippled, and he spoke of suspending business for a time. There was no barley raised in the lower country, nor would they have any to speak of for two years. Mr Buxton had told him (hon Robson) that in the event of the growth of barley being stimulated on the island, he (Buxton) could manufacture it all in three months. It was putting a duty on an article that could not be produced in time to supply the market, hence manufacture would be paralyzed. It was better to allow the resolution to pass.

Hon Franklyn decidedly opposed the resolution. There were thousands of acres on the island ready for cultivation, but as brewers and others could obtain their barley in California for 1/4 of a cent per lb, it was impossible for our own people to grow it. It was not so easy to bring farmers to a country as it is to grind one's own politics. There is a brewery at Nanaimo capable of supplying the whole Colony with beer, and the proprietors stated that if they could procure island barley, they would never buy a cent's worth of foreign.

Hon DeCosmos—Notwithstanding all that had been stated by the hon member for New Westminster, he (hon DeCosmos) must agree with the hon Solicitor General, that protection was only incidental to raising revenue. He was not prepared to support either the admission of barley duty free, or to defer the collection of duty. If they attempted to defer the period for collection, they would inflict a check on production of equal duration. In the event of delay in the enforcement of the duty, the importation would be enormous, so as to shut out the home grown article for a long time to come. There was no doubt that the duty on barley was a real inducement to its growth; he only spoke from his own knowledge, as it appeared that the hon member for New Westminster knew more about the interests of Vancouver Island than he did.

Hon Ball was totally opposed to the resolution; it opened the gate to similar demands from other branches of industry, with equal right to exemption. There were vast tracts of land in Vancouver Island that would produce splendid barley. It was well known that the Island barley contained one-third more saccharine matter than any other kind. The farmers on the island had struggled long enough against foreign importations, it was time some protection should be afforded them, their produce lay rotting on the ground, because it would not pay to bring to market. The duty would amount to 1 1/2 cents per gallon on beer; 200 lbs were required for a hhd of ale. He did not believe with the hon member for New Westminster that it would cause brewers to close up or collapse.

Hon Birch—If the application had originated with the people it would have been worthy of consideration, but emanating as it did from a vote of a commercial committee, it was not worthy of consideration.

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Hon Birch—If the application had originated with the people it would have

the Committee was adjourned.

Thursday's Sitting.

WESTMINSTER, March 21.

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

ORDER OF MOTION.

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

ORDER OF THE DAY.

In moving that \$1470 15 be the general revenue, thought, the hon. President on day, it would be unnecessary to say any lengthened statement as to the merits of the bill, 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 ad about \$1000, was carried.

It moved that Barley used for sea be admitted duty free.

It considered the duty on barley high, he thought 12 per cent for all purposes of protection, and upon packers, and keeping horses and chickens, it would bear so heavily on the means in a great thing them to stop; he might assist being one of the effect he difference to the revenue small matter, but would make to the brewers.

It would not recommend 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.

It 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, or 15; but he was under the impression that duty was intended a promotion not have voted for it, 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 wery country nor would they speak for two years. Mr. d (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.

It decidedly opposed the reserew thousands of acres on for cultivation, but as brewcould 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 is growth; he only spoknowledge, as it appeared that for New Westminster know interests of Vancouver Island

It totally opposed to the reserew the gate to similar demanohes of industry, with equal o. There were vast tracts ver 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 injury 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 pathetically 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 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.

partition 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.

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LOS 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.

WATERFALLS.—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. (Before Chief Justice Neidham.) 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. Shalchmidt.—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, 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 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.

RUBBISH. 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.

LOCAL INTELLIGENCE.

Wednesday, March 27.

AID FOR A REAL CHARITY.—It is proposed to hold, on Easter Monday evening, (22d April) a Soiree and Collation at the St. Nicholas Hall in aid of the orphans of St. Ann's Convent. There are thirty-two little ones of all denominations at this institution whose wants are attended to by the Sisters without fee or reward—the labor being purely one of Christian charity—and many friends who wish to manifest their sympathy for the praiseworthy efforts of the Sisters have projected this entertainment. We know, from personal observation, that the charity is a real one, and we therefore conscientiously recommend each our readers to contribute at least the price of one ticket towards the support of so worthy an object.

TRAGEDY.—A shouting affair occurred at Knight's Ferry, California, February 15. George T. Cheshire, a schoolteacher, was assailed by a Mr. McGuiness, whose daughter the former had turned out of his school. In the wrangle, Cheshire shot four balls into McGuiness, killing him instantly. Soon after, a son of McGuiness shot Cheshire through the head, the ball penetrating the brain and lodging in the skull. At last accounts, Cheshire was alive, but with barely a chance of recovery.

DISCHARGED.—The young man from Portland, who was taken into custody upon a charge of defrauding his employers, was yesterday discharged by the Police Magistrate, and left the Court without a stain on his character. It appears that the telegram requesting that he be held until the arrival of the *Fideliter*, was based upon a misapprehension. Upon the arrival here of one of the Portland firm, an examination of his accounts was held, and everything found to be in the highest sense satisfactory.

STEAM COLLIERIES.—The *Nansimo Gazette* says: Mr. Weild, lately from England, arrived by the Sir James Douglas on Tuesday last. We have been told that his business here is to make arrangements for a line of steam colliers to ply between this port and San Francisco; it is expected the arrangements will shortly be completed and the vessels running before the fall.

A DESPATCH from San Francisco announces the sudden death of Mr. Walter Minturn, agent for the Colorado lines of steamships. The flags of the shipping and on the American Consulate, were placed at half-mast in consequence. Deceased was a young man of great promise, and his numerous friends here are filled with grief on the announcement of his demise.

OVER THE SOUND.—The Fixley family are preparing for a professional trip over the Sound. Wherever the troupe has performed, its talented members have made themselves great favorites, and the public will part with them with regret.

Friday's Sitting.

FRIDAY, March 22.

The Council met at 3 p.m. Present—Hons Walker, Southgate, Fracklyn, Sanders, Helmecken, Brew, Macdonald, Brinley, (presiding), Cressae, Robson, Stamp, DeCosmos, Hamley, Wood, Barnard, Pemberton, Trutch, Ball, O'Reilly.

Hon Helmecken placed a protest on record signed by himself and five or six other gentlemen against the insertion of Clause 5 in Harbor Dues Bill, giving power to the Governor to grant licenses to foreign vessels in the coast-guard and river waters.

