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The Assembly yesterday took up in our opinion, not only a supremely ridiculous, but a wholly indefensible position with reference to Mr. Young's Bill to render valid the collection of the City Trades License and Real Estate Tax by the Mayor and Council. But when we say the Assembly we are perhaps a little too fast. We mean the majority who, as may be seen in our legislative report, consigned the bill to the waste paper basket—for there was a small minority who showed that there is a little common sense still left in the House. That our readers may understand the question, and thus be better able to judge of the conduct of the majority yesterday, let us state what Mr. Young's bill proposed to do. In the two first clauses provision was made to enable the Mayor and Council to enforce the Trades Licenses and Real Estate Tax under the by-laws of March and December, 1863. The next two clauses proposed to repeal a section of the present Incorporation Act, and to legalize the by-laws, and enable the Mayor and Council to frame

his assent—any member of the Assembly at least—would think of throwing out of the House or placing the least obstruction in the way of a bill making the collection of the civic taxes speedy and valid? But the majority, led on by Mr. Street, and supported by the chivalric Col. Foster, and Drs. Powell and Trimble *à hoc genus omnes*, thought otherwise. They would neither consent to let the bill go to Committee of the Whole nor to a second reading, nor to a Select Committee to prune the bill of what in their opinion were its objectionable features. The bill must be thrown out *in toto*, said they; and out it went. A more ridiculous insane and nonparliamentary course, could not have been adopted. The act is absurd, because the House will again have to do a portion of the work which it undid yesterday, and in the way they propose to do it, it makes that body superlatively ridiculous. One incipient legislator, Mr. Duncan, as soon as the division took place, gave notice that on Monday he would move an address to the Governor to appoint commissioners to collect the trades license and real estate tax, who were to pay the money into a revenue account, "to liquidate the indebtedness of the city." This appeared to be the programme of the warlike majority, marshalled into line by the gallant Foster, aided by the talented Street, the astute Trimble, the cautious Powell, and the constitutional member, Mr. Duncan, not forgetting the mercurial Dennis. Doubtless in solemn secret conclude this wonderful stroke of statesmanship was matured. But we pity the Majority, for who ever heard of a Governor collecting taxes that were illegal? Who ever heard of commissioners being appointed to collect taxes on an address of the Assembly without a revenue act? To Mr. Duncan and his friends the honor of this great constitutional discovery is due. The Upper House is ignored. The ordinary mode of making laws is rejected. A kind of "fifth estate" is to be created—an estate unknown to the constitution. The majority or some of them, held that there is no Mayor, no Council, no incorporation, and as a matter of course, no civic taxes, yet Messrs. Foster, Duncan & Co. propose to address the Governor to collect the taxes! and to collect them by a process hitherto unknown in British communities! Could any more ridiculous scheme be imagined? Truly, fact is stranger than fiction. The member for Lake really deserves the palm as the creator of constitutional paradoxes—the exponent of those who expect to collect taxes where they say none are due! But this address is only one piece of the majority's absurdities. By throwing out Mr. Young's bill they will be compelled to do one of several things—for Mr. Duncan's motion is so absurd that

none but the veriest tyro in legislation could perpetrate it. First the majority will have to pass a separate bill to enable the Mayor and Council to collect the civic taxes. If they do this, they will merely do the work which they undid yesterday, in throwing out Mr. Young's bill, and thus stultify themselves. Secondly, if they add a provision to an amended incorporation act to enable the Mayor and Council to collect the civic taxes, they could have done the same thing by referring the bill as proposed by Mr. DeCosmos to a select committee, with instructions to bring in an amended bill embracing all the provisions necessary to make a good and efficient incorporation act. If this course be pursued, (and it seems to us immaterial whether permission to collect the definition

