

JOURNALS
OF THE
LEGISLATIVE COUNCIL
OF
BRITISH COLUMBIA

24 JANUARY 1867 TO 2 APRIL 1867

IN THE
30TH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA

BEING THE FOURTH SESSION OF THE LEGISLATIVE COUNCIL OF
BRITISH COLUMBIA

ROLL

OF THE

HONOURABLE THE LEGISLATIVE COUNCILLORS

OF

British Columbia,

FOR THE FOURTH SESSION OF THE LEGISLATIVE COUNCIL

BEING THE YEAR 1867. 30° VICTORIAE.

ARTHUR N. BIRCH, COLONIAL SECRETARY AND PRESIDING MEMBER.
HENRY P. PELLEW CREASE, ATTORNEY GENERAL.
WILLIAM A. G. YOUNG, ACTING DURING SESSION AS TREASURER.
JOSEPH WILLIAM TRUTCH, CHIEF COMMISSIONER OF LANDS AND WORKS AND
SURVEYOR GENERAL.
WYMOND OGILVY HAMLEY, COLLECTOR OF CUSTOMS.
THOMAS LETT WOOD, ACTING DURING SESSION AS SOLICITOR GENERAL.
HENRY MAYNARD BALL, MAGISTRATE, CARIBOO WEST.
CHARTRES BREW, MAGISTRATE, NEW WESTMINSTER.
GEORGE WILLIAM COX, MAGISTRATE, CARIBOO EAST.
WILLIAM HALES FRANKLYN, MAGISTRATE, NANAIMO.
WILLIAM J. MACDONALD, MAGISTRATE, VICTORIA.
PETER O'REILLY, MAGISTRATE, KOOTENAY.
EDWARD HOWARD SANDERS, MAGISTRATE, YALE AND LYTTON.
AMOR DeCOSMOS, VICTORIA.
JOHN SEBASTIAN HELMCKEN, VICTORIA.
JOSEPH DESPARD PEMBERTON, VICTORIA DISTRICT.
JOHN ROBSON, NEW WESTMINSTER.
ROBERT THOMPSON SMITH, COLUMBIA RIVER AND KOOTENAY.
JOSEPH J. SOUTHGATE, NANAIMO.
EDWARD STAMP, LILLOOET.
GEORGE ANTHONY WALKEM, CARIBOO.
FRANCIS JONES BARNARD, YALE AND LYTTON.

BRITISH COLUMBIA.



FREDERICK SEYMOUR.

{ L.S. }

PROCLAMATION

By His Excellency FREDERICK SEYMOUR, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its Dependencies, Vice-Admiral of the same, &c, &c., &c.

WHEREAS, by an Act of Parliament, made and passed in the Session of the Imperial Parliament, holden in the 29th and 30th year of the Reign of Her Majesty Queen Victoria, Chapter 67, intituled "An Act for the Union of the Colony of Vancouver Island with the Colony of British Columbia," it was among other things enacted that from and immediately after the Proclamation of the above mentioned Act of Parliament by the Governor of British Columbia, the Colony of Vancouver Island should be united with the Colony of British Columbia and form one Colony, in manner in such Act mentioned;

NOW, THEREFORE, I, FREDERICK SEYMOUR, Governor of the said Colony of British Columbia, do hereby proclaim and publish the said Act for the guidance of Her Majesty's Subjects and all others whom it may concern, as follows:—

ANNO VICESIMO NONO & TRICESIMO.

VICTORIÆ REGINÆ.

CAP. LXVII.

An Act for the Union of the Colony of Vancouver Island with the Colony of British Columbia.

[6th August, 1866.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as the *British Columbia Act, 1866*.
2. In this Act the Term "Governor" means any Officer for the Time being lawfully administering the Government.
3. From and immediately after the Proclamation of this Act by the Governor of *British Columbia*, the Colony of *Vancouver Island* shall be and the same is hereby united with the Colony of *British Columbia*, and thenceforth those Two Colonies shall form and be One Colony, with the name of *British Columbia* (which Union is in this Act referred to as the Union).
4. On the Union taking effect, the Form of Government existing in *Vancouver Island* as a separate Colony shall cease, and the Power and Authority of the Executive Government and of the Legislature existing in *British Columbia* shall extend to and over *Vancouver Island*; but in order that Provision may be made for the Representation of *Vancouver Island* in the Legislature of *British Columbia* after the Union, the maximum Number of Councillors in the Legislative Council of *British Columbia* after the Union shall, until it is otherwise provided by lawful Authority, be Twenty-three instead of Fifteen.

5. After and notwithstanding the Union the Laws in force in the separate Colonies of *British Columbia* and *Vancouver Island* respectively at the Time of the Union taking effect shall, until it is otherwise provided by lawful Authority, remain in force as if this Act had not been passed or proclaimed; save only that the Laws relative to the Revenue of Customs in force in *British Columbia* at the Time of the Union taking effect shall, until it is otherwise provided by lawful Authority, extend and apply to *Vancouver Island*; and, until it is otherwise provided by lawful Authority, the Governor of *British Columbia* shall have, in relation to the Territory for the Time being under his Government, all the Powers and authorities for the Time being vested, in relation to the United Kingdom, in the Commissioners of Her Majesty's Treasury or in the Commissioners of Customs, with respect to the Appointment of Warehousing Ports, and the Approval and Appointment of Warehouses or Places of Security in such Ports, and everything consequent thereon or relative thereto.

6. Nothing in this Act shall take away or restrict the authority of the Governor of *British Columbia*, with the Advice and Consent of the Legislative Council thereof, to make Laws for the Peace, Order, and good Government of *British Columbia* either before or after the Union; nor shall anything in this Act interfere with the Exercise of any Power that would have been exercisable by Her Majesty in Council if this Act had not been passed.

7. Until the Union *British Columbia* shall comprise all such Territories within the Dominions of Her Majesty as are bounded to the South by the Territories of the United States of *America*, to the West by the *Pacific Ocean* and the Frontier of the *Russian Territories* in *North America*, to the North by the Sixtieth Parallel of North Latitude, and to the East from the Boundary of the *United States* Northwards by the *Rocky Mountains* and the One hundred and twentieth Meridian of West Longitude, and shall include *Queen Charlotte's Island* and all other Islands adjacent to the said Territories, except *Vancouver Island* and the Islands adjacent thereto.

