

JOURNALS
OF THE
LEGISLATIVE COUNCIL
OF THE COLONY OF
VANCOUVER ISLAND

3 SEPTEMBER 1863 to 1 SEPTEMBER 1866

MEMBERS OF THE LEGISLATIVE COUNCIL OF
VANCOUVER ISLAND
1863-1866

CHIEF JUSTICE AND PRESIDENT	First Sitting	Last Sitting
David Cameron.....	3 Sept. 1863	7 July 1865
Joseph Needham.....	29 Nov. 1865	1 Sept. 1866
 ATTORNEY GENERAL		
David Babington Ring (Acting).....	3 Sept. 1863	2 Oct. 1863
George Hunter Cary.....	14 Oct. 1863	8 July 1864
Thomas Lett Wood (Acting)*.....	25 Aug. 1864	1 Sept. 1866
 TREASURER		
Alexander Watson.....	3 Sept. 1863	1 Sept. 1866
 SURVEYOR GENERAL		
Benjamin William Pearse (Acting).....	27 Oct. 1863	21 Mar. 1864
Joseph Despard Pemberton.....	6 Apr. 1864	8 July 1864
Benjamin William Pearse (Acting)*.....	11 Oct. 1864	1 Sept. 1866
 COLONIAL SECRETARY		
Henry P. Wakeford (Acting).....	23 Aug. 1864	27 June 1865
William Alexander George Young.....	3 July 1865	1 Sept. 1866
 COUNCILLORS		
Roderick Finlayson.....	3 Sept. 1863	30 Aug. 1866
Alfred John Langley.....	3 Sept. 1863	4 Sept. 1863
Donald Fraser.....	14 Apr. 1864	24 July 1866
Henry Rhodes.....	20 Aug. 1864	1 Sept. 1866

* The Colonial Office did not confirm the appointments of Wood as Attorney General and Pearse as Surveyor General in 1864 following the House of Assembly's refusal to vote a permanent civil list. Nevertheless, in the minutes that follow the clerk does not always identify the positions of Attorney General and Surveyor General as acting appointments.

MINUTES OF THE LEGISLATIVE COUNCIL OF THE COLONY OF VANCOUVER ISLAND

Thursday, the 3rd day of September, 1863

The Council met this day at noon pursuant to notification by the Chief Justice.

Present: The Chief Justice, The Acting Attorney General, The Treasurer, Hons. Roderick Finlayson, Alfred J. Langley.

The following Instructions from His Excellency The Governor constituting the Executive and Legislative Council was read and ordered to be entered on the Minutes:

Vancouver's Island.
Victoria, 15th July, 1863.

Whereas, by a Commission under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date the 8th day of October, in the Twenty sixth year of Her Majesty's Reign, addressed to James Douglas, Esquire, Companion of the Most Honorable Order of the Bath, Governor and Commander in Chief in and over the Island of Vancouver and its Dependencies, Her Majesty hath declared her pleasure to be that there shall henceforth be established within the said Island two distinct and separate Councils to be respectively called the Executive Council and Legislative Council of the said Island, to consist of such and so many Members as shall from time to time for that purpose be nominated and appointed by Her Majesty under Her Sign Manual and Signet or as shall be provisionally appointed by The Governor as aforesaid until Her Majesty's pleasure therein shall be known in conformity with any instructions which the said Governor may from time to time receive from Her Majesty under the Royal Sign Manual and signet.

And whereas, by Her Majesty's Instruction under Her Royal Sign Manual and Signet dated the 8th day of October, 1862, the following Officers are appointed and nominated to be, during Her Majesty's pleasure, Members of the Executive Council of the said Island, that is to say; The Colonial Secretary for the said Island, The Attorney General for the said Island, The Treasurer for the said Island, The Surveyor General for the said Island, or the persons for the time being lawfully discharging the functions of such Colonial Secretary, Attorney General, Treasurer and Surveyor General.

And whereas, by the Instructions aforesaid the following officers are nominated and appointed to be during Her Majesty's pleasure, Members of the Legislative Council of the said Island, that is to say; The Chief Justice, The Colonial Secretary for the said Island, The Attorney General for the said Island, The Treasurer for the said Island, The Surveyor General for the said Island, or the persons for the time being lawfully discharging the functions of Chief Justice, Colonial Secretary, Attorney General, Treasurer and Surveyor General together with such other persons being residents within the said Island as are now Members of the Council constituted by Her Majesty's Commission addressed to the aforesaid James Douglas, bearing date the 16th day of May A.D. 1851 or as may hereafter be appointed by Her Majesty by any instrument under Her Royal Sign Manual and Signet, or as may be provisionally appointed by the Governor aforesaid, until Her Majesty's pleasure therein shall be known.

Provided that every such officer or person who shall be elected to be a Member of the General Assembly of the said Island shall upon taking his seat therein cease to be a Member of the said Legislative Council; but every such person having an official seat in the said Council shall again become a Member of the said Council on ceasing to be a Member of the General Assembly; and provided also, that the

number of unofficial Members of the said Council shall not by any such provisional appointment as aforesaid be raised above the number of four.

Now these are to notify and declare, that in conformity with and under the authorities before recited the undermentioned officers and persons have been appointed and constituted to be Members of the Executive Council of Vancouver's Island: William Alexander George Young—Acting Colonial Secretary, George Hunter Cary—Attorney General, Alexander Watson—Treasurer, Joseph Despard Pemberton—Surveyor General.

And that the following officers and persons have been appointed and constituted under the provisions aforesaid to be Members of the Legislative Council of Vancouver's Island: David Cameron—Chief Justice, Alexander Watson—Treasurer, Joseph Despard Pemberton—Surveyor General, Roderick Finlayson, Donald Fraser, Alfred James [John] Langley.

By His Excellency's Command.

(signed) William A. G. Young
Acting Colonial Secretary.

Victoria. 15th July 1863

In reference to the foregoing Minute, His Excellency the Governor has, in the absence from the Colony on leave of the Attorney General provisionally appointed David Babington Ring, Acting Attorney General, to be ex officio a Member of the Executive and Legislative Councils of Vancouver's Island.

By His Excellency's Command.

(sd.) William A. G. Young
Acting Colonial Secretary.

David Cameron, Esquire, David Babington Ring, Esquire, Alexander Watson, Esquire, Roderick Finlayson Esquire, and Alfred James Langley Esquire having taken the oaths of allegiance the Members of Council then accompanied His Excellency to the House of Assembly for the purpose of opening Parliament.

His Excellency delivered the following Speech.

Honourable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly:

In opening the Third General Assembly of Vancouver Island I have great pleasure in observing that among the events of national importance which have marked the period since the last meeting of Parliament none have excited a more general degree of Public interest than the marriage of His Royal Highness the Prince of Wales; that event has called forth expressions of the warmest sympathy and attachment from every part of the Empire and I regret that you have not had an opportunity since that auspicious occasion, so intimately connected with the happiness of our Sovereign and Her Family of manifesting in your public character the loyalty and devotion of this Colony.

I shall soon lay before you a copy of a Communication which I lately received from Her Majesty's Principal Secretary of State for the Colonies containing proposals on the part of the Atlantic and Pacific Transit and Telegraph Companies for establishing Telegraphic and Postal Communications between British Columbia and the head of Lake Superior, and also of the answer returned by Her Majesty's Government to these proposals. By this contemplated arrangement it is proposed that Canada Vancouver Island and British Columbia shall guarantee to the Company a profit on capital expended at the rate of not less than Four per cent nor more than Five per cent per annum it being however provided that the total annual payment to be made by Vancouver Island and British Columbia shall in no case exceed the sum of £12,500 to be borne if necessary by the respective Colonies as may be agreed upon.

I have to recommend this project to your favourable consideration as the conditions are not unreasonable considering the magnitude of the undertaking and the advantages which this Colony will reap from the faithful execution of the enterprise. Before concluding any arrangement on the terms proposed it should however be stipulated as an express condition of the guarantee that the Telegraph and Postal communication shall be extended to Vancouver Island.

I will also cause to be laid before you a Despatch¹ containing the decision of Her Majesty's Government with reference to the form of Government which is to be adopted in the Colonies of British Columbia and Vancouver Island, a measure which will be carried into effect and the Colonies be placed under different Governor's so soon as the proper financial arrangements are made for the permanent support of the Government.

