

**Monday, the 11th day of March, 1867.**

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

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

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

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

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

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

Pursuant to the Order of the day, the Bill of Supply was read the third time, and it was Resolved that this Bill do pass, and its title be An Ordinance to appropriate the sum of Five Hundred and Sixty-Six Thousand Six Hundred and Fifty-Eight Dollars and Thirty Cents out of the General Revenue of the Colony for the Contingent Service of the year 1867.

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

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

The Hon. Mr. Helmcken moved that the Bill be recommitted.

On the question being put the Council divided.

*Ayes 9, Noes 11.*

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

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

So the motion was lost.

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

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

*Message No. 28.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council that the following amendments be made in the Bill entitled An Ordinance to provide for the taking of Oaths and admission of Evidence in certain cases:

1. That the word "solemn" be inserted in the 13th line of the V. Section, or else expunged from the 1st line of the IX. Section.
2. That the X. Section be struck out as being inconsistent with the II. Section.
3. That the XI. Section be struck out.

*Government House,  
11th March, 1867.*

A further Message from His Excellency, read as follows;

*Message No. 29.*

FREDERICK SEYMOUR.

The Governor has carefully considered the Report of the Select Committee of the Legislative Council, which was forwarded to him on the 6th instant.

He now returns it with some small alterations, which he recommends to the favourable consideration of the Legislative Council.

*Government House,  
11th March, 1867.*

On the Order of the day being read for the Committal of the Homestead Bill,

Ordered that the said Bill be referred to the Select Committee for assimilating the Laws of the Colonies.

On the motion of the Hon. Mr. Young, the Council went into Committee of the whole to consider the alterations proposed by His Excellency, in Message No. 28, to the Oaths and Evidence Bill.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

Ordered that leave be granted for Wednesday.

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

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete.

Ordered to be read third time on Wednesday.

On the Order of the day being read therefor, the Council went into Committee of the whole to consider the abolition of the Road Tolls.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council:

That the Council earnestly recommend His Excellency the Governor to abolish the Road Tolls in whole or in part during the present fiscal year, provided that the receipts of Revenue should warrant the Executive in making such reduction.

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

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till to-morrow the 12th instant, at 3 o'clock, p.m.

### Tuesday, the 12th day of March, 1867.

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

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

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

The Minutes of the previous Meeting were read and confirmed.

On the Order of the day being read therefor, the adjourned debate on the Hon. Mr. Stamp's motion for remission of Custom Duties on articles used by certain Saw-mills was resumed.

After some discussion, on the motion of the Hon. Mr. Robson,  
Ordered that the debate be further adjourned for one week.

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

*Message No. 30.*

FREDERICK SEYMOUR.

In compliance with the Resolution passed by the Legislative Council on the 26th February, the Governor forwards a Return of the Receipts and Expenditure of the Steamer "Sir James Douglas," in the year 1866.<sup>17</sup>

*Government House,  
12th March, 1867.*

Ordered that the same be printed.

Pursuant to the Order of the day, the Hon. Mr. Pemberton moved a Resolution in reference to the appropriation of Fines and Fees of Office.

After some discussion, the Hon. Member asked leave to withdraw the same.  
Ordered that leave be granted.

Motion withdrawn accordingly.

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

That His Excellency be respectfully requested to furnish the Council with an approximate statement of the particulars of the Public Debt of Vancouver Island and the Mainland respectively at the time of Union.

<sup>17</sup> *Ibid.*, p. xv.

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

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

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

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in a Schedule prepared for the Customs Tariff for adoption by the Council, and asked leave to sit again.

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

The Hon. Mr. Barnard asked that the Standing Orders be suspended to enable him to place a motion on the Order Book.

Ordered accordingly.

The Hon. Member then gave notice of motion.

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

### Wednesday, the 13th day of March, 1867.

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

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

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

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

The Hon. Mr. Robson gave notice of motion.

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

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

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Council went into Committee of the whole to consider the alterations proposed in His Excellency's Message, No. 28, to the Oaths and Evidence Bill.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, which was adopted:

Resolved, That the Governor be acquainted that the Council have agreed to the amendments proposed by His Excellency to the Bill entitled An Ordinance to provide for the taking of Oaths and admission of Evidence in certain cases.

On the Order of the day being read for the Committal of the Medical Bill,

Ordered that the same be referred to a Select Committee, consisting of the Hon. the Solicitor General, the Hon. Messrs. Young, Helmcken, Robson.

Pursuant to the Order of the day, the Hon. Mr. Barnard moved, the Hon. Mr. Smith seconding, the following Resolution:

That in the opinion of this Council it is expedient that Hay, Barley, and Oats used as feed by Teamsters and Packers on the roads, be exempt from Road Tolls, and that His Excellency be respectfully requested to abolish the same.

On the question being put the Council divided.

*Ayes 8, Noes 10.*

So it passed in the negative.

On the Order of the day being read for the adjourned debate on the Hon. Mr. DeCosmos' motion, in reference to the proposed alterations to the Constitution of the Council,

On the motion of the Hon. Mr. DeCosmos,

Ordered that the same be postponed till after the discussion of the Confederation question.

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

Ordered that the Report be adopted.

Ordered that the Currency Bill be now read first time.

Bill read the first time accordingly.

Ordered to be read second time on Friday next.

Ordered that the Homestead Bill be committed to-morrow.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till 3 p.m., to-morrow.

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## Thursday, the 14th day of March, 1867.

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

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

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

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

The Hon. Mr. DeCosmos gave notice of motion.

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

On the Order of the day being read for the third reading of the Marriage Bill,  
Ordered that the same be recommitted.

The Council went again into Committee on the Bill.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill to have been amended by striking out a Clause.

On the question of the adoption of the Report of the Committee being put the Council divided.

*Ayes 11, Noes 6.*

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

On the question of the third reading of the said Bill being put, the Hon. the Attorney General moved that the Bill be again recommitted.

On the amendment being put the Council divided.

*Ayes 7, Noes 10.*

So the amendment was lost.

Ordered that the said Bill be now read third time.

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

On the Order of the day being read for the second reading of the Legal Professions Bill,

Ordered that the second reading be deferred for two sittings of the Council.