of the intended majority be granted), the ridiculous position of having to do what they have already undid. Thirdly, if Lycurgus, Solon & Co. refuse to pass a separate bill to make valid the collection of taxes, or to add a provision to that effect to a new amended Incorporation Act, there will only be two courses open; one will be to let one portion of our citizens go without paying their taxes, whilst another portion have paid theirs up in full. This would put a climax on the proceedings of these erring Reformers, from which every good citizen hopes to escape. The other course, and this was actually proposed by Colonel Foster, is to pass a bill to allow the Executive to collect the Municipal taxes. But this he soon perceived was rather insulting to the Mayor and Councils, and he took opportunity to back down from it. Mr. Duncan, however, only rendered the proposition more insulting by proposing in his notice of motion that commissioners should collect the taxes. If the Mayor and Council have acted honorably and in good faith by the city, there could be no greater insult than authorizing the Executive or appointing Commissioners to do what the corporate authorities are themselves every way entitled to do. There is but one course open, if neither of these courses be adopted, that is, to levy an additional tax on the whole colony to meet the city's indebtedness. But it is needless to pursue expedients. The tr. it is the gentlemen who yesterday voted to throw out Mr. Young's bill will soon feel ashamed of their conduct; and—*cray-fish like*, will have to back-out of their untenable position, be required to parliamentary, not to barroom

and council to collect the civic taxes. There is no other course open, for the people of this city will not submit to anything else. They will have the civic taxes collected by the city authorities and no one else. There is one objection urged against Mr. Young's bill, as a reason for rejecting it. Powell, Trimble & Co. were the objectors mainly. They did not believe in passing a bill portions of which were offensive to them. Verdant and hoary headed senators agreed on this point! When in nearly every case bills have to be pruned to meet the views of the legislature after they are laid before it. And no wonder it should be necessary in this case when the author of the present incorporation act drafted Mr. Young's bill. If this be an objection any and every member of the House will have to raise. There is no defence for the conduct of some of our city and country members yesterday; no course open but retraction and repentance.

VIVA VOCE DIFFUSION OF INFORMATION RESPECTING OUR RE- SOURCES.
EDITOR BRITISH COLONIST—Sir: The importance of adopting measures to carry out the above object has been repeatedly canvassed of late in communications addressed to your paper, and the subject has been extensively agitated in private circles throughout the community. Statements that have appeared in the English press within the last twelve months concerning the condition and prospects of these colonies are of so conflicting a description as to baffie the most diligent attempts of those at a distance to ascertain the true state of the case. Some having relinquished comfortable situations in the parent country without possessing themselves of adequate information about their proposed destination before embarking, are involved in the painful consequences of their indiscretion. Those unfortunate adventurers, instead of taking a calm and intelligent retrospect of the causes of disappointment and bearing it with suitable fortitude, injudiciously charge their misfortunes upon the country, and publish their checkered experience for the edification and warning of timorous fellow subjects—dipping their pens in the gall of bitterness. Others, viewing the condition of their adopted country through the medium of the prosperity with which their struggles have been rewarded, indulge in the strain diametrically opposite. Shall the anxiety of enquiring thousands to have this tangled skein of contradictions unravelled, be permitted to remain unrelieved? That class for the reception of which the country is as yet unprepared, will doubtless be deterred from coming by the unsatisfactory nature of the reports that have reached them; a circumstance not to be regretted. But it should be remembered that multitudes capable of benefiting the country by the investment of capital, and the application of industry, are discouraged from the same cause; and many are included in the number, are without opportunities of seeing regularly the correspondence of the *Times* from this place, and unable to command leisure for studying books containing more extended accounts of British Columbia and Vancouver Island, who would gladly listen to any distinct and reliable *vis-à-vis* representation of the subject. A few of our citizens imagine that the method of introducing our colonies to the

acquaintance of people in other parts of the empire, must inevitably be followed by such a considerable and promiscuous immigration as inundated our shores in 1862. But the general disapprobation expressed at that period in reference to the too exclusively *couleur de rose* statements of the *Times* correspondent, and of other well-intentioned gentlemen of position among us, affords ample guarantee that the inducements presented for the development of our resources, shall not be restricted by the lecturer who may be appointed by the government, without the difficulties to be encountered receiving their due share of notice. The inducements immensurably outweigh the difficulties, and the advantage of both being justly set forth together, will be that the attention of a class