Message No. 84, from His Excellency the Governor, was read, informing the House that he had placed himself in communication with the Governor General of Canada, the Colonial Secretary, and Sir Edmund Head (in the subject of Confederation).

Hon DeCosmos moved for any further instructions which may have passed between the Imperial Government and the Colony on the subject of the Crown Lands.

Hon Helmecken moved that a drawback be paid on all malt liquors manufactured in the Colony and exported therefrom.

READ A FIRST TIME. The Harwood Coal Company Extension Ordinance, 1867.

ORDERS OF THE DAY. Hon Stamp, in resuming the consideration of his motion relative to Sawmills, would call the attention of the House to the fact that it was not the mill that he was connected with only that he was associated in his motion, but all the lumber mills in the colony. He held in his hand the figures necessary to show the facts as he had previously stated them in relation to the working of sawmills, and he would be glad to show them to any hon member who desired to see them, and he would prove that there was a loss of three cents per M feet on all the lumber manufactured. The Albert and Sooke mills were what were broken to pieces, and there were only two that had not been broken to pieces, and there were two mills at New Westminster that had given up work, and one mill, worked by water, that the proprietor was prepared to sell out for 50 cents on the dollar, expended on the establishment. If five hundred mills were started, and were allowed the free im-

LEGISLATIVE COUNCIL PROCEEDINGS.

[Specially Reported for the British Colonist.]

Friday's Sitting.

The Council met at 10 A. M. Present: hon. Pemberton, Southey, Holmeken, DeLoon, McDonald, Birch, (presiding) Wood, Robson, Trutch, Stamp, Cox, Franklin, Ball, Crease, Walkem, Barnard, O'Reilly, Young, Brew, Smith, Sanders.

DEBATE ON THE GOVERNOR'S MESSAGE.

Hon. Holmeken.—In taking on himself to bring up the question, would express his honest conviction that the seat of Government ought to be at Victoria. He knew that injury would be done to some by the removal, and that it would benefit others; but it must be regarded from another point of view, and in his opinion, to fix the seat of government at Victoria would give the most general satisfaction to the people of the country. He might say it ought to be the capital because it was the largest city, and contained a population of 4,000 inhabitants. It was the seat of commerce and the residence of the largest number of people. The beautiful meadows and charming scenery endeared it to all who had ever resided there, and when they were obliged to leave themselves they could always desire to return. But it was not only for these reasons that it should be selected as the capital; pounds, shillings and pence entered largely into the consideration. He wished to make no invidious distinction, and it was with no ill-feeling that he said New Westminster did not possess those attractions, but on the contrary, its gloomy aspect and the contrary winds there was no back country where people could reside, as the vicinity for many miles was densely wooded. In Victoria the spring was earlier and the winter later; Victoria was more accessible—he took Victoria and Esquimalt together. The Fraser was inaccessible to shipping during a portion of the year, so that Victoria was really the head of navigation for sail vessels. No mail steamers came to New Westminster; they go to Victoria because it is the seat of commerce. The capital should be placed where the greatest good will result to the greatest number. It would be more economical that the seat of government should be where the most people reside, and consequently where the greatest number of people resort from the other parts of the country. There would also be concentrated the most adapted for a Legislative Assembly. Being the chief commercial city of the colony all the enterprise that has made this country what it is, emanated from there. Victoria has been the mother of the country. In former days it was the seat of the government, and it still retained the position. Victoria has great claims to the selection; she is now called upon to pay the debts she never contracted—to bear half the debt of British Columbia. This may only be a result of Union, but at the same time it gave her some claim to be chosen as the capital. She has a claim also for her laudable efforts to develop the mineral resources of British Columbia; it was from Victoria that all the capital came for this purpose. Her merchants supplied British Columbia, not for cash, but on credit, and this has resulted to her loss. The miners of British Columbia and the people of Victoria are but one—the most southern and the most northern parts of the country, they are but the same. The intimate connection has led to mutual love. She has another claim to be chosen as the seat of government; she is already provided with all the buildings necessary for the Legislature, inclusive of the Governor's residence. He would not go into the message from His Excellency the Governor. He would only touch upon the outside and particular claims that Victoria had to be selected for the capital. She had suffered considerably, particularly her merchants, from the change of policy, and she had great reason to put forward her claims at the present time. It was absolutely necessary that one decent city should be created and supported instead of allowing two to ruin each other. By making one city attractive we should retain the miners amongst us during the winter months. One large city would also preserve the commerce of the Sound to us, which in the present unsettled state of affairs there was great risk of losing. If the seat of government was not at Victoria, all confidence would cease, and it would be detrimental to the country at large. The people would leave the country for foreign shores. The great question involved was the salvation of the country. The present unsatisfactory state of things caused the present stagnation. Had they not already determined to fix the Custom House, Post Office, Supreme Court, Land offices there? Government would be more economically administered if they would not detain them by further enlarging on the many advantages Victoria possessed over any other place as the capital, but he conceived it involved the welfare of the entire colony, that the capital should be fixed there; he begged they would remember that the prosperity or ruin of this great colony was in their hands; and he trusted God would defend the right. He moved the following preamble and resolutions:

"The Council having taken into consideration His Excellency the Governor's message (No. 39) relating to the seat of Government, as well as the numerous and numerously signed petitions from all parts of the country, praying that Victoria may be made the seat of Government."

Resolved, That were the seat of Government placed in Victoria it would be consonant with the desire of the public, advantageous to the administration, conducive to the best interests of the country, and diminish the cost of Government;

That without wishing to embarrass the executive in any way, the Council would urge that such steps should be taken as may to His Excellency seem best towards carrying out the desire of the petitioners;

That His Excellency the Governor be humbly solicited to cause the next session of the Legislature to be held in Victoria.

Hon. McDonald seconded the resolution. He feared that the people of the island were not sufficiently well acquainted with the Governor nor with them. It would be folly to judge of public feeling on the island from what appeared in the daily papers. The Governor was fully aware that a large town could not be built on the site of New Westminster, in fact, Victoria was the only place in the colony possessed of the requisite natural advantages; the removal of the capital to Victoria would arrest the waning of the colony. He thought the Executive would get what was best for the colony, hence the resolution was perfectly expressed and generally met his approval.

