

JOURNALS
OF THE
LEGISLATIVE ASSEMBLY
OF THE PROVINCE OF
BRITISH COLUMBIA.

SESSION 1872-3.

Tuesday, 17th December, 1872.

2.30 P.M.

This being the first day of the second meeting of the first Parliament of the Province of British Columbia, for the dispatch of business, pursuant to a Proclamation of His Excellency the Honorable Joseph William Trutch, Lieutenant-Governor of the Province of British Columbia, dated the 18th day of September, 1872.

His Excellency the Lieutenant-Governor having entered the House at 2.30 p.m., took his seat in the Speaker's Chair.

His Excellency the Lieutenant-Governor was then pleased to open the Session by the following gracious Speech:—

Mr. Speaker and Gentlemen of the Legislative Assembly:—

In calling you again together for the despatch of the public business, I rejoice to be able to congratulate you on the highly favourable prospects of our Province. Although the year now rapidly drawing to a close has not witnessed any marked increase in the population of the country, it has been characterised by undeniable progress in many of the industrial resources of this Province. The Dominion Government has also prosecuted the preliminary surveys for the Canadian Pacific Railway, with such energy and success, that if any doubt ever existed as to the certainty of the work of construction being undertaken within the time limited in the Terms of Union, it can now no longer be entertained.

Railway communication with the Eastern Provinces will supply the great desideratum of British Columbia; but long before the line shall have been completed, this Province will have derived benefits of the most substantial character from the work of construction alone, and the Canadian Pacific Railroad will prove in many ways one of the most active and efficient agents in settling the Province.

I congratulate you on the fact, that far from the prognostications of the failure of Responsible Government in this Province, which were indulged in at the time of Union having been verified, the administration of public affairs has been in the main satisfactory to the people in general.

The announcement which I have been officially directed to make of the decision of His Majesty the Emperor of Germany with respect to the disputed water boundary between Her Majesty's Possessions and those of the United States on this Coast, has no doubt been received by you, as it has been by myself, in common with all British Colum-

bians, with feelings of profound regret. His Majesty having been good enough to burden himself as Arbitrator with the responsible task of settling this dispute has, in the exercise of his judgment, decided the question adversely to our interests. I have no doubt you fully appreciate the nature and extent of the injury which the unfavourable termination of the case has inflicted upon this Province and the whole Dominion, but your sense of its importance will, I believe, be very much mitigated by the consideration that the final adjustment of the dispute will materially contribute to the permanent preservation of friendly and harmonious feeling between our neighbors and ourselves. In this view of the matter, the importance of the loss is much diminished.

An approximate statement of the Revenue and Expenditure since the beginning of the year, together with Estimates of the probable Revenue and proposed expenditure for the next fiscal year, will be placed before you at an early date. In framing the Estimates, every possible effort has been made to reduce the cost of the administration of the public business to the lowest practicable limit, beyond which reduction of Expenditure ceases to be justifiable, as it necessarily involves weakness and inefficiency in the management of public affairs.

The clauses in the Constitution Act respecting the Indemnity of Members of your Honorable House having been repealed during last Session, a Bill will be submitted to you for the purpose of providing an Indemnity and Mileage allowance.

I have much pleasure in congratulating you on the success that has attended the working of the Public Schools Act passed during the last Session of the House, but it has been found that, notwithstanding the liberal provision for the education of the youth of the Province, comparatively few of the Children of school age attend the Public Schools. To obviate this very much to be regretted circumstance, a measure will be submitted to you, having for its object the more general attendance of pupils at the Schools.

In accordance with a Resolution of this Honorable House, a site has been selected as the most suitable for a Dry Dock at Esquimalt, the necessary borings have been made, and plans and specifications of the proposed work prepared, accompanied by the fullest information that could be obtained on the subject. Tracings of these plans, and copies of the specifications, have been placed on exhibition in the office of the Agent-General in London, and of the Immigration Agent at San Francisco; and Tenders for the construction of the Dock have been invited by advertisement in English, Canadian, and American Papers. If no Tender should be received by the 31st December, Instant, which can be prudently recommended to the approval of your Honorable Body, a scheme will be submitted to you to secure the building of the Dock.

A Bill will be submitted to you substituting for the existing Land Laws a measure on a sounder and more liberal basis, which it is believed will be more satisfactory to the Public and more conducive to the speedy settlement of the Province. Provision will also be made for accurate and extensive Surveys of those Districts in the Province most available for settlement.

A Bill will be laid before you amending the "Municipality Act, 1872," so as to meet the requirements of the Province.

I have observed with regret, that large tracts of land, well adapted to the growth of cereals and other products, have been hitherto unavailable in some localities, owing to the want of drainage and dyking, and in others through want of irrigation. A Bill will be submitted to you which, without creating a permanent charge upon the public revenue, will greatly increase the area of land available for agricultural purposes by providing the means of drainage, dyking, and irrigation.

The extremely difficult subject of immigration has received my earnest consideration. In consequence of the Railway clause of the terms of union preventing free grants of lands and other equally insuperable difficulties, no practical result in the way of introducing new settlers into the Province has been attained.

Through the energetic labors of the Agents in London and San Francisco, however, much attention has been drawn towards the Province, and it is confidently anticipated that, when the difficulties just adverted to shall have been removed by Legislative action, a vigorous and successful policy will be inaugurated.

The "Mineral Ordinance, 1869," has been found ill adapted to the requirements of the Province, and you will therefore be invited to make such amendments thereto as will render it more useful.

A Bill will be introduced and recommended to your acceptance, providing for the taking of votes by Ballot, in all Elections of Members of Your Honorable House.

A Bill will also be introduced for the purpose of paying Juries in criminal cases a proper per diem allowance.

The Province is on the eve of rapid and energetic strides in the path of development, and consequent prosperity. We are backed by the most ardent wishes of the Dominion Government. We shall receive not merely their moral support, but material aid.

Peace and prosperity reign within our borders. Much, however, will depend upon the wisdom and patriotism of this House.

I am persuaded that your best consideration will be bestowed upon the important matters that will claim your attention, and I fervently pray that, under the blessing of Almighty God, your wise and patriotic counsels may result in the advancement of the Province and the welfare of the People.

His Excellency the Lieutenant-Governor was then pleased to retire.

Mr. Speaker informed the House that, during the recess, he had received the following notifications of vacancies which had occurred in the representation of the Electoral Districts of *Cariboo* and *Lillooet*, and that he had issued Warrants to the Registrar of the Supreme Court, to make out new Writs for the Election of Members to serve in the present Assembly, for the said Electoral Districts:—

“I, *Cornelius Booth*, a Member of the House of Assembly, representing therein the District of *Cariboo*, do hereby declare that I resign my seat as such Member.

“Witness my hand and seal, the 23rd day of April, A. D. 1872.

“(Signed) “COLNELIUS BOOTH.”

“To the Hon. James Trimble, Speaker, Legislative Assembly, Province of British Columbia.

“SIR,—We hereby notify you, that a vacancy has been created in the Legislative Assembly of British Columbia, by the death of *Andrew T. Jamieson*, one of its Members.

“Given under our hands and seals, at Victoria, B. C., this thirtieth day of November, eighteen hundred and seventy-two.

“Attest,

“DAVID W. HIGGINS.

“JOHN ROBSON, M. L. A.,

“ROBERT SMITH, M. L. A.”

He also informed the House, that the Clerk had received from the Registrar of the Supreme Court, the following Certificate:—

“VICTORIA, 16th December, 1872.

“This is to certify, that in virtue of a Writ of Election, dated the twenty-fourth day of April, last past, issued by His Excellency the Lieutenant-Governor, and addressed to the Returning Officer for the Electoral District of *Cariboo*, in the Province of British Columbia, *Henry Maynard Ball*, Esquire, appointed Returning Officer for the said Electoral District, for the Election of a Member to represent the said Electoral District of *Cariboo* in the present Assembly, in the room and stead of *Cornelius Booth*, Esquire, who since his Election as a Representative of the said Electoral District of *Cariboo*, hath resigned his seat, *John George Barnston*, Esquire, has been returned as duly elected accordingly, as appears by the Return to the said Writ, dated the 22nd day of the month of July, 1872, which is now lodged of record in my office.

“RICHARD WOODS,

“Registrar, Supreme Court.”

