COLONIST. WEEKLY BRITISH

Tuesday, March 14, 1865.

The Weekly Colonist.

## HOUSE OF ASSEMBLY.

House met at 3:15 p. m. Members pres ent-Messrs. DeCosmos, Franklin, M'Clure, Southgate, Burnaby, Cochrane, Duncan, Carswell, Dennes.

MONDAY, March 6.

ATTORNEY GENERAL'S FEES.

The Speaker read a communication from His Excellency in reply to the motion for returns of the Attorney General's fees, stating that during the year the Government became chargeable with \$2961 on those accounts. His Excellency regretted that the accounts being in the hands of the Acting Auditor precladed the possibility of the accounts being apportioned to the Attorney General and the Solicitor.

FRANCHISE AMENDMENT ACT.

Mr. M'Clure introduced his bill to amend law relating to the Representation of neouver land. It was read a first time inted.

Y ACT.

Mr: Dennes moved the second reading of a bill to amend the manner of taking the verdict of a jury in civil cases. Mr. Duncan seconded

Mr. Franklin said if the principle of the bill were good he thought it should apply to the superior courts as well as to the inferior.

Mr. Dennes said it was so intended. The bill was read a second time.

IMPRISONMENT FOR DEBT.

The Speaker said this bill would require to be considered in committee of the whole. It was ordered to be printed."

AMENDED INCORPORATION ACT.

The Legislative Council's amendment to the Incorporation Act came up for a first reading.

Mr. DeCosmos said the House already had an Incorporation Bill before them, which had been postponed to allow the Estimates to be taken up, and he could not see the use of the time of the House being taken up in discussing a bill which was simply perpetuating the old Incorporation.

Mr. Franklin supported the first reading as

a matter of courtesy. The bill was read over by the Speaker, when Mr. Duncan moved that the bill be read this day six months, on the grounds that it incorporated the inhabitants and not the land, and also that it had a retrospective aspect, He was in favor of a good Incorporation Act. (Hear, hear.) There could be no doubt that the city was suffering from the want of Municipal authority. The Sanatory condition of the city was particularly in need of the care of a Corporation, and he was firmly of the belief that this was the cause of a great deal of the sickness now so pre-

Mr. Franklin was disposed to give the views of the Legislative Council a proper consideration.

The first reading was lost by arvote of five to three, but the motion for a reading this day six months not having been seconded the bill will come up again to morrow.

was reserved to themselves unless they pe-titioned the Home Government to throw it open. He alluded to the great injustice of our coasting trade being thrown open to fereign competition. WAYS AND MEANS. The House went into sommittee on Ways and Means, Mr. Franklin in the chair. The Chairman stated that the amount of supplies voted to Her Majesty's Government for 1865 was \$298,618 25. The probable revenue for the year 1865, calculated on the basis of the year 1863 was \$239,899 25. Mr. Duncan said we had to make up a de-

ficit of \$65.475 75, including the debt of the Oity of Victoria of \$6,760, which he never expected to get. COUNTRY LIQUOR LICENSES.

Dr. Dickson introduced his motion to amend the Liquor License Law in order to allow dealers within three miles of the limits of Victoria to obtain licenses at a lower rate than that paid in the city, viz: \$300 per annum. Outside of this three miles parties only paid \$50 a year, and it was a great only paid soo a year, and it was a great hardship to compel those adjoining the city, limits to pay out of their small earnings the same tax paid by those doing a large busi-ness in the city. He therefore proposed to make the license outside the city limits and within three miles of said limits \$100 per annum. He would wish also to enable par-tics the city also and parter only at a reduced ties to sell ale and porter only, at a reduced

rate. Mr. DeCosmos said there was nothing in the motion of the hon. gentleman alluding to. Nanaimo, which he supposed was similarly situated in regard to the Liquor License law. The motion would only affect a few houses between Victoria and Esquimalt, and he thought it too small a matter to necessitate a change in the law. Dr. Dickson, in answer to Dr. Powell, said

there were five houses which would be affected by the change. The question was not, however, one of number, but one of principle and justice. Dr. Tolmie thought if, we tried to alter our

laws to make them conform to our ideas of abstract justice we would have a formidable task before us.

