

JOURNALS  
OF THE  
LEGISLATIVE COUNCIL  
OF  
BRITISH COLUMBIA  
15 FEBRUARY 1870 TO 23 APRIL 1870  
IN THE  
33<sup>RD</sup> YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA

BEING THE SEVENTH SESSION OF THE LEGISLATIVE COUNCIL  
OF BRITISH COLUMBIA

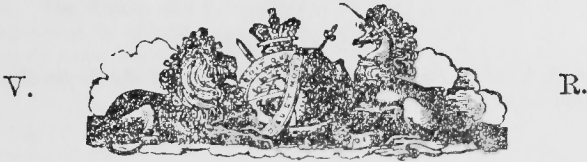
ROLL  
OF THE  
HONOURABLE THE LEGISLATIVE COUNCILLORS  
OF  
*British Columbia,*

FOR THE SEVENTH SESSION OF THE LEGISLATIVE COUNCIL,  
BEING THE YEAR 1870, 33° VICTORIÆ.

---

PHILIP J. HANKIN, COLONIAL SECRETARY AND PRESIDING MEMBER  
HENRY P. PELLEW CREASE, ATTORNEY GENERAL  
JOSEPH WILLIAM TRUTCH, CHIEF COMMISSIONER OF LANDS AND WORKS AND  
SURVEYOR GENERAL  
WYMOND OGILVY HAMLEY, COLLECTOR OF CUSTOMS  
ARTHUR THOMAS BUSHBY, ACTING POSTMASTER GENERAL  
EDWARD GRAHAM ALSTON, J. P.  
HENRY MAYNARD BALL, J. P.  
HENRY HOLBROOK, J. P.  
PETER O'REILLY, J. P.  
AUGUSTUS FREDERICK PEMBERTON, J. P.  
EDWARD HOWARD SANDERS, J. P.  
GEORGE ANTHONY WALKEM, J. P.  
THOMAS LETT WOOD, J. P.  
FRANCIS JONES BARNARD, YALE  
ROBERT WILLIAM WEIR CARRALL, CARIBOO  
AMOR DECOSMOS, VICTORIA DISTRICT  
EDGAR DEWDNEY, KOOTENAY  
MONTAGUE WILLIAM TYRWHITT DRAKE, VICTORIA CITY  
JOHN SEBASTIAN HELMCKEN, VICTORIA CITY  
THOMAS B. HUMPHREYS, LILLOOET  
DAVID BABINGTON RING, NANAIMO  
JOHN ROBSON, NEW WESTMINSTER.

BRITISH COLUMBIA.



ANTHONY MUSGRAVE.

L.S.

## PROCLAMATION

By His Excellency ANTHONY MUSGRAVE, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia, Vice-Admiral and Ordinary of the same, &c., &c., &c.

*To the Honourable the Legislative Councillors of the said Colony, and every of them, and whom else it may concern;*

*Greeting.*

**K**NOW YE that I, ANTHONY MUSGRAVE, under and by virtue of all powers and authorities in me in that behalf vested, do hereby command and, by the tenor of these presents, enjoin you, and each of you, that on TUESDAY, the FIFTEENTH day of FEBRUARY, One thousand eight hundred and seventy, at the Council Chamber, Victoria, personally you be and appear FOR THE DISPATCH OF BUSINESS, to treat and conclude upon those things which in the said Legislative Council may be ordained.

GIVEN under my hand and the Public Seal of the Colony, at Government House, Victoria, in the Colony of British Columbia, this twenty-second day of January, in the year of Our Lord one thousand eight hundred and seventy and in the thirty-third year of Her Majesty's Reign.

By His Excellency's Command.  
PHILIP J. HANKIN,  
Colonial Secretary.

---

## VOTES AND PROCEEDINGS.

---

**Tuesday, the 15th day of February, 1870.**

Pursuant to the above Proclamation, the Legislative Council met this day, the following Members being present:—

The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Ball, Bushby, Sanders, O'Reilly, Wood, Robson, Pemberton, Drake, Helmcken, Carrall, Ring, Humphreys, Alston.

At 2 o'clock, the Presiding Member, the Hon. P. J. Hankin, Colonial Secretary took the Chair. The Presiding Member acquainted the Council that the Governor, in consequence of illness, would be unable to attend the Council in person, but had deputed him to read the opening Speech, and had furnished him with a *Dedimus Potestatem* to swear in Members, which he read as follows:—

L.S.

A. MUSGRAVE.

*To Philip J. Hankin, Esquire, Presiding Member of the Legislative Council of British Columbia, and whom else it may concern:*

*Greeting.*

KNOW YE that ANTHONY MUSGRAVE, ESQUIRE, Governor of the Colony of British Columbia, reposing especial trust and confidence in the fidelity, learning, and integrity of the said Philip J. Hankin, and under and by virtue of all powers and authorities him, the said Anthony Musgrave, as such Governor in that behalf enabling, hath appointed, and by these presents doth give and grant unto the said Philip J. Hankin full power and authority to administer the customary oath to the Members of the Legislative Council, during its present Session.

GIVEN under my hand and seal, at Victoria, British Columbia, this Fourteenth day of February, A. D. One thousand eight hundred and seventy, and in the 33rd year of Her Majesty's Reign.

The following Members were then introduced:—Amor DeCosmos, Esquire, Francis Jones Barnard, Esquire, to whom the Presiding Member administered the customary oath.

The Presiding Member then read the following gracious Speech from His Excellency:—

*Message No. 1.*

A. MUSGRAVE.

*Honourable Gentlemen of the Legislative Council:—*

An untoward accident has deprived me of the pleasure which I had anticipated from meeting you in person, on the first occasion of your assembling since I entered upon the administration of this Government. I desired the opportunity to assure you of my keen sense of the important trust which devolves upon me under the form of Constitution now prevailing in the Colony, and my earnest desire to discharge it with diligence and fidelity to the Community. I cannot delegate to others the authority and the duties which are confided to me. Complicated questions, conflicting interests, and divergent political opinions, all demand consideration, and practically upon them in many respects the decision must be mine. I assure you, gentlemen, that the labour is not light, nor can I easily acquit myself of the obligations incumbent upon me. But I believe that I may rely with confidence upon your loyal assistance in the performance of my duty. I count upon your co-operation in labouring for the attainment of our common object—the promotion of the prosperity of the Community with the protection of whose interests we are charged.

Soon after my arrival I was able to visit some of the most distant parts of the Government, including the principal Mining District. The observation of an impartial stranger viewing scenes and objects new to him is often of greater value than the careless notice of persons to whom they are more familiar. The impression which I received of the condition and prospects of the Colony was more favourable than I had been led to anticipate. To me the indications of certain progress and growth of prosperity seemed manifest. I saw with pleasure the application of science to the development of the Gold Mines of Cariboo. With equal satisfaction I witnessed the extending Agriculture, and ascertained the success of Stock-raising within our borders. Exportation of Coal and Lumber is increasing, while the information which I gathered went to shew that the spirit of excitement and speculation which is only too apt to be prevalent in Gold producing countries has gradually subsided, leaving in its place a healthier tone of feeling and sounder basis for commercial transactions.

Since my visit to the Mainland, recent discoveries of fresh Gold Fields have been reported, which if they prove to be important will tend to infuse new spirit into enterprise of all kinds, and will doubtless stimulate both trade and production. I have confidence in the future of British Columbia, if only her affairs are conducted with discretion; and at the base of all superstructure must lie the financial arrangements.

I shall lay before you at once the Estimates which have been prepared for the current year. The details will be explained by the Officers of the Government to whose Departments the several heads of appropriation relate.

They contain few besides the usual provisions. The most important addition is a proposed subsidy of (\$4,500) Four thousand five hundred Dollars, to the Western Union Telegraph Company, to assist in the maintenance of Telegraphic communication with Portland, and through Portland with the rest of the World. It was represented to me, upon evidence which I had no reason to doubt, that without this aid the communication would cease, and I have thought that under all the circumstances it may be with propriety afforded.

At the same time that application was made on this matter, the Telegraph Company offered to transfer to the Government their property in the line between Swinomish and Quesnelmouth as it stands, provided that the Government would undertake to repair, maintain, and work it. I caused careful enquiry to be made as to the probable cost to the Colony of such an undertaking, and found that it would amount to \$8,000 for this year, in excess of any receipts which can be expected. I have not thought myself justified in incurring this outlay in view of our financial position unless special provision can be made for it. I have not, therefore, placed it on the Estimates, but I will lay papers relating to the matter before you.

I have, however, included an appropriation of \$5,000 for the promotion of Immigration, to provide for a continuation of the experiment which has been made to assist the introduction of Female Immigrants, and in the hope that we may be able to organize the commencement of some practical arrangement to aid the Immigration of Agricultural Settlers. Interest is manifested in England on the subject of Emigration, and I will endeavour to use means for diffusing a knowledge of our resources.

The usual Votes which you will be asked to grant are computed with strict regard to economy. They contemplate augmented expenditure for Roads; but it has been found impossible to include provision for some matters to which I would gladly give attention. I desire to avoid Supplementary Estimates so far as it is practicable to do so, and not to exceed the provision authorized by you unless forced by great emergency.

The year closed with a balance against the public at the Bank of British Columbia amounting to \$27,000. I shall cause you to be furnished with Schedules of the Assets and Liabilities of the Colony on the 31st December last, which show a floating debt of large amount, for the repayment of which no fitting provision has been made. Until satisfactory arrangements are adjusted in respect of these liabilities it behoves us to be circumspect in sanctioning fresh disbursements.

I will submit to you a Bill to give authority for the consolidation of this debt, by the issue of fresh Debentures at six per cent., and to provide for its liquidation by a Sinking Fund.