Hon. Wood, Solicitor General.—In approaching the subject before us, I trust I am not wrong in considering it not only the question of the day but the question of the session, and, I may add, the question for generation

yet to come. I approach it with a full sense of the responsibility which rests upon me, as a member of this Council, convinced that an error in legislative action now, in the infancy of the Colony, when we may be said to be moulding its destiny, and in some sort shaping the page of its history, would be an error, not only deeply affecting ourselves but an error which, if committed, future generations may find an increased difficulty in repairing. For myself, sir, I stand before you in a threefold capacity, as a law officer of the Crown, as an individual having a deep interest in the subject matter, and as a Legislative Councillor. As a law officer of the Crown, I am bound, so long as I enjoy the emoluments and fill the office that I do, to uphold the prerogative of the Crown, and I must say that in a Colony like this, constituted afresh from the Union of two Colonies, it is unmistakably the privilege and prerogative of the Crown to select the seat of Government; to direct this choice there is but one method of approach—petition and address—and we are assured, from the mouth of His Excellency, that the Crown of Great Britain is never indifferent to the acknowledged wishes of its people. Nor can I understand that if the welfare of the colony is concerned, the Crown can have any desire other than to contribute to that welfare, that welfare well established; the action of the Crown necessarily follows. I am, also, as a person holding office, generally bound, as I think, to obey the requirements of the Government in such questions which are not questions of conscience, and, against the charge of inconsistency of conduct, by the unmistakably expressed wish of the Governor; short of this, I am not free to act but bound to act as an independent member of this honorable House. As a private individual, it would be absurd for me to deny what everybody must know, that important ties, social, domestic, pecuniary, territorial, professional, bind me to Victoria and not to New Westminster, and that my views in life are materially at stake in this matter; yet I have this to say, I am not here to defend, like an advocate, Victoria at any price, but I am here to justify my judgment. I am not a representative of interests which have been thrust upon me by the accidental discovery of a gold bearing region, but I have formed my views and embarked my means on mature consideration and solid judgment, and the same views and reasoning which made me select Victoria as my home, will for the most part reappear to-day in my advocacy of Victoria as the seat of Government of the colony. As a Legislative Councillor, I hope I am not indifferent to my oath of allegiance, and as I interpret that, I am bound to advise the Council for the good of the colony, without fear or favor to myself or others, and it is to my infinite relief that I find that in the three several relations of law officer, private citizen and Legislative Councillor, I find nothing conflicting or contradictory. The conclusions to which I arrive are the result of reasoning and observation; you will judge of their accuracy and soundness, and I ask you at least to give me credit for sincerity and conviction, and I trust that in which I say you may find that I express myself soundly and fairly, as may best become a member of this honorable body, and I may add, in a manner not unworthy a politician and a statesman. In approaching this subject, believe me, I do it with feelings of deep concern. It is impossible to traverse the length of the site of this town without being sensibly affected with the results which must follow the removal of the capital from New Westminster. Official life is its only hope. For eight years it has attempted to struggle into importance as a town, but has struggled in vain. Enormous sums have been lavished upon it; houses, wharves, plank-ways erected, for no practical end, and almost at every step we meet something which shows the sad results of misapplied energy, the grave of great expectations, the monuments of departed hope. It is impossible not to be touched with the view from the land, the magnificent Fraser, and its general salubrity. For the mere spectator I confess I have but little sympathy; for the speculator who has carried too many eggs in one basket, and has with open eyes backed his judgment on the march of events, I care but little, but my feelings of concern and anxiety for those here who have done their duty as colonists and settlers, and have built up their homes and sunk their little savings in the prestimed discharge of a sacred and a patriotic duty. For these I have a sincere sympathy, and for them and for their losses; I would yield freely where the compensation is in my power. The site is indeed beautiful; but to say this is to say little more but that the earth which we inhabit is beautiful to the eye, and though I confess it affects me with a feeling of monotony and depression, there is beauty in the snowy mountains, in the broad waters, the ample volume and the pine clad slopes of the lower Fraser. There are natural beauties in New Westminster; but that cannot be said of the town of Vancouver Island, the land of our adoption, "our own romantic home;" but I confess, sir, that after four years residence among romantic scenery, I have got to be familiar and fatigued with the solitude of woods and rocks, and as a colonist and a settler, having an eye to the advancement and comfort of my fellow-men, bearing in view the happiness of my species in this corner of the globe, I would sooner see 10 acres of land well cultivated, occupied by a settler and his wife, thronged with happy and healthy children with the rosy paint of nature fresh upon their faces, than all the magnificent scenery of the habitable globe. The removal of New Westminster will cause loss to many, but we are here with duties to perform; we are not here to indulge in the luxury of feeling, we are here as surgeons called in a case of life and death to brace our nerves for a difficult operation. Let us first ask what are the natural results of the settlement of the capital in one certain spot. First, the residence of the Governor, to whom all pay their tribute of honor and respect, dispensing a noble hospitality; he commands and carries with him the society of the place. With him come the heads of Departments, the Colonial Secretary, the Attorney General, the Treasurer, the Surveyor General. The Supreme Court, some of whose sittings must almost of necessity take place in the capital. You have already disposed of the localities of many smaller branches of the Government, but still the last the last remains behind—the legislative body—a body composed, unless our constitution be an error and a deception, of all

