

The Weekly Colonist.

Tuesday, March 28, 1865.

HOUSE OF ASSEMBLY.

House met at 3:15 p.m. Members present—Messrs. DeCosmos, Powell, McClure, Tolmie, Trimble, Dickson, Burnaby, Duncan, Bayley, and Denness.

THE CONTENDED ELECTION. Mr. Denness, chairman of the committee on the contested election, handed in the report to the effect that Mr. McClure was possessed of the necessary qualification.

THE NANAIMO PETITION. Mr. Bayley presented the petition from Nanaimo praying for the voting of the sums put down in the Estimates. Petition laid on the table.

SCHOOL BILL. The Speaker read the amendments to the Legislative Council to the School Bill. They were read a first time.

INDIAN LIQUOR TRAFFIC. Dr. Trimble gave notice of a motion for the appointment of a committee to inquire into the Indian liquor traffic.

THE SUPPLY BILLS. The chairman of Ways and Means being absent, the Speaker left the chair, and it was proposed that a chairman of Ways and Means should be elected.

Mr. DeCosmos was distinctly opposed to the time of the House being trifled away in this manner.

On a vote being taken the House decided that a chairman should be elected.

Mr. DeCosmos moved that Mr. Burnaby take the chair. Mr. Burnaby declined.

Mr. DeCosmos asked leave to withdraw his motion, and moved that Dr. Tolmie take the chair.

Dr. Tolmie said he had a bad cold, and besides he was opposed to any appearance of discourtesy to any hon. member.

Mr. DeCosmos repudiated any intention of acting discourteously.

Mr. McClure moved that Dr. Powell take the chair.

Dr. Powell believed the business of the House should go on; he would be sorry to show any discourtesy to the hon. chairman of Ways and Means, if the House, however, voted him into the chair he would act (hear, hear.)

On a vote being taken Dr. Powell was elected by six to five, Dr. Powell himself in the negative.

A message was here brought in from His Excellency, stating that the Colonial Treasurer suffered great inconvenience from not knowing how the appropriations had been voted by the House.

Dr. Trimble moved that the committee rise and report progress.—Lost.

Mr. Burnaby moved that the House take into consideration His Excellency's message in regard to the Colonial Treasury.

Mr. DeCosmos moved that the House proceed with the business fixed for the day, viz., a tax on unimproved lands.

Dr. Tolmie opposed, on account of the absence of the hon. chairman of Ways and Means, who was so well fitted to grapple with the question.

Dr. Dickson had no intention to take advantage of the absence of hon. members, but they should be in attendance when important business was before the House.

Dr. Helmsken said the dispatch from His Excellency was hardly a proper one, as the house had the sole control of the matter, and had nothing whatever to do with the regulations of the Colonial Office.

Besides the bill was always brought in as the last bill of Supply.

The committee then took up the consideration of the land tax.

Dr. Dickson in advocating his motion for a tax of three per cent on unimproved lands in the settled districts of the colony, alluded to the large quantity of valuable lands locked up in the hands of speculators.

In North and South Saanich, Lake, Victoria and Esquimaux districts there were 56,000 acres of land, 31,500 acres of which were arable.

Of this only some 2000 acres were under cultivation, and perhaps 2000 more were occupied as grazing land.

In Cowichan district there were 65,000 acres, of which 45,000 were arable, and there were 3,500 acres of beautiful bottom land in an Indian reserve, of which only about fifty acres were under cultivation.

The late Governor had proposed to adjust the question of this Indian reserve, and would have done so had it not been for some troubles among the Indians.

There were also 1500 acres of land in Cowichan held by non-residents, which was totally unimproved, although it was the best prairie land, ready for the plough.

There were various modes of taxation which had occurred to him, but he thought the best way would be to tax it on the assessed value.

As to a tax on improved land, if any at all were imposed, it should be extremely light.

der cultivation this tax would not bear unjustly on bona fide settlers, especially as improvements would not be in this case taxed. The principle of taxing uncultivated lands was the best undoubtedly, but he feared it was not practicable.

This was too important a subject to be hastily disposed of and he would therefore move, that the Committee do rise and report progress.—Lost.

Ayes—Mr. McClure, DeCosmos, Dickson, Duncan. [4].

Noes—Helmsken, Tolmie, Burnaby, Trimble, Bayley. [5].

Mr. DeCosmos had thought the wealthy land owners in the House would have been heard on this topic, but they seemed to prefer to wait to see what game was to be played and then play trumpa. He himself was ready to express his opinion, and that was that he was thoroughly in favor of the principle of taxing uncultivated lands.

He believed that no more land should be held by any man than he could cultivate. We might learn from the experience of other countries that 100 to 150 acres of land was sufficient for a man to support an ordinary family.

One hundred and sixty acres of land would grow sufficient produce and raise stock enough to support a farmer. He would maintain that the party himself should be on the land or some one for him, or at least it should be fenced in and cultivated.

The real object of the motion was to make the land productive. If we could by any means confine the quantity of land held by each man to 150 acres, and tax all land alike, we would attain to a better end.

But this would not quite meet the end as unimproved land would be rendered more valuable by the improved land round it, although it only paid the same tax.

His original proposition was that a man should only have what land he could improve; of course if a farmer could occupy more than 150 acres by stock and grazing, he would consider that improved land. He could not concur in the resolution to levy a tax of 3 per cent on unimproved land without a clearer definition.

It seemed strange that there should be such an outcry about produce coming from the other side when we saw so much uncultivated land all round Victoria.

Dr. Tolmie said it was heavily timbered.

Mr. DeCosmos said the real object of the Government should be to render the land productive, and he did not see why parties should be compelled to clear at least one acre a year, and if we had 400 settlers we would have 400 acres of land cultivated every year.

The hon. mover had said there were 65,000 acres of land in Cowichan, of which 45,000 were arable.

The Surveyor-General's report said that there were 37,000 odd acres arable, of which some 7,000 acres were occupied.

In Nanaimo there were some 11,000 acres, of which only a small portion was occupied. A large proportion of the pre-empted land in this colony was unoccupied, and he would ask if hon. members did their duty unless they either caused pre-emptors to vacate their land or to improve it.

It might be objected that the lands were vested in the Crown, but it was the duty of the House to cite these pre-emptors before them and cause them to improve their claims.

Looking to Cowichan, as quoted by the hon. mover, he thought this House bound to take some action on the state of affairs there and cause the land to be cultivated.

He took it that the whole object of the resolution was not to raise revenue but to make the land productive.

As to the Indian Reserves, of which there was so much fine land, he did not see why the Indians should not be compelled to cultivate their lands.

The hon. gentleman urged the desirability of breaking up these Indian Reserves. One gentleman had told him in regard to the Cowichan Reserve that if it were thrown open he knew of ten families who would at once settle there.

He deprecated any intention whatever to interfere with holders of land by levying a heavy tax to compel them to clear or cultivate their lands which they were unable to do; he had no sympathy whatever with anyone who might raise the question as a political cry, nor did he think because one man came here early and got a quantity of land, and another came later and could not get any, that any injustice was done.

His sole object was to make non-productive land productive (hear, hear), and he thought this end might be attained by the House, although he did not approve wholly of the mode proposed in the motion before the House.

Mr. Duncan here moved that the committee rise and report progress.

Lost, on the same vote as before.

Dr. Dickson was astonished that the hon. Speaker seemed indisposed to accord him that hearing which he (Dr. Dickson) had always given to the hon. gentleman himself.

He would have preferred to hear the hon. Speaker give the House the benefit of his extensive knowledge on the subject, but he appeared determined not to do so, and he (Dr. Dickson) was therefore obliged to bring forward all the information he could obtain, which, he assured the House, was at least as correct as any in the possession of any hon. member.

After continuing at some length, the hon. gentleman moved that the committee rise and report progress.

Lost on the same vote as before.

Mr. DeCosmos would move an amendment for an address to the Governor to take some steps to compel pre-emptors to improve their lands.

Dr. Trimble said we had nothing to do with it.

tenants of it. The principal portion of the soil round Victoria was locked up in the hands of speculators, which was a curse to the country.

Dr. Tolmie: No, no. Mr. McClure maintained that such was the case, and that numbers of immigrants had been driven away because they could not get any land to settle on. (No, no.) He had known such cases himself.

Settlers would not go to the outlying districts when they saw large quantities of land close round Victoria lying shut out from the market.

Dr. Tolmie would inform the hon. gentleman that all the open land at Comox had been taken up.

Mr. McClure—Then the greater reason for opening up the lands nearer home. (Hear, hear.)

Dr. Tolmie had not intended to speak, having a very bad cold, but as he had been twitted with not speaking, he would briefly express his views. He did not think hon. gentlemen opposite had made out their case, nor did he think that the proposed tax would augment the revenue nor aid in settling the land.

The farmers were already taxed as high as any other class in the community. Some of the best worked farms in this colony already paid a tax equal to seven per cent on their proceeds—a greater tax than was paid by any other property in this country.

He thought the country was not prepared at present to go into the question.

Dr. Powell asked if there were any more remarks to be made.

Mr. DeCosmos said he had a two hour's speech to make yet.

Mr. McClure would stay in the House all night rather than see the question thus rushed through in a small House (laughter).

Dr. Dickson again rose and alluded to the large quantity of land locked up in the hands of speculators. One man, whose name he had before him, held 9,000 acres of land in the colony. (Cries of name, name.)

Dr. Dickson could at once give the names of the hon. gentlemen who opposed this motion held large quantities of land, whether agricultural or not he could not say.

The greater portion of the arable land of the colony was locked up in the hands of speculators.

Dr. Tolmie—No, not take Victoria district.

Dr. Dickson knew one gentleman in the district who owned 1200 acres of land without a stump or stone on it, and who was quite willing to have his land taxed. In fact he had told him he would submit to any tax the House saw fit to impose so long as all the rest of the unoccupied lands were taxed alike; the only object would be that he and others would have to throw their lands into the market, and he believed that the rest of his land would be greatly improved in value.

(Hear, hear.)

Dr. Tolmie said the gentleman alluded to with 1200 acres of land near Victoria would not doubt be glad to have all the land round Victoria taxed the same as his own, because his own was all clear open land, while great part of the rest was rocky or wooded, and could not be cleared at less than from \$50 to \$400 per acre.

Dr. Dickson said he knew of wooded land being cleared at \$80 per acre.

Mr. McClure after some further remarks interrupted by cries of "Divide, divide," from those opposed to the tax, urged the gross impropriety of trying to rush the matter through in so small a House, and moved that the Committee rise and report progress.

Lost, 5 to 4.

Mr. McClure continued to speak at some length on the question.

Dr. Tolmie here put on his overcoat, and Dr. Trimble getting his legs up on a chair composed himself into a comfortable attitude.

Mr. Duncan said he had in bygone times heard these walls re-echo with fervid eloquence from the gentlemen who now sat so quiet, and he would ask why were the mighty thus fallen? The hon. member proceeded to go into the merits of the question, and alluded to the injurious effects of lands being locked up in the hands of speculators in other countries, and said the same thing was being enacted here.

He well remembered the time when 20,000 hardy sons of toil came to the country and were driven away because they could not get a foot of land to settle on; although they offered \$5 and \$10 per acre for it, and that same land had now been thrown back on the hands of Government.

The hon. gentleman spoke most eloquently for some time, and concluded by moving to rise and report progress, which was again lost on the same vote as previously.

Mr. DeCosmos then took the floor and spoke for over half-an-hour on the question, till at length the opposers of the measure consented to its withdrawal, which was done by Dr. Dickson, with the understanding that he would bring it up in another shape.

The committee then rose and the House adjourned till to-morrow (Wednesday) at the usual hour.

WEDNESDAY, March 22. House met at 3:15. Members present—Messrs. DeCosmos, Powell, Trimble, Dickson, Duncan, Denness.

SECOND READINGS. The following bills will come up on Monday next for a second reading: Imprisonment for Debt, Lien on Property, Registration of Voters Act, Franchise Act, Homestead Law, Births Deaths and Marriages, Declaration of Titles.

INDIAN LIQUOR TRAFFIC. Dr. Trimble introduced his motion for a committee to inquire into the law regarding selling liquor to Indians. The subject was a serious one, both in a commercial and a moral point of view.

First in a moral point, for the poor Indian received a great deal of bad liquor from bad white men, and were demoralized by the practice to a great extent. There were fifty or sixty white men who made their living by selling this stuff to the natives, who were prevented from going into places where white men got their liquor. The hon. gentlemen advocated treating the Indians as white men and British subjects. They had feelings, and felt degraded by being prohibited from mixing with white men, and they wished to raise them from their present wretched position, we must place them on a footing in every respect with the rest of the community. He believed the present law

prohibiting their buying liquor was a bad one, and should be abolished.

Mr. DeCosmos was quite willing to grant the hon. gentleman a committee; he had already presided over one committee—and he did not see why he should not have another. (Laughter.) As to Indians being raised by being allowed to enter the same houses as white men to drink, he was of a very different opinion.

The motion was carried, and the Speaker said as the question was of rather a spiritual nature, he would appoint the three doctors—Trimble, Dickson and Powell. (Laughter.)

PILOT SERVICE. Mr. DeCosmos introduced his motion for an inquiry into the pilot service. The Executive had informed the House that the present bill was in operation, and as the service was in an unsatisfactory state, he thought it highly proper that the House should take it into consideration.

The House fixed next Wednesday to go into committee on the question.

WRITS OF CAPIAS. Mr. Denness moved for returns of writs of *caapias*, *ad respondendum* and *ne exeat regno* from 1861 to 1865 inclusive.

The motion with the addition of writs of *ad satisfaciendum* was agreed to.

Dr. Trimble would like the honorable mover to explain the meaning of the Latin terms. (A laugh.)

INCORPORATION BILL. The House went into committee on this bill—Mr. Denness in the chair.

Dr. Trimble and Mr. Duncan here left the House.

On clause 109 giving the Council power to borrow money not exceeding \$20,000, and contract debts and levy rates for payment of such.

Dr. Powell moved that \$10,000 be the sum. Carried by the casting vote of the chair, and the clause, amended by striking out all the provisions in regard to the validity of by-laws relating to it, was carried.

Clauses 110 and 111, providing that by-laws shall be assented to by the rate-payers, were passed.

Clauses 112 to 118, inclusive, enacting the powers of the Council in regard to debentures, banking, issuing bills, etc., were passed.

Clause 119, prohibiting the granting of any monopoly, was passed; also clause 120, exempting ferries.

Clauses 121 to 124, providing for the appointment of auditors, and their duties were passed.

Mr. McClure here entered the House. Clause 125 to 129, in regard to the duties of the City Clerk were passed.

Clauses 130 to 132, in regard to the punishment of Assessors and Collectors were struck out.

Clause 135, in regard to Writs of Execution against the Corporation was passed, amended.

Clause 136, in regard to taxes being levied equally on all rateable property, was passed. Clause 137 was struck out.

Clause 138 to 143, providing for raising revenue for the year were passed.

Clauses 144 to 234 were struck out without discussion.

Clauses 235 to 237, providing for the making of Voters' lists by the City Clerk were passed.

Clauses 238 to 241, providing for the regulation of the City Bank account, Finance Committee, how to recover fines, &c., were passed, also.

Clause 242, making any wilful false statement in any declaration, perjury.

Clause 243, explanatory of words and terms in the bill was passed.

Clause 244, providing for what ward reclaimed lands shall belong to, was passed; also.

Clause 245, providing that anything directed to be performed on a day which happens to be Sunday or a holiday, shall be done on the next day.

Clause 246, the last of the bill, providing that the Mayor or Councilors shall not receive any fee or reward for their services was passed.

Several clauses previously held over were deferred for future consideration.

Dr. Dickson moved an additional clause to the effect that a new Municipal election be held within fourteen days after the passage of this act.

Mr. DeCosmos said this clause was impossible from the provisions of the act; besides he thought it unfair to those gentlemen, who had come forward so honorably to maintain the honor and dignity of the Council, and who had used the power placed in their hands in a very creditable manner.

ADVERTISEMENT.

To His Excellency Arthur Edward Kennedy, C.B. Governor of Vancouver Island and its dependencies.

In consequence of a Petition purporting to emanate from nearly two hundred persons resident at Nanaimo, having been sent to the honorable Member for this place for presentation to the House of Assembly, praying that honorable body to throw out (as not proved) various sums named in the Estimates by the authority of your Excellency for the present year, to be used in purchasing suitable buildings for public offices, court house, post office, harbor-master's office, &c., and to build a suitable jail, besides making other improvements.

We, the undersigned, considering that the wording of said Petition was an insult to your Excellency, as Her Majesty's representative, and also knowing that many of the signatures were obtained by misrepresentations, do most respectfully pray that your Excellency will be pleased to take such steps as your Excellency may see fit, to cause such sums in the Estimates to be reconsidered and amended.

With respect to the urgent necessity of a jail we respectfully beg to call your Excellency's notice to the fact, that during four or five nights of the past week, in one of which the thermometer stood 22 degrees below freezing point, two white men and a sick Indian were locked up in the bastion, which is quite open to the weather. And your petitioners will ever pray.

- T Eric Peck R Beacham
L W Holmes J Peterson
Jas Davis C K Pryce
T Hankin C Hughes
James McDonald W M Ritchie
A E Nelson E McLeod
Louis Hughes E Byron
Jas Thompson J Holden
Thos Holland T Jones
A G Pemberton G Hilton
Mark Lester E Smithurst
Annes Sabiston J Helier
W Ritch W Starnaup
W Isabester A McAlister
H Bankton W Driver
E Williams G Bea
J Parker G Fea
H W Alexander H Green
Chas Platt H Edwards
C Batchelor T McGuffey
O Gough J Ferguson
M Gilpatrick W Nicol
Jas Sabiston T Butler
Isac Mendosa W Williams
Jas Taylor James Barnes
J Spollenburgh Charles S Nicol
Jos Webb T Williams
G G Lonsack J Fox
J T Gough R Flynn
D Dunn B Gibbs
A M Huntley G Morton
C Edwards A Gray
M Seale Harry Windsor
Harry Windsor G Crawford
Klein Grant, M D G Haines
T Windsor D Harris
M Lumby J Rodello
P Karney D Carr
Jas Jenkins O Conlar
W J Wignell J Sabiston
S Gough D Penderbolt
P McClosky T Headle
Jno Hunter E Buckley
D Allan R Little
Jno Segg J Mackwick
Y Vileck J Johnston
Jas Tarver H E Edwards
Jas Smith P Hume
J John H Cooper
J Cooper G Drabbles
T Parker Z Collins
J Garnet J Hamilton
H Heat W A Ogilvie
Mahaffey J Miller
Dixon B Jones
J P Ellis J McEvoy
Rodie Cameron F Murphy
P Marthey J Dolbert
J Store W Taylor
H Weir P Sabiston
J S Williams J Newton
J Innes E Nowton
J Christie E Donnelly
J W Pemberty J Coffery
J Fear J Bouck
G Nixon W Johns
W Bailey E Kelly
A Chambers P Kewer
E D Sylvester, M D A Steppoy
F Bown J Badio
D Leach T Tamarie
J W Williams G Pratt
R Johns R Chappel
J R Price W Evans
W Teff W Colowden
J Hurst W Rowland
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