

## The Weekly Colonist.

Tuesday, May 16, 1865.

## THE SCHOOL BILL.

This measure in its amended shape has at length passed the Council, and only awaits the signature of His Excellency to become law—a final process which we hope will be performed without delay. We are glad, and we are sure the country will be no less gratified, at the immediate prospect of an educational system being established. We are not disposed to cavil at the imperfections of the bill, so long as the two great principles—free schools and a non-sectarian system of education—are enunciated. The great thing that is to be regretted is that the Council, when the bill was last before them, did not exercise the same spirit of compromise which they evinced yesterday. If such had been done the public schools might have been at present in full blast. The whole matter now, however, rests with His Excellency Governor Kennedy, and we have no doubt but that the utmost despatch will be used in giving effect to the object of the bill. On the Board of Education and on the Superintendent will devolve all the after responsibility—the success or failure of the system. The greatest care, therefore, should be exercised by His Excellency in the appointments, to see that no sectarian element is allowed to mar the harmony of the deliberations of the Board, or give any particular bias to the management of the schools. As the bill approaches more the Canadian system than any other, it is very desirable that the Superintendent should be a gentleman of some experience in the method of education in vogue in the North American colonies, or at least versed in the routine of free or national schools. In any case, however, we cannot have the measure too soon, and we hope no time will be lost in putting it in operation.

**THE PRESIDENCY.**—The following is the section of the Constitution of the United States, providing for the succession in office in case of the death or inability of the President and Vice-President:

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the duties and powers of the said office, the same shall devolve on the Vice-President; and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice-President; and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

Agreeably to this provision of the Constitution, Congress did declare in March, 1792, what officer should act as President in the case of removal, death, resignation, or inability both of the President and Vice-President. Following is the provision:

8. In case of removal, death, resignation, or inability both of the President and Vice-President of the United States, the President of the Senate pro tempore, and in case there shall be no President of the Senate, then the Speaker of the House of Representatives for the time being, shall act as President of the United States until the disability be removed or a President shall be elected.

9. Whenever the offices of President and Vice-President shall both become vacant, the Secretary of State shall forthwith cause a notification thereof to be made to the Executive of every State, and shall also cause the same to be published in at least one of the newspapers printed in each State, specifying that electors of the President of the United States shall be appointed or chosen in the several States within thirty-four days preceding the first Wednesday in December then next ensuing: provided, that the date of the space of two months between the date of such notification and the said first Wednesday in December; and if there shall not be the space of two months between the date of such notification and the said first Wednesday in December, and if the term for which the President and Vice-President last in office were elected, shall not expire on the third day of March next ensuing, then the Secretary of State shall specify in the notification that the electors shall be appointed or chosen within thirty-four days preceding the first Wednesday in December in the year next ensuing; within which time the electors shall accordingly be appointed or chosen, and the electors shall meet and give their votes on the said first Wednesday in December, and the proceedings and duties of the said electors and others shall be pursuant to the directions prescribed in this Act.

**EXTENSIVE RESTORATIONS AT WINDSOR CASTLE.**—The weather worn and ancient tower of Julius Caesar at Windsor Terrace, better known as the Belfry Tower, is being repaired, and the window openings and loop holes which light what were once the dungeons of the prisoners confined at the royal pleasure, are being recessed with new stone, while the walls facing Thames street have been strengthened here and there where required by the insertion of new work. Portions of the buildings in the Horse Shoe Cloisters, which abut upon the wall at this point, have also been restored, and new stone windows inserted more in accordance with the general style of the architecture of the Castle than those which have been removed.

**KOOTENAY.**—The Oregonian states that provisions are said to be very scarce and high in price at the Kootenay mines. Starvation is anticipated by some. Flour is hardly to be met with at all to send to a small point.

**PORT ANGELOS STRIPPING.**—Arrived, May 15th, back Vernon, from Sandwich Islands. The ship Riviere cleared May 3d for Nanaimo to load coal.

**WATERWELL'S HOUSE.**—The late of Wm. Culverwell on Pan-sold yesterday by P. M. John Banks for \$2800. Mr. John Banks had been mortgage on the property.

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## LETTER FROM LEECH RIVER.

LEACH RIVER, May 9, 1865.

