

**SECOND HOUSE OF ASSEMBLY  
FOURTH SESSION**

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MINUTES OF THE SECOND HOUSE OF ASSEMBLY  
OF VANCOUVER ISLAND—FOURTH SESSION

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Friday, the 2nd day of January, 1863

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Present: Mr. Speaker, Drs. Tolmie, Trimble, Messrs. Franklin, Cary, Foster, Trutch, Burnaby, Cocker.

His Excellency the Governor attended by the Members of the Legislative Council addressed the Legislative Bodies as follows;

*Honorable Gentlemen of the Legislative Council and of the House of Assembly.*

The requirements of the Public Service have rendered it necessary to call you together at this time after an unusually brief respite from your legislative duties.

The business which I have to press upon your attention is the consideration of the Estimates intended for the Service of the current year; and also of certain Acts for enabling companies, properly constituted, to acquire the land necessary for their operations.

The importance of such measures in their present bearings on the employment of labour and on the prospective interests of the Colony, is so well known and so generally recognized that I feel assured no *unnecessary* delay will occur in their passage through the Legislature.

Government will have to extend its fostering care to the recently formed Settlements at Cowichan and Comax, to provide for their protection and security, and to furnish such aid as may be deemed advisable for the secular and religious instruction of the settlers in those Districts.

It affords me great satisfaction to state that the returns received from the Land office shew that there is a rapidly increasing demand within the Colony for the acquisition of public land, the areas conveyed *by sale*, and occupied under the Pre-emption Act *without purchase*, for the year 1862, being about 90 per cent in excess of the quantities sold, and otherwise conveyed in 1861.

I may also allude to the gratifying circumstance that a highly respectable English Association is about to form a Settlement at Quatseeno on the West Coast of Vancouver Island. They propose to open mines of coals, to establish Fisheries, to embark largely in the export of deals and ships spars and in other branches of Trade that promise remunerative Employment for Capital. I will make no comment on the character of an enterprize of such obvious importance to the progress of the Colony. I shall not fail to extend to it all the protection and encouragement in my power, and I trust it may prove completely successful, and fully realize the hopes of its spirited projectors.

I will again call the attention of the Legislature to the great importance of providing for a Geological Survey of the Colony—a measure well calculated to develop its true interests and resources. The mountain ranges which now so unprofitably occupy a large portion of the Island are, with good reason supposed to abound in valuable minerals. When that fact is demonstrated by carefully conducted scientific explorations, a new era will dawn upon the Colony and sources of wealth will be laid open which must eventually place it at the summit of material prosperity.

Assistance will be asked from the House for the purpose of carrying that object into effect; and also for encouraging the taking of Cod and other fish on the coasts of the Island; and as a means of stimulating trade and settlement, I shall propose a small grant, to be employed in subsidizing a steam vessel to ply, at stated intervals, between Comax and Victoria, touching Cowichan, Salt Spring, Nanaimo, and the other intermediate settlements.

Gentlemen of the Legislative Assembly.

The Estimates for the year will shortly be laid before you, wherein I have provided for the various services before alluded to, and for other services not herein specially noticed.

Honorable Gentlemen of the Legislative Council and of the House of Assembly;

A Bill to legalize the collection of small debts, and to reduce the costs, and modify the present procedure, will together with other measures, be introduced and submitted, in course of the Session, for your consideration.

Mr. Cocker gave notice of intention to bring in a Bill to prohibit Sunday Trading.

Mr. Cocker presented a Petition from Alfred Waddington and others praying the House to authorize the construction of a Railway.

Dr. Tolmie gave notice of intention to bring in a Bill to repeal and amend the laws affecting the repair improvement and regulation of Roads in Vancouver Island and its Dependencies.

Mr. Cary moved that the Estimates be taken into consideration on Thursday next.

Mr. Franklin will ask information of the House [governor and Council?] as to the condition of the Indian Reserve.

House adjourned till Monday next at 3 P. M.

## Tuesday, the 6th day of January, 1863

The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Burnaby, Cary, Cocker, Franklin, Dr. Tolmie.

The Minutes of the last Meeting were read and confirmed.

Mr. Speaker read the Governor's speech to the House on its opening.

Mr. Cocker moved the following Address thereto.

Seconded by Mr. Burnaby.

To His Excellency Governor Douglas C. B. &c. &c. &c.

We Her Majesty's dutiful and loyal subjects the House of Assembly of Vancouver Island and its Dependencies fully recognize the importance of the measures which Your Excellency presses upon our attention and will expedite their passage without delay.

We are gratified with the expression of Your Excellency's concern as to the newly formed settlements of Cowichan and Comox and will be happy on our part to concur in any measures for their advancement as well as for the development of the natural resources of the Colony generally and we concur with Your Excellency's opinion that it is highly desirable to give every assistance which may be possible to the advancement of the general settlement of this Colony.

