

**Wednesday, the 15th day of February, 1867.**

The Council met at 2 o'clock, pursuant to adjournment.

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

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

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

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

*Message No. 7.*

FREDERICK SEYMOUR.

The Governor has received the Resolution of the Legislative Council, requesting him to supply Returns of Transport, shewing the expenditure under each head in 1866.

The Governor having referred to the Auditor General (although previously aware of the labour which the furnishing the Returns in detail would require) is officially informed that it would take much time to prepare the Returns, and that it is impossible to make them thoroughly satisfactory to the Council, inasmuch as some of the amounts for the month of December have not been received.

The Governor does not imagine that the Legislative Council would wish to have before them the details asked for, which would include a statement of every pound of barley or oats consumed by the horses of the Officer lately administering the Government when visiting the Gold Mines, or of those employed by the Supreme Court when on Circuit; if such however be the desire of the Council, the Return, at whatever expense or inconvenience, shall be forwarded. Perhaps, however, the nature of the information required might be specified and thus the labour of the Auditor's department considerably diminished.

*Government House,  
15th February, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 8.*

FREDERICK SEYMOUR.

The Governor has received the Resolution, passed by the Legislative Council on the 5th instant, in favour of the remission of Harbour Dues and Clearance Fees upon all Vessels engaged in the Coasting Trade of the Colony, until such time as an Ordinance be passed regarding the same.

The Governor has given instructions which will be satisfactory to the Legislative Council.

*Government House,  
15th February, 1867.*

On the Order of the day being read for the Council to go into Committee of Supply,

The Hon. Mr. DeCosmos moved, the Hon. Mr. Southgate seconding,

That approximate Returns of Revenue and Expenditure for 1866 be laid before the Council before going into Supply.

The Hon. Mr. Macdonald moved in amendment, the Hon. Mr. Young seconding, that the word "Expenditure" be struck out.

On the motion as amended being put, it was Resolved in the affirmative and Ordered accordingly.

Ordered that the Council do go into Committee of Supply on Monday.

On the Order of the day being read for the motion of the Hon. Mr. Robson, to ask leave to bring in Mechanics' Lien Law Bill,

The Hon. Member asked leave for the same to be postponed till Thursday next.

Ordered that leave be granted.

On the Order of the day being read for the second reading of Hon. Mr. Trutch's Land Bill,

Ordered that the same be considered in connection with the Bill standing next on the Order of the day.

On the Order of the day being read for the Hon. Mr. Pemberton's Land Bill to be read second time,

Ordered that the Land Bills of both Hon. Members be referred to a Select Committee, to be nominated by the Hon. the Presiding Member.

The following Hon. Members were selected accordingly:—The Hon. the Chief Commissioner of Lands and Works, the Hon. Messrs. Ball, Pemberton, Robson, Walkem, DeCosmos, Macdonald.

Pursuant to the Order of the day, the Hon. Mr. Robson asked leave to bring in a Homestead Exemption Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Bill read the first time accordingly.

Second reading ordered for Tuesday week.

On the Order of the day being read for the second reading of the Trades Licenses Bill,

Ordered to be read second time on Friday week.

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

The Hon. Mr. Trutch moved the adjournment till 2 o'clock, on Monday.

The Hon. Mr. Robson moved in amendment, 3 o'clock on Monday.

On the amendment being put it was carried, and the Council accordingly adjourned till 3 o'clock, p.m., on Monday, the 18th instant.

### Monday, the 18th day of February, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

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

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

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

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

*Message No. 9.*

FREDERICK SEYMOUR.

In deference to the wishes of the Legislative Council, the Governor has struck out the 61st Section of the Standing Orders. He has likewise struck out from Section 21 all the words after "intention".

The imposition of fines for non-attendance having been withdrawn, the Governor has expunged further the 64th, 65th, and 66th Sections.<sup>7</sup>

*Government House,  
16th February, 1867.*

The Hon. the Attorney General gave notice of motion.

The Hon. Mr. Walkem gave notice of motion.

On the Order of the day being read for the Council to go into Committee of Supply, Ordered that the same be postponed till Thursday.

On the Order of the day being read for the second reading of the Postal Bill, A debate arose.

On the question of the second reading being put, the Council divided.

*Ayes 10, Noes 7.*

So it was resolved in the affirmative, and Ordered that the said Bill be read the second time at once.

Read second time accordingly.

Ordered to be committed to-morrow.

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

Pursuant to the Order of the day, the Council went into a Committee of the whole on the Interest Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day the Ferries and Bridges Bill was read second time.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Intestate Estate Sales Bill was read second time.

Ordered to be committed on Wednesday next.

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

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of the Committee.

<sup>7</sup> *Ibid.*, pp. ix-x.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that considerable alterations having been made to the Bill it was now complete.

Ordered to be read third time to-morrow.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock p. m., to-morrow.

## Tuesday, the 19th day of February, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

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

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

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

The Hon. Mr. Pemberton gave notice of motion.

On the Order of the day being read for the Hon. Mr. DeCosmos' motion,

That the House go into Committee of the whole to consider the propriety of amending the Constitution of the Legislative Council, so as to make the total number of Members twenty-four, one-third to be nominated by the Crown and two-thirds elected,

And the question of going into Committee of the whole, the Council divided.

*Ayes 10, Noes 5.*

So it was Resolved in the affirmative, and Ordered accordingly.

The Council resolved itself into a Committee of the whole.

The Presiding Member left the Chair.

The Hon. Mr. Trutch in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted.

The Hon. Mr. Robson moved that the said motion be considered to-morrow.

The Hon. Mr. Walkem moved, in amendment, that the consideration of the question be adjourned for one week.

On the amendment being put the Council divided.

*Ayes 9, Noes 10.*

So the amendment was lost, and it was Ordered that the adjourned debate take place to-morrow.

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

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill had gone through slight emendations.

Ordered that the said Bill be read third time to-morrow.

