

Tuesday, April 12, 1864.

HOUSE OF ASSEMBLY.

FRIDAY, April 8, 1864.

House met at 3:15 p.m. Members present—Messrs. Young, DeCosmos, Powell, Franklin, Tolmie, Trimble, Street, Carswell, Bayley and Dennes.

EDUCATION.

Mr. Duncan said that amid the many duties which had fallen on the members of the committee on Education, they had at length found time to draw up the following report: (published in another column).

Mr. DeCosmos moved that the report be laid on the table, to be taken up on Monday. Carried.

ROAD PETITION.

The Speaker read a petition from a number of the settlers on the Saanich road, praying that a deviation might be made in the road to avoid a sharp angle now existing.

The hon. member for Saanich, visibly astonished, asked who signed the petition?

The Speaker read the names, and the report was ordered to be sent to the Executive.

GOVERNOR'S RESIDENCE.

The Speaker put the resolution passed by committee of the whole in regard to a Governor's residence, for the adoption of the House.

Ayes—DeCosmos, Tolmie, Duncan, Carswell, Dennes (5).

Noes—Young, Powell, Franklin, Trimble, Street (5).

The Speaker gave his casting vote for the adoption of the resolution.

PRIVATE SECRETARY.

The Speaker put for the adoption of the House the resolutions passed in committee of the whole, on the salary and expenses of the Governor's private secretary:

Ayes—DeCosmos, Tolmie, Duncan, Carswell, Dennes (5).

Noes—Young, Powell, Franklin, Trimble, Street (5).

The Speaker gave his casting vote for the resolution.

BILLS FROM THE COUNCIL.

The Bank Note bill, with amendments, and the Barristers and Attorneys' bill, with amendments, as passed by the Legislative Council, were laid before the House, and were read a first time.

INCORPORATION BILL.

The House went into committee on this bill, Mr. Bayley in the chair.

Section 48. Providing for the holding of special meetings of the Council, was passed.

Section 49. Providing that the clerk of the Council, or the sheriff in his absence, shall summon the Council to meet not more than 14 days after election, was passed.

Section 50. Providing for the preparation of a list of voters on the 1st of August, to be exhibited at the door of the Post Office and Council Chambers till the 21st day of the month; was passed; also providing for the appointment of a Board of Revision, on the 1st of September, consisting of three commissioners, to meet on the 1st of September, and to have power to examine witnesses on oath, the revision to be completed in one week.

Sections 51 to 53, regulating the proceedings of the Council, were passed.

Section 54, providing that if the Mayor refuse or neglect to call a meeting within 48 hours after a requisition presented to him signed by at least three commissioners, that these three may call a meeting, was passed; also Section 55, giving the Council power to appoint committees.

The following are the By-laws which the Council are authorized to pass:

1.—To regulate and provide for the drainage and sewerage of the said city, and to establish a general grade in the said city.

2.—To regulate the maintenance, repair and construction of the highways, footpaths, public wharves and bridges situated within the said city.

3.—To regulate, purchase and hold such real estate within the limits of the Municipality as may be required for corporate purposes; and to accept, purchase, and hold land for public cemeteries beyond the limits of the municipality, and to lay out, improve, manage, lease or convey the same or any part of the same.

4.—To regulate the public market, the sale, carriage or storage of gunpowder, and for the inspection of weights and measures within the said city.

5.—To establish a City Pound, and to make regulations as to its governance.

6.—To regulate all matters affecting the liability of the said city to fire, and to make regulations with regard to the preservation of the said city from fire.

7.—To regulate the public lighting of the said city.

8.—To regulate the sanitary condition of the said city.

9.—To provide for the prevention and removal of nuisances within the said city.

10.—To regulate the traffic within the said city.

11.—To establish and maintain landmarks in the said city.

12.—To establish, lease and regulate all public ferries within the said city, and to fix the tolls for using the same.

Mr. Franklin introduced his motion to grant the Council power to establish a free secular school within the limits of the city.

The honorable gentleman said when he introduced this motion he was not aware that the school committee had drawn up a report, but he thought that in the meantime something should be done to fill the want occasioned by the stopping of a certain city school.

Mr. Street said he did not think the hon. gentleman paid the School Committee a very high compliment when he brought up such a motion, after having read a report which he (Mr. Street) must say laid down the best and simplest scheme for education which could be conceived. He was not disposed to place in the hands of the Council the power to take in hand the education of the colony.

Mr. Young said he thought quite a sufficient sum of money had been voted for education already. So far as the closing of a certain school was concerned, by which some 40 children had been thrown on the streets, he would say that there was another school for them to go to, and he hoped that before many months passed a much better school

house would be ready. He deprecated any interference with the scheme proposed by the School Committee.

Mr. DeCosmos said it might be arranged that the City Council might be made the city trustees in any colonial scheme which might be brought up. He did not see why such an intense feeling should be got up in reference to the schools. He believed that in the school reserve we had a site for public school purposes in any country. It might be that we might require infant schools, which might be established through the city.