The House is gratified also with the improvement of the general prospects of the Colony reported by Your Excellency's Address and will proceed during the present session to consider such measures of Legal reform and other matters as may be submitted for our consideration.

Address agreed to *nem. con.*

House went into Committee of the Whole on Road Bill and Sunday Trading Bill.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported Road Bill complete and Sunday Trading Bill with Amendments.

Road Bill read 1st time.

Sunday Trading Bill read 1st time.

Mr. Cary introduced certain revised Standing orders on Private Bills.

Referred to Committee on Standing orders.

House adjourned till tomorrow at 3 P. M.

J. S. Helmcken  
Speaker

### Wednesday, the 7th day of January, 1863

The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Franklin, Cary, Forster, Cocker, Drs. Tolmie, Trimble.

The Minutes of the last meeting were read and confirmed.

Mr. Speaker read the Address, moved by Mr. Cocker, to the Governor, which was agreed to by the House.

Sunday Trading Bill was read a 2nd time and ordered to be committed.

"Road Bill" was read 2nd time and committed.

Mr. Speaker left the Chair.

Mr. Cocker took the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported Road Bill complete with amendments.

Report adopted.

House adjourned till 3 tomorrow.

### Thursday, the 8th day of January, 1863

The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Cary, Franklin, Forster, Trutch, Cocker, Drs. Tolmie, Trimble.

The Minutes of the last meeting having been read and confirmed.

The amendments made to Road Bill were agreed to by the House.

The Road Bill was then read a 3rd time and passed.

Mr. Forster gave notice of intention to bring in a Bill for the regulation of the Harbours of Vancouver Island.

Mr. Franklin made certain remarks with reference to the "Indian Reserve."

Dr. Trimble asked for information with reference to Dredging Machine.

House adjourned till 3 P. M. on Thursday next.

J. S. Helmcken  
Speaker

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### Thursday, the 15th day of January, 1863

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The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Cary, Franklin, Cocker, Ring, Dr. Tolmie.

The Minutes of the last meeting having been read and confirmed.

Mr. Ring gave notice that he should move that a clerk be appointed for the House.

Mr. Ring also gave notice of intention to bring in the following Bills, viz.;

A Bill to facilitate and expedite the administration of Justice in all cases of summary convictions.

A Bill for constituting Inferior Courts of Civil Justice in Vancouver Island and its Dependencies, and A Bill to regulate Pilotage.

Dr. Tolmie gave notice of intention to bring in a Bill to amend the Alien Act of 1861.

Mr. Cary gave notice of intention to bring in a Bill to declare the validity of Debentures issued by the Municipality of Victoria.

House then went into Committee.

Mr. Speaker left the Chair.

Mr. Cocker in the Chair.

Bill to prohibit Sunday Trading.

Mr. Speaker resumed the Chair.

Mr. Chairman reported the Bill with amendments.

Mr. Cary gave notice of motion that a Supply be granted to Her Majesty.

House adjourned till Monday 19th January.

J. S. Helmcken  
Speaker.

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### Monday, the 19th day of January, 1863

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The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Burnaby, Franklin, Forster, Southgate, Cary, Cocker, Ring, Trutch, Drs. Trimble, Tolmie.

The Minutes of the last meeting having been read and confirmed.

Mr. Speaker read a Message from His Excellency the Governor enclosing copy of an Order in Council leaving to their operation the following Acts, viz.;

An Act to authorize the Governor of Vancouver Island and its Dependencies to borrow money for temporary purposes.

An Act to confirm the appointment of certain Members of the Court of Revision under the Real Estate Tax Act 1860.

An Act to enlarge the time limited by the Victoria Gas Company's Act 1860 and the Victoria Gas Company's extension Act 1861 for the establishment of Gas Works and Buildings by the Victoria Gas Company.

An Act to authorize the Chief Justice of Vancouver Island and its Dependencies to make certain necessary appointments.

An Act to establish Fire limits within the Town of Victoria.

An Act to protect the property of a wife deserted by her husband.

An Act to authorize the appointment of a Sanatory Commission for the Town of Victoria and to define the powers thereof.

Mr. Cary handed in the following report from the Committee on Standing Orders.

Standing Orders on Private Bills

Present: Dr. Tolmie, Mr. Franklin and Mr. Cary

Resolved (Dissentiente Dr. Tolmie) that this Committee recommends that the Standing Orders on Private Bills of 1858 shall as altered by the Standing Orders annexed to this report be the Standing Orders for this Session.

(sd.) Selim Franklin

(sd.) George Hunter Cary

Mr. Ring brought in a Bill to give an Appeal in all cases of summary conviction. Seconded by Dr. Trimble.

Bill read 1st time and ordered to go to second reading.

Mr. Ring brought in a Bill for constituting Inferior Courts of Civil Justice in Vancouver Island and its Dependencies.

Seconded by Mr. Franklin.