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

Resolved, That the following Acts now in force in Vancouver Island be referred to the Assimilation Committee, with a view to their extension to the whole Colony, viz: "The Vancouver Island Jury Act, 1865," the "Limitation of Foreign Actions Act, 1860," and the "Extension of Limitation of Foreign Actions Act, 1861."

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

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

Ordered that leave be granted for to-morrow.

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

Ordered that the same be taken as an Order of the day further on.

Pursuant to the Order of the day, the Council went again into Committee of the whole to consider the amendments proposed by His Excellency, in Message No. 19, to the Indian Liquor Bill.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolutions which were adopted by the Council:

Resolved, That the Council having taken into their most careful consideration the amendments to the Indian Liquor Bill proposed by His Excellency the Governor, in his Message No. 19, of the 6th March, 1867, is of opinion that if the provisions contained in the Clause proposed by His Excellency as Clause XI were carried out in their entirety a serious injury to legitimate traffic might be inflicted, and the commerce of the Colony greatly injured; and as it is evident that the object of the proposed Clause is only to provide an additional impediment to the illicit sale of Spirits to the Indians, the Council would respectfully recommend to His Excellency that the annexed Clause, with the Schedule, should be added to the Bill as Clause XI, in place of the Clause and Schedule suggested by His Excellency:

XI. No ship, boat, canoe, or other vessel having fermented, spirituous, or intoxicating liquor on board, shall leave any port in the Colony of British Columbia for any part of the Coast of the said Colony, or for any port or place on the Coast of Russian America, or to the northward thereof, without the Master of such ship, boat, canoe, or other vessel, making a declaration in the form marked 1 in the Schedule to this Ordinance, setting forth the quantities, description, and destination of such liquor as aforesaid as may be on board, and obtaining from the Officer of Customs at the port of departure a Permit to carry such liquors, which Permit may be in the form marked 2 in the said Schedule; provided always that all vessels over one hundred tons register, and all steam vessels engaged in carrying passengers, shall be exempt from the operation of this Section of this Ordinance; and provided further that it shall be lawful for the Officer of Customs, at the port of departure, to exempt any vessel from the operation of this Section of this Ordinance, whenever the circumstances shall be such as, in the opinion of such Officer, to render such exemption expedient and desirable."

The Council would further recommend that as Section XIII. has, in accordance with his Excellency's suggestion, been struck out, new Clauses to provide for the proper interpretation of the Ordinance should be added to make the

Bill complete, and the Council has in consequence considered and passed the two Clauses also annexed, and marked XVI. and XVII.

XVI. In case of any summary conviction under this Ordinance, no warrant of commitment upon a conviction shall be held to be invalid by reason of any defect therein, if it be therein alleged that there be a good and valid conviction to sustain the same.

XVII. In the construction of this Ordinance, the word "Governor" shall be held to mean the Governor of this Colony, or other Officer administering the Government of this Colony for the time being; and whenever in this Ordinance in describing or referring to any person or party, matter or thing, any word importing the masculine gender or singular number is used, the same shall be understood to include and be applicable to several persons or parties as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter or thing, unless it otherwise be provided, or there be something in the subject or context repugnant to such construction.

#### SCHEDULE.

##### Form 1.

##### SHIPPING BILL FOR FERMENTED, SPIRITUOUS, OR INTOXICATING LIQUORS.

Name and description of ship, boat, canoe, or other vessel.	Whether British or Foreign, if Foreign the Country.	Master's Name	Port or place of destination.	Quantity and description of Liquors on board.	To whom consigned, or if for ship's use.

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

Signed,

Master of the above Ship.

(Station of Clearance.)

Dated this            day of            186 .

##### Form 2.

##### PERMIT TO CARRY FERMENTED, SPIRITUOUS, OR INTOXICATING LIQUORS.

Name and description of ship, boat, canoe, or other vessel.	Whether British or Foreign, if Foreign the Country.	Master's Name	Port or place of destination.	Quantity and description of Liquor on board.	To whom consigned, or if for ship's use.

The Fermented, Spirituous, or intoxicating Liquors above described, are hereby permitted to be carried and borne to the destinations and for the purposes above specified.

Signed,

(Name and description of Officer.)

(Station of Clearance.)

Dated this            day of            186 .

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

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete with some amendment.

Ordered to be read third time to-morrow.

On the motion of the Hon. the Attorney General, the Standing Orders were suspended to enable him to introduce the following Bills:

Customs Tariff Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for Monday next;

Real Estate Repeal Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time on Monday next;

Harbour Dues Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time on Monday.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till 11 o'clock, a.m., to-morrow.

### Friday, the 15th day of March, 1867.

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

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

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

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

The Hon. Mr. Crease gave notice of motion.

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

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

Ordered that leave be granted for Monday.

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

*Message No. 31.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Bill entitled

An Ordinance for the taking of Oaths and admission of Evidence in certain cases.

*Government House,  
15th March, 1867.*

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

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

Resolved, That His Excellency the Governor be respectfully requested to cause to be prepared and introduced an Ordinance respecting Fences, with the following provisions:

To empower the Governor to establish Fence Districts in any part of the Colony on receiving a petition from two-thirds of the freeholders and pre-emptors of any proposed District, provided that the whole number of freeholders and pre-emptors of such District shall not be less than fifteen, such petition to define what a legal fence shall be for such District, but the definition of such legal fence shall be subject to amendment by the Governor in Council; Fence viewers to be appointed annually by the Governor, with power to settle disputes respecting fences; owners of lands that join each other in every such district or on the boundary line of such District to be liable respectively to make and keep in repair, at their own expense, their respective proportionate share of each boundary or party fence; no person in any such District to be entitled to compensation for loss of any cereals or vegetables by reason of their destruction by horses, cattle, hogs, or sheep belonging to some other person, if such person claiming compensation shall not have had his cereals and vegetables surrounded by such legal fence; other provisions necessary to make such Ordinance operative.

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

That in the opinion of this Council it is advisable that the Chief Custom House Department should be at Victoria, where the greatest amount of Revenue in the shape of Duties is received.

On the question being put the Council divided.

*Ayes 11, Noes 8.*

So it was Resolved in the affirmative.

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

Resolved, That in the opinion of this Council, Wheat of foreign growth should be admitted free of duty, if for the purpose of being ground into flour for exportation or for the use of Her Majesty's forces, and that His Excellency be respectfully requested to take such steps as may be deemed expedient and necessary for obtaining this object.