John George Barnston, Esquire, Member for the Electoral District of *Cariboo*, was sworn in by the Clerk, *Charles Good*, Esquire, appointed a Commissioner by His Excellency for that purpose; and, having subscribed the oath, took his seat.

On the motion of the Honorable Mr. *McCreight*, the Honorable Mr. *Robertson* seconding,—

Ordered, That leave be granted to bring in a Bill to extend the "Public Works Act, 1872," and to promote Drainage, Dyking, and Irrigation of Lands.

He accordingly presented the said Bill to the House, which was received and read first time.

Ordered to be read second time this day week.

On the motion of the Honorable Mr. *McCreight*, the Honorable Mr. *Robertson* seconding,—

Ordered, That the Speech of His Excellency the Lieutenant-Governor be taken into consideration to-morrow.

Ordered, That the Votes and Proceedings of this House be printed, having been first perused by Mr. Speaker, and that he do appoint the printing thereof, and that no person but such as he shall appoint do presume to print the same.

The Honorable Mr. *McCreight* moved, the Honorable Mr. *Robertson* seconding,—

That a Standing Committee on Private Bills and Standing Orders be appointed, to consist of Messieurs *McCreight*, *Beaven*, *Armstrong*, *Booth*, *Robson*, and *Walkem*.

Motion negatived, two days' notice, as required by the Standing Orders, not having been given.

The Honorable Mr. *Walkem* laid on the Table the Report of *Thomas A. Bulkley*, Esquire, Chief Engineer to the Government, on the Supply of Water to Victoria.

The House then adjourned.

Wednesday, 18th December, 1872.

2 O'CLOCK, P.M.

The following Petitions were severally brought up and laid on the table:—

By the Honorable Mr. *Walkem*, the Petition of the *Williams Creek* Fire Brigade.

By the Honorable Mr. *McCreight*, the Petition of the Mayor and Council of the City of *Victoria*.

By Mr. *Humphreys*, the Petition of the inhabitants of the District of *Lillooet*.

The Order of the Day for taking into consideration the Speech of His Excellency the Lieutenant-Governor having been read,—

Mr. *Duck* moved, seconded by Mr. *Barnston*,—

That an humble address be presented to His Excellency to thank His Excellency for his gracious Speech at the opening of this Session, and further to inform His Excellency that we are gratified at being assured of the highly favorable prospects of our Province, and that although the year now rapidly drawing to a close has not witnessed any marked increase in the population of the country, it has been characterised by undeniable progress in many of the industrial resources of this Province.

That we concur with His Excellency in the opinion that the Dominion Government has prosecuted the preliminary surveys for the Canadian Pacific Railway with such energy and success that if any doubt ever existed as to the certainty of the work of construction being undertaken within the time limited in the Terms of Union, it can now no longer be entertained.

That we cannot doubt that Railway communication with the Eastern Provinces will supply the great desideratum of British Columbia; long before the line shall have been completed this Province will have derived benefits of the most substantial character from the work of construction alone, and that the Canadian Pacific Railroad will prove in many ways one of the most efficient agents in settling the Province.

That we receive with pleasure His Excellency's congratulations on the fact that, far

from the prognostications of the failure of Responsible Government in this Province, which were indulged in at the time of Union having been verified, the administration of public affairs has been in the main satisfactory to the people in general.

That we cannot fail to regret the announcement which His Excellency has been officially directed to make of the decision of His Majesty the Emperor of Germany with respect to the disputed water boundary between Her Majesty's Possessions and those of the United States on this Coast, that, His Majesty, having been good enough to burden himself as Arbitrator with the responsible task of settling this dispute has, in the exercise of his judgment, decided the question adversely to our interests.

That we fully appreciate the nature and extent of the injury which the unfavorable termination of the case has inflicted upon this Province and the whole Dominion, but we concur with His Excellency in thinking that the sense of its importance will be very much mitigated by the consideration that the final adjustment of the dispute will materially contribute to the permanent preservation of friendly and harmonious feelings between our neighbours and ourselves, and that in this view of the matter the importance of the loss is much diminished.

That we thank His Excellency for the assurance that an approximate statement of the Revenue and Expenditure since the beginning of the year, together with Estimates of the probable Revenue and proposed Expenditure for the next fiscal year, will be placed before us at an early date, and we are pleased to gather the assurance conveyed by His Excellency that in framing the Estimates every possible effort has been made to reduce the cost of the administration of the public business to the lowest practicable limit beyond which reduction of expenditure ceases to be justifiable, involving, as it necessarily does, weakness and inefficiency in the management of public affairs.

That we learn with pleasure that the question of Indemnity to Members and that of Mileage, will be provided for by statute.

That we concur in His Excellency's views as to the success that has attended the working of the Public Schools Act, passed last Session, though we regret to learn that it has been found that notwithstanding the liberal provision for the education of the youth of the Province, comparatively few of the children of school age attend the Public Schools; the measure to obviate this evil which His Excellency proposes to submit to us will receive our approval.

That we are gratified to learn that in accordance with a Resolution of our body of last Session, a site has been selected as the most suitable for a Dry Dock at Esquimalt, the necessary borings made, and plans and specifications of the proposed work prepared, accompanied by the fullest information that could be obtained on the subject, and that tracings of these plans and copies of the specifications have been placed on exhibition in the office of the Agent-General in London, and of the Immigration Agent at San Francisco, and further that Tenders for the construction of the Dock have been invited by advertisement in English, Canadian, and American papers.

That the assurance conveyed by His Excellency that if no Tender be received by the 31st December instant, which can prudently be recommended to us, a scheme will be submitted to us to secure the building of the Dock, is most satisfactory.

That we cordially approve of the introduction of a measure substituting for the existing Land Laws one on a sounder and more liberal basis, which will doubtless be more satisfactory to the Public and more conducive to the speedy settlement of the Province, and there can be little doubt as to the wisdom of the provision proposed by His Excellency for accurate and extensive surveys of those districts in the Province most available for settlement.

That the Bill which His Excellency promises shall be laid before us, amending the Municipality Act, 1872, so as to meet the requirements of the Province, will meet with our approval.

That we are aware of the loss that has accrued to the Province in consequence of large tracts of land, well adapted to the growth of cereals and other products, having been hitherto unavailable in some localities owing to the want of drainage and dyking, and in others through want of irrigation. We trust the measure which His Excellency proposes will, without creating a permanent charge upon the public revenue, greatly increase the area of land available for agricultural purposes by providing the means of drainage, dyking, and irrigation.

That we are not unaware of the extreme difficulties attendant on the subject of Immigration, and that in consequence of the Railway Clause of the Terms of Union preventing

free grants of land, and of other insuperable difficulties no practical result in the way of introducing new settlers into the Province has been attained, but we are glad the subject has received His Excellency's earnest consideration and that through the energetic labors of the agents in London and San Francisco, much attention has been drawn towards the Province and that it is confidently anticipated that when the difficulties just adverted to shall have been removed by Legislative action a vigorous and successful policy will be inaugurated.

That we are aware of the unsuitableness of many clauses of the "Mineral Ordinance, 1869," to the requirements of the Province, and we shall give the fullest consideration to any amendments which will render the Act more useful.

That the Bill proposed by His Excellency, providing for the taking of votes by Ballot in all Elections of Members of our House will, no doubt, recommend itself to the general approval of the Province, as well as that for properly remunerating Juries in criminal cases.

That we rejoice to concur with His Excellency, in his belief that the Province is on the eve of rapid and energetic strides in the path of development and consequent prosperity, and that we are backed by the most ardent wishes of the Dominion Government, and that we shall receive not merely their moral support, but their material aid.

That while we admit, with hearty satisfaction, that peace and prosperity reign within our borders, we feel deeply that much will depend upon our wisdom and patriotism; and we trust that His Excellency's persuasion that our best consideration will be bestowed upon the important matters claiming our attention, will prove well founded.

That we join in His Excellency's prayer that, under the blessing of Almighty God, our counsels may result in the advancement of the Province, and the welfare of the People.

Moved by Mr. *Humphreys*, seconded by Mr. *Smith*, and Resolved,—

That the question of the consideration of the reply to His Excellency the Lieutenant-Governor's Speech be postponed till to-morrow.

The House then adjourned.

Thursday, 19th December, 1872.