Bill read 1st time.

The Sunday Trading Bill was read a 3rd time and passed.

Mr. Ring asked, in pursuance of motion, that a Clerk be appointed.

Mr. Forster moved That the House do go into Committee on a day to be named to consider the proper mode of appointing a Clerk.

Tomorrow (Tuesday) appointed.

Mr. Ring withdrew his motion.

House adjourned till tomorrow at 3 P. M.

J. S. Helmcken.

Speaker

**Tuesday, the 20th day of January, 1863**

The House met at 3 P. M.

Present: Messrs. Cary, Forster, Franklin, Tolmie, Trutch, Burnaby, Ring, Dr. Trimble.

The Minutes of the last Meeting having been read and confirmed.

Mr. Burnaby presented a Petition from the Water Works Company praying the House to pass an Act to enable them to construct reservoirs and ditches for the introduction of Water into Victoria.

Ordered to lie on the table.

Mr. Cary introduced a Bill to declare the validity of Debentures issued by the Municipal Council.

Seconded by Colonel Forster.

Bill read 1st time and ordered to go to second reading.

Dr. Tolmie brought in a Bill to amend the Alien Act 1861.

Bill read 1st time.

2nd Reading of Appeal Bill.

Mr. Cary moved that it be read 2nd time this day six months.

Mr. Franklin seconded the motion.

Motion carried, 2-4.

Standing orders read 1st time and ordered to be read 2nd time tomorrow.

House in Committee on the appointment of a Clerk.

Mr. Franklin in the Chair.

Mr. Forster moved that notwithstanding the precedent established at the last election of the Clerk of this House in 1860 it is the opinion of this House that the appointment of the Clerk should in future be made by the Executive.

Motion carried.

Mr. Speaker resumed the Chair.

Mr. Chairman reported the above resolution—which was agreed to.

House adjourned till 3 tomorrow.

J. S. Helmcken

Speaker

### Wednesday, the 21st day of January, 1863

The House met at 3. P. M.

Present: Mr. Speaker, Messrs. Cocker, Burnaby, Cary, Franklin, Dr. Tolmie.

The Minutes of the last meeting having been read and confirmed.

Mr. Speaker read the report of the Chairman of Committee on the proper mode of appointing a Clerk which was agreed to by the House.

The Standing orders on Private Bills were read a second time and ordered to be committed tomorrow.

House adjourned till tomorrow at 3 P. M.

J. S. Helmcken

Speaker.

### Thursday, the 22nd day of January, 1863

The House met at 3 P. M.

Present: Messrs. Cary, Tolmie, Franklin, Burnaby, Trutch, Cocker, Trimble, Dr. Tolmie.

The Minutes of the last meeting were read and confirmed.

Mr. Speaker read the following Message from His Excellency the Governor.

Vancouver Island.

22nd January, 1863.

To the Speaker and Gentlemen of the Honorable House of Assembly;  
Gentlemen,

I have the honour to lay before you, herewith, detailed Estimates of the Revenue and Expenditure of the Colony of Vancouver Island for the year ending 31st December 1862, accompanied by the undermentioned Documents.

Abstract of Revenue and Expenditure for year ending 31st December 1862.

Comparative Statement of Estimated with actual Expenditure for year ending 31st December 1862.

I have &c.

(sd.) James Douglas

Mr. Cocker presented a Petition from Dugald Mactavish and Alfred Waddington praying the House to pass a Bill to confirm and declare the terms under which the Victoria Gas Company may supply Gas.

House went into Committee on Standing orders.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported the Standing orders complete without amendments.

Mr. Franklin gave notice that he will move in Committee of Supply.

Provided always that certain sums shall not be paid out of or charged upon the General Revenue of the said Colony until the entire revenue including the instalments due on Land and the public lands of the said Colony are placed under the control of the Legislature.

House adjourned till tomorrow at 3 P. M.

J. S. Helmcken  
Speaker

### Friday, the 23rd day of January, 1863

The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Cary, Burnaby, Ring, Trutch, Forster, Franklin, Dr. Tolmie.

The Minutes of the last Meeting having been read and confirmed.

Dr. Trimble gave notice "that on Monday next an Address will be presented asking His Excellency to declare the Port of Nanaimo a port of Entry."

The Standing orders were read 3rd time and passed.

The House then went into Committee of Supply.

Mr. Burnaby in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported that the Committee had much pleasure in recommending that a Supply be granted to Her Majesty and requested the House to appoint a Day to consider the same.

The House appointed Tuesday next.

The House then adjourned till 3 P. M. on Monday.



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## Tuesday, the 27th day of January, 1863

The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Ring, Burnaby, Cary Trutch, Forster, Franklin, and Drs. Tolmie, Trimble.

The minutes of the last Meeting having been read and confirmed.

Mr. Forster brought in a Bill for the regulation of Harbours of Vancouver Island. 2nd by Mr. Trutch.