On the Order of the day being read for the Committee of Ways and Means,  
Ordered that the same do stand as an Order of the day for Monday.

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

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

Ordered that leave be granted for Monday.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till Monday, at 11 o'clock, a.m.

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

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

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

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

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

The Hon. Mr. Helmcken presented a Petition from G. Booth.

Ordered that the same be received.

The Hon. Mr. DeCosmos presented a Petition from certain Merchants of Victoria.

Ordered that the same be received.

The Hon. Mr. Robson presented a Petition from certain Solicitors in Victoria.

Ordered that the same be received.

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

The Hon. Mr. Robson gave notice of motion.

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

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

Ordered that leave be granted for to-morrow.

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

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete.

Ordered to be read the third time to-morrow.

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

Ordered that the same be postponed till to-morrow.

On the Order of the day being read for the second reading of the Customs Bill,  
The Hon. Mr. Helmcken moved, in amendment, that the same be read the second time to-morrow.

On the question being put the Council divided.

*Ayes 7, Noes 10.*

So the amendment was lost, and the Bill was read the second time.

The Hon. Mr. Ball moved that the said Bill be now committed.

On motion of the Hon. the Attorney General, the "Customs Declaratory Bill" was read second time.

Ordered to be Committed to-morrow.

The Hon. Mr. Helmcken moved, in amendment, that the Bill be committed to-morrow.

On the amendment being put the Council divided.

*Ayes 6, Noes 11.*

So the amendment was lost.

And the original question having being put and carried,

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

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that no progress had been made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

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

The Hon. the Collector of Customs moved that the Bill be committed at once.

The Hon. Mr. Helmcken moved, in amendment, that the Bill be committed to-morrow.

On the amendment being put the Council divided.

*Ayes 6, Noes 11.*

So it passed in the negative, and it was Ordered that the Bill be committed at once.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

Ordered that leave be granted for to-morrow.

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

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

Read first time accordingly.

Ordered to be read second time on Thursday next.

On the Order of the day being read for the second reading of the Real Estate Tax Repeal Bill,

Ordered to be read second time on Thursday next.

Pursuant to the Order of the day, the Council went into Committee of the whole to consider the Hon. Mr. DeCosmos' motion in respect to taking steps to include British Columbia in the British North American Confederation.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, which having been put to the Council was carried unanimously, and it was

Resolved, That this Council is of opinion that at this juncture of affairs in British North America, East of the Rocky Mountains, it is very desirable that His Excellency be respectfully requested to take such steps, without delay, as may be deemed by him best adapted to insure the admission of British Columbia into the Confederation on fair and equitable terms, this Council being confident that in advising this step they are expressing the views of the Colonists generally.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till to-morrow the 19th instant, at 3 o'clock, p.m.

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

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

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

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

The Minutes of the previous Meeting were read and confirmed.

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

*Message No. 32.*

FREDERICK SEYMOUR.

The Governor, having had his attention recalled to the Report of the Committee of Supply of the Legislative Council respecting the Crown Salaries Act of 1863, hereby forwards a Bill entitled "An Ordinance to repeal a Proclamation, No. 12, of the year 1863, entitled 'Crown Officers' Salaries Act.'"

The Governor has directed all Public Officers to abstain from giving a vote upon the Measure, which he leaves an open one for the decision of the Honorable Members appointed on the recommendation of the people, and of those also who have no pecuniary connection with the Government.

*Government House,  
19th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 33.*

FREDERICK SEYMOUR.

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

An Ordinance for the protection of Inventions;

An Ordinance to establish a standard of Weights and Measures;

An Ordinance to appropriate the sum of Five Hundred and Sixty-six Thousand, Six hundred and Fifty-eight Dollars and Thirty Cents, out of the General Revenue of the Colony, for the contingent service of the year 1867.

*Government House,  
19th March, 1867.*

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. DeCosmos spoke to a question of privilege, in reference to certain words which fell from him in a discussion yesterday on the Customs Dues.

On the Order of the day being read for the adjourned consideration of the Hon. Mr. Stamp's motion in regard to certain Saw Mills,

Ordered that the same be deferred till Friday.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked the following question of the Hon. the Colonial Secretary: Whether the Executive intends continuing the Collection of Customs Duties upon goods imported into Vancouver Island previous to the Union with British Columbia, and if so for how long a period, and under which Tariff?

The Hon. the Colonial Secretary replied.

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

That this Council is prepared and would gladly receive the promised Message of His Excellency the Governor, upon the subject of the Seat of Government of British Columbia.

On the question being put the Council divided.

*Ayes 12, Noes 5.*

So it was Resolved in the affirmative and Ordered accordingly.

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

That a respectful address be presented to His Excellency the Governor, asking for Returns shewing how the public money voted for Schools on Vancouver Island, during the past three years, has been expended.

The same having been put and carried it was Resolved accordingly.

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

Pursuant to the Order of the day, the Council went again into adjourned Committee on the Customs Tariff Bill.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

Ordered that leave be granted.

On the motion of the Hon. Mr. Helmcken, the Council went into Committee of the whole on the Customs Application Bill.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete.

Ordered to be read third time at once.

Bill read third time, the Standing Orders having been suspended for that purpose,

And it was Resolved that this Bill do pass, and that its title be the "Customs Declaratory Ordinance, 1867."

According to Order, the Council went again into Committee on the Customs Tariff Bill.

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

Ordered to be read third time at once.

Bill read third time accordingly, the Standing Orders having been suspended for that purpose,

And it was Resolved that this Bill do pass and its title be the "Customs Ordinance, 1867."

On the motion of the Hon. the Attorney General, the Standing Orders were suspended in order to enable the Hon. Member to place a notice of motion on the Order Book.

Notice of motion given accordingly.

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

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

The Hon. the Attorney General, from the Select Committee appointed to revise the Acts mentioned in Schedule B of the Assimilation of Laws Bill, brought in a further Report, which was read as follows:

The Committee of Assimilation beg to report that they have had under consideration the "Vancouver Island Jury Act, 1865," but they find considerable difficulty in dealing with this Act without dealing with the subject of Juries generally. The Jury Law of British Columbia is materially different from that of Vancouver Island. In British Columbia the old law of England prevails, except as limited by the "British Columbia Jurors' Act, 1860." In Vancouver

Island eight jurors are by the rules of the Supreme Court a full jury, and the verdict of a jury need not be unanimous in civil cases.