2 O'CLOCK, P.M.

The following Petitions were received and read:—

The Mayor and Corporation of *Victoria*, praying that a Bill may be passed enabling them to bring in Water.

The *Williams Creek* Fire Brigade, praying for a Bill to protect them in their duties.

The Inhabitants of *Lillooet*, praying for a Cattle Trail from *Lillooet* to *Bute* or *Burward Inlet*.

On the motion of Mr. *Robson*, seconded by Mr. *Hughes*, it was Resolved,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying for Returns of all Public Lands reserved; such Returns to state the area and object of each reserve, and, in the case of Indian reserves, the number of Indians in respect of whom such reserve may have been set apart.

On the motion of Mr. *Robson*, seconded by Mr. *Smith*, it was Resolved,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying for Returns of all Public Works undertaken during the present year; such Returns to indicate what Works have been done under contract, and what by day labour, the cost of each, and the amount paid for superintendence under the latter head.

On the motion of Mr. *Robson*, seconded by Mr. *Robinson*, it was Resolved,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying for Returns of causes tried during the present year before any of the Courts of the country where a Clerk of the Bench or Records is stationed, and showing generally the business transacted by such Clerks of the Bench or Records.

On the motion of Mr. *Robson*, seconded by Mr. *Beaven*, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying for copies of correspondence between this Government and the Government at Ottawa, relative to the four Acts of last Session which were reserved for the pleasure of His Excellency the Governor-General.

On motion of Mr. *Robson*, seconded by Mr. *Smith*, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying for Returns of all Fees received during the year 1871 and the expired part of 1872, by the Registrars of the Supreme Court, for their own use and benefit.

On motion of Mr. *De Cosmos*, seconded by Mr. *Cogan*, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying that a Return be laid before this House, showing the total amount of Road Taxes assessed in 1872, in each Electoral District; also the amount expended in 1872 from Road Tax Fund in each Electoral District.

On motion of Mr. *De Cosmos*, seconded by Mr. *Cogan*, it was *Resolved*,—

That a respectful Address be presented to His Honor the Lieutenant-Governor, praying that a Return be laid before this House, showing the Total amount of Fees taken by the Court of Vice-Admiralty in this Province, in 1869, 1870, 1871, and 1872 respectively; also the name of every officer of the Court, and the sums paid to each of them as a reward for his services, in each of the said years.

On the motion of Mr. *De Cosmos*, seconded by Mr. *Booth*, it was *Resolved*,—

That a respectful address be presented to His Honor the Lieutenant-Governor, praying that a Return may be made to this House, as soon as possible, showing the total actual or approximate number of acres of land held in each Electoral District, on December 1st, 1872, by purchase, pre-emption, lease, and reserve; distinguishing the total acreage held under each tenure in each Electoral District; and also distinguishing the total number of acres held in each Electoral District for agricultural, grazing, mining, and timber purposes, respectively.

Mr. *Beaven* moved, Mr. *Ash* seconding,—

That Section 28 of the Standing Orders be amended, by adding after the word "refers," on the fifth line, "and the substance of all replies made by Ministers of the Crown to questions put to them by Members, of which two days' notice has been given, shall be written in ink, and handed to the Clerk of the House, and entered in the Journals of the Session."

Mr. *De Cosmos* moved, in amendment, That the following words be added at end:—

"Provided that it be not otherwise ordered by the House."

Amendment put and carried.

Motion as amended put and carried.

Mr. *Beaven* asked the Ministry the following question:—

What is their object in reserving Lands throughout the Province, and especially in the valley of the Chilcotin River; and, if for Indian purposes, whether such reservations were demanded by the Federal Government, and for what consideration?

The Honorable Mr. *Walkem* replied as follows:—

"In consequence of information received by the Government, of a disturbance of a serious character, having taken place between the Indians of the Chilcotin Valley, and one *John Salmon*, who had pre-empted land in their midst; and, in view of the safety of intending settlers, and of the Railway parties who were engaged on the survey between Bute Inlet and Alexandria, and in considering the fact that these parties were, comparatively speaking, defenceless,—His Excellency the Lieutenant-Governor, at the request of the Government, dispatched Mr. O'Reilly to confer with the Indians, and ascertain the reasons of their hostile attitude. Mr. O'Reilly, shortly after his return to Victoria, sent in a Report, dated the 20th August, 1872, recommending the Government not to allow any further 'pre-emptions in the Chilcotin country until the Reserves are laid out,

'in order to prevent the possibility of collision between the Indians and intending settlers.'

"The following notice was therefore given to the public, on the 30th August, 1872:

'The whole of the land in the Valley of the Chilcotin River, extending back on either side to the hill tops, is reserved from the operation of the "Land Ordinance, 1870," until further notice, and pending the location and allotment to the Indians of the lands to be set apart for their use and enjoyment.'

"Such Reserve has not been made at the request of the Dominion Government, but for the above reasons, and also in order to fulfil the stipulations, as to Indian Reserves, contained in the 13th Section of the Terms of Union with Canada.

"Under this Section, it seems to be incumbent upon the Dominion Government to make application for such tracts of land as they may require for the Indians, within, of course, a fair and reasonable time. This application I have reason to believe will shortly be made. The Indian Agent in this Province was addressed upon the subject, and urged, shortly after his appointment to the position, to take steps to have the Reserves laid out as speedily as possible."

The Order of the Day being read for resuming the adjourned debate on the Address to His Excellency the Lieutenant-Governor,

The first, second, and third paragraphs were read and agreed to.

The fourth paragraph having been read,—

Mr. *Humphreys* moved, Mr. *Bunster* seconding,—

That all words in Section 4, after "That" be left out, and the following inserted in their place:—

"Whilst entertaining the fullest confidence in that form of administration known as Responsible Government, still we believe that the administration of public affairs has not been satisfactory to the people in general."

On the Amendment having been put, it was carried on the following division:—

YEAS:

Messieurs

<i>R</i> <i>Smith</i> , —	<i>Hughes</i> ,	<i>Booth</i> ,	<i>Smithe</i> ,
<i>J</i> <i>Robson</i> , —	<i>Humphreys</i> ,	<i>Ash</i> ,	<i>Cogan</i> .—11.
<i>Armstrong</i> , —	<i>Bunster</i> ,	<i>De Cosmos</i> , <i>E. M. P.</i>	

NAYS:

Messieurs

<i>Holbrook</i> ,	<i>McCreight</i> ,	<i>Hunter</i> ,	<i>Duck</i> ,
<i>Todd</i> , <i>Wison</i>	<i>Walkem</i> ,	<i>Robinson</i> ,	<i>Barnston</i> .—10.
<i>Robertson</i> , <i>Q. C.</i>	<i>Beaven</i> ,		

The fourth paragraph, as amended, having been put, it was carried on the following division:—

YEAS:

Messieurs

<i>Smith</i> ,	<i>Hughes</i> ,	<i>Booth</i> ,	<i>Smithe</i> ,
<i>Robson</i> ,	<i>Humphreys</i> ,	<i>Ash</i> ,	<i>Cogan</i> .—11.
<i>Armstrong</i> ,	<i>Bunster</i> ,	<i>De Cosmos</i> ,	

NAYS:

Messieurs

<i>Holbrook</i> ,	<i>McCreight</i> ,	<i>Hunter</i> ,	<i>Duck</i> ,
<i>Todd</i> ,	<i>Walkem</i> ,	<i>Robinson</i> ,	<i>Barnston</i> .—10.
<i>Robertson</i> ,	<i>Beaven</i> ,		

On the motion of the Honorable Mr. *Robertson*, the debate on the Address to the Lieutenant-Governor was adjourned till 2 o'clock p.m. to-morrow.

The House then adjourned at 6 p.m.

Hughes & Co.

Friday, 20th December, 1872.

2 O'CLOCK, P.M.

On the motion of Mr. *DeCosmos*, Mr. *Booth* seconding, it was *Resolved*,—

That a respectful Address be presented to His Excellency the Lieutenant-Governor, praying that a Return may be laid before this House, showing the number of Pre-emptions made in each Electoral District in 1872.

On the motion of Mr. *DeCosmos*, Mr. *Booth* seconding, it was *Resolved*,—

That a respectful Address be presented to His Excellency the Lieutenant-Governor, praying that a Return be laid before this House, showing the number of persons in the service and pay of the Province, on December 1st, 1872; their respective names, duties, residences; and their respective salaries, fees, and allowances; distinguishing permanent from temporary officers.