Bill read 1st time.

Dr. Tolmie moved 2nd Reading of the Bill to amend the Alien Act 1861.

Mr. Trutch 2nd the motion.

Dr. Trimble moved that the Bill be read this day six months.

Mr. Ring 2nd the motion.

Bill read 2nd time—6 to 2.

Mr. Ring moved 2nd reading of Bill for constituting Inferior Courts of Civil Justice.

Mr. Cary 2nd the motion.

Bill read 2nd time.

House went into Committee on Notice of Dr. Trimble that on Monday next An Address be presented asking His Excellency to declare the Port of Nanaimo a Port of Entry.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported from the Committee that An Address be presented asking His Excellency to declare the Port of Nanaimo a Port of Entry.

House then adjourned till tomorrow at 3 P. M.

J. S. Helmcken

Speaker

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## Wednesday, the 28th day of January, 1863

The House met at 3 P. M.

Present: Messrs. Cary, Burnaby, Ring, Trutch, Forster, Franklin, Drs. Trimble, Tolmie.

The Minutes of the last Council having been read and confirmed.

The report of the Chairman of Committee on Address to His Excellency to declare the Port of Nanaimo a Port of Entry was agreed to by the House.

Mr. Speaker appointed the following Committee on Private Bills. Messrs. Forster, Trutch, Ring, Drs. Tolmie, Trimble.

Select Committee on Standing orders. Messrs. Forster, Trutch, Ring, Drs. Tolmie, Trimble.

House then went into Committee of Supply.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported progress and asked leave to sit again.

House adjourned till 3 today—Thursday.

J. S. Helmcken

Speaker.

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**Thursday, the 29th day of January, 1863**

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The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Ring, Burnaby, Cary, Trutch, Forster, Franklin, Drs. Trimble, Tolmie.

The Minutes of the last meeting were read and confirmed.

Mr. Cary moved that the Petition asking the House to pass a Bill to declare and confirm the terms under which the Victoria Gas Company shall supply Gas and The Petition from the Water Works Company praying the House to pass An Act to enable them to construct reservoirs and Ditches for the introduction of Water into Victoria and The Petition from the Railway Company praying the House to pass an Act to authorize the construction of a Railway be referred to the Committee on Standing orders.

Committee appointed to meet on Saturday at 12. oclock noon.

A Bill to declare the validity of Debentures issued by the Municipal Council was read 2nd time and ordered to be Committed.

The House then went into Committee of Supply.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported progress and asked leave to sit again.

Leave granted.

House adjourned till 3 tomorrow.

J. S. Helmcken

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**Friday, the 30th day of January, 1863**

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The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Cary, Trutch, Forster, Franklin, Dr. Tolmie.

The Minutes of the last meeting having been read and confirmed.

The House went into Committee of Supply.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported progress and asked leave to sit again.

House adjourned till Monday at 3 P. M.

J. S. Helmcken

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**Monday, the 2nd day of February, 1863**

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The House met at 3 P. M.

Present: Mr. Speaker, Drs. Trimble, Tolmie, Messrs. Burnaby, Cary, Forster, Franklin.

The Minutes of the last Meeting having been read and confirmed.

Mr. Forster handed in the following report from the Committee of Private Bills.

Committee of Private Bills met on Saturday 31 January 1863.

Certain amendments in the Gas Bill to enable the Company to pass By laws were laid before your Committee which were formed in accordance with the Standing orders of Your Honorable House and Your Committee beg respectfully to report accordingly.

Victoria, V. I. Jany. 31st 1863.

(sd.) George A. Forster  
[George Foster Foster]  
Chairman

The House then went into Committee on the Gas Amendment Act and An Act to declare the validity of the Debentures issued by the Municipal Council and the mode of enforcing the payment of the Assessments, Licenses, Fines and Penalties directed to be assessed and levied by the By laws passed by the Municipal Council by virtue of the Victoria Representation Act 1862.

Mr. Burnaby in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported A Bill to amend the Alien Act 1861 without amendments and The Victoria Incorporation Amendment Act with Amendments and asked leave to sit again.

Dr. Tolmie gave notice that he should move the following amendments.

That accounts of the Revenue and Expenditure shall be published annually and in default that the corporation shall cease to exist.

That the accounts shall be duly audited.

That the Members of the Council shall not receive any pay or reward for their services.

That the Members of Council shall be termed Councilmen in lieu of Councillors.

That the one per cent Assessment made for general use in the Colony shall as finally passed be the Assessment used by the Mayor and Council for necessary taxation.

House adjourned till 3 tomorrow.

## Tuesday, the 3rd day of February, 1863

The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Franklin, Burnaby, Cary, Dr. Trimble.

The Minutes of the last meeting having been read and confirmed.

The House went into Committee of Supply.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman would report certain supplies tomorrow.