that are most solid in substance and sound in judgment, a collection of the elite of the wisdom, responsibility and energy of the colony, taken from the pursuits of happiness and labor, forced to reside in the capital, and more important statements to form select committees to investigate facts and to collect practical materials for resolutions and legislative enactments. Let us now see what follows in a capital which is a natural centre of civilization and commerce. Being easily accessible from the sea it is the centre of imported goods, the goods market, with all the advantages of abundance and choice; the point of departure of exported produce; the port of landing for passengers, in short, the labor market and the centre of immigration; the resort of ships of war; a port for military and naval defence; the money market; the site for banks; the resort of the capitalist and the mart for land; the origin and centre of commercial and combined enterprise; and last not least of the Press, or in other words, if well conducted which it will be where the tone of society is healthy, the emporium of useful information and in most cases of well sustained discussion and unfettered reasoning of the most useful things in life. Let us next see what our beau ideal of a city: 1. Ease of protection. 2. Accessibility from the ocean. 3. Central situation. 4. Climate and salubrity. 5. Soil and situation. 1st, Ease of protection. This hardly needs a remark, without a position easily protected the person of our governor might be insulted, our wealth plundered, our archives destroyed, and ourselves humbled. 2. Accessibility from the ocean. This hardly needs a remark. Maritime and commercial people like ourselves. 3. Central situation. Perhaps, no subject has been more grievously or more willfully misunderstood than this. To understand the position of the centre, the circumference of the circle must be known, and what in the name of commerce is the centre of the circle to a community like ours. Is it the centre of the land? Is London in the centre of England? Dublin in the centre of Ireland? Edinburgh in the centre of Scotland? Melbourne, Sydney, Adelaide, Cape Town, and a hundred others in the centre of their respective colonies? No, sir, we may be bounded by nature to the north and east by the Arctic Circle and the Rocky Mountains, to the south by the 47th Parallel, and by hostile tariffs and customs duties, but our circumference in all other directions is every port and place from and to which goods and produce can come and go to and from our shores. No error can be so gross, no fallacy so complete as to suppose you advance political or sound economy a single step by wadding up the capital in the heart of the province. The principle of divergence and conveyance is the true principle, conveyance of produce for importation from within, conveyance of all goods from without. 4. Climate and salubrity. This hardly requires notice. 5. Soil and situation in the same. With these I think you combine all the elements of practical and political economy. Let us now compare New Westminster and Victoria with a view to these qualifications. 1. Ease of protection. Can there be a doubt of this? To a maritime nation our safeguard is from the sea, land troops and fortifications in a colony are scarcely to be thought of. As long as England is respected on the sea, so long are we safe; with the decay of England as a naval power, we may also lose our entire colonial empire. Who can doubt that Victoria and Esquimalt are in fact, have every element of easy colonial protectibility. Can the same be said of New Westminster? We are familiar with the dreams of Colonel Moody, batteries here, batteries, forts everywhere, Redans, Malakans, redoubts, 1,000,000 of money and 100,000 men, impossibilities and theories. I am not competent to pass a judgment in any matter of military science, but I entertain a strong suspicion that in its present condition without costly fortifications, New Westminster heights might at the hands of our powerful neighbors be laid in ashes in a dozen hours. 2. Accessibility from the ocean. Victoria is the limit of safe ocean traffic. To all intents and purposes Esquimalt and Victoria are one. To a city of many thousands of inhabitants as Victoria is destined to be, Victoria and Esquimalt are one. With a railway and dry goods are practically as near to the store of the merchant as at Esquimalt as at the harbor of Victoria, while the arm of Victoria capable of the simplest engineering improvement is an inland canal of untold advantage. Am I wrong in saying the site of Victoria is envied by the entire Pacific Coast? Is New Westminster safe? I confess I am not qualified to speak authoritatively on this point, but we know that a ship of Her Majesty's Navy (Tribune) came to grief, and that no vessel of large draft can enter here. The Fraser may be sealed by ice for three months of the year. I look upon the town of New Westminster as being practically some seventy miles inland, not to say river navigation, and that navigation intricate, doubtful and intermittent. In these several points of site and situation, soil and salubrity, the peculiar position of Victoria is a matter of considerable moment. Victoria has been, and probably always will be, a place much preferred for occupation among persons obliged to live in the colony. But there are a number of persons bound by no tie but the tie of simple preference. Among the number of persons brought here for the many reasons which cause persons to colonize, percentage of mankind are found who, charmed by the climate and pleasantness of Vancouver Island, desire to settle there. They bring with them the refinements and the cultivated tastes of English gentlemen, and for the purpose alone of attracting and holding the population which might otherwise escape to other places that we ought to desire to make Victoria a place of social importance and give it all the advantages we can—such advantages as flow from its being the seat of Government. As regards the mining population, it is a matter of still greater importance. Victoria has been always a favorite place with miners. In earlier days Victoria was more a mining town than an ordinary city; it was the winter quarters of the miner; in it he spent his money or invested it in lots and land, and here he also left his family when he left for the comparatively short season of active mining. I have little hesitation in saying that in a well governed English colony a greater share of happiness can be got than in any other known place to the working man.

He has as good wages as in the United States, and is without the tyranny of the majority, the interference with freedom of opinion and the weight of taxation; and I believe that Vancouver Island will be a chosen place of abode for persons who have reason to shun the doubtful freedom and political servitude of the American States. What, sir, are the reasons which can possibly prevail with members of this Council to urge them to induce Her Majesty's Government to fix the seat of Government at New Westminster rather than at Victoria? Is it because it is considered a point in political science and good government to follow the pusillanimous example of our friends in America, and fix the seat of Government intentionally at a distance from the seat of social and commercial enterprise as a safeguard against the turbulence of the masses and the tyranny of a democratic majority—a state of society not to be expected in our settled and loyal community? I cannot for a moment suppose that any man can really think that New Westminster can compete with Victoria in any other point than a supposed centrality of situation. Let us examine this further. What is New Westminster, what is British Columbia, what is Victoria, what is Vancouver Island? I am one, sir, who indignantly deny that in the self-denying Ordinance which Vancouver Island passed of her own free will, sacrificing as she did for the general good the freedom of her institutions and her entire commercial system, laying herself as she did at the feet of the imperial Government, she never felt she would have been so dealt with as to be regarded as a subordinate dependency. She relied on the fairness and judgment of the Crown, on the acknowledged and expressed desires of the people whose interests and whose judgments were bound to be considered, that Victoria would still remain, as she always has been and always will be practically the centre and metropolis of the United Colony, and be accepted by the Crown as the seat of Government in obedience to what some supposed to be the prevailing feeling of the mass of the two colonies. Am I mistaken in this last assertion that the wishes of the community are almost unanimous in favor of Victoria? Have we not the proof in the only form in which proofs can be presented in petitions signed by very many persons out of Westminster and out of the range of those influenced by prejudice and direct personal interest? There is hardly a soul who does not give his voice in favor of Victoria. It is asserted, in a spirit of rashness and levity, that signatures can be got to any petition. I trust this is not so. Signatures may easily enough be got to petitions for charitable purposes or for motives of general humanity—that a criminal may be pardoned or a public officer retained. Such matters are easily granted at the instance of pressing friends; but it is untrue that in a matter of the position of the capital, emphatically the question of the day, men are to be found so callous or so flippant, so corrupt and so false as to sign their names without consideration and pledge themselves without reflection and without conscience. What other test is required? Ask and you shall have it. Would you have mass meetings in every town in British Columbia? You shall have them. Name any test, and it shall not be withheld. Much is said of Victoria politicians and the license of the Press. I declare solemnly that I cannot conceive a more law abiding—nay, more, a more tame population than the population of Victoria. A people eminently loyal, eminently quiet. In no place, in my judgment, could the representative of his sovereign be more respectfully received than at Victoria even now, when the citizens think—I do not say justly—that they have been hardly dealt with. British Columbia is a mineral country, with land sufficiently good to raise its own produce for the mineral districts, and that is all. It is a gold region, with no settled or permanent inhabitants. What is New Westminster? Commercially, it is a wharf and landing place on the Fraser river; a Customhouse station and a seat of Government by Proclamation only. Should a sea coast road open to Cariboo, it is not even a wharf or a landing place, and it will be practically deserted. What is Vancouver Island? It is the only spot in the two colonies in which there has ever been a fixed or settled population, and that can raise its own agricultural produce ten times over. The climate is most favorable to agriculture, and the farmers only require encouragement to be prosperous. It contains wealth in minerals, in coal it is unsurpassed, and its future in opening out a field for mechanical industry, shipbuilding and the lower and simpler forms of manufacture are untold. Its fisheries may employ thousands of hands; its forests are an item, while its position for general trade is the envy of the Pacific coast. The beauty of its climate endears itself to all. Victoria is a town most advantageously situated for commerce. At the head of a safe ocean navigation it is, with Esquimalt, the best port in the Pacific. It commands four distinct branches of commerce. The home demand, Indian trade, the Fleet, and is and will be a most advantageous depot for the warehousing and redistribution of goods to all ports and places where English goods are in demand. The free port system is an ingredient of wealth not only to ourselves but to Great Britain itself. It is asserted that although Victoria is now the acknowledged centre of trade, yet times may alter, and then that Westminster, the possible, not the preferable, termination of ocean navigation, will be the best centre of distribution. I think, sir, this is the most dangerous ground. If we are to legislate for the future—for the possibilities of the remote future—I think we are legislating in a rash and unwise manner. I think it far more likely that we shall find Bute Inlet and a railway across the continent will most effectually give the "go by" to New Westminster. Why not unite the seat of Government with the commercial and natural metropolis? Economy and general convenience oblige us to do it. There can be no doubt that without it annoyance, loss and waste will follow. No colonist can have speech of the Governor without a pilgrimage up the Fraser. The same with the heads of all departments. The Legislature cannot do its duty. Its committees cannot sit in practical matters without the impracticable task of summoning witnesses here, or the equally impracticable task of going to the metropolis to them. Can you expect to find men of business, or men of the world, to leave the metropolis where there is life, society and amusement, to pass dreary days in an abandoned town? No, sir; you will find none