Mr. *Smith* moved, Mr. *Robinson* seconding,—

That whereas certain sums of money were voted last Session for Public Work in the Province; and whereas the appropriations and the work have failed to connect; therefore, it is the wish of this House that all Public Works, hereafter, shall be done by contract.

Mr. *Armstrong* moved in Amendment, Mr. *Hughes* seconding,—

That all the words after "That" to the word "therefore" be struck out, and the words "when practicable," after the word "contract," be inserted.

Amendment put and carried.

Motion as amended, put and carried.

On the motion of Mr. *Smith*, Mr. *Robson* seconding, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying that he will recommend to the Dominion Government that a uniform tariff of twenty-five cents, all over the Mainland of British Columbia, for despatches containing not less than ten words, be adopted.

Mr. *Beaven* asked the Ministry the following question:—

Whether the Dominion Government have made over to the Provincial Government the Reservations of Lands and Public Buildings throughout the Province?

The Honorable Mr. *Robertson* replied as follows:—

"Application has been made to the Dominion Government for an appropriation of such of the public reserves and buildings to the use of the Provincial Government and Legislature as are necessary, and plans have been forwarded. No reply has yet been received."

Mr. *Beaven* asked the Honorable the Premier the following question:—

Whether the public statement made, that he (the Premier) has offered the Member for *Nanaimo* a seat in the Cabinet, with the Government pledged to create a portfolio for him, is correct? and, if so, as to the date of such offer?

The Honorable Mr. *McCreight* replied as follows:—

"I have my answer; and, whilst, either on ground of public policy or as a breach of personal confidence, an answer might be refused, yet I cannot have the slightest hesitation in giving an answer if the Honorable Member does not object.

"In order to answer this question fully, it is necessary that I should inform the House that I had several conversations with the Honorable Member for *Nanaimo*, on the general subject of his support to the Government.

"One took place on the 24th November, 1871, when I offered the Honorable Member for *Nanaimo* a seat as an unofficial Member of the Executive Council. He declined to accept a seat without a portfolio. This I positively stated I could not give him.

"Another conversation took place on the 5th day of December, 1871, when the Honorable Member agreed to give my Government his independent support in and out of the House, in consideration that I would give him a political situation if I should think it afterwards advisable to create an additional portfolio. If I should not think it

afterwards advisable to create an additional portfolio, I was to give him an appointment which would be fair to him and to the Province.

"On the 4th of January, 1872, I had another conversation with the Honorable Member for *Nanaimo*, when he requested my permission to let him state in a leading article in the *Colonist* newspaper that I had offered him a portfolio. This I informed him I could not consent to, as it was contrary to the fact.

"Since that time no negotiations have taken place between the Member for *Nanaimo* and myself respecting any portfolio or appointment."

On the Order of the Day being read,

The Honorable Mr. *McCreight* stated to the House that, in consequence of the adverse vote of yesterday, the Government had tendered their resignation to His Excellency the Lieutenant-Governor, that they only held office till their successors were appointed, and that they did not propose to do any Government business in the House.

Then, on the motion of Mr. *Robinson*, the House adjourned.

Monday, 23rd December, 1872.

2 O'CLOCK, P.M.

Mr. *DeCosmos* moved, Mr. *McCreight* seconded, and it was *Resolved*,—
That this House at its rising do adjourn to Monday, the 6th January, 1873.

The House then adjourned.

Monday, 6th January, 1873.

2 O'CLOCK, P. M.

Mr. Speaker announced that *John Roland Hett*, Esquire, had been appointed Clerk of the Legislative Assembly.

Mr. Speaker informed the Assembly, that he had received from the Registrar of the Supreme Court, the following certificate:—

"SUPREME COURT, BRITISH COLUMBIA,
" Registrar's Office,
" 6th January, 1873.

"Whereas *Robert Beaven*, Esquire, one of the Members for the District of Victoria City, did on or shortly before the 24th December last accept office under the Crown, and did thereby vacate his seat for such District in the House of Assembly. And whereas on the said 24th day of December, a Writ for the election of a Member to represent such District was duly issued to *Augustus F. Pemberton*, Esquire, the Returning Officer of the said District.

"Now I do hereby certify that on this 6th day of January, 1873, the said Writ has been duly returned to me by the said Returning Officer with his certificate attached thereto, whereby it appears that the said *Robert Beaven*, Esquire, has been under and by virtue of said Writ duly elected to be a Member of the House of Assembly for the said District.

" RICHARD WOODS,
" Registrar."

The Honorable *Robert Beaven*, a Member for the Electoral District of Victoria City, having been introduced by the Honorable Mr. *De Cosmos*, to him was administered the Oath of Allegiance by *Charles Good*, Esquire, a Commissioner appointed by the Lieutenant-Governor, and the said Member having subscribed to the Oath took his seat.

Mr. *McCreight* presented the Petition of *T. L. Stahlschmidt* and others.
Read and *Ordered* to lie on the Table.

Mr. *Bunster* presented the Petition of *E. Sutro* and others.
Read and *Ordered* to lie on the Table.

On the motion of the Honorable Mr. *De Cosmos*, the Honorable Mr. *Beaven* seconding, it was *Resolved*,—
That the Order of the Day be read.

The Order of the Day being read, the fifth paragraph of the Address was read and carried on the following division:—

YEAS:

Messieurs

<i>De Cosmos,</i>	<i>Robinson,</i>	<i>Duck,</i>	<i>Booth,</i>
<i>Walkem,</i>	<i>Semlin,</i>	<i>Hughes,</i>	<i>Robertson,</i>
<i>Beaven,</i>	<i>Smith,</i>	<i>Barnston,</i>	<i>Smithe,</i>
<i>Todd,</i>	<i>Robson,</i>	<i>McCreight,</i>	<i>Cogan.</i> —18.
<i>Hunter,</i>	<i>Mara,</i>		

NAYS:

Messieurs

Bunster, *Humphreys.*—2.

The sixth, seventh, and eighth paragraphs were read and agreed to.

The ninth paragraph was read, and the Honorable Mr. *De Cosmos* moved, in amendment, the Honorable Mr. *Walkem* seconding,—

That the word “approval,” at the end of the paragraph, be struck out, and the word “consideration” inserted in lieu thereof.

On the Amendment being put it was carried, and the paragraph as amended was agreed to.

The tenth paragraph was read and agreed to.

The eleventh paragraph was read, and the Honorable Mr. *De Cosmos* moved, in amendment, the Honorable Mr. *Walkem* seconding,—

That the word “instant” be struck out of the second line of paragraph eleven, and the figures “1872” be inserted in lieu thereof.

On the Amendment being put it was carried, and the paragraph as amended was agreed to.

Mr. *Bunster* moved, Mr. *Humphreys* seconding,—

That the following paragraph be inserted:—

“That we regret that His Excellency has made no allusion to the subject of a Modified Customs Tariff and Excise for this Province, a subject which is deemed among the most important that can occupy the attention of this House.”

On the Question being put it was lost on the following division:—

YEAS:

Messieurs

<i>Smith,</i>	<i>Humphreys,</i>	<i>Bunster,</i>	<i>Semlin.</i> —4.
---------------	-------------------	-----------------	--------------------

NAYS:

Messieurs

<i>De Cosmos,</i>	<i>Todd,</i>	<i>Duck,</i>	<i>Robson,</i>
<i>Walkem,</i>	<i>Hunter,</i>	<i>McCreight,</i>	<i>Smithe,</i>
<i>Beaven,</i>	<i>Robinson,</i>	<i>Robertson,</i>	<i>Booth,</i>
<i>Armstrong,</i>	<i>Mara,</i>	<i>Cogan,</i>	<i>Barnston.</i> —16.

The twelfth paragraph was read and agreed to.

The thirteenth paragraph was read, and the Honorable Mr. *De Cosmos* moved, in Amendment, the Honorable Mr. *Walkem* seconding,—

That the word "approval" be struck out at the end of the last line of paragraph thirteen, and the word "consideration" be inserted in lieu thereof.

On the Amendment being put, it was carried, and the paragraph, as amended, was agreed to.

The fourteenth paragraph was read and agreed to.