8. After the Union *British Columbia* shall comprise all the Territories and Islands aforesaid and *Vancouver Island* and the Islands adjacent thereto.

9. The Acts described in the Schedule to this Act are hereby repealed; but this repeal shall not invalidate any Order in Council or other Instrument issued under the authority of those Acts or either of them, or any Act done or Right or Title acquired by virtue of those Acts or of either of them or of any such Order or Instrument.

SCHEDULE.

Acts Repealed.

21 & 22 Vict. c. 99. An Act to provide for the Government of *British Columbia*.

26 & 27 Vict. c. 83. An Act to define the Boundaries of the Colony of *British Columbia*, and to continue an Act to provide for the Government of the said Colony.

And I, the said FREDERICK SEYMOUR, as such Governor as aforesaid, do hereby further proclaim and publish that the Colony of *Vancouver Island* shall, from the Proclamation hereof, be and the same is hereby united with the Colony of *British Columbia*, and the said two Colonies shall, from the Proclamation hereof, form and be one Colony, with the name of *British Columbia*.

And I, the said Governor, do hereby further proclaim and publish that, notwithstanding the Union aforesaid, the Laws in force at the Proclamation hereof in the separate Colonies of *British Columbia* and *Vancouver Island* respectively, until it is otherwise provided by lawful authority, shall remain in force as if the said Act had not been passed or proclaimed; save only that the Laws relating to the Revenue of Customs in force in *British Columbia* at the Proclamation hereof shall, until otherwise provided by lawful authority, extend and apply to *Vancouver Island*; and until it is otherwise provided by lawful authority the Governor of *British Columbia* shall have, in relation to the Territory for the time being under his Government, all the powers and authorities for the time being vested, in relation to the United Kingdom, in the Commissioners of Her Majesty's Treasury or in the Commissioners of Her Majesty's Customs, with respect to the appointment of Warehousing Ports, and the approval and appointment of Warehouses or Places of Security in such Ports, and everything consequent thereon or relative thereto.

And I, the said Governor, do hereby further proclaim and publish that all and singular other the Clauses and Provisions of the said Act shall take full effect in the said Colonies and Dependencies so united as aforesaid, under the name of British Columbia, as and from the Proclamation hereof.

This Proclamation may be cited as "The Union Proclamation, 1866."

Issued under the Public Seal of the Colony of British Columbia, at New Westminster, British Columbia, this Seventeenth day of November, in the year of Our Lord One thousand eight hundred and sixty-six, and in the Thirtieth year of Her Majesty's Reign.

By Command.

ARTHUR N. BIRCH,
Colonial Secretary.

GOD SAVE THE QUEEN.

PUBLIC NOTICE.

COLONIAL SECRETARY'S OFFICE,
28th December, 1866.

IN obedience to Her Majesty's commands, the Governor has appointed the following Public Officers to be, during Her Majesty's Pleasure, Members of the Legislative Council of British Columbia:—

The Honorables

The Colonial Secretary for the said Colony,
The Attorney-General for the said Colony,
The Treasurer for the said Colony,
The Chief Commissioner of Lands and Works for the said Colony,
The Collector of Customs for the said Colony.

The Governor has further been pleased to appoint the undermentioned gentlemen to be Members of the said Legislative Council, viz:—

The Honorables

Thomas Lett Wood, acting during the Session as Solicitor General,
Henry Maynard Ball, as Magistrate, Cariboo West,
Chartres Brew, as Magistrate, New Westminster,
Clement Francis Cornwall, as Magistrate, Thompson River District,
William George Cox, as Magistrate, Cariboo East,
William J. Macdonald, as Magistrate, Victoria,
Charles S. Nicol, as Magistrate, Nanaimo,
Peter O'Reilly, as Magistrate, Kootenay,
Edward Howard Sanders, as Magistrate, Yale and Lytton.

The following appointments to the Council have also been made by the Governor, in deference to the wishes of the people, as expressed in the Districts mentioned after each Honorable Member's name:—

The Honorables

Amor DeCosmos, Victoria,
John Sebastian Helmcken, Victoria,
Joseph Despard Pemberton, Victoria District,
John Robson, New Westminster,
Robert Thompson Smith, Columbia River and Kootenay,
Joseph J. Southgate, Nanaimo,
Edward Stamp, Lillooet,
George Anthony Walkem, Cariboo,
George Wallace, Yale and Lytton.

Provided, always, that such appointments as last mentioned shall be provisional only, as aforesaid, and provided also that they shall continue in force, unless previously determined, until the 30th day of June, A.D. 1868, and no longer.

By Command.

ARTHUR N. BIRCH.

BRITISH COLUMBIA.

V.



R.

FREDERICK SEYMOUR.

L.S.

PROCLAMATION

By His Excellency FREDERICK SEYMOUR, ESQUIRE, Governor and Commander-in-Chief of the Colony of British Columbia and its Dependencies, &c., &c., &c.

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

Greeting.

KNOW YE that I, FREDERICK SEYMOUR, under and by virtue of all powers and authorities in me in that behalf vested, do hereby command, and, by the tenor of these presents, enjoin you and each of you that on Thursday, the twenty-fourth day of January, One thousand eight hundred and sixty-seven, at the Council Chamber, New Westminster, personally you be and appear **FOR THE DISPATCH OF BUSINESS**, to treat and conclude upon those things which in the said Legislative Council may be ordained.

GIVEN under my hand and the Public Seal of the Colony, at Government House, New Westminster, in the Colony of British Columbia, this fourth day of January, in the year of Our Lord One thousand eight hundred and sixty-seven, and in the thirtieth year of Her Majesty's Reign.

By Command.

ARTHUR N. BIRCH,
Colonial Secretary.

Thursday, the 24th day of January, 1867.

