

THE ESTIMATES.

The principle of retrenchment which was inaugurated by the House on Friday last pervaded the debates in the Assembly yesterday. The judicial department was still further curtailed, and a very great reduction was made in the police department. The salary of the stipendiary magistrate was reduced from \$2250 to \$1750, and a resolution was passed placing the office under the control of the civic authorities, so soon as a proper Incorporation Bill shall have been passed. The salary of the police clerk was voted to a similar manner; but it is more than probable that the town clerk, under a new state of municipal affairs, will do the work of the police clerk, so that a greater saving will really be effected than the amount which at present appears. The principal discussion yesterday was on this transfer of the stipendiary magistrate to the municipality. The old arguments about law and order, and the necessity of having some person in the office under Executive control, instead of under the control of the people, were brought forward, but in vain. The House took a more hopeful view of the intelligence of the community and the independence of men elected to public positions. The Nanaimo stipendiary magistrate was struck out, with the understanding that an unpaid justice of the peace should be appointed until the town shall possess municipal institutions. We are glad to see the House gradually coming round to the idea that the people of Vancouver Island are quite capable of taking care of themselves, and that the sooner the full principle of local government is established throughout the colony the better. The Sooke magistrate was subjected to the same fate as his brother official of Nanaimo. Nothing could show better the burlesque of this office than the humorous description which Mr. Carswell gave yesterday of the amount of managerial business transacted at Sooke, the character of it when it was transacted, and the sum which the sinecure had cost the colony. The coolness with which the Executive sends such an estimate down to the House is almost worthy of our admiration. But one case, says Mr. Carswell, was tried during the year, and it had to be re-adjudicated upon, costing the colony an additional \$200—making in all \$1900 a year thrown away. And we are naively called upon by the Executive to pay for a repetition of the farce, at a time when every one is striving to economise to the utmost.

The reduction in the police estimate is, as we have said, very large. The \$13,992 has been cut down to \$5,750. This department, like that of the magistracy, is to be turned over to the city authorities. It is really time that the change should take place; for of all the cumbrous, expensive and useless pieces of machinery, this certainly bears the palm. If we dressed up a scavenger in court costume we could not possibly make out a more ludicrous spectacle than the tinselled hobby which has been fostered on the people of Victoria for the performance of the very simple duty of looking after the peace and order of the city.

The particulars of yesterday's reduction are briefly shown in the subjoined table:

Department.	Gov. Estimate.	Amount Voted.	Amount Saved.
Magistrate, Vic.	\$ 2250	\$1750	\$500
Clerk do	1000	1000	....
Magistrate, Nanaimo	1700	....	1700
Clerk do	500	....	500
Magistrate, Sooke	1700	....	1700
Petty Expenses	300	300	....
Superintendent of Police	1757	....	1757
Inspector do	1200	1200	....
Sergeants, Constables, &c.	11035	4560	6485
Goals	6606	6606	....
Total	\$28,048	\$15,406	\$12,642

It will be seen by the above that the amount saved or reduced yesterday by the House is \$12,642; adding this to Saturday's result, and we have the very large sum of \$33,717 saved to the country. The total amount of the official estimates which have so far come up before the members is \$73,931; and but \$41,214 of this has been voted. What the action of the House of Assembly will be on the large amounts put down in the estimates under the head "Exclusive of Establishments," it would be difficult to say, but we expect very material reductions in the various items, especially the one comprised in the words "petty expenses" and "contingencies;" and from these His Excellency has been enabled to pay officials whose salaries were never voted by the House. Several resolutions which the House passed last session, for the purpose of economising, were quietly put aside by the Executive, and offices which were struck out or amalgamated were allowed to go on undisturbed. The disgraceful shufflings which were made of the offices of Superintendent and Inspector of Police would, in any other colony, have led to no thing less than the removal of the Governor who made himself a party to it.

