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THE MUNICIPAL STRUGGLE.

The Nanaimo Incorporation bill has finally passed the Assembly, after a somewhat stormy debate. The great point at issue was the system of police government—whether the Executive should retain the control of the police or whether the force, small or great as it might be, should be placed under the control of the inhabitants. The House has decided in favor of the latter scheme. The Governor is to have the power of appointing the members of the force, but their pay is to be left to the Council, and their superintendence and control exclusively to the Mayor. We think there will be but one opinion as to the action of the Assembly, and that one a hearty endorsement. The principle of self-government is too dear to the heart of every honest and intelligent British subject to be ignored with impunity by any Legislature. What the people want in every part of the Island, where the circumstances will admit of it, is the power to manage their local affairs, and they will have the power, despite any and all antagonism, come from what quarter it may. The miserable attempts which were made by a few members of the House to make the Nanaimo Incorporation bill a burlesque—to ignore the right of the inhabitants to govern themselves—recalled on their own heads. There was sufficient manliness in the Assembly to rise above the wretched pandering to Executive power, and the schemes of the enemies of the public proved, as they always will in the end prove, abortive.

The question at issue, although in itself one affecting but a fraction of the people of Vancouver Island, embraces, nevertheless, one of the most important principles which can come up before a legislative body. It is on this ground, and not merely because the inhabitants of Nanaimo will have a little more to say in the management of the police, that we deem the subject worthy of more than ordinary attention. It is on the ground that in a new country like this, where Governments are apt to deal in a despotic manner with public interest, it becomes absolutely necessary that instead of adding power to the Executive we should transfer as much as we can to the people. Any person or class of persons who hold a contrary opinion to this are more fit for a Russian Province than an English Colony. And yet we have such creatures in our midst—we have individuals in the city of Victoria who would to-morrow yield up every vestige of their manhood and think it only a too unworthy offering at the shrine of Executive power. We have scoundrels in the House and reptiles in the press who glory in their own shame and humiliation—who like the dastardly blockhead in yesterday's Chronicle, would actually scream with joy at the prospect of damage to the popular cause. Fortunately such creatures are rare on Vancouver Island, and fortunately they are as stupid as they are unprincipled. In all cases instead of exciting public ire they become the objects of general ridicule and contempt, and have less influence with the inhabitants than the most worthless of the Flathead Indians.

We cannot say what may be the disposition made of the Victoria Incorporation bill to-day. But we know how the public feel about the matter—we know that they are even more anxious to-day than they were when they transcribed the monster petition to the House, to see the police maintained and controlled by the Corporation of the city. When we think of the size and character of that petition—the voice in fact of every respectable inhabitant in the place—praying for the transfer of the police from the Executive to the municipal authorities, we are at a loss to know how any person can have the presumption to rise up in the House and declare that the inhabitants of Victoria shall not have what they desire—shall not control what they are willing to maintain. There may be many schemes offered to-day to replace the original proposition—some partaking of Dr. Powell's practical resolution on the Nanaimo bill, and others of a more cumbersome character, but pass what scheme the House may the public will not be satisfied unless the inhabitants some way or other shall have the control of the police.

HOUSE OF ASSEMBLY.

TUESDAY, March 27. The Speaker took his seat at 2:20 p.m. Present—Messrs. DeCosmos, Trimble, Dickson, Powell, McClure, Cochrane, Cunningham, Carswell, Duncan, Ash, Carswell.

DISTRICT COURT ACT. This bill came down from the House above with some amendments in addition to those made by the Assembly.

Mr. DeCosmos moved that the amendments be returned to the Council. It was a perfect mockery and robbery under the name of justice that parties should be put to heavy expense for the recovery of small debts. He instanced a case of injustice that had recently come to his knowledge. The effect of leaving the employment of attorneys or agents to the discretion of the judge was imposing an onerous burden upon litigants. Dr. Dickson seconded the motion. Mr. Duncan would prefer the amendments being sent to a committee, as he hardly understood them.

Dr. Trimble agreed with the hon. member for Lake. It would be more courteous to the Upper House to act so hurriedly. Mr. Cochrane agreed with the hon. senior member for the city. The amendments did away with the very purpose of the bill, which was to avoid as much expense as possible. Mr. Dennes said either parties to a suit could appear in person, and if an agent were employed it was gratuitously. That was the amendment of the Council as he understood it. Mr. McClure differed from the hon. member for the district (Dr. Trimble) in his desire to act towards the Upper House with such extreme courtesy. It was such pusillanimous conduct that had tended more than anything else last session to the destruction of the Assembly's bills. The amendments of the Upper House did not require a moment's consideration. They destroyed the whole principle of the bill, which was to obtain cheap law.

Dr. Trimble maintained that he had always acted, as he believed, conscientiously; and he thought the House lost more than it gained by acting too hastily in sending bills back to the Upper House.

Mr. DeCosmos' motion was carried on a division. Ayes—DeCosmos, Dickson, Dennes, Cochrane, Cunningham, McClure—6. Noes—Ash, Trimble, Powell, Duncan, Carswell—5.

Mr. Cochrane enquired if the returns connected with the real estate sold by Government had been printed.

The Speaker said the House had made the order and the returns would no doubt be printed as soon as practicable.

ROAD TAX ACT. Dr. Powell moved to appoint a committee to enquire into the working of the Road Act. Mr. DeCosmos thought it would be much better to leave the matter in the hands of some honorable member to repeal or amend the bill. A committee was a loss of time.

Mr. McClure said a committee had been appointed last year for the same purpose, but they had not reported yet (hear, and laughter).

Fr. Powell's motion was lost. INVENTIONS BILL. Mr. McClure moved the second reading of this bill. There might be some alterations or amendments made in committee, but he did not suppose the measure would meet with any opposition, as it could do no possible harm but might confer great benefits on the country. There were parties to his knowledge waiting for such a bill to bring forward inventions.

Mr. Duncan would not oppose the bill at present, though he was opposed to the principle. The second reading was carried.

NANAIMO INCORPORATION. After some cavilling on the appointment of a Chairman the House elected Dr. Dickson and went into committee on this bill. Clauses 45 to 47 were passed.

Several clauses giving the Council power over the granting of various licenses were expunged. The clause empowering the Council to levy one per cent on the real estate of Nanaimo was passed.

The clause giving the Council power to devote moneys to send destitute sick to Victoria Hospital was expunged on the ground that the latter institution was not under the control of the Government.

On the clause giving the Council power to establish, regulate, and maintain a police, coming up.

Dr. Helmecken moved that it be expunged. He thought Nanaimo could not support a police establishment, and he was opposed any way to municipal councils having the control of the police.

Mr. DeCosmos said it was absurd to talk of a town like Nanaimo not being able to pay for one constable; for that was all it had had (hear, hear). Even that constable instead of being employed in constabulary duties had been compelled to spend the principal portion of his time as a servant to the late stipendiary magistrate (hear and laughter), looking after domestic affairs and attending to the horses. If this issue were forced upon the people there would be much greater demands than those at present made (hear).

Mr. Cunningham said the late police system proved a complete failure. A certain class of ruffianism had enjoyed a perfect immunity.

Dr. Trimble considered that the police should be under the general government.

Mr. McClure would inform the hon. members that if this clause were expunged the whole scheme of municipal government would break down, and the House would have to go back again to the Committee of Supply to create fresh taxes for the general Government. The House had already bound itself to a certain policy, had ordered the very clause now under discussion to be brought in, and certain hon. members either did not know what they were voting for then or did not know what they were doing now (hear, hear).

The clause was put with the following result, Mr. Duncan refusing to vote until two divisions had been taken—

Ayes—Cunningham, McClure, DeCosmos, Noes—Helmecken, Cochrane, Trimble, Carswell, Duncan.

The clause was lost. Mr. McClure thought it was merely wasting time to go on any longer, and he moved to rise and report progress, which was carried.

On the Speaker taking the chair Mr. DeCosmos applied for a Committee to report on whether the hon. member for Lake had any property qualification or not. The Speaker appointed a Committee, and the House adjourned till Wednesday at one p.m.

WEDNESDAY, March 28. The Speaker took his seat at 1:20 p.m. Present—Messrs. DeCosmos, Dickson, Powell, McClure, Ash, Carswell, Cunningham and Dennes.

NANAIMO INCORPORATION. House went into Committee, Dr. Dickson in the chair.

Clause 5 was passed, making every male inhabitant, not less than 18 and under 50, perform two days labor on the public roads.

Mr. McClure moved that a Board of Commissioners of Police shall be appointed immediately after the first meeting of the Council, consisting of the Mayor, a Justice of the Peace and a resident inhabitant appointed by the Council, each board to control and regulate the police force.

Dr. Helmecken said that under the ordinary rules of the House it would be supposed that the clause placing the police under the control of the Corporation having been struck out it would have been sufficient to have prevented the hon. member from bringing forward this motion, which was almost the same thing, only placing the police under a board of commissioners instead of under the Corporation. Saying nothing of the retrenchment in providing for a separate government for a place that according to a previous statement only required one constable, he went upon the broad principle that the police should be placed under the general Government, not the Corporation. The hon. gentleman proceeded to show in what instances the services of the force might be collectively or individually required outside of their own districts, which would render it advisable that they should be placed under one general system, with one head, like the Irish police. He believed it was both more economical and more efficient.

Mr. McClure said the hon. gentleman had made out a very good case in favor of placing the police under commissioners. It was not to be expected that the few police of Victoria could be parading over the length and breadth of the country to protect the lives and property of people in distant districts. Each district should have its own justice of the peace who could appoint special constables when required. The fact of a man being robbed in his own house at 5 o'clock in the morning was a very bad case, and showed the necessity of each district having its own constabulary to protect it. Mr. McClure alluded to the corruption that had been known to exist under the hon. gentleman's general police system, bribes being accepted for breaches of the law and crime offered to be committed with impunity. The police were always more honest and efficient when under the supervision of the people who paid them.

Mr. Cochrane here entered. Dr. Powell was in favor of the system of country districts being protected by constabulary appointed by justices of the peace; but where the last gentleman was in error was in anticipating the passing of a general municipal law such as existed in Canada. He (Dr. P.) advocated the appointment of constables being made by the Executive until such a system, of which he was in favor, was in force. It worked to perfection in Canada; but there was no analogy between Canadian towns and Nanaimo, as the latter town was so small.

Mr. Cunningham took the last speaker to task on his facts respecting Canada, and read portion of the municipal act granting such powers to small communities, to show that the hon. gentleman was wrong in his statements. (Hear.)

Dr. Powell asked the hon. gentleman whether he could instance any small town of a thousand people that appointed its own police.

Mr. Cunningham instanced Centreville where the population was only 500 persons. (Hear, hear.)

The Chairman instanced Clifton, near the Falls of Niagara, and other small towns possessing the power. (Hear, hear.)

Dr. Helmecken reiterated his arguments in favor of placing the police force under one head, and facetiously alluded to the influence and awe exercised by a policeman in a blue coat. He was worth several special constables in plain clothes.

Mr. DeCosmos—No! Dr. Helmecken—The hon. gentleman may say so, but he is afraid of a blue coat himself. It is not long since some hon. gentlemen hid themselves during the night from one policeman. (Laughter.) The hon. gentleman (Mr. McClure) had misrepresented him in implying that the police force of the Island should belong to Victoria; what he meant was that the Executive should have the control of the force. In a more civilized country called England the police were placed under one general head, and the municipalities had no control over them. The hon. member did not believe in a better system because he had never seen it. He (Dr. H.) had.

Mr. Cunningham regretted that the bill had produced so much discussion; his object in placing the police under the corporation was simply that the present system was quite inefficient to prevent crime, which was committed under the very nose of the magistrate.

Mr. McClure said it was certainly strange that the hon. gentleman (Dr. H.) who talked so much about England should display so much ignorance about the police of the United Kingdom. No later than 1863 a bill had been brought into the House of Commons to take the police from the control of the city of London and place them under the Government, a measure which the House repudiated. As to Ireland the hon. gentleman was entirely wrong. He had got confused. There were two systems of police in Ireland the municipal and the general.

Dr. Ash alluded to the circumstances under which the bill had been introduced into the Imperial Parliament. It was in consequence of the mismanagement during the marriage of the Princess of Wales, and the influence of the city was too great and it was defeated. He believed with the Speaker that the system would be changed before long.

Mr. DeCosmos would not follow the hon. gentleman (Dr. Helmecken) to England. Dr. Helmecken—I wish you could; you would perhaps become more enlightened (laughter).

Mr. DeCosmos—The hon. gentleman is very fond of talking of his enlightenment, but his political career since he had been in the colony cannot be taken as a sample of it. He, (Mr. DeCosmos) perhaps knew more of English history than of English people, but the hon. gentleman had not lived in a civilized country for 20 years and had forgotten all about it. The people of England were opposed to the principle of centralization which the hon. gentleman supported. Even prior to the resolution of 1868 they had battled against it. In a very little time from Barclay Sound to Cariboo there would be a general cry for the principle of self-government.

Dr. Helmecken argued that the police in England were the safeguards of liberty; instead of interfering with the freedom of the subject they protected it by preventing the laws from being broken.

Mr. DeCosmos—And in France? Dr. Helmecken—Oh! the hon. gentleman had better go to China at once.

Mr. McClure—Order (laughter). Dr. Helmecken sat down but rose again, and being in a facetious mood began to amuse himself and the House at the expense of the senior member for the city, who had said that the people of the Island would in two years cry out for a system of municipal police from Victoria to the top of the Rocky mountains. Mr. DeCosmos denied having made the statement and explained what he did say. Dr. Helmecken—The hon. gentleman puts in a tit-bit to qualify what he said. I am sorry to find that his memory is becoming defective, that the cares of State are weighing upon him and bringing him to a decrepit old age (laughter). That he is, in fact, fast sinking into what is called "premature decay" (laughter). It is to be hoped, however, to use his own words, that he will soon have an opportunity of "recuperating" (laughter).

Mr. DeCosmos suggested that the House pass a vote of thanks to the hon. Speaker for officiating as "funny fellow" to the House while a motion was being prepared.

Dr. Powell introduced an amendment to the effect that the police should be appointed by the Governor subject to what remuneration the Council might deem fit.

Mr. Cochrane did not see the use of the proposed change in the police. He thought it inadvisable to place the police under the Corporation, as cases might occur, as one had some months ago, in which they were required to quell a public disturbance, when they would be subject to the very authorities that had instigated it, and if the corporation had the control they might do it again.

Mr. DeCosmos—Hear! hear! They certainly will before long.

Mr. McClure withdrew his resolutions, but proposed as an addition to Dr. Powell's amendment a clause placing the police under the control of the Mayor.

Dr. Powell's amendment was put and resulted in a tie vote. Ayes—Cochrane, DeCosmos, Cunningham, McClure, Dennes.

Noes—Helmecken, Ash, Trimble, Cochrane, Carswell.

The Chairman said he would certainly vote in his favor (hear, hear). Mr. McClure's amendment passed by the following vote: Ayes—McClure, Powell, DeCosmos, Cunningham, Carswell, Dennes (6); Noes—Helmecken, Ash, Trimble, Cochrane (4).

The remaining clauses of the bill were then passed, with some amendments, and the bill reported completed.

VICTORIA INCORPORATION.

Dr. Trimble said that the circumstances of Nanaimo differed from those of Victoria, where the police force was much larger, and he moved that section 7, placing the Police and Fire Departments under municipal control be struck out.

Mr. DeCosmos said the hon. gentleman spoke of one thing and moved another. The clause merely provided that the departments should be paid out of municipal funds, and he contended that the provision was quite correct.

Dr. Helmecken reiterated his arguments in favor of the police force being retained under the control of the Executive. Cases frequently occurred where the services of the force were required outside of the city limits and the general revenue should sustain the force.

Mr. McClure said the hon. Speaker was again laboring in error. He overlooked the fact that the House had already voted half per cent to be raised by the corporation for the maintenance of the police, and fire department. If the corporation did not pay for the police what was to be done with the money?

Dr. Helmecken contended that the half per cent was insufficient for paying the expenses entailed on the corporation.

Mr. McClure argued that the amount to be raised by the half per cent tax on real estate exclusive of the improvements would be \$14,000, leaving, after the police and fire department had been deducted, about \$5000. The Council had also the power to make assessments under the seven-tenths clause in the old act. The objection, however, of the Speaker against the smallness of the revenue came with a bad grace, as the hon. gentleman advocated the reduction from 3/4 per cent which he (Mr. McClure) had in the bill, to 1/2 per cent. (Hear, hear.)

Dr. Helmecken contended that the amount was inadequate, and wound up by intimating that some hon. members had been bought over since last meeting.

Mr. DeCosmos—Did the hon. gentleman say bought or bought?

Dr. Helmecken—It is common enough to say members are bought over—it may be by argument.

Mr. McClure rose to a question of order. The hon. the Speaker, instead of setting the House an example, as from his position he should do, was constantly breaking the rules of order, and indulging in slang and personalities that would scarcely be tolerated in a bar-room. He considered such remarks a disgrace to the House.

Dr. Helmecken contended he had said nothing out of the way, and thought the hon. gentleman should know bar-room slang.

After some further debate the Committee reported progress.

NANAIMO BILL.

On motion of Mr. Cunningham the rules were suspended and the Nanaimo Incorporation Bill passed the third reading. House adjourned till Thursday at 3 p.m.

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