The subject requires fuller consideration than your Committee are able at the end of the Session to give it, as it forms part of the procedure of the Supreme Court and the general administration of Justice.

They have further considered the Vancouver Island Acts for the Limitation of Foreign Actions and Suits, and have prepared a Bill to carry out their provisions in all parts of the Colony, but as such a Bill is precisely similar in effect to "The Limitation of Foreign Actions Ordinance, 1867," which has been disallowed, and is in violation of the views entertained by the best jurists of England and America, we conceive that the only way of dealing with the subject in order to assimilate the law, would be a simple enactment repealing the existing Acts of Vancouver Island on the subject.

Ordered that the Report be received, and do lie on the table.

The Hon. the Chief Commissioner of Lands and Works, from the Select Committee appointed to draw up a Land Bill, brought in a Report.

Ordered that the same be received, printed, and considered on Thursday next.

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

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

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

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

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

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

The Hon. Mr. Robson gave notice of motion.

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

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

Resolved, That an address be presented to His Excellency the Governor, praying that the sum of \$3,000 be granted for the purpose of liquidating the debt of the Royal Hospital, such debts having been incurred upon the belief that the sum would as usual have been paid by the Government of Vancouver Island.

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

That a respectful address be presented to His Excellency the Governor, recommending that a premium of \$5,000 be offered for the first Quartz Crushing

Mill erected and put into operation in the Shuswap country, capable of crushing twenty-five tons of Quartz in twenty-four hours.

On the question being put the Council divided.

*Ayes 6, Noes 9.*

Four Hon. Members not having voted they were counted in the affirmative, so the division was counted as follows:

*Ayes 10, Noes 9.*

So the motion was carried and Resolved accordingly.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in Vancouver Island Road Bill.

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

Read first time accordingly.

Ordered to be read second time on Friday next.

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

Ordered to be committed on Friday next.

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

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

Ordered that the said Bill be now read third time.

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

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

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, handed in for adoption a Schedule for the Harbour Dues Bill, and asked leave to sit again.

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

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

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

On the question of the adoption of the Report of the Committee being put, The Hon. Mr. Helmcken moved, in amendment, that the Bill be recommitted.

On the amendment being put the Council divided.

*Ayes 7, Noes 11.*

So the amendment was lost, and it was Ordered that the Report of the Committee be adopted, and the Bill read third time to-morrow.

On the motion of the Hon. the Attorney General,

Ordered, that the Standing Orders be suspended to enable the Hon. Member to introduce two Bills.

Standing Orders having been suspended accordingly, the Hon. Member introduced the Pilotage Bill, and the Harbour Regulations Bill.

Ordered that the said Bills be read first time at once.

Read first time accordingly.

Ordered that the said Bills be read second time on Friday.

The Hon. the Attorney General, from the Select Committee appointed to revise the Victoria Incorporation Bill, brought up an amended Bill.

Ordered that the same be considered in Committee of the whole on Friday next.

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

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

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

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

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

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

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

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

That a respectful address be presented to His Excellency the Governor, praying that the sum of \$1,370.15 be granted out of the General Revenue of the Colony for the purpose of liquidating the debts of the Royal Columbia Hospital.

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

That an address be presented to His Excellency the Governor praying that Barley imported into the Colony for brewing purposes may be allowed to come in duty free.

On the question being put the Council divided.

*Ayes 4, Noes 13.*

So the Resolution was lost.

Pursuant to the Order of the day, the Hon. the Solicitor General asked leave to introduce Exchequer Debenture Bill.

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

On the motion of the Hon. Mr. Helmcken, Ordered that the said Bill be referred to the Committee of Ways and Means.

On the Order of the day being read for the third reading of the Harbour Dues Bill,  
The Hon. Mr. Helmcken moved that the said Bill be now recommitted.

On the question being put whether the Standing Orders be suspended, the Council divided.

*Ayes 3, Noes 14.*

So the amendment was lost, and it was Ordered that the Bill be now read third time.

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

On the Order of the day being read for the second reading of the Mortgages Bill,  
On the motion of the Hon. the Attorney General,  
Ordered that the same be postponed till Monday.

On the Order of the day being read for the second reading of the Victoria Real Estate Tax Repeal Bill,

The Hon. Mr. DeCosmos moved, the Hon. Mr. Walkem seconding, the following Resolution:

That the second reading of the Vancouver Island Real Estate Tax Repeal Bill, 1867, be postponed until the purchasers of Lands at Tax Sales, under the "Real Estate Tax Amendment Act, 1862," shall have had due and ample notice of the provisions of the said Bill; and that a respectful address be presented to His Excellency the Governor asking that the provisions of the said Bill, in substance so far as they may concern the purchasers of Land at Tax Sales, be telegraphed to Victoria and published in both the daily papers for one week, with a request that all purchasers of Lands at such Sales may represent to the Government whether the said provisions of the said Bill meet with their concurrence, and if not to forward forthwith their objections to the same; and that His Excellency be further asked to lay before the Council a Return of the numbers of the Lots or Parcels of Land sold at Tax Sales and still unredeemed from the purchasers, the names of the delinquent tax-payers of the same, and the names of the purchasers of the said unredeemed Lots, together with the respective sums paid by such purchasers in respect of said unredeemed Lots.

On the amendment being put, a debate arose which having terminated the Council divided.

*Ayes 3, Noes 14.*

So the amendment was lost and the original question having been put and carried, the Bill was read the second time.

Ordered to be committed on Wednesday next.

Pursuant to the Order of the day, the Report of the Select Committee appointed to enquire into the Land Laws was read aloud by the Clerk as follows:

Your Select Committee appointed to enquire first what system should be adopted in the general disposal of the Crown Lands of the Colony as most conducive to its interests, and secondly to enquire into the respective merits of

the measures on the subject introduced and now before the Council, have the honor to report:

That in their opinion the fee simple of the Crown Lands of the Colony should as soon as possible be vested in its Legislature, with a view to the adoption of a system of free grants to intending settlers. To such a disposition, the assent of Her Majesty's Government is under the present law an absolute necessity, entailing a delay which, for obvious reasons, places the Colony at a great disadvantage. In arriving at such a conclusion, your Committee believe that the system, if adopted, will not only tend to attract a settled population, but will invite the investment of capital, which our law at present has an inclination rather to forbid than to encourage.