## THE GOVERNOR'S VISIT.

We received the news on Monday evening that His Excellency the Governor intended paying us a visit on the following day, and it created quite a stir among the storekeepers and others. About two o'clock a signal was given that the Governor was crossing Sooke river bridge, and a royal salute of 21 guns was fired from in front of Mr. Walsh's store. Over the store also floated the flag that "braved a thousand years, etc.," made for the occasion by Mr. Mills, late of H.M.S. Tribune. On his arrival, His Excellency proceeded to Johnson's Mount Ararat house, where a room had been prepared for him.

Shortly after, His Excellency, accompanied by Captain Layton, proceeded to the North Forks, and returned at 6 p.m. When he reached Mount Ararat on his return to Kennedy Town, he was met by a goodly muster of the residents of Leech river, when an address was presented to the Governor, read by Mr. E. M. Walsh, of which the following is a copy:

To His Excellency Governor Kennedy, C. B., etc., etc.

We, the undersigned, residents of Kennedy Flat, beg most respectfully to welcome your Excellency on your second visit to these gold mines, the first that have been discovered on the island since your Excellency's administration, and do so with greater satisfaction as we recognize in your Excellency the projector of the exploration party, which has thus opened up so great and increasing a source of prosperity to this island.

Signed by thirty-six names. A second address was then read by Mr. Mitchell, after which Governor Kennedy thanked them for the addresses, and said that in the Leech river gold mines he felt the greatest interest, and entertained bright hopes of their future prosperity. Anything that lay in his power to further the just interests of the residents on the river, he would gladly comply with, and expressed his regret at not having been able to appoint a gold commissioner, but that was, entirely in the hands of the House of Assembly. He also said that he believed the manner in which the claims had been laid over was faulty, but gave good reasons for his so doing.

The Governor then proceeded to dinner, greeted with a three times three that shook the surrounding trees. Early the next morning His Excellency took a walk over Kennedy Flat. He was pleased to admire the neatness of the structure of the stores and cabins; he complimented Mr. Walsh on his store, and said the "village blacksmith" for a visit. From thence to Stege's hotel, where the landlord, Mr. R. Stege, kindly showed him over his house and farm. On many occasions did His Excellency hold conversations with the miners, when he expressed his desire to meet them in a body, so that they might choose parties in whom they had reliance, to prospect the head waters of the river, and he would pledge his word that provisions should be found them.

His Excellency has ordered a proper trail to be cut from Bacon Bar to the North Forks, and has promised us another visit shortly after the opening of the claims, when he intends stopping some four days with us. At ten o'clock, the Governor left the creek to return to Victoria. His visit has been a most satisfactory one; every miner seems in better spirits, and feels assured that in His Excellency Governor Kennedy he has one who holds the miner's interest dearly at heart.

**MINING AND BUSINESS MATTERS.** Mining and business are now beginning to look up, and before long we expect to see quite as lively a time as existed here last summer in the first of the excitement. Men are arriving on the river daily, and making preparations for the ensuing campaign, and from present appearances I am of opinion that a thorough test of the Leech mines will give this year. From Kennedy Flat to Bacon Bar and the North Forks, men are busily employed in sawing lumber, and making other preparations for working the bed of the river as soon as the water will allow. The river at present is very high, though gradually falling.

**LAYING OVER CLAIMS.** Great indignation is expressed by the majority of the miners at the laying over of claims so many times for such a short period. They say—with good reason—if the Governor would lay them over for a month or six weeks, it would give them a chance to prospect the country; but as it is at present, a man cannot leave his claim for any length of time, as they are only laid over from week to week. The bed of the river will not, I think, be fit to work for at least a month, and the claims are again laid over, let it be for a longer period.

**THE NORTH FORKS.** Things are beginning to look up in the North Forks region, and in the course of the next two weeks a large number of miners will be at work there. The snow is rapidly disappearing, and Mr. Bob Ridley, manager of Carr's pack train, having gone over the trail between Kennedy Flat and the Forks, proposes to take his animals through to that point immediately. This will be a great boon to the residents of the Forks, as during the past winter they have had to pack their grub on their backs from Kennedy Flat. Some miners, who came down to-day, have some beautiful specimens of gold, in which the quartz can plainly be seen.