The fifteenth paragraph was read, and the Honorable Mr. *De Cosmos* moved, in Amendment, the Honorable Mr. *Beaven* seconding,

That all the words in paragraph fifteen after "That" be struck out, and the following inserted in their place:—

"We are not unaware of the difficulties attendant on the subject of Immigration; and we are glad the question has received His Excellency's consideration. We also confidently trust that the difficulties may be removed, and a vigorous and successful Immigration policy inaugurated."

On the Amendment being put, it was carried, and the paragraph, as amended, was agreed to.

The sixteenth and seventeenth paragraphs were read and agreed to.

The eighteenth paragraph was read, and the Honorable Mr. *De Cosmos* moved, in Amendment, the Honorable Mr. *Walkem* seconding,—

That the words "to learn" be inserted after the word "and" at the commencement of the third line of the paragraph.

On the Amendment being put it was carried, and the paragraph, as amended, was agreed to.

The nineteenth and twentieth paragraphs were read and agreed to.

On the Motion of the Honorable Mr. *Walkem*, the Honorable Mr. *Beaven* seconding, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, thanking His Excellency for his gracious Speech at the opening of the Session.

On motion of the Honorable Mr. *Walkem*, seconded by the Honorable Mr. *Armstrong*, it was *Resolved*,—

That the above resolution be referred to a Select Committee composed as follows: The Honorable Attorney General, the Honorable Mr. *Beaven*, and Messrs. *Hunter* and *Semlin*.

The Honorable Mr. *Walkem*, from the Select Committee, reported an Address, which read as follows:

To His Excellency JOSEPH WILLIAM TRUTCH, Lieutenant-Governor of the Province of British Columbia.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Legislative Assembly of the Province of British Columbia, in Parliament assembled, humbly thank Your Excellency for your gracious Speech at the opening of this Session.

We further respectfully inform Your Excellency, that we are gratified at being assured of the highly favorable prospects of our Province, and that although the year now rapidly drawing to a close has not witnessed any marked increase in the population of the country, it has been characterised by undeniable progress in many of the industrial resources of this Province.

We concur with Your Excellency in the opinion that the Dominion Government has prosecuted the preliminary surveys for the Canadian Pacific Railway with such energy and success, that if any doubt ever existed as to the certainty of the work of construction being undertaken within the time limited in the Terms of Union, it can now no longer be entertained.

We cannot doubt that Railway communication with the Eastern Provinces will supply the great desideratum of British Columbia. Long before the line shall have been completed, this Province will have derived benefits of the most substantial character from the work of construction alone, and that the Canadian Pacific Railroad will prove in many ways one of the most efficient agents in settling the Province.

Whilst entertaining the fullest confidence in that form of administration known as Responsible Government, still we believe that the administration of public affairs has not been satisfactory to the people in general.

We cannot fail to regret the announcement which Your Excellency has been officially directed to make of the decision of His Majesty the Emperor of Germany, with respect to the disputed water boundary between Her Majesty's Possessions and those of the United States on this Coast: that, His Majesty, having been good enough to burden himself as Arbitrator with the responsible task of settling this dispute has, in the exercise of his judgment, decided the question adversely to our interests.

We fully appreciate the nature and extent of the injury which the unfavorable termination of the case has inflicted upon this Province and the whole Dominion, but we concur with Your Excellency in thinking that the sense of its importance will be very much mitigated by the consideration that the final adjustment of the dispute will materially contribute to the permanent preservation of friendly and harmonious feelings between our neighbors and ourselves, and that in this view of the matter the importance of the loss is much diminished.

We thank Your Excellency for the assurance that an approximate statement of the Revenue and Expenditure since the beginning of the year, together with Estimates of the probable Revenue and proposed Expenditure for the next fiscal year, will be placed before us at an early date, and we are pleased to gather the assurance conveyed by Your Excellency that in framing the Estimates every possible effort has been made to reduce the cost of the administration of the public business to the lowest practical limit, beyond which reduction of expenditure ceases to be justifiable, involving as it necessarily does, weakness and inefficiency in the management of public affairs.

We learn with pleasure that the question of Indemnity to Members and that of Mileage, will be provided for by statute.

We concur in Your Excellency's views as to the success that has attended the working of the Public Schools Act, passed last Session, though we regret to learn that it has been found that notwithstanding the liberal provision for the education of the youth of the Province, comparatively few of the children of school age attend the Public Schools; the measure to obviate this evil which Your Excellency proposes to submit to us will receive our consideration.

We are gratified to learn that, in accordance with a Resolution of our body of last Session, a site has been selected as the most suitable for a Dry Dock at Esquimalt, the necessary borings made, and plans and specifications of the proposed work prepared, accompanied by the fullest information that could be obtained on the subject; and that tracings of these plans and copies of the specifications have been placed on exhibition in the office of the Agent-General in London, and of the Immigration Agent at San Francisco, and further, that Tenders for the construction of the Dock have been invited by advertisement in English, Canadian, and American papers.

The assurance conveyed by Your Excellency that if no Tender be received by the 31st December, 1872, which can prudently be recommended to us, a scheme will be submitted to us to secure the building of the Dock, is most satisfactory.

We cordially approve of the introduction of a measure substituting for the existing Land Laws one on a sounder and more liberal basis, which will doubtless be more satisfactory to the Public and more conducive to the speedy settlement of the Province, and there can be little doubt as to the wisdom of the provision proposed by Your Excellency for accurate and extensive surveys of those districts in the Province most available for settlement.

The Bill which Your Excellency promises shall be laid before us, amending the "Municipality Act, 1872," so as to meet the requirements of the Province, will meet with our consideration.

We are aware of the loss that has accrued to the Province in consequence of large tracts of land, well adapted to the growth of cereals and other products, having been hitherto unavailable in some localities, owing to the want of drainage and dyking, and in others through want of irrigation. We trust the measure which Your Excellency

proposes will, without creating a permanent charge upon the public revenue, greatly increase the area of land available for agricultural purposes, by providing the means of drainage, dyking, and irrigation.

We are not unaware of the difficulties attendant on the subject of Immigration; and we are glad the question has received Your Excellency's consideration. We, also, confidently trust that the difficulties may be removed, and a vigorous and successful Immigration policy inaugurated.

We are aware of the unsuitableness of many clauses of the "Mineral Ordinance, 1869," to the requirements of the Province, and we shall give the fullest consideration to any amendments which will render the Act more useful.

The Bill proposed by Your Excellency, providing for the taking of votes by Ballot, in all Elections of Members of our House will, no doubt, recommend itself to the general approval of the Province, as well as that for properly remunerating Juries in criminal cases.

We rejoice to concur with Your Excellency, in your belief that the Province is on the eve of rapid and energetic strides in the path of development and consequent prosperity, and to learn that we are backed by the most ardent wishes of the Dominion Government, and that we shall receive not merely their moral support, but their material aid.

While we admit, with hearty satisfaction, that peace and prosperity reign within our borders, we feel deeply that much will depend upon our wisdom and patriotism, and we trust that Your Excellency's persuasion that our best consideration will be bestowed upon the important matters claiming our attention, will prove well founded.

We join in Your Excellency's prayer that, under the blessing of Almighty God, our counsels may result in the advancement of the Province, and the welfare of the People.

On the motion of the Honorable Mr. *Walkem* seconded by Mr. *Todd* it was *Resolved*,—
That the report be adopted and that the Address be taken as read a second time.

On the motion of the Honorable Mr. *DeCosmos*, seconded by the Honorable Mr. *Walkem*, it was *Resolved*,—

That the Address be engrossed and presented to His Excellency by such members of the House as are of the Executive Council.

On the motion of Mr. *McCreight*, seconded by Mr. *Hughes*, it was *Resolved*,—

That the following Members be appointed a Select Committee on Private Bills and Standing Orders:—Messieurs *McCreight*, *Barnston*, *Duck*, *Robertson*, *Booth*, and *Robson*.

The House then adjourned at 4 p.m.

Tuesday, 7th January, 1873.

2 O'CLOCK, P.M.

The Honorable Mr. *DeCosmos* acquainted the House that he had waited on His Excellency the Lieutenant-Governor, in company with other Members of the Executive Council, with the Address in reply to the opening Speech, and that His Excellency had received the same very graciously, and had been pleased to make the following rejoinder:—

Mr. Speaker and Gentlemen of the Legislative Assembly:

I thank you for your dutiful and loyal Address, and for the assurance that the several important measures submitted to you will be carefully considered.