I am aware that the complications arising from the existence of different Supreme Courts in the two sections of our United Colony have been the cause of much protest and discussion, you will, therefore, be glad to know that the difficulty in the way of more convenient arrangements has been removed by the promotion of the Chief Justice of Vancouver Island to another appointment. By the operation of the Ordinance passed by you during the last Session to regulate the Supreme Courts—to which the Queen's assent has been given—a single jurisdiction is now established for the whole Colony, which will be administered by the Chief Justice of British Columbia, with the assistance of a Puisne Judge. I know that strong representations have been made as to the importance of providing a local Court of Appeal by the appointment of a third Judge, but I think it may be well first to note the working of the present alteration in the Judicial arrangements before deciding to incur the increased expense which would be necessary for that purpose. In fact this, as well as many other questions, is to some extent dependent upon the greater one of the expediency of Union with the Dominion of Canada, which it is my duty to bring before you.

The Community is already acquainted with the Despatch which I have recently received from Her Majesty's Secretary of State on this subject; and the careful consideration of it cannot longer be deferred with courtesy to Her Majesty's Government, or advantage to the Colony. I commend it to your earnest thought. For my own part, I am convinced that on certain terms, which I believe it would not be

difficult to arrange, this Colony may derive substantial benefit from such an Union. But the only manner in which it can be ascertained whether Canada will agree to such arrangements as will suit us, is to propose such as we would be ready to accept. With the assistance of my Council, I have prepared a scheme which I shall cause to be laid before you. Resolutions framed upon that basis will enable me to communicate with the Government of Canada and ascertain whether they will be willing to accede to our propositions.

While the views of Her Majesty's Government have been clearly and forcibly expressed upon this question, I am sure there is no desire to urge the Union, except in accordance with its general acceptance by British Subjects in the Colony. I do not, therefore, propose that any terms agreed upon by the Government of Canada should be finally accepted until ratified by the general verdict of the Community, so far as that can be ascertained through another Council, of which the Unofficial Members shall have been re-elected.

The form of local Constitution must be to some extent modified in Confederation with the other Provinces; and even in anticipation of that event, I think that an enlarged application of the principle of Representative Government to the composition of your Honourable House would be expedient. I have already, by Her Majesty's permission, reconstituted the Executive Council by the addition of two Unofficial Members representing populous Districts, from whose advice I receive valuable assistance. I shall go further in the same direction, and on the same principle. I shall ask for authority so to reconstitute the Legislative Council as to allow the majority of its Members to be formally returned for Electoral Districts. And to a Council so reconstituted I should look for a final decision upon any terms to which the Government of Canada may express readiness to agree. Further than this I frankly admit that I do not think it would be wise to go. I have had experience of several forms of Colonial Government, and I have no hesitation in stating my opinion that the form commonly called "Responsible Government" would not be found at present suited to a community so young and so constituted as this. It is not known in any of the neighbouring States or Territories. Experience has shewn that the system is expensive in its results, and its operation is not successful except in more advanced communities, with population of more homogeneous character than ours. But it will of course, after Union, be open to the Local Legislature, with the concurrence of the Government of the Dominion of Canada, to adopt what modification it shall choose of the existing Constitution. I have declared my opinion to you with candour. I think that you will appreciate my motive. I wish to aid only in what I believe will conduce to the welfare and prosperity of the Colony.

I am glad to communicate to you that I have been acquainted by Lord Granville with the readiness of the Government of the United States to enter into a postal convention with British Columbia, which will be much more convenient to both parties concerned than the existing arrangements. It is proposed that the single rate of International postage on letters exchanged in either direction shall be six cents if paid in advance, and ten cents if unpaid, and that each office should retain all postage collected. This understanding will effect much simplification of the present Postal Regulations, and I have proposed that it shall come into operation at the beginning of the next Quarter of the Year.

Nearly all the Ordinances assented to by my Predecessor during last Session have received Her Majesty's sanction.

The Bill to incorporate the Members of St. Andrew's Church has, however, been disallowed, with the concurrence of the Colonial Committee of the Church of Scotland, to whom the measure was referred by the Secretary of State. And I have not yet received Her Majesty's decision upon the School Ordinance.

I shall lay before you a Despatch, with its enclosures, from the Secretary of State on the subject of the Drawbacks Ordinance of 1869. Pending your consideration of the information afforded by the Board of Trade and Commissioners of Customs, assent to this Bill is withheld. The operation of the Savings Bank Ordinance appears up to this time to be satisfactory. Some amendments may hereafter be required to facilitate the working of the Law, but so little time has been afforded for observing its effect that it seems unnecessary as yet to modify its provisions.

So many subjects of public interest are more or less affected by the larger question of the expediency of Union with the Dominion that some can scarcely be dealt with advantageously until consideration has been afforded to that proposed

measure. Among these is the propriety of altering the Tariff. My Predecessor referred this question for the consideration of a Commission appointed for the purpose. The Members have not agreed in opinion as to the course to be pursued. Under such circumstances I think that it would be undesirable to make any changes at present. It has been found from experience in other places of Commercial importance that frequent alterations in the Tariff are injurious to trade.

Certain Bills will, however, be submitted to you, chiefly having for their object the consolidation and assimilation of the Laws now in force in the two sections of the Colony relating to Land and the Registration of Titles.

You have before you, Gentlemen, most important subjects for your deliberation, and I will not detain you longer from the discharge of your duties.

I fervently hope that the Blessing of the Almighty Ruler of events may attend our labours, and direct our efforts for the good of the people of this community, and crown them with results promoting peace, justice, and prosperity.

*Government House,  
15th February, 1870.*

The Hon. the Presiding Member laid on the table the following papers:—

Proposed Terms of Confederation, as agreed upon by the Governor in Council;<sup>1</sup>

Papers on the subject of the Drawback Ordinance.

Ordered that the former be read.

Read aloud by the Clerk accordingly.

Ordered to be printed.

On the motion of the Hon. Mr. O'Reilly, the Hon. Mr. Sanders seconding,

Ordered that the Governor's Message and Enclosures be printed for the use of Members.

Moved by the Hon. Mr. Trutch, seconded by the Hon. Mr. Drake, and

Resolved, That a Select Committee, to be named by the Presiding Member, be appointed to draw up and submit a reply to His Excellency's gracious Speech.

The following Hon. Members were appointed:—Messrs. Trutch, Drake, Carrall, O'Reilly, Hamley.

The Hon. Mr. DeCosmos gave notice of 4 motions.

The Hon. the Attorney General moved the adjournment till 1 on Monday next.

The Hon. Mr. Helmcken, in amendment, till 1 on Friday next.

The amendment having been put and carried, the Council adjourned till Friday next, the 18th instant, at 1 o'clock.

### Friday, the 18th day of February, 1870.

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. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Wood, Pemberton, Helmcken, Holbrook, Ring, DeCosmos, Humphreys, Robson, Carrall, Barnard, Alston, Drake.

The Minutes of the previous Meeting read and confirmed.

<sup>1</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1870, pp. i-ii.

Edgar Dewdney, Esquire, Member for Kootenay, was then introduced into the Council Chamber, and, the customary oath having been administered, the Hon. Member took his seat at the Council Board.

The Hon. the Presiding Member laid on the table the Estimates for the year.

Ordered that the Council resolve itself into a Committee of Supply on Wednesday, the 22nd instant.

The Hon. Mr. Humphreys presented a Petition from the inhabitants of Lillooet.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Drake presented a Petition from the School Teachers of Vancouver Island before Union.

Ordered to lie on the table.

The Hon. the Attorney General gave notice of 2 motions.

The Hon. Mr. Barnard gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Alston gave notice of motion.

The Hon. Mr. Humphreys gave notice of motion.

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

Pursuant to the Order of the day, the Hon. Mr. Trutch, Chairman of the Select Committee appointed to draw up and submit a reply to His Excellency's opening Speech, handed in Report.

The Hon. Mr. Crease moved that the Report be adopted.

The Hon. Mr. DeCosmos moved, in amendment, that it be referred to a Committee of the whole Council.

On amendment being put it was carried in the affirmative and Resolved accordingly.

The Council went into Committee accordingly.

The Hon. Ball in the Chair of the Committee.

On the Presiding Member resuming the Chair, the Chairman reported that some amendments had been made by the Committee, and the reply as amended was handed in for adoption by the Council.

The amended Report was adopted as follows:—

*To His Excellency Anthony Musgrave, Governor of British Columbia.*

We, Her Majesty's dutiful and loyal subjects, Members of the Legislative Council of British Columbia, in Council assembled, sincerely regret the accident which has deprived us of the pleasure of personally meeting Your Excellency on this the first occasion of our being convened under Your Excellency's administration. At the same time, we are fully aware that you have, notwithstanding your illness, exerted yourself successfully to master many of the complicated questions which required immediate and pressing attention; and we can assure Your Excellency that you can command our cordial co-operation in all measures tending to the benefit of the Colony.

The visit which Your Excellency was enabled to pay to the Mining Districts of the Mainland, shortly after your arrival, has, we are confident, been productive of



a better appreciation of our local resources than could have been gained by you in any other manner; and we hope that the recent discoveries at Peace River will prove as beneficial to the Colony as you anticipate.

We concur with Your Excellency in thinking that the loss of Telegraphic Communication with the United States and the rest of the World would be severely felt by all classes of the community, and we trust that the steps which Your Excellency has taken will secure to us the permanent use of the line between Victoria and Portland; and though we regret the prospect of the Telegraph Company having to relinquish, for the present, their establishments on the Mainland, we yet hope that measures will be devised which will ensure the speedy re-opening of this line.

We regard the appropriation of \$5,000 for the promotion of Immigration as a step urgently needed, and one which will be viewed by all classes with unqualified satisfaction.

We agree with Your Excellency in thinking that, in the present position of our finances, the strictest circumspection ought to be used in sanctioning fresh disbursements, and we consider that a reduction of expenditure should be made wherever practicable.

The partial solution of the complicated Judicial question is a source of congratulation, and we trust that all causes of dissatisfaction in connection with the Judiciary system of this Colony will be speedily terminated.