Her Majesty's Government are of opinion that a permanent Act of the Legislature should be passed securing to the principal Officers of the Government salaries at the rates suggested in the aforesaid Despatch and also that the initiation of all money votes should be secured to the Government. When this is done Her Majesty's Government will be prepared to hold the Crown Revenue of Vancouver Island at the disposal of the Legislature of the Colony retaining only such temporary power over the land as will enable Her Majesty's Government to close its transactions with the Hudson Bay Company. When this is effected Her Majesty's Government will be ready to transfer the management of the Revenue to the Colonial Legislature.

In concluding this subject I desire to call the attention of the Legislature to the opinion so impressively given in this Despatch by the able Statesman at the head of the Colonial Department in favour of a union of the Colonies under one Government—an opinion which comes with the weight of a wide experience in the workings of Colonial Institutions and which will I trust exercise a due influence on your deliberations.

I have great satisfaction in stating that the Native Indian Tribes continue to evince a friendly disposition and that nothing has occurred to disturb the peace of the outlying Settlements which will be protected as heretofore by the occasional visits of Her Majesty's Ships.

I have to congratulate you, Gentlemen, on the state of the public revenue for the half year ending with the 30th day of June last. You will observe by the Return which will be laid before you a remarkable increase for that period representing a sum more than equal to the whole amount of Revenue collected for the corresponding period of 1862.

The half yearly reports from the Treasurer and Harbour Master which I have had prepared for your information will exhibit that and other important facts connected with the trade and financial condition of the Colony.

Gentlemen of the Legislative Assembly

I will cause to be prepared and in due time submitted to you the Estimates for the year 1864 and in the meantime I have to call your attention to the importance of continuing the improvements of the public roads as recommended by the Road Commissioners and of providing for the exploration of certain Districts where valuable minerals are believed to exist.

Assistance will be asked for carrying these objects into effect and also for establishing elementary schools in Country Districts where the Settlers have at present no means of educating their children. This latter object will not involve a present outlay of more than a few hundred pounds to aid in the erection of Schoolhouses and of suitable residences for the Teachers. The salaries of the Teachers may be provided for as required in the annual Estimates.

Honourable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly:

A Bill for restraining the issue of Writs of Capias in the case of actions accruing in a Foreign jurisdiction unless the defendant has been resident in the Colony for a term of 30 days and also a Bill to alter and amend the Act for incorpo-

¹ Newcastle to Douglas, June 15, 1863, British Columbia, Governor, Despatches from London, PABC.

rating the Town of Victoria and a Bill to legalize the collection of small debts and to reduce the costs and modify the present procedure will with measures be introduced and submitted in the course of the Session for your consideration.

It being desirable that the fire Department of Victoria should be placed under the control of the Mayor and Corporation and that the Members of this Institution for their valuable and efficient Services should be exempted from doing duty on Juries measures having these objects in view will be submitted to you.

In the settlement of all these matters for the prosperity and happiness of the Colony much must depend upon your wisdom and foresight and in conclusion I can but express the fervent hope that the blessing of the Almighty may rest upon your labours.

Mr. Ring gave notice that on Monday the 7th Instant he would move that an Address be presented to His Excellency in answer to the Speech.

The Council then adjourned until Friday the 4th Instant at one O'clock.

Friday, the 4th day of September, 1863

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Attorney General—(Acting), The Treasurer, Hon. Alfred J. Langley.

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

The Chief Justice moved that a Committee on Standing Orders be appointed of the following Members—The Acting Attorney General, The Treasurer, Alfred J. Langley, which was agreed to.

The Council then adjourned until Monday the 7th Instant at 8 O'clock.

Monday, the 7th day of September, 1863

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Attorney General, The Treasurer.

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

The Acting Attorney General moved the following Address in reply to His Excellency's Speech at the opening of Parliament which was agreed to and ordered to be placed on the Minutes.

May it please Your Excellency—

We, the Legislative Council of the Colony of Vancouver Island have with much pleasure heard Your Excellency's Speech upon the opening of Parliament.

We most cordially join in Your Excellency's sentiments of Loyalty and attachment to our Sovereign and Her Family and also in your feelings towards His Royal Highness the Prince of Wales upon his recent auspicious marriage.

It gives us great pleasure to receive Your Excellency's assurances of the friendly disposition of the Native Indian Tribes and of the increased financial prosperity of the Colony—and we beg to assure Your Excellency that we shall give our best consideration to the various important topics, and the measures of Legislation for this Colony to which Your Excellency has done us the honor to direct our attention.

The Council then adjourned until Wednesday the 9th Instant at 2 O'clock.

Wednesday, the 9th day of September, 1863

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

Wednesday, the 15th [16th] day of September, 1863

The Council met this day at one O'clock P.M.

Present: The Chief Justice, The Acting Attorney General, Alexander Watson.
The Council having waited upon His Excellency and delivered the Address in reply to His Excellency's Speech.
Adjourned until Friday the 18th Instant.

Wednesday, the 30th day of September, 1863

Present: The Chief Justice, The Acting Attorney General, and The Treasurer.

The Minutes of the last meeting having been read and confirmed the Council agreed to present an Address of congratulation to His Royal Highness The Prince of Wales on the event of His marriage—and the following Members were nominated as a Committee to draft an Address accordingly—The Attorney General, The Treasurer, and Donald Fraser.

A Communication was received from The Chief Justice transmitting a copy of the General Order in Bankruptcy dated the 10th day of July last.

The Council then adjourned until Friday the 2nd Instant [proximo] at two O'clock.

Friday, the 2nd day of October, 1863

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Acting Attorney General, The Treasurer.

The Minutes of the last meeting having been read and confirmed the Council adjourned until Tuesday next the 6th instant at Two O'clock.

Wednesday, the 14th day of October, 1863

The Council met this day pursuant to a notice by the President.

Present: The Chief Justice, The Attorney General, The Treasurer.

The Attorney General having taken the Oath of Allegiance.

The Committee appointed to draft an Address to His Royal Highness the Prince of Wales reported an Address as follows;

To His Royal Highness The Prince of Wales &c. &c. &c.

We the Legislative Council of Vancouver Island in Parliament assembled desire to approach Your Royal Highness on the occasion of the marriage of Your Royal Highness with Her Royal Highness The Princess Alexandra of Denmark to mingle our Congratulations with those of Her Majesty's loving subjects throughout the Empire and our Humble prayers that this felicitous union may be accompanied by the blessings of the Almighty.

which was agreed to and ordered to be transmitted to the Governor with a request that it shall be sent to the Secretary of State.

The Council thereupon adjourned until Friday the 16th Instant at 2 O'clock.

Wednesday, the 20th [21st] day of October, 1863

The Council met this day at two O'clock pursuant to a notice by the President.

Present: The Chief Justice, The Attorney General, and The Treasurer.

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

A Communication was received from the Clerk of the House of Assembly transmitting an "Act to provide for the Election of a Mayor and Councillors for the City of Victoria at the expiration of the period for which the present Mayor and Councillors are elected" which was read a first time, and the Standing orders having been suspended the Bill was read a Second time and referred to Committee.

The Council then adjourned until Friday next at 2 O'clock.

Tuesday, the 27th day of October, 1863

The Council met this day at two O'clock pursuant to a Notice by the President.

Present: The Chief Justice, The Treasurer, and The Acting Surveyor General.

The Minutes of the meeting of 20th October having been read and agreed to.

B. W. Pearse, Esquire, was thereupon sworn and took his seat as the Acting Surveyor General.

"An Act to provide for the election of a Mayor and Councillors for the City of Victoria at the expiration of the period for which the present Mayor and Councillors are elected" was amended in Committee as follows—

Section First—The word "ninth" was struck out and the word "Sixth" was inserted in lieu thereof.

The Bill was then read a third time and passed.

The Council then adjourned until Friday the 30th at two O'clock.

Tuesday, the 17th day of November, 1863

The Council met this day at two O'clock pursuant to a Notice by The President.

Present: The Attorney General, The Treasurer, The Acting Surveyor General.

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

A Communication was received from the Speaker of the House of Assembly dated the 28th October enclosed in a despatch from the Colonial Secretary dated the 7th November asking that the House of Assembly may be informed when B. W. Pearse, Esquire, Acting Surveyor General was sworn in as a Member of the Legislative Council—stating the day, hour and minute and by whom he was sworn in.

Whereupon it was agreed that the Communication be laid on the table for the purpose of searching for precedents.