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

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that the Bill had been gone through with certain alterations made, and that he was instructed to ask leave to sit again immediately to re-consider the 2nd Clause.

Ordered that leave be granted.

The Council again went into Committee on the said Bill.

On the Presiding Member again resuming the Chair,

The Committee rose and the Chairman reported that the Bill was now complete.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in the Victoria Incorporation Bill.

Ordered that leave be granted.

The Hon. Member accordingly presented the said Bill.

Ordered to be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Friday next.

On the Order of the day being read for the Committal of the Postal Bill.

Ordered to be committed to-morrow.

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

On the Order of the day being read for the Committal of the Ferries and Bridges Bill,

Ordered that the Committal be postponed till to-morrow.

On the Order of the day being read for the third reading of the Barristers' Bill,

The Hon. the Attorney General moved the re-committal of the same.

Motion lost.

Ordered to be read third time at once.

Read third time accordingly.

And it was Resolved that this Bill do pass, and that its title be "The Legal Professions Ordinance, 1867."

The Hon. Mr. Robson moved that the Standing Orders be suspended to enable him to give a notice of motion.

Ordered accordingly.  
 The Standing Orders having been suspended,  
 The Hon. Member gave notice of motion.

The Hon. Mr. Helmcken moved the adjournment till 3 o'clock to-morrow.  
 The Hon. Mr. Young in amendment till 1 o'clock to-morrow.  
 The Hon. Mr. Southgate in amendment till 2 o'clock to-morrow.  
 The last amendment having been put and carried,  
 The Council adjourned accordingly till 2 o'clock, p.m. to-morrow.

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### Wednesday, the 20th day of February, 1867.

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The Council met at 2 o'clock, pursuant to adjournment.  
 The Hon. the Colonial Secretary in the Chair as Presiding Member.

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

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

The Hon. Mr. Robson presented a Petition, which was afterwards withdrawn.

The Hon. Mr. Helmcken gave notice of motion.

On the Order of the day being read for the motion of the Hon. Mr. Pemberton, in reference to taking precautions for the proper preservation of the Dredger,  
 The Hon. Member asked leave to withdraw the motion.

Ordered that leave be granted.  
 Motion withdrawn accordingly.

Pursuant to the Order of the day, the Inventions Bill was read the second time.  
 Ordered to be Committed on the 27th instant.

On the Order of the day being read for the Hon. Mr. Walkem to ask leave to bring in Legal Professions Bill,

The Hon. Member asked leave to postpone the motion.  
 Ordered that leave be granted.  
 Motion postponed to this day fortnight accordingly.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Intestate Estate Sale Bill.

The Presiding Member left the Chair.  
 The Hon. Mr. Brew in the Chair of the Committee.  
 The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read third time to-morrow.

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

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

Pursuant to the Order of the day, the Council went into Committee of the whole on the Postal Bill.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill to have been considerably altered, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Hon. Mr. Robson then moved the adjournment.

On the question being put the Council divided.

*Ayes 9, Noes 10.*

So the motion for adjournment was lost.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Ferries and Bridges Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete with certain amendments.

Ordered that the same be read third time to-morrow.

The Hon. Mr. Trutch moved the adjournment till 2 o'clock to-morrow.

The Hon. Mr. Robson, in amendment, till 3 to-morrow.

On the amendment being put, the Council divided.

*Ayes 9, Noes 8.*

So it was Resolved in the affirmative, and the Council adjourned accordingly till 3 o'clock to-morrow.

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### Thursday, the 21st day of February, 1867.

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The Council met at 3 o'clock pursuant to adjournment.

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

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

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

The Hon. Mr. Pemberton gave notice of 2 motions.

On the Order of the day being read for Committee of Supply,

Ordered that the third reading of the Intestate Estate Sales Bill and the Ferries Bill do stand first on the Order of the day.

The Intestate Estates Sales Bill was accordingly read the third time, and it was Resolved that this Bill do pass and that its title be the "Intestate Estate Ordinance, 1867."

On the Order of the day being read for the third reading of the Ferries Bill, the Hon. Mr. Walkem moved for the re-committal of the same.

Motion lost.

The Bill was then read for third time, and it was Resolved that this Bill do pass, and its title be "The Ferries Ordinance, 1867."

The Council then went into Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, and asked leave to sit again.

Resolved that this Council recommend that the following supplies be voted for the several Establishments named

Governor	\$2535
Legislative Council	1200
Colonial Secretary	9860 <sup>8</sup>

Ordered that leave be granted to the Committee to sit again to-morrow.

The Hon. Mr. Pemberton moved the adjournment till 1 to-morrow.

The Hon. Mr. Crease, in amendment, till 2 to-morrow.

The amendment having been put and lost after a division,

*Ayes 9, Noes 10.*

The Council adjourned till 1 o'clock, p.m., to-morrow.

### Friday, the 22nd day of February, 1867.

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

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

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

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

On the Order of the day being read for the second reading of the Trades Licence Bill, Ordered that the second reading thereof be deferred till this day week.

<sup>8</sup> This resolution from the original minute book was omitted from the published journals in 1867.

On the Order of the day being read for the second reading of the Victoria Incorporation Bill,

Ordered that the same be postponed till to-morrow.

Pursuant to Order of the day, the Hon. Mr. Robson asked leave to bring in Mechanics' Lien Law Bill.

Ordered that leave be granted and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time this day fortnight.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, and it was Resolved,

That a Select Committee be appointed to revise the Tariff.

The Presiding Member appointed the following Hon. gentlemen accordingly:

The Hon. the Collector of Customs, the Hon. Messrs. Ball, Helmcken, Southgate, Robson, DeCosmos, Smith.

Pursuant to the Order of the day, the Hon. Mr. Pemberton moved, the Hon. Mr. Southgate seconding, and it was Resolved,

That an address be presented to His Excellency the Governor, asking for a Return of the amount of Fines and Seizures in the Customs Department, from 1860 to 1866 inclusive, and how appropriated.