Mr. Burnaby brought in a Bill—Gas By law Bill.

Mr. Burnaby gave notice that he will ask for the following returns tomorrow.

A Return shewing the contracts entered into during the past year for construction of Public roads—shewing the amount expended on each in the past year.

A return in detail shewing the amount still outstanding on Works for Public Roads commenced during the past year and continued during the present year.

A return stating the nature of the Works proposed to be executed during the present year for Public roads.

House adjourned till 3 tomorrow.

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### Wednesday, the 4th day of February, 1863

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The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Cary, Forster, Burnaby, Franklin, and Dr. Trimble.

The minutes of the last meeting having been read and confirmed.

Mr. Burnaby pursuant to notice at the last meeting asked for the following returns.

A Return shewing the Contracts or other arrangements entered into during the past year for construction of Public Roads—shewing the amount expended on each in the past year.

A Return in detail shewing the amount still outstanding on Works for Public roads commenced during the past year and continued during the present year.

A Return stating the nature of the works proposed to be executed during the present year for Public roads.

House agreed thereto.

A Bill to amend the Alien Act was read a 3rd time and passed the House.

A Bill for the regulation of the Harbours of Vancouver Island was read 2nd time and ordered to be committed.

Mr. Cary moved that the House go into Committee of Ways and Means tomorrow.

The House then went into Committee on the Victoria Incorporation Amendment Act 1863 and A Bill for the regulation of the Harbours of Vancouver Island.

Mr. Burnaby in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported progress in Victoria Incorporation Amendment Act and asked leave to sit again and Bill for the regulation of the Harbours of Vancouver Island complete with amendments.

The House then adjourned till 3 tomorrow.

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## Friday, the 6th day of February, 1863

House met at 3 P. M.

Present: Messrs. Franklin, Cary, Ring, Forster, Drs. Trimble, Tolmie.

The Minutes of the last meeting having been read and confirmed.

The following Message from the Governor was read by the Speaker.

Vancouver Island

February 4th 1863.

To The Speaker and Gentlemen of the House of Assembly.

Gentlemen,

I have the honor to transmit to you a Supplemental Estimate for Lighthouse Expenses which although embodied in the Abstract of Expenditure for the year 1863 transmitted to you does not appear in the detailed Estimate—viz.;

|   |   |         |
|---|---|---------|
| Moiety of Expenses necessary for maintenance of Lighthouses at<br>Race Rocks and Fisgard Island—the other moiety being paid by<br>British Columbia. | } | \$2910. |
|---|---|---------|

I have &c.

(signed.) James Douglas

Mr. Speaker also read the following Message from the Governor.

Vancouver Island

February 4th 1863

To The Speaker and Gentlemen of the House of Assembly.

Gentlemen,

Since forwarding to you the accounts of receipt and Expenditure for the year ending 31st December 1862 I have received the report of the Colonial Auditor upon the accounts of the Colony for that period.

From that report it appears that the Expenditure as finally passed and brought to account amounts to

|                                   |               |
|-----------------------------------|---------------|
|                                   | £29,833.16.11 |
| While the votes of Supply were    | 25,451. 0. 0  |
|                                   | £4,382.16.11  |
| being an excess of Expenditure of | £4,382.16.11  |

This Expenditure is however more a matter of account for the year than an actual excess of disbursement over and above the votes of Supply as the following figures will shew.

|  |             |
|--|-------------|
| Vote of House in 1861 for Mail subsidy but not expended<br>till 1862                   | £2500.      |
| Resolution of House to procure new Engine, &c. for Fire<br>Department                  | 850         |
| Excess of Expenditure in 1862 over vote for Roads under<br>authority of Loan Acts 1862 | 2638. 8.10  |
|  | £5988. 8.10 |
| Excess as above shewn  | 4382.16.11  |

|  |             |
|--|-------------|
| Leaving a Balance short expended of existing authorities | £1605.11.11 |
|--|-------------|

I have therefore to request that the House will pass a vote in the present year's supply for the sum aforesaid of Four thousand three hundred and Eighty two pounds, sixteen shillings and eleven pence, which appears in excess as before shewn of the supply for the year ending 31st December 1862.

I have &c.

(signed.) James Douglas

House in Committee of Ways and Means.

Mr. Franklin in the Chair.

Dr. Helmcken moved the following resolution.

That \$25705 be voted for the Civil List and Indian Titles under the same proviso as last year.

Dr. Helmcken also moved that the sum of \$247,220 [\$247,225] be paid out of the General Revenue for the supplies granted to the use of Her Majesty.

Mr. Chairman reported.

The Harbour Regulation Bill was read a 3rd time and passed the House of Assembly.

A Bill to enable the Victoria Gas Company to pass By Laws was read a 2nd time and ordered to be referred to Select Committee on Private Bills.

Mr. Cary asked leave to bring in a Bill to Authorize the use of Stamps with a denomination of Dollars and Cents.