A Communication was received from The Treasurer calling for a detailed estimate of the probable expenditure of the Legislative Council for the year 1864 and the Clerk was instructed to transmit the following Estimate—

Salary of Clerk	\$500.
Office contingencies	100.

Total	\$600

A Bill entitled "An Act respecting Barristers and Attornies at Law" was received from the House of Assembly and read a first time.

A Bill entitled An Act to repeal the "Vancouver Island Stamp Act 1862" was ordered to be laid on the table.

The Clerk was instructed to prepare a copy of the Act respecting Barristers and Attornies.

The Council then adjourned until Friday at three O'clock.

Monday, the 30th day of November, 1863

The Council met this day, pursuant to a Notice by the President, at half past two O'clock.

Present: The Chief Justice, The Attorney General, The Treasurer, and The Acting Surveyor General.

The Minutes of the last Meeting having been read and agreed to.

A Bill entitled "An Act to restrain the issue in certain cases of 'Writs of Capias ad respondendum' and 'in exeat regno'."

A Bill entitled "An Act to enable the Districts of Cowichan, Comox and Alberni to elect Members to the House of Assembly" and A Bill entitled "An Act to

establish Pilots for the Port of Victoria” were received from the House of Assembly and read a first time.

A Bill entitled “An Act respecting Barristers and Attorneys at Law” was read a Second time.

The Clerk was instructed to acknowledge the receipt of a Despatch from the Colonial Secretary dated 7th November 1863 transmitting copy of a Communication from the Honble. the Speaker of the House of Assembly dated the 28th October, 1863, and to acquaint the Honble. the Colonial Secretary, for the information of His Excellency The Governor that the said Communication has been laid on the Table for the purpose of searching for precedents.

The Acting Surveyor General gave notice that at the next meeting he should introduce A Bill to amend the “Road Act, 1860,” and A Bill to amend the Act for the protection of Wooden Bridges.

The Council thereupon adjourned until Thursday the 3rd Instant at Three O’clock.

Thursday, the 10th day of December, 1863

The Council met this day pursuant to a notice by The President.

Present: The Chief Justice, The Attorney General, The Acting Surveyor General.

The Council went into Committee on “A Bill respecting Barristers and Attornies” and reported progress.

It was proposed that the Bill to restrain the issue in certain cases of Writs of “Capias ad respondendum” and “in exeat regno” be read a 2nd time; to which it was proposed and passed that the Bill be read this day six months.

Amendment carried.

A Bill entitled “An Act to enable the Districts of Cowichan, Comox and Alberni to elect Members to the House of Assembly”—was read a 2nd time.

The Pilot Bill was read a 2nd time.

A Bill to amend An Act for the protection of the Wooden Bridges of the Colony of Vancouver Island and its Dependencies was read a first time.

A Bill to amend an Act to repeal and amend the laws affecting the repairs improvement and regulation of roads in Vancouver Island and its Dependencies was read a first time.

A Bill entitled An Act to alter and amend the Fireman’s protection Act 1861 was read a first time.

A Bill entitled An Act to amend An Act to provide for the administration of Oaths in the House of Assembly—was read a first time.

The Council then adjourned until Wednesday the 16th December at 2.30 P.M.

Wednesday, the 16th day of December, 1863

The Council met this day at 2.30 pursuant to adjournment.

Present: The Treasurer, The Acting Surveyor General, Honble. R. Finlayson.

The Minutes of the last Meeting having been read and agreed to.

A Communication was received from Mr. Hanson Secretary of the Fire Department, was read and ordered to be laid on the table for further consideration.

A Bill entitled An Act to enable the Districts of Cowichan Comox and Alberni to elect Members to the House of Assembly was read a third time and passed.

A Bill entitled "An Act to amend An Act entitled An Act for the protection of the Wooden Bridges in Vancouver Island and its Dependencies" was read a 2nd time.

The Council then adjourned until Thursday the 17th Instant at 2 O'clock.

Thursday, the 17th day of December, 1863

The Council met this day pursuant to adjournment.

Present: The Treasurer, The Acting Surveyor General, The Hon. R. Finlayson.

The Minutes of the last Meeting having been read and agreed to.

A Bill entitled "An Act to amend an Act entitled An Act for the protection of the Wooden Bridges in Vancouver Island and its Dependencies" was read a third time and passed.

A Bill entitled "An Act to amend the Bill of Sale Act, 1861" was read a first time.

The Council then adjourned until Tuesday the 22nd Instant at 2 O'clock.

Tuesday, the 22nd day of December, 1863

The Council met this day pursuant to adjournment.

Present: The Attorney General, The Treasurer, and The Acting Surveyor General.

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

The Standing orders were suspended and a "Bill to provide an Indemnity for the Mayor and Councillors of the City of Victoria" was read a First, Second and Third time and passed.

The Council thereupon adjourned until the 3rd January at 2 O'clock.

Tuesday, the 11th [12th] day of January, 1864

The Council met this day at Two O'clock pursuant to a notice by the President.

Present: The Attorney General, The Treasurer, The Acting Surveyor General—and The Honble. R. Finlayson.

The Minutes of the last Meeting having been read and agreed to.

A Bill entitled "An Act for the relief of John Copland" was read a first time.

A Bill entitled "An Act to incorporate the Chamber of Commerce of Victoria Vancouver Island" was read a first time.

A Bill entitled "The Victoria Pilot Act, 1863" was amended in Committee as follows—

Clause 2. "A" be substituted for "any" before the words "Justice of the Peace."

Clause 9. Amendment proposed in lieu of the words "Between Victoria and the Race Rocks" the words following "Between Victoria and the entrance of Sooke Harbour". Amendment carried.

Clause 12. Amendment proposed and carried by striking out the words "in either of which cases" and inserting the words "in which case."

Clause 13. After the word "food" amend the clause by adding the words "during such detention."

Clause 14. Amendment proposed and carried after the words "hail her" insert "whilst sailing east of a line drawn due South from the entrance of Sooke Harbour to the mainland of Washington Territory and west of a line drawn due South from Trial Island to the said mainland"—in lieu of the words "within a straight line drawn from William Head to Trial Island."

Clause 15. Amendment proposed and carried that the words "or the Master shall afterwards take another pilot the licensed pilot who first offered" be omitted and in lieu thereof the words "and there appear no reasonable cause for the master so declining to accept such services the licensed pilot so first hailing shall be paid half pilotage whilst sailing east of a line drawn due south from the Entrance of Sooke Harbour to the mainland of Washington Territory and west of a line drawn due South between Trial Island and the said mainland."

The Council then adjourned until Thursday the 13th [14th] Instant at 2.30.

Wednesday, the 20th day of January, 1864

The Council met this day at half past two O'clock pursuant to a notice by the President.

Present: The Chief Justice, The Treasurer, The Acting Surveyor General, & The Honble. R. Finlayson.

The Minutes of last Meeting having been read and agreed to, the Council, in Committee, resumed the amendment of the Pilot Bill. The Attorney General in the Chair.

Clause 17. Strike out the word "twelve" and insert "six" hours.

„ 19. Strike out the words "and all vessels coming from" and insert "or" in their place. Strike out the words "carrying regular mails."

Clause 20. Struck out.

„ 21. Chairman's notes don't state where Amendt. comes in.²

Whereupon the Committee rose and reported progress & asked leave to sit again and the Council adjourned until Friday the 22nd Instant at 2.30 O'clock.

² This phrase was added later in pencil.

Friday, the 22nd day of January, 1864

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Attorney General, The Treasurer, Hons. R. Finlayson, A. J. Langley.

The Minutes of the last meeting having been read and agreed to.

The Honble. R. Finlayson presented a Petition referring to A Bill entitled "An Act respecting Barristers and Attornies at Law."

The Council thereupon resumed the consideration of the Pilot Bill in Committee.

Clause 22. To stand for further consideration.

„ 23. Amendment to strike out the words from "constituted" to the end and amend the clause by adding the words "paid to the Treasurer by the person receiving the same to the use of Her Majesty her heirs and successors."

Clause 24. Strike out the words "all the navigable" to the word "provided" and insert the words the Harbour of Victoria and Esquimalt.

Clause 25. Struck out.

„ 26. Carried.

Moved by The Hon. A. J. Langley that the Committee do now report progress and ask leave to sit again.

Progress reported and leave granted.

The Council then adjourned sine die.