Pursuant to the Order of the day, the Hon. Mr. Pemberton asked for an explanation of the following apparent discrepancy in the Return of the 11th instant, *re* Assay Department:

Total Expenditure for 1865. ....	£1001	2	4
Do., Do., in published comparative statement of 1865, .....	2152	11	2

The Hon. the Colonial Secretary explained that it was owing to the expenditure of past years in England on account of Assay Department having been brought to account in 1865.

Pursuant to the Order of the day, the Council again went into Committee of Supply.

The Presiding Member left the Chair

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that some progress had been made, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Hon. Mr. Brew moved the adjournment till 1 o'clock on Monday.

The Hon. Mr. Pemberton, in amendment, till 11 o'clock, to-morrow.

On the amendment being put and carried, the Council adjourned accordingly till 11 o'clock to-morrow, the 23rd instant.

**Saturday, the 23rd day of February, 1867.**

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

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

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

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

The Hon. Mr. Young gave notice of motion.

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

Ordered to be committed on Tuesday next.

Pursuant to the Order of the day, the Council went into Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported further progress, and asked leave to sit again.

Ordered that leave be granted for Monday next.

On the motion of the Hon. Mr. Walkem,

The Standing Orders were suspended in order to allow him to place a notice of motion on the Order Book.

The Standing Orders having been suspended.

The Hon. Mr. Walkem gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 3 o'clock on Monday, the 25th instant.

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**Monday, the 25th day of February, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

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

The Hon. Mr. Brew then introduced a new Member of Council, William Hales Franklyn, Esquire, to whom the Hon. Presiding Member administered the customary oath of allegiance and office.

The Hon. Mr. Franklyn then took his seat at the Council.

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

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

The Hon. Mr. Barnard gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Young moved, the Hon. Mr. Robson seconding, and it was Resolved,

That a respectful address be presented to His Excellency the Governor, praying that he will cause to be furnished to this Council, a copy of an address of the House of Assembly of Vancouver Island, passed about March, 1859, asking for the Establishment of a Mint in Vancouver Island, together with a copy of the reply thereto.

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

That His Excellency the Governor be respectfully asked to cause a Return to be made to the Council at its next sitting, shewing the amount of moneys now at the credit of each Estate under the Trustees' Relief Ordinance and Intestate Estate Ordinance.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Young seconding,

That a respectful address be presented to His Excellency the Governor, asking for a Return shewing the earnings of the Steamer Sir James Douglas, during the year 1866.

The Hon. Mr. Walkem moved That the word "Expenditure" be added after "Receipts."

On the question as amended being put, it passed in the affirmative, and was Resolved accordingly.

Pursuant to the Order of the day, the Council went into a Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of Committee.

The Presiding Member resumed the Chair.

The Chairman reported that he was instructed to request the Presiding Member's decision on a point of order, and to ask leave to sit again immediately.

The point of order having been decided,

Ordered that leave be granted to the Committee to sit again immediately.

The Council again went into Committee of Supply.

On the Presiding Member again resuming the Chair,

The Chairman reported considerable progress made, and asked leave to sit again.

Ordered that leave be granted for Thursday next.

The Hon. Mr. Young moved that the Standing Orders be suspended to enable him to give a notice of motion.

Ordered accordingly.

The Standing Orders having been suspended,

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock p. m., to-morrow.

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**Tuesday, the 26th day of February, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

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

Present,—The Hon. Messrs. Birch, Crease, Trutch, Wood, Young, Ball, Sanders, Southgate, DeCosmos, Robson, Barnard, Franklyn, Smith.

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

Pursuant to the Order of the day, the Hon. Mr. Young moved, the Hon. Mr. Robson seconding, and it was Resolved,

That a respectful address be presented to His Excellency the Governor, praying that a Return be laid before this Council, exhibiting the amount of Revenue received annually, since the passing of the Crown Officers' Salaries Act, 1863, which would, in the absence of that Act, have been brought to account as Crown Revenue, together with the annual expenditure under the said Act.

On the Order of the day being read for the second reading of the Homestead Bill,  
On the motion of the Hon. Mr. Robson,  
Ordered to be read second time this day week.

Pursuant to the Order of the day, the Hon. Mr. Robson asked leave to bring in a Medical Professions Bill.

Ordered that leave be granted.

The Hon. Member presented the said Bill accordingly.

Ordered that the Bill be now read first time.

Bill read the first time accordingly.

Ordered to be read second time on Friday.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Victoria Incorporation Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported some progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the Hon. Mr. Barnard's motion respecting the establishment of a Bonded Warehouse at Yale,

The Hon. Member asked leave to postpone the motion.

Ordered that leave be granted.

Motion postponed till to-morrow.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 3 o'clock, p.m., to-morrow.

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**Wednesday, the 27th day of February, 1867.**

The Council met at 3 o'clock, pursuant to adjournment.

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

Present,—The Hon. Messrs. Birch, Crease, Trutch, Brew, Franklyn, Young, Wood, Ball, Cox, Southgate, DeCosmos, Macdonald, Robson, Smith, Barnard.

The Minutes of the previous Meeting were read and confirmed.

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

*Message No. 10.*

FREDERICK SEYMOUR.

In compliance with a Resolution of the Legislative Council, passed on the 26th instant, the Governor forwards a Return shewing the amount of the Crown Revenue of the Mainland portion of the Colony of British Columbia for the last three years, and the Salaries paid under Crown Salaries Act for the same period.<sup>9</sup>

*Government House,  
27th February, 1867.*

Ordered to be printed for the use of the Members.

A further Message from His Excellency, read as follows:

*Message No. 11.*

FREDERICK SEYMOUR.

In fulfilment of a pledge given by the Governor, in the Address with which he had the honor to open the present Legislative Session, he now lays before the Council his views on the subject of Education at the public expense.