The Honorable Mr. *DeCosmos* presented, pursuant to an Address to His Excellency the Lieutenant-Governor, a Return of copies of correspondence between the Government of British Columbia and the Government at Ottawa, relative to the four Acts of last Session which were reserved for the pleasure of His Excellency the Governor General.

The Honorable Mr. *Beaven* asked leave to introduce a Bill extending the rights of property of Married Women.

Ordered, That leave be granted.

Bill presented.

On the motion of the Honorable Mr. *Beaven*, the Honorable Mr. *Walkem* seconding,

Ordered, That the said Bill be now read a first time.

Bill read first time accordingly.

Ordered to be read second time on the 13th January.

Mr. *Bunster* moved, Mr. *Cogan* seconded,—

That this House resolve itself into a Committee of the Whole, for the purpose of considering the advisability of levying a Tax on all Lands in the Province, of 25 cents per 100 acres, for the purpose of raising a revenue to pay an additional premium for the destruction of Wild Animals.

Motion withdrawn by leave.

Mr. *Robson* asked the Honorable the Chief Commissioner of Lands and Works the following question:—

What steps, if any, have been taken by the Government, towards carrying out the recommendations of this House, on the 10th April, 1872. with reference to the Skeena River Trail?

The Honorable Mr. *Beaven* stated that he would reply on the 8th January.

On motion of Mr. *Smith*, seconded by Mr. *Robinson*, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying that he will recommend to the Dominion Government the construction of a branch-line of Telegraph between Cache Creek and Kamloops, connecting the latter place with the main line.

On the motion of the Honorable Mr. *Beaven*, seconded by Mr. *Duck*, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, requesting that a Return may be printed and sent down, showing in detail what amount has been expended, and to whom paid, and for what services rendered, of the sum of \$7,000 voted last Session, for the purpose of making surveys, preparing plans and specifications, in regard to supplying Victoria City with water.

On the motion of the Honorable Mr. *Beaven*, seconded by Mr. *Duck*, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, requesting that a copy of the contract and charter under which the Alexandra Suspension Bridge was built; and also the Surveyor-General's Report upon said Bridge, when accepted and handed over to the Government of British Columbia; and also giving the date of such acceptance, be printed and sent down to this House.

On the motion of Mr. *Smithe*, seconded by Mr. *Booth*, it was *Resolved*,—

That in view of the important interests depending on the regular delivery of the Mails on the East Coast of Vancouver Island, an humble Address be presented to His Excellency the Lieutenant-Governor, praying that he will urge upon the Dominion Government the necessity of subsidising a Mail Steamer to run regularly on the East Coast.

On the motion of Mr. *Humphreys*, seconded by Mr. *Bunster*, it was *Resolved*,—

That a Select Committee be appointed to examine and report upon the present system of Road making and other Public Works, with power to call for books, papers, and persons. The Select Committee to consist of Messieurs *Robson*, *Bunster*, *Smithe*, *Semlin*, and *Humphreys*.

On the motion of Mr. *Humphreys*, seconded by Mr. *Bunster*, it was *Resolved*,—

That a Select Committee be appointed to consider the expediency of altering and amending the "Land Ordinance, 1870." Said Committee to have power to examine witnesses. The Committee to consist of Messieurs *Bunster*, *Smith*, *Booth*, *Humphreys*, and *Smithe*.

On the Order of the Day being read for the second reading of the Drainage, Dying, and Irrigation Bill,
The second reading was postponed, by leave, for one week.

The House then adjourned at 4 30, p.m.

Wednesday, 8th January, 1873.

2 O'CLOCK, P.M.

The Honorable Mr. *DeCosmos* presented, by command of His Excellency the Lieutenant-Governor, the First Annual Report on the Public Schools in the Province; and also, on behalf of the Honorable Mr. *Ash*, pursuant to an Address to His Excellency the Lieutenant-Governor, a Return of the number of persons in the service and pay of the Province, on December 1st, 1872, their respective names, duties, residences, and their respective salaries, fees, and allowances, distinguishing permanent from temporary offices. (*See Sessional Papers.*)

On the motion of Mr. *Robson*, Mr. *Smith* seconding, it was *Resolved*,—

That the Return of copies of correspondence between the Government of British Columbia and the Government at Ottawa, relative to the four Acts of last Session which were reserved for the pleasure of His Excellency the Governor-General, should be printed, together with the Attorney-General's Report referred to in such correspondence. (*See Sessional Papers.*)

Mr. *McCraith* presented a Report from the Select Committee on Private Bills and Standing Orders, in favour of a Bill for the purpose of introducing Water into *Victoria*, by the Municipal Council of *Victoria*.

The Report was received.

On the motion of Mr. *Bunster*, the Honorable Mr. *DeCosmos* seconding, it was *Resolved*,—

That the Petition of *E. Sutro* and others, for a Bill to be called "The City of *Victoria* Water Works Company," should be referred to the Select Committee on Private Bills and Standing Orders.

Mr. *Robson* asked the Honorable the Chief Commissioner of Lands and Works the following question:—

What steps, if any, have been taken by the Government, towards carrying out the recommendations of this House, on the 10th April, 1872, with reference to the *Skeena River Trail*?

The Honorable Mr. *Beaven* replied as follows:—

"The late Government communicated with the Officer at *Omineca*, in June last, enclosing a copy of the Select Committee's Report upon the *Skeena Roads and Trails*, and received from him a reply in October last, stating that the *Frying Pan Pass Trail* had been opened by him for foot travel, and that after a careful examination of Mr. *Woodcock's Trail*, between *Hazelton* and *Lake Babine*, that he considered a sum of \$1,800 would be ample to pay for all work done upon that trail.

"No compromise has been made with the Contractor."

Mr. *Smith* asked the Honorable the Provincial Secretary the following question:—

Has the Government of this Province communicated with the Federal Government, with reference to the delivery of Mails in Districts situated at a distance from the salt water, on the East Coast of this Island; and, if so, what action has been taken, or is intended to be taken, in the matter?

The Honorable Mr. *Beaven*, on behalf of the Honorable Mr. *Ash*, replied as follows:—

"I have to state that His Excellency the Lieutenant-Governor forwarded the Address of the House, dated 8th March, 1872, on the subject of the extension of the

Mail Service on the East Coast of Vancouver Island, to the Government of the Dominion, which duly acknowledged its receipt, but as yet has made no reply."

Mr. *Smith* moved, seconded by Mr. *Barnston*,—

1. That whereas the Dominion steamer Sir James Douglas is running in competition with private enterprise, as common carrier between Victoria and other ports ;

Therefore be it *Resolved*, That an humble Address be presented to His Honor the Lieutenant-Governor, that he will (with due respect to our Representatives in the Dominion Parliament) request that the Government of the Dominion will be pleased to have the above steamer placed on the Revenue Service ; also to act as transport for all Light Ships and Light Houses on the coast of British Columbia.

Motion withdrawn by leave.

Mr. *Smith* asked leave to introduce a Bill to amend "The Game Ordinance, 1870."
Ordered, That leave be granted.

Bill presented.

On the motion of Mr. *Smith*, Mr. *Booth* seconding,—

Ordered, That the Bill be now read a first time.

Bill read first time accordingly.

Ordered to be read second time on Friday, 10th January, and to be printed.

The House then adjourned, at 3.15 p.m., until Friday, the 10th instant.

Friday, 10th January, 1873.

2 O'CLOCK, P.M.

By leave of the House, on motion of Mr. *Robson*, Mr. *Mara* seconding, it was *Resolved*,—

Whereas it appears that British subjects resident on *San Juan* and adjacent islands recently in dispute, have been notified by the Governor of Washington Territory that their rights in the soil would cease on and after the 6th January instant, unless they declared their intention to become citizens of the United States of America ; and whereas a large number of such residents have declined to forswear their allegiance to the Crown, and naturally look to the British Government for that protection which they have a right to expect ;

That an humble address be presented to His Excellency the Lieutenant-Governor praying that he will be pleased to take immediate steps for having the matter brought under the notice of the Dominion Government.

Mr. Speaker informed the Assembly, that he had received from the Registrar of the Supreme Court, the following certificate :—

"SUPREME COURT, BRITISH COLUMBIA,

"Registrar's Office,

"10th January, 1873.