Tuesday, the 26th day of January, 1864

The Council met this day pursuant to a notice by the President.

Present: The Chief Justice, The Attorney General, The Treasurer, Hon. R. Finlayson.

The Minutes of the last meeting having been read and agreed to the Council resumed the consideration of the Pilot Bill in Committee.

The Chief Justice moved that the Committee do now report progress and ask leave to sit again.

Progress reported and leave granted.

The Clerk was instructed to engross the Pilot Bill by the next Meeting.

The Council thereupon adjourned till Friday the 29th Instant.

Friday, the 29th day of January, 1864

The Council met this day at half past two O'clock pursuant to adjournment.

Present: The Chief Justice, The Attorney General, The Treasurer, The Acting Surveyor General, and The Honble. R. Finlayson.

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

The Council resumed the consideration of the Pilot Bill in Committee.

The Chief Justice proposed that the Committee report the Bill as amended—which was agreed to.

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

A Bill entitled a "Bill for the relief of John Copland" was brought up for a second reading.

Mr. Finlayson moved that the Bill be read a 2nd time.

The Attorney General moved that the Bill be read this day six months. 2nded by the Acting Surveyor General.

The Amendment was then put and carried the Chief Justice and Mr. Finlayson dissenting.

The Council then adjourned sine die.

Wednesday, the 17th day of February, 1864

The Council met this day at Two O'clock pursuant to a Notice by The President.

Present: The Chief Justice, The Attorney General, The Treasurer, & Acting Surveyor General.

The Minutes of last Meeting having been read and agreed to.

A Bill entitled "An Act to prevent the unauthorized issue of Bank Notes and paper currency" was read a first time.

A Bill entitled "An Act to alter and amend the Fireman's protection Act 1861" was read a 2nd time.

A Bill entitled "An Act to amend An Act to provide for the administration of Oaths in the House of Assembly" was brought up for a 2nd reading.

Proposed by the Acting Surveyor General—Seconded by the Treasurer and carried—that the Bill be read this day six months.

A Bill entitled "An Act to amend the Bills of Sale Act 1861" was brought up for a Second reading and was ordered to be read this day six months—*nem. con.*

An Act to repeal and amend the laws affecting the repair, improvement, and regulation of Roads in Vancouver Island and its Dependencies" was read a 2nd time.

The Chief Justice gave notice that at the next meeting he should introduce An Act to amend the "Land Registry Act 1860," and "An Act to provide for a declaration of title."

The Council then adjourned until Wednesday the 24th of February at 2 O'clock.

Wednesday, the 24th day of February, 1864

The Council met this day at two O'clock pursuant to adjournment.

Present: The Chief Justice, The Attorney General, The Treasurer, and The Acting Surveyor General.

The Minutes of the last meeting having been read and agreed to.

A Communication was received from the House of Assembly transmitting the "Pilot Bill" with Amendments. The Council in Committee of the whole considered the amendments and it was resolved—

That the Council adheres to the Amendment by way of erasure of section Twenty: is willing to re-introduce section Seventeen with certain amendments.

1. Before the words "a master requiring" add the word "If".
2. Strike out the word "requiring" and insert the word "require."
3. Between the words "a" and "Pilot" add the word "licensed."
4. In the 3rd line of said clause between the words Victoria and shall insert the word "he."

And on these terms, the Council accedes to the amendments suggested by the House of Assembly.

The Clerk was directed to intimate the aforesaid resolutions to the Speaker of the House of Assembly, and also, should the House of Assembly desire a conference with the Council with respect to the Pilot Bill and will name a day for holding the same, the Council will make arrangements to receive them.

The "Bank Note Bill 1864" was read a second time and referred to Committee.

Whereupon the Council adjourned *sine die*.

Wednesday, the 9th day of March, 1864

The Council met this day pursuant to a notice by The President.

Present: The Chief Justice, The Treasurer, Hon. R. Finlayson.

The Minutes of the last Meeting having been read and agreed to.

A Communication from the Governor was read enclosing a Map shewing the line of demarcation between this Colony British Columbia and the United States of America.

A Communication from the Legislative Assembly was read transmitting A Bill entitled "An Act to apply the sum of Two Hundred and Fifty Seven Thousand two Hundred and Seventy nine Dollars and fifty Cents out of the General Revenue of the Colony of Vancouver's Island and its Dependencies to the service of the year one Thousand eight hundred and sixty four."

Bill read 1st time.

A further Communication from the House was read transmitting the Chief Justice Pension Bill, 1864, and "The Governor's Indemnity Bill, 1864."

A letter was received from the Honorary Secretary to the Committee of Management for the reception of Governor Kennedy inviting the President and Members of Council to take a part in the Ceremony of the Day.

The Treasurer moved that the Clerk be requested to inform the Committee that the Council will take a part in the Ceremony of the Day.

The Chief Justice pursuant to notice introduced A Bill to amend the "Land Registry Act, 1860," and A Bill to obtain a declaration of Title, which were read a 1st time.

The "Banking Bill 1864" was received from the House and read a 1st time.

Council adjourned sine die.

Standing orders suspended. Stamp Bill read a 2 & 3 time & passed.

Thursday, the 10th day of March, 1864

The Council met this day at ½ past one O'clock pursuant to a Notice by the President.

Present: The Chief Justice, The Treasurer, The Acting Surveyor General.

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

The Standing Orders of the Council were suspended and the Supply Bill of \$257,279⁵/₁₀₀ was read a 2nd and 3rd time and passed.

"The Governor's Indemnity Bill" passed a 2nd and 3rd reading.

The Chief Justice's Pension Bill was read a 2nd & 3rd time.

The Banking Bill was read a 2nd time.

On motion of the Treasurer it was ordered that all Bills brought before the Council be printed for the use of the Members.

Council adjourned *sine die*.

Saturday, the 12th day of March, 1864

The Council met this day pursuant to a notice by the President.

Present: The Chief Justice, The Attorney General, The Treasurer, The Acting Surveyor General.

The Minutes of the last Meeting having been read and agreed to.

The Treasurer moved that the following Address be presented to His Excellency The Governor on his retirement from the Government of this Colony—

To His Excellency Sir James Douglas, K.C.B. Governor and Commander in Chief in and over the Colony of Vancouver's Island and its Dependencies &c. &c. &c.

May it please Your Excellency—

We, the Members of the Legislative Council of Vancouver Island in prospect of Your Excellency's retirement from the high office which Your Excellency has so long and honorably filled, desire to express our high estimation of the policy which has guided Your Excellency in originating and administering the Government of this Colony; of your noble appreciation of the duties and responsibilities devolving upon the Representative of Our Most Gracious Queen, and of the moral qualities which have adorned your actions and endeared you to the people of Vancouver Island. That Your Excellency may long live to enjoy the approbation of Our Most Gracious Sovereign and the esteem and respect of every Colonist is the prayer of each Member of the Council.

The Address was unanimously agreed to.

Mr. Cary moved that he would introduce certain Standing Orders for the Council.

The Standing Orders of the Council having been suspended, "The Telegraph Bill, 1864" was read a 2nd time and considered in Committee.

The Committee reported the Bill without amendments and The Bill was then read a 3rd time and passed.

Council then adjourned *sine die*.

Monday, the 21st day of March, 1864

The Council met this day pursuant to adjournment (2 O'clock).

Present: The Chief Justice, The Treasurer, The Surveyor General, Hon. R. Finlayson.

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

The Chief Justice moved the following Address to His Excellency The Governor on his assumption of the Government of the Colony of Vancouver Island and its Dependencies.

To His Excellency Aithur Edward Kennedy, Esquire, C.B. Governor and Commander in Chief of the Colony of Vancouver Island and its Dependencies—&c. &c. &c.

May it please Your Excellency—

We, the Members of the Legislative Council of Vancouver Island in Parliament assembled, desire to congratulate Your Excellency upon assuming the Government of this Colony.

We humbly trust that the dignity and the virtues of Our Most Gracious Sovereign, as reflected in your person, may strengthen and stimulate feelings of attachment in the people of Vancouver Island so that the demonstrations of loyalty upon this Your Excellency's advent, may continue unabated throughout Your Excellency's Administration.

And we feel assured that Your experience in other portions of Her Majesty's Dominions will enable you to guide the affairs of this Young Colony so as to ensure a rapid advance in material wealth and importance.

The Address having been unanimously adopted the Council adjourned till Thursday next the 24th Instant.