He has to refer to two different sections of the Colony, in which the question has been treated in different ways. In Vancouver Island the attempt has been made to make the education of the youth in the Colony a burden on the community. The Governor lays before the Council statements of the present condition of the relations existing between the Government and the Public Schools of the Island,<sup>10</sup> and leaves the question as to indebtedness on the one side, or unreasonable expectations on the other, to be freely dealt with by the Council—one from which the Governor stands aloof. He will merely state that in the opinion of his Predecessor the system was not successful, and that other objects besides the intellectual advancement of the children of the Colony were sometimes allowed entrance into the consideration of the Board of Education.

On the Mainland the Governor has been compelled to acknowledge that the population is yet too small and scattered for any regular system of Education to be established. Where parents have been willing to pay towards the instruction of their children, he has, with the consent of the Legislative Council, assisted them from the public funds. The Schools have not been under the direction of the Government, and pupils have been led or sent from those that asked assistance from the public to those enjoying the dignity of independence, or back again as the parents might elect.

The Governor is of the opinion that the Colony is not yet old enough for any regular system of Education to be established; nor would he wish, under the present constitution, to press his own views upon the Legislature, though he has no desire to conceal them. He thinks that any man who respects himself would not desire to have his children instructed without some pecuniary sacrifice on his own part. The State may aid the parent, but ought not to relieve him of his own natural responsibility, else it may happen that the promising mechanic may be marred, and the country overburdened with half-educated professional politicians or needy hangers-on of the Government.

<sup>9</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1867, p. x.

<sup>10</sup> *Ibid.*, p. xi.

As the Governor is aware that there is no subject upon which more words have been wasted than that of gratuitous instruction and the duty of the governing authority towards the people in the matter, he will at once proceed to consider the relations in which the Government may properly stand towards the parents. In his opinion, all that the State can do is to enable the children to overcome the almost mechanical difficulties which seem to bar their passage over the threshold of knowledge, and having effected this to leave to parental affection and knowledge of individual character the choice of the arms with which the child shall, at a future period, fight the battle of life. It is vain for the State to attempt to drive on in an even line the idle and the industrious—the boy of ready aptitudes and him whose brain becomes pained and confused in endeavouring to master the simplest problem. The Governor conceives it to be the duty of the governing power to assist in the giving to all elementary instruction, and then to offer inducements to those who are able to come to the front in the intellectual struggle with their fellow men.

But he will not, while addressing the Council, conceal any portion of his thoughts. He believes that the community in which he resides is one where complete toleration in religious opinion exists. It is not therefore, under these circumstances, for the State and its Salaried Officers to interfere with the belief of any one. The Government has not undertaken to prove to the Jew that the Messiah has indeed arrived; to rob the Roman Catholic Church of her belief in the merciful intercession of the Blessed Virgin; to give special support to the Church of England; to mitigate the acidity of the Calvinistic doctrines of some Protestant believers, or to determine, authoritatively, the number of the Sacraments. Therefore, the Governor is of opinion that when the time comes for the establishment of a large Common School, religious teaching ought not to be allowed to intrude. It is vain to say that there are certain elementary matters in which all Christians, leaving out the Jews, must agree. It is merely calling upon a man picked up at random, allured by a trifling salary, to do what the whole religious wisdom, feeling, and affection of the world has not yet done. The paring down of all excrescences which a man on a hundred and fifty pounds a year may think disfigure the several religions, and the reducing them to a common standard, becomes a sort of Methodism which may locally be named after the Schoolmaster who performs it.

In a Colony with which the Governor was recently connected he left the following School system. There was a public School open to all denominations, where the Schoolmaster did not presume to open to the children any sacred mysteries. The charge upon the children attending regularly was half a dollar a month. But there were Denominational Schools, also, to which the Government contributed, but in a moderate degree. It was found that these Denominational Schools, though more expensive to the parents, absorbed the greater number of children. Such is the system he would desire to see in any concentrated community.

*Government House,  
27th February, 1867.*

Ordered to be printed for the use of the Members.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Smith gave notice of motion.

The Hon. the Attorney General, from the Select Committee appointed to revise the the Acts mentioned in Schedule B of the Assimilation of Laws Bill, brought in a further Report, viz: the Gold Fields Bill.

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

Bill read first time accordingly.

Ordered to be read second time on Friday next.

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

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Hon. Mr. DeCosmos moved that the Standing Orders be suspended in order to enable him to place a motion on the Order Book.

Ordered accordingly.

The Standing Orders having been suspended,

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Smith, the Council adjourned till to-morrow the 28th instant, at 3 o'clock.

### Thursday, the 28th day of February, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

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

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, Franklyn, Brew, O'Reilly, Ball, Southgate, DeCosmos, Macdonald, Robson, Smith, Barnard, Hamley.

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

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

*Message No. 12.*

FREDERICK SEYMOUR.

In compliance with the request of the Legislative Council, the Governor lays before the House a copy of the address of the House of Assembly of Vancouver Island, asking for the Establishment of a Mint.<sup>11</sup>

*Government House,  
28th February, 1867.*

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

That a respectful address be presented to His Excellency the Governor, praying that a Bill may be introduced to establish a Standard of Weights and Measures, and to regulate Weights and Measures throughout the Colony.

Pursuant to the Order of the day, the Council went again into a Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that he was instructed to ask that a Select Committee on Internal Postage be appointed, and asked leave to sit again.

<sup>11</sup> *Ibid.*, p. xii.

Ordered that leave be granted to sit again, and that a Select Committee be appointed by the Presiding Member to enquire into the matter of Internal Postage.

The following Hon. gentlemen were appointed accordingly: the Hon. Messrs. Trutch, Ball, Sanders, Cox, Robson, Helmcken, Smith.

On the Order of the day being read for the Hon. Mr. Barnard's motion respecting the establishment of a Bonded Warehouse at Yale,

The Hon. Member asked leave to withdraw the same.