Dr. Helmcken said we could not come one side of the boundary line pay \$300 and on another, only a few inches distant, pay only \$100. The liquor license law certainly required alteration. The wholesale liquor dealers should pay a larger license, or else same license as in the city.

Dr. Dickson's motion was lost-WILD LAND TAX. Dr. Dickson's motion to levy a tax of three per cent. on all unimproved lands in

the colony, came up. The hon. mover asked for a postponement of the motion, as he was not prepared for the question. Postponement granted.

POLL TAX FOR THE HOSPITAL. Dr. Dickson's motion to levy a poll-tax of \$1 per head on all persons coming into the colony, in support of the Royal Hospital, was

next brought up. The hospital had hitherto been supported by Government and by private contributions. There was also another hospital which the matter under discussion, he would move the House had recommended to be united with the Royal Hospital. The great powers of the ladies in raising subscriptions by various means. Dr. Helmcken-By lectures ? (a laugh). Dr. Dickson-By lectures, by bazaars, and by private appeals they would obtain a large subscription, and the contributions to the Royal Hospital would be proportionately less this year than last. He alluded to the necessity for greater accommodation for patients of whom there were now about thirty who could not obtain admission. One dollar a head was levied in British lumbia, and in New York it was \$1 50. Dr. Helmcken asked what amount the should pay, and in addition a tax of ½ or ½ hon. gentleman expected to raise ? Dr. Dickson-About \$10,000. The tax

Mr. DeCosmos said it had been suggested that the colony should borrow the \$60,000 of deficit, which would just meet the sum required to build the Governor's residence. But

we would have paid \$120,000. If the money were got here, we would have to pay 12 per cent. which, with 8 per cent. for a sinking fund, would in ten years amount to the same sum. This evidently showed that borrowing the money would not be a profitablo undertaking. He did not believe, either, in raising the deficit by an increased tax on real estate. He would propose to levy an increased trades license, by which taxation would be equalized and every class in the colony would be

reached (hear hear). The total amount of reached (hear hear). The total amount of sales during the past year was \$5 842,776, the revenue from which, under the present Trates License Act, was \$19,945, which equalled thirty-four one-hundredths, or close upon one third of one per cent. Suppose a tax of one per cent. were levied on the gross returns of sales of the past year—\$5,842,776 —the revenue would be \$58,427,a gain of \$38,-582 over the present system. Taking the Government estimate of Irades Licenses for 1865—\$21,500—the gain under the proposed 1865-\$21,500-the gain under the proposed tax would be within \$1600 of the amount obtained on the basis of last year. The question then was this: if we considered that the only mode of raising the revenue would be to increase the Trades License tax, we would be compelled to levy a rate of one and a-half per cent to make up the deficit. He thought however that it might be managed by a tax of one per cent by adopting a judi-cious mode of taxation to raise the remainder of the deficit, and he could not see a better mode of doing that than by a tax on all stock imported into the colony. (Hear, hear.) He would propose to levy a tax of \$4 per head on cattle, \$10 per head on horses, \$1 50 per head on hogs, and \$1 per head on sheep. The following statistics of imports of stock for the past year would show the revenue obtained from this source :---

No. Hd. Value. PHd. PHd. Revenue Dr. Helmcken said we could not come down to the principal of income tax in this colony; he preferred the system of fixed licenses. We could not well make a man on Sheep.8454.... 52,717.... 6 25. 100... 8,454

Total .... \$181,039 Total .... \$27,500 By this scheme no additional machinery would be required to collect this revenue, and the tax levied would be distributed equally Tariff on Stock .....