of our citizens, who will emigrate prepared to grapple with obstacles, will fully sensible of the prizes to be won by overcoming them. There is not one of the Colonies of Australia or New Zealand, which has not been represented by a Government agent, and every British North American possession, with the sole exception of ourselves, has resorted to a similar plan for advancing its interests. If those sections of the Empire, already abounding in wealth, population and enterprise, deem such a step urgent, notwithstanding the innumerable books that have been published concerning them—how much more imperative is the obligation imposed upon this *terra incognita*, containing an aggregate population of only 10,000 after an existence of about ten years—situated on the verge of the western world, and so extremely remote from the parent country, to employ agency for enlisting the aid of capitalists and laborers in the crowded cities of England for developing our rich and varied resources! The attempt may not in the first instance be attended with striking results, but if the settlement of these Colonies is to be promoted at all, that consummation is not to be accomplished by leaving the British public in their present benighted condition with regard to us. It was unbecomingly to pass over without acknowledgment the vigorous exertions of the Bishop of Columbia to supply what we desiderate. But the present mission of that gentleman being an ecclesiastical one, and his time being professedly devoted mainly to objects of that character, it is not to be expected that he should have opportunities of discussing so systematically a large, or so general subject, as an effort specially set apart to that work. The limited extent of land fit for cultivation in these colonies has sometimes been adduced as an argument against encouraging the immigration of poor settlers. Any apprehension entertained however, of an

insufficiently judicious persons could not be brought higher without assistance. That the local government cannot, and the Imperial Government, in all probability, will not render. Families who emigrate to us, should be disposed, on careful deliberation to emigrate for farming purposes, and we may rest perfectly satisfied that there will be an abundance of land on the Island and on the mainland for those who may engage in that occupation for many years to come. It will be time enough to raise this objection when the available land on both sides of the Gulf is cultivated. It must be admitted that the future prosperity of these colonies depends chiefly upon their metalliferous character. The assertion may safely be hazarded, that they contain sufficient arable soil, to sustain whatever population they may wish to have during the next fifty years. Besides, the limited extent of land in the country which is alleged, offers a most valuable advantage to early settlers, provided other elements of wealth are found to exist calculated to attract extensive population. It is a fundamental principle of political economy that demand for any article which is scarce augments its value; and on the supposition of our mineral resources being so abundant as eventually to build up important and permanent centres throughout the country, large and profitable markets will be furnished to agriculture, and the price of their land. These remarks find present verification on a certain scale in the interior of British Columbia, and as towns of greater magnitude are in future years called into existence, it will become increasingly evident that farmers in their vicinity possess an advantage over all competitors of the same occupation in the neighboring American territory, whose products would be chargeable with freight and duties. In further illustration of this point, the extreme western districts of America and Canada may be pointed to, since the rolling prairies for which they are distinguished are often extolled as inviting for settlement, to the disparagement of our more circumscribed and less bounteous soil. But it should be considered that the value of land so inconveniently situated to market, as in the case just referred to, is correspondingly low, and the crops of the other districts of the continent that have been specified. These results cannot, of course, be brought about in a day; and only those immigrants from distant parts should be encouraged to cast in their lot with us, who are prepared to exercise that amount of energy and endurance requisite to secure the promised reward.