Ordered that leave be granted.

Motion withdrawn accordingly.

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

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported further progress, and asked leave to sit again.

Ordered that leave be granted for Monday next.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Inventions Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read third time to-morrow.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till to-morrow the 1st March, at 3 o'clock, p.m.

### Friday, the 1st day of March, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

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

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

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

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

*Message No. 13.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a letter which has been addressed to him by the Chamber of Commerce of New Westminster, in the Commercial interests of the Colony.<sup>12</sup>

*Government House,  
1st March, 1867.*

<sup>12</sup> *Ibid.*, pp. xii-xiii.

Ordered that the same be printed for the use of Members, and that it be referred to the Select Committee for amending the Tariff.

On the Order of the day being read for the second reading of the Trades Licence Bill,

Ordered that the same be postponed till Tuesday.

Pursuant to the Order of the day the Medical Professions Bill was read second time.

Ordered to be committed on Thursday next.

Pursuant to Order of the day, the Hon. Mr. Smith moved, the Hon. Mr. Ball seconding, and it was Resolved,

That His Excellency the Governor be empowered to offer a premium of not more than Five Thousand dollars to any party who will erect the first Steam Quartz Crushing Mill in the Columbia-Kootenay District, capable of crushing 24 tons of Quartz in 24 hours; and if a less powerful Mill, the premium to be proportionately less.

On the Order of the day being read for the second reading of the Gold Fields Bill,

The Hon. Mr. Young moved that a Select Committee be appointed to frame a Bill for the Regulation of the Gold Fields.

Ordered accordingly.

The Hon. the Presiding Member appointed the following Hon. Members to form the said Committee:—the Hon. Messrs. O'Reilly, Ball, Sanders, Cox, Walkem.

The Hon. Mr. O'Reilly, Chairman of the said Committee, then handed in a Report, viz: the Gold Fields Regulation Bill.

Ordered to be read second time on Thursday next.

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

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

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, and asked leave to sit again.

Ordered that leave be granted for Monday, and

Resolved, That that portion of the Bill relating to the rates of Postage be referred to the Select Committee now sitting on Postal matters.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 p.m. on Monday the 4th, instant.

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**Monday, the 4th day of March, 1867.**

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The Council met at 3 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, Ball, Franklyn, Walkem, Southgate, DeCosmos, Helmcken, Macdonald, Stamp, Barnard, Robson, Smith.

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

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

*Message No. 14.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to prohibit the unseasonable destruction of Game."

*Government House,  
4th March, 1867.*

The Hon. Mr. Helmcken presented a Petition from certain Merchants in Victoria, having reference to the Customs Tariff on Dry Goods.

Ordered that the same be received and do lie on the Table.

The Hon. Mr. DeCosmos presented the Petition of Patrick Everett.

Ordered that the same be received and do lie on the table.

The Hon. Mr. Stamp gave notice of motion.

The Hon. Mr. Hamley, from the Select Committee appointed to revise the Tariff, brought up a Report.<sup>13</sup>

Ordered that the same be received and printed for the use of Members.

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

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, and asked leave to sit again.

Ordered that leave be granted, and

Resolved, That the Bill as amended be re-printed, and then referred to a Select Committee, consisting of the Hon. the Attorney General, Hon. Solicitor General, Hon. Messrs. Young, Macdonald, Helmcken, DeCosmos, for re-consideration.

The Hon. Mr. Trutch, from the Select Committee appointed to inquire into Postal matters, brought up a Report.

Ordered that the same be received and lie on the table.

The Hon. Mr. Robson moved the adjournment till 3 o'clock to-morrow.

The Hon. Mr. Helmcken, in amendment, till 2 o'clock to-morrow.

On the amendment being put it was carried, and the Council accordingly adjourned till 2 o'clock, p.m., to-morrow, the 5th instant.

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<sup>13</sup> *Ibid.*, pp. xiii-xiv.

## Tuesday, the 5th day of March, 1867.

The Council met at 2 o'clock, pursuant to adjournment.

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

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

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

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

*Message No. 15.*

FREDERICK SEYMOUR.

The Governor, impressed with the expediency of making as far as possible each Enactment complete in itself, is of opinion that he ought not to assent, in Her Majesty's name, to the Bill submitted to him entitled "An Ordinance to promote conciseness in the drafting of Legislative Enactments."

The proposed Enactment appears to him to be in other respects free from objection.

*Government House,  
5th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 16.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Bills entitled respectively:

An Ordinance to assimilate the Law relating to Sheriffs,

An Ordinance to prevent the violation of Indian Graves,

An Ordinance authorizing the sale of the Real and Personal Estate of Intestates.

*Government House,  
5th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 17.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council, that the following amendments be made in the Bill entitled An Ordinance to declare the Law relating to Interest:

That the third Section be struck out, and that the fourth be numbered III.

*Government House,  
5th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 18.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council that the following amendments be made in the Bill entitled An Ordinance to assimilate the general application of English Law:

That the third Section be struck out, and that the fourth be numbered III.

*Government House,  
5th March, 1867.*

On the motion of the Hon. the Attorney General, the Council went into a Committee of the whole to consider the amendments proposed by His Excellency to the Interest Bill, and to the English Law Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the following Resolutions:

Resolved, that His Excellency the Governor be acquainted that the Council have agreed to the amendment made by His Excellency to the Bill entitled an Ordinance to Declare the Law relating to Interest.

Resolved, that His Excellency the Governor be acquainted that the Council have agreed to the amendment made by His Excellency to the Bill entitled an Ordinance to assimilate the general application of English Law.

The Resolutions having been put were carried unanimously.

The Hon. Mr. Walkem gave notice of motion.

On the Order of the day being read for the motion of the Hon. Mr. DeCosmos, in reference to confederation,

The Hon. Member asked leave to postpone the same till Friday next.

Ordered that leave be granted.