As it is His Excellency will have every reason to be thankful if he is not obliged to pay, out of his own pocket, every farthing that has been spent for the year 1865 which was not duly authorised by the House of Assembly. Representative bodies, however small, are not shams, and the Assembly of Vancouver Island has the same control in money matters over the Governor, as the greatest representative assemblage in the colonial empire has over its Executive head. It is in this connection that Governor Kennedy stands in so precarious a position. He has but one duty and, despite his being a representative of the sovereign, that duty is in the present instance to obey. The people of Vancouver Island say they are both unwilling and unable to support the expensive establishments which the Governor asks them to sustain—they draw out their programme of economy and submit it to the Executive. Let the latter body beware of the madness which the ancients tell us always precedes destruction. The people are bound to have their own way, if all the Governors between this and the Colonial Office were determined on the contrary. They are bound to pay just as much as they please to the support of the Government, and they are bound to maintain their representative institutions inviolate. If Governor Kennedy values public approbation, if he values his position, if he values his future prospects and advancement, he will do well to avoid coming into collision with the inhabitants of Vancouver Island—he will do well to drive away the vipers that are luring him, by foolish advice, to his own destruction. We say this sincerely, with the best feeling for His Excellency, and in the hope that he will the present year regain by popular acts that good opinion which the inhabitants, a year and a half ago, had of him and his administration.

HOUSE OF ASSEMBLY.

Monday, January 16, 1866.
House met at 1:30 p.m., the Speaker in the chair. Members present—Messrs. De Cosmos, Powell, McClure, Trimble, Dickson, Cochrane, Carswell, Duncan, Dennes, Ash, Cunningham.

MONEY BILLS.
Dr. Dickson moved that in the absence of any ministers in the House, this House do ask the privilege of initiating all money grants. Consideration postponed till next sitting of the House.

CATTLE BRANDS.
Mr. Cochrane obtained leave to introduce a bill to provide for the registration of cattle brands.
FERRIES.
Mr. DeCosmos moved the first reading of a bill relating to ferries.

FRANCHISE BILL.
This bill came up for a third reading. Dr. Ash opposed the bill decidedly, as it destroyed property qualification, and was not at all adapted to this colony—by allowing residents only to vote it threw the representation into the hands of those who paid the least taxes. He would like to hear the hon. member for Sooke state whom he represented, and what was his position in regard to his constituency. He (Dr. Ash) would earnestly appeal to the hon. members of the House to consider whom they proposed to disfranchise by this bill. The bill if passed would change the entire constituency of the colony.
Mr. McClure thought that the arguments of the hon. member for Metchosin were altogether in favor of the bill. The bill would make a change in the personality of the House, or it would not. If it made a change it would show that the present House did not represent the people; if it would make no change then the House would be no worse so far as the bill is concerned, than it is now. He (Mr. McClure) thought it absurd that only one class should be represented. All classes should have a voice in the representation of the country. The object should be to induce the settler to take an interest in the country.
Mr. Carswell in reply to the hon. member for Metchosin would like to know what was wrong with the Sooke representation (laughter). He did not think Sooke ought to be considered the smallest constituency or of the least importance. Another election, however, would show that such was not the case, as many votes had been recently added (hear, hear).
Mr. DeCosmos supported the bill in a brief and forcible manner, and the third reading was carried. Ayes—DeCosmos, Carswell, Dennes, Duncan, Dickson, Cunningham, McClure, Trimble—8. Noes—Ash, Powell, Cochrane—3.

FINANCE COMMITTEE.
Dr. Powell asked if the Committee of Finance had any report to make to the House. He would like to know what progress they had made, and what information they had gained from the Government.
Mr. DeCosmos said when a direct enquiry was made regarding any particular matter the Committee would no doubt be able to give the information sought.
Mr. Cochrane said he voted for that Committee with the understanding that such information as they might obtain would be information for the House, and not for the private benefit of the Committee.
Mr. Duncan rose to make some remarks respecting the private orders of the Committee, but was called to order.

ESTIMATES.
The House then resolved itself into Committee of the Whole on supply, Dr. Trimble in the chair.
On motion of Mr. Dennes, the minutes were read and some corrections suggested. The consideration of the Estimates was taken up where the House rose at its last sitting, under the head
JUDICIAL.
Stipendiary Magistrate, \$2250.
Mr. DeCosmos moved that the Stipendiary Magistrate of Victoria be abolished, and that