Thursday, the 24th day of March, 1864

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Treasurer, The Hon. R. Finlayson.

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

A Communication was read from the House forwarding A Bill Entitled "An Act to apply the sum of Twenty six thousand Dollars out of the General Revenue of the Colony of Vancouver's Island and its Dependencies to the service of the year 1864."

A Communication from the House was read transmitting a Bill entitled "An Act for the regulation of the Electric Telegraphs within the Colony of Vancouver Island, and to secure secrecy and fidelity in the transmission of Telegraphic Messages."

Bill read a 1st time.

The Council then went into Committee on the Bank Note Bill.

Mr. Finlayson in the Chair.

The President resumed the Chair and the Bill was reported complete with amendments and ordered to be engrossed and brought up for a 3rd reading.

The Council then went into Committee on the Barristers and Attorneys Bill.

Mr. Watson in the Chair.

The President resumed the Chair and the Bill was reported complete with amendments and ordered to be brought up for a 3rd reading.

The Council then adjourned till Wednesday next at 2 O'clock.

Wednesday, the 30th day of March, 1864

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Attorney General, & The Treasurer.

The Minutes of the last meeting having been agreed to.

The Attorney General moved that the Barristers and Attorneys Bill be recommitted at the next meeting.

Seconded by The Treasurer, and carried.

The Clerk was instructed to ascertain when His Excellency The Governor would receive the Address of the Council.

The Clerk was instructed to request that His Excellency The Governor be pleased to give the Council a copy of His Excellency's Instructions as Governor of this Colony.

The Telegraph regulation Bill was read a 2nd time.

The Supply Bill of Twenty Six Thousand Dollars was read a 2nd time.

The Council then went into Committee on the Firemans protection Bill.

The Treasurer in the Chair.

The President resumed the Chair and the Committee reported progress and asked leave to sit again.

Council adjourned till 1 O'clock tomorrow.

Friday, the 1st day of April, 1864

The Council met at 1 P.M.

Present: The Chief Justice, The Attorney General, The Treasurer, Mr. Finlayson.

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

The Council proceeded to Government House and delivered the Congratulatory Address as adopted by the Council on the 21st ultimo.

The President nominated the Attorney General as a Member of the Committee on Standing Orders in the place of the Acting Attorney General.

The Council then adjourned sine die.

Wednesday, the 6th day of April, 1864

The Council met this day pursuant to a notice by the President.

Present: The Chief Justice, The Treasurer, The Surveyor General, R. Finlayson.

The Surveyor General having taken the Oath of Allegiance.

The Minutes of the last meeting were read and confirmed.

A Message from the Governor was read transmitting a Despatch from the Secretary of State announcing the pleasing intelligence that on the evening of the 8th January last the Princess of Wales was delivered of a Prince.

A further Message was read acknowledging the receipt of An Address from the Legislative Council on the occasion of the Prince of Wales' Marriage.

The Supply Bill of Twenty Six Thousand Dollars was read a third time and passed.

The "Bank Note Bill" was read a 3rd time and passed as amended.

The Bill to amend the Land Registry Act 1860 was read a 2nd time.

The Bill to obtain a Declaration of Title was read a 2nd time.

The Standing Orders of the Council having been suspended. The Barristers and Attorneys Bill was recommitted & read a third time and passed as amended.

The Council then adjourned sine die.

Monday, the 11th day of April, 1864

The Council met this day at ½ past 2 P.M.

Present: The Chief Justice, The Attorney General, The Surveyor General, The Treasurer.

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

The following Communication from the Governor was read.

Vancouver Island—
Victoria, 11th April, 1864

To The President and Gentlemen, of the Legislative Council:

Gentlemen,

I have the honour to submit the copy of a Resolution of the Legislative Assembly in reply to a Despatch of H.M. Secretary of State for the Colonies dated 15 June 1863.

This Resolution was received by my Predecessor from the Speaker of the House of Assembly and transmitted to the Secretary of State for the Colonies in a Despatch dated 12 February 1864.

It appears to me that a Resolution which involves the repeal of An Act of the Imperial Parliament, and deals with the important question of Union with the Sister Colony, ought to be submitted to Your Honorable Council and so receive the concurrence of both branches of the Legislature before it can be advantageously considered by Her Majesty's Government.

I therefore submit the Resolution herewith for your consideration and opinion.

I have, &c. &c. &c.

(signed) A. E. Kennedy

The Surveyor General moved that the Governor's Message be acknowledged, that each Member be furnished with a copy of the Message, the Resolution and Clause of the Act of imperial Parliament referring to Union of the Colonies and the consideration postponed to a future appointed day—which was agreed to.

The Attorney General gave notice of the following motion, That he will protest against the transmission of the Bill entitled An Act respecting Barristers and

Attorneys at Law to the House of Assembly for their consideration of the amendments made therein as the same Bill has not passed the Council in due form.

The Council then went into Committee on the Telegraph Regulation Bill.

The Surveyor General in the Chair.

The President resumed the Chair and the Committee reported progress and asked leave to sit again.

The Council then went into Committee on the Fireman's protection Bill.

The Treasurer in the Chair.

The President resumed the Chair and The Committee reported the Bill complete with amendments.

Bill ordered to be brought up for a third reading.

The Council then adjourned.

David Cameron,
President

Thursday, the 14th day of April, 1864

The Council met this day at 3 P.M.

Present: The Chief Justice, The Attorney General, The Treasurer, Hons. R. Finlayson, Donald Fraser.

The Minutes of the last meeting having been read and agreed to.

The Council went into Committee on the Message from His Excellency The Governor transmitting certain Resolutions of the Legislative Assembly dated the 9th February 1864.

The Chief Justice in the Chair.

The Treasurer gave notice of the following motion—

At the next meeting of the Council I shall introduce a resolution relative to the subject of the resolutions of the House of Assembly transmitted in His Excellency's Despatch of the 11th Instant.

The President having resumed the Chair.

The Committee reported progress and ask leave to sit again.

The Council then adjourned till Monday next the 18th Instant.

David Cameron C.J.
President

Monday, the 18th day of April, 1864

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

Wednesday, the 27th day of April, 1864

The Council met this day pursuant to a Notice by the President.

Present: The Chief Justice, The Attorney General, The Treasurer, The Surveyor General, Hons. R. Finlayson, Donald Fraser.

The Minutes of the last Meeting having been read and agreed to.

The Honourable the Treasurer pursuant to Notice introduced the following Resolutions.

That this House cannot concur in the opinion of the House of Assembly, "that neither the Crown Revenue nor the condition of the General Revenues would justify the acceptance of the proposition of Her Majesty's principal Secretary of State for the Colonies to provide a Civil List amounting to £5,800."

That this House concurs in the opinion of the House of Assembly "that the absolute separation of the Colonies of Vancouver Island and British Columbia could not be otherwise than injurious to both and render their union hereafter more impracticable."

That this House is further of opinion that a complete union of the Administrative and Legislative Establishments of Vancouver Island and British Columbia would be advantageous; that such an Union would not necessarily involve any alteration in the commercial policy of the Colonies—Vancouver Island contributing a proportional Revenue by direct taxes and that by such a disposition of affairs the advantages of an increasing foreign trade arising out of the Free Port System would be secured to the United Colonies.

2nded by the Hon. The Attorney General.

The Council then went into Committee on the Resolutions.

The Chief Justice in the Chair.

The President having resumed the Chair. The Committee reported progress and asked leave to sit again.

Council adjourned till Friday at ½ past 2.

David Cameron C.J.
President

Friday, the 29th day of April, 1864

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Attorney General, The Treasurer, The Surveyor General, Hons. R. Finlayson, Donald Fraser.

The Minutes of the last meeting having been read and agreed to.

The Council resumed the consideration, in Committee, of the Treasurer's Resolutions as brought in at the last meeting of Council.

The Surveyor General moved the following Resolution—

That the Legislative Council of the Colony of Vancouver Island concurs in the Resolution of the House of Assembly dated 9th Decr. 1863.

2nd by Hon. R. Finlayson.

The Surveyor General having obtained leave to withdraw his Resolution.

2nd by Mr. Finlayson, and agreed to, *nem. con.*

Hon. Donald Fraser moved the following Resolutions as an amendment to those of the Treasurer's.

2nd by Mr. Finlayson.