**A GOLD COMMISSIONER.** It is now pretty well understood that we are to have no commissioner this year, unless he comes voluntarily without any salary, and there are very few in town, I expect, that can afford to work for nothing, however much they may wish to get to office. We know there are several who are looking after the situation, as they have paid a visit to the creek for the purpose of soliciting the approval of the miners. One gentleman of the "Continex" (the name of Captain Layton's company) held forth to the residents in several places; and went so far in one of his stump speeches as to say "that in case a commissioner was not appointed, the miners should arm themselves with six-shooters," and proceeded to Victoria and demand one. Just imagine the looks of our island representatives on the entrance of the "squad" at the Assembly door.

Our correspondent was not aware at the time he wrote, that the salary of the Commissioner had been voted by the House. Ed.

**WAYS AND MEANS.** The House went into committee on Dr. Helmecken's motion to levy an income-tax, Mr. Franklin in the chair.

Dr. Helmecken said it was unnecessary for him to repeat the arguments which had already been advanced. He would only urge the necessity of raising sufficient money to carry on the Government.

Mr. Franklin thought the rate of 1/2 per cent. too small to produce any revenue worth while.

## HOUSE OF ASSEMBLY.

Thursday, May 11.

House met at 3 1/2 p.m. Members present—Messrs. DeCosmos, M'Clure, Franklin, Tolmie, Trimble, Bayley, Danner.

**RETURNS OF WAIVER.** The Speaker read a communication from the Executive handing down returns of writs of the Supreme Court for the years 1860 to 1865.

**INCORPORATION BILL.** Mr. Franklin gave notice that at the next meeting of the House he would move the first reading of the Incorporation Bill.

**INDIAN EVIDENCE BILL.** Dr. Tolmie asked that this bill might be recommitted. In dealing with the Indian liquor law it would be highly desirable to have the bill passed. He would be prepared in order to aid the passage of the bill to accept the amendment of the hon. senior member for the city, to take Indian evidence only against Indians.

After some little conversation the matter dropped.

**PRIVILEGE.** Mr. DeCosmos rose to a question of privilege. It had been reported in both *Colonist* and *Chronicle* that he was in favor of property being represented. He had never advanced nor held any such idea. He believed in men being represented, not property.

Mr. Franklin also rose to a question of privilege, inasmuch as he had not been reported at all on the subject (laughter). What he had said was that no one should be a representative who had not a stake in the country.

**DUTIES ON LIQUORS AND TOBACCO.** The House went into committee on Ways and Means, Mr. Franklin in the chair. Dr. Trimble said he had gone, carefully into the matter, and had found that there would be a deficit in the end of the year of 30 per cent. and the wheels of government would come to a stop. He found, however, that hon. members were opposed to his motion to impose a tax on wines, liquors, tobacco, etc., regarding it as inappropriate to change the fiscal policy of the country at present, and he would therefore ask leave to withdraw the motion. He would ask hon. gentlemen, however, how they proposed to raise the necessary revenue.

Messrs. Burnaby and Dickson here entered the House. Dr. Helmecken asked what was the total amount of money voted.

The chairman said \$313,510.

The House granted leave to withdraw the motion.

**SUPPLY BILLS.**

The committee appointed by the House to bring in Bills of Supply, presented the Trades Licenses Amendment Act, which was read by the chairman.

On motion of Mr. DeCosmos, the bill was reported and ordered to be printed.

**CUSTOMS ACT.**

The committee brought in a bill to provide for the collection of the duties on stock, vegetables, etc., imposed by the committee on Ways and Means. On the first clause of the bill providing for the appointment by His Excellency of officers to collect the duties, etc.

Mr. DeCosmos said it was very strange that the committee should take on themselves to introduce a provision in the bill which had never been authorized, nor even brought up in the House.

Mr. Burnaby, as one of the committee, said the bill was brought in by a majority of the committee, but that he did not agree with it, and intended to oppose both the name and every word of the bill.

Mr. Franklin sprang up and declared that he, as one of the committee, did not agree with the bill. (Laughter.)

Mr. DeCosmos said the bill seemed to be a minority report, at that rate. (Laughter.)