House then went into Committee on Incorporation Amendment Act.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported Bill with amendments.

Dr. Trimble gave notice that he will on Monday next move that the House take into consideration the necessity of extending the City limits.

Mr. Speaker balloted the following Members as a Committee on Private Bills.

Messrs. Cary, Chairman, Coles, Trimble, Forster, Burnaby.

House then adjourned till Monday at 3 P. M.

## Tuesday, the 10th day of February, 1863

The House met at 3 P. M.

Present: Messrs. Ring, Burnaby, Franklin, Drs. Trimble, Tolmie.

The Minutes of the last Meeting having been read and confirmed.

Mr. Burnaby brought in a Petition to withdraw the Victoria and Esquimalt Railway Bill.

The Prayer of the Petition was granted.

Mr. Burnaby introduced a Bill to declare the denominations to be used in the various stamps issued under the Stamp Act 1862.

Bill read 1st time.

Dr. Helmcken brought in a Bill entitled "An Act to apply the sum of Twenty five thousand seven hundred and five Dollars (\$25705.) out of the general revenue or the payment of certain salaries and expenses for the service of the year one thousand eight hundred and sixty three."

Bill read 1st time.

Dr. Helmcken also brought in a Bill entitled An Act to apply the sum of Two hundred and forty seven thousand two hundred and twenty five Dollars out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the service of the year one thousand eight hundred and sixty three.

Bill read 1st time.

The House then went into Committee on a Bill for constituting Inferior Courts of Civil Justice in Vancouver Island and its Dependencies.

Mr. Burnaby in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported the Bill complete with amendments.

The House then adjourned till tomorrow at 3 P. M.

J. S. Helmcken  
Speaker

### Wednesday, the 11th day of February, 1863

The House met at 3 P. M.

Present: Messrs. Ring, Burnaby, Forster, Franklin, Dr. Trimble.

The Minutes of the last Meeting having been read and confirmed.

Mr. Burnaby gave notice of intention to bring in a Bill entitled An Act to declare the fees licenses and dues payable for the entrance and clearance of vessels and for permits for landing goods and for licenses to scows Boats and other small craft in Ports of Entry in Vancouver Island other than Victoria and Esquimalt.

A Bill for constituting Inferior Courts of Civil Justice in Vancouver Island and its Dependencies was read a third time and passed the House of Assembly.

An Act to apply the sum of Twenty five thousand seven hundred and five Dollars out of the General Revenue for the payment of certain Salaries and expenses for the service of the year one thousand eight hundred and sixty three was read a second time and ordered to be committed.

A Bill entitled An Act to apply the sum of Two hundred and forty seven thousand two hundred and twenty five Dollars out of the General Revenue of the Colony of Vancouver Island and its Dependencies for the service of the year one thousand eight hundred and sixty three was read a second time and ordered to be committed.

House then went into Committee on Supply Bills and A Message from the Governor elucidating an apparent Excess of Expenditure between the Votes of Supply and Expenditure for the year 1862.

Mr. Franklin in the Chair.

Dr. Helmcken moved that a Bill of Indemnity be brought in.

Mr. Speaker resumed the Chair.

Mr. Chairman reported that the Committee recommend that the amount as asked for be granted.

Mr. Forster from Select Committee on Standing orders recommended that the Prayer of the Petition from the Victoria Railway Company be granted.

The House then adjourned till 3 tomorrow.

J. S. Helmcken

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**Friday, the 13th day of February, 1863**

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The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Ring, Forster, Franklin, Burnaby, Dr. Tolmie.

The Minutes of the last meeting having been read and confirmed.

Mr. Speaker read a message from the Governor enclosing a Supplemental Estimate;

|  |         |
|--|---------|
| Library for the use of the Members of Assembly | \$1000. |
| Small Pox Hospital                             | 1000.   |
| Female Ward in the Royal Victoria Hospital     | 750     |

The consideration was ordered for next week.

Mr. Speaker read a message from the Legislative Council forwarding Sunday Trading Bill with certain amendments.

Consideration ordered for Monday next.

Mr. Speaker read a message from the Council forwarding the Vancouver Island Land Clauses Consolidation Bill, Read 1st time, and the Railway Clauses Consolidation Bill, Read 1st time.

Bill of Supply for \$247,225. was read a third time & passed.

Bill of Supply for \$25,705. was read a third time and passed.

The House then went into Committee.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported Bills with amendments.

House adjourned till Monday 16th.

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**Monday, the 16th day of February, 1863**

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House met at 3 P. M.

Present: Mr. Speaker, Messrs. Burnaby, Forster, Franklin, Dr. Tolmie.

The minutes of the last meeting were read and confirmed.

The amendments to the Sunday Trading Bill were considered by the House and unanimously rejected.