Additional Revenue As to the Liquor Tax, he thought it would be advisable to include the Wholesale Liquor License in the gross returns of sales, and tax them under the Trades License Act, [hear, hear]. Taking last year's figures, the total amount of imports of wines and liquors was \$296,066, or say in round numbers \$300,-000. Add to this amount 50 per cent., which

was a very low estimate, and the amount of sales would be \$450,000, which at one per cent. would yield \$4500, a gain of nearly next brought ap. Dr. Dickson said the necessity of some such provision as this needed no argument. The hospital back of raising the des

eside over the Council, and shall have a to such regulations as the Council sees fit, sting vote, and that the minutes shall be and subject to any statute now, or hereafter en to inspection, was passed. clauses 66 and 67, requiring that notice 21. For preventing the postage of indecent

quired to build the Governor's residence. But the colony could not well go home to borrow so small a sum, and if we did we would have to pay 6 per cent. interest, and 4 per cent. for a sinking fund, so that at the end of 20 years Clause 68, providing for the calling of a streets or public places.

shall be posted up 24 nours before meeting, were passed. Clause 68, providing for the calling of a meeting by three members in case the Mayor shall refuse or neglect to do so on a requisi-tion called by three members, also, clause 69, grossly insulting language, and other immorproviding for the appointment of committees by the Council, and clause 70, providing for the safe keeping of the property of the Coun-the safe keeping of the property of the Coun-

On clause 23 for suppressing houses of ills

Dr. Powell moved that the words "or re-

Incorporation to pass by-laws to regulate

gulating" apply to dance houses. The last two motions were lost, and Dr. Powell's mo-

23. For preventing or regulating horse

fame and dance houses,

the safe keeping of the property of the Coun-cil and for the punishment of embezzlement by not more than two years imprisonment or by fine at the discretion of the court.

Clause 71, confining the jurisdiction of the gulating" be inserted after "suppressing." Council to the city limits, was passed, were He proposed this amendment to enable the passed.

Clause 72, giving the Council power to these houses or suppress them as they deemmake byslaws not specially provided for by ed advisable.

the Act, was passed; also clause 73, provid-ing that by-laws shall be under the Corpo-ration Seal; and clause 74, that copies of law. by-laws shall be received as evidence in any Mr. Duncan moved that the words "or re-

court of justice. on Clause 76, providing that the Supreme Court may quash any by-law for illegality, tion carried, was passed

Clause 76, providing that no by-law which imposes a rate can be quashed after six months have elapsed, was passed; also clauses 77 and 78, providing that by-laws shall be

published in one or more newspapers of the amusement. City. Mr. DeCosmos moved in addition, power Clause 79, enacting the form of notice to be given to the Council to levy a license of be appended to the copies of by-laws and not more than \$100. Carried.

to be inserted in the newspapers, was passed. 26. For suppressing gambling houses, and Clauses 80, 81 and 82, providing for the for seizing and destroying fare banks, rougemode of procedure under quashed by-laws, et-noir, roulette tables, and other devices for gambling found therein. were passed. 28. For preventing indecent exposures of Clause 83, providing for the punishment of

any persons stealing or destroying any doc-uments belonging to the Council, was passed. Dr. Dickson said if any clause in the bill Clause 84, providing that all fines, penal- were necessary, this was. He had had a

ties and forfeitures recovered under the Act good deal of experience in this matter, and 

poration, was passed. On clause 85, providing that the Council may pass by-laws for any of the following purposes: The undermentioned sections Dr. Belmcken said it was provided for already. Dr. Dickson begged the hon. gentleman's pardon, it was not provided for ; unless a fewere passed ; 1. For obtaining such real and personal male happened to pass at the time of the

property as may be required for the use of the Corporation, and for erecting, improving and maintaining a Hall, or other buildings required by, and being upon the land of the Corporation, and for disposing of such pro-disposing of such pro-corporation, and for disposing of such pro-disposing of such pro-corporation, and for disposing of such pro-corporation, and for disposing of such pro-corporation, and for disposing of such pro-disposing of such pro-corporation, and for disposing of such pro-disposing of such pro-corporation, and for disposing of such pro-corporation, and for disposing of such pro-corporation, and for disposing of such property when no longer required, and for rent- places.