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

The Honorables A. N. Birch, H. P. P. Crease, W. A. G. Young, J. W. Trutch, W. Hamley, C. Brew, P. O'Reilly, T. L. Wood, E. H. Sanders, W. G. Cox, W. J. Macdonald, H. M. Ball, J. S. Helmcken, J. Robson, A. DeCosmos, J. D. Pemberton, J. J. Southgate, R. T. Smith, E. Stamp, G. A. Walkem.

At half-past one, His Excellency Frederick Seymour, Esquire, Governor of the Colony, entered the Council Chamber, attended by his Private Secretary, and, being seated in the President's Chair, administered the customary oaths of allegiance and office to the Members present.

His Excellency then delivered the following gracious Speech:—

Honorable Gentlemen of the Legislative Council:

I by no means under estimate the importance of the duty which devolves on me to-day, of practically giving effect to the Legislative Union of the two British Colonies of the North Pacific. Nor can I avoid feeling the grave responsibility which rests upon me as Governor under the present distribution of power. There is considerable, though I trust temporary, depression existing in several portions of the Colony. There are conflicting interests which time alone can reconcile.

In all Legislative bodies on the English model, it is the duty of the head of the Executive Government to state the reasons why such Legislative body has been convened into Session, and this I shall proceed to do.

But first, it is well that I should lay before you the Standing Orders¹ for the conduct of Public business. They are prepared in obedience to Her Majesty's command, and vary but little from those previously in force. In deference, however, to the wishes of several Members of Council, I have struck out the Order fining Members for non-attendance.

I place prominently on the list of the measures which I wish you to pass, Bills of Indemnity to my predecessor in office in Vancouver Island and myself for money expended without an Appropriation Act. The circumstances of the case are sufficiently familiar to all, and I have no doubt but that you will legalise acts of supreme necessity.

I shall likewise lay before you a Bill to indemnify me for having omitted to enforce certain provisions of the Vancouver Island Stock Act, 1865, and Schedule D of the Harbour Dues Act, 1866.

It will be obviously desirable that the Laws of the two sections of the Colony should be assimilated with as little delay as possible. I do not feel competent, at present, to propose this complete amalgamation. That may be left to the next Session. At present, I will endeavour to induce you to select from either section such Laws as may be best suited to the immediate wants of the community at large. The Vancouver Island Bankruptcy Law, and that respecting the Registration of Titles to Land might, I think, with advantage be extended over the whole Colony. From the British Columbia Ordinances, I would select for general adoption, those enabling Indian evidence to be received in Courts of Justice, the Law for the prevention of the sale of Spirituous Liquors to the Aborigines, and that for the protection of their graves.

Then, I would further favorably recommend for your consideration,—the Mining Laws as existing on the main-land, the Postal, Joint Stock, Trustees' Relief, Currency, Game protection Ordinances, and that for the distribution of the Estate of Intestates. These have worked well in British Columbia, and it seems to me that we might beneficially extend their operation. A Bill or Bills for the purpose shall be laid before you.

As it is proposed to place the Crown Lands of Vancouver Island under the control of the Legislature of the United Colony, as soon as suitable provision has been made for the Public Service, I shall lay before you a Bill authorizing the Governor to extend by Proclamation the provisions of the present British Columbia Land Ordinance over the entire Colony, as soon as a satisfactory reconveyance of the Island from the Hudson's Bay Company to the Crown shall have been made.

A Bill shall be laid before you to amend the Act giving certain powers to the Municipality of Victoria.

The Estimates of Revenue and Expenditure are prepared, and shall be laid before you at an early date. I deeply regret to have to state, what however is well known to you, that the finances of both sections of the Colony were in a very unsatisfactory condition at the time that Union took place. Full information as to our exact position shall be laid before you, and I think you will agree with me,

¹ See Appendix.

without examining into the question as to which of the two late Colonies most required the support of the other, that Union and the consequent large reduction of expenditure came none too soon. But gloomy as our present position may be, I think we can look to the future with confidence if we work faithfully together for the public good, merging as far as may be all sectional or local interests in a desire to promote the general welfare.

The Estimates are prepared to meet the present condition of things. They will be found, in the aggregate, to apply for a smaller sum than has for some years past been voted for the service of the main-land alone. As a general rule, with one exception, to which I shall presently refer, all Salaries have been reduced from my own downwards. Though I, for one, do not find labour, responsibility, or expenditure diminished by the Union of the Colonies. Other Public Officers whose Salaries are guaranteed to them by Law, have cheerfully consented to submit to a temporary deprivation in the desire to help the Colony in its present emergency. The exception to which I refer is that of the Judicial Department. It is obviously desirable to avoid any discussion between the Executive Government and the Judges, in regard to the emoluments of the latter.

While deeply regretting the reductions that I am compelled to make, I must place on record, in the most public manner, my opinion that the great majority of the Public Servants who now suffer are fully entitled to Salaries such as they drew last year. I trust that we may regard the present one as of exceptional embarrassment, and that better times may soon lead to a more satisfactory Appropriation Act. It is to the amalgamation, however, of offices rather than to the reduction of Salaries that we must look for our future economy, and I shall earnestly recommend to the Secretary of State the removal to other Colonies of some of our Public Officers. The case of those Gentlemen who, through no fault of their own, lost office on the day of Union, shall likewise be brought under the same consideration.

You will find from the Estimates that I do not propose to undertake any Public Work of magnitude during the year. None are in progress on the main-land; one of secondary importance and moderate expense on the Island approaches completion. The more pleasing task of improvement must be left for another year. It will be sufficient, if for the present we keep our great Road System in repair. I shall be glad if you will express an opinion on two points of importance. What is to be done with the Dredging Machine now lying in Victoria Harbour, and the Steam Vessel built in connexion with it? Do you consider it desirable to keep up a Government Assay Office? On this latter question I cannot act without the sanction of the Secretary of State. The Department was constituted in England, at the request of the Colony, and has principally been managed by directions from the Lords of Her Majesty's Treasury. I must further await a decision as to the disposal of the Public Officers who conduct the Department. Selected at home and proceeding to the Colony on the faith of permanent employment, having always admirably conducted the business of the office, I cannot imagine that they will be losers by any opinion you may express.