We are aware that the subject of Confederation with the Dominion of Canada is the most important topic which will be brought under our consideration, and we will give it the attention which the magnitude of the question demands. The final reference of the subject to the popular vote cannot but commend itself as the most satisfactory decision which can be arrived at.

We view with satisfaction the liberal opinions expressed by Your Excellency on the subject of an enlarged representation, and the reconstruction of the Legislative Council on a more popular basis.

The new Postal treaty with the United States will greatly simplify the existing system, and will afford a considerable reduction in the present rates of postage.

All measures which are sent down for our consideration shall meet with our most earnest attention, and we hope our labours may result in the permanent good of the Colony. In conclusion, we trust that Your Excellency may soon be restored to health, and that under Divine guidance this Colony may increase in prosperity, and ere long surpass the brightest hopes of former years.

Resolved that the reply to the Governor's opening Speech, in consequence of His Excellency's illness, be presented to him by the Presiding Member.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That a Committee of five, of whom three shall be a quorum, be appointed to enquire into, and report without delay, the state of efficiency of the Department of Lands and Works, and to offer suggestions with a view to increase, if possible, its efficiency, and at the same time securing more economy in its working. That in case of difference of opinion a minority as well as a majority report be submitted to the Council. That the Committee be empowered to send for persons and papers, and that a copy of this Resolution be transmitted to His Excellency the Governor, respectfully requesting his co-operation, by instructing the Officer administering the Department of Lands and Works to allow the books, papers, and maps of the Lands and Works Department to be examined by the Committee.

Whereupon a debate arose, which having terminated, and the question being put, the Council divided.

*Ayes 4, Noes 14.*

On request, the names were taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Barnard, Robson, Humphreys, DeCosmos.	The Hon. Messrs. O'Reilly, Sanders, Ball, Dewdney, Holbrook, Drake, Helmcken, Carrall, Alston, Wood, Pemberton, Bushby, Hamley, Crease.

The Hon. Mr. Ring not having voted, his vote was recorded with the *Ayes*, so the vote stood *Ayes* 5, *Noes* 14, and the Resolution was lost.

Pursuant to Order, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

This His Excellency the Governor be respectfully requested to inform this Council whether the Honourables R. W. W. Carrall and J. S. Helmcken were appointed Members of the Executive Council by virtue of an Order of Her Majesty in Council, or by authority of a Despatch from Her Majesty's Principal Secretary of State for the Colonies, or by both such authorities; and, if so, that such Order in Council, or such Despatch of the Secretary of State, or extracts therefrom, authorizing such appointments to the Executive Council, be communicated to this Council, and also that a copy of all correspondence between His Excellency the Governor and the Honourables R. W. W. Carrall and J. S. Helmcken pertaining to their invitation to become Members and to their nomination and installation as Members of the Executive Council be also laid before this Council for its information.

After some discussion the Hon. Member asked leave to withdraw the motion.

Motion withdrawn by leave.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That His Excellency the Governor be respectfully requested to communicate to this Council a Return setting forth:—

1. The amount of Road Tax assessed in 1869 in each Road District in the Electoral District Victoria No. 2;
2. The amount of Road Tax assessed for Land in each of the said Road Districts in 1869;
3. The amount of Road Tax assessed against Persons in 1869, excluding Land Road Tax, in each of the said Road Districts;

4. The amount of Land Road Tax in 1869, collected up to December the 31st, 1869, in and for each said Road District;

5. The amount of *per capita* or personal Road Tax for 1869, excluding Land Road Tax, collected in each said Road District;

6. The amount of Road Tax unpaid on 31st December, 1869, in each said Road District, showing total arrears for land, and total arrears for persons exclusive of land;

7. The names of the Collector or Collectors of Road Tax in and for each Road District, 1869;

8. The amount of Road Tax collected by each Collector;

9. The amount taken from the Road Tax Fund and expended in 1869 in each Road District, and how, where, and by whom expended;

10. Whether the expenditure on the Roads in each Road District in Victoria District No. 2, was made wholly from the Road Tax Fund or not, and if not, what amounts were expended in each of the said Road Districts out of the General Revenue, and where in each said Road District;

11. Number of persons resident in each said Road District in 1869 liable for Road Taxes;

12. Number of persons resident out of the Colony liable under "Road Ordinance, 1869," for Road Taxes in respect to land in each or in some of said Road Districts.

On the question being put it was carried in the affirmative and Resolved accordingly.

Tuesday, 1st, March, next, was fixed as the day on which the Attorney General would bring forward for discussion the Resolution for the Confederation of this Colony with the Dominion of Canada sent down in His Excellency the Governor's Speech.

Then, on the motion of the Hon. Mr. Drake, the Council adjourned till 1 o'clock on Monday next.

### Monday, the 21st day of February, 1870.

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. Hankin, Crease, Trutch, Hamley, O'Reilly, Sanders, Bushby, Ball, Dewdney, Holbrook, Wood, Ring, Alston, DeCosmos, Humphreys, Barnard, Robson, Drake, Carrall, Alston, Pemberton.

On the Minutes of the previous Meeting being read, and the question of their confirmation being put, the Hon. Mr. DeCosmos moved that they be amended by the addition of the following words at the end:—

"On the Hon. Mr. DeCosmos' notice to fix a day to go into Committee of the whole on Confederation referred to in the Governor's Speech and the Resolution accompanying the same, being called by the President, Tuesday next, March 1st, was fixed upon on the suggestion of the Hon. Attorney General."

The Hon. the Attorney General moved, in amendment, that the following words be added:—

“Tuesday, the 1st March, next, was fixed as the day on which the Attorney General would bring forward for discussion the Resolution for the Confederation of this Colony with the Dominion of Canada sent down in His Excellency the Governor’s Speech.”

On the amendment being put the Council divided.

*Ayes* 12, *Noes* 3.

The names, on request, were taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Trutch, O’Reilly, Sanders, Ball, Dewdney, Holbrook, Barnard, Robson, Carrall, Bushby, Hamley, Crease.	The Hon. Messrs. DeCosmos, Humphreys, Ring.

The Hon. Messrs. Wood and Drake not having voted were recorded with the *Ayes*, so the vote stood *Ayes* 14, *Noes* 3, and the amendment was carried, and the Minutes of the previous day amended accordingly.

On the question being put whether the Minutes as amended should pass, the Council again divided.

*Ayes* 13, *Noes* 3.

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Trutch, O’Reilly, Sanders, Ball, Dewdney, Holbrook, Barnard, Robson, Drake, Carrall, Bushby, Helmcken, Crease.	The Hon. Messrs. DeCosmos, Humphreys, Ring.

The Hon. Mr. Wood not having voted, his vote was recorded with the Ayes, so the vote stood *Ayes* 14, *Noes* 3, and the Minutes as amended were confirmed.

The Hon. the Presiding Member acquainted the Council that he had presented their Address to the Governor in reply to His Excellency's opening Speech, and that His Excellency had made the following rejoinder:—

*Message No. 2.*

A. MUSGRAVE.

*Mr. President and Honourable Gentlemen of the Legislative Council.*

I receive your address with much gratification. I anticipate with confidence the continuance of the cordiality of feeling with which our intercourse has happily commenced, and which, you may be assured, it will be my anxious desire to maintain throughout the period of my administration.

*Government House,  
21st February, 1870.*

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Hon. the Colonial Secretary whether the Government intend to make provision for the payment of arrears due to School Teachers, as set forth in the Journals of this House for 1869?

The Hon. the Colonial Secretary replied.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Land Registry Bill—

Ordered to be read first time.

Read first time accordingly.

Ordered to be read second time on Friday next—

and the Medical Bill.

Ordered to be read first time.

Read first time accordingly.

Ordered to be read second time to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Barnard moved, the Hon. Mr. Holbrook seconding,

That the Government be asked to provide for the removal, at once, of one of the Rocks in Fraser River known as the "Twin Sisters."

Subsequently the Hon. Member asked leave to postpone the question till the Estimates were under discussion.

Ordered that leave be granted.

Motion postponed accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. DeCosmos,

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

Ordered that leave be granted.

Motion postponed till to-morrow accordingly.

Pursuant to the Order of the day, the Hon. Mr. Alston moved, the Hon. Mr. Drake seconding,

That His Excellency the Governor be respectfully requested to transmit to this Council a Return showing—

1. The Schools in existence under the "Common Schools Ordinance, 1869," on 31st December, 1869;
  2. The names of the Teachers of the said Schools, and the Salaries paid or payable to them;
  3. The sums granted to each Local Board out of the money voted for Educational purposes for the past year;
  4. A Statement of Receipts and Expenditure by each Local Board up to 31st December, 1869;
  5. The average number of pupils attending each of the said Schools during the past year;
- On the question being put it passed in the affirmative and was Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Humphreys moved the following Resolution:—

That a Respectful address be presented to His Excellency the Governor, praying that all Flour made from Wheat grown in the Colony be exempted from Road Tolls.

The Hon. Mr. Robson moved, in amendment, That a Select Committee be appointed to investigate the whole question of Road Tolls on Flour, Bran, Shorts, and Home-grown Produce.

On the amendment being put the Council divided.

*Ayes 17, Noes 2.*

So it passed in the affirmative and was Resolved accordingly.

The Hon. the Presiding Member named the following Hon. Members:—  
The Hon. Messrs. Trutch, Hamley, Robson, Alston, Humphreys.

Pursuant to the Order of the day, the Hon. Mr. Drake asked the Hon. Attorney General,—Whether it is the intention of the Government to make any alterations in the County Court Ordinance, with the view of effecting the better administration of Justice?

The Hon. the Attorney General replied.

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

That the consideration of the Despatches relative to the Drawback Bill be taken up on Friday next.

The Hon. Mr. Drake moved that the Standing Orders be suspended.

Ordered accordingly.