Again with respect to the promotion of farming settlements in Vancouver Island, it is objected that general produce can be imported more cheaply from the American side of the boundary than it can be grown here. This remark derives some plausibility from the experience of the past few years. But producers within a convenient distance of Victoria, will always obtain an advantage over foreign competitors in saving of freight and

proximity to market. The great drawback hitherto to the production of green crops in the Island, has been that the *ratio* of supply from all quarters has been much in excess of consumption. But as the population of the city multiplies, there will be a brisk sale for as much as can be produced in our own territory and as may be imported from that of America. Farmers resident adjacent to towns that may spring up in the Island north of Victoria, will be able still more effectually to withstand foreign competition from the greater expense and delay involved in exporting produce to such a distance. But there are articles that at the present moment yield handsome returns and will continue to do so in spite of American competition being increased a hundred fold. One is amazed at the suggestions that in which farming

got for hay, barley, butter, eggs, chickens, beef, mutton, pork, &c. While, however, the inducements offered to agricultural settlement in these colonies are by no means despicable it is to our gold, copper, coal, timber and fishery products, together with the vast commercial possibilities of Victoria, that a colonial agent going home should specially draw the attention of the British public. About the importance of these resources, there is no difference of opinion; and they constitute the grand springs to do them justice. To explore these elements of wealth is beyond the means of most private individuals. But let English companies be formed, and apply themselves to the task, and the country would advance in a few years with strides exceeding our most sanguine conceptions. I am informed upon good authority, that when the appointment of a lecturer is decided upon by the government, a petition to the Royal Mail Steam Packet Company is to be prepared for signature by the merchants of the city, and presented by the agent to the directors of the company in London, requesting them to place a line of steamers on the coast, between Panama and Victoria, calling at San Francisco, in connection with the memorial to the same effect from the House of Assembly, addressed to the secretary for the colonies, it is confidently believed that a satisfactory arrangement will, not many months hence, be concluded. F. L. G.

THE "POSITION" UPSET.
Our morning contemporary in its zeal to embarrass the Mayor and Corporation of this city, and to throw doubts upon the rights and powers of the Council to perform the ordinary duties and functions of office, has been led into the somewhat amusing error, of discharging

in a professional manner endeavoring to foster the authorship of an article in our paper upon an individual writer, with the idea probably of inflicting some anonymous, which it will know any attack upon us in the ordinary way would be utterly futile in attempting to convey. We can assure it that its random shafts fall as harmlessly upon us as do its would-be crushing assertions, without a valid argument to support them, upon our Mayor and Corporation. The *Chronicle* per se fortunately could not determine the fortunes of the city. But since our contemporary has become the organ of a clique who arrogate to themselves the position of leaders of the opposition in the House of Assembly, we must presume that for the future the city is to look to it as the true exponent of its position. If, however, this mighty clique could inspire our contemporary with a little more sound reasoning upon the subject, they would be more likely to gain the confidence of the people; there are surely some amongst them "estate" enough to have drawn its attention to some of the cases turning upon the question of the incorporation of the "inhabitants" of a borough. If they have not been able to do so, we must take the liberty of supplying the deficiency. In the first place, it has been laid down that the word "inhabitants" in a charter has not in itself any definite legal meaning, but must be explained in each case extrinsically, as by evidence of usages, or by reference to the context and objects of the charter. We do not wish to trouble our readers with references to cases; the principles are so plainly laid down in Grant on Corporations, and other hand books on municipal law, that we are content to take them for our authority. One case however, we would name, which is that of the Mayor, etc., of Colchester. Brooks, which will be found reported in the Queen's Bench Reports, VII. 336, from which it appears that the Corporation of Colchester had no integral parts, but only a head. It had a Mayor and commonalty, certainly, but that commonalty was only the governing power, and did not consist of the inhabitants of the Borough. We cannot, however, accept it as an axiom that the "Chief Justice, the majority of the House and people," and the *Chronicle*, are united in the opinion that the Mayor and Council are not incorporated. It is perfectly clear that the Chief Justice has never laid down such judgment. If, however, doubt exist as to the validity of the Act of Incorporation, why, we ask, are none bold enough to test it by an information in the nature of *quo warranto*. It is in the power of any stranger to the Corporation thus to raise the question of the validity of the Act, if he has a penny interest in proving the nullity of the charter, and if there were one in the whole