Great as is the present temporary financial embarrassment, justice requires the abolition of some of the taxation still existing in the late Colony of Vancouver Island. The Real Estate Tax must be repealed, and the whole taxation assimilated throughout the Colony. Bills having these objects in view shall be laid before you early in the Session.

The Customs Act requires re-consideration. A Bill to amend it shall be laid before you.

Such are the principal measures which the Government proposes to introduce during the present Session. I feel that I have called you together somewhat late in the season; and as there are many matters of vital importance to be dealt with, I will not impede your progress by any measure which can be deferred. The Standing Orders, however, provide for the initiation of Bills by any Member of Council who may be desirous of doing so.

I shall address you, by Message, on the subject of Education and a few other topics of importance during the course of the Session. One of these will probably be as to the cause of the selection made for the Seat of Government of the United Colony. Up to within a few hours of meeting you, I had not the intention of touching upon it, but I am informed that the question creates an amount of interest which

I cannot comprehend, but which appears to me a sign of great local depression. I shall address you on the subject by Message.

And now, before leaving you, let me express my confidence that better days are yet in store for us. The heavy cloud of adversity which hangs over the South lightens as we proceed Northward, and no winter has yet seen a more numerous and contented Mining population than that which is now working on our Gold Creeks.

I shall watch with much interest your proceedings in the Session I open to-day. Grave and important duties are confided to our hands, and I firmly believe that they will be fairly dealt with. Trusting that the blessing of the Almighty may rest upon the efforts we are about to make to promote the welfare of the magnificent territory He has temporarily committed to our charge, I now leave you to your deliberations.

His Excellency then left the Council Chamber.

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

The Hon. the Presiding Member informed the Council that to prevent mistakes he had obtained a copy of the Governor's Speech.

The Hon. Mr. Helmcken rose to speak to a question of privilege.

Ordered that the Honorable Member do before the Council rises bring forward a motion on the subject, to be considered at the next meeting of the Council.

On the motion of the Hon. Mr. Young, the Hon. Mr. O'Reilly seconding,
Resolved, That the Governor's Speech be printed for the use of Members.

On the motion of the Hon. Mr. Sanders, the Hon. Mr. Walkem seconding,
Resolved, That a Select Committee, to be named by the Presiding Member, be appointed to draw out and submit a reply to His Excellency's gracious Speech.

The following Honorable Members were appointed accordingly:—The Hon. The Collector of Customs, the Hon. Messrs. Sanders, Robson, Macdonald, Walkem, Pemberton.

According to Order, the Hon. Mr. Helmcken then gave notice that he would at the next meeting of the Council bring forward the subject of seven Members only having been appointed for Vancouver Island.

The Hon. Mr. Ball moved the adjournment till Monday.

The Hon. Mr. Helmcken moved in amendment, That the Council adjourn till Wednesday, at 3 p.m.

Amendment carried. Ordered accordingly.

Wednesday, the 30th day of January, 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, Wood, Hamley, Brew, Young, O'Reilly, Sanders, Cox, Ball, Pemberton, Stamp, DeCosmos, Helmcken, Macdonald, Walkem, Robson, Smith, Southgate.

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

The Hon. Mr. Crease gave notice of motion (2).

The Hon. Mr. Pemberton gave notice of motion.

The Hon. Mr. Macdonald gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Crease gave notice of motion.

The Hon. Mr. Hamley, Chairman of the Select Committee appointed to frame a reply to His Excellency's Speech, handed in a Report, which was read as followeth:—

To His Excellency FREDERICK SEYMOUR, *Governor and Commander-in-Chief of British Columbia and its Dependencies, Vice-Admiral of the same, &c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Legislative Council of British Columbia, have received with pleasure the Speech with which you have honored us.

We are fully sensible of the arduous and important duties devolving upon Your Excellency at this critical period in the history of the Colony, and we shall not fail on our part to render every assistance in carrying out all measures calculated to promote the public welfare.

The Acts of Indemnity referred to by Your Excellency, and the Bills amalgamating the Laws of the Colony, shall receive our most favourable consideration.

We are gratified to learn that the Crown Lands of Vancouver Island are to be placed under the control of the Legislature. We trust that the reconveyance of the Island will be consummated with as little delay as possible, and that it will be followed by a general Land system so liberal as to encourage immigration and settlement, and to foster our agricultural interests.

Conscious of the financial embarrassment of the Colony, we observe with satisfaction that Your Excellency has caused the Estimates to be prepared with the strictest economy compatible with the efficiency of the Public Service.

Your Excellency having drawn the particular attention of the Council to the Assay Office, and to the Dredging Machine and Steamer, we venture to assure you of the earnest consideration with which these subjects shall be treated by the Council.

We desire to express our entire concurrence in the proposed measures for the repeal of the Real Estate Tax in Vancouver Island, and for the assimilation of Taxation throughout the Colony.

We shall look forward with anxiety to the Messages which Your Excellency has been pleased to promise us, upon the important subjects of Education and the Seat of Government.

We are fully alive to the serious responsibilities which rest upon us in the discharge of our duties during the ensuing Session, and we beg to assure Your Excellency that the task imposed upon us will be cheerfully undertaken, that the interests confided to us will be carefully guarded, and that in the promotion of all measures conducive to the advancement and prosperity of the Colony Your Excellency will meet with our most cordial co-operation. With Your Excellency also, we venture to hope that the days of depression may soon pass away, and we confidently look forward to the wisdom of Your Excellency's administration, to stimulate industry, restore confidence, and dispel the present gloom, perfectly trusting that under the guidance of Divine Providence Your Excellency's efforts may be crowned with success.

On the motion of the Hon. Mr. Wood, the Hon. Mr. Smith seconding,

That this Report be adopted.

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

Ordered accordingly.

The Council resolved itself into the said Committee of the whole.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Chairman of the Committee reported that the Committee had approved of the Report, with the alteration of one word in Section 4, namely "observe" to "learn."

Ordered that the Report as thus amended be adopted.

The Hon. Mr. Crease moved, the Hon. Mr. Walkem seconded,

That the Reply to His Excellency's Speech be presented by the House.