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

#### PROTEST.

We, the undersigned Members of the Legislative Council, protest against the correctness of the record of the proceedings of the Legislative Council on Friday, February 18th, 1870, as amended by the Council on Monday, February 21st, 1870, with relation to the motion of the undersigned, A. DeCosmos, "That a day be fixed to go into Committee of the whole on the question of Confederation with Canada,

referred to in the Governor's Speech and Resolutions accompanying the same," for the following reasons:—

1. Because every Member of the Legislative Council has the right, in accordance with Parliamentary usage, to have recorded on the Journals of the Council any motion made by such Member, in conformity with Parliamentary law and the Rules and Orders governing the Council.

2. Because the above written motion, made by the undersigned, A. DeCosmos, on Friday, February 18th, 1870, and of which notice of motion had been given on Tuesday, February 15th, 1870, and which notice of motion had appeared in the Orders of the day for Friday, February 18th, 1870, and which was called in due course by the President of the Council on the last mentioned day, and was responded to by the undersigned, A. DeCosmos, was omitted from the Clerk's draft record of the proceedings of the Council on February 18th, 1870, and has not been mentioned or placed on the Journal of the proceedings of the Council, in accordance with Parliamentary usage and the Rules, Orders, and usage of this Council in such cases, and in conformity with the undoubted and established right of any and every Member of this Council.

(Signed) A. DECOSMOS,  
T. B. HUMPHREYS.

*Council Chamber, 22nd February, 1870.*

---

## Tuesday, the 22nd day of February, 1870.

---

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. Hankin, Trutch, Crease, Hamley, Ball, Sanders, Bushby, Pemberton, Wood, Holbrook, DeCosmos, Drake, Helmcken, Carrall, Humphreys, O'Reilly, Dewdney, Ring, Barnard, Robson.

On the Minutes being read and the question of the confirmation being put, The Hon. the Attorney General moved, the Hon. Mr. Dewdney seconding, That the Protest placed on the Minutes of the 21st instant by the Hon. Messrs. DeCosmos and Humphreys be erased.

The Hon. Mr. Helmcken moved, in amendment, that the third section be struck out.

On the amendment being put it was carried in the affirmative, and section 3 was struck out accordingly.

On the question that the remainder be struck out, it passed in the negative, after a division, *Ayes* 6, *Noes* 13, so the motion to strike out the whole Protest was lost, and the Minutes as amended were approved.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

The Hon. the Attorney General introduced the Crown Grants Bill.

Ordered to be read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.

On the Order of the day being read for the second reading of the Medical Bill, and the question being put, the Council divided.

*Ayes 14, Noes 3.*

So it was read second time accordingly.

Ordered to be committed on Monday, the 28th instant.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That in view of the apparent imminence of Union with Canada, and in view of the paramount necessity for loyal and cordial co-operation on the part of the people of this Colony with the Government of Canada, in working out the institutions of the Dominion in case of such Union, and with the object of avoiding political agitation against Confederation, or for organic changes in the Constitution of the Colony after Union, to the injury of industrial questions, a Select Committee, embracing the Representative Element of the Council, be appointed and instructed to report without delay the outline of a Constitution for the Local Government of the Colony.

The Hon. Mr. Barnard moved, in amendment, the Hon. Mr. Holbrook seconding,

That the question of Constitutional changes be taken up after the question of Confederation has been submitted to the Council.

On the amendment being put it passed in the affirmative and was Resolved accordingly.

The Hon. the Attorney General moved the adjournment till 11 o'clock to-morrow.

The Hon. Mr. Robson till 1 o'clock to-morrow.

On the amendment being put it was carried in the affirmative, so the Council adjourned till 1 o'clock to-morrow.

### Wednesday, the 23rd day of February, 1870.

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. Hankin, Trutch, Crease, Hamley, Ball, Bushby, O'Reilly, Sanders, Dewdney, Pemberton, Ring, Alston, DeCosmos, Helmcken, Humphreys, Drake, Barnard, Carrall, Robson, Holbrook.

The Minutes of previous Meeting read and confirmed.

The Hon. Mr. Drake presented the Petition of Alexander Watson.<sup>2</sup>

Ordered to be read. Read aloud by the Clerk accordingly.

Ordered to be printed and lie on the table.

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

The Hon. Mr. Drake gave notice of motion.

The Hon. Mr. Barnard gave notice of motion.

<sup>2</sup> *Ibid.*, pp. ii-iv.



Pursuant to the Order of the day, the Hon. Mr. Carrall moved—

That this Council, impressed with the conviction that the disestablishment of the Telegraph Line between Victoria and Cariboo will prove detrimental to the mercantile and other interests of the Colony, as well as forfeit our prestige abroad, respectfully recommend His Excellency the Governor to accept the line and plant from the Western Union Telegraph Company, and that if provision cannot be made for this service from existing sources of Revenue an additional one per cent. be placed on the Customs Revenue of the Colony for that purpose.

Ordered to be referred to Committee of Supply.

Pursuant to the Order of the day, the Hon. Mr. Carrall moved—

That in view of the probable immigration to the Omineca Mines, and with the object of offering every facility for the ingress of both miners and supplies, this Council is of opinion that the Government should cause a survey and estimate of the cost of removing the rocks impeding the navigation of the Fort George and Cottonwood Canyons, and other obstructions in the Fraser between Fort George and a point, say 50 miles, below Soda Creek, during the present summer, so that a sufficient sum may be placed on the Estimates for 1871 for that purpose.

Ordered to be referred to Committee of Supply.

Pursuant to the Order of the day, the Hon. Mr. Barnard moved—

That a respectful address be presented to His Excellency, praying that such additional sum be placed on the Estimates as may be necessary to cover the cost of maintaining a fortnightly Mail Service between Cache Creek and the Southern Boundary, *via* Kamloops and the head of Lake Okanagan, and that he will cause a call for Tenders to be made for such service, and that the notice of call be published in the part of the District directly interested, and that a proper person be appointed there to receive such Tenders as may be offered, and forward the same to the Postmaster General.

Ordered to be referred to the Committee of Supply.

Pursuant to the Order of the day, the Hon. Mr. Drake moved—

That a sum of \$1,000 be placed on the Estimates to enable the Colony to purchase Mr. Needham's valuable Library, for the use of the Supreme Court.

Ordered to be referred to the Committee of Supply.

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

That an address be presented to His Excellency the Governor, recommending that such arrangements as will insure the regular transmission of Mails to and from Olympia may be made with the Steamer running between this Colony and that Port.

Ordered to be referred to Committee of Supply.

On the Order of the day being read for the consideration of the School Teachers' Petition,

The Hon. Mr. Drake moved, the Hon. Mr. Robson seconding,

That the consideration of the School Teachers' Petition be referred to a Select Committee.

On the question being put it was carried in the affirmative and Resolved accordingly.

The Presiding Member named the following Committee:—The Hon. Messrs. Drake, DeCosmos, O'Reilly, Ball, Pemberton.

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

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

On the Presiding Member resuming the Chair, the Chairman reported that the Committee had instructed him to hand in the following Resolutions for the adoption of the Council, and to ask leave to sit again.

Ordered that leave be granted for to-morrow, and on the question being put Resolved that the following Supplies be voted:—

Governor .....	\$2,052
Legislative Council .....	900
Colonial Secretary .....	9,224
Treasurer .....	4,552
Auditor General .....	3,877
Chief Commissioner of Lands and Works .....	7,298
Customs .....	13,820

On the question being put, Resolved, That an address be presented to His Excellency the Governor, asking that \$300 be added to the salary of the Landing Waiter, New Westminster.

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock to-morrow.

### Thursday, the 24th day of February, 1870.

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. Hankin, Crease, Trutch, Hamley, O'Reilly, Sanders, Bushby, Ball, Dewdney, Holbrook, Wood, Ring, Alston, DeCosmos, Humphreys, Barnard, Robson, Drake, Carrall, Pemberton, Helmcken.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Carrall presented the Petition of Philip Cadell.

Not received, not being addressed to the Council.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Carrall gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

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

That a respectful address be presented to His Excellency, asking for the establishment of a Labour Exchange, with an office at Victoria and New Westminster.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Dewdney asked the Government,—  
Whether it is their intention to appoint a Resident Magistrate at Kootenay?  
The Hon. the Colonial Secretary replied.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,  
That the Petition respecting County Court Judges be printed.  
Ordered accordingly.

Pursuant to the Order of the day, the Council went into Committee of Supply.  
The Hon. Mr. Ball in the Chair of the Committee.  
On the Presiding Member resuming the Chair, the Chairman reported the following Resolutions for the adoption of the Council, and asked leave to sit again.

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

On the question being put, Resolved, That the following Supplies be voted:—

Registrar General .....	\$ 485 00
Post Office .....	3,200 00
Judicial .....	5,960 00
Police .....	16,803 50
Kootenay District .....	7,512 00
Cariboo District .....	11,970 00
Yale District .....	4,320 00
Lillooet District .....	4,680 00
Nanaimo District .....	3,168 00

Resolved, That the Governor be requested to increase the salary of the two Door Guards and Cook in the Victoria Gaol to \$2 per day.

Resolved, That the Governor be recommended to increase the pay of the two Constables at New Westminster from \$1.75 to \$2 per day.

Resolved, That the Council recommend that the Sergeant of Police, Victoria, receive \$2.50 per diem.

Resolved, That the Governor be recommended that the pay of the two Convict Guards at Victoria be increased by 25c. per diem.

Resolved, That the Governor be recommended to increase the salary of the three Victoria Constables by 25c. per diem.

Resolved, That this Council is of opinion that a Resident Magistrate should be kept constantly at Kootenay.

The Hon. Mr. Trutch, Chairman of the Select Committee appointed to enquire into and report upon the desirability of remitting the Tolls at present collected on Flour, Bran, Shorts, and other home-grown Produce under the "Lillooet-Alexandria Road Toll Act, 1862," brought up a Report.