That our large tracts of agricultural land are rich in fertility is beyond all doubt, but with lands equally fertile in the adjoining Republic, some further inducement than is offered by nature ought, in the shape of free grants, to be presented to the vast tide of immigration annually flowing to the shores of this continent.

The adoption of such a principle is not the less desirable from another point of view. The construction, which the contemplated Confederation may hasten, of a highway, followed by a no less possible line of Railway, across the continent through British Territory, has already occupied the attention of this as well as of the Eastern Section of British North America. The successful termination of such an enterprise is too obviously calculated to advance the material prosperity of the Colony to need comment.

The Government should therefore be at once placed in a position which will enable it to foster the settlement of our lands and facilitate undertakings of such moment to the Colony.

Your Committee therefore recommend that a respectful address be presented to His Excellency the Governor, with a view to the attainment of objects so desirable.

Pending the consent of the Home Government, your Committee do not consider it advisable to make any radical change in the Land system now in force in this Colony, but, having carefully reconstructed the "Land Ordinance, 1865," and made certain amendments thereto, which will in their opinion render it more complete in practice, and form a clearer guide to intending Pre-emptors, they recommend this amended Bill for the adoption of the Council.

(Signed), J. W. TRUTCH, Chairman.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Monday next.

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

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

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

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

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

The Minutes of the previous Meeting were read.

On the question of their confirmation being put, the Hon. Mr. Helmcken handed in the annexed protest in reference to the third reading of the Shipping Ordinance:

We, the undersigned elected Members of the Legislative Council, desire to place on record our protest against the 5th Section of a Bill entitled "An Ordinance respecting Harbour and Tonnage Dues, and to regulate the Licenses on the Vessels engaged in the Coasting and Inland Navigation trade.

SEC. V. It shall be lawful for the Governor in Council at any time or times, should special circumstances make the granting of such privileges in his opinion desirable, hereafter to license and authorize any Foreign Bottoms to engage in the Coasting Trade or Inland Navigation of British Columbia."

1. Because we believe such Section to be contrary to Imperial Statute;
2. Because, whilst it is the policy of the Government to encourage the various industries of the Country, this Clause will have exactly the contrary effect upon the Shipping interest;
3. Because the very existence of such a Section is calculated to destroy confidence, and to interfere with and even prevent the investment of capital in either the building or owning of Colonial Vessels;
4. Because, whilst it tends to depress the legitimate business of the British Colonist, it is calculated to raise the expectations of the Americans;
5. Because it may be the means of diverting the Commerce of the Country, and of encouraging the growth of Commercial Towns in the neighbouring American Territory, to the great detriment of the Commercial City of the Colony.

J. S. HELMCKEN, Victoria, (elected).

W. J. MACDONALD, Mayor of Victoria, (nominated),

EDWD. STAMP, Lillooet, (elected),

J. D. PEMBERTON, District No. 2, (elected),

A. DECOSMOS, Victoria, (elected).

The Minutes were then confirmed.

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

*Message No. 34.*

FREDERICK SEYMOUR.

The Governor has received the Resolution of the Legislative Council, dated the 18th instant, in favor of the admission of British Columbia with the proposed Confederation of the Eastern British Colonies of North America.

He will place himself in communication on the subject with the Secretary of State, with Viscount Monck, Governor of Canada, and with Sir Edmund Head, Governor of the Hudson Bay Company.

*Government House,  
21st March, 1867.*

The Hon. the Attorney General gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in The Harewood Railway Extension Bill.

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

Read first time accordingly.

Ordered to be read second time on Monday next.

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

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

Read first time accordingly.

Ordered to be referred to the Committee of Ways and Means.

On the Order of the day being read for the motion standing in the Hon. Mr. Smith's name,

Ordered that the same be postponed till Monday.

Pursuant to the Order of the day, the adjourned consideration of the Hon. Mr. Stamp's motion, in regard to the drawback of duties on articles used by certain Saw Mills, was resumed.

The Hon. Mr. Stamp asked leave to withdraw his original motion.

Ordered that leave be granted.

Motion withdrawn accordingly.

On the amendment of the Hon. Mr. Helmcken being put the Council divided.

*Ayes 13, Noes 5.*

So it was Resolved,

That His Excellency be recommended to grant a sum not exceeding fifty cents per thousand feet upon all sawn lumber exported from the Colony.

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

Ordered that the same be postponed until Monday.

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

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

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

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

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, handed in the Exchequer Debenture Bill, with the recommendation that it be read second time, and asked leave to sit again.

Ordered that leave be granted, and that the Bill be read second time to-morrow.

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

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 for to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 11 a.m., to-morrow.

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### Saturday, the 23rd day of March, 1867.

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

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

Present,—The Hon. Messrs. Birch, Crease, Young, Wood, Sanders, Southgate, Robson, Helmcken, Franklyn, DeCosmos, Macdonald, Ball.

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

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

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

Ordered that leave be granted for Monday.

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

*Message No. 35.*

FREDERICK SEYMOUR.

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

An Ordinance to assimilate and amend the Laws relating to Licenses and direct Taxes on Persons;

An Ordinance to assimilate the Law exempting the Homestead and other property from forced seizure and sale in certain cases in all parts of the Colony of British Columbia.

*Government House,*

*23rd March, 1867.*

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

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

Ordered to be committed on Monday.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 2 o'clock, p.m., on Monday.

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

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

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

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

The Minutes of the previous Meeting were read and confirmed.

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

That this Council recommend to His Excellency the Governor the necessity of appointing Justices of the Peace in the different districts throughout the interior of the Colony.

Also that some person be empowered at Seymour and Kamloops, or Savana's Ferry, to issue Mining Certificates and Record Mining Claims, with a view to the better convenience of the Miners engaged in these districts.

On the question being put the Council divided.

*Ayes 6, Noes 11.*

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

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

The Hon. Mr. Macdonald not having voted, his vote was counted in the affirmative.

So the vote was taken *Ayes 7, Noes 11*, and the Resolution was lost.

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

That an address be presented to His Excellency the Governor praying that a drawback of not exceeding \$2.50 a hogshead be granted upon all Malt Liquors manufactured in the Colony exported, or for the use of Her Majesty's Navy.