the office be placed under the jurisdiction of the city, at a salary of \$1500, by a proper Act of Incorporation. He believed the wisest course on the part of this House would be to place the entire police department under the control of the city, and his motion allowed the municipality to dispense with the Stipendiary Magistrate altogether if they liked.
Mr. Duncan was in favor of placing the police and goals under the Corporation, but in the mean time, as the present official filled the office very well, he would support the motion if the present salary was continued until an Act be passed handing the department over to the city, and he hoped the Act would be passed at once. It was a recognised evil to underpay those who had the administration of justice (hear, hear).
Mr. McClure introduced a rider that the office as it at present stands subject to the salary shall be retained until a new Corporation bill be passed.
Dr. Helmecken was opposed to the whole scheme, and thought that instead of being a source of economy it would be found quite the reverse, and the preservation of peace and order would not be half as efficient, or satisfactory. The Stipendiary Magistrate disposed of between two and three thousand cases in the course of the year, and it was not to be expected that any Mayor would devote so much of his time to the duties, nor could he be expected to be conversant with maritime and commercial law. He deprecated altogether the placing of the police and the magistracy under the municipality, though he was willing to see the Corporation have extended powers.
Mr. Duncan thought the hon. gentleman was mistaken in his views. Had the police been under the control of the municipality, as they should, they would not have been used, as on a recent occasion—the Church Reserve—to have resisted the people in obtaining what belonged to them.
Mr. Cochrane rose to set the hon. gentleman right. The police on that occasion were only employed to preserve public order.
The Chairman called the hon. gentleman to order.
Mr. McClure did not desire to say anything against the present Stipendiary Magistrate, for whom he entertained great respect. But he wanted to see the office placed under municipal control. The ideas brought forward by the hon. Speaker would lead one to the belief that the people of Vancouver Island were a very lawless set and unfit to discharge the duties of citizens, one of which required every man to be a special constable. Now, so far as his [Mr. McClure's] experience went he would say that the population of the colony was as intelligent, as law-abiding, and as fit to carry out all the responsibilities of a free people as any population under the sun. There was too much of the Russian ideas of government in some of the hon. gentlemen. They appeared to be always fancying that a man was going to commit some depredation, and that he required to be carefully watched. Why, he saw populous communities in other British colonies, in which the basis of society was little better than anarchy, exhibit every sign of peace and order, without a single policeman. There was always something in an English community that tended, without the aid of constabulary, to the preservation of peace. If the hon. Speaker, who was an admirer of English precedent, wanted one for an elective magistrate, there was the Lord Mayor of London. Public opinion in this matter should be also considered, and he would remind the committee of the very large and very respectable petition which was presented to the House last session, praying for the incorporation of the office of Stipendiary Magistrate with that of Mayor.
Dr. Helmecken perfectly agreed with the hon. gentleman that the people of Victoria were the most intelligent, honorable, virtuous moral and everything else. The hon. gentleman had spoken of a convict town in a colony of some 20,000 inhabitants, where there was not a policeman. He would undertake to say there was a city government of some kind.
Mr. McClure—Yes; municipal.
Dr. Helmecken proceeded to say that the Mayor could not be expected to adjudicate on all the cases that would be brought before him; and as to the case of the Lord Mayor of London, that did not at all bear on the case. There was a special Act for him, but his was not the Magistrate's Court.
Mr. DeCosmos—Yes.
Mr. Dennes—No.
Dr. Helmecken explained the position of the Lord Mayor of London, and then alluded to the petition formerly sent in for placing the police department in the hands of the Corporation, and said the history of that petition was well known.
Mr. DeCosmos—What was it?
Dr. Helmecken—Does the hon. gentleman remember the time when we were called traitors?
Mr. DeCosmos—You, you mean (laughter).
Dr. Helmecken—Well, if you like. Does he remember the excitement at that time? The public meeting? How the Executive was then in the ascendant with the people? But I doubt very much whether such a petition could be got up now.
Mr. DeCosmos—Yes; a larger one.
Dr. Helmecken, before concluding, alluded to the gentleman who fills the office of Stipendiary Magistrate in high terms of praise, in which the House concurred, and said he did not think \$1500 was sufficient for a gentleman holding the position with a family to keep.
Mr. DeCosmos replied at some length to the hon. gentleman, maintaining that a magistrate, whether paid or unpaid, was a Justice of the Peace, and the emolument attached to the office did not affect the integrity of the official. He did not see why the British precedent should not be followed in this case, leaving to the Corporation to vote a salary to the magistrate out of the municipal funds. So far as the pay was concerned, if it was moved that the salary be \$1700 instead of \$1500, he should not oppose it, though he thought the latter sum ought to suffice.
Mr. McClure merely rose to set the hon. Speaker right with regard to the petition. The document did not come to the House at a time of excitement when the tide ran high in favor of the Executive, but nearly a year afterwards; (hear, hear); but if it had it would have been a curious way to show the popular love for the Executive to apply for dispossessing it of one of its principal offices. (Laughter.)