The Legislative Council of Vancouver Island having taken into serious consideration the copy of the Resolutions of the Honble. The House of Assembly dated February the 9th 1864 submitted to this House for its opinion by His Excellency The Governor, doth resolve—

1. To concur in the general tenor of the said Resolutions of the House of Assembly.

2. Resolved That this House is of opinion with reference to His Grace The Duke of Newcastle's Despatch of the 15th of June 1863 referred to in the said Resolutions of the House of Assembly asking for a permanent Civil List in return for the control of the Crown Revenue that no nett income can be expected to be derived by The Colony from the public lands which are the only productive source of Crown Revenue, for the following reasons.

1. Because the public land suitable for agriculture is limited in extent.

2. Because the price of such land is now reduced from £1. to four shillings and two pence (4s/2d) per acre and cannot be increased, the reduction having been rendered necessary and expedient to encourage settlement and to meet the competition of low priced land in the neighbouring Countries.

3. Because the amount of money necessary to be paid to Indians to extinguish the Indian Title to portions of the land will absorb a considerable sum of the proceeds of sales thereof;

4. Because the expense of Survey and other incidental charges to which the land will become subject before the proceeds of sales can be realized will absorb the remaining portion of such proceeds.

5. Because by the terms under which the land is held the occupiers (Pre-emptors) are not to be called upon for payment of the land pre-empted until the Crown Lands shall have been first surveyed.

6. Because the revenue of the Colony does not at present afford the means of defraying the expense of a general Survey; and, consequently a considerable period of time, probably many years, must elapse before the purchase prices shall become due.

3. Resolved that in the opinion of this House it is inexpedient, at present, to enforce Royalties upon Coal Minerals or Timber, because it is the policy of the Colony to foster these industries which are yet in their infancy and the yield from which is so small as not to justify the imposition: and because such

an imposition might interfere with the principles of free trade hitherto maintained by the Colony successfully.

4. Resolved That in the opinion of this House, these sources of Revenue, namely, the Public lands of the Crown and the Crown Royalties, which are productive in most other Colonies do not and cannot be expected to produce any Revenue to this Colony, which is compelled, by its maintenance of a free port system, to the peculiar advantage of English Commerce, to support the Government and to defray the expense of internal improvements by direct taxation already so onerous that it cannot be increased.

5. Resolved that in the opinion of this House the offer of His Grace does not afford an equivalent for the Civil List asked.

6. Resolved that in the opinion of this House the union of Vancouver Island with British Columbia at a future suitable time would be highly beneficial to both Colonies when such union can be effected on terms by which this Colony can maintain its free port system in tact; and on such other terms as may be equitable and expedient and may be reasonably expected to conduce to the prosperity and greatness of both Countries.

7. Resolved that it is the opinion of this House that for the present the interests of both Colonies would be promoted and economy secured by the Government of both being placed under one Governor, and, as far as practicable, with one Civil Staff.

The Committee then rose and reported progress and asked leave to sit again. Council then adjourned to [blank].

David Cameron C.J.
President

Monday, the 2nd day of May, 1864

The Council met this day at 2 P.M.

Present: Hon. The President, The Attorney General, The Treasurer, The Surveyor General, Hons. R. Finlayson, Donald Fraser.

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

The Council resumed the consideration in Committee of Mr. Fraser's resolutions as brought in at the last meeting of the Council. The Chief Justice in the Chair.

Resolution—No. 1. 2nded by Mr. Finlayson and agreed to by the Committee, Mr. Cary and Mr. Watson dissentient.

Mr. Watson with the leave of the Committee withdrew Resolutions No. 2 and No. 3 as brought in by him on the 18th [27th] ultimo.

Resolution No. 2. 2nded by Mr. Pemberton & carried. Mr. Watson dissentient.

Resolution No. 3. Agreed to—Mr. Pemberton not voting.

Resolution No. 4. 2nd by Mr. Finlayson and carried. Mr. Watson objected. 2nd by Mr. Cary.

Resolution No. 5. 2nd by Mr. Finlayson. Mr. Watson dissentient.

Resolution No. 6. Carried. Mr. Cary 2nd.

Resolution No. 7. Agreed to. Mr. Finlayson 2nd. Mr. Cary moved a negative. 2nd by Mr. Watson & lost.

The President having resumed the Chair. The Committee here rose and reported the Resolutions.

Mr. Fraser moved seconded by Mr. Finlayson that the Resolutions be adopted—which was carried.

Council then adjourned till Thursday next at ½ past two O'clock.

David Cameron C.J.
President

Friday, the 6th day of May, 1864

The Council met this day pursuant [blank].

Present: The Chief Justice, The Attorney General, The Treasurer, Hons. R. Finlayson, Donald Fraser.

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

A Message from the Legislative Assembly was read transmitting "A Bill to regulate An Act entituled The Victoria Incorporation Act 1862," which was read a 1st time.

A Message was read transmitting certain Petitions from property holders praying that their property may not be included within the City limits.

On Motion by Mr. Watson the Petitions were ordered to be referred to the Committee on Standing Orders.

The Fireman's Protection Bill came up for a third reading.

Mr. Finlayson moved that the Bill be recommitted. 2nd by Mr. Fraser and carried.

The Council then adjourned till Monday at ½ past 2 O'clock.

David Cameron C.J.
President

Monday, the 9th day of May, 1864

The Council met this day at 2.30 O'clock.

Present: The Chief Justice, The Treasurer, Hon. R. Finlayson.

The Minutes of the last Council having been read and agreed to.

A Petition to the Council was read from certain property holders praying that they may not be included in the City limits.

The Council then went into Committee on the Banking Bill.

Mr. Finlayson in the Chair.

The President having resumed the Chair.

The Committee reported progress and asked leave to sit again.

The Council then adjourned till Wednesday next at ½ past two.

David Cameron C.J.
President

Wednesday, the 11th day of May, 1864

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Treasurer, Hons. R. Finlayson, D. Fraser.

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

The Victoria Incorporation Bill was brought up for a 2nd reading.

Mr. Fraser moved the 2nd reading.

Mr. Finlayson moved that the Bill be read this day six months.

Chief Justice 2nded.

Content Hons. R. Finlayson, A. Watson.

Bill ordered to be read this day six months.

The Council then went into Committee on the Banking Bill.

Mr. Finlayson in the Chair.

Clause 3, on motion of Mr. Watson—passed.

The President having resumed the Chair. The Bill was reported complete as amended and ordered to be brought up for a 3rd reading at the next meeting.

Council then adjourned till Friday the 20th Instant at 2.30.

David Cameron C.J.
President

Friday, the 20th day of May, 1864

The Council met this day at 2.30.

Present: The Chief Justice, The Treasurer, The Attorney General, The Surveyor General, Hon. Donald Fraser.

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

A Message from the Governor was read forwarding copy of His Excellency's Instructions as Governor of this Colony.

A Message from the Legislative Assembly was read forwarding a Bill to grant a Supplemental Supply of Nineteen Thousand Eight hundred and four Dollars and Twenty Eight Cents for the service of the year 1863.

Moved by Mr. Fraser Bill be read 1st time.

2nd by The Treasurer.

Bill read 1st time.

A Message from the Legislative Assembly was received forwarding,

A Bill Entitled "An Act to provide for the Closing of Wells upon unenclosed lands in Vancouver Island and its Dependencies."

Motion of Mr. Fraser. 2nd by Mr. Watson.

Bill read 1st time.

On motion of Mr. Fraser 2nd by the Treasurer, The Standing Orders of the Council were suspended and The foregoing Bills were read a 2nd time.

On motion of The Treasurer The Banking Bill was read a third time & passed.

The Council then adjourned till Monday next the 23rd Instant at 2.30.

David Cameron C.J.
President

Monday, the 23rd day of May, 1864

The Council met this day at 2.30.

Present: The Chief Justice, The Treasurer, Hon. Donald Fraser.

The Minutes of the last Meeting having been read and agreed to.

A Message was read from the House of Assembly transmitting "a Bill to impose a Tax of one half of one per centum upon all Real Estate within the City of Victoria and for other purposes relating thereto."

Mr. Fraser moved that Bill be read 1st time.

2nd by Mr. Watson.

Bill read 1st time.

A further Message was received from the House transmitting A Bill entitled "An Act to enable the Governor to pay out of the General Revenue Six Thousand Dollars for Civic purposes."

Mr. Fraser moved that Bill be read 1st time.

2nd by Treasurer.

Bill read 1st time.