Dr. Helmcken said a good deal had been said about the different schools, but he would like to know if any one could point to a better school than the one now kept by the Sisters of Charity. He thought some provision should be made for orphan children.

Mr. Franklin said he had no intention whatever of disparaging the efforts of the committee, although they were somewhat tardy. He was always in favor of a school on the reserve, but pending the establishment of a public school, he thought it very necessary to fill the vacancy; as hon. members seemed however to oppose his amendment he would withdraw it.

Dr. Trimble thought the city members should attend to the city schools, and not interfere on a district; he had objections for them to put up a large school on the reserve, but he did not want to see a crowd of children from the city coming out to infringe on the rights of the district children (oh! oh! and laughter).

Section 57 to 60. Providing for the reconsideration of the laws, the majority necessary to pass a by-law, the assent of the Governor, and the enforcement of the by-laws under a penalty not exceeding \$250, were passed.

The committee here adjourned, to meet same evening at 7:30.

7:30 P.M.

Committee resumed its sittings. Members present—Messrs. Young, DeCosmos, Powell, Franklin, Tolmie, Street, Duncan, Bayley and Dennes.

Section 61, providing that the revenue of the city shall be paid into the bank, and as a city fund, and declaring the various purposes to which it may be applied, was passed.

Section 62, levying an annual real-estate tax not exceeding one-fourth of the tax payable on the Government Assessment Roll, to be fixed by a by-law annually passed by the Council, and to be collected by the collector of the city, and paid into the city funds, was passed.

Section 63, levying a trades' license tax not exceeding one-fourth of that on the Government Assessment Roll, to be fixed by a by-law annually passed by the Council, and to be collected by the collector of the city, and paid into the city funds, was passed.

Section 64, levying a license tax on any person or corporation who shall be engaged in the sale of liquor, to be fixed by a by-law annually passed by the Council, and to be collected by the collector of the city, and paid into the city funds, was passed.

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Section 118, levying a license tax on any person or corporation who shall be engaged in the sale of liquor, to be fixed by a by-law annually passed by the Council, and to be collected by the collector of the city, and paid into the city funds, was passed.

MINING DEPUTATION TO THE GOVERNOR.

Yesterday morning a number of gentlemen interested in the Goldstream quartz mines waited on His Excellency the Governor to lay before him the position of the mines, in reference to the contemplated mining laws, and also in regard to matters generally connected with the development of the mines.

His Excellency received them in the most courteous manner and evinced much interest in the subject.

Mr. A. D. Bell, who acted as spokesman for the deputation, said they represented the majority of those who had invested their means in the Goldstream mines, and understanding that it was contemplated to introduce a series of mining laws for this colony they had waited on His Excellency to express their views on the matter.

His Excellency said, not to interrupt the gentlemen, that he was not cognizant of any mining laws having been brought up in regard to mining; nothing had come up before him further than this, that in regard to persons who had taken up claims he would say that they would certainly be secured in these claims subject to any laws which might be passed by the Legislature.

Mr. Bell said all they wanted was to be heard before any steps were taken as to making laws.

His Excellency said he would assure them that they would be considered, in making any laws which might be deemed necessary in regulating mining. Now that his attention had been drawn to the subject he would inform himself thoroughly in reference to the subject, and give it his earnest consideration.

Mr. Bell alluded to the sum voted by the House for the Goldstream road, and said that they made application to Sir James Douglas to have a further sum of \$6,000 placed on the account for the completion of a road through to the mines, but owing to the late Governor having left so soon the sum had not been placed on the supplementary estimates.

Upwards of 100 men were now spending all their spare means in the development of Goldstream, and hoped they would receive some assistance from the Government.

His Excellency—Does this road lead anywhere else than to Goldstream?

Mr. Bell—Yes, it will be the trunk road to Nanaimo.

His Excellency—Was the road projected before Goldstream was discovered?

Mr. Bell—There was a horse-trail through the country.

His Excellency—What is the distance from Victoria?

Mr. Trounce—About fourteen miles.

His Excellency—I am not at all averse to ride that distance, or five times as far, if need be, but I will go and see what is necessary to be done; meanwhile, we will see what can be done in regard to a code of mining laws. I suppose, gentlemen, that every little roadway in the colony has its own partisans, and the Legislature being anxious to please you all, gave \$1,000 or \$2,000 to each of you to stop your mouths.

His Excellency thought it would be better perhaps to let some parts of the country wait, in order to finish one road properly and speedily. Half a road is useless; it is worse than the half of anything else. It was well known that roads were a fruitful source of discontent in all new colonies. The main thing was to finish satisfactorily and properly one portion of the road before going on to the rest. He would give the subject of mining laws his immediate attention, although he was not aware how these things were done here.

Mr. Trounce said a usual way here was to appoint a mining board of practical men, who would confer with the Legislature.

Mr. Pochin informed His Excellency that they had a bar of metal taken from one of the claims, but, unfortunately it had been lost across the Sound this morning. If His Excellency wished he would be glad to show it to him.

His Excellency expressed his desire to see it.

Mr. Leneveu said that the people in the colony had been depending long enough on the mines of British Columbia, and they were now determined to develop the resources of their own island.

His Excellency commended this determination, and expressed his intention of paying an early visit to Goldstream and see the state of things for himself, and added that he would be pleased to have the company of any of the deputation who might wish to go. He would give them notice when he was ready to go out.

The deputation expressed their gratification at the courtesy shown them by His Excellency, and withdrew.

SUMMARY COURT.

[BEFORE CAMERON C.J.]

Ford v. Lee and another.—Green for plaintiff; Deanes for defendant. This was an action for a balance of account by the plaintiff for painting, &c., done by him as a subcontractor. The plaintiff had done a certain amount of work which was extra the contract; the defendants had paid \$33 over the contract price for extras, and objected to pay any more. Judgment was reserved for the production of the written agreement.

Hall v. Allan.—Drake for plaintiff; Green for defendant. Judgment was given in this case, in which the plaintiff claimed \$150 for the value of a horse and mule which had been placed in the defendant's hands to bring down from Cariboo. The defendant stated that the animals were not fit to bring down. Judgment was given for the defendant.

UNION OF THE COLONIES.—The following is the clause in the Imperial Act of August 2, 1858, providing for the Government of British Columbia, which opens the way to the union of the two colonies. Clause VI. No part of the colony of Vancouver's Island as at present established shall be comprised within British Columbia for the purpose of this act; but it shall be lawful for Her Majesty her heirs and successors, on receiving at any time during the continuance of this act a joint address from the two Houses of the Legislature of Vancouver Island, praying for the incorporation of the Island with British Columbia, by order to be made as afore-

said with the advice of Her Privy Council to annex the said Island to British Columbia, subject to such conditions and regulations as to Her Majesty shall seem expedient and therefrom and from the date of the publication of such order in the said Island, or such other date as may be fixed in such order, the provisions of this act shall be held to apply to Vancouver Island.

ARRIVAL OF THE DANMARK.

Later from San Francisco.

The bark Danmark, Capt. Bartlett, arrived in the outer anchorage on Friday morning, with dates from San Francisco to the 28th ult.:

EUROPEAN INTELLIGENCE.

The Austrians made a further advance towards Jutland, and the investment of Fredericia by the allies is expected in a few days. The Prussian headquarters are at Werzeld, on the frontier.

A despatch of the 8th, says a Prussian division of the Guard, accompanied by the Crown Prince and Field-Marshal Wrangle, advanced to-day to Souderskogh, driving the Danes back to Fredericia, and capturing 180 prisoners. The Prussian loss was small. The Austrians were advancing.

LONDON, March 10.—A severe fight took place between the Austrians and Danes near Vele, with heavy losses on both sides. The Danes drove them back, and are advancing in great force towards Fredericia.

The Shipping Gazette interprets Earl Russell's speech of Tuesday night, as in effect meaning that England was pledged to maintain the independence of Denmark by negotiation if possible, and failing that, by force of arms.

Lord Palmerston, in response to a speech of Disraeli, reiterated his conviction that the whole of the Austro-Prussian proceedings were outrageous, and not justified by the state of affairs.

Russia has proclaimed the emancipation of the peasants in Poland.

Important petroleum discoveries are reported in Southern Russia.

A Ministerial crisis has occurred in Greece.

CALIFORNIA ITEMS.

Naval Protection to the Pacific Coast.

A despatch from Washington, says the Congressional delegation from California, called upon Secretary Wells a few days since to see if an additional naval force could not be sent to the Pacific coast, where there is great necessity for an increase of the force.

They were informed that the Wateries was then lying at the Washington Navy Yard, and all ready for sea, and had been for some time under orders for the Pacific; but she was short 100 men and could not leave in consequence. Upon this Mr. Conness introduced his joint resolution authorizing the transfer of men from the military to the naval service, for the special object of enabling vessels to be sent to the Pacific. The resolution has passed both Houses, but with a proviso that such transfer should not be made from the regiments below the minimum number, which under the construction of the Secretary of War, virtually nullifies it, and he will not consent that a man shall be transferred. By an amendment to the Enrollment law both seamen and ordinary seamen can be transferred under regulations to be prescribed by the President; and under the pressing necessity which exists for recruits in the naval service, he will no doubt at once prescribe such regulations.

News has reached us by the way of Tucson, that a party of Mexicans on the Tubutama ranch, not far below the boundary line of Arizona and Sonora, numbering some 40 persons, were attacked a few days ago by a large band of Apaches, and 16 of the Mexicans killed. Among the number was a bride couple on a wedding tour. It is said that the bride was taken prisoner, and is now in the hands of the Apaches.

CHASE VS. LINCOLN.—A telegram from the St. Louis Democrat, of 23rd February, dated Washington, 20th February, says:

A circular is published in the papers here opposing the nomination of Mr. Lincoln, and urging the nomination of Mr. Chase for the succession to the Presidency. It is understood that it originated with an extensive organization here of political leaders from all parts of the country, which is believed to be in connection with the controlling minds of the old Republican and present administration parties in New York and Boston. It