The Hon. Mr. Young moved that the words "until 31st December, 1867" be added.

The Amendment having been put, the Resolution as amended was then put and carried, and it was Resolved accordingly.

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

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

Bill read first time accordingly.

Ordered to be read the second time to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Southgate asked leave to bring in a Bill extending the County Courts Act of British Columbia to Vancouver Island, in order to facilitate the collection of small debts at Nanaimo.

Whereupon a debate arose, during which

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

*Message No. 36.*

FREDERICK SEYMOUR.

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

An Ordinance to declare the application of the existing Laws of Customs.

An Ordinance to amend the Duties of Customs.

He has seen with satisfaction the passage of an Ordinance to remove any doubt which might have been entertained as to the legality of the past collection of duties on the Mainland, on Goods imported without previous payment of duties from Vancouver Island.

Now, however, on consenting to the new Customs Law the Governor has given instructions that no further Customs duties be levied on Goods or Commodities transferred from one portion of the Colony to another.

*Government House.*

*25th March, 1867.*

The Hon. Mr. Young then moved the following amendment to the Hon. Mr. Southgate's motion:

That His Excellency the Governor be respectfully requested to make provision for the establishment of a District Court for the Collection of small debts at Nanaimo.

The amendment was then put and carried.

On the Order of the day being read for the adjourned Committee of the Victoria Incorporation Bill,

Ordered that the same be postponed till to-morrow.

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

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

Ordered to be read third time to-morrow.

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

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, handed in the Excise Bill, which had been amended, for the adoption of the Council, and recommended that the said Bill be now read second time.

Ordered that the Report be adopted and the Bill read second time.

Read second time accordingly.

Ordered to be committed later in the day.

Pursuant to the Order of the day, the Harewood Railway Extension Bill was read second time.

Ordered to be committed on Thursday.

On the Order of the day being read for the second reading of the Pilotage and Land Bills,

Ordered that the same be postponed till to-morrow.

Pursuant to the Order of the day the Harbour Regulations Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported the Bill complete with slight alterations.

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

On the Order of the day being read for the second reading of the Mortgages and Vancouver Road Bills,

Ordered that the same be postponed till to-morrow.

According to Order, the Council went again into Committee of the whole on the Excise Bill.

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

Ordered to be read third time to-morrow.

Then, on the motion of the Hon. Mr. Smith, the Council adjourned till 2 o'clock, p.m., to-morrow.

## Tuesday, the 26th day of March, 1867.

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

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

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

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

The Hon. Mr. Robson gave notice of motion.

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

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

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

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

On the Presiding Member resuming the Chair, the Hon. Mr. Franklyn, Chairman of the Committee, reported the Bill to have been considerably amended and to be now complete.

Ordered to be read third time on Friday next.

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

Ordered that the same be committed forthwith.

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

On the Presiding Member resuming the Chair, the Hon. Mr. Brew, Chairman of the Committee, reported the Bill complete with slight amendment.

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

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

Ordered that the same be committed forthwith.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported that slight progress had been made with the Bill, and asked leave to sit again.

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

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

### Wednesday, the 27th day of March, 1867.

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

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

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

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

The Hon. Mr. Wood, from the Select Committee appointed to enquire into the Medical Bill, brought up a Report, which was read aloud by the Clerk as follows:

Your Committee report that they have prepared a draft Bill which however has not been unanimously agreed to.

The point in doubt which is left for debate with the Legislative Council, is whether a register should be made of all Licentiates in Medicine and Surgery possessing a diploma from any existing school, British and Foreign, without

regard to the amount of study exacted before grant of a licence, or whether it should be confined to those who have graduated in a school requiring a substantial course of study extending over a period of three or four years.

The majority of your Committee have drafted a Bill for the registration of all persons possessing a diploma of whatever sort it be, believing that such a measure is sufficient to protect the public against totally unauthorized practitioners, and it is suitable to the present condition of the Colony, leaving it for the Honorable the Legislative Council to adopt amendments if they please, or to leave the matter open for more perfect legislation at some future period when a School of Medicine can be established in the Colony.

Ordered that the Report be adopted, and the Bill now read second time.

Read second time accordingly.

Ordered to be committed to-morrow.

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

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

Ordered that leave be granted.

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

*Message No. 37.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council, for their information, certain Petitions addressed to him requesting that Victoria may be made, according to some of these papers, the Capital, according to others the Seat of Government of the United Colony.<sup>18</sup>

It is in no cavilling spirit that he points out that those first alluded to appear to have been signed under a false impression. There is no intention of erecting Public Offices in New Westminster during the present condition of the Colonial finances. The Government Officers do not complain of the accommodation afforded to them, and, if economy be alone considered, the retention of the Seat of Government on the banks of the Fraser is to be preferred, inasmuch as a considerable outlay would be required to make the Government House at Victoria permanently habitable.

It is a matter of sincere regret to the Governor that this vast and thinly peopled territory should, in the early stage of its political existence, have been divided into two separate Colonies, and that two, necessarily rival, towns should have been founded in comparatively close proximity. His labours would now be lighter, and the Colony more prosperous, had the spare resources of the inhabitants been concentrated in the erection of one town of magnitude, of sufficient importance and attraction to retain during the winter the greater part of the unattached population of the Colony. He would not care if the site for the Capital had been fixed where Victoria now stands, or on the Bay of Esquimalt, or at New Westminster. Nor could he, if the matter had been clearly understood by all, have objected to one scale of taxation being fixed, favorable to commerce, upon those who elected to live in the chief town or within a certain radius of it, and another upon those who took to other occupations in outlying districts. But it is not in order to express regret over the past that the Governor now comments on the Petitions he forwards.

New Westminster was by Proclamation, having the force of Law, created the "Capital" of British Columbia. Her Majesty was invited to name the young city and bestowed upon it the name it now bears. Though styled Capital it would not appear to have been the Seat of Government, and the affairs of the Mainland were directed from the chief town of the neighbouring insular Colony. Dissatisfaction, whether general or local the Governor is not in a position to say, ensued, and Her

<sup>18</sup> *Ibid.*, p. xvi.

Majesty was advised to separate the administration of the Government of British Columbia from that of Vancouver Island.