Pursuant to the Order to the day, the Hon. Mr. Robson moved, the Hon. Mr. Stamp seconding, the following Resolution:

That a respectful address be presented to His Excellency recommending that Flour manufactured from grain grown in the Colony should be allowed to pass over the Public Roads Free of Toll.

On the question being put the Council divided.

*Ayes 10, Noes 9.*

So it passed in the affirmative, and it was Resolved accordingly.

On the Order of the day being read for the motion of the Hon. Mr. Stamp,

The Hon. Member asked leave to postpone the same till to-morrow.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Macdonald moved, the Hon. Mr. DeCosmos seconding, the following Resolution:

That in the opinion of the Council the Common School System at present in force in Vancouver Island is a great boon to a large number of the Inhabitants, and ought to be maintained especially in such parts of the Colony in which the population may be concentrated.

The Hon. Mr. Robson moved in amendment, the Hon. Mr. Young seconding,

That the Resolution be referred to a Select Committee, in order that the whole subject of Education may be more fully discussed,

Whereupon a debate arose, which having been prolonged for a considerable time,

On the motion of the Hon. Mr. Trutch,

The debate was adjourned till Friday.

Pursuant to the Order of the day, the Council went again into adjourned Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the discussion of the Estimates to have terminated, and handed in the following Resolutions which were severally put and carried as follows:

Resolved, That the Council recommend that the sum of Seven hundred and one thousand five hundred and ten dollars and eighty cents be voted for the service of the year, 1867.

Resolved, That the head office of the Postal Department be established at Victoria.

Resolved, That in the opinion of this Council the Supreme Court of Civil Justice should not be removed from Vancouver Island, and that a Court of Appeal should be established by the appointment of another Judge.

Resolved, That the Governor be requested to consider the advisability of removing prisoners to Victoria, strictly in view of economy.

Resolved, That this Council is of opinion that however useful the Assay Department may be to the Colony at large, yet in the present state of the Colonial Exchequer it must be dispensed with unless it can be made self-supporting.

The Council holding this opinion, have nevertheless voted the sum of money placed upon the Estimates for the Department, but solely with the object of enabling His Excellency the Governor to make it self-supporting, either by removal in part or altogether to some other place in the Colony, or by arrangement with the Banks. If however it be found that it cannot be made self-supporting, that His Excellency take steps at once to abolish the Department, so that no further sum of money be asked at any future time either by way of compensation or otherwise.

Resolved, that the Governor be respectfully requested to increase the salary of the Constable at Quesnel by \$200.

Resolved, That the Council recommends that another Constable should be sent to the Columbia District, and that the salary of the Chief Constable be increased so as to become equal to the same appointment in Cariboo.

Resolved, That in the opinion of this Council the sum set down in the Estimates for Hospitals is inadequate, and His Excellency the Governor is hereby empowered to increase it to a sum not exceeding Eleven thousand dollars.

Resolved, That His Excellency the Governor be respectfully requested to take such steps as may by him be deemed advisable to effect a reduction in the salaries provided under the Crown Salaries Acts, as in the opinion of this Council the present depressed state of the finances of the Colony calls for the strictest economy compatible with the efficiency of the public service, and the Council therefore respectfully beg to recommend the following sums instead of those already provided by law for the following offices:

His Excellency the Governor .....	from \$19,400	to \$14,550
The Colonial Secretary .....	3,880	3,000
The Treasurer .....	3,637	<i>nil.</i>
The Chief Commissioner of Lands and Works ..	3,880	3,000
The Collector of Customs .....	3,152	3,000
	<u>\$33,949</u>	<u>\$23,550</u>
Being a reduction of .....		10,399
in the annual expenditure.		

And the Council further respectfully recommends that a change be immediately made in the Registrar General's office, so as to dispose of one of the Registrars General.

Resolved, That the Council recommend that the arrears for Education for August, 1866, to March, 1867, in Vancouver Island be paid.

Resolved, That the Report<sup>14</sup> and other papers of the Select Committee on the Postal Service be referred to the Executive, and that \$25,000 be recommended for Internal Postal Service for twelve months, which limit of term is considered for the present advisable.

Resolved, That the Council recommend that a sum of \$3,000 be put on the Estimates for conveyance of Mails to the Big Bend and Kootenay.

Resolved, That a sum not exceeding \$500 a month, be placed at the disposal of the Government for Mail Service with San Francisco by Steamer.

On the Order of the day being read for Committee of Ways and Means,

Ordered that the same do stand first on the Order of the day for to-morrow.

The Hon. Mr. Wood moved, the Hon. Mr. Crease seconded, and it was Resolved, That the Report of the Select Committee on the Tariff be referred to the Governor.

The Hon. Mr. Helmcken moved the adjournment till 1 o'clock to-morrow.

The Hon. Mr. Trutch in amendment till 3 o'clock to-morrow.

On the amendment being put it was carried, and the Council accordingly adjourned till 3 o'clock, p.m., to-morrow.

### Wednesday, the 6th day of March, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

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

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

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

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

*Message No. 19.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council that the following amendments be made in the Bill entitled An Ordinance to assimilate and amend the Law prohibiting the sale or gift of Intoxicating Liquor to Indians:

That after Section X. the following clauses be added:

XI. No ship, boat, canoe, or other vessel, shall be allowed to clear from any Port in the said Colony without a clearance paper or permit, which may be in the form in the Schedule hereto marked 1, wherein the quantities and qualities of the fermented, spirituous, or intoxicating liquor on board shall be noted, together with the destination or purpose for which such fermented, spirituous, or intoxicating liquors shall be intended, and every Officer of Customs of the said Colony is hereby required to give such clearance paper or permit, and the Master of every outgoing

<sup>14</sup> *Ibid.*, p. xviii.

ship, boat, canoe, or other vessel leaving any Port or place in the said Colony, may be required by any Officer of Customs at any Port in the said Colony to give to such Officer of Customs a Shipping Bill which may be in the form marked 2 in the said Schedule, and which shall contain the particulars indicated therein or required thereby, and sign a declaration at the foot of such Shipping Bill, certifying to the truth of such particulars, which said declaration may be in the form in the said Form 2 above specified, and may further be required to give to such Officer of Customs a bond, note, or security, with one sufficient surety, in the sum of not more than \$1,000, that the fermented, spirituous, or intoxicating liquors mentioned in such Shipping Bill shall be duly landed at their destination respectively, or consumed on board, or otherwise duly accounted for to the satisfaction of the Governor of the Colony.