Ordered to be read. Read as follows:—

Your Committee report that there appears to be in certain respects an unequal pressure on farmers residing in the neighbourhood south of the Toll-gate as it is now situated at Clinton, tolls being exacted on cattle and produce taken from the farms below the gate, and levied again on the flour received back. To remedy this, your Committee propose that the gate placed now at Clinton should be moved to a point about a mile south of Soda Creek, by which means toll will be paid equally by all the farmers south of Soda Creek, on flour, &c., forwarded to Cariboo.

Your Committee would recommend, moreover, the repeal or alteration of the "Lytton-Alexandria Road Toll Act, 1862," in order that the toll levied on that part of the Road may be in all respects assimilated to the toll levied at Hope, Yale, and Douglas, under the "Road Toll Act, 1860," by which arrangement cattle and waggons will go free, and no toll will be collected on goods of any description brought through the gate at Soda Creek in a southerly direction.

Ordered to be printed and lie on the table.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 p.m. to-morrow.

### Friday, the 25th day of February, 1870.

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. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Wood, Pemberton, Helmcken, Holbrook, Ring, DeCosmos, Humphreys, Robson, Carrall, Barnard, Alston, Drake.

The Minutes of the previous Meeting read and confirmed.

On the Order of the day being read for the second reading of the Registration of Titles Bill,

The Hon. the Attorney General moved that the second reading be postponed till next meeting of Council.

Ordered accordingly.

The Hon. Mr. Holbrook moved that the Standing Orders be suspended.

Ordered accordingly.

The Hon. Member gave notice of motion.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Drake,

Ordered to be postponed till Monday next.

On the Order of the day being read for the second reading of the Crown Grants Bill, Ordered to be postponed till Monday next.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Barnard, relative to a Road to Okanagan Lake,  
Ordered to be sent down to Committee of Supply.

On the Order of the day being read for the consideration of the Secretary of State's Despatch on the Drawbacks Bill,  
Ordered to be considered on Monday next.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Carrall, in reference to a road from Dog Creek to Soda Creek,  
Ordered to be postponed till Monday next.

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

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that he had been instructed to hand in the following Resolutions for the adoption of the Council, and asked leave to sit again.

Ordered that leave be granted for Monday next, and that the Committee of Supply do stand as the first Order of the day.

On the question being put, Resolved, That the following Supplies be voted:—

Pensions .....	\$3,031 25
Revenue Services .....	1,000 00
Administration of Justice .....	5,000 00
Charitable Allowances .....	10,500 00
Education .....	10,000 00
Police and Gaols .....	12,000 00
Rent .....	1,000 00
Transport .....	35,000 00

And on the question being put, Resolved, That His Excellency the Governor be recommended to place an additional sum of \$5,000 upon the Estimates for Education.

Resolved, That His Excellency the Governor be respectfully requested to remove the residence of the Magistrate from Lillooet to Clinton.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock on Monday.

### Monday, the 28th day of February, 1870.

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. Hankin, Crease, Trutch, Hamley, Ball, Bushby, Sanders, O'Reilly, Wood, Robson, Pemberton, Drake, Carrall, Humphreys, Alston, Ring, DeCosmos, Dewdney, Barnard, Holbrook.

The Minutes of the previous Meeting read and confirmed.

*Message No. 3.*

A. MUSGRAVE.

The Governor forwards to the Legislative Council a Bill authorizing Expenditure incurred in the years 1868-9, which was not covered by the Appropriation Ordinances for those years.

The Supplemental Supply required for 1868 is \$123,367 74.

Do., Do., 1869 is 78,217 30.

The details of these Expenditures are fully given in the Supplementary Estimates for those years, herewith forwarded.

These Expenditures may be classed under three heads:—

1. Arrears of previous years;
2. Short votes under usual heads of service;
3. Unforseen or Contingent Expenditure.

As will be at once apparent from an examination of the Estimates enclosed, the arrears of previous years unpaid till the next year form the largest item.

The sums expended on account of short votes are inconsiderable.

With reference to unforeseen or Contingent Expenditure, the Governor has only to call attention to the following items as demanding particular notice:—

1868.

Compensation to Officers for loss of office .....	\$3,404 78
In aid of Hospitals .....	5,850 47
In aid of Schools .....	4,109 51
Removal of Seat of Government .....	4,129 10
Cariboo Mail Contract .....	15,253 00

1869.

Compensation to Officers, &c. ....	6,110 97
Mail to San Francisco .....	5,000 00
Assay Office, Cariboo .....	2,521 87
Aid to Fire Departments .....	2,000 00
Funeral Expenses of late Governor .....	2,060 77
Grant to Telegraph Company .....	2,250 00

The Governor need hardly remark that nearly all the Supplementary Expenditure was incurred prior to his assuming the administration of the Government of British Columbia.

The Bill herewith forwarded authorizes no fresh Expenditure, and is simply an indemnification for necessary disbursements beyond the annual votes.

*Government House,*  
28th February, 1870.

Ordered to be printed and sent down to the Committee of Supply.

The Hon. Mr. Barnard presented the Petition of the Settlers of the Okanagan Lake.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. DeCosmos presented the Petition of William Harrison.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Ring gave notice of motion.

The Hon Mr. Alston gave notice of 2 motions.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

On the Order of the day being read for Committee of Supply, and the question "That I do now leave the Chair" being put, the Hon. Mr. Barnard moved, the Hon. Mr. Robson seconding,

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

"An humble address be presented to His Excellency the Governor, setting forth the following:—

"1. That although the expense of conducting the Government of the Colony is out of all proportion to the number, need, and ability of the people, this Council is powerless to effect any material reduction after the Estimates are framed by the Executive and submitted in detail, without more or less disturbing the harmony and impairing the efficiency of the whole.

"2. That a large reduction in the expense of conducting the Government is imperatively demanded by the people.

"3. That such reduction can only be attained by a repeal of the Crown Salaries Acts, by a change in the present cumbrous and expensive system of keeping accounts, and by a further amalgamation of offices.

"4. That as these measures can only be attained by the Executive Government taking the initial steps, this Council, therefore, respectfully but most earnestly recommends His Excellency the Governor, as follows:—

"5. To send down to the Legislative Council, during the present Session, a Bill repealing the Crown Salaries Ordinance, in order that the following reductions may be made:—

"Governor .....	\$10,000
Colonial Secretary .....	3,000
Attorney General .....	2,000
Chief Commissioner of Lands and Works .....	3,000
Collector of Customs .....	3,000

"That the office of Treasurer be abolished.

"That the office of Chief Inspector of Police be abolished.

"6. To represent, without delay, to Her Majesty's Government the unwillingness and inability of the people to meet the expense entailed upon the Colony by the present system, and to urge the right of a Colony compelled to provide for every item of expenditure to adopt a more simple and economical system.

"7. Notwithstanding that the Estimates have undergone no change since coming from the hands of the Executive, owing to the inability of this Council effectively to deal with them, His Excellency the Governor is earnestly recommended to make such reductions meanwhile, as may be compatible with the safety and interests of the public, by further amalgamation of offices, or otherwise."

Moved, in amendment, by the Hon. Mr. Carrall, the Hon. Mr. Dewdney seconding,

"That this Council respectfully recommend His Excellency the Governor to take the question of amalgamation of offices and economy of the administration of the Government in every Department into his consideration, during the approaching recess, with a view to the preparation of the Estimates of 1871 in accordance with the requirements of the Colony."

On the amendment being put the Council divided.

*Ayes* 2, *Noes* 11.

So it passed in the negative and the Resolution was lost.

The Hon. Mr. DeCosmos moved that the original question be amended as follows:—

That in section 1, word “all” be struck out.

Put and lost.

That “this Council is,” after word “people,” in line 2, be struck out, and the following substituted: “the Representative Members of the Council are”

Put and lost.

That all the words after “reduction,” in line 4, be struck out, and words “in the Estimates” be substituted.

Put and lost.

In section 4, strike out word “only,” in 2nd line.

Put and lost.

That all words before “his,” in section 7, line 3, be struck out, and the word “that” substituted.

Put and lost.

On the original question being put the Council divided.

*Ayes* 3, *Noes* 10.

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Barnard, Robson, Drake.	The Hon. Messrs. O'Reilly, Sanders, Ball, Dewdney, Holbrook, Humphreys, DeCosmos, Alston, Wood, Pemberton.

So the Resolution was lost.

The motion to go into Committee of Supply was then put and agreed to.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that he had been instructed to hand in the following Resolutions for adoption by the Council, and to ask leave to sit again.

Ordered that leave be granted to sit again to-morrow, and that the Committee of Supply do stand as the first Order of the day.

On the question being put, Resolved, That the following Supplies be voted:—

Conveyance of Mails .....	\$35,600
Works and Buildings .....	9,000

On the question being put it was Resolved,



That an address be presented to His Excellency, asking that a sum of \$500 be placed on the Estimates for the purpose of putting the Government House at Kootenay in repair, in anticipation of a Resident Magistrate being sent to that District.

That an address be presented to His Excellency the Governor, recommending that such arrangements as will insure the regular transmission of Mails to and from Olympia may be made with the Steamer running between this Colony and that Port.

That a respectful address be presented to His Excellency, praying that such additional sum be placed on the Estimates as may be necessary to cover the cost of maintaining a fortnightly Mail Service between Cache Creek and the Southern Boundary, *via* Kamloops and the head of Lake Okanagan, and that he will cause a call for Tenders to be made for such service, and that the notice of call be published in the part of the District directly interested, and that a proper person be appointed there to receive such Tenders as may be offered, and forward the same to the Postmaster General.

That the Council recommend that a sum of money be appropriated for a weekly Mail Service between Victoria and Metchosin, and that a further sum be appropriated, if necessary, to provide Mail communication between Victoria and Sooke.

That a Committee be appointed to enquire into and report upon the subject of Steam Ship Communication, and more especially the desirableness of subsidizing a British line of Steamers between Victoria and San Francisco or Panama.