"Whereas a vacancy having occurred in the Electoral District of *Lillooet*, in consequence of the death of *Andrew T. Jamieson*, Esquire, one of the Members of the said District.

"And whereas on the 14th day of November, 1872, a Writ for the election of a Member to represent such District was duly issued to *Edward H. Sanders*, Esquire, the Returning Officer of the said District.

"Now I do hereby certify that on this 10th day of January, 1873, the said Writ has been duly returned to me by the said Returning Officer with his certificate attached thereto, whereby it appears that *William Saul*, Esquire, has been under and by virtue of said Writ duly elected to be a Member of the House of Assembly for the said District.

"RICHARD WOODS,

"Registrar."

William Saul, Esquire, a Member for the Electoral District of *Lillooet*, came to the Bar of the House, and having been introduced by the Honorable Mr. *Walkem* and Mr. *Humphreys*, took his seat, having been previously sworn.

Mr. *McCreight* presented a Report (being the second) from the Select Committee on Private Bills and Standing Orders, that the Rule as to notice had been complied with by the petitioners for a Bill to enable a Company to introduce Water into *Victoria*.

The Report was received.

Mr. *McCreight* presented a Report (being the third) from the Select Committee on Private Bills and Standing Orders, that the Rule as to notice had been complied with by the petitioners for a Bill to authorize the construction of a Railway from *Victoria* to *Esquimalt*.

The Report was received.

Mr. *McCreight* asked leave to introduce a Bill, intituled "An Act to authorize the Corporation of the City of *Victoria* to construct Water Works for the City of *Victoria*."

Ordered, That leave be granted.

Bill presented.

On the motion of Mr. *McCreight*, Mr. *Duck* seconding,—

Ordered, That the said Bill be now read a first time.

Bill read first time accordingly.

Referred to Select Committee on Private Bills and Standing Orders.

On the motion of the Honorable Mr. *Walkem*, the Honorable Mr. *De Cosmos* seconding, it was Resolved,—

That a Supply be granted to Her Majesty.

On motion of the Honorable Mr. *Walkem*, seconded by the Honorable Mr. *De Cosmos*, it was Resolved,—

That this House will, on Monday next, resolve itself into a Committee to consider that motion.

On motion of the Honorable Mr. *Walkem* seconded by the Honorable Mr. *De Cosmos*, it was—

Ordered, That that part of His Excellency's Speech which refers to a Supply be referred to the said Committee.

Mr. *Semlin* asked leave to introduce a Bill to render Members of the House of Commons of Canada intelligible as Members of the Legislative Assembly of British Columbia.

Ordered that leave be granted.

Bill presented.

On the motion of Mr. *Semlin*, Mr. *Robson*, seconding,—

Ordered, That the said Bill be now read a first time.

Bill read first time accordingly.

Ordered to be read second time on Thursday, 16th January.

On the motion of Mr. *Todd*, Mr. *Hunter* seconding, it was Resolved,—

That this House do proceed to elect a Law Clerk in the following manner:—That each Member cast a vote, and such person as receives the greatest number of votes be the Law Clerk.

Thirteen votes being cast for Mr. *Davie*, he was declared by Mr. Speaker duly elected.

Mr. *Smith* asked the Honorable Attorney-General the following question:—

What is the intention of the Government with regard to the rights of Settlers who have purchased public land adjoining their pre-emption, or otherwise, having paid part of the purchase money?

The Honorable Mr. *Walkem* replied as follows:—

"The Government cannot deal satisfactorily with this question until after the 20th July, 1873. Such steps will then be taken as may be deemed just to all parties. All purchasers have long since been offered a return of their purchase money."

Mr. *Duck* asked the Honorable Chief Commissioner the following questions:—

Whether the provisions of a Resolution passed by the House at its last Session—

“That forty-seven acres of the Crown Lands, at *Ogden Point*, should be set apart for the purpose of providing for a Public Cemetery, and for other public purposes, on behalf of the City of Victoria, as Trustees in that behalf shall see fit,” have been carried out? Whether a transfer of said lands has been made to Trustees; and, if so, that a copy of the Deed be laid before the House; also, a statement of the number of acres sold; the amount realized from such sale; how much of the said amount has been expended, and for what purpose?

The Honorable Mr. *Beaven* replied as follows:—

“That the Lands in question have been transferred by Government to Trustees, and that the Deed can be inspected by the honorable gentleman, at the Office of the Cemetery Board. That the Secretary informs me that 18 acres and 79 hundredths have been sold; that \$5,028, principal and interest, have been received from such sales; that the whole of that amount has been expended on account of sale expenses, purchase of Ross Bay property, and trust expenses; and that the trust accounts made up to 31st December, 1872, duly audited, will be shortly transmitted to the Provincial Secretary.”

The Honorable Mr. *Walkem* asked leave to introduce the following Bills:—

Bill (No. 4) intituled “An Act further to amend the ‘Road Ordinance, 1869,’ and to make the same applicable to the Mainland of British Columbia.”

Bill (No. 5) intituled “An Act to make further provision touching the Election of Members to the Legislative Assembly.”

Bill (No. 6) intituled “An Act to amend ‘The Courts Merger Ordinance, 1870.’”

Bill (No. 7) intituled “An Act to amend ‘The Municipality Act, 1872.’”

Bill (No. 8) intituled “An Act respecting Asylums for the Insane.”

Ordered, That leave be granted.

Bills presented.

On the motion of the Honorable Mr. *Walkem*, Mr. *Smithe* seconding,—

Ordered, That Bill (No. 4) intituled “An Act further to amend the ‘Road Ordinance, 1869,’ and to make the same applicable to the Mainland of British Columbia,” be now read a first time.

Bill read first time accordingly.

Ordered to be read second time on Tuesday, the 14th January.

On the motion of the Honorable Mr. *Walkem*, Mr. *McCreight* seconding,—

Ordered, That Bill (No. 5) intituled “An Act to make further provision touching the election of Members to the Legislative Assembly,” be now read a first time.

Bill read first time accordingly.

Ordered to be read a second time on Tuesday, the 14th January.

On the motion of the Honorable Mr. *Walkem*, the Honorable Mr. *De Cosmos* seconding,

Ordered, That Bill (No. 6) intituled “An Act to amend ‘The Courts Merger Ordinance, 1870,’” be now read a first time.

Bill read first time accordingly.

Ordered to be read a second time on Tuesday, 14th January.

On the motion of the Honorable Mr. *Walkem*, Mr. *Smithe* seconding,—

Ordered, That Bill (No. 7) intituled “An Act to amend the ‘Municipality Act, 1872,’” be now read a first time.

Bill read first time accordingly.

Ordered to be read second time on Friday, the 17th January.

On the motion of the Honorable Mr. *Walkem*, Mr. *McCreight* seconding,—

Ordered, That Bill (No. 8) intituled “An Act respecting Asylums for the Insane,” be now read a first time.

Bill read first time accordingly.

Ordered to be read second time on Tuesday, the 14th January.

Pursuant to Order, Bill (No. 3) intituled “An Act to amend the ‘Game Ordinance, 1870,’” was read second time.

Ordered to be committed forthwith.

On Mr. Speaker resuming the Chair, Mr. *Holbrook*, Chairman of the Committee, reported the Bill complete, without amendment.

Bill read a third time.

Resolved, That the Bill do pass.

The House then adjourned at 3 15, p.m., until Monday, the 13th Instant.

Monday, 13th January, 1873.

2 O'CLOCK, P. M.

Mr. Speaker informed the Assembly that he had received from the Registrar of the Supreme Court the following certificate:—

“SUPREME COURT, BRITISH COLUMBIA,
“Registrar’s Office,
“11th January, 1873.

“Whereas *John Ash*, Esquire, one of the Members for the Electoral District of *Comox*, did on or shortly before the 24th December, 1872, accept office under the Crown, and did thereby vacate his seat for such District in the House of Assembly.

“And whereas on the said 24th day of December, 1872, a Writ for the election of a Member to represent such District was duly issued to *George F. Drabble*, Esquire, the Returning Officer of the said District.

“Now I do hereby certify, that on this 11th day of January, 1873, the said Writ has been duly returned to me by the said Returning Officer, with his certificate attached thereto, whereby it appears that the said *John Ash*, Esquire, has been, under and by virtue of the said Writ, re-elected to be a Member of the House of Assembly for the said District.