but the professional politician ready to undertake so paltry a duty. Men in a busy community cannot spare the time, and instead of giving an inducement for the presence of the energetic and the spirited, you will have the Legislature Council sunk to the level of a Vestry, with all the dreary accretions of its conceited self-interest, and the flatulency of the parochial mind. In nothing more than this do I view degradation in the seat of the Government being placed at New Westminster, away from the commercial centre. The Legislative Council, our own body, is degraded, the country lowered, and its most important functions rendered nugatory and useless. The site of our port of Victoria is envied by the Pacific; there is no such place to be found on the coast; it is no easy matter to find a good site for commerce and general business, it is no easy matter to found and establish it. Such a site we have, such a site has been established and founded and has taken root and flourished. Shall we attempt to destroy it? Shall we attempt to undo it by dividing it into two cities, and draining away from its natural support and the convenience and practical advantage it derives from having the seat of Government within it? Shall we so far do our best to drive our citizens from it and destroy a commerce for which we have competed, and competed not in vain. Unless I am mistaken, we may attempt it—we shall have the sad satisfaction of doing our best to destroy our own selves. Victoria, though we cannot ruin, we may seriously injure; New Westminster, I firmly believe we can never rise to the rank of a seaport town. Between two stools we shall fall. We shall disgust and ruin many, we shall succeed in throwing the country back, until, it may be, a new Executive with other views may make an alteration in our commercial policy, and we shall incur the additional indignation of facilitation, nullification and uncertainty—until irritated by the same arguments and stung by remorse and mosquitoes—we shall try, when most of us are ruined and the country deserted, to attempt too late to retrieve our losses. What a ridiculous figure would this our capital cut among other capital cities. Beyond the range of official duties, what is official life but official ennui. After the graceful amenities of social intercourse are fairly complied with—amenities of which I do not mean a deeply sensible—what is society but the society of persons moving in an official form, but out of our pale? What is there for this class of the pith and sinew of the place—the working man, but the monotony of the plank-road, the puerility of the ball court, or the bar of the saloon. This is no place for the man of active mind or energetic pursuits. In my judgment it requires the strenuous exertions of all classes to hold the colony together by uniting every effort for the public good. In conclusion, let me ask, am I wrong in looking upon the matter before us as one of grave importance. I believe it a most important element in the wealth and importance of a British Possession, that it should be possessed of a capital in which all these elements should be centralized, where centralization is good. Government, heads of departments, the money market, the goods market, the labor market, commercial enterprise, knowledge, discussion, movement, life. I think it most important that a colony should possess in its capital the elements of ease of defence, accessibility, salubrity of climate, central situation with a view to commerce, soil. You have before you to decide between Victoria, the acknowledged choice of the colony, and New Westminster commercially nothing and inhabited only by the staff of government. After some further remarks the hon gentleman sat down.