On the Order of the day being read therefor,

The Hon. Mr. Helmcken brought forward the subject of seven Members of Council only having been appointed for Vancouver Island.

The Hon. the Attorney General replied.

Thereupon a debate arose, which having terminated,

The Hon. Mr. Macdonald moved the adjournment.

The Council was adjourned accordingly till to-morrow, the 31st instant, at 3 o'clock.

Thursday, the 31st day of January, 1867.

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

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

At half-past 3 o'clock, there being no quorum present, the Presiding Member adjourned the Council till 1 o'clock p.m. to-morrow, the 1st February.

Friday, the 1st day of February, 1867.

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

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

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

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

The Hon. Mr. Wood gave notice of motions.

The Hon. Mr. Trutch gave notice of motion.

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

The Hon. Mr. Robson gave notice of motion.

Then, on the motion of the Hon. Mr. Wood, the Council adjourned during pleasure.

On the Council resuming its sitting, the Presiding Member informed the Council that, in pursuance of the order of the Council, he, attended by several Members

of the Council, had waited upon the Governor to present the Address in reply to his Excellency's Speech at the opening of the Council, and that His Excellency had been pleased to make thereto the following rejoinder.

Honorable Gentlemen of the Legislative Council:

I have received with much satisfaction the Address which you have just presented.

I feel that the Government and people are much indebted to you for devoting yourselves to the Public Service at a time when your duties, like my own, must be unmixedly disagreeable. I trust that when the Governor meets you next year he will be in a position to propose some works of improvement much more agreeable to entertain than the present labour of reduction and retrenchment.

According to Order, the Hon. Mr. Crease introduced the Imposts Indemnity Bill.

Ordered to be read first time.

Read first time accordingly.

Second Reading ordered for next Meeting of Council.

According to Order, the Hon. the Attorney General introduced a Bill for assimilating the Laws of the Colony,

Ordered that the Bill be now read the first time.

Read the first time accordingly.

Second Reading ordered for Tuesday next.

On the Order of the day being read therefor,

The Hon. Mr. Pemberton moved the following resolution, the Hon. Mr. DeCosmos seconding,

That a respectful address be presented to the Governor, asking for a copy of His Excellency's Instructions and Commission to be furnished to the Council.

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

That the word "Commission" be struck out, and that an Address be presented to the Governor, asking for His Excellency's Instructions referring to the Constitution of the Colony and the construction of this Council.

On the amendment being put the Council divided.

Ayes 10, Noes 6,

So the amendment was passed in the affirmative, and the original motion lost.

On the Order of the day being read therefor, the Hon. the Attorney General introduced a Bill respecting the application of the Customs Duties.

On the motion for first reading, a debate arose.

On the question being put the Council divided.

Ayes 13, Noes 4.

So it was Resolved in the affirmative.

Bill read first time accordingly.

On the question of the second reading being put,

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

That the Bill be considered in the Committee of ways and means.

On the amendment being put, the Council divided.

Ayes 6, Noes 10.

So it passed in the negative.

On the Original question being put, the Council again divided.

Ayes 10, Noes 6.

So it was resolved in the affirmative, and Ordered that the said Bill be read the second time this day week.

According to Order, the Hon. Mr. Macdonald asked leave to bring in the Victoria Incorporation Aid Bill.

Ordered that leave be granted.

The Hon. Member presented the said Bill accordingly.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for Monday, the 4th Instant.

On the Order of the day being read for the Hon. Mr. DeCosmos to move an Address to the Governor, praying that His Excellency may be pleased to instruct the Collector of Customs to discontinue, at once, the Collection of Duties on Merchandise shipped from Vancouver Island for any portion of the former Colony of British Columbia.

Ordered that leave be granted for the same, to be deferred for the present.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 2 o'clock p. m., Monday, the 4th February.

Monday, the 4th day of February, 1867.

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

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

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

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

The Hon. Mr. Helmcken gave (for Hon. Mr. Southgate) a notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Pemberton gave notice of motion.

The Hon. Mr. Crease gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Crease gave notice of motion.

According to order, the Hon. the Chief Commissioner introduced the Land Law Extension Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for Thursday next.

According to order, the Hon. the Solicitor General introduced the Ordinance Conciseness Bill.

Ordered to be read first time.

Read first time accordingly.

Second reading ordered for Tuesday the 5th Instant.

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

Message No. 1.

FREDERICK SEYMOUR.

In compliance with the Resolution of the Legislative Council, the Governor lays before the Board a copy of such portions of Her Majesty's Instructions to him, as refer to the Constitution of the Colony, and the Construction of the Legislative Council.²

It was decided in another Colony with which the Governor was connected that the House of Assembly was not entitled as of right to be put in possession of the Royal Instructions. The Governor will not however throw any impediments in the way of the Council during the present difficult Session.

*Government House,
2nd February, 1867.*

Ordered that the same be printed.

A further Message from His Excellency, read as follows:

Message No. 2.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a statement shewing the condition in which the Auditing of the Public Accounts of Vancouver Island stood at the time of the Union of the Island with British Columbia.³

The Governor likewise places before the Council, an estimate of the time and expenditure which would be necessary for settling these accounts. He would be glad to know if the Legislative Council would wish the books to be thoroughly examined, or else closed with the accounts up to the 19th November.

*Government House,
4th February, 1867.*

Ordered that the same be printed.

On the motion of the Hon. Mr. Trutch, Ordered that the Council do go into Committee of the whole to-morrow, to consider His Excellency's Message No. 2.

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

Ordered accordingly.

The Hon. Member then gave a notice of motion.

On the Order of the day being read therefor,

The Hon. Mr. Helmcken asked whether it is the intention of the Government to repeal the Ordinance relating to Head Money.

The Hon. the Colonial Secretary replied.

According to Order, the Hon. Mr. Helmcken asked whether it is the intention of the Government to introduce a Bill to regulate the Coasting Trade.

The Hon. the Colonial Secretary replied.

According to order, the Hon. Mr. Helmcken asked leave to introduce a Bill to repeal the Trades Licences Amendment Act of Vancouver.

² Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1867, pp. i-ii.

³ *Ibid.*, p. iii.

The Hon. the Attorney General having stated that the Government had such a measure in contemplation,

Ordered that leave be granted to the Hon. Member to withdraw his motion.
Motion withdrawn accordingly.

According to order, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That the following words be expunged from Standing Order No. 21, "which must be obtained on the day of notice."

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

That a respectful address be presented to the Governor requesting His Excellency to expunge all words in Section 21 of the Standing Orders, after "intention."

On the amendment being put the Council divided.

Ayes 12, Noes 4.

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

On the Order of the day being read therefor, the Hon. Mr. Robson moved, the Hon. Mr. DeCosmos seconding.

And it was Resolved, That a respectful address be presented to the Governor requesting His Excellency to expunge Clause 61 of the Standing Orders, and to allow the Public and Reporters of the Press free access to the Council during the pleasure of this House.

Pursuant to the Order of the day, the Impost Indemnity 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. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with slight alteration.

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

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

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

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

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till to-morrow, the 5th February, at 3 o'clock.

Tuesday, the 5th day of February, 1867.

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

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

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

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

The Hon. Mr. Smith gave two notices of motion.

Pursuant to the Order of the day, The Assimilation Bill was read the Second time.
Ordered to be committed to-morrow.

According to Order, the Hon. Mr. Robson moved, the Hon. Mr. Smith seconding,
That His Excellency the Governor be respectfully requested to lay before this House, Returns shewing the amount of Revenue derived from Tonnage Dues and Road Tolls during the year 1866; and also shewing the amount of Public Money expended by the Government during the same period in keeping the Roads, in respect of which Tolls are collected, in repair; such Returns to distinguish between the two branches below the Junction and the Main Trunk Road above that point.

On the question being put it was carried unanimously, and Resolved accordingly.

According to Order, the Hon. Mr. Pemberton moved, the Hon. Mr. Stamp seconding,

That a respectful address be presented to His Excellency asking for a Return of the Income and Expenditure of the Assay Office during the past year.

On the question being put it was carried unanimously, and Resolved accordingly.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Officer's Enabling Bill.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Second reading ordered for to-morrow.

According to Order, the Hon. Mr. Helmcken moved, the Hon. Mr. Robson seconding,

That a respectful address be presented to the Governor praying that His Excellency will be pleased to remit the Harbour Dues and Clearance Fees upon all Vessels coasting between Vancouver Island and the Mainland, until such time as an Ordinance be passed repealing the same.

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

Pursuant to the Order of the day, the Conciseness 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. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

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

Ordered to be read third time to-morrow.

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

Ordered accordingly.

The Hon. Member then gave notice of motion.

Pursuant to the Order of the day, the Council resolved itself into a Committee of the whole on the Governor's Message No. 2, relative to Auditing the Accounts of Vancouver Island.

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 of the Committee for the adoption of the Council:

Moved by the Hon. Mr. Young, seconded by the Hon. Mr. Robson,

That His Excellency the Governor be respectfully requested to place the sum of \$200 on the Estimates for the year 1867, for the purpose of completing the Audit of the Accounts of the late Colony of Vancouver Island, from the 1st January, 1866, to the 19th November, 1866.

On the question of the adoption of this report being put, it was carried unanimously, and resolved accordingly.

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

Ordered that leave be granted.

The Hon. Member accordingly presented the said Bill.

Ordered to be read first time at once,

Read first time accordingly.

Second reading deferred.

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

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

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

Wednesday, the 6th day of February, 1867.

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

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

The Hon. the Presiding Member produced a *Dedimus Potestatem* from the Governor, empowering him to swear in Members of Council, during the present Session.

The same was read aloud by the Clerk as follows:

L.S.

FREDERICK SEYMOUR.

To ARTHUR BIRCH, ESQUIRE, *Presiding Member of the Legislative Council of British Columbia, and whom else it may concern;*

Greeting.

KNOW ye that FREDERICK SEYMOUR, ESQUIRE, Governor of the Colony of British Columbia, reposing especial trust and confidence in the fidelity, learning, and integrity of the said Arthur Birch, and under and by virtue of all powers and authorities him the said Frederick Seymour, as such Governor, in that behalf enabling, hath appointed and by these presents doth give and grant unto the said Arthur Birch full power and authority to administer the customary oath to Members of the Legislative Council, during its present Session.

GIVEN under my hand and seal, at New Westminster, British Columbia, this Sixth day of February, A.D. 1867, and in the 30th year of Her Majesty's Reign.

The Hon. Mr. Sanders then introduced a new Member of Council, Francis Jones Barnard, Esquire, to whom the Hon. Presiding Member administered the customary oath of allegiance and office.

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

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

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

The Hon. Mr. Pemberton gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Pemberton gave notice of motion.

The Hon. Mr. DeCosmos gave notice of 3 motions.

Pursuant to the Order of the day, the Assimilation of Laws Bill was considered in Committee of the whole.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

Ordered that leave be granted, and that the Resolution as follows be adopted.

Moved by the Hon. Mr. DeCosmos, seconded by the Hon. Mr. Helmcken, that a Select Committee consisting of the Hon. Messrs. Crease, Wood, Walkem,

Young, DeCosmos, be appointed to revise the Statutes mentioned in Schedule B, and report as occasion require.

Pursuant to the Order of the day, the Enabling Ordinance was read second time.

Ordered to be committed at once.

The Council resolved itself into a Committee of the whole.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with slight emendation.

Ordered to be read third time to-morrow.

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

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

Thursday, the 7th day of February, 1867.

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

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

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

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

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

On the Order of the day being read for the motion of the Hon. Mr. DeCosmos, that the House go into Committee of the whole to consider the propriety of amending the Constitution of the Legislative Council, so as to make the total number of the Members to be 24, one-third to be nominated by the Crown and two-thirds to be elected by the people,

The Hon. Member asked leave for the consideration of the question to be deferred till Thursday next.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. the Attorney General brought in the Trades Licences Bill.

Ordered to be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Thursday next.