A Bill to declare the fees licenses and dues payable for the entrance and clearance of vessels and for Permits for landing goods and for licenses to scows boats and other small craft in the Ports of Entry in Vancouver Island other than Victoria and Esquimalt was read a 2nd time.

The House then went into Committee on Governor's Message transmitting Supplementary Estimate and the Committee agreed to each item.

The Stamp Act 1863 was also in Committee.

Mr. Franklin in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported that the Committee agreed to each item in the



Governor's Estimate, viz.;

|   |         |
|---|---------|
| Library for the use of Members of House of Assembly | \$1000. |
| Small Pox Hospital                                  | 1000.   |
| Female Ward to Royal Victoria Hospital              | 750     |

and The Stamp Bill 1863 without amendments.

The House then adjourned till 3 tomorrow.

J. S. Helmcken  
Speaker.

### Thursday, the 19th day of February, 1863

The House met at 3 P. M.

Present: Mr. Speaker, Drs. Trimble, Tolmie, and Messrs. Cocker, Franklin, Burnaby, Foster.

The Minutes of the last Meeting were read and confirmed.

The Speaker read a message from the Governor announcing his assent to "An Act for the regulation of Harbours of Vancouver Island."

Dr. Trimble from the Select Committee on the Victoria Gas Company Bill (By Laws) recommended that the words commencing "N. B. The Company (page 2 down to end of page 3)" be stricken out of the Bill.

Colonel Foster from the Committee on Standing orders reported that in conformity with the demand of the Agent for the Victoria Water Works Company Bill the Committee recommends the withdrawal of the Bill to be sanctioned by the House.

The Stamp Bill 1863 was read a third time and passed.

A Bill to grant a supplemental supply of \$22,329.53/100—Twenty two thousand three hundred and twenty nine dollars and fifty three cents for the service of the year 1863 was read a second time and ordered to be committed.

"A Bill for consolidating in one Act certain provisions usually inserted in Acts authorizing the taking of Lands for undertakings of a public nature" was read a 2nd time and ordered to be committed.

"A Bill for consolidating in one Act certain provisions usually inserted in Acts authorizing the making of Railways" was read a 2nd time and ordered to be committed.

The House then went into Committee on the following Bills.

Mr. Franklin in the Chair.

Bill to declare the fees licenses and dues payable for the entrance and clearance of Vessels and for permits for landing goods and for licenses to Scows Boats and other small Craft in the Ports of Entry in Vancouver Island other than Victoria and Esquimalt.

A Bill entitled the "Victoria Incorporation Amendment Act."

A Bill entitled "the Vancouver Island Land Clauses Consolidation Act."

Mr. Speaker resumed the Chair.

Mr. Chairman reported Bills with amendments.

J. S. Helmcken

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**Friday, the 20th day of February, 1863**

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The House met at 3 P. M.

Present: Messrs. Franklin, Burnaby, Drs. Trimble, Tolmie, Colonel Foster.

The Minutes of the last Meeting having been read and confirmed.

A Bill entitled "The Ports of Entry Act 1863" was read a third time and passed.

A Bill granting a Supplementary Supply of Twenty four Thousand one hundred and twenty nine Dollars and Fifty three Cents was read a third time and passed.

Mr. Speaker explained that the Supplemental Bill as brought in contained a slight error in the addition and which had been corrected.

A Bill entitled "The Land Clauses Consolidation Act" was read a 3rd time and passed.

A Bill entitled "The Railway Clauses Consolidation Act" was read a 3rd time and passed.

A Bill entitled The Incorporation Amendment Act 1863 was read a third time and passed.

A Bill to define and confirm the Terms under which the Victoria Gas Company shall supply Gas and Gas Metres and to authorize the Victoria Gas Company to make By Laws with regard to such supply was read a second time and passed into Committee.

House then went into Committee.

Mr. Burnaby in the Chair.

Mr. Speaker resumed the Chair.

Mr. Chairman reported Bill to confirm the Terms under which the Victoria Gas Company shall supply Gas and Gas Metres and to authorize the Victoria Gas Company to make By laws with regard to such supply—complete with amendments.

The House then adjourned till Monday 23rd Instant.

J. S. Helmcken

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**Monday, the 23rd day of February, 1863**

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The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Cocker, Burnaby, Foster, Franklin, Dr. Tolmie.

The Minutes of the last meeting having been read and confirmed.

A Bill to confirm the Terms under which the Victoria Gas Company shall supply Gas and Gas Metres and to authorize the Victoria Gas Company to make By Laws with regard to such supply, was read a third time and passed the House.

The House then adjourned till tomorrow at 3 P. M.

J. S. Helmcken

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**Tuesday, the 24th day of February, 1863**

A quorum of Members not being present there was no meeting.

J. S. Helmcken

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**Wednesday, the 25th day of February, 1863**

The House met at 3 P. M.

Present: Mr. Speaker, Messrs. Cocker, Burnaby, Franklin, Drs. Trimble, Tolmie.