Hon. Robson complimented the hon and learned Solicitor General on his great effort, in the diffuse oration just concluded; but he thought the speech hardly repaid the expenditure of labor and time expended in its composition or in holding forth to an intelligent audience of stumps at the back of his (the hon Solicitor's) house. He could not see what we had to do with the capital; it was the prerogative of the Government to fix on the site; this was done in the case of New Westminster, and could not be changed now. It was established by law, and until the population was very different from what it was there was no likelihood of its being removed. The idea that that Council constituted, as it was, could deal with the question, was mere waste of time. The hon senior member for Victoria may enlarge on the magnificent scenery forming a background to Victoria; but his assertions in relation to New Westminster were incorrect; he (the hon senior member for Victoria) might have travelled on the Fraser, but he could know nothing of the country lying behind the mere belt of woodland that followed the course of the river, there were 15,530 acres this side of Harrison mouth, which were taken up by about 200 settlers (this acreage was exclusive of Langley); the number of acres under cultivation were 1568. The hon member then stated the quantities of the various kinds of produce and the total value. He believed these figures to be correct. As to the accessibility of New Westminster for sea going vessels, he need not enlarge upon that. It was sufficiently well-known, and the fact that so few came here was owing to the greater quantity of goods being imported into Victoria. The port owed all its importance to the existence of the Hudson Bay Company's station and not to any natural advantages. New Westminster would have succeeded equally well under similar circumstances. But these facts do not bear on the subject at issue. He did not see how the hon senior member laid claim to the power of prophecy when he stated that Victoria would always be the capital. The hon member, he feared, would turn out a false prophet. He would not go into the means adopted by a certain set of men to force-up Victoria in an unnatural way. The extreme nervousness of hon gentlemen lest this false supremacy, which was fast disappearing, and which would disappear altogether unless something was done to bolster it up, was sufficiently plain. Victorian influence was also due to a network which did much to force her up to the artificial position she occupied. Victorian supremacy must suffer. The hon senior member was candid enough to admit that it hung on a brittle thread. Victoria, as was well known, was the hot bed of political agitation, and, according to the statements of Victorian newspapers, they had not even stopped short of treason. Was that the sort of place where the proper amount of coolness required to legislate for the whole country was likely to be found? It was usual to fix the capital in a position withdrawn from the commercial centre, and much law, such as was demonstrated by the choice of Washington by the United States. Victoria was the last place where the legislative should be called. The dull monotonous place New Westminster was stated to be by the hon member was the very best place it could be, and which would give more to be surrounded by British feelings and British sentiments; the people were law abiding, peaceful and highly moral—the

most moral community in stood far above Victoria in loyalty; the peaceful influence from Victoria were emboldened and he had yet to learn that were the holy influences to be the rest of the colony, to understand how Victoria advantage of centrality, as man called it, when it was extreme edge of the colony thing but central, the General had referred to Dublin as the capitals of Now, Edinburgh had no no Dublin was the third city tawa was the fifth city 7 miles inland, far removed Upon the same principle should be the capital of California Sacramento was the seat some hundreds of miles American acuteness could arguments of the hon gentleman asked if we treated petitions they are of very little more were signed by men here to-morrow. The fact of a meeting the mining season did not voice in the seat of Government were operated upon by individuals for interested motives plied them with whiskey and their good natured feelings rather than be pestered by Such was the character of that declared Victoria was government, three purported Victoria, and five from the latter he remarked that were in the same handw whole five only recommended be made the capital until settled up that it could be located in the interior. If Go to pay any attention to s they might be required to loo on Williams Creek. It was petitions manufactured in hawks through the mainland could have any influence. Of common sense show the ad moving the seat of g ve few years to Victoria to back again to the mainla a large outlet, simply because no public buildings here. The his admirable me going, stated no intention of going to such the present, hence the whole an expenditure for public buildi nothing, as no such expenditure plated. The removal of the porarily to Victoria was more jure it than otherwise. The he was tried in Kingston, Canada, stantial buildings were erected flourished during two or thr when the Capital was withdra were ruined and one-third of the shut up; the same effect wou on Victoria with the same kind Such agitation on the part of was indicative of narrow-mind idea of passing laws to suit self Victoria, was something that understand. New Westminster by a commission sent out by Government, and Col. Moody wisely and well in choosing the Sir James Douglas gave his qualified approval, although larg ed in a certain town, and decid opposition to his own interests; this to be the place where the O to be, and this was the opinio talented officers besides Gen. M Solicitor General could not claim a judge of the navigation of They had the evidence of Capt not subject. New Westminster the terms of the overlaid railw certainly could not be the li Victoria. All the large steamers to New Westminster and Burr which were our—like Victoria malt. Our excellent Governor, in able speech, had shown the im sacrificing people who had purch the faith of New Westminster Capital. He regretted to see Vic and begging to be made the seat ment by a reluctant colony. Vic come suing for Union, stating that not carry on without it (cries The petitioners were signed by th population of the interior; it was see Victorians stopping to compa their determination to compass was brought about by Victoria sole request, and after persistent naimo and outlying districts did interfere with them Victorians, pretended they did not care Capital, were trying to attain the dishonest dodge—a side wind—both dishonest and dishonorable worthy of men in that Council, comment dare not hand over t Government to such a people. I reported that the Governor only outside agitation in the last Cla message. He (Hon Robson) kn and no vote they could pass in th would have any effect on the matte Hon Ball was told by the Hon General that the country expecte record their votes like men; the New Westminster came here year selected the place with the im making homes on the Fraser, on of this being made the Capital of which it has been considered fo ought to be for years and years to hoped the Government would fa with them, which would inju on a large and important sec colony. The Victorians united to us unconditionally, and it was to ask us to give up the Capital circumstances; we were asked to gi them what they had voluntarily it would be unjust to those intere district. Such a course would dri away; to move the capital to Victi would drive away the people, it injudicious. Victoria had establi as the capital of commerce, and very well without any other assista to remove the capital from here w He trusted the Government would tate the fully committed at Lang thus ruin two capitals to benefi