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

That the Government take into consideration the advisability of immediately abolishing the Road Tolls and Tonnage Dues, and increasing the Customs Tariff, so as to make up for the deficiency in the Revenue which would be caused by reason of such abolition.

Whereupon a debate arose.

The Hon. Mr. Helmcken then moved, the Hon. Mr. Crease seconding,
That the debate on this question be adjourned till Thursday.

On the question of adjournment being put it was carried unanimously and Ordered accordingly.

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

That an address be presented to His Excellency the Governor praying that he will be pleased to place upon the Estimates the sum of \$10,000 for the purpose of completing the Metchosin Road, and \$2,000 for the purpose of completing the Saanich Road, both in Vancouver Island,

The Hon. Member asked leave to withdraw the motion in question.

Ordered that leave be granted.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Hon. Mr. Pemberton asked leave to bring in the acquisition of Land Bill.

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

Read the first time accordingly.

Second Reading ordered for Friday, 15th instant.

Pursuant to a deferred Order of the day, the second reading of the Hon. the Chief Commissioner's Land Bill was deferred till Friday, the 15th instant.

Pursuant to the Order of the day, the Officer's Enabling Bill was read third time, and it was Resolved that the same do pass, and its title be the "Officers' Enabling Ordinance, 1867."

On the Order of the day being read for the adjourned committal of the Assimilation Bill,

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

The Hon. Mr. Young moved the adjournment till to-morrow, at 2 p. m.

The Hon. Mr. Robson in amendment to 3 p. m.

The amendment being carried,

The Council adjourned till to-morrow the 8th Instant, at 3 o'clock.

Friday, the 8th day of February, 1867.

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

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

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

The Hon. Mr. Helmcken gave (for the Hon. Mr. Stamp) notice of motion.

On the order of the day being read for the second reading of the Customs application Bill,

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

That the Order of the day for the second reading of the Customs Bill be postponed, and that the second reading be deferred till after the Estimates are before the House.

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

That the Customs application Bill be referred to the Committee of Ways and Means.

On the amendment being put the Council divided.

Ayes 10, Noes 7.

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

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

That the sum of \$15,000 be placed on the Estimates for the purpose of opening Trails in the Columbia District, the most important of which is a Trail from a point on Columbia River, near the mouth of Gold Creek, to the Boat Encampment, so as to complete the connection between the Big Bend Mines and the Settlements on the East of the Rocky Mountains,

The Hon. Member moved that the same do lie on the table.

Ordered accordingly.

Pursuant to the Order of the day, the Hon. Mr. Southgate moved, the Hon. Mr. Pemberton seconding,

That His Excellency the Governor be respectfully requested to place the sum of £250 on the Estimates for the purpose of erecting a Bridge at Nanaimo.

Moved in amendment by the Hon. Mr. Helmcken, the Hon. Mr. Robson seconding,

That the words "not exceeding" be inserted before "£250," and "repairing" substituted for "erecting."

On the question as amended being put, it was carried after a division.

Ayes 10, Noes 6,

And Resolved accordingly.

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

And it was Resolved, That an address be presented to His Excellency the Governor, praying that he may be pleased to supply this House with Returns of Transport, shewing the Expenditure under each head for 1866.

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

That a respectful address be presented to His Excellency the Governor, praying that a sum of Twenty-five Thousand Dollars may be placed in the Estimates for constructing a road from Gold Stream to Cowichan, and improving the road thence to Nanaimo,

A debate arose.

After which it was moved by the Hon. Mr. Macdonald, seconded by the Hon. Mr. Sanders, and

Resolved, That the motion of the Hon. Mr. DeCosmos do lie on the table.

According to Order, the Hon. Mr. DeCosmos asked Whether it is the intention of the Government to throw open the whole or any portion of the Indian Reserves at Cowichan for settlement?

The Hon. the Colonial Secretary replied.

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

That a respectful address be presented to His Excellency the Governor, praying that the sum of \$2,000 may be placed on the Estimates for the construction of a Road through Comox,

The Hon. Member moved that the same do lie on the table.

Ordered accordingly.

Pursuant to the Order of the day, the Council resolved itself into an adjourned Committee on the Assimilation Bill.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

Ordered that leave be granted.

The Chairman of the Select Committee appointed to consider and revise the Statutes named in Schedule B. of the Assimilation of Laws Bill, brought in the first Report, viz: the Oaths and Evidence Bill.

Ordered that the Report of the Committee be adopted and the said Bill read first time.

Bill read first time accordingly.

Ordered to be read second time on Monday.

The Hon. Mr. Helmcken then moved the adjournment of the Council till Wednesday, at 3 o'clock.

The Hon. Mr. Ball having moved, in amendment, the adjournment till Monday at 3 o'clock.

The amendment was carried, and it was Ordered accordingly.

Monday, the 11th day of February, 1867.

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

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

Present,—The Hon. Messrs. Birch, Crease, Trutch, Hamley, Wood, O'Reilly, Brew, Ball, Cox, Sanders, Robson, Southgate, Barnard.

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

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

Message No. 3.

FREDERICK SEYMOUR.

In compliance with a Resolution of the Legislative Council passed on the 5th Instant, the Governor forwards a Return of the Receipts and Expenditure of the Assay Department during the last three years.

The Governor adds a general report on the working of the Department which he has received from the Superintendent.⁴

Government House,

11th February, 1867.

The Hon. Mr. Robson gave notice of motion.

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

That an address be presented to His Excellency the Governor, urging the desirability of having the Indian Reserves of the Colony reduced to what is necessary for the actual use of the Natives, and to have such Reserves properly defined, the remainder to be thrown open for settlement.

A debate on the question having terminated,

The Hon. mover asked leave to amend the Resolution by erasing the words "of the Colony" and substituting "on the lower Fraser."

Ordered that leave be granted.

The Resolution was then put as amended and carried unanimously.

According to the Order of the day, the Oaths and Evidence 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. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with slight alteration.

Ordered that the said Bill be read the third time at the next sitting of the Council.

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

The Sheriff's Law Assimilation Bill, and Indian Liquor Bill.

Ordered that the Report of the Select Committee be adopted, and the Bills severally read the first time.