Mr. Watson moved that the Supplemental Supply Bill of \$19,804,²⁸/₁₀₀ be read a third time and passed.

2nd by Mr. Fraser.

Bill read 3rd time & passed.

Mr. Fraser gave notice that at the next meeting of the Council he would move that an humble Address be presented to the Governor requesting him to furnish the Council with copies of all papers in his possession in relation to the subject of the improvement of Victoria Harbour.

The Council then adjourned till Friday 27th May 64.

David Cameron C.J.
President

Friday, the 27th day of May, 1864

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Attorney General, The Treasurer, Hon. D. Fraser.

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

Mr. Fraser, pursuant to notice moved that an humble address be presented to The Governor asking His Excellency to be pleased to furnish the Council with copies of all papers in His Excellency's possession in relation to the subject of the improvement of Victoria Harbour—which was agreed to.

The Council then went into Committee on A Bill entitled An Act to provide for the closing of Wells upon unenclosed Lands in Vancouver Island and its Dependencies.

Mr. Cary in the Chair.

The President having resumed the Chair. The Committee rose and reported the Bill complete with amendments.

Bill ordered to be engrossed and brought up for a third reading.

The Council then went into Committee on A Bill entitled "An Act to impose a Tax of one half of one per centum upon all real Estate within the City of Victoria and for other purposes relating thereto."

Mr. Cary in the Chair.

The President having resumed the Chair.

The Committee rose and reported progress.

Council then adjourned till Monday the 30th Inst. at 2.30.

David Cameron C.J.
President

Monday, the 30th day of May, 1864

The Council met this day at 2.30.

Present: The Chief Justice, The Attorney General, The Treasurer, Hon. Donald Fraser.

The Minutes of the last meeting having been read and agreed to.

The Treasurer moved that a Bill entitled An Act to impose a Tax of one half of one per centum upon all real Estate within the City of Victoria and for other purposes relating thereto be read a second time.

Mr. Cary 2nd.

Bill read 2nd time.

A Bill entitled "An Act to enable the Governor to pay out of the General Revenue Six Thousand Dollars for Civic purposes."

Moved by Mr. Watson & 2nd by Mr. Cary That Bill be read 2nd time.

Mr. Cary moved—Mr. Watson 2nd that Bill to provide for the closing of Wells upon unenclosed lands in Vancouver Island and its Dependencies be read a 3rd time & passed.

Bill read 3rd time and passed.

The Council then went into Committee on the one half per cent Tax Bill.

The Treasurer in the Chair.

The President having resumed the Chair.

The Bill was reported and leave asked to sit again.

The Council then went into Committee on the Victoria City Aid Bill.

The Treasurer in the Chair.

The President having resumed the Chair the Bill was reported and leave asked to sit again.

The Council then adjourned till Wednesday next at 2.30.

David Cameron C.J.

President

Wednesday, the 1st day of June, 1864

The Council met this day at 2.30.

Present: The Chief Justice, The Attorney General, The Treasurer, Hon. Donald Fraser.

The Minutes of the last meeting having been read and agreed to.

The Treasurer gave notice that he would move that the Minutes of Committees be signed by the Chairman of Committee.

The Council then went into Committee on the one half per cent Tax Bill.

Mr. Cary in the Chair.

The President having resumed the Chair.

The Chairman reported progress and asked leave to sit again.

A Bill entitled An Act to enable the Governor to pay out of the General Revenue \$6000. for Civic purposes—was read a 3 time and passed.

The Council then adjourned till Friday next the 3rd Instant at 2.30.

David Cameron C.J.
President

Tuesday, the 7th day of June, 1864

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Attorney General, The Treasurer, The Surveyor General, Honble. D. Fraser.

The Minutes of the last Meeting having been read and agreed to.

The following Communications were received from the Legislative Assembly—

A Bill entitled An Act to provide for the closing of Wells upon unenclosed Lands in Vancouver's Island and its Dependencies, the amendments of the Council to which Bill having been agreed to by the House.

*[See starred passage below]

A message enclosing A Bill entitled "An Act to authorize the Harewood Railway Company (Limited) to make a Railway from Departure Bay, Nanaimo District, to the Harewood Coal Fields in Mountain District Vancouver Island" which was referred to Committee on standing orders.

A Message enclosing A Bill entitled An Act to authorize the Governor to appropriate certain moneys for the completion of a Dredging Machine and other instruments and appliances connected therewith. Bill read a 1st time. Attorney General moved Survr. Genl. 2nded.

A Message enclosing A Bill entitled An Act to incorporate The Israelite Congregation named "The Emanuel of Victoria, Vancouver Island." Bill referred to Committee on Standing Orders.

The Treasurer moved that the Minutes of all Committees appointed by this House be regularly signed by the Chairman and that the same shall be recorded as a Standing order of the House.

Mr. Fraser 2nded.

Motion agreed to.

A Bill entitled An Act to impose a Tax of one half of one per centum upon all real estate within the City of Victoria and for other purposes relating thereto—was read a third time and passed.

The Surveyor General moved that the Fireman's protection Bill be recommitted.

Mr. Fraser 2nded.

Bill recommitted.

The Chief Justice in the Chair.

The President having resumed the Chair.

The Chief Justice reported progress and asked leave to sit again.

The Council then adjourned till Thursday next at 2 O'clock.

* The Attorney General presented the following Petitions

1. Petition praying the Council to pass an Act to authorize the Harewood Railway Company to construct a Railway.

2. Petition from Members of the Jewish persuasion praying that they may be incorporated as a body corporate by the name of the Emanuel of Victoria Vancouver Island—and be allowed to acquire the right to obtain and hold the site of their synagogue.

David Cameron C.J.

President

Thursday, the 9th day of June, 1864

The Council met this day at 2.30.

Present: The Chief Justice, The Attorney General, The Treasurer, The Surveyor General, Hon. Donald Fraser.

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

The Supplemental Supply Bill came up for a 2nd Reading, and on the question being put was postponed till next meeting of the Council.

The Council then went into Committee on the Fireman's protection Bill.

The Chief Justice in the Chair.

The President having resumed the Chair.

The Bill was reported and leave asked to sit again.

The Surveyor General moved that the Bill be recommitted.

The Attorney General seconded.

Bill recommitted.

The Attorney General in the Chair.

The President having resumed the Chair.

The Attorney General reported the Bill having passed the Committee.

In the matter of the Bill entitled "An Act to incorporate the Israelite Congregation named the Emanuel of Victoria, Vancouver Island" The Attorney General reported from the Select Committee on Standing Orders that the Standing

Orders had been complied with save the publication for three weeks previously to the introduction of the Bill of an Advertisement of the said Act and the Committee recommended that the Standing Orders in question be waived on this Bill.

Bill was then read a 1st time.

The Council then adjourned till Tomorrow at 2.30 O'clock.

David Cameron C.J.
President

Friday, the 10th day of June, 1864

The Council met this day pursuant to adjournment.

Present: The Chief Justice, The Attorney General, The Treasurer, The Surveyor General, Hon. Dr. Fraser.

The Minutes of the last Meeting having been read and agreed to.

The Attorney General requested that another Member might be added to the Committee on standing orders as he and the Treasurer had been unable to come to any agreement in regard to the Harewood Railway Company's Bill.

The President nominated The Hon. Donald Fraser.

The Hon. The Attorney General from the Committee on Standing Orders reported that the promoters of the Harewood Railway Company had fully complied with the Standing Orders.

The Bill was then read a 1st time.

The Attorney General moved that A Bill entitled an Act to incorporate the Israelite Congregation named the Emanuel of Victoria, Vancouver Island be read a 2nd time.

Hon. Donald Fraser 2nded.

Bill read 2nd time.

The Supplemental Supply Bill No. 4—1864 came up for a 2nd reading.

The Attorney General moved that a Conference be had with the Legislative Assembly in regard to the Bill.

The President appointed 2 O'clock on Monday as the hour at which the Council would meet the House.

The Honble. Donald Fraser moved that the Fireman's protection Bill be read a third time and passed.

The Surveyor Genl. 2nded.

Bill read a 3rd time & passed as amended.

Non content Mr. Watson—The President not voting.

The Victoria City half per cent Tax Bill came down from the Leg. Assembly with the amendments of the Council agreed to excepting that in clause 3 line 3,

striking out the words "this Act" and in lieu inserting the words "the real estate assessment Roll for said City."