community bold enough to court his own ruin, the matter would in this manner be easily disposed of. The Chief Justice has decided against the power of the Mayor and Council to levy the Trades License; but has rendered no such decision on the real estate tax, which under the 24th clause of the Corporation Act, 1863, the Council are distinctly authorized to collect. In our opinion, and in that of more than two-thirds of the inhabitants of the city, the clause in the reported bill which was intended to deprive the power of the Council to collect the real estate tax, was unnecessary as would be the clause in the bill which was intended to deprive the Mayor and Council of the power of levying a "parliamentary corporation" and can only be relieved from the responsibilities which they entered into towards the state in their constituting statute, by means of an act of the Legislature repealing the provisions of the Act of 1863. Grant, page 307. If it should be decided that the inhabitants of this city are not incorporated, and non constat that for want of even a necessary integral part of the corporation the act would be void—the borough of Colchester and seven other boroughs had new charters granted to them on account of having, in the one instance never had more than a Mayor and Commonalty, and in the other cases, because the integral part of the corporation necessary for the election of the Mayor and Council had ceased to exist. We do not for one moment hold that it is undesirable to pass a new Act of Incorporation, but we most unhesitatingly say, that it is not proven that the present act is void, and until the question is tried on *quo warranto* or by means of a special case, it cannot be affirmed by the greatest radical amongst us who has a particle of legal or constitutional knowledge, and with any shadow of truth or reason that we have no corporation in this city. The legal gentlemen themselves who so ably argued against the power of the Council to collect the Trades License, will not and do not attempt to say that the corporation has no legal existence. Taking our stand as we do upon the broad principle that we have a Mayor and Council, it would be beside the question for us to enter into any discussion

beside the point, yesterday, *Chronicle*, which are, as matters stand, equally absurd and untenable. **INJUSTICE.**—The *Chronicle* in its very "protection" article of yesterday, accuses Mr. DeCosmos of advocating "such crochets as protective duties" in the House. No one knows better than our contemporary how malicious and totally untrue this allegation is. Turning back to the *Chronicle's* own report of the proceedings of the House, we find Mr. DeCosmos moving "That this House is favorable to a union of Vancouver Island and British Columbia, provided that an Act of union can be framed which will not endanger our Free-Port." Again, on the Reciprocity question last night before the House, we find him offering the following resolution:—"Resolved, that on the opinion of this House a treaty establishing unrestricted commerce with the United States of America would be mutually advantageous." Yet the *Chronicle* deliberately gives the lie to its own reports by accusing Mr. DeCosmos of advocating "protective duties!" So long as the *Chronicle* is under its present management Mr. DeCosmos need expect neither truth nor justice in his treatment by that journal, and it is perhaps fortunate for that gentleman that the public are as well aware of the motives which influence his conductors in their reprehensible conduct.

THE "RIDICULOUS" MAN.—It is currently rumored that the honorable member for Lake is so heartily ashamed of the unique legislative gem which he submitted to the House on Friday, that he intends to withdraw it. We hope, for Mr. Duncan's sake, that the report may be true, as we cannot conceive anything more palpably and constitutionally absurd than the paradoxical specimen in question. The honorable member, after throwing out Mr. Young's bill, calmly and deliberately proposes to request the government to appoint commissioners to collect the one half of one per cent. tax "new due" on real estate. In the name of common sense we would ask, if the Mayor and Council had no legal existence, (as the honorable member and his sympathizing fraternity have contended) who had the power to levy the tax "now due" on real estate? We should then like to know how the House can consent to a motion which recognizes alone the Queen and Commons, and utterly repudiates the Lords?

OUR "CAREER."—It is rather amusing to notice the anxiety manifested by our contemporaries as to the duration of our existence. "Our waspish little neighbor on Yates street sometime ago predicted a speedy termination to our 'unenviable career,' and yesterday the *Chronicle* gives us a few more days before our 'career shall be closed forever!' We can easily account for the anxiety of our contemporaries on this matter—it would be their salvation; we will, however, be more charitable than they, and hope that their prosperity may find some surer basis than the downfall of the *Colonist*, otherwise we will soon be left alone to mourn their less.

PEN
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