On his acceptance of office in this Colony the present Governor was instructed to use all means in his power to bring about an entire Union of the two Colonies, which the Secretary of State had reluctantly advised the Queen to disconnect. His Grace stated that it was the intention of the Government that New Westminster should be the Seat of Government of the Colony if a fusion could be obtained, although he believed that Victoria would always retain her commercial supremacy. The Legislature of the Mainland was accordingly called upon to provide a house, suitably furnished, for the residence of the Governor, while no such provision was required from Vancouver Island.

On his arrival in the Colony the Governor found the sum of £10,000 voted for the erection of Public Buildings in New Westminster, but, with the cheerful concurrence of the Public Officers interested, he declined to lay out the money in that manner, choosing rather, in the general interest, to devote it to the lowering, by improvements in communication, the price of commodities in the Gold Districts.

The desire for Union the Governor looked for, grew and matured in a section of the present Colony, until the Imperial Legislature considered the time had arrived for carrying into effect a policy Her Majesty's Government had steadily kept in view. Then British interests on the shores of the North Pacific were consolidated by Act of Parliament.

The Governor understands that, during the passage of the Act, it was stated in both Houses of Parliament that New Westminster should be the Seat of the General Government. An influential Member of the Government informed him a few days before his departure from England—"I do not think it necessary that the Secretary of State should give you instructions as to the Seat of Government. It is understood that New Westminster should be the Capital, and that you should visit Victoria when you think necessary. But if you wish for definite orders, you will do best to ask for them in a formal letter to the Secretary of State." The Governor has no doubt that such an application would have resulted in a Royal decision in favour of New Westminster, and and he may state that it was on his intercession alone, that the order to sell the Government House, at Victoria, was withheld.

He is of opinion that the question as to the future Seat of Government and of the assembling of the Legislature had better, ultimately, be decided on local recommendation. He would, however, not desire that the interests of New Westminster should be prejudiced, by his regard for the general interests of the Colony having been superior to that he felt for the comfort of himself and Public Officers. Nor, on the other hand, would he wish any undue consideration to be given in favour of Victoria, on account of a large outlay having been made on a Governor's residence, at a time when Vancouver Island could ill afford it. He would take no advantage of the fact of one section of the Colony having asked for unconditional Union, while the other stood aloof, nor would he maintain that any Proclamation, though having the force of Law, may not be repealed when the community reaches a more advanced state of population and mode of Government, but, for the present, he will leave matters as they are. He will watch, without preference or prejudice, over the general interests of the Colony as they may develop themselves in the uncertain future, and will be prepared to act upon his own judgment in the advice, if any, which he may lay before Her Majesty's Ministers.

He trusts that no immediate action may be urged upon him. He feels deeply the injury the Colony has sustained from political agitation, and now states plainly that should he find it necessary to set the present question at rest, he will humbly recommend to the Queen that he and his Successors in office be commanded to reside permanently in the present Capital of the Colony.

*Government House,  
27th March, 1867.*

Ordered to be printed for the use of Members.

According to Order the Council went again into Committee of the whole on the Land Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported considerable progress made with the Bill and asked leave to sit again.

Ordered that leave be granted for to-morrow.

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

On the motion of the Hon. Mr. Southgate,

Ordered that the same be recommitted at once.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that a new clause had been added, and that the Bill was now complete.

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

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

On the motion of the Hon. Mr. Helmcken, the Standing Orders were suspended in order to enable the Hon. Member to place a notice of motion on the Order Book for to-morrow.

The Hon. Member then gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Robson moved the first reading of the Limitation of Foreign Suits Bill.

Ordered accordingly.

Bill read first time.

Ordered to be read the second time to-morrow.

On the Order of the day being read for the Hon. Mr. DeCosmos' motion for a Committee of the whole on the subject of the Settlement of the Crown Lands,

The Hon. Member moved that the same be considered to-morrow.

Ordered accordingly.

On the Order of the day being read for the Committal of the Victoria Real Estate Tax Repeal Bill,

On the motion of the Hon. Mr. Young,

Resolved, That the Committee of the whole on this Bill be instructed to divide the same into two parts, one for the repeal of the Tax, and the other dealing with the other matter contained in the Bill.

On motion of the Hon. the Attorney General, the "Victoria Real Estate Sale Repeal Bill" was read second time.

Ordered to be committed at once.

The Council went into Committee of the whole accordingly.

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

Ordered that leave be granted for Monday next.

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

On the Presiding Member resuming the Chair, the Hon. Mr. Franklyn, Chairman of the Committee, reported the Bill repealing the Tax to be complete, and asked leave to sit again.

Ordered that leave be granted for to-morrow, and that the Bill be read third time to-morrow.

Pursuant to the Order of the day the Ports of Entry Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

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

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

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 2 o'clock, p.m., to-morrow.

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

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

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

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

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

The Hon. Mr. Franklyn gave notice of motion.

The Hon. Mr. Pemberton gave notice of motion.

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

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

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported the Bill complete with slight amendment.

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

Pursuant to the Order of the day, the Council went into Committee of the whole on the Harewood Railway Extension Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete with slight amendment.

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

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

Ordered that the same be committed forthwith.

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

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

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

On the Order of the day being read for the committal of the Medical Bill,  
Ordered that the same be postponed till Saturday.

On the Order of the day being read for the second reading of the Limitation of Suits Bill, a debate commenced, during which,

On the motion of the Hon. Mr. Walkem, the Council adjourned till 10 a.m., to-morrow.

### Friday, the 29th day of March, 1867.

The Council met at 10 o'clock, pursuant to adjournment.

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

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

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

On the motion of the Hon. the Attorney General, the Standing Orders were suspended to enable the Hon. Member to introduce a Bill.

The Hon. Member introduced the Aliens Bill, 1867.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered to be read second time to-morrow.

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

The Hon. Mr. Helmcken moved that the consideration of the Governor's Message be taken first.

On the question being put the Council divided.

*Ayes 7, Noes 6.*

So it was Resolved in the affirmative and Ordered accordingly.

The consideration of His Excellency's Message, No. 37, being before the Council,

The Hon. Mr. Helmcken moved, the Hon. Mr. Macdonald seconding,

This Council having taken into consideration His Excellency the Governor's Message, No. 37, relating to the Seat of Government, as well as the numerous and numerous signed Petitions, from all parts of the Country, praying that Victoria may be made the Seat of Government.