The Council determined to ask a Conference with the House.

The President appointed 2 O'clock on Monday next.

The Council then went into Committee on the Telegraph Regulation Bill.

Hon. Donald Fraser in the Chair.

Tuesday, the 14th day of June, 1864

A conference was held at 2 O'clock with the House of Assembly in regard to the following Bills.

A Bill entitled An Act to impose a Tax of one half of one per centum upon all Real estate within the City of Victoria and for other purposes relating thereto, and A Bill entitled An Act to authorize the Governor to appropriate certain moneys for the completion of a Dredging Machine and other instruments and appliances connected therewith.

Present: Hons. the Chief Justice, Alex Watson, Attorney General, Surveyor General.
Members of the House: Messrs. Carswell, Franklin, Duncan.

Mr. Cameron stated the object for which the Council desired a Conference with the House—

That the Supply Bill sent down by the House contemplated the appropriation of certain monies for other purposes than those for which they had been set apart by an Act of the Legislature.

Mr. Franklin explained that it was an error—the House meant the balance of the £18,000 not £40,000 loan.

In regard to the Council's amendment to the $\frac{1}{2}$ of 1 per cent tax Bill, Clause 3 line 3, Mr. Franklin explained that the House meant the Real Estate Assessment Roll for the year 1863 not 1864.

The Members of the House having withdrawn.

The Hon. The Treasurer requested that he might be permitted to resign as a Member of the Standing Order Committee which was accepted by the President, and The Surveyor General was nominated in his stead.

Mr. Cary moved that the Israelite Congregation Incorporation Bill be referred to a Select Committee, and that The Harewood Railway Bill be referred to a Select Committee.

The President named—Hon. D. Fraser, The Attorney General, The Surveyor General.

Council then adjourned till Wednesday at $\frac{1}{2}$ 2 o'clock.

David Cameron C.J.
President

Wednesday, the 15th day of June, 1864

The Council met this day at 2.30.

Present: The Chief Justice, The Attorney General, The Treasurer, Hon. R. Finlayson.

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

The Council went into Committee on The Telegraph Regulation Bill, clause 13.

Mr. Cary in the Chair.

The President having resumed the Chair the Bill was reported complete with amendments.

The Standing Orders of the Council were then waived and the Bill was read a 3rd time and passed as amended.

Council then adjourned to tomorrow at 2.30.

Thursday, the 16th day of June, 1864

The Council met this day at 2.30 pursuant to adjournment.

Present: The Chief Justice, The Attorney General, The Treasurer, The Surveyor General.

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

The Attorney General as Chairman of the Select Committee reported in favour of the Harewood Railway Bill and the Israelite Congregation Incorporation Bill.

The Bills were then read a third time and passed.

The Legislative Assembly having returned to the Legislative Council the $\frac{1}{2}$ of 1 per cent tax Bill and the Supplemental Supply Bill No. 4, 1864 with the alterations embodied as proposed in Conference.

The Bills were read a 3rd time & passed.

The Council then adjourned sine die.

Tuesday, the 5th day of July, 1864

Present: The Chief Justice, Attorney General, The Treasurer.

The Minutes of last meeting having been read and confirmed.

A message from the Governor was read transmitting certain Resolutions of the House of Assembly dated 27 June 1864 and 2 July 1864 and on motion it was resolved

That the Legislative Council concur in the Indemnity mentioned in the 2nd & 3rd resolutions of the House of Assembly dated 2nd day July 1864 but in so doing the Legislative Council reserve their opinion entirely on the other matters referred to in such resolutions.

Resolved that His Excellency be addressed praying that a copy of the Report of the Comtee. of House of Assembly of V.I. on crown lands & the evidence taken before such Committee may be laid before Legislative Council.

Council then adjourned.

Friday, the 8th day of July, 1864

The Council met this day pursuant to a notice by the President.

Present: The Chief Justice, The Attorney General, The Treasurer, The Surveyor General, The Hon. Roderick Finlayson.

The Minutes of the last Meeting were read and agreed to.

His Excellency the Governor having entered the Council Chamber and the Clerk of the Council having summoned the Members of the Legislative Assembly, His Excellency delivered the following speech.

Honourable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly

1. The state of public business enables me to release you from further attendance and bring this protracted Session to a close.
2. Questions materially affecting the progress of the Colony must come before you at an early period, on which I would invite you to acquaint yourselves with the opinions of your constituents, prior to the re-assembling of the Legislature.
3. The first and most important of these questions, is the proposed Union of British Columbia and Vancouver Island under one Government.
4. As this object can only be attained with the previous concurrence of the Legislatures of both Colonies, the course adopted by the Legislative Assembly of Vancouver Island in February last, has delayed the consideration of it.
5. The conditions attached to the proposal then submitted to Her Majesty's Secretary of State for the Colonies, were such as could not in my opinion, be accepted by the sister Colony, or entertained by Her Majesty's Government.
6. Such a Union to be beneficial and lasting must be effected on a basis both practical and equitable. Like all other unions I apprehend that mutual concessions will be required, and personal predilections and prejudices must be laid aside.
7. If on examination it be found that such a union is in favour with the people of this or both Colonies, and will conduce to their honour and prosperity, it will receive my disinterested and hearty support. I have no doubt that the question fairly put before the public will be considered with the calmness and moderation becoming so grave a subject.
8. Unreasonable demands and pretensions can but raise new difficulties between two colonies whose best interests, whether under one, or separate governments are bound up together.
9. A question of scarcely less importance is the acceptance and disposal of the Crown Lands and Revenue of Vancouver Island; while this question remains unsettled, the survey, leasing, sale, and general management of public lands, must be left in their present very unsatisfactory state, to the serious detriment of the best interests of the Colony.

10. The course which has been taken in reference to the proposal of the Secretary of State for the Colonies for a permanent Civil List, has resulted in delay and embarrassment.

11. That this Colony has ample resources to provide for its own Government on a becoming scale cannot be doubted, and I feel confident that the people, if appealed to, will cheerfully accede to a provision for the public servants, commensurate with the responsibilities and duties of their respective positions.

12. The important subject of emigration must be left untouched while the possession and disposal of the Crown Lands remain unsettled. A Colony without a fixed population cannot be permanently prosperous.

13. I have deferred acknowledging the receipt of the Resolutions adopted by the Legislative Assembly on the subject of Crown Lands, waiting the receipt of the evidence and Report on which they are founded, and without which I am unable to decide upon the course best calculated to give effect to the views of the House.

14. The House may be assured that I will deal justly and impartially with the subject as far as it lies within my jurisdiction.

15. I will direct my earnest attention to the economical application of the Supplies you have granted for the current year to secure the attainment of the objects for which they were voted.

16. I am happy to assure you of the peace, prosperity, and order which prevail throughout the Colony. The absence of pauperism and serious crime are subjects for solid congratulation.

17. I find that the following Acts passed during the Session received the Assent of my predecessor on behalf of Her Majesty.

The Mayor and Council of Victoria Indemnity Act, 1863.

The Victoria Pilot Act, 1864.

The Provisional Act for the Election of Mayor and Councillors, 1863.

The Chief Justice's Pension Act, 1864.

The First Telegraph Act, 1864.

The Governor's Indemnity Act, 1864.

An Act to apply the sum of \$257,279 out of the General Revenue of the Colony of Vancouver Island to the service of the year 1864.

18. I have assented in Her Majesty's name to the following Acts passed during the Session, namely:

The Bridges Protection Act, 1864.

An Act to repeal the Vancouver Island Stamp Act, 1862.

The Bank Note Act, 1864.

The Banking Act, 1864.

An act to apply the sum of \$26,000 out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the service of the year 1864.

An Act to grant a Supplementary Supply of \$19,804.28, for the service of the year 1863.

An Act to provide for the Closing of Wells upon uninclosed lands in Vancouver Island and its Dependencies.

The Telegraph Regulation Act, 1864.

The Firemen's Act, 1864.

The Harewood Railway Company, Act, 1864.

The Congregation of Emanu-El of Victoria Incorporation Act, 1864.

The Governor's Victoria City Aid Act, 1864.

The Victoria City Half Per Cent Tax Act, 1864.

The Supplementary Supply Act, No. 4. 1864.

Honourable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly.

19. I now, in Her Majesty's name, prorogue this Council and Assembly, and they are hereby prorogued accordingly until Monday the 3rd day of October next.