The Presiding Member appointed the following Committee:— The Hon. Messrs. Hamley, Helmcken, Drake, Holbrook, Robson.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

## Tuesday, the 1st day of March, 1870.

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. Hankin, Trutch, Crease, Hamley, Ball, Bushby, O'Reilly, Sanders, Dewdney, Pemberton, Ring, Alston, DeCosmos, Helmcken, Humphreys, Drake, Barnard, Carrall, Robson, Holbrook, Wood.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Wood gave notice of motion.

On the Order of the day being read for Committee of Supply, and the question "That I do now leave the Chair" being put, the Hon. Mr. DeCosmos moved,

That the Petition of William Harrison be referred to the Select Committee on the School Teachers Petition.

Ordered accordingly.

The motion to go into Committee of Supply was then put and carried.

The Council went into Committee of Supply accordingly.

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

On the Presiding Member resuming the Chair, the Chairman reported the following Resolutions for the adoption of the Council, and asked leave to sit again.

Ordered that leave be granted for to-morrow, and that the Committee of Supply do stand as the first Order of the day.

On the question being put, Resolved, That the following Supplies be voted:—

Road, Streets, and Bridges ..... \$59,300

On the question being put, Resolved,

That His Excellency the Governor be respectfully recommended to appropriate the sum of \$250 in aid of the New Westminster Fire Department for the present year.

That His Excellency be respectfully recommended to cause the sum of \$1000 to be placed on the Estimates in aid of the Williams Creek Fire Brigade.

That His Excellency be respectfully recommended to increase the expenditure on the Comox Roads from \$300 to \$1000.

That His Excellency be respectfully recommended to increase the expenditure on Nanaimo Roads from \$600 to \$6000.

That His Excellency be respectfully recommended to make a grant of such additional sum as may be necessary to continue the Sleigh Road from Yale to New Westminster.

That His Excellency be respectfully recommended to place on the Estimates, in addition to the sum of \$2,500 already there for the purpose, a further sum of \$2,500 for repairing the Hope-Kootenay Trail.

The Hon. Mr. Humphreys moved the adjournment till 3 to-morrow.

The Hon. Mr. Trutch, in amendment, till 1 to-morrow.

The amendment having been put and carried, the Council adjourned till 1 o'clock to-morrow accordingly.

### Wednesday, the 2nd day of March, 1870.

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. Hankin, Crease, Trutch, Hamley, O'Reilly, Sanders, Bushby, Ball, Holbrook, Wood, Ring, Alston, DeCosmos, Humphreys, Barnard, Robson, Drake, Carrall, Pemberton, Helmcken.

The Minutes of previous Meeting read and confirmed.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Carrall gave notice of motion.

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

The Hon. Mr. Ring gave notice of motion.

The Hon. Mr. Humphreys gave notice of motion.

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

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

On the Presiding Member resuming the Chair, the Chairman reported that the Committee had instructed him to hand in the following Resolution for the adoption of the Council, and to ask leave to sit again.

Ordered that leave be granted for to-morrow, and that the Committee of Supply do stand as the first Order of the day.

On the question of the adoption of the Resolution being put,

The Hon. Mr. Helmcken moved that it be referred back to the Committee with instructions.

On the amendment being put the Council divided.

*Ayes 6, Noes 12.*

So the amendment was lost.

On the original question being put the Council again divided.

*Ayes 12, Noes 6.*

So it passed in the affirmative, and was Resolved,

That this Council, impressed with the conviction that the disestablishment of the Telegraph Line between Victoria and Cariboo will prove detrimental to the mercantile and other interests of the Colony, as well as forfeit our prestige abroad, respectfully recommend His Excellency the Governor to take measures to secure the continuance of such Telegraph Service during the present year, and if provision cannot be made for this service from existing sources of Revenue, to send down to this Council a Bill imposing an additional Customs duty of two per cent. on the Customs Revenue to meet the expenditure that such Telegraph service may require.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 p.m. to-morrow.

### Thursday, the 3rd day of March, 1870.

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. Hankin, Trutch, Crease, Hamley, Ball, Sanders, Bushby, Alston, Wood, Holbrook, DeCosmos, Drake, Helmcken, Carrall, Humphreys, O'Reilly, Dewdney, Ring, Robson.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Holbrook spoke to a question of privilege, in reference to some statements in the *British Colonist*.

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

The Hon. Mr. Drake gave notice of motion.

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

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported that he had been instructed to hand in the following Resolutions for the adoption of the Council, and asked leave to sit again.

Ordered that leave be granted, and that the Committee of Supply do stand as the first Order of the day to-morrow.

On the question being put, Resolved, That the following Supplies be voted:—

Miscellaneous Services .....	\$20,970 00
Interest .....	103,440 00
Drawbacks and Refunds .....	2,100 00
Immigration .....	5,000 00
Sinking Fund .....	30,197 50
Government Vessels .....	19,750 00
Lighthouses .....	10,270 00

On the question being put, Resolved, That a respectful address be presented to His Excellency the Governor, recommending that the Telegraph Company be asked to maintain the line to New Westminster as well as to Portland, for the subsidy of \$4,500 set down in the Estimates.

On the question being put, Resolved, That the Governor be respectfully acquainted that this Council considers it desirable that the Rock in the Fraser River known as the "Port Sister" be removed at the earliest possible period that funds for the purpose are at the disposal of the Government.

On the question being put, Resolved, That a respectful address be presented to His Excellency that the sum of \$3,918 be placed on the Estimates for the purpose of liquidating the claims of the School Teachers of Vancouver Island for 1867-8.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

### Friday, the 4th day of March, 1870.

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. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Wood, Dewdney, Helmcken, Holbrook, Ring, DeCosmos, Humphreys, Robson, Carrall, Alston, Drake.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Drake presented the Petition of the Deluge Fire Company.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Helmcken moved that the Standing Orders be suspended.

Ordered accordingly.

Ordered that the said Petition be sent down to Committee of Supply.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Drake, Chairman of the Select Committee appointed to enquire into the Petition of the School Teachers, and that of William Harrison, handed in a Report.

Ordered to be read. Read as follows:—

Your Committee recommend that the prayer of the School Teachers should be granted. The claims have been incurred under the sanction of the late Board of Education, and have been reported by the Chairman of that Board to be due and unpaid.

The Committee beg to report that the following amounts should be paid:—

John Jessop .....	\$463
W. H. Burr .....	463
C. Bryant .....	386
W. Harrison .....	277
C. McKenzie .....	192
Mrs. H. Fisher .....	192
Miss Macdonald .....	228
Mrs. E. Fisher .....	109
C. N. Young .....	192
—Doughty .....	95
Rent, Central School .....	165
„ Congregational School .....	123
A. Waddington .....	579
	——\$3,464

We beg to report on the Petition of William Harrison, that it appears he has a claim for a certain amount, and we recommend the sum to be paid by the Government in case the School Board for the District do not pay the same.

Ordered to lie on the table.

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

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that he had been instructed to hand in the following Resolution and ask leave to sit again.

Resolved, That a supply of \$340,105.75 be granted for the contingent service of the year 1870.

On the question being put it was carried in the affirmative and Resolved accordingly.

On the question being put, Resolved, That a respectful address be sent to His Excellency, asking that the sum of \$1,000 be paid out of the General Revenue for the purpose of completing the purchase of a Steam Fire Engine for the Deluge Co.

On the question being put, Resolved, That the Unofficial Members of the Council be indemnified for their services in the Legislature, at the rate of \$5 per day for 30 days, and also for their travelling expenses from their residences to and from the Seat of Government.

Ordered that leave be granted to sit again at once.

Committee of Supply resumed.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolution for the adoption of the Council, and asked leave to sit again.

On the question being put, Resolved, That the following Supplemental Supplies be voted for the service of the year 1868:—

Governor .....	\$ 582 15
Legislative Council .....	66 74
Colonial Secretary .....	1,539 26
Treasurer .....	540 53
Assay and Refinery .....	504 15
Auditor General .....	520 87
Chief Commissioner of Lands and Works .....	1,027 79
Customs .....	767 08
Registrar General .....	7 75
Post Office .....	1,844 84
Judicial .....	632 85
Attorney General .....	601 49
High Sheriff .....	875 00
Police and Gaols .....	2,312 75
Gold and Assistant Gold Commissioners .....	5,403 37
Pensions .....	3,728 31
Revenue Services .....	2,153 09
Administration of Justice .....	1,724 62
Charitable Allowances .....	5,850 47
Education .....	4,109 51
Police and Gaols .....	3,742 99
Rent .....	90 41
Conveyance of Mails .....	21,643 49
Works and Buildings .....	19,595 33
Roads, Streets, and Bridges .....	9,612 19
Miscellaneous .....	11,621 04
Interest .....	832 34
Drawbacks and Refunds .....	2,595 61
Government Vessels .....	8,818 73
Lighthouses .....	1,142 80
Deposits .....	309 08

On the question being put, Resolved, that the following Supplemental Supplies be voted for the service of the year 1869:—

Governor .....	\$ 61 12
Legislative Council .....	347 20
Colonial Secretary .....	27 25
Collector of Customs .....	1,821 62
Registrar General .....	75 00
Post Office .....	1,310 04
Judicial .....	260 66
Police .....	413 69
Gold and Assistant Gold Commissioners .....	3,279 14
Revenue Services .....	1,468 67
Administration of Justice .....	3,833 99
Charitable Allowances .....	1,167 25
Education .....	376 00
Police and Gaols .....	4,587 19
Rent .....	260 83
Transport .....	5,129 97
Conveyance of Mails .....	5,769 75
Works and Buildings .....	2,309 93
Roads, Streets and Bridges .....	218 22

Ordered that leave be granted to the Committee to sit again on Monday.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock on Monday.

### Monday, the 7th day of March, 1870.

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. Hankin, Crease, Trutch, Hamley, Ball, Bushby, Sanders, O'Reilly, Wood, Robson, Pemberton, Drake, Carrall, Humphreys, Alston, Ring, DeCosmos, Dewdney, Barnard, Holbrook, Helmcken.

The Minutes of the previous Meeting read and confirmed.