XII. Every Master of any ship, boat, or canoe making any false Declaration of any matter required by this Ordinance to be declared, shall be guilty of a Misdemeanor, and on conviction, shall be liable to the punishment incurred on the commission of Perjury.

That the present XI Section be numbered XIII, the present Section XII to be XIV, and the present XIII Section be struck out.

The Governor further recommends that the following Schedule be appended to the Bill.

*Government House,  
6th March, 1867.*

SCHEDULE.

FORM 1.

Name and description of Ship, Boat, Canoe, or other Vessel.	Whether British or Foreign, if Foreign, the Country.	Master's Name	Destination of Liquors. If for Ships use, state so.	No.	Description of Liquor.

The fermented, spirituous, or intoxicating liquors above described, are hereby permitted to be carried and borne to the destination and for the purposes above specified.

(Signed.)

Name and description of Officer.  
(Station of Clearance)

Dated this            day of            186 .

FORM 2.

SHIPPING BILL FOR FERMENTED, SPIRITUOUS, OR INTOXICATING LIQUORS.

Name and description of Ship, Boat, Canoe, or other Vessel.	Whether British or Foreign, if Foreign, the Country.	Master's Name	Port or place of destination. If for Ships use, state so.	No.	Description of Liquor.

I declare the entries in this Bill to be correctly made.

Signed,

Master of the above Ship.

(Station of Clearance)

(Countersigned).

Dated this            day of            186 .

A further Message from His Excellency, read as follows:

*Message No. 20.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Bill entitled An Ordinance for the regulation of Ferries and Bridges.

*Government House,  
6th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 21.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Bills, respectively:

An Ordinance to declare the Law relating to Interest;

An Ordinance to assimilate the general application of English Law.

*Government House,  
6th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 22.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Petition addressed to him in Council by certain Merchants and others, residents in Cariboo, praying for an alteration of the Law affecting Debtor and Creditor.<sup>15</sup>

*Government House,  
6th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 23.*

FREDERICK SEYMOUR.

In compliance with the Resolution passed by the Legislative Council on the 22nd ultimo., the Governor forwards a Return of the amount of Fines and Seizures in the Customs Department, from 1860 to 1866, inclusive, stating how appropriated.<sup>16</sup>

*Government House,  
6th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 24.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council, that the following amendments be made in the Bill entitled, An Ordinance to provide for the rights of Barristers-at-Law, Attorneys, Notaries Public, and Articled Clerks of the late Colony of Vancouver Island;

In lieu of the words in the title of the Ordinance "to provide for the rights of" the insertion of the words "making provision for."

Also in line 1 of the first and second recitals, substitute the words "to make provision for" in lieu of the words "that the rights of."

He would further wish that the words "should be declared" and "should likewise be declared" be struck out.

As an additional amendment, the Governor recommends that in line 5 of the I. and II. Clauses, the words "at the said date and not earlier" be substituted for the word "then."

*Government House,  
6th March, 1867.*

On the motion of the Hon. Mr. Walkem, the Council went into Committee of the whole to consider the amendments proposed by His Excellency to the above Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

<sup>15</sup> *Ibid.*, p. xiv.

<sup>16</sup> *Ibid.*, p. xv.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council, which being put was carried, and it was

Resolved, That His Excellency the Governor be acquainted that the Council have agreed to the amendments made by His Excellency to "An Ordinance to provide for the rights of Barristers-at-Law, Attorneys, Notaries Public, and Articled Clerks of the late Colony of Vancouver Island."

The Hon. Mr. Smith gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee of Ways and Means.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the second reading of the Homestead Bill, On the motion of the Hon. the Attorney General,  
Ordered that the second reading of the said Bill be postponed till to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Walkem asked leave to bring in Legal Professions Bill.

Ordered that leave be granted.

The Hon. Member accordingly presented the said Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time to-morrow week.

Pursuant to the Order of the day, the Hon. Mr. Stamp moved, the Hon. Mr. Robson seconding, the following Resolution:

That an address be presented to His Excellency the Governor, recommending that all Provisions used at such Saw Mills in British Columbia as come into competition with establishments of the same kind in Puget Sound, be exempt from paying duty, viz:—Hay, Barley, Ground Barley, Flour, Rice, Beans, Butter, Lard, Sugar, Tea, Coffee, Molasses, Dried Apples, Salt Beef, Pork, and Bacon. Also that such Material as is necessary for the repairs and *bona fide* working of the same Saw Mills, such as Iron, Steel, Brass, Lead, Babbit Metal, Copper, Leather and India Rubber Belts, Fire Bricks, Lime, Blacksmith's Coal, Oil, Tallow, Saw Files, and Manufactured Machinery, be admitted duty free.

Whereupon a debate arose.

After which, on the motion of the Hon. Mr. Trutch,

Ordered that the consideration of the question be adjourned till Tuesday next.

Pursuant to the Order of the day, the Hon. Mr. Walkem moved, the Hon. Mr. Macdonald seconded, and it was Resolved,

That a respectful address be presented to the Governor acquainting His Excellency, that this Council is of opinion that the present Admiralty Practice is too tedious and expensive for this Colony, and it is therefore moved that His Excellency the Governor be requested to take such steps as will ensure the adoption of the Admiralty Practice followed in England, as suggested during the last Session of this Council, and the Fees now taken by a Judge in Admiralty be paid into the Treasury for the use of Her Majesty.