The Minutes of the last meeting having been read and confirmed.

Mr. Speaker read a Message from the Governor assenting to the Land Clauses Consolidation Act 1863 and The Railway Clauses Consolidation Act 1863.

Mr. Speaker also read a message from the Governor enclosing a Return respecting Contracts for Public Roads which was ordered to lie on the Table.

Mr. Speaker read a message from the Council enclosing "Stamp Act 1863" with amendments and A Bill entitled The Victoria Incorporation Amendment Act 1863 with amendments.

Mr. Burnaby moved that the House request a Conference with the Council on the amendments to Victoria Incorporation Amendment Act which was agreed to by the House.

The following Bills were also received from the Council with a message stating that they had been read a third time and passed—viz.:

Supply Bill for \$25,705.

Supply Bill for \$247,225 and

A Supplemental Supply Bill for \$24,129.53.

The House then adjourned till tomorrow.

(sd.) J. S. Helmcken  
Speaker

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**Thursday, the 26th day of February, 1863**

The House met at 3 P. M.

Present: Mr. Speaker and Messrs. Franklin, Burnaby, Cocker, Cary.

The Minutes of the last meeting having been read and confirmed.

The Council Amendments to the Stamp Act 1863 were agreed to by the House.

A Conference took place with the Honourable Council at 3 P. M. on the amendments to the Victoria Incorporation Amendment Act 1863.

The Standing orders of The House having on motion been suspended.

The Amendments were then read a 2nd time and agreed to by The House. Mr. Franklin gave notice that he will move tomorrow that the Executive be asked to obtain for the use of the House of Assembly The English Statutes, The Blue Books of British Columbia and such of The Laws of the Australian, New Zealand, Canadian, Nova Scotian and Prince Edwards Island Colonies and such other Books useful for reference as may be thought desirable.

The House then adjourned till  $\frac{1}{4}$  to 2 tomorrow.

(sd.) J. S. Helmcken  
Speaker

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### Friday, the 27th day of February, 1863

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The House met at  $\frac{1}{4}$  to 2 P. M.

Present: Mr. Speaker, Drs. Tolmie, Trimble, Messrs. Southgate, Ring, Franklin, Cary, Burnaby, Cocker.

The Minutes of the last meeting having been read and confirmed.

Mr. Speaker read a Message from The Governor announcing His Excellency's assent to the following Acts.

The Stamp Act 1863.

Victoria Incorporation Debentures Act 1863 and

The Ports of Entry Act 1863.

Mr. Franklin moved the following Resolution which was agreed to by the House.

That His Excellency The Governor be respectfully requested to obtain for the use of The Legislative Assembly the English Statutes—the Blue Books of British Columbia—and such of the Laws of Australia, New Zealand, Canada, Nova Scotia, Prince Edward's Island as may be thought necessary, and such other Books as may be deemed requisite as Books of reference.

At 2.40 p. m. the Governor, attended by his suite and the members of the Legislative Council, entered the House, and, after the Bills of Supply for the ensuing year had been presented by the Speaker with the usual recommendation, delivered the following speech:

*Honorable Gentlemen and Gentlemen:*

It affords me great satisfaction to inform you that I have received a communication from Her Majesty's principal Secretary of State for the Colonies, signifying Her Majesty's approval of the V. I. Road and Harbour Act, 1862, which authorizes the Governor to contract a loan not exceeding £40,000, for the purpose of constructing roads and improving Victoria Harbor.

Her Majesty's assent to this measure having removed the only obstacle to the progress of these important works, no time will be lost in their vigorous prosecution.

With that view, it is proposed to obtain a steam dredge, and to commence as soon as possible the work of excavating and deepening the harbor.

I am happy to inform you that the colony is everywhere in a state of profound tranquility. The native Indian tribes continue to manifest the most friendly disposition, and to express sentiments of the truest loyalty and attachment to Her Majesty's Government.

As the powers of the Legislature will soon legally terminate, it is my intention to dissolve the present House and to issue writs for a new election.

In releasing you from the labors of the Session, I desire to convey to you my sincere thanks for the zeal and attention with which you have applied yourselves to the discharge of your legislative duties.

Many wise and useful laws have been passed since you were first assembled, and that period has been signalized in no common degree by the blessings of successful industry, prosperity, and abundance.

Gentlemen of the Legislative Assembly

I have also to thank you for the supply which you have granted for the service of the year. The money will be applied with due care and economy towards the ordinary expenses of the Government, and in carrying on the public works, which are so essential to the progress and prosperity of the Colony.

The House was then declared by the Chief Justice prorogued until tomorrow.<sup>46</sup>

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<sup>46</sup> In keeping with the terms of the Franchise Act, 1859, which limited the duration of the House to three years from the date of its first meeting, Governor Douglas dissolved the House by Proclamation on 28 February 1863.