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dividing it into two cities,
from it the natural support
ng the seat of Government
ve so far do our best to
rom it and destroy a com-
have competed, and com-
Unless I am mistaken, we
shall have the sad satis-
best to destroy our own
though we cannot ruin, we
are; New Westminster I
an nether rise to the rank
between two stools we shall
and ruin many, we
rowing the country, we
new Executive with other
an alteration in our com-
shall incur the additional
ation, nullification and un-
riated by the wasps and
y remorse and mosquitoes—
most of us are ruined and
to attempt too late to
What a ridiculous figure
ritual cut among other duties,
range of official duties,
be official ennui. After
ties of social intercourse are
—amenities of which I for-
sible—what is society but
ons moving in an official
our pale? What is there
with and the sin of the
g man, but the monopoly of
the purity of the ball court,
sion. This is no place for
mind or energetic pursuits.
requires the strenuous exer-
to hold the colony together
fort for the public good.
me ask, am I wrong in
matter before us as one of
I believe it is a most im-
the wealth and importance
sion, that it should be po-
in which all these elements
zed, where centralization is
nt, heads of departments,
the goods market, the labor
dial enterprise, knowledge,
ment, life. I think it most
plicity should possess in its
its of easiness of defence
plicity of climate, central sit-
to commerce, soil. You
to decide between Victoria,
choice of the colony, and
commercially nothing and
the staff of government.
r marks the hon gentleman
omplimented the hon and
General on his great effort,
just concluded; but he
hardly repaid the amount
expended in its composition
to an intelligent audience
back of his (the hon Soli-
citor) could not see what
capital; it was the prerogative
to be the place where the
of New Westminster, and
ged now; it was established
the population was very
at it was there was no like-
removed. The idea that
tuted, as it was, could deal
was mere waste of time.
ember for Victoria may em-
nificent scenery forming a
storia; but his assertions in
Westminster were incorrect;
r member for Victoria) might
in the Fraser, but he could
the country lying behind the
land that followed the course
n, which were taken up by
his acreage was exclusive
number of acres under culti-
The hon member then gave
the various kinds of produce
te. He believed these figures
to the accessibility of New
sea going vessels, he need
n that. It was sufficiently
the fact that so few came
to the greater quantity of
ported into Victoria. That
importance to the existence
y Company's station and not
ntantages. New Westminster
ceeded equally well under
nces. But these facts do not
ect at issue. He did not see
r member laid claim to the
ey when he stated that Vic-
be the capital. The hon
red, would turn out a false
puld not go into the means
tain set of men to force up
unnatural way. The extem-
hon gentlemen lest this fals-
ch was fast disappearing, an
appear altogether unless some-
to bolster it up anew, was
an Victorian indignancy was
network which did much to
be the artificial position she occu-
supremacy must suffer. The
member was candid enough to
ng on a brittle thread. Vic-
well known, was the hot bed of
on, and, according to the state-
nion newspapers, they were
ped short of treason.
of place where the proper
measures required to legislate for
ity was likely to be found?
to fix the capital in a position
on the commercial centre, and
as was demonstrated by the
ington by the United States.
the last place where the legis-
lature was called. The dull mono-
New Westminster was stated
on member was the very best
in, and what was still more
unded by British feelings and
ments: the people were law
and highly moral—the

most moral community in the colony, they
stood far above Victoria in peacefulness and
loyalty; the peaceful influence emanating
from Victoria were embodied in tangle-leg,
and he had yet to learn that such influences
were the holy influences likely to christianize
the rest of the colony. He was at a loss
to understand how Victoria could have the
advantage of centrality, as the hon gentle-
man called it, when it was placed at the
extreme edge of the colony. It was any-
thing but central, the learned Solicitor
General had referred to Edinburgh and
Dublin as the capitals of other countries.
Now, Edinburgh had no manufactures and
Dublin was the third city in Ireland. Ot-
tawa was the fifth city in Canada, many
miles inland, far removed from the ocean.
Upon the same principle San Francisco
should be the capital of California whereas
Sacramento was the seat of Government
some hundreds of miles from the seat.
American acuteness could not see the
arguments of the hon gentleman. We are
asked if we treated petitions as waste paper;
they are of very little more value, they
were signed by men here to-day and away
to-morrow. The fact of a man being here in
the mining season did not entitle him to a
voice in the seat of Government; the miners
were operated upon by a set of designing
individuals for interested motives, who sup-
plied them with whiskey and imposed upon
their good natured feelings, and many signed
rather than be pestered by these persons.
Such was the character of these petitions
that declared Victoria was the seat of
government, three purported to be from
Victoria, and five from the mainland; but of
the latter he remarked that three of them
were in the same handwriting, and the
whole five only recommended that Victoria
be made the capital until the country was
settled up that it could be permanently
located in the interior. If Government was
to pay any attention to such petitions,
they might be required to locate the capital
on Williams Creek. It was unlikely that
petitions manufactured in Victoria and
hauled through the mainland by Victorians
could have any influence. Can any one of
common sense see the advantage of re-
moving the seat of government for a
few years to Victoria to move it
back again to the mainland, involving
a large outlay, simply because there were
no public buildings here. The Governor, in
his admirable me sage, stated that there was
no intention of going to such an outlay for
the present, hence the whole argument about
expenditure for public buildings went for
nothing, as no such expenditure was contem-
plated. The removal of the Capital tem-
porarily to Victoria was more likely to in-
jure it than otherwise. That kind of thing
was tried in Kingston, Canada, where sub-
stantial buildings were erected and business
flourished during two or three years; but
when the Capital was withdrawn hundreds
were ruined and one-third of the stores were
shut up; the same effect would be produced
on Victoria with the same kind of reaction.
Such agitation on the part of Victorians
was indicative of narrow-mindedness. The
idea of passing laws to suit selfish, pamper-
ed Victoria, was something that he could not
understand. New Westminster was chosen
by a commission sent out by the English
Government, and Col. Moody did his duty
wisely and well in choosing the present site.
Sir James Douglas gave his full and un-
qualified approval, although largely interest-
ed in a certain town, and deciding in direct
opposition to his own interests; he declared
this to be the place where the Capital ought
to be, and this was the opinion of several
talented officers besides Gen. Moody. The
Solicitor General could not claim renown as
a judge of the navigation of the Fraser.
They had the evidence of Capt Richards on
that subject. New Westminster must be
the terminus of the overland railroad. They
certainly could not take the iron horse to
Victoria. All the large steamers would come
to New Westminster and Burrard's Inlet,
which were on—like Victoria and Esqui-
mat. Our excellent Governor, in his admir-
able speech, had shown the impropriety of
sacrificing people who had purchased lots on
the faith of New Westminster being the
Capital. He regretted to see Victoria suing
and begging to be made the seat of Govern-
ment by a reluctant colony. Victorians had
come suing for Union, stating that they could
not carry on without it (cries of "no, no").
The petitions were signed by the transient
population of the interior; it was pitiable to
see Victorians stooping to such tricks in
their determination to compass Union. It
was brought about by Victorians at their
sole request, and after persistent suing
Nanaimo and outlying districts did not care to
interfere with them Victorians, when they
pretended they did not care about the
Capital, were trying to attain their ends by a
dishonest dodge—a side wind—which was
both dishonest and dishonorable and unwor-
thy of men in that Council. The Govern-
ment dare not hand over the seat of
Government to such a people. It had been
reported that the Governor only referred to
outside agitation in the last clause of his
message. He (Hon Robson) knew better,
and no vote they could pass in that Council
would have any effect on the matter.
Hon Ball was told by the Hon Solicitor
General that the country expected them to
record their votes like men; and people of
New Westminster came here years ago and
selected the place with the intention of
making homes on the Fraser, on the strength
of this being made the Capital of the colony,
which it has been considered for years, and
ought to be for years and years to come. He
hoped the Government would not break
faith with them, which would inflict great
injury on a large and important section of
the colony. The Victorians united themselves
to us unconditionally, and it was too much
to ask us to give up the Capital under those
circumstances; we were asked to give back to
them what they had voluntarily given up;
it would be unjust to those interested in this
district. Such a course would drive people
away; to move the capital to Victoria would
drive away the people, and as such a course
is injudicious. Victoria had established itself
as the capital of commerce, and would do
very well without any other assistance; but
to remove the capital from here would
damage the colony and leave this place in ruins.
He trusted the Government would not perpe-
trate the folly committed at Langley, and
thus ruin two capitals to benefit Victoria.