Pursuant to the Order of the day, the Council went again into Committee on the Postal Bill.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 2 p.m. to-morrow.

### Thursday, the 7th day of March, 1867.

The Council met at 2 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, Ball, Franklyn, Walkem, Southgate, DeCosmos, Helmcken, Macdonald, Stamp, Barnard, Robson, Smith, Sanders.

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

The Hon. Mr. Walkem gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee of Ways and Means.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress, and asked leave to sit again.

Ordered that leave be granted.

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

*Message No. 25.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Bill entitled "An Ordinance making provision for Barristers-at-Law, Attorneys, Notaries Public, and Articled Clerks of the late Colony of Vancouver Island."

*Government House,  
7th March, 1867.*

The Hon. Mr. Helmcken moved the adjournment till 1 to-morrow.

The Hon. Mr. Robson, in amendment, till 3 to-morrow.

On the amendment being put the Council divided.

*Ayes 7, Noes 7.*

The Presiding Member giving his vote with the noes, the amendment was lost.

The Council then adjourned till 1 o'clock, p.m., to-morrow.

### Friday, the 8th day of March, 1867.

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

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

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

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

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

*Message No. 26.*

FREDERICK SEYMOUR.

In compliance with the Resolution of the Legislative Council, passed on the 4th of February, the Governor forwards a Bill entitled An Ordinance to Establish a Standard of Weights and Measures.

The Governor leaves this as an entirely open measure to be dealt with by the Council.

*Government House,  
8th March, 1867.*

On the Order of the day being read for a motion by the Hon. Mr. Walkem.

Ordered that the same be deferred till to-morrow.

Pursuant to the Order of the day, the Council went into Committee of Ways and Means.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Monday.

On the Order of the day being read for the adjourned debate on the Resolution of the Hon. Mr. Macdonald, for continuing the Free School system in Vancouver Island,

The Hon. Mr. Helmcken moved, the Hon. Mr. Southgate seconding, the following Resolution:

That the present Common School system be continued on Vancouver Island until such time as another system of a more general character be adopted to meet the requirements of the whole Colony.

The Hon. Mr. Crease moved that the question be considered in Committee of the whole.

On the amendment being put it was lost.

On the Hon. Mr. Helmcken's motion being put the Council divided.

*Ayes 8, Noes 12,*

On a request being made to that effect, the names were taken down by the Clerk as follows:

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Wood,	Messrs. Birch,
Smith,	Ball,
DeCosmos,	Crease,
Helmcken,	Young,
Pemberton,	Trutch,
Stamp,	Cox,
Southgate,	Franklyn,
Macdonald.	Sanders,
	O'Reilly,
	Barnard,
	Robson,
	Hamley.

The previous amendment of the Hon. Mr. Robson was then put and carried, and it was

Resolved, That the original Resolution be referred to a Select Committee, in order that the whole subject of Education may be more fully discussed.

The Presiding Member appointed the following Hon. gentlemen to form the said Committee: Messrs. Crease, Young, Wood, Macdonald, Robson, DeCosmos, Barnard.

A further Message from His Excellency, read as follows:

*Message No. 27.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council, a Bill entitled An Ordinance to appropriate Five hundred and sixty six thousand, six hundred and fifty-eight dollars, thirty cents, out of the General Revenue of the Colony, for the Contingent Service of the year 1867.

*Government House,  
8th March, 1867.*

Ordered that the said Bill be now read first time.

Bill read the first time accordingly.

Ordered to be read second time to-morrow.

On the Order of the day being read for the second reading of the Lien Law Bill, The Hon. Mr. Robson asked leave to withdraw the same.

Ordered that leave be granted.

Bill withdrawn accordingly.

Pursuant to the Order of the day, the Council went into Committee of the whole to consider the Hon. Mr. DeCosmos' motion in reference to Confederation.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress, and asked leave to sit again.

Ordered that leave be granted for this day week.

The Hon. Mr. Robson moved the adjournment till 3 o'clock, on Monday.

The Hon. Mr. Helmcken moved in amendment, 1 o'clock to-morrow.

The amendment having been put and carried,

The Council adjourned accordingly till 1 o'clock, p.m. to-morrow.

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### Saturday, the 9th day of March, 1867.

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

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

Present,—The Hon. Messrs. Birch, Trutch, Young, Crease, Hamley, Ball, Cox, Sanders, Franklyn, Pemberton, Stamp, Southgate, DeCosmos, Helmcken, Walkem, Robson, Barnard, Smith, Wood.

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

The Hon. the Attorney General, from the Select Committee appointed to revise the Acts mentioned in Schedule B of the Assimilation Bill, brought in a further report, viz:

The Marriage Bill.

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

Bill read first time accordingly.

Second reading ordered for Monday next.

On the motion of the Hon. Mr. Young, the Council went into a Committee of the whole to consider the amendments proposed by His Excellency, in Message No. 19, to the Indian Liquor Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Tuesday.

On the Order of the day being read for the Hon. Mr. Walkem's motion for the papers connected with the grant to the Grouse Creek Bed-Rock Flume Company,

The Hon. Member asked leave to withdraw the same.

Ordered that leave be granted.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Council went again into Committee of Ways and Means.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and handed in a Schedule which had been prepared for the Trades Licenses Bill with certain recommendations, and asked leave to sit again.

Ordered that the Report of the Committee be adopted, and that leave be granted to sit again on Tuesday.

Pursuant to the Order of the day, the Weights and Measures Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete with amendments.

Ordered to be read third time on Monday.

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

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete without amendments.

Ordered to be read third time on Monday next.

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

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Monday next.

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

Ordered to be committed on Monday next.

Pursuant to the order of the day, the Gold Fields Bill was read second time.

Ordered to be committed on Thursday next.

Then, on motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock, p.m., on Monday next.

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