“RICHARD WOODS,
“Registrar.”

The Honorable *John Ash*, a Member for the Electoral District of *Comox*, came to the Bar of the House, and, having been introduced by the Honorable Mr. *DeCosmos* and Mr. *Bunster*, took his seat, having been previously sworn.

The Honorable Mr. *Beaven* presented, by command of His Excellency the Lieutenant-Governor, pursuant to Addresses, a Return of Indian Reserves; and also a Return of Pre-emptions in each Electoral District, in 1872. (*See Sessional Papers.*)

On the motion of the Honorable Mr. *Walkem*, the Honorable Mr. *Beaven* seconding, it was *Resolved*,—

That both Returns be printed.

The Honorable Mr. *DeCosmos*, by command of His Excellency the Lieutenant-Governor, informed the House that he had received the Address of the Legislative Assembly, with respect to *San Juan*, and had forwarded the same to His Excellency the Governor-General, for his consideration.

Pursuant to order, the House resolved itself into Committee of the whole to consider the Resolution, “That a Supply be granted to Her Majesty,” and to consider that part of His Excellency’s Speech which refers to a Supply.

On Mr. Speaker resuming the Chair, Mr. *Holbrook*, Chairman of Committee, reported the Resolution complete without amendment.

Report adopted.

Ordered that Committee of Supply sit on Monday, the 20th January.

Mr. *Duck* asked leave to introduce a Bill (No. 11) intituled “An Act to alter and amend ‘The Fireman’s Protection Act, 1861.’”

Ordered, That leave be granted.

Bill presented.

On the motion of Mr. *Duck*, the Honorable Mr. *Beaven* seconding,

Ordered, That the said Bill be now read a first time.

Bill read first time accordingly.

Ordered to be read second time on Thursday, the 16th January.

Mr. *Bunster* moved, and Mr. *Booth* seconded.—

That an humble Address be presented to His Excellency the Lieutenant-Governor, requesting that he will have the Steam-boat carrying the Mails on the East Coast call at North Saanich, as a matter of convenience to the Settlers of said District, for carrying their produce to market and also for the convenience of Passengers.

Mr. *Robson* moved, in Amendment,—

That after the word “will,” in the second line of the motion, the words “move the Dominion Government to” be inserted.

On the Amendment being put it was lost on the following division :—

YEAS:

Messieurs

<i>Todd,</i>	<i>Robinson,</i>	<i>Mara,</i>	<i>Bunster,</i>
<i>Hunter,</i>	<i>Smith,</i>	<i>Humphreys,</i>	<i>Barnston.—10.</i>
<i>Semlin,</i>	<i>Robson,</i>		

NAYS:

Messieurs

<i>De Cosmos,</i>	<i>Ash,</i>	<i>Booth,</i>	<i>Cogan,</i>
<i>Walkem,</i>	<i>Hughes,</i>	<i>Holbrook,</i>	<i>Robertson,</i>
<i>Beaven,</i>	<i>Duck,</i>	<i>Saul,</i>	<i>Smithe.—14.</i>
<i>Armstrong,</i>	<i>Mc Creight,</i>		

On the Motion being put it was lost on the following division :—

YEAS:

Messieurs

<i>Hunter,</i>	<i>Robson,</i>	<i>Mara,</i>	<i>Humphreys,</i>
<i>Smith,</i>	<i>Semlin,</i>	<i>Bunster.—7.</i>	

NAYS:

Messieurs

<i>De Cosmos,</i>	<i>Walkem,</i>	<i>Beaven,</i>	<i>Ash,</i>
<i>Todd,</i>	<i>Robinson,</i>	<i>Hughes,</i>	<i>Duck,</i>
<i>Barnston,</i>	<i>Mc Creight,</i>	<i>Booth,</i>	<i>Holbrook,</i>
<i>Armstrong,</i>	<i>Robertson,</i>	<i>Smithe,</i>	<i>Saul,</i>
<i>Cogan.—17.</i>			

On the motion of Mr. *Semlin*, Mr. *Duck* seconding, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying for a Return of all Lands sold by the Provincial Government since the 1st of June, 1870.

On the motion of Mr. *Hunter*, seconded by Mr. *Barnston*, it was *Resolved*,—

That an humble Address be presented to His Excellency the Lieutenant-Governor, praying that a Return be laid before this House showing, in detail, the Expenditure on Roads, Trails, Bridges, or other Public Works in the Omineca section of the Cariboo District, during the year 1872.

Mr. *Duck* asked the Honorable the Provincial Secretary the following question in relation to the late Quarantine transaction in British Columbia:—

Under whose authority were the Board of Health of the City of *Victoria* acting? Also, that a copy of all correspondence between the Provincial Government and the Board of Health, and all correspondence between the Provincial Government and the Dominion Government, or any Agent representing the Dominion Government, be laid before this House.

The Honorable Mr. *Ash* replied as follows :—

“1. The Board of Health of the City of *Victoria* acted, so far as I know, on its own authority.

"2. The correspondence between some of the late Ministry and Board of Health of the City of *Victoria* is voluminous, and can be seen at any time by any Member of the House, at the Provincial Secretary's Office; but, of course, there is no objection to have it copied and laid on the table, if the House thinks fit.

"3. There is no official correspondence between the Provincial Government and the Dominion Government, or any agent of the Dominion Government."

On the motion of Mr. *Duck*, Mr. *Semlin*, seconding, it was *Resolved*,—
That the correspondence referred to in the said question be printed.

The Honorable Mr. *Walkem* asked leave to introduce the following Bills:—

Bill (No. 12) intituled "The Wives' and Children Assurance Security Act, 1873."

Bill (No. 13) intituled "The Petitions of Right and Crown Procedure Act, 1873."

Bill (No. 14) intituled "The Legislative Assembly Oaths Act, 1873."

Bill (No. 15) intituled "The Land Registry Act 1870 and 1873."

Ordered, That leave be granted.

Bills presented.

On the motion of the Honorable Mr. *Walkem*, the Honorable Mr. *DeCosmos* seconding,—

Ordered, That Bill (No. 13) intituled "The Petitions of Right and Cown Procedure Act, 1873," be now read a first time.

Bill read first time accordingly.

Ordered to be read a second time on Friday, the 17th January.

On the motion of the Honorable Mr. *Walkem*, the Honorable Mr. *DeCosmos* seconding,—

Ordered, That Bill (No. 14) intituled "The Assembly Oaths Act, 1873," be now read a first time.

Bill read a first time accordingly.

Ordered to be read a second time on Wednesday, the 15th January.

On the motion of the Honorable Mr. *Walkem*, the Honorable Mr. *DeCosmos* seconding,—

Ordered, That Bill (No. 15) intituled "The Land Registry Act, 1870 and 1873," be now read a first time.

Bill read a first time accordingly.

Ordered to be read a second time on Monday, the 20th January.

Mr. *Humphreys* moved, Mr. *Saul* seconding,—

That whereas, by Public Notice, dated the 19th day of September, 1872," "The whole of the Land in the Valley of the *Chilcotin River* has been reserved from the "operation of the 'Land Ordinance, 1870,'" to the detorment and injury of persons who have made application to pre-empt Land in said *Chilcotin Valley* and vicinity, and to whom permission to pre-empt Land has been refused;

Be it, therefore *Resolved*, That the said reserved land be, at once, thrown open to pre-emption.

Mr. *Robertson* moved in Amendment, Mr. *Todd* seconding,—

That all the words after "That" be struck out, and the following substituted:—

"It is desirable that steps should be taken by the Government, at the earliest moment, to determine the amount of land to be reserved in the *Chilcotin Valley*, for the Indians living there, and that the remainder of the existing Reservation be then thrown open to pre-emption."

The Amendment was put, and carried on a division.

The Motion as amended was then proposed, and,

Mr. *Robson* moved in amendment, Mr. *Duck* seconding,—

That all the words after "That" be struck out, and the following words substituted therefor:—

"Immediate steps be taken by the Government for laying off such Reserves in the *Chilcotin Valley*, as will include a reasonable and suitable amount of land for the Indians, and that the remainder be thrown open to settlement."

The Amendment was then put and carried, on a division.

The Motion, as amended, was then put and carried.

The House then adjourned at 6 p.m.