When we got our immigrants by the overland
route they would be discouraged from buy-
ing property on finding two capitals in ruins.
Interests in either place should be secondary
to a seat of the colony at large. Victoria
would only be doing an act of justice in re-
taining the capital where it was. It was
perfectly absurd to try to concentrate the
population in two portions of the colony.
Let the people be scattered through every
part of the country. How could we expect
to settle up our extensive country unless we
did so? He was ready to admit there were
no public buildings; but so long as the offi-
cers were contented to put up with them the
less, said the better. As to the Fraser river,
the time would come when ships would pass
Victoria and carry their cargoes to New
Westminster. Vancouver Island acted as a
bar to Fraser river.
Hon Attorney General Crewe—At this late
hour I shall say in as few words as possible
what I have to say; but on such an occasion
every one should explain his vote. One hon
member here has been pressing on the popu-
lar members to vote entirely on the consti-
tutions direct—to vote as mere delegates. I
take a broader view. We each represent the
whole country (hear, hear), not only a part
of it, and must look to the benefit of the
whole; and in that sense I speak. I look on
this question, in the first place, as one of pre-
rogative—the prerogative of the Crown. That
prerogative has already been exercised
definitely—finally. An offer was made to
the public under a proclamation, a law—as
much a law as any ever passed in this Col-
ony, with exactly the same sanctions. That
offer was closed with. It was a bargain,
and, to use a common phrase, clenched by
payment of cash down. An enormous sum
of money was paid down on the faith of that
law—on the faith, and solely on the faith,
that that contract should be religiously kept.
—that New Westminster should be the
capital; and, of course, as an integral part
of what constitutes the capital, the seat of
Government. Not a living soul here has
attempted to deny that. One hon member
tells us this law was merely an advertisement.
But even if that were so, which I deny,
there was the contract, the offer—the terms
accepted and clenched by what in law as
well as between Englishmen binds and hal-
lows every contract—the payment of the
earnest money—a contract which has again
and again been sanctioned by His Gov-
ernment. Mr President, I look on this, and
on the passing of the Union Act in 56 by
both Houses of Parliament as a question of
good faith. The prerogative having fixed
and finally decided that matter, and taken
people's money on the faith of it, the good
faith of the country is pledged to the honest
observance of the terms. Very large sums
of money have continued to be expended in
the place entirely on the good faith of this
country and the Government in keeping the
contract. It cannot be broken through with-
out the consent of both the contracting
parties. The consent of one, at least, has never
been given. The terms of the contract have
never been broken; Union has not varied
them. All that Union has done is to in-
crease the area only of British Columbia, not
to alter the terms. It would be an absurdity
to pretend it. Mr President, the change as
proposed would not be a measure of econ-
omy. It is only sought for temporarily by
Victoria, the interior being pretended by
the supporters of the change as the ultimate
destination of the capital. We have it in
the message, and we all of us know the cost
of removing a Government. It would be a sheer
and useless waste of money without any
corresponding advantage. If it had to be
moved back again, or up into the interior,
not only would all this unnecessary disar-
rangement take place, but the same cost
would have to be incurred over and over
again and for nothing. I maintain, sir,
that the removal of the capital from New West-
minster to Victoria, were such an act of bad
faith and violence possible, would not benefit
Victoria, while it must inevitably, as every
speaker has admitted, deeply injure New
Westminster. I have the same faith in Vic-
toria that I ever had. Nothing in the world,
humanly speaking, can prevent its becoming
a great commercial city; no adverse legisla-
tion—were such a thing even possible in any
country, especially with such a Legislature
as this—can possibly prevent its prosperity.
A couple of hundred or so of officials, more
or less, added to its population can do it no
good whatever; it will get on and prosper
without that. This, Mr President, is a ques-
tion which has arisen in most new countries,
but never in any one instance has a capital
been changed under such circumstances as
exist here. Why have a capital guaranteed
by law, as a condition precedent to re-
ceiving the purchase money for the site! I
have lived in Canada during those changes
from place to place—from Toronto to Que-
bec, Quebec to Ottawa—and know too well
the dreadful evil of such changes to wish to
see them reenacted over and over again here;
sir, it has been found by experience a good
thing to have deliberative assemblies in places
where there are not too many people. I am of
the same opinion. That is another good
reason for retaining the capital here. Sir, with
regard this adroit resolution itself—I must say
at once recognized in that the skillful handi-
work and parliamentary experience of my hon
friend, the ex-Speaker of the late House of
Assembly of Victoria, Dr Heimcken. He has
adroitly framed it catch votes! While he pre-
tends not to urge immediate action on the
Governor. His resolution really and practi-
cally speaks another language, and this, both
he and the hon junior member for Victoria,
throughout their speeches confirm. They both
say the settling of this question at the present
time is most important. Is not that urging
it on the Governor? Then again the resolution
says 'such steps should be taken.' Is not that
urging it on the Governor? The resolution
presses the Governor to change the place of
assembly of the Legislature. Is not that
urging it on the Governor? It is all actively
stirring and agitating the question. But sir,
as being twitted with a personal and pecuniary
interest in the question, I own I care, and
that is one reason why I claim to be heard.
All I have in the world is invested either in
Victoria or New Westminster, somewhat
equally divided; I can have no interest, there-
fore in injuring Victoria. I deny that this is
an open question, nor was the message sent to
elicit my opinion as the Chief Commissioner
[Truth] pretends. That message came in re-
ply to a pressing address from the supporters
of this resolution sent up to the Governor
asking for it. [Dr. Heimcken—And what

draw that?] This sir, is a question of good
faith! Strange that out of all these honorable
members, with all the lecturing given to the
magistrates by the hon member of Cariboo,
as to conscience and honor in a manner—
which if intended—which I cannot believe—
would have avowed somewhat of insult. To
vote with their conscience, to vote in accord-
ance with their honor, to vote in the inter-
ests of the colony, to vote in the interests
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