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

*Message No. 4.*

A. MUSGRAVE.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to appropriate the sum of \$340,105.75, out of the General Revenue of the Colony of British Columbia and its Dependencies, for the contingent service of the year 1870."

*Government House,  
7th March, 1870.*

On the motion of the Hon. Mr. Helmcken, the Supply Bill was read first time.

Ordered to be read second time at the next sitting of Council.

The Hon. Mr. Barnard presented a Petition from the inhabitants of Lytton, relative to Telegraphic communications.

Ordered to lie on the table.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

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

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following sums voted and Resolutions passed, and submitted the same for the adoption of the Council:—

That the following Supplementary Supplies be voted for the service of the year 1868:—

Transport .....	\$8,571 11
-----------------	------------

For 1869:—

Pensions .....	6,110 97
Miscellaneous Services .....	19,774 09
Interest .....	10,169 66
Immigration .....	1,940 00
Drawbacks .....	258 84
Government Vessels .....	5,063 25
Lighthouses .....	1,133 11
Repayment of Deposits .....	1,049 86

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

On the question being put, Resolved, That a total Supplementary Supply of \$123,367.74 be granted for the service of the year 1868.

On the question being put, Resolved, That a total Supplementary Supply of \$78,217.30 be granted for the service of the year 1869.

Ordered that the Supplementary Supply Bill be read first time at once.

Read first time accordingly.

Ordered to be read second time at next sitting of Council.

On the Order of the day being read for the consideration of the subject of Confederation,

Ordered to be postponed till Wednesday next.

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

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

Resolved that the Report be adopted, and the Bill read third time at next sitting of Council.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked leave to bring in Agricultural Land Tax Bill.

Ordered that leave be granted.



Pursuant to the Order of the day, the Hon. Mr. Drake asked leave to bring in Water Supply Bill.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked leave to bring in Crown Salaries Act Repeal Bill.

Ruled out of order by the President, the motion being substantially the same as one which had already been determined by the Council on 28th February.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Attorney General,—Whether it is the intention of the Government to allow the Chief Justice, or any Justice or Justices sitting as Judge of the Admiralty Court, to take Fees in addition to the Salaries provided for such Justices?

The Hon. the Attorney General replied.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Drake seconding,

That a respectful address be presented to His Excellency, asking that provision be made so that our local Newspapers may pass Free of Postage when passing through the Post Offices of the Colony.

On the question being put the Council divided.

*Ayes 10, Noes 6.*

So it passed in the affirmative and was Resolved accordingly.

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

Ordered to be committed on Wednesday week.

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

Ordered to be committed on Wednesday week.

On the Order of the day being read for the consideration of the Drawbacks Despatches,

Ordered to be postponed till Wednesday week.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Attorney General,—What is the nature of the alterations which the Government propose to make in the Executive Council and in the Legislative Council that are referred to in His Excellency the Governor's opening Speech.

The Hon. the Attorney General replied.

On the Order of the day being read for the motion relative to Indian affairs,

Ordered to be postponed till Wednesday week.

Pursuant to the Order of the day, the Hon. Mr. Drake moved—

That this Council, in view of the discussion on Confederation, be furnished with copies of the Dominion Tariff.

Motion subsequently withdrawn by leave.

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked the Attorney General,—If it is the intention of the Government to amend the law with respect to Water Rights for Agricultural purposes?

The Hon. the Attorney General replied.

Pursuant to the Order of the day, the Hon. Mr. Wood moved, the Hon. Mr. Alston seconding,

That in addition to the Returns moved for by the Hon. Mr. Alston with respect to Public Schools, His Excellency be respectfully requested to order a Return to be made of—

1. What (if any) provision has been made for the examination of Common School Teachers, as well regarding efficiency as character;

2. What (if any) provision has been made for the visitation and inspection of Common Schools;

3. What (if any) regulation has been made for due Returns being made of the Receipts and Expenditure of Common Schools;

4. What (if any) Rules and Regulations have been made for the management and government of Common Schools;

5. What (if any) provision has been made for the establishment and election of Local Boards;

6. What (if any) provision has been made for an Annual Report of the Common Schools of British Columbia for the past year.

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

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked the Chief Commissioner of Lands and Works for information with regard to the result of the Canadian Surveying party under Professor Bell, on the line of the projected Railway from the Dominion to British Columbia.

The Hon. the Chief Commissioner replied.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Drake seconding,

That His Excellency the Governor be respectfully requested to place before this Council Returns of the number of Pre-emption Claims taken up during the past and preceding year, and generally the locality thereof.

On the question being put it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Carrall, relating to Fees for laying over Claims,  
Ordered to be deferred till Wednesday week.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Drake seconding,

That His Excellency be respectfully requested to furnish Returns of the Exports during the past year (1869) from British Columbia.

On the question being put it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Humphreys, relative to Enclosed Land,  
Ordered that leave be granted to withdraw the same.  
Motion withdrawn accordingly.

Pursuant to the Order of the day, the Hon. Mr. Drake asked leave to bring in a County Court Amendment Bill.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked the Magistrate for Lillooet for information relating to the practice of Stipendiary Magistrates authorizing the Sale of Strychnine to Indians.

The Hon. Mr. Sanders replied.

Pursuant to the Order of the day, the Hon. Mr. Humphreys moved, the Hon. Mr. DeCosmos seconding,

That His Excellency be respectfully requested to furnish this Council with Returns of the Revenue collected in the Lillooet District, including Road Tolls, Licences, Fines, Fees, &c.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Alston asked leave to bring in Common Schools Amendment Bill.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Ring moved, the Hon. Mr. Wood seconding,

That a day be named by the President to consider the Petition of Alexander Watson.

The Hon. Mr. Alston moved, in amendment, the Hon. Mr. DeCosmos seconding,

That the consideration of Mr. Watson's Petition be referred to a Committee of the whole Council.

The Hon. Mr. Crease moved in amendment, the Hon. Mr. Bushby seconding,

That the consideration of the Petition of Alexander Watson be referred to a Select Committee.

On the last amendment being put the Council divided.

*Ayes 8, Noes 5.*

So it was carried in the affirmative and Resolved accordingly.

The Hon. the Presiding Member named the following Hon. Members:—  
The Hon. Messrs. Ball, DeCosmos, Sanders, Robson, Ring.

Pursuant to the Order of the day, the Hon. Mr. Ring asked leave to bring in Nanaimo Incorporation Bill.

Ordered that leave be granted.

Pursuant to Order, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That His Excellency be respectfully requested to lay before the Council a Return setting forth the amount of the respective Loans forming the funded Debt on January first, 1870, after deducting Sinking Fund; also the amount

of the Floating Debt at the same date; also the date at which the respective Loans will be payable.

On the question being put it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Wednesday next.

### Wednesday, the 9th day of March, 1870.

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. Hankin, Crease, Trutch, Hamley, O'Reilly, Sanders, Bushby, Ball, Holbrook, Wood, Ring, Alston, DeCosmos, Humphreys, Barnard, Robson, Drake, Carrall, Pemberton, Helmcken, Dewdney.

The Minutes of previous Meeting read and confirmed.

The Hon. Mr. DeCosmos spoke to a question of privilege, in reference to certain statements which had appeared in the *British Colonist*.

The Hon. Mr. Carrall presented the Petition of Peter Eddy.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

Pursuant to the Order of the day, the Supply Bill, 1870, was read second time.

Ordered to be committed forthwith.

The Council went into Committee on the said Bill.

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

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

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

Ordered to be committed forthwith.

The Council went into Committee on the said Bill.

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

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

Pursuant to the Order of the day, the Hon. Mr. Drake moved, the Hon. Mr. DeCosmos seconding,

That His Excellency the Governor be respectfully requested to furnish this Council with Returns of the total cost of the establishment and maintenance of the Assay Office and Mint at New Westminster and Cariboo, from the commencement down to 31st December, 1869.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Medical Bill was read third time, and it was Resolved that this Bill do pass and its title be "The Medical Amendment Ordinance, 1870."

Pursuant to Order, the Council took into consideration the subject of Confederation with the Dominion of Canada.

The Hon. the Attorney General moved, the Hon. the Chief Commissioner of Lands and Works seconding,

That this Council do now resolve itself into a Committee of the Whole to take into consideration the Terms proposed for the Confederation of the Colony of British Columbia with the Dominion of Canada in His Excellency the Governor's Message to this Council.<sup>3</sup>

The Hon. Mr. Drake moved in amendment, the Hon. Mr. Ring seconding, That the question be postponed for six months.

Whereupon a debate arose, which having lasted some time, The Hon. Mr. Trutch moved that the debate be adjourned.

Ordered accordingly.

Debate adjourned till to-morrow.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

### Thursday, the 10th day of March, 1870.

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. Hankin, Trutch, Crease, Hamley, Ball, Sanders, Bushby, Alston, Wood, Holbrook, DeCosmos, Drake, Helmcken, Carrall, Humphreys, O'Reilly, Dewdney, Ring, Robson, Pemberton, Barnard.

The Minutes of the previous Meeting read and confirmed.

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

The Hon. Mr. Dewdney gave notice of motion.

Pursuant to the Order of the day, the Supply Bill was read third time, after a division of the Council.

*Ayes 15, Noes 3.*

And it was Resolved that this Bill do pass and its title be "An Ordinance to appropriate the sum of \$340,105.75, out of the General Revenue of the Colony, for the contingent service of the year 1870."

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

<sup>3</sup> See Appendix

granting a Supplemental Supply of \$201,585.04, out of the General Revenue of the Colony of British Columbia and its Dependencies, for the contingent service of the years 1868-9 respectively."

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

That a respectful address be presented to His Excellency, requesting that the Real Estate Tax Lists for Vancouver Island be deposited in the office of the Registrar General of Titles for inspection.