The Bills in question were severally read the first time.

Second Reading ordered for next Meeting of Council.

The Hon. Mr. Ball moved the adjournment.

The Hon. the Attorney General moved that the Standing Orders be suspended to enable him to hand in a further report from the Select Committee appointed to revise the Acts mentioned in Schedule B. of the Assimilation Bill.

⁴ *Ibid.*, pp. iv-v.

Standing Orders suspended accordingly.

The Hon. the Attorney General then handed in a further report, viz:
The English Law Application Bill, and the Interest Bill.

Ordered that the Report be adopted and the Bills in question severally read the first time.

Bills severally read the first time.

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

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock p. m., Wednesday, the 13th February.

Wednesday, the 13th day of February, 1867.

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

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

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

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

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

Message No. 4.

FREDERICK SEYMOUR.

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

1. An Ordinance of Indemnity for not enforcing certain local taxes of Vancouver Island.

2. An Ordinance in aid of the Municipal Taxation in Victoria.

Government House,

12th February, 1867.

On the Order of the day being read for a motion of which notice was given by the Hon. Mr. Stamp,

On the motion of the Hon. Mr. Southgate,

Ordered, That the same be brought forward to-morrow, in consequence of the absence of the Hon. mover thereof.

On the Order of the day being read for the Hon. Mr. Robson's motion to ask leave to bring in a Homestead Bill,

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

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. the Colonial Secretary brought in the Estimates for the year 1867.

Ordered that the Council do resolve itself into a Committee of Supply on Friday next.

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

Pursuant to the Order of the day, The Sheriffs' Law Bill was read the second time.

Ordered that the Council do go into Committee of the whole at once on the said Bill.

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

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

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

Pursuant to the Order of the day, the Indian Liquor 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. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that the Bill had been gone through with certain emendations, and that he was instructed to ask leave for the Bill to be re-committed at once.

Ordered that leave be granted, and Bill re-committed accordingly.

On the Presiding Member again resuming the Chair,

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

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, The English Law Bill was read second time.

Ordered to be committed to-morrow.

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

The Hon. Mr. Trutch moved that the House do adjourn.

The Council divided.

Ayes 10, Noes 6.

So it was Resolved in the affirmative, and the Council adjourned till 2 o'clock to-morrow.

Thursday, the 14th day of February, 1867.

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

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

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

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

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

The Postal Bill, and the Gold Mining Bill.

Ordered that the Report be adopted, and that the Bills be severally read first time.

Read first time accordingly.

The second reading of the Postal Bill was Ordered for Tuesday next.

On the Hon. the Attorney General having moved the second reading of the Gold Fields Bill,

Ordered that the Bill be referred back to the Select Committee, in order that the suggestions of the Gold Commissioners may be received.

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

The Hon. Member asked leave to postpone the consideration till Tuesday next.

Ordered that leave be granted.

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

That His Excellency the Governor be respectfully requested to place the sum of £600 upon the Estimates for the purpose of repairing the Road leading from Douglas Street to English Bay, and for making a branch from said Road over False Creek to new Saw Mill, on Burrard Inlet,

The Hon. Member moved, the Hon. Mr. Trutch seconded,

That the attention of His Excellency the Governor be respectfully drawn to the advisability of repairing the Road leading from Douglas Street to English Bay, and for the construction of a Branch Road over False Creek to new Saw Mill, on Burrard Inlet.

Amendment carried and Resolved accordingly.

According to Order, the Hon. Mr. Robson moved, the Hon. Mr. Pemberton seconding,

That an address be presented to His Excellency the Governor respectfully requesting that the Customs Tariff may be so amended as to subject the under-mentioned articles to the rate of duty placed opposite each:

Lumber (Fir or Cedar), if rough,	\$3 per thousand feet.
Ditto if dressed	\$5 "
Shingles, per thousand,	\$1.
Laths, "	\$1.
Fence Pickets, "	\$2.
Hay,	20 per cent <i>ad valorem</i> .
Vegetables, (fresh)	20 "
Fruit, (green)	25 "
Poultry, (dead or alive)	25 "
Eggs,	20 "
Black Cattle, other than for breeding purposes,	\$5 each.
Ditto, if for breeding purposes,	free.
Hogs,	\$2 each.
Dead Meat, including Hams and Bacon,	20 per cent.
Butter,	25 per cent.

Lard,	20 per cent.
Confectionery,	25 per cent.
Bread,	25 per cent.
Tinware,	25 per cent.
Machinery,	10 per cent.

Ordered that the same be printed and considered in Committee of Ways and Means.

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

Message No. 5.

FREDERICK SEYMOUR.

In compliance with the Resolution passed by the Legislative Council on the 5th instant, the Governor transmits a Return (closely approximate) shewing the amount received from Road Tolls during the year 1866.⁵

He likewise forwards a Return shewing the amount of Tonnage Dues received at the Port of New Westminster for the same period.

Further he transmits a Statement of moneys expended in construction of and repairs to Roads on which Tolls were collected during the year 1866.

*Government House,
14th February, 1867.*

A further Message from His Excellency, read as follows:

Message No. 6.

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Petition presented to him praying for the abolition or reduction of the Road tolls.⁶ He greatly regrets to have to state that he does not think that it can be favourably entertained at present.

In connection with this subject, the Governor forwards to the Legislative Council a Statement of the average prices of the principle articles of consumption at the Gold Mines, as furnished by the Magistrates stationed at Cariboo during the last four years.

*Government House,
14th February, 1867.*

Ordered that the above Messages be printed for the use of Members.

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

On the motion of the Hon. Mr. Walkem,

Ordered that the Standing Orders be suspended in order that the same may be re-committed.

Standing Orders suspended accordingly.

The Council went again into Committee on the said Bill.

The Presiding Member left the Chair.

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

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that several alterations had been made in the Bill, and that it was now complete.

Ordered that the same be read third time on Monday next.

On the Order of the day being read for the third reading of the Indian Liquor Bill.

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

That the Bill be thrown out.

⁵ *Ibid.*, p. vi.

⁶ *Ibid.*, p. vii.