The Clerk proceeded to read the bill, amid occasional comments; till at length the Speaker moved that the bill be referred back to the committee, with instructions to draw out a new bill. Agreed to.

Dr. Helmecken said to-morrow he would bring in his resolution to impose a tax on salaries.

Mr. DeCosmos—Income-tax—Wake!

Dr. Helmecken—Wake him tax? (Laughter.)

The committee rose and reported progress, and the House adjourned till to-morrow (Friday).

**THE HOUSE MET AT 3 1/2 p.m.** Members present—Messrs. DeCosmos, Franklin, Tolmie, Dickson, Carswell, Bayley, M'Clure, and Danner.

**CHURCH RESERVES.** The Speaker read the following communication from His Excellency the Governor to the Honorable the Speaker and Members of the Legislative Assembly.

GENTLEMEN, I have the honor to acknowledge the receipt of a Resolution of the House of Assembly, dated the 10th instant, requesting to be informed whether any steps have been taken to preserve the pieces of land known as the Church Reserves, as a public square for the use of the city of Victoria.

In reply thereto, I have to state, that no such steps have been or could be taken, inasmuch as, in pursuance of instructions received by my predecessor from Her Majesty's Secretary of State for the Colonies, a deed was prepared and executed on the 16th of May, 1864, conveying the piece of land referred to to the Governor of the colony, the Archbishop of Canterbury, and the Bishop of the Diocese for the time being, for the benefit of the Rector of Christ Church and of the Church of England in the colony.

I have the honor to be, Gentlemen, Your most obedient servant,

A. E. KENNEDY, Governor.

Victoria, 12th May, 1865.

Mr. DeCosmos gave notice that he would move on Monday next that the House go into committee on Wednesday next on the Governor's communication.

**TRADES LICENSES ACT.** The Trades License Amendment Act was read a second time and ordered to be printed.

**WAYS AND MEANS.** The House went into committee on Dr. Helmecken's motion to levy an income-tax, Mr. Franklin in the chair.

Dr. Helmecken said it was unnecessary for him to repeat the arguments which had already been advanced. He would only urge the necessity of raising sufficient money to carry on the Government.

## Helmeken's motion to levy an Income-tax.

Mr. Franklin in the chair.

Dr. Helmecken said it was unnecessary for him to repeat the arguments which had already been advanced. He would only urge the necessity of raising sufficient money to carry on the Government.

Mr. Franklin thought the rate of 1/2 per cent. too small to produce any revenue worth while.

Mr. DeCosmos opposed the income-tax as a mode of raising revenue. His views on the question were already known. There was a great deal of trouble connected with collecting the tax, and it would be far better to raise the money by a poll-tax. The difficulty of employers interfering with the salaries of men who might be only a week, a month, or three months with them, and then to some one else, was very great, and would produce a most complicated and expensive state of affairs. In fact the proposition was most absurd, and he would totally oppose it.

Dr. Dickson believed in the principle as just and righteous, but thought 1/2 per cent. would not realise enough to pay for collection. He would suggest that 1 per cent. be the rate, as on real estate.

Dr. Helmecken said if hon. gentlemen rejected this tax, they must take on themselves the responsibility of devising other means to raise the necessary revenue. The hon. senior member for Victoria had used remarks which he thought had been better left out. He had said we would have a tariff unless we had union, and unless we had a union very soon we would have a tariff anyhow without union. He (Dr. H.) differed decidedly from the hon. gentleman. He believed that if we had no union the popular voice would be decidedly in favour of free trade. (Hear, hear, and no, no.) He maintained that this would be the case. As to the expense of collecting the revenue, he did not think it would require any additional expense. As to the difficulties between master and servant, he could not see that there would be any; the matter was managed similarly in countries quite as advanced as this. Unless the tax were levied, there would not be money enough to carry on the public works of the colony.

Mr. DeCosmos sarcastically commented on the hon. mover's remark, that unless this tax, amounting to \$5,000, were levied, the public works could not be carried on—that our roads, streets, and bridges, must be stopped; that the \$50,000 for a Governor's residence cannot be spent, because \$5,000 were not raised by an income-tax. The hon. gentleman repeated his remarks in regard to the certainty of a tariff, if we have no union.

Mr. Cochrane argued that, as the true principle of taxation was that it should be just, this tax was most proper and equitable; it reached those who did not contribute in any other way to the revenue.