Resolved, That were the Seat of Government at Victoria it would be consonant with the desire of the public, advantageous to the Administration, conducive to the best interests of the Country, and diminish the cost of Government.

That, without wishing to embarrass the Executive in any way, the Council would urge that such steps may be taken as may to His Excellency seem best toward carrying out the desire of the Petitioners.

That His Excellency the Governor be humbly solicited to cause the next Session of the Legislative Council to be holden at Victoria.

Whereupon a debate arose, and on the termination of the same, the question being put, the Council divided.

*Ayes* 13, *Noes* 8.

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

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

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Harewood Railway Extension Bill was read third time, and it was Resolved that this Bill do pass and its title be the "Harewood Colliery Company's Railway Extension Ordinance, 1867."

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

Ordered that the same be postponed till Monday.

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

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

Ordered that the same be deferred till Monday.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till 11 a.m., to-morrow.

### Saturday, the 30th day of March, 1867.

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

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

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

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

The Order of the day being read for the motion of the Hon. Mr. Franklyn,  
Ordered to be deferred till Monday.

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

Ordered that the Report be adopted and the Bill read third time on Monday.

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

*Message No. 38.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council, that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to authorize the issue of Debentures for short temporary Loans."

*Government House,  
30th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 39.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to amend and assimilate the procedure of the County Courts in all parts of the Colony of British Columbia."

*Government House,  
30th March, 1867.*

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered that the Standing Orders be suspended to enable the Bill to be read second time at once.

Bill read second time accordingly.

Ordered to be committed on Monday.

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

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

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

Ordered that leave be granted for Monday.

The Hon. Mr. Pemberton, pursuant to the Order of the day, asked the Collector of Customs whether he is informed that the *Active* has been recently carrying freight or passengers for hire between Victoria and New Westminster, and if so, whether he has given any permission in the matter?

The Hon. the Collector of Customs replied.

Pursuant to the Order of the day, the Limitation of Foreign Actions Bill was read second time.

Ordered that the same be committed forthwith.

The Council went into Committee of the whole accordingly.

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

Ordered that the Report be adopted, and the Bill read third time on Monday.

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

*Message No. 40.*

FREDERICK SEYMOUR.

At the request of the Legislative Council, the Governor forwards a Return shewing the particulars of the Public Debt of Vancouver Island and the Mainland at the time of Union, exclusive of current liabilities.<sup>19</sup>

*Government House,  
30th March, 1867.*

Ordered to be printed.

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

On the Order of the day being read for the motion set opposite the name of the Hon. Mr. DeCosmos,

The Hon. Member moved that the adjourned debate on the alteration of the Constitution standing as an Order of the day be taken first, the Council divided.

*Ayes 5, Noes 13.*

So the amendment was lost.

Ordered that the Order of the day be taken in regular rotation.

The Council accordingly went into Committee of the whole on the subject of the Settlement of the Crown Lands.

On the Presiding Member resuming the Chair, the Hon. Mr. Brew, Chairman of the Committee, handed in the following Resolution for the adoption of the Council:

Resolved

1. That the Council having had under consideration the advisability of making further provision to foster and encourage settlement on the Crown Lands, respectfully represent to His Excellency the Governor that, in addition to the advantages offered to settlers by the provisions of the Land Ordinance, and by the stimulus to agriculture incidental to the operation of the revised Tariff, the Council would recommend that the Department of Lands and Works, in addition to its ordinary duties, be used as an Immigration Department.

2. That the Colony be divided into Land Districts; that the chief office be located in the district where the largest body of immigrants and floating population usually arrives, and from whence they distribute themselves throughout the Colony, or take their departure to other countries; that in each of the other districts a sub-office be opened; that the chief office be supplied with maps of the entire Colony, shewing the lands sold and pre-empted in each district, the lands open and suitable for pre-emption; that each sub-office be

<sup>19</sup> *Ibid.*, p. xvii.

supplied with similar maps of the district to which it may belong; that the land or sub-office in each district be supplied with the best information obtainable, in a compendious printed form, respecting the adaptability of the soil of such district for agricultural purposes, the localities best suited for immediate settlement, the topography of the district generally, the character of the seasons, and such other climatic observations as may be of service to farmers and stock-raisers; also the nearest and best market for produce, with current or average prices of produce and stock, the distances to such markets, the probable time occupied in carrying produce to market, and whether land or water conveyance is required, with the expense of transportation; also the average rate of wages for farm labourers and other occupations, and the requirements of such districts for labourers, blacksmith, wheelrights, artisans, carpenters, or other professions; and also an abstract of the present condition of agriculture and general industry in such district.

3. That the annual Returns made by the Sub-Commissioners shall contain information as to the acreage occupied, cultivated, and open and suitable for pre-emption in his district; the variety of crops, quantity, and yield annually; the stock and varieties thereof; the average prices of produce and stock; the markets, distances, and rate of wages; the condition of industry in general; the population, distinguishing their respective callings; the annual increase or decrease of population; and such general observations on agriculture and industry, topography, climate, &c., as may be new, or deemed to be of public utility.

4. That such Returns be printed and published for general circulation; that each sub-office be supplied with the same, and such Returns laid before the Legislature early in the Session.

5. That the Chief Commissioner and his agents collect, continually, information as to persons willing to settle on Crown lands, or in want of employment; make himself acquainted with such persons as may have capital enough to engage in agriculture or other industry, and supply them with information as to the best places to locate, and otherwise assist or induce them to settle in the country; assist the unemployed in getting employment, and also organize settlements, with Government aid, from among those persons who may not possess sufficient capital to engage in agriculture, though otherwise willing to do so.

6. The Council would recommend that in the absence of power to make free grants of land to *bona fide* settlers, a bounty be offered to actual settlers, equivalent to the pre-emption price of the land that they may be liable to pay under the Land Ordinance, and that the payment of such bounty be made to correspond to the payment of instalments under Pre-emption Ordinance.

7. The Council would recommend that means be taken, as early as possible, to induce or assist females, suitable for farmers' wives, to emigrate to the Colony, the want of this class being much felt.

On the question being put, Ordered that the Report of the Committee be adopted, and Resolved accordingly.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 11 o'clock a.m., on Monday.

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