ing any houses or buildings for the use of the 30. For licensing, regulating, and govern-Corporation. 2. For appointing such officers as are necessary in the affairs of the Corporation, or for carrying into effect the provisions of any dents in the city of Victoria, or who go from place to place, or to other men's bouses act of the Legislature for the removal of such on foot or with any animal bearing or drawofficers

3. For regulating the remuneration and ing any goods, wares, or merchandise for given for the performance of their duties. 5. For taking a census of the inhapitants to be paid for a ficense for exercising such (or of the resident male freeholders and calling within the city of Victoria, not exhouseholders) of the City of Victoria. ceeding \$100 per, year, and the time the li-

6. For inflicting reasonable fines and pen-alties not exceeding \$50 exclusive of coats, cense shall be in force under such regulations as may be prescribed in such by-law, and in addition to the provisions of any statute now Upon any person for the non-performance of his duties, who has been elected or appointed to any office in the Corporation, and be imposed for hawking or peddling any who has accepted such office and taken the oaths, and afterwards neglects the duties thereof.

vorks, tanneries, actories or trades nuisance. 55. For prever

blowing of herns, noises, in streets a 56. For preven of guns or other fi setting off of fire and for preventing disturbances of th 57. For preven driving in highwa venting the leadi horses or cattle places not proper

58. For prever public places, fr travel in, or emp or go to any taver regulating persons

59. For provid municipality, and contagious or infe 60. For regula dead, and for the place within the m 61, For directin ing bills of mortal alties on persons

ing so. 62. For regulat ers of livery sta carriages, omnibu for hire; for estal be taken by the charging reasonal and for enforcing 63. For regulat porting of gunpor or dangerous ma providing for the zines for storing private parties; store therein; fo within as without purpose of erecti for selling and c longer required t 63. For electin dens, Fire Engin

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continue until 64. For provid persons who dist and for granting

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INCORPORATION BILL. The House went into committee of the

whole on this bill, Mr. Dennes in the chair, commencing at clause 55, which was as follows :

55. The Mayor shall be deemed the Head of the Council, and the Head and Chief Executive Officer of the Corporation ; and it shall be his duty to be vigilant and active at all times in causing the law for the Govern-ment of the city to be duly executed and put in force; to inspect the conduct of all subordinate officers in the government thereof, and as far as may be in his power, to cause all negligence, carelessness and positive vio-lation of duty to be duly prosecuted and punished, and to communicate from time to time to the Council all such information, and recommend all such messures as may tend to the improvement of the finances, the police, health, security, cleanliness, comfort and orna-

ment of the city. Dr. Helmcken moved that the word f police' be struck out. all or

Mr. Duncan strongly supported the clause as it stood, advocating the placing of the police under the hands of the Councils A Mr. DeCosmos said the clause did not place the police under the control of the Council, but he believed that the city would

ere long exact that condition, The clause was passed with the word

" police " struck out,

Messrs. Franklin, Burnaby, Southgate, and Carswell here left the House.

Clauses 56 to 60, appointing a City Clerk, making provision for the appointment of other civic efficers, giving the (ouncil power to fix the place of meeting, and providing that the meetings shall be held openly, ex-cept special meetings, were passed. Clause 62, providing for the calling together of the new Council was passed.

of the new Council was passed.

Clause 63, providing that any member of the Council may resign by the consent of a majority of the Council, was passed, the words requiring the consent of the majority

et pi

being then no quorum the business of the House came to a stand-still. To-morrow (Twesday) the House will go into committee on Ways and Means, when Dr. Dickson's motions on Wild-Land tax,

Capitation tax for the Hospital, and Country

Liquor Licenses will be brought up. TOTADATE SHILLAND TO TOTADAT, March 7.

7d and House met at 3:15 p. m. Members preshas ent-Messrs. DeCosmos, Powell, Franklin, tuo M'Clure, Tolmie, Dickson, Cochrane, Dan-

TOP FETITION FROM LIQUOR DEALERS.