Dr. Powell had always been in favor of placing the police department under the control of the city (hear, hear) and would favor the motion with a compromise in the salary which he moved be \$1750.
Mr. Dennes was wholly opposed to the stipendiary magistracy, being placed under the control of the city as numerous cases came up for him to adjudicate upon requiring a man of sound practical knowledge, and besides the Corporation had no funds to pay a magistrate. He was in favor of the item being passed as it stood.
Mr. Cochrane said it might suit hon. members if he moved that the stipendiary magistracy be transferred by act to the Corporation at a salary of \$1750 to be paid out of the civic fund.
Dr. Powell thought it unjust to saddle the Corporation with any such provision; they might have the duties performed for \$1500.
Mr. Carswell advocated the payment of the magistracy's salary out of the general revenue, as that official would hereafter have to adjudicate out of his own district, in fact most of the cases came from outlying districts, and he thought it was an expense that should well be borne by the country.
On a division the vote stood for payment of \$1750—4.
Ayes—DeCosmos, Duncan, Dickson, Cunningham, McClure, Powell—6.
Noes—Ash, Helmecken, Cochrane, Dennes, Carswell—5.
The vote was then taken for Mr. DeCosmos' motion with the same result.
Clerk to Magistrate, \$1000. This item was made subject to the previous resolution.
Stipendiary magistrate, Nanaimo, \$1700.
Mr. McClure moved that the office of stipendiary magistrate at Nanaimo be abolished and that an unpaid magistrate be appointed, until a municipal act providing for the peace and order of the town be passed. He had a bill in preparation which would give Nanaimo a municipality and enable them to have a civic magistrate and control their own affairs.
Mr. DeCosmos said he was in favor of uniting the office of harbor master.
Mr. Cunningham said Nanaimo possessed but few advantages, they had not even the means of enforcing payment of a five dollar bill. Victoria might afford to dispense with her magistrate as she possessed a Chief Justice and a Mayor; Nanaimo had neither, but to favor retrenchment he would support the motion. (Hear, hear).
Dr. Helmecken had a passage of arms with Mr. DeCosmos relative to the harbor master, the former maintaining that it was creating an office which was not the prerogative of the House, the latter asserting that the House had the power to unite and consequently to divide offices.
After some further discussion the erasure and resolution were carried nem. con.
Clerk to magistrate, \$500. Struck out.
Stipendiary magistrate at Sooke, \$1700.
Mr. Carswell said in rising to move that this office be abolished it was necessary to state his reasons as country members generally voted in favor of keeping magistrates in their districts. (Hear, hear). He found that during the past year \$1700 had been paid to this official for adjudicating on one case. (Laughter). He had likewise found that that case had been re-adjudicated upon at a cost to the country of \$200. So that the office cost \$1900 for doing nothing, and he certainly proposed that it be abolished *in toto*. (Hear, hear and laughter).
The item was struck out.
Petty expenses \$300 for the entire judicial establishment passed.
Superintendent of Police, \$1757 50.
Mr. DeCosmos said he would propose a scheme to reduce this department whereby a saving could be made of \$8,000.
Mr. McClure thought the Committee should take the most speedy means of cutting down these expenses; they had done so to some extent last session, but the Executive had appointed two persons to office contrary to the expressed will of the House; the House should see that the moneys were properly expended; this office was costing the colony double the sum voted by the House; he considered the privileges of the Assembly had been ignored by the Government (hear, hear).
Dr. Helmecken thought these assertions were not correct. Hon. gentlemen were very free to make such defamatory assertions, but where was the proof of their correctness? he thought the police should be kept under the control of Government, he did not object to the City Corporation paying the expense of the police, but he would not give it the control.
Mr. DeCosmos said the true principle was unpaid magistrates and constables such as they had in the Eastern Provinces, and that they should be paid for their services by fees in proportion to the labor performed.
Mr. McClure would call the attention of the Hon. Speaker, who had said that the reflection upon the Government was unjust, to the fact that the House had before their eyes, in the shape of the printed estimates sufficient evidence of the charges that had been made.
Dr. Powell to some extent was willing to agree with his hon. colleague; he would combine the offices of Superintendent of Police and Stipendiary Magistrate; the item was put and lost. Dr. Helmecken and Dr. Ash voting for retaining it.
Mr. Duncan moved that the Stipendiary Magistrate be Superintendent of Police, subject to the resolution of the House in regard to Stipendiary Magistrates.
A rambling discussion took place pro. and con. and the motion was carried.
Inspector of Police \$1200.
Mr. Duncan moved that this item be struck out.
Dr. Powell and Mr. Cochrane briefly opposed the motion and gave good reasons for retaining that office.
Mr. DeCosmos considered this office necessary. One great reason for this city requiring a larger and more efficient police force than other cities of equal population was owing to the great number of Indians.
Dr. Ash thought this discussion a great waste of time, and that the House was legislating beyond its power and infringing on the prerogative of the Government. The House had better leave the whole matter in the hands of the Executive.
Mr. DeCosmos thought otherwise and moved: That the police department be placed under the control of the Corporation of the City of Victoria, to be paid out of the