Pursuant to the Order of the day, the Hon. Mr. Drake moved, the Hon. Mr. Helmcken seconding,

That a respectful address be presented to His Excellency, requesting that all Fines, Forfeitures, and Penalties inflicted by any Magistrate or Justice for the infraction of any By-law of the Municipal Council of the City of Victoria shall be paid into the Treasury of the City.

On the question being put the Council divided.

*Ayes 16, Noes 2.*

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

Pursuant to the Order of the day, the Council resumed the adjourned debate on the subject of Confederation with Canada, which having lasted some time,

The Hon. Mr. Barnard moved that the debate be further adjourned till to-morrow.

Ordered to be adjourned accordingly.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

### Friday, the 11th day of March, 1870.

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. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Wood, Dewdney, Helmcken, Holbrook, Ring, DeCosmos, Humphreys, Robson, Carrall, Alston, Drake, Barnard, Pemberton.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Dewdney gave notice of motion.

The Hon. Mr. Carrall gave notice of motion.

The Hon. Mr. DeCosmos spoke to a question of privilege, in reference to the reports appearing in the *British Colonist*.

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

That a respectful address be presented to His Excellency the Governor, asking that provision be made so that the Currency of the Island and the

Mainland be assimilated by making the English Florin pass as a legal tender at the same value as the American Half Dollar piece.

On the question being put the Council divided.

*Ayes 2, Noes 16.*

So the Resolution was lost.

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

That a respectful address be presented to His Excellency, asking that Tenders be at once advertised for to find out the cost of removing the Sisters' Rock, below Yale.

Pursuant to the Order of the day, the Hon. Mr. Dewdney moved, the Hon. Mr. Drake seconding, and Resolved.

That His Excellency be respectfully requested to lay before this Council a copy of the instructions from the Secretary of State referred to in Governor Seymour's Circular to Heads of Departments in Vancouver Island, dated 20th November, 1866, whereby His Excellency was permitted to state that the reduction under Union would not fall exclusively on the Island Officials; also, that His Excellency may be pleased to inform this Council whether the Officers' Enabling Ordinance, 1867, which disabled the Officers of Vancouver Island, was assented to by the late Governor, if so, the date when such assent was given, and also all correspondence connected with the Officers' Enabling Ordinance.

Pursuant to the Order of the day, the Council resumed the adjourned debate on the subject of Confederation with Canada, which having terminated,

The Hon. Mr. Drake asked leave to withdraw his motion.

Ordered that leave be granted.

Motion withdrawn accordingly.

The original motion of the Attorney-General having been put it was carried unanimously and Resolved,

That this Council do now resolve itself into Committee of the Whole to take into consideration the Terms proposed for the Confederation of the Colony of British Columbia with the Dominion of Canada in His Excellency the Governor's Message to this Council.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted to sit again on Monday.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 p.m. on Monday next.

---

## Monday, the 14th day of March, 1870.

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. Hankin, Crease, Trutch, Hamley, Ball, Bushby, Sanders, O'Reilly, Wood, Robson, Pemberton, Drake, Carrall, Humphreys, Alston, Ring, DeCosmos, Dewdney, Barnard, Holbrook, Helmcken.

The Minutes of the previous Meeting read and confirmed.

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

*Message No. 5.*

A. MUSGRAVE.

In compliance with the Resolutions passed by the Legislative Council on the 7th instant, the Governor forwards the following Returns:—<sup>4</sup>

1. A Return in reference to Public Schools.
2. A Return of Exports for 1869.
3. A Return of Revenue collected at Lillooet in 1869.
4. A Return of Public Loans and Floating Debt.

*Government House,  
14th March, 1870.*

A further Message from His Excellency, read as follows:—

*Message No. 6.*

A. MUSGRAVE.

The Governor has received the Resolution of the Honourable Board of Legislative Council asking him to lay before them a copy of the Instructions from the Secretary of State referred to in Governor Seymour's Circular to the Heads of Departments of Vancouver Island, dated the 20th November, 1866, whereby His Excellency was permitted to state that the reduction under Union would not fall exclusively on Island Officials; and also that the Governor may be pleased to inform the Council whether the Officers' Enabling Ordinance, 1867, which disabled the Officers of Vancouver Island, was assented to by the late Governor; and if so, the date when such assent was given; and also all correspondence connected with the Officers' Enabling Ordinance. In reply, the Governor has the honour to acquaint the Council that he is not aware of any precedent which would justify him in communicating to the Council confidential instructions which may have been issued by Her Majesty's Government to the Governor's predecessors in matters entirely relating to Executive functions.

The Bill referred to by the Council as the Officers' Enabling Ordinance, 1867, was not assented to by the Governor's predecessor, as is obvious from the fact that it is not included among the Ordinances of the Colony, and the Governor is not aware of any correspondence on the subject.

*Government House,  
14th March, 1870.*

A further Message, read as follows:—

*Message No. 7.*

A. MUSGRAVE.

The Governor has had under consideration the Resolution transmitted to him by the Honourable Board of Council, recommending him to take measures to secure the continuance of Telegraphic services between Victoria and Cariboo during the present year, and if provision cannot be made for this service from existing sources of Revenue to send down to the Council a Bill imposing an additional Customs Revenue to meet the expenditure that such Telegraphic service may require.

The Council is aware that the Estimates of Revenue for the current year, after provision for the appropriations which have already been made, do not shew any

<sup>4</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1870, pp. iv-vi.



funds applicable to the proposed object. The Governor, therefore, in accordance with the recommendation of the Council, submits a Bill imposing for one year an addition of two per cent. upon the amount of duties at present raised under the Customs Tariff. The Governor wishes it to be understood that this Bill is presented to the Council in deference to its own wishes expressed to him.

*Government House,  
14th March, 1870.*

Pursuant to the Order of the day, the Council went into Committee on the Resolution sent down by the Governor embodying Terms for Confederation with the Dominion of Canada.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that the Committee suggested the adoption of the following portion of the Resolution sent down by His Excellency, embracing the Terms of Confederation with Canada, and sent in a Recommendation to His Excellency on certain points of such Resolution. The Chairman also asked leave to sit again.

Ordered that leave be granted for to-morrow, and that the Report be adopted as follows, the Hon. Mr. DeCosmos *dissentiente* to Sections 2 and 3:—

Resolved, That it is expedient that the Colony of British Columbia should be Confederated with Canada, on the following Terms and Conditions, that is to say:—

1. Canada shall be liable for the Debts and Liabilities of British Columbia existing at the time of Union.

2. The population of British Columbia shall, for the purpose of financing arrangements, be estimated at 120,000. British Columbia not having incurred debts equal to those of other Provinces now constituting the Dominion, shall be entitled to receive, by half-yearly payments in advance from the General Government, Interest at the rate of 5 per centum per annum on the difference between the actual amount of its indebtedness at the date of Union and the proportion of the Public Debt of Canada for 120,000 of the population of Canada at the time of Union.

3. The following sums shall be annually paid by Canada to British Columbia, for the support of the Local Government and Legislature, to wit:—

An Annual Grant of \$35,000, and a further sum equal to 80 cents a head per annum of the population of British Columbia, being estimated as aforesaid at 120,000, such grant equal to 80 cents a head to be augmented according to the increase of population, when such may be shewn, until the population amounts to 400,000, at which rate such grant shall thereafter remain.

Recommendation.

Resolved, That His Excellency be respectfully requested to strike out "\$35,000," in Section 3, and insert in lieu thereof "\$75,000," and that in Section 3, the population shall be "1,000,000" instead of "400,000."

The Hon. Mr. Drake moved the adjournment till 1 on Wednesday.

The Hon. Mr. Robson, in amendment, till 1 to-morrow.

On the amendment being put the Council divided.

*Ayes 6, Noes 13.*

So the amendment was lost, and the Council adjourned till 1 o'clock on Wednesday.

### Wednesday, the 16th day of March, 1870.

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

The Hon. Mr. Crease, being the Senior Member present in order of precedence, took the Chair as Presiding Member.

Present,—The Hon. Messrs. Crease, Trutch, Hamley, Ball, Bushby, O'Reilly, Sanders, Dewdney, Pemberton, Ring, Alston, DeCosmos, Helmcken, Robson, Humphreys, Carrall, Holbrook, Wood.

The Minutes of the previous Meeting were read, amended, and confirmed.

The Hon. the Colonial Secretary entered the Council Chamber while the Minutes were being read, and took the Chair as Presiding Member.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Dewdney gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee on the Resolution relative to Confederation.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that Sections of the Resolution had been passed as follows:—

4. The Dominion shall guarantee interest at the rate of 5 per centum per annum on such sum, not exceeding £100,000, as may be required for the construction of a first class Graving Dock at Esquimalt.

5. In addition to other provisions of this Resolution, Canada shall assume and defray the charges of the following Services.

*a.* Salary and Allowances of the Lieutenant Governor;

*b.* Salaries and Allowances of the Judges and Officers of the Supreme Court, and of the County Courts;

*c.* The charges in respect to the Department of Customs;

*d.* The Postal Department;

*e.* Lighthouses, Buoys, Beacons, and Lightships, and such further charges as may be incident to and connected with the services which by the "British North America Act, 1867," appertain to the General Government, and as are or may be allowed to the other Provinces.

6. Suitable Pensions, such as shall be approved of by Her Majesty's Government, shall be provided by the Government of the Dominion for those of Her Majesty's Servants in the Colony, whose position and emoluments derived therefrom would be affected by political changes on the admission of this Colony into the Dominion of Canada.

7. The Dominion Government shall supply an efficient and regular fortnightly Steam Communication between Victoria and San Francisco by Steamers adapted and giving facilities for the conveyance of passengers and cargo.

With the following Recommendation, That His Excellency be respectfully requested to insert the word "Pensions" after "Allowances" in Subdivision *b*, Section 5., and asked leave to sit again.

Ordered that the report be adopted, and leave be granted to sit again to-morrow.

The Hon. Mr. Humphreys moved that the Standing Orders be suspended.

Ordered accordingly.

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 p.m. to-morrow.