Dr. Tolmie alluded to the remarks about a tariff and union made by the hon. senior member for the city. He (Dr. T.) believed we would have union before a year, so there was no fear of the state of affairs alluded to. We had a certain amount of money to make up, and the \$5,000, small as it might seem to hon. gentlemen, would aid in making up the necessary revenue to carry on the Government.

Dr. Dickson moved that one per cent. be substituted.

Mr. M'Clure had always been in favor of a general income-tax, but this was not a general income-tax; it would raise but a trifling amount; the trouble of collecting, and the ill-feeling it would produce would be great. He deprecated strongly this pettifoggery with legislation. He believed unless we had union we would soon have a tariff, and if the House intended to legislate this way the sooner we had a tariff the better.

As to the remarks of the hon. member for Sanich, as to taxation being based on justice, he maintained that the basis of taxation was expediency—that, in fact, the great principle was to raise the largest amount by the smallest inconvenience. He urged that the House simply place an extra half per cent. on the permits, and we would have \$30,000 or \$40,000 without any trouble or any additional expense.

Mr. DeCosmos approved of the proposition of his hon. colleague to raise the permits; it would raise a great deal of money without any extra expense. There was a general and he thought well-founded feeling among the committee that there would be a general falling off in the revenue, and hon. members had better look carefully into the matter and see what revenue it was necessary to raise, and levy it in a sensible way.

Mr. Bayley could not see why hon. members should oppose a tax on persons who were not paying in any other way nor contributing in any other way to the revenue of the colony. The hon. member argued in favor of the tax. As to raising the permit for 1/2 per cent. it would fall heavily on the trader and merchant, not on the consumer.

Dr. Helmecken said his hon. friend on the left (Mr. M'Clure) had said that this House showed great incapacity in its mode of levying taxation. Well, he had no doubt the hon. member himself had all kinds of knowledge and political economy at his finger ends. As to the permit system, he was opposed to it. The tax would not fall on the people here because the greater part of the goods brought here were re-exported.

Mr. DeCosmos, No, no! \$8,000 exported to the States last month.

Dr. Helmecken said the fact was beyond argument. He objected to any further tax on imports, which would drive away trade; he would rather see an additional tax on real estate. The Government had a perfect right to enjoy the advantages of the increased value of land.

Dr. Dickson—It's decreasing.

Dr. Helmecken maintained that land should be taxed higher; that there should be a fixed land tax, and that the income from it should be taxed also.

Dr. Tolmie said if we raised an import tax we would drive away our customers; we would force British Columbia to import her goods from elsewhere.

He agreed with the hon. Speaker that as we were likely only to have the present system of taxation for one year, he would rather see an additional tax on real estate than on imports.

The amendment levying a tax of one per cent on salaries was carried.

**AYES.** Tolmie, Dickson, Cochrane, Bayley, Danner.

**NOES.** Helmecken, DeCosmos, M'Clure.

The following is the resolution as passed, the vote being as follows:

Ayes—Helmecken, Tolmie, Dickson, Cochrane, Bayley, Danner.

Noes—DeCosmos, M'Clure.

## Noes—Helmecken, DeCosmos, M'Clure.

The following is the resolution as passed.

The vote being as follows: Ayes—Helmecken, Tolmie, Dickson, Cochrane, Bayley, Danner.

Noes—DeCosmos, M'Clure.

Dr. Helmecken—The Colonist is against us! (Laughter.)

Mr. DeCosmos—The Hudson Bay Co. is for it! (Laughter.)

That one per cent shall be levied upon the amount of the annual salary of all persons who have been six months in constant employment in Vancouver Island.

That employment for five months out of six shall be considered constant employment. That masters and employers shall make a return every three months of all persons in their employment (exclusive of those receiving less than \$150 per annum), and the amount of the salary of each person, but that such returns shall not be made public.

**REAL ESTATE TAX.**

Dr. Helmecken's motion to levy a tax of 1/2 of one per cent on all real estate in the city to defray the city indebtedness, came up before the committee.

Mr. DeCosmos took strong exception to this resolution being brought in by a country member, when there were four city members in the House. He thought it a most ungentlemanly course, and reprobated it severely. As to the proposed tax, he would ask where the justice was in levying a special tax on the city to pay their indebtedness without their consent. He looked on it as an insult to the Corporation. The hon. gentleman spoke at some length on the Corporation question.

Dr. Helmecken felt overwhelmed with the oration of the hon. gentleman couched in such violent language. He did not believe in the doctrine of "Similia similibus curantur." He rather believed in the opposite view—"Contraria contrariis curantur," and as the hon. gentleman had got so angry he (Dr. H.) intended to be the best natured man in the House (laughter). He had no doubt from what the hon. gentleman said that he felt insulted, but he did not think the colleagues of the hon. gentleman present, from the mode in which they smiled, took the matter in the same light. The hon. gentleman thought that no country member—no baculo member—had any right to bring up a motion of this kind, but he (Dr. H.) maintained that any member had a right to take any mode he thought best to make up any deficiency. As to the justice of the proposed tax, he thought it perfectly fair. The House had imposed one per cent on merchandise, and he thought it was but fair that real estate should pay 1/2 per cent.

Mr. DeCosmos believed in the motto that "like cures like"—that if the Corporation incurred debts, it should be enabled to pay these debts. He looked upon the treatment of the Corporation by this House as an outrage; the Corporation did not repudiate its debts, but demanded to be placed in a position to meet its liabilities. He looked on the resolution as an insult to the Corporation, to attempt to interfere in its affairs in this manner.

Mr. Franklin said in reference to the discussion just finished, that he did not wish it to appear that there was only one defender of the citizens of Victoria in this House. He was always ready to defend the rights and liberties of his constituents, but in this case he could not see that any insult or wrong was done.

The question was here postponed.

**POWDER LICENSES.**

Mr. DeCosmos gave notice of a motion for a license of \$5 per annum on the sale of gunpowder.

The committee rose and reported progress.

**STATE OF AGRICULTURE.**

Dr. Dickson asked the Speaker to fix a day to take up the consideration of the state of the agricultural lands of the colony.

The Speaker said it would be better to finish the work now before the House first adjourns.

Mr. DeCosmos said the question was the most important one before the House. One could now ride fifteen miles from Victoria and hardly see any cultivated land.

The House adjourned till Monday, when Impairment for Debt Bill and Postal Service Bill will be taken up.

**CULVERWELL'S MOVEMENTS.**—The George S. Wright brings some additional particulars of the movements of this notorious skeddler. On leaving this city on the steamer Culverwell represented to those on board that he was going out to Race Rocks, where he had a boat waiting to put him on board one of the gunboats on which he had business.

Of course on reaching the Light-house there was no boat to be seen, and the unfortunate Culverwell was obliged to go on to Portland.

His presence on the Wright was thought rather strange by Captain Lewis and others who knew him, but nothing was said till they reached Portland.

Culverwell at once landed, bought a horse and saddle for \$175, or so, as some say, found one ready waiting for him, it all having been previously arranged—and rode hastily off into the country, taking the route to Salt Lake. The most extraordinary rumors of the amount he had embezzled had preceded him to Portland.

A telegram from New Westminster stated that he had carried off \$200,000, including \$40,000 from one of the banks, \$10,000 from Governor Kennedy, &c. Later it was reported that he had been searched on arrival by a police officer, and \$32,000 in drafts, and over \$3,000 in coin, found on him. Both stories, it is needless to say, are canards; it is believed that he had not at the utmost more than \$8,000 or \$10,000 with him. On the passage Culverwell betrayed no symptoms of dejection.

**NANAIMO NEWS.**—A destructive fire occurred at Nanaimo on Monday evening, owing, it is supposed, to a large fire having been left burning in one of the miner's cottages.

A whole row of eighteen buildings, belonging to the Vancouver Coal Company, took fire and was speedily consumed. The damage is estimated at from \$1500 to \$2000.

The miners, we understand, managed to save nearly all their effects. The surveying steamer Beaver is now off the ways and will probably be down in a day or two.

**TELEGRAPH.**—A telegram was received from the Governor of the Colony, dated May 15th, stating that he had received a report that a large fire had occurred at Nanaimo on Monday evening, owing, it is supposed, to a large fire having been left burning in one of the miner's cottages.

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