city revenue, and until such transfer shall have been made the following shall constitute the number and salaries of paid officers:—
Inspector of Police.....\$1200
1 Sergeant, \$75 per month..... 900
5 Constables, \$2 per diem..... 3650
Petty Expenses..... 200
Total.....\$5950
He (Mr. DeCosmos) said by this scheme the sum of \$8000 would be saved.
This motion was taken up by sections and passed without opposition. Six constables at \$1 50 per diem struck out; medical officer, \$250, struck out; armorer, \$150, struck out; petty expenses, \$200, struck out. Total amount, \$5750, carried.
GOALS.
Goals—\$1000, carried.
Superintendent of Convicts—\$300, carried.
Dr. Helmecken would support the sum for this office, but he was opposed to the system of sending convicts out to work. He thought it had a demoralizing effect and was a disgrace to the city. Some other system, he thought, might be adopted that would be more remunerative.
Mr. DeCosmos agreed with the last speaker and thought a penitentiary would be a good institution where convicts could be employed without being exposed to the public gaze.
The item passed without opposition.
Medical Officer—\$500.
Mr. DeCosmos moved that this sum be reduced to \$250.
Dr. Helmecken said the sum was not too high, as the cost of drugs was considerable, and a great many of the prisoners were diseased. In fact some found their way there for the purpose of being cured.
The item was carried.
Three warders at \$1 75 per diem, carried.
Three warders, at \$1 50 per diem, carried.
Cook, at \$1 50 per diem, carried.
Petty expenses, \$200, carried.
Total, \$6606 25. Carried.

EDUCATION.
Superintendent, \$1500.
Dr. Helmecken said that the Education Act fixed the appropriation at \$10,000, and therefore the House should not make a change in this sum. He would say while speaking on this matter that the school masters in rural districts ought to try and get the Indian children to attend the schools, and that the education given to male children should be mainly agricultural. He also thought an orphan school should be established; there should be a special appropriation for that class of children and he regretted there was not. The only christian sect that seemed to have any regard for the orphans was the Roman Catholic. Every other sect seemed exceedingly anxious and active to advance their denominational interests, but he thought they would do well to take an example of christianity from the Roman Catholics, and if the Government did not appropriate an amount for orphan schools he would give a sum to the Catholic Orphan School.
Mr. DeCosmos thought an appropriation should be made for an orphan school and also for their support; he thought the Roman Catholics were deserving of a vote of thanks for their conduct in this matter.
The item was put and carried.
Teacher Victoria district \$1200.
Dr. Helmecken thought the sum too high and moved that it be \$750.
Mr. McClure was astonished that the hon. Speaker, who so strongly resisted the reduction of the Government clerks, should now want to reduce the salary of one holding an important position as the teacher of our youth; the school teacher he thought required a better education and more ability than some of those clerks whom the hon. Speaker thought should have a salary of \$2,000.
Dr. Helmecken withdrew his motion to reduce, and the item was carried without opposition.
Assistant Teacher, \$720.
Dr. Dickson moved that the sum be increased to \$1,000.
Dr. Helmecken said the House had no power to increase the salary; the Executive alone could do that.
Dr. Dickson contended that the House had the power, and he was anxious to test that point.
Dr. Powell said he would be happy to increase the pay of the school teachers, if he thought the House had the power, and as the question of the initiation of money grants would come up next sitting he would move that the Committee report progress.
Motion to report progress carried.
The House adjourned to meet on Tuesday at 3 p.m.

had and exercised the right? If increased any amount of salary to the Government, he would then with the proposer of that doctrine, the House was not willing to adopt any introduced by the Government, that mode was to reject it in toto, but to add to it; or, at any rate, he would sum of money named by the Government salary could not be increased by them. They might have the right to reduce to increase it. The House had the privilege of recommending measures to the Government, but the rule was not to increase of supply.
Mr. DeCosmos could not agree with the hon. Speaker in regard to the practice in other colonies, before responsible government, was money grants. New Brunswick had and the despatches from the Colony in regard to Vancouver Island, Mr. DeCosmos) quoted, clearly established the right of the House to initiate money until such time as the Legislature colony might surrender the right to error by special enactment. He admitted that under such a system lock might occur, and responsible government was the only remedy.
Dr. Helmecken said supplies did not under the general head of money but intended by the authorities quo House could introduce and pass money grants as was embraced in what is estimates, and quoted from May's views.
Mr. DeCosmos thought no injury accrue by the House adopting the motion, for if the Government did not measure of the House, they were not to be sanctioned then.
Dr. Helmecken feared it might be a bad system; there would be coming managing to get grants passed, an into office, and it would be, "you and I'll take you."
Mr. McClure repelled the insinuation of the hon. speaker, the honesty of should not be impeached in such a manner. (Mr. McClure) said this House what the House of Commons could each member here can introduce a bill there they had a Ministry in the House that Ministry was the working party if they did not introduce and carry out the majority approved of, and soon be removed; here, in the absence of the Ministry, the members generally the work, but if the House could down, and could not amalgamate, if it considered it necessary for the being of the colony, the laborers of would be lost. The authority, however very clear on the point,—the House power.
Dr. Dickson thought the hon. Speaker's peculiar faculty of applying a twist his views; he (Dr. Dickson) thought important that the House should have power to regulate the salaries of officers, that no favoritism should be the paying of one officer, and another who might be worthy and better pay.
The motion was put and carried.
HARREWOD RAILWAY.
Mr. Cunningham presented a petition from the Vancouver Coal Mining Company that the bill to regulate the completion of the Harweod Railway pass, and set forth that the Harweod Vancouver Coal Mining Company, referred to a special committee to report upon.
Mr. DeCosmos would not take notice of the petition; he thought the object was to injure the Harweod Company, retard the development of the colony; he looked upon the land of the encroachment upon the land of the quibble; there was a general and a national right in regard to access to a across lands; he (Mr. DeCosmos) doubted but the Vancouver Company peculiarly affected; if the Harweod Company should come into operation it would be an immediate reduction of \$1 on coal, and it would probably devalue of land in Nanaimo, as a would spring up at Departure, manager of the Vancouver Company, waived his objections to the enclosure bill (Mr. DeCosmos) thought it outside objections now.
Mr. Cunningham said a great injury was going on in England regarding Harweod Company, and if there was indication that the enterprise would be retarded in any way, much injury would be sustained by those who had faith invested their money in the Company.
Mr. Carswell said that in a mere point of view the Harweod Company entitled to have this bill passed. They had expended a large sum of the development of the resource country, and they now asked for a of time to complete their apparatus (Mr. Carswell) would not entertain it, but would proceed at once to bill.
Mr. McClure said the matter resolved into this—an arrangement had been into whereby the Harweod Company been induced to invest a large amount of money, and now one of the parties arrangement were trying to desert agreement. He thought the opposition and unjust, and would at once to pass the bill.
The motion to refer the petition to a committee was lost. Dr. Helmecken Cunningham voting in the affirmative. The bill was then passed. Mr. Cunningham voting against it.