Mr. Cochrane read a petition from the retail liquor dealers objecting to the system of monthly licensing courts and to the number of licenses granted, and praying that the said court be held annually or semi-annually.

The petition was ordered to be laid on the

COASTING TRADE.

Mr. Duncan called attention to the coasting trade of the colony. By the Imperial Act of 1854 the coasting trade of all colonies

would be collected everytime a person

premature. When the two colonies were

Sound, who came here for the purposes of trade (hear, hear). The only remaining travel-that from San Francisco and Port-what had fallen from the hon, senior mem-

in the city, at which parties could procure

comething, on beel, &c. in Dr. ] Dickson replied to the last speaker, arguing that \$1 per head of tax would not ber. He thought that this colony could raise Columbia.

Dr. Tolmie said this was certainly of al times the most inopportune to levy a tax of this kind on parties coming into the colony. It was to our obvious good that miners should go to the upper country mines through this colony and British Columbia, and we should avoid as much as possible throwing

any obstacle in their way. Mr. McClure fully concurred with the last speaker. Whatever might have been the feeling of the House in former times now was certainly a bad time to impose a capi-tation tax. They already had the machinery for collecting revenue, and he did not see the necessity of creating any new machinery, especially where the receipts would be so small.

The motion was lost.

matter under discussion, he would move the following Resolution : 1. That the Trades License tax be levied

hereafter on the returns of business, including wholesale returns of liquors.

2. That a tax be levied on all cattle. horses, hogs and sheep imported into the colony as follows : On cattle, \$4 per head ; horses, \$10 per head ; hogs, \$1 50 per head ; sheep, \$1 per head. Dr. Helmcken had no idea that the hon. gen-

tlemen would come so near his views, or rather go beyond them (a laugh); but he thought the increase on stock too heavy, as also on per cent,, or some such amount, on the amount of their returns, would not be better. He would go further than the hon. gentlemen, entered the colony. Dr. Helmeken would oppose the tax at lumber, which would produce a revenue of the present juncture, as likely to do more about \$3,500. He therefore gave notice that harm than good to the colony. To lay a tax on everyone going through this city to New Westminster would have a very pre-judicial effect. It would not be advisable to levy, any tax on travellers in transitu that imposed on other trades. The banks or on those who merely come to spend the should be charged a heavier sum, or give winter. He therefore thought the motion returns of their business and be taxed acpremature. When the two colonies were united it, would be sime enough. As to the tax raising \$10,000 he could not be-lieve that it would produce any such sum. It was simply preposterous to think of taxing travellers from British Columbia or Puget Environment of the approves of the provision was to obtain the servants who had been receiving pay for six months, and levy a tax of say one half or one per cent, on their annual salaries By this means a considerable revenue might

Sound, who came here for the purposes of trade (hear, hear). The only remaining travel—that from San Francisco and Port-land—was so very small both at present and in prospective, that it could not be looked on as a source of much revenue. There was one thing which would do far more good than twenty hospitals, and that was a dispensary in the city at which parties could progene our imported stock was re-exported, and it proper time came he was prepared to pro-pose a very different kind of poll tax—but not for the hospital—viz., \$1 per head on cattle, \$1 on horses, 50 cents on sheep and hogs, comething on beef, &c.

prevent a single person from entering the all the sheep required for its own consump-colony, as it did not at New York or British tion, by every farmer raising as many as he tion, by every farmer raising as many as he

could, if not more than eight or ten. The Committee here rose and reported progress, and the House adjourned till to-morrow (Wednesday), when the Incorporation Bill will be resumed in Committee.

WEDNESDAT, March 8. House met at 3:15 p. m. Members pres-ent-Messre. DeCosmos; Powell, M'Clure, Duncan, Dennes.

INDIAN LIQUOR TRAFFIC. The Speaker announced that he had re-ceived from the Executive returns of convictions funder the Indian Liquor Act. The House ordered them to be printed.

INCORPORATION ACT.

The House went into Committee on the In-corporation Bill-Mr. Dennes in the chair. Clause 65, providing that the Mayor shall

For breach of any of the by-laws of the places in the municipality, and establishing borporation. Corporation. ...

all other places for the reception or enters 321 Until the Council of Victoria city pass tainment of the public.

and for no other purpose; and thereupon property connected with which such projec-such land, although without the city limits, sons are found.

vaults or otherwise, and for declaring in the are to be held.

11. For preventing cruelty to animals. matter.

Dr. Powell would support the clause, with a view to recommitting the bill to place the police under the control of the Council (hear hear). The clause was passed. 39. For regulating all markets established 41. For regulating or preventing the sale by retail in the public streets of any meat,

The clause was passed. 12. For imposing a tax on the owners, possessors, or harborers of dogs, not exceed-ing five dollars per annum on each dog. 14. For regulating the height, extent, and description of lawful division fences; and for determining how the costs thereof shall be apportioned; and for directing that any amount so apportioned shall be recovered in the same manner as penalties, not other wise

Act; Provided that until the by-laws are thing marketed. made by the Council, the statutes now in 46. For regulating all vehicles, vessels and

force, if any, shall continue to be applicable. 15. For preventing, or regulating, and li-censing exhibitions of wax work, menager-ies, circus riding, and other such like showa ing fines upon persons infringing such by-laws, and for levying the same by distress, showman, or belonging to or used in such exr, biblicon whether owned by such showman or het, or for the imprisonment of such offenders

17. For preventing the injuring or destroy-ing of trees planted or preserved for shade or 50. For preventing or regulating the bathrnament. 18. For preventing the pulling down or de water in or near the Municipality. ornament. facing of sign boards, and of printed or writ-

ten notices. 19. For authorising any corporate Gas or Water Company to lay down pipes or conduits closed.

for the conveyance of water, or gas under 54. For preventing or regulating the erecstreets or public squares or reserves, subject tion or continuance of slaughter houses, gas-

7. For regulating victualing honses, ordi-but no such by-law as to ferries shall have naries, and houses where fruit, oysters, clams effect until assented to by the Governor in or victuals are sold, to be eaten therein, and Council.

tainment of the public. 8. For ascertaining and establishing the or, by order in Council, may from time to boundary lines of the city of Victoria, and the respective Wards thereof according to and establish the rates to be taken thereon. a by-law regulating such ferries, the Governlaw, in case the same has not been done, and 33. For giving prizes for competition for erecting and providing for the preserva- among the pupils of the Public Schools of tion of the durable monuments required to be erected for evidencing the same. 9. For accepting or purchasing land for public cemeteries without the limits of the 35. For directing the removal of door-

cepted or perchased for such purpose, except by a by law declaring in express terms that the land is appropriated for a public cemetery, and for no other nurpose, and theremose the perpose of the proprietor or occupant of the expense of the proprietor or occupant of the property connected with which such project

shall become part thereof, and such by-law shall not be repealed. 10. For selling or leasing portions of such land for the purpose of interment in family or waters, and the banks thereof.

27., For establishing, protecting and reguconveyance the terms on which such portions lating public wells, reservoirs, and other conveniences for the supply of water; and for making reasonable charges for the use there-Dr, Helmcken objected, as it was a police of, and for preventing the wasting and foul-

ing of public water. 38. For establishing markets.

the same manner as penalties, not otherwise 45. For imposing penalties for light weight provided for may be recovered under the or short count, or short measurement in any-

force, if any, shall continue to be applicable. other things in which anything is exposed

net, or for the imprisonment of such offenders 48. For seizing and destroying all tainted for any term not exceeding one month.

16. For preventing the violation of cemerative set of food. teries, graves, tombs, tombstones, or vaults, where the dead are interred. articles of food. 49. For selling, after six hours, notice, butchers' meat, distrained for rent of market

51. For preventing and abating public nuisances

53. For causing vacant lots to be properly

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