

Monday, the 1st day of April, 1867.

The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Brew, Wood, Young, O'Reilly, Sanders, Ball, Cox, Franklyn, Southgate, DeCosmos, Helmcken, Robson, Stamp, Walkem, Pemberton, Macdonald.

The Minutes of the previous Meeting were read and confirmed.

On the motion of the Hon. Mr. Helmcken, Ordered that the Petitions on the Capital question be printed for the use of Members.

The Hon. Mr. Macdonald gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Franklyn moved, the Hon. Mr. Southgate seconded, and it was

Resolved, That His Excellency the Governor be respectfully requested to give directions for the extension of the Swine and Goat Act, of Victoria, V. I., to Nanaimo, V. I., the limits of the town to be considered a radius of one mile from the Court House.

On the Order of the day being read for the third reading of the Limitation of Actions Bill,

And the question being put the Council divided.

Ayes 13, Noes 3.

So the Bill was read the third time, and it was Resolved that this Bill do pass, and that its title be the "Limitation of Actions Ordinance, 1867."

Pursuant to the Order of the day, the Medical Bill was read third time, and it was Resolved that this Bill do pass and its title be the "Medical Ordinance, 1867."

Pursuant to the Order of the day, the Council went again into Committee of the whole on the County Courts Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

A Message from His Excellency the Governor, which being read is as follows:

Message No. 41.

FREDERICK SEYMOUR.

The Governor has received the Resolution of the Legislative Council, asking for Returns shewing how the Public money voted for schools in Vancouver Island during the past three years has been expended.

He fears it will be difficult to procure these Returns during the present Session of the Council, but should he have prorogued the Council before their receipt he will direct the Returns sought for to be published in the *Government Gazette*.

*Government House,
30th March, 1867.*

A further Message from His Excellency, read as follows:

Message No. 42.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill authorizing the unforeseen expenditure for the Mainland portion of the Colony in the year 1866.

It being impossible, at this early date, to lay before the Council fully detailed accounts of the expenditure of the past year, the Governor states for the information of the Council that the amounts appearing in the Estimates, now submitted, are merely items of account, not of actual expenditure over and above the amount voted for the service of 1866. The Estimates for that year as passed by the Legislative Council amounted to \$722,004. Resolutions passed by the Council, and transmitted to the Officer Administering the Government, added \$10,000.

The total expenditure of the year, as brought to account in the Treasurer's books, however only approximated \$550,000.

*Government House,
1st April, 1867.*

A further Message from His Excellency, read as follows:

Message No. 43.

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance respecting the Legal Professions."

*Government House,
1st April, 1867.*

A further Message from His Excellency the Governor, read as follows:

Message No. 44.

FREDERICK SEYMOUR.

The Governor consents to the greater portion of the suggestions made by the Legislative Council in regard to amendments in the Bill entitled "An Ordinance to assimilate and amend the Law prohibiting the sale or gift of intoxicating liquor to Indians."

He consequently substitutes for Clause XI. sent down by him to the Council in Message No. 19, the recommendations forwarded to him by the Legislative Council, and suggests that they form Clauses X, XVI, and XVII of the amended Ordinance, with the exception in the Clause XI. of the words after "provided always" to and including "further," and in the subsequent part of the same Clause the omission of the words "at the port of departure," and the substitution of the "Governor" for the "Officer of Customs."

*Government House,
1st April, 1867.*

A further Message from His Excellency, read as follows:

Message No. 45.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to confirm the expenditure of the sum of One hundred and thirty-two thousand six hundred and seventeen dollars and fifty-four cents, for the service of Vancouver Island for the year 1866."

*Government House,
1st April, 1867.*

On the motion of the Hon. Mr. Helmcken, the Council went into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following Resolution for the adoption of the Council:

Resolved, That the Council recommended that a Supplementary Supply of \$96,918.11 be voted for the service of the year 1866.

Resolved, That the Council recommend that a Supply of \$141,295.15 be voted for the service of the Colony of Vancouver Island for the year 1866.

Ordered that the Report of the Committee of Supply be adopted.

On the motion of the Hon. the Attorney General, Ordered that the Supplemental Supply Bill be now read first time.

Read first time accordingly.

Ordered that the Standing Orders be suspended in order to allow the Bill to be read second time forthwith.

Bill read second time accordingly.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete without amendment.

Ordered that the Report be adopted and the Bill read third time to-morrow.

On the motion of the Hon. Mr. Young, the Vancouver Island Supply Bill was read first time.

Ordered that the Standing Orders be suspended in order to enable the Bill to be read second time.

Bill read second time accordingly.

Ordered that the same be committed at once.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

On the motion of the Hon. Mr. Ball, the Council went into Committee on the amendments proposed by His Excellency, in Message No. 44, to the Indian Liquor Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolution for the adoption of the Council:

Resolved, That His Excellency the Governor be acquainted that the Council have agreed to the amendments proposed by His Excellency, in his Message No. 44, to the Indian Liquor Bill.

Pursuant to the Order of the day, the Alien Bill was read second time.

Ordered to be committed at once.

The Council went into Committee of the whole on the said Bill accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Council went into adjourned Committee on the Mortgages Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Franklyn, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

On the Order of the day being read for the second reading of the V. I. Roads Bill,

On the motion of the Hon. Mr. Young.

Ordered that leave be granted to withdraw the same.

Bill withdrawn accordingly.

Pursuant to the Order of the day, the Victoria Incorporation Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Victoria Municipal Ordinance, 1867."

On the motion of the Hon. Mr. Robson, it being six o'clock, Ordered that the Council adjourn till 8 o'clock, p.m.

8 O'CLOCK, P. M.

On the Council resuming its sitting, pursuant to the Order of the day, the Council went into adjourned Committee of the whole on the Real Estate Sale Repeal Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete with amendments, subject to the annexed Resolution proposed for the adoption of the Council.

Ordered that the Report be adopted.

Resolved as follows:

That the Bill be read third time to-morrow, but that this Council is of opinion that His Excellency should be respectfully requested to suspend his assent to this Ordinance until he shall have been satisfied, by such means as to him may seem fit, of the truth of the preamble and the propriety of the Bill shall have been shewn.

Pursuant to the Order of the day, the Council went into adjourned Committee on the Hon. Mr. DeCosmos' motion for altering the Constitution of the Council.

On the Presiding Member resuming the Chair, the Hon. Mr. Trutch, Chairman of the Committee, reported:

The Council having continued to sit till after 12 o'clock on Tuesday morning, that the Committee had come to no conclusion on the subject of altering the Constitution of the Council.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till 1 o'clock, p.m.

Tuesday, the 2nd day of April, 1867.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Cox, Hamley, Brew, Ball, Southgate, DeCosmos, Helmcken, Sanders, Walkem, Robson, Smith, Macdonald, Pemberton, Stamp.

The Minutes of the previous Meeting were read over and confirmed.

Pursuant to the Order of the day, the Hon. Mr. Macdonald asked the Colonial Secretary why the Government require that the Mails from Yale to Soda Creek should be carried during the summer months in a "Stage waggon drawn by

not less than four horses" while on the score of economy they deem it necessary to call for fresh tenders, and do they intend to limit the rate of fare by such waggons?

The Hon. the Colonial Secretary replied.

A Message from His Excellency the Governor, read as follows:

Message No. 46.

FREDERICK SEYMOUR.

The Governor considers that in the present financial condition of the Colony the rate of Postage recommended for universal adoption by the Council is too low.

He recommends that the following Clause be inserted in lieu of Clause IX. in the Postal Ordinance, 1867:

"That for every letter deposited in or passing through any Post Office in the Colony, and not exceeding half an ounce in weight, there shall be paid a postage according to the following scale, that is to say:

"At or between Victoria or any Post Office in Vancouver Island and New Westminster, or any port in the Colony	5 Cents.
"Between Vancouver Island or New Westminster and Clinton or Savana's Ferry	12½ "
"Beyond those distances	25 "
"Between any two Post Offices above Yale, Hope, and Douglas ..	12½ "

"And for every additional half ounce, or fraction of half an ounce, beyond the above weight, there shall be paid on each such letter an additional postage according to the foregoing rates."

*Government House,
2nd April, 1867.*

A further Message from His Excellency, as follows:

Message No. 47.

FREDERICK SEYMOUR.

In accordance with the desire expressed by the Legislative Council, the Governor forwards a Return shewing the expenditure under the head of Education in Vancouver Island, during the years 1864, 1865, 1866, respectively.²⁰

*Government House,
2nd April, 1867.*

Ordered to be printed for the use of Members.

On the motion of the Hon. Mr. Ball, Ordered that the Council do go into Committee of the whole on the amendments proposed by His Excellency to the Postal Bill.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following Resolution for the adoption of the Council:

Resolved, That the Governor be acquainted that the Council have agreed to the amendments proposed by His Excellency to the Postal Ordinance.

Pursuant to the Order of the day, the County Courts Bill was read third time, and it was Resolved that this Bill do pass and its title be the "County Courts Ordinance, 1867."

Pursuant to the Order of the day, the Vancouver Island Supply Bill was read third time, and it was Resolved that this Bill do pass, and its title be "An Ordinance

²⁰ *Ibid.*, p. xvii.

to confirm the Expenditure of the sum of One Hundred and Forty One Thousand Two Hundred and Ninety-Five Dollars and Fifteen Cents, for the Service of the Colony of Vancouver Island, for the Year One Thousand Eight Hundred and Sixty-Six."

Pursuant to the Order of the day, the British Columbia Supplementary Supply Bill was read third time, and it was Resolved that this Bill do pass and its title be "An Ordinance to confirm the Expenditure for the services of the year One Thousand Eight Hundred and Sixty-Six, not authorised in the grant for that year."

Pursuant to the Order of the day, the Alien Bill was read the third time, and it was Resolved that this Bill do pass and its title be the "Aliens' Ordinance, 1867."

Pursuant to the Order of the day, the Mortgages Bill was read third time, and it was Resolved that this Bill do pass and its title be the "Mortgages Ordinance, 1867."

On the Order of the day being read for the third reading of the Real Estate Tax Sale Bill,

On the motion of the Hon. Mr. Young, Ordered that the same be recommitted.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported that additions had been made to the Bill, and that it was now complete.

Ordered that the Report be adopted, and that the Bill be read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass and its title be the "Real Estate Tax Sale Ordinance, 1867."

Dissentiente, the Hon. Mr. DeCosmos.

On the motion of the Hon. Mr. Macdonald, the Hon. Mr. Helmcken seconding, the consideration of His Excellency's Message No. 32 was brought up,

And the Hon. Mr. Macdonald moved the following Resolution, which was put and carried by the vote of un-official Members, the Official Members having, agreeably to His Excellency's instructions, abstained from voting on the question:

Resolved, That the popular Members, to whom the Bill repealing the Crown Salaries Act has been exclusively left, are of opinion that in the present depressed condition of the Colony, Her Majesty's Government should be respectfully prayed to remunerate the Chief Executive Officer of this Colony.

That the popular Members recognize with satisfaction the desire of the Executive to reduce the cost of Government, and are not unaware of the difficulties that beset his path in that direction.

That His Excellency the Governor be respectfully requested to urge upon Her Majesty's Government the necessity of granting the Executive of this Colony power to simplify, centralize, and reduce the departmental system, so as to lessen the public expenditure to such a figure as the Colony is able to bear.

His Excellency Frederick Seymour, Esquire, Governor of the Colony, having entered the Council Chamber, accompanied by his Private Secretary, and, being seated in the President's Chair, made the following Speech proroguing the Council:

Honorable Gentlemen of the Legislative Council:

It is with great pleasure that I find myself enabled to-day to relieve you from further attendance upon your Legislative duties.

I acknowledge, with thankfulness, the care and candour you have bestowed upon all matters which have been brought under your consideration.

You have been informed by message that I have assented to nearly all the Bills which have been sent to me. I have now to add to our Statute Book the following Ordinances which, in Her Majesty's name, I have allowed:—

The Indian Liquor Bill, Harbour Regulations Bill, Marriage Bill, and those relating to Aliens, to the Gold Mining Districts, to the Excise Law, to Currency, to the Harbour Dues and Coasting Licenses, to that extending the time granted to the Harewood Coal Company, to the Bill relating to Pilotage, to that respecting Ports of Entry, to the Repeal of the Real Estate Tax of Vancouver Island, to the Bills affecting the Medical Profession and the Postal Service, to the Supply Bill for Vancouver Island, and the Supplemental Supply Bill for the Mainland.

I reserve for the signification of Her Majesty's pleasure the proposed Ordinance respecting the disposal of the Crown Lands. I shall transmit it with the Resolution passed by the Council in favour of a system of Free Grants of Land. I reserve, likewise, the Bill respecting the Limitation of Actions. That respecting Mortgages shall receive my early and most attentive consideration, as shall also the Bill to provide for the settlement of all outstanding questions relating to the Sale of Land for Taxes in Vancouver Island.

All the Resolutions passed by the Legislative Council shall have my full attention during the recess. You will not expect that I should allude to all of them separately, but there are some which I ought now to notice. I shall be glad to co-operate with you in any means for the promotion of Immigration and the occupation of the Crown Lands. The question as to whether the usually objectionable system of a bonus on exportation of certain natural products or manufactured articles is specially desirable here, shall engage my attention in the Executive Council.

I shall be very glad if the state of the Public Revenue shall justify the reduction or abolition of the Road Tolls.

Every fair consideration shall be given to your recommendation in favour of premiums for the establishment of Quartz Mills. But special care must be taken in thus disposing of the Taxes levied on the people.

I have to thank you for the appropriations made for the requirements of the Public Service. I notice with pleasure the interest you display in the Public Hospitals.

The principal Custom House shall, as you desire, be established where the principal commerce of the Colony is carried on, nor shall in other respects our chief town lack any of the fostering aid of the Government. If, in spite of your Resolution in favour of Victoria, I still hesitate on removing my abode and the Seat of the Legislature from the spot established by Law, you will understand that I consider the public faith and honor engaged on the one side, and possible expediency on the other. If, as some persons assert, the present uncertainty be found to be more detrimental to the public interests than any decision which may be arrived at, I shall come to that decision and make public the recommendation I may lay before the Secretary of State. I however look confidently forward to the time when the centre of population will be found on the Eastern side of the Cascade Range.

I am about to communicate with the Secretary of State and the Governors of Canada and of the Hudson's Bay Company, respecting the wish you have expressed to enter into a confederation with the Eastern Provinces of British North America. I will inform you as a Council, if a Legislative Session is in progress, if not as individual Honorable Gentlemen, of the result of my enquiries.

Humbly trusting that the year now opening may be one of prosperity to our miners, farmers, and merchants, I will relieve you for a time from your Legislative duties. In December next I hope to give you a satisfactory account of the year's Executive Administration. In the succeeding month, I trust, under circumstances of greater prosperity, that works of improvement may be proposed to you and that simultaneously some of the weight of taxation may be removed.

I now proceed to prorogue this Legislative Council, and the same is hereby prorogued accordingly.