

The Weekly Colonist.

Tuesday, May 30, 1865.

HOUSE OF ASSEMBLY.

Monday, 22nd May.

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

MEDICAL BILL.

This bill came down from the Council with amendments. It was read a first time, and ordered to be printed.

EDITOR OF DEBTOR.

Mr. Bernaby gave notice of a bill to facilitate and explain the remedies of creditors against the lands of their debtors.

PEDLERS AND HAWKERS.

Mr. Cochrane gave notice of a bill to license pedlers and hawkers.

TRADES LICENSE ACT.

This Act, in accordance with the resolutions of the Committee on Ways and Means, was read a third time and passed.

STATE OF AGRICULTURE.

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

THE SPEAKER FIXED MONDAY NEXT.

PREGNANCY LAW.

Mr. DeCosmos brought forward his motion for an address to His Excellency, the Governor, praying him to throw open the lands of the colony under the Pre-emption Proclamation, with such amendments as might be deemed necessary.

The hon. gentleman urged the necessity of affording every encouragement to settlers, and stated that owing to the lands being held by the Crown, many settlers were prevented from obtaining lands, unless they petitioned the Colonial Secretary, which he thought was a most unfortunate thing for the colony. He understood that the Governor had withdrawn the lands from pre-emption by outside pressure from certain parties, and he did not see why the request of the proposed address should not be granted. The address also prayed for the throwing open of the Cowichan and other Indian reserves.

Mr. Carswell seconded.

Mr. Franklin agreed with his hon. colleague in desiring that the lands should be thrown open and placed under proper provisions for cultivation. But he found that many of those parties who took up land did not cultivate it. In Comox he believed that not ten per cent, or even five per cent, of the land taken up was under cultivation. It was too often the case that settlers only built a hut, and sat down waiting for something to turn up. This was the case with a great many both in Comox and Cowichan. With regard to the Indian reserves, he thought it would be better to leave them till the government brought forward some definite Indian policy.

Mr. DeCosmos said the motion left the mode of dealing with the reserves open to the Government. It only suggested that they should be thrown open.

THE RESOLUTIONS WERE CARRIED.

FORFEITED LANDS.

Mr. Duncan gave notice of motion for an address to His Excellency, praying that the bona fide settlers whose lands were to be forfeited on the 31st inst., should have till the 31st May, 1866, to make the payments, by paying interest for the accommodation.

INCORPORATION BILL.

The bill to amend the Incorporation Act of the City of Victoria, was read a second time.

AYES—DeCosmos, Powell, Franklin,

McClure, Burnaby (6).

NOES—Duncan, Dickson, Cochrane,

Carewell, Denness (5).

CHURCH RESERVE.

The House went into Committee on the Church Reserve question, Dr. Powell in the chair.

The Chairman read the despatch of His Excellency the Governor, stating that the deed of the property had been made over to the Church of England, in May, 1864.

Mr. DeCosmos had only a few words to say on this question, unless a discussion arose. He did not consider the reasons given by His Excellency were good and sufficient to prevent him from taking the desired step in regard to the reserve. He should have inquired into the history of the reserve, and the right of the people to it as a public park, before thus throwing over the matter.

This property had been open to the public for years, and we now find it being cut up into lots, fenced in, and the people thus deprived of the best reserve for public purposes in the city. There could be no doubt that such was not the original intention in regard to the Church Reserve, as was shown in the evidence of the Surveyor General before the Crown Lands Committee. It was also plain that it was never intended for a gibe, as the greatest part of it was naked rock. In the dimmest place, at the time it was given there was no contemplated diocese for this colony to which it could be given. But by some means the Bishop of the diocese had got it into his hands in entire violation of right and to the injury of every person in the colony not members of that church, and it was being used as a means of obtaining revenue for the church. He knew that many parties had bought lots adjoining on the diastat under standing with the Surveyor General that it was to be an open and public square, and these parties suffered a great wrong and loss by this appropriation of the reserve. Their only remedy would be to sue for damages, or to enter a suit against the Hudson Bay Company who sold them the lots on the distinct understanding that it was to be a public square. In order to show that the House was prepared to defend the rights of the people in his master he would move a respectful address to His Excellency, praying him to take legal steps to test the right of the parties to enclose the reserve and lease it in part.

Mr. Burnaby pointed out to the hon. gentleman that the Government had already said that he could do nothing in the matter. Besides the Governor was a trustee to the property, and could not well bring an action against himself (a laugh).

Mr. DeCosmos looked on that very thing as the most iniquitous part of the whole

transaction. The people who claimed this property had placed it in the hands of the Archbishop of Canterbury, the Governor here and the Bishop of the diocese. He looked upon it as a most disgraceful thing that a follower of the monk and lowly Jesus should be a party to so disreputable a transaction (series of orders, order). The hostile gentleman repeated the remark, and maintained that he had a perfect right to say what he thought on the conduct of these clerical gentlemen.

Dr. Tolmie did not know where the hon. gentleman had got all his information on this question. He must have a sort of second sight to know so much. He would remind the hon. gentleman of the old maxim that a person might do what he liked with his own property, and that the right of any party or parties to break up the same into blocks, or lease it out for the benefit of Christ Church, or the members thereof, and for other purposes."

MAN-OF-WAR AMENDMENT ACT.

This bill came up on recommittal from a previous meeting. The clause providing for any member losing his seat who absented himself for ten days, in any month, without leave, was struck out.

The clause providing for changing the form of oath was carried, and the bill reported to the House.

MERCANTILE LAW ACT.

This act, as amended by the Legislative Council, came before the committee, and after being re-amended in several particulars was reported to the House. Owing, however, to the clause in the bill passed requiring the schedule, struck out by the Council, the bill will have to be recommitted.

The Committee then rose and reported progress, and the House adjourned till Thursday.

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progress, and the House adjourned till tomorrow (Tuesday).

LEGISLATIVE COUNCIL.

MONDAY, May 22, 1865.

House met at 3:15 p.m. Members present—Messrs. DeCosmos, Franklin, McClure, Tolmie, Dickson, and Denness.

CHURCH RESERVE.

The resolution requesting the Governor to take legal steps to test the claim of the Church of England to cut up the Church Reserve into lots and lease it up, came up for the adoption of the House.

Dr. Tolmie rose to oppose the passage of the resolution, because the piece of land had been granted by the Hudson Bay Company to Christ Church, and belonged to that church. The conveyance was legally made, and could not be altered. He would say, that the site of the reserve was a beautiful one, and it was always expected by the people that it would be kept as a park or "lungs" for the city; he thought that it might still be kept for that use by a petition to the Bishop of the Trustees. (Laughter.)

Mr. DeCosmos moved the adoption of the resolution. The hon. gentleman opposite Dr. Tolmie whenever any question came up touching the Hudson Bay Company, made personal remarks, and imputed personal motives to hon. gentlemen who strove to give the people their rights. The hon. gentleman had accused hon. gentlemen of being agitators in this matter. He (Mr. DeCosmos) repudiated any wish to agitate on the question. His only aim had been to secure the rights of the people, and to prevent the misappropriation of the public reserve. He could prove from hundreds of witnesses that not only had the reserve been set aside for charitable purposes, and not for the church, but that Christ Church itself was built out of the public money, and was set down in the estimates as public expenditure. The policy of forming colonial churches by public grants had been injured by the Colonial Secretary long ago. The hon. gentleman spoke forcibly and eloquently on this point, and on the injustice of robbing the people of a reserve to which they were undoubtedly entitled, and concluded his remarks amid applause.

The resolution was then adopted by the House.

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Ayes—DeCosmos, McClure, Dickson, Cars-

well, Denness (5).

WAYS AND MEANS.

The House went into Committee, Mr. Franklin in the chair.

HARBOUR DUES ACT.

Mr. McClure introduced a bill to amend the Victoria Harbor Dues Act, 1862, in accordance with the resolutions passed by Committee of Supply, imposing increased permits on imports, &c. The bill was reported

DUTIES ON STOCK.

Mr. McClure introduced a bill to impose duties on stock, &c., imposed in accordance with the resolutions on that head passed through Committee on Supply. The bill was read and reported to the House.

ESTATES OF DECEASED PERSONS.

The committee took up the bill to make better provision for the custody of the estates of deceased persons.

Dr. Dickson said that the only law touching the matter at present was a minute of His Majesty's Orders in Council, which was defective in certain points, which this Act was intended to remedy.

On clause 1, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 2, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 3, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 4, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 5, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 6, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 7, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 8, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 9, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 10, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 11, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 12, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

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On clause 13, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

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On clause 14, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

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On clause 15, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 16, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 17, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

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On clause 18, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

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On clause 19, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 20, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 21, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 22, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 23, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

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On clause 24, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 25, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 26, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 27, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

Mr. Franklin objected to the property passing into the hands of the police.

On clause 28, which provides that any property of deceased persons in danger of being stolen shall be taken in charge by the Superintendent